

# 2018

ORDINARY BUSINESS PAPER

CAMPBELLTOWN CITY COUNCIL



10 April



3 April 2018

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 10 April 2018 at 6.30pm.

Lindy Deitz  
General Manager

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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 13 March 2018**

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

That the Minutes of the Ordinary Meeting of Council held 13 March 2018, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 13 March 2018 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 13 March 2018 (contained within this report)

## Minutes Summary

**Ordinary Council Meeting held at 6.30pm on Tuesday, 13 March 2018.**

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## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 March 2018

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**Present**

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

### 1. ACKNOWLEDGEMENT OF LAND

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

#### Council Prayer

The Council Prayer was presented by the General Manager.

### 2. APOLOGIES

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

That the apology from Councillor P Lake and Councillor B 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.

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

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### 3. CONFIRMATION OF MINUTES

#### 3.1 Minutes of the Ordinary Meeting of Council held 13 February 2018

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

That the Minutes of the Ordinary Meeting held 13 February 2018 copies of which have been circulated to each Councillor, be taken as read and confirmed subject to the following correction:

Item 4 – Declarations of Interest – Councillor Gilholme – Item 8.4 – Rezoning of Goodsell Street, Minto - Councillor Gilholme noted that his family reside in the area.

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

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#### 3.2 Minutes of the Extraordinary Meeting of Council held 27 February 2018

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

That the Minutes of the Extraordinary Meeting held 27 February 2018 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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### 4. DECLARATIONS OF INTEREST

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

**Pecuniary Interests** - Nil

**Non Pecuniary – Significant Interests** - Nil

**Non Pecuniary – Less than Significant Interests**

Councillor Lound - Item 8.6 - Revised Draft Hire of Playing Fields Policy for Public Exhibition  
- Councillor Lound advised that he is the Chairperson of Macarthur Football Association.

**Other Disclosures** - Nil

### 5. MAYORAL MINUTE

Nil

## 6. PETITIONS

Nil

## 7. CORRESPONDENCE

### 7.1 Member for Campbelltown - Mr Greg Warren MP

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

That the letter be received and the information be noted.

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

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## 8. REPORTS FROM OFFICERS

**Meeting Note:** Ms Hobhouse, Mr Montier, Mr Kite, Mr Mir, Mr Durman, Mr Lonza and Ms Makowski addressed the meeting in regards to Item 8.1.

### 8.1 South Campbelltown Koala Habitat Connectivity Study

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

1. That Council note the South Campbelltown Koala Habitat Study.
2. That Council staff continue to engage with the respective land owners in order to finalise the identification of appropriate primary natural asset corridors.
3. That Council note and acknowledge the comments within the South Campbelltown Koala Habitat Study, made in relation to ongoing land management practices on the subject lands are based on a presumption and all references to the same are to be removed from the report and study.
4. That Council write to the Minister for Planning seeking an urgent meeting in relation to the provision of koala overpasses, underpasses, wildlife exclusion fencing and koala grids along Appin Road and the provision of east-west natural asset corridors in future planning for South Campbelltown.

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

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**Meeting Note:** Mr Durman and Mr Montier addressed the meeting in regards to Item 8.2.

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## 8.2 Mt Gilead Voluntary Planning Agreement

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

1. That Council endorse the draft Mt Gilead Voluntary Planning Agreement for the purpose of public exhibition in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations for a period of 28 days.
2. That all non-supportive submissions received during the public exhibition period be reported to Council. Where no non-supportive submissions are received for the draft Voluntary Planning Agreement, then Councils General Manager be authorised to execute that draft Voluntary Planning Agreement on behalf of Council.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, G Greiss and R George.

Voting against the Resolution were Nil.

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

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## 8.3 Quarterly Legal Status Report October to December 2017

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

That the information be noted.

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

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## 8.4 Draft Open Space Strategic Plan

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

That Council adopt the Open Space Strategic Plan 2018.

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

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## 8.5 Draft Open Space and Land Review Strategy

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

1. That Council endorse the Draft Open Space and Land Review Strategy 2018 for the purpose of placing it on public exhibition for a period of at least 42 days.
2. That following the public exhibition period a further report be tabled on the Draft Open Space and Land Review Strategy 2018 for Council's consideration, highlighting any changes to the draft.

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

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## 8.6 Revised Draft Hire of Playing Fields Policy for Public Exhibition

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

1. That Council endorse the Draft Hire of Playing Field Policy for public exhibition for a period of 28 days.
2. That all sporting clubs be advised of the public exhibition of the Draft Hire of Playing Field Policy.
3. That a further report be presented to Council at the conclusion of the exhibition period to consider any submissions and with a view to adopt the policy.

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

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## 8.7 Community Capacity Building Grants Program

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

1. That Council approve funding under the Community Capacity Building Seeding Grants program.
2. That each of the applicants receive the funding as detailed within the body of the report.

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

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## 8.8 Disability Inclusion Action Plan Advisory Group

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

1. That Council endorse the following nominations of the community and disability service provider representatives that have been received through Expression of Interest:
  - Pat Thomson
  - Hayley Clapham
  - Peter Hickey
  - Elisa Lockhart.
2. That Councillor Gilholme be appointed as the representative of the Disability Inclusion Action Plan Advisory Group and Councillor Chivers be appointed as the alternate.

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

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## 8.9 Campbelltown Bicentenary 2020 - Project Governance and Community Engagement

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

1. That Council establish a Community Advisory Group, with membership and Terms of Reference as contained in attachment 1.
2. The Council establish an internal cross-divisional working group, with membership determined by Council's Executive.
3. That the Community and Stakeholder Engagement Strategy for the early planning phase as proposed in attachment 2 be endorsed.
4. That a report be presented to Council in July 2018 on the community and stakeholder engagement process and next steps.
5. That Councillor Oates and Councillor Chowdhury be appointed as the Councillor representatives of the Campbelltown Bicentenary 2020 Community Advisory Group.

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

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### 8.10 Draft Library Strategic Plan - Connect, Create, Learn

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

1. That Council endorse the Draft Library Strategic Plan Connect, Create, Learn for the purpose of public exhibition for a period of 28 days.
2. That a further report be provided to Council following the exhibition period to consider any submissions with a view to adopt the strategy.

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

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### 8.11 Evaluation of the Trial of the Library Education Autism Program (LEAP) at HJ Daley Library

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

1. That Council note the outcome of the Trial Library Education Autism Program (LEAP) for children on the autism spectrum.
2. That future funding of the program be considered in the draft 2018-2019 Operational Plan/Budget.
3. That Council write to both State and Federal members to seek support to secure Government funding.

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

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### 8.12 National General Assembly of Local Government Motions

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

1. That Council forward any relevant motions to the Director City Governance for forwarding to the ALGA for discussion at the 2018 National General Assembly by 30 March 2018.
2. That any interested Councillors contact the Director City Governance in regard to attending the 2018 ALGA Conference in Canberra between 17-20 June 2018.

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

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### 8.13 Investments and Revenue Report - January 2018

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

That the information be noted.

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

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### 8.14 Proposed Road Names – Western Sydney University Campbelltown Residential Project Stage 5

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

1. That Council approve the proposed road names in the attachment to this report for use within Stage 5 of the Western Sydney University Campbelltown Residential Project.
2. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

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

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### 8.15 Reports and Letters Requested

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

That the information be noted.

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

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Proposed Road Names - Menangle Park

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

That Council approaches the Dahua Group to consider naming the streets, roads and avenues in the new Menangle Park Estate after the soldiers that participated in World War One and World War Two, who have connection to the site and the original owners of the estates from the early 1800's that were awarded land Titles from Government.

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

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## 12. URGENT GENERAL BUSINESS

Nil

## 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Hunt advised that she represented the Mayor at the opening ceremony of the Special Olympics basketball competition held at Minto, this event was fantastic and it was noted all athletes were very excited to be participating and very appreciative of Council allowing them to hold this event.
2. Councillor Moroney advised that he attended the Great Synagogue Shabbat Service recently and noted that this facility is outstanding and that he was proud to represent Council at this event.
3. Councillor Manoto advised that he represented the Mayor at the Diversity Gardens at Glenfield Park School, noting that it was a wonderful event. The school expressed their gratitude to Council for contributing the seeds and assisting the students. After the formalities Councillor Manoto was also given a tour of the school.
4. Councillor Gilholme advised that he attended Ingleburn Alive and noted that it was a great opportunity to watch our local community enjoy this wonderful event. It was also great to see the multicultural event that was held on the grand stage.
5. Councillor Gilholme that he represented the Mayor at the Special Olympics Closing Ceremony, noting that it was such a wonderful event and it was great to watch the athletes enjoying the celebration.
6. Councillor Oates advised that she represented the Mayor at a number of International Womens Day events, noting that one that particularly stands out was held at the Catholic Club. Councillor Oates advised that the General Manager presented at this event and spoke very well about her passion for the local government area and her achievements. It was great to celebrate women in our community.

7. Councillor Brticevic advised that he recently attended the Macarthur Football Launch which was a fantastic event. This event is shared with Secretaries and Presidents of local clubs together with the Referees'. Councillor Brticevic noted that there are currently 11,000 soccer players registered within the Macarthur area.
8. Councillor Brticevic advised that he recently attended the signing of the City Deals. Councillor Brticevic noted that he was fortunate enough to sign this on behalf of Campbelltown, alongside seven other neighbouring Mayors. Councillor Brticevic thanked the Director City Governance and Economy and the General Manager for all of their hard work and commitment with regards to the City Deal which will see many benefits for our community, further to this connectivity for our region will be enhanced.

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### Confidentiality Recommendation

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

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.

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

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**The Ordinary Meeting of Council was adjourned at 8.06pm and reconvened as a meeting of the Confidential Committee at 8.07pm.**

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### 14.1 Partial Purchase of Land for Road Widening

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

1. That Council approve the purchase for part of 50 Badgally Road Claymore (Lot 2 DP 1017017) based on the terms outlined within this report for public works.
2. That Council approve the compulsory acquisition for part of 50 Badgally Road Claymore (Lot 2 DP 1017017) and undertake the necessary actions for compulsory acquisition as outlined in this report if an agreement cannot be reached between Council and the affected owner.
3. That Council approve to proceed with the necessary application to the Minister for Local Government and the Governor in accordance with the provisions of the *Local Government Act 1993* to obtain approval to provide an acquisition notice under the *Land Acquisitions (Just Terms Compensation) Act 1991*.
4. That upon acquisition or purchase, the land be classified as operational.
5. That all documentation associated with the purchase of the subject land if an agreement could be reached be executed under the Common Seal of Council.

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

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### 14.2 Licence for Groundwater Monitoring Bore at Lot 3 DP 1187569

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

1. That Council enter into a Deed of Licence with the Department of Primary Industries – Water (NSW) for a groundwater monitoring bore, based on the terms and conditions outlined in the body of this report.
2. That all documentation associated with the licence be executed under the Common Seal of Council.

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

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## Motion

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.08pm.**

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## Motion

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

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

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

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There being no further business the meeting closed at 8.09pm.

Confirmed by Council on

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

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### **3.2 Minutes of the Extraordinary Meeting of Council held 27 March 2018**

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

That the Minutes of the Extraordinary Meeting of Council held 27 March 2018, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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#### **Report**

That the Minutes of the Extraordinary Meeting of Council held 27 March 2018 are presented to Council for confirmation.

#### **Attachments**

1. Minutes of the Extraordinary Meeting of Council held 27 March 2018 (contained within this report)



## **Minutes Summary**

**Extraordinary Council Meeting held at 6.30pm on Tuesday, 27 March 2018.**

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**Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 27 March 2018**

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

### **1.     ACKNOWLEDGEMENT OF LAND**

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

#### **Council Prayer**

The Council Prayer was presented by the General Manager.

### **2.     APOLOGIES**

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

That the apology from Councillor P Lake, Councillor G Greiss and Councillor B 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.

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

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### **3.     DECLARATIONS OF INTEREST**

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

**Pecuniary Interests - Nil**

**Non Pecuniary – Significant Interests - Nil**

**Non Pecuniary – Less than Significant Interests - Nil**

**Other Disclosures - Nil**

#### 4. REPORTS FROM OFFICERS

##### 4.1 Draft Re-imagining Campbelltown - Sydney's Southern Gateway - Phase One

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

1. That Council endorse Draft Re-Imagining Campbelltown - Sydney's Southern Gateway the phase one outcomes including draft Strategic Framework, Vision and growth pillars for continued consultation and stakeholder engagement.
2. That a further report be brought back to Council at the completion of this engagement period, which will be undertaken until the 25 April 2018.
3. That Council endorse the Urban Analytical Framework and dashboard developed as a part of phase one of Re-Imagining Campbelltown - Sydney's Southern Gateway.
4. That Council recognise the evidence base of research/analysis and targeted stakeholder engagement underlying the draft Strategic Framework and Vision document contained in a series of background reports produced through phase one of the project.

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

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#### 5. URGENT GENERAL BUSINESS

#### 6. PRESENTATIONS BY COUNCILLORS

There being no further business the meeting closed at 6.47pm.

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**

Nil

**6. PETITIONS**

Nil

## **7. CORRESPONDENCE**

### **7.1 Mr Kevin Anderson MP - Slow Down and Move Over Legislation**

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

That the letter be received and the information be noted.

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Letter from Mr Kevin Anderson MP in response to Council's letter regarding the Victorian Governments Slow Down and Move Over Legislation.

#### **Attachments**

1. Copy of Letter to Council from Mr Kevin Anderson MP (contained within this report)
2. Copy of Letter from Council to the Minister for Roads, Maritime and Freight (contained within this report)

**Kevin Anderson MP****Parliamentary Secretary for Regional Roads, Maritime and Transport  
Member for Tamworth**

Our Ref: 00435559

MAR01'18 09:02:12 RCVD

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

Dear Ms Deitz, *Linda*

Thank you for your correspondence to the Minister for Roads, Maritime and Freight about introducing a 40 km/h speed limit when passing emergency vehicles. The Minister has asked me to respond on her behalf.

I note Council's concerns and recognise the important role of emergency services personnel in the community. I am advised crashes involving a parked emergency vehicle represented 0.04 per cent of crashes on NSW roads in the five years to 2016. In NSW, existing laws include provisions to deter drivers from endangering emergency services workers and first responders in the line of duty. For example, NSW Road Rules 78 and 79 contain provisions requiring drivers to keep clear or give way to police and emergency vehicles which are displaying flashing blue or red lights, or sounding an alarm.

The *Road Transport Act 2013* also includes provisions to consider heightened risk around breakdowns and emergency response situations when charging a driver with negligent, furious or reckless driving. If the driving offence caused death or serious injury, the penalty may include large fines and/or imprisonment.

The NSW Government's *Breakdown Safety Guide* warns drivers to reduce speed by 30 km/h around breakdowns, and the 'Slow Down Give Us Space' video campaign also reinforces the message for drivers to slow down around emergency vehicles. I encourage you to share this video and important message with Council's stakeholders to help further educate drivers about road safety. Further information is available at <http://roadsafety.transport.nsw.gov.au/campaigns/slowdownandgiveusspace.html>.

The NSW Government is also spending a record \$282 million in 2017-18 to improve road safety, including education campaigns, road upgrades as well as high-visibility police enforcement across NSW.

I hope this has been of assistance.

SIGNATURE HAS BEEN REMOVED

**Kevin Anderson MP**  
**Parliamentary Secretary**

*22.2.2018*

GPO Box 5741 Sydney NSW 2001 • P: (02) 9574 7300 • [nsw.gov.au/ministers/roads](http://nsw.gov.au/ministers/roads)



13 November 2017

The Hon. Melinda Pavey MP  
Minister for Roads, and Maritime and Freight  
GPO Box 5341  
SYDNEY NSW 2001

Dear Minister

### **Slow Down and Move Over Legislation**

I am writing in relation to the Slow Down and Move Over legislation. The State Government of Victoria has recently (1 July 2017) introduced legislation requiring drivers who pass a stopped or slow moving emergency or breakdown vehicle that has activated its warning lights and/or siren, to slow to 40km/h while passing and where possible move to an adjacent lane.

Council has recently received correspondence from a resident in the Macarthur Region, advocating for Council to support the introduction of similar Legislation in New South Wales. Council is a Road Authority under the NSW Local Government Act and has strong ties to our Emergency Services through our daily activities and the NSW DisPlan.

In the Campbelltown Local Government Area (LGA) over the 5 year period 2012-2016, there has been 28 crashes involving emergency vehicles. Across New South Wales over the same period there has been 675 crashes involving emergency vehicles including 6 fatal crashes and 355 injury crashes. This highlights the risks associated for emergency service workers engaged in their daily duties.

On 15 February 2012 a truck collided with a broken down vehicle that was in the process of being attached to a tow truck on the M31 Hume Motorway south of Campbelltown LGA. Both the tow-truck driver and 23 year old woman who had broken down were killed instantly when the truck clipped the broken down vehicle, propelling it forward trapping the two between the car and tow-truck.

The NSW Government has recently introduced legislation to provide safety to bicycle riders with minimum safe passing distances and maintenance and construction staff have been afforded the safety of implementing 40km/h road works zones when their work site exposes them to moving traffic. The introduction of similar legislation to apply the same safety to the high risk worksites of emergency services and breakdown service workers is a natural progression in the mitigation of workplace hazards & risk.

Council encourages NSW State Government to implement legislation requiring drivers to slow down and change lanes where possible when passing emergency or breakdown service vehicles on the roads and roadsides. We look forward to working positively in partnership with the NSW State Government on the implementation of this very important and missing piece of road safety legislation.

Civic Centre: 91 Queen Street, Campbelltown Mail: PO Box 57, Campbelltown NSW 2560  
Telephone: 02 4645 4000 Facsimile: 02 4645 4111  
Email: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au) Website: [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)  
APM 31 459 014 027



Should you wish to discuss this matter or require any further information, please contact my office on 4645 4659.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

**Lindy Deitz**  
**General Manager**

Copy to: Greg Warren MP, Member for Campbelltown  
Anoulack Chanthivong MP, Member for Macquarie Fields



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## **7.2 Mr Paul Fletcher MP - Forum on Western Sydney Airport**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

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Letter informing Council that the General Manager has been appointed as a member of the Forum on Western Sydney Airport.

### **Attachments**

1. Letter to Council from Mr Paul Fletcher MP (contained within this report)



PARLIAMENT OF AUSTRALIA • HOUSE OF REPRESENTATIVES

**PAUL FLETCHER MP**

Federal Member for Bradfield

Minister for Urban Infrastructure and Cities

MAR05'18 08:05:04 RCUD

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

Dear Ms Deitz

**Forum On Western Sydney Airport**

I am pleased to inform you that following the nomination made on behalf of Campbelltown City Council, I have appointed you as a member of the Forum On Western Sydney Airport (FOWSA). FOWSA is the main forum for community and stakeholder engagement throughout the development of Western Sydney Airport and I am pleased to note that your appointment will ensure continuity of Campbelltown City Council's representation on FOWSA through filling the position made vacant by Paul Tosi's passing.

Including your appointment, there are 22 representatives of the community, stakeholder groups, local councils and the aviation industry appointed to FOWSA. Professor Peter Shergold AC, the Chair and Chancellor of Western Sydney University, chairs the forum. Professor Shergold was consulted on your appointment.

The Department of Infrastructure, Regional Development and Cities is providing secretariat support for FOWSA. I understand a representative of the department has been in touch with you about FOWSA's 16 March 2018 meeting and will follow up this appointment letter with further details about FOWSA's functions. If you have any questions or would like to discuss your membership of FOWSA, please contact the department via [FOWSA@infrastructure.gov.au](mailto:FOWSA@infrastructure.gov.au) or 6274 6908.

I look forward to your contribution to the development of the airport and related infrastructure during this exciting period of growth and change for Western Sydney.

SIGNATURE HAS BEEN REMOVED

Paul Fletcher

25 / 2 /2018

PS Great to have you involved with FOWSA!

Level 2, 280 Pacific Highway, Lindfield NSW 2070 • T 02 9465 3950 • F 02 9465 3999  
P O Box 6022 Parliament House, Canberra ACT 2600 • T 02 6277 7790 • F 02 6245 4396

## **8. REPORTS FROM OFFICERS**

### **8.1 General Manager's Performance Review**

#### **Reporting Officer**

Mayor

#### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

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

That the General Managers performance is considered satisfactory by the Council.

#### **Purpose**

To advise Council of the outcomes of the General Manager's Performance Review.

#### **Report**

In accordance with the General Manager's Contract of employment, a Performance Review meeting was held on Tuesday 27 February 2018.

The meeting, which was attended by His Worship the Mayor, Councillor Brticevic, and Councillors Oates, Chowdhury, Manoto, Hunt, Chivers, Gilholme, Lound, Lake, Morrison, Thompson, Greiss, George commenced at 7.10pm after the Extraordinary Meeting of the Council. The meeting was also attended by the General Manager and the Acting Executive Manager People and Performance, Ms Sally-Anne Murray.

Councillors were provided with a copy of Annexure A, duties and functions of the General Manager's contract.

The General Manager discussed the Council restructure and spoke of achieving good results considering the under resourcing of the People and Performance section. The General Manager provided a powerpoint presentation focussing on leadership, governance, external leadership and advocacy, key partnerships, growth, projects and initiatives and future plans. It also highlighted awards and achievements that Council were successful in attaining.

A number of matters were raised by various Councillors regarding the future direction of Council and the General Manager acknowledged that these would be considered as part of the review of the organisation.

The Mayor commented on the proposed structure of assistance to the Mayor through the position of Executive Officer as well as the change in direction with regard to the Communications team.

It was the view of the Review Committee that the General Manager's performance for the year was satisfactory.

**Performance Review – OLG Guidelines for appointment and Oversight of General Managers**

It is recommended that Council consider implementing a framework consistent with the Guidelines for the Appointment and Oversight of General Managers. Council should identify performance criteria consistent with the guidelines which identify criteria to be included as part of managing the performance of the General Manager. Consistent with the guidelines, Council should form a panel consisting of the Mayor, Deputy Mayor one other Councillor and a Councillor nominated by the General Manager. The guidelines can be found at - <http://www.olg.nsw.gov.au/sites/default/files/Guidelines-for-the-Appointment-and-Oversight-of-General-Managers.pdf>.

**Attachments**

Nil

## **8.2 No. 2 Kent Street, Minto - St James Anglican Church - Heritage Listing**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

### **Officer's Recommendation**

1. That Council endorse the recommendations of the Heritage 21 Report (attachment 3) to list the old St James Anglican Church as an item of (local) environmental heritage under Schedule 5 of Campbelltown Local Environmental Plan.
2. That Council prepare a planning proposal and seek a Gateway Determination to list the old St James Anglican Church as an item of (local) environmental heritage under Schedule 5 of Campbelltown Local Environmental Plan 2015.
3. That subject to the adoption of Recommendations 1 and 2, the landowner be notified of Council's decision.

### **Purpose**

To assist Council's decision on the heritage listing of the old St James Anglican Church, following the Interim Heritage Order issued for the building by Council on 13 October 2017.

### **History**

Development application 2837/2016/DA-DEM was lodged with Council on 30 August 2016 for the demolition of the old St James Anglican Church at No. 2 Kent Street, Minto. Council publicly exhibited the proposal and received eight written submissions and two petitions objecting to the proposed demolition, generally for reasons relating to the potential heritage significance of the building.

The justification provided by the applicant for the proposed demolition referred to the poor structural condition of the building, the associated safety hazard posed to the public and users of the site, and prohibitive cost of repairs. The use of the building for church services had also been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation.

Council at its meeting held 18 April 2017, considered a report on the subject development application and resolved to refuse the proposed demolition for the following reason:

Pursuant to the provisions of Sections 79C(1)(d) and 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that having regard for the number of public submissions, the development is not considered to be in the public interest.

The applicant subsequently lodged an appeal with the Land and Environment Court seeking to have the refusal put aside and the proposed demolition of the building approved. As part of Council's legal defence, specialist heritage advice was obtained to consider the building's potential heritage significance. This advice confirmed the potential heritage significance of the subject building, and recommended Council utilise its delegation under the *Heritage Act 1977* to issue an Interim Heritage Order (IHO) to protect the subject building for a six month period so that further detailed heritage investigations could be undertaken.

Council at its meeting held 10 October 2017 considered a report on the proposed IHO for the old St James Anglican Church (attachment 1), in the context of the Land and Environment Court appeal, and resolved:

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

An IHO for the subject property was prepared and notified by Council in accordance with the above resolution, and became effective on 13 October 2017 for a six month period expiring on 13 April 2018. A copy of the IHO is provided at attachment 2.

Following the making of the IHO by Council, the appeal to the Land and Environment Court was discontinued on 27 October 2018 by consent of all relevant parties. Accordingly, Council's refusal of the subject development application stands, meaning that there is no active appeal or proposal for demolition or works that may impact the subject building.

The following report details the additional investigations undertaken by Heritage 21 to assist Council making an informed determination on the potential heritage listing of the subject building. Should Council formally resolve to heritage list the building prior to the IHO lapsing on 13 April 2018, then the IHO expiration date would be extended by a further six months to enable a planning proposal to be prepared to amend the Campbelltown Local Environmental Plan, 2015 by including St James in the list of heritage items in schedule 5 of the plan.

## Report

The subject land at No.2 Kent Street (Lot 12 DP712566) Minto is legally described as Lot 12 DP 712566, and has an area of approximately 3395 square metres. The site has street frontage to Redfern Road and secondary street frontage to Kent Street.

The site contains the old St James Anglican Church, a rectory and church hall. Vehicular access to the land is from Kent Street and via an internal service road through the adjacent property at No.2 Redfern Road, which is under the same ownership and occupied by the St James Anglican Church Centre.

The old St James Anglican Church was originally built on the corner of Minto Road and Cumberland Road in 1897. It was dismantled and re-erected on the subject land in 1918. The building is not listed in Campbelltown Local Environmental Plan, 2015 as an item of heritage significance.

The St James Anglican Church Centre is a multi-purpose facility has been used by the local congregation for church services since it was completed in 1985. In this respect, the old St James Anglican Church ceased its primary function as a church in 1985, and was completely vacated in 2014 due to safety concerns relating to the structural deterioration of the building.



Council at its meeting held 10 October 2017, resolved to undertake further detailed investigations to determine a final position on listing the old St James Anglican Church as an item of local heritage significance under Campbelltown Local Environmental Plan 2015 (CLEP 2015). These investigations have been undertaken by independent heritage consultants Heritage 21, and the final report on the matter is provided as attachment 3.

The Heritage 21 report identifies that the old St James Anglican Church has a sufficient level of heritage significance to qualify for listing as an item of local heritage significance under CLEP 2015, having regard to its historical, associative, aesthetic, social and representative values. A summary of the recommendations of the Heritage 21 report are provided as follows:

- the site should be listed as an item of environmental heritage on Schedule 5 of the Campbelltown Local Environmental Plan 2015
- the old St James Anglican Church (including significant landscape elements) should be retained and conserved within an appropriate curtilage
- repair works should be undertaken in order to restore full integrity to the building. A suitably qualified heritage practitioner should be engaged to prepare a Schedule of Conservation Works and to subsequently supervise conservation works
- the heritage values of the site should be managed in accordance with best practice conservation principles offered by The Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance, 2013 and pertinent documentation produced by the NSW Office of Environment and Heritage
- any work at the site which carries the potential to impact upon identified heritage values should entail the preparation of a Heritage Impact Statement, to be written by a suitably qualified heritage practitioner
- any approved works undertaken at the site should be supervised by a suitably-qualified heritage architect and be undertaken by tradespeople experienced with historical building fabric.

Council's decision on whether to endorse the heritage listing of the old St James Anglican Church needs to be considered having regard to the full suite of recommendations outlined above. In this respect, it is emphasised that listing the building as an item of local heritage significance under CLEP 2015 would not in itself resolve the poor structural condition of the building, as a local heritage listing would not place any legal obligation on the landowner to undertake maintenance or restoration works.

The landowner has made a submission to the proposed IHO (attachment 4) that advises the cost of repairing the old church building is not an economically feasible proposition for the local parish. This position is supported by a scope of conservation works prepared by Paul Davies Heritage Consultants, and corresponding quotes of \$566,115 and \$667,205 from two separate building companies to complete these works.

Having regard to the above, if an application is to be made to Council for assistance with the required heritage restoration works, the current limit of Council's financial assistance for heritage restoration works is \$2000 for each property.

The landowner has also confirmed that the use of the building for church services has been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation. Accordingly, there appears to be no current need for the old St James Church to return to regular use.



It is noted that the recommendation of the Heritage 21 report to proceed with the heritage listing is inconsistent with the previous practice of Council. Council at its meeting held 5 April 2011, when considering the draft Campbelltown Heritage Study and Register Review (2010) prepared in support of the draft Consolidated LEP, resolved (in part) to not heritage list private properties without the owner's consent. This approach has been consistently maintained by Council for potential heritage items, providing certainty for all stakeholders and generally promoting a better working relationship with property owners of potential heritage items.

## **Conclusion**

Development application 2837/2016/DA-DEM for the demolition of the old St James Anglican Church at No. 2 Kent Street Minto was submitted to Council on 30 August 2016. The justification provided by the applicant for the proposed demolition referred to the poor structural condition of the building, the associated safety hazard posed to the public and users of the site, and prohibitive cost of repairs. The use of the building for church services had also been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation.

Council publicly exhibited the development application and received eight written submissions and two petitions objecting to the proposed demolition. The application was refused by Council on 18 April 2017 for reasons relating to the public interest and impacts on potential heritage significance. The applicant appealed to the Land and Environment Court, however this appeal was discontinued following Council's making of an Interim Heritage Order (IHO) for the subject property on 13 October 2017.

The IHO will lapse on 13 April 2018, however can be extended for a further six months if Council formally resolves to heritage list the building prior to the expiry date. Council engaged Heritage 21 to undertake further investigations and report on the potential heritage listing of the subject building. The Heritage 21 report (attached) provides a number of recommendations, fore mostly being for Council to list the site as an item of local heritage significance under CLEP 2015 and for the building to be restored to its full integrity.

The landowner has advised that repairing the building is not an economically feasible option, citing two quotes of \$566,115 and \$667,205 to complete a schedule of conservation works prepared by Paul Davies Heritage Consultants.

Further, to list the building without the owner's consent is not consistent with past Council practice, however, given the recommendations of the Heritage 21 report, it is recommended that the old St James Anglican Church building be added to the list of heritage items in Schedule 5 of Campbelltown Local Environmental Plan, 2015.

## **Attachments**

1. Previous report to Council dated 10 October 2017 including Council Resolution (contained within this report)
2. Interim Heritage Order (contained within this report)
3. Heritage 21 Report (contained within this report)
4. Submission on behalf of landowner (contained within this report)



Ordinary Council Meeting

10/10/2017

**14.1 No. 2 Kent Street, Minto - St James Anglican Church Interim Heritage Protection Order****Reporting Officer**

Director City Development  
City Development

**Community Strategic Plan**

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)((e) and (g)) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

information that would, if disclosed, prejudice the maintenance of law and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**Officer's Recommendation**

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

**Purpose**

To assist Council with its consideration of using certain provisions within the *Heritage Act 1977* in relation to an ongoing Land and Environment Court appeal following the Council's refusal of a development application proposing the demolition of the original St James Anglican Church building.

Ordinary Council Meeting

10/10/2017

<b>Property Description</b>	Lot 12 DP 712566, No. 2 Kent Street, Minto
<b>Application No</b>	2837/2016/DA-DEM
<b>Applicant</b>	St James Anglican Parish
<b>Owner</b>	Anglican Church Property Trust, Diocese of Sydney
<b>Provisions</b>	<i>Heritage Act 1977</i> <i>Land and Environment Court Act 1979</i> <i>Environmental Planning and Assessment Act 1979</i>

### History

Council received a development application seeking approval to demolish the original St James church building at the subject property in August 2016.

During the assessment and exhibition of the development application, Council received a number of submissions in objection to the proposal.

Council at its meeting held 18 April 2017 resolved to refuse the development application for the following reason:

Pursuant to the provisions of Sections 79C(1)(d) and 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that having regard for the number of public submissions, the development is not considered to be in the public interest.

Upon receipt of the refusal, the applicant lodged an appeal against Council's decision with the Land and Environment Court, seeking to have the refusal put aside and the demolition of the building approved.

### Report

On receipt of the notice of appeal lodged against Council's decision to refuse the application for the demolition of the St James Church, officers engaged the services of Marsdens Law Group to represent Council in its defence of the refusal. As part of the representation offer and with the agreement of officers, it was considered prudent to seek independent heritage significance advice regarding the church building.

At present, the building is not listed as an item of heritage significance.

Marsdens engaged a well-known heritage specialist firm (Rappoport Pty Ltd, trading as Heritage 21) to consider the heritage significance of the church. The firm has completed its study of the church and provided a report on the heritage significance of the church. This report/study will be used to assist Council's position, and defence of its refusal of the application to demolish the building.

The heritage significance assessment can be found in its entirety at Attachment 1 to this report.

In summary, the heritage significance assessment found that:

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- a. Despite some minor structural issues, the building seems relatively intact from the exterior; and
- b. St James Anglican Church embodies historical, associative, aesthetic, social, and representative values, and is also significant for its rarity in the local context. The building demonstrates continuing links with the Anglican community of New South Wales, was designed by a prominent Federation-era architect, and is a rare and highly intact relic of the early development of Minto Village.

Further to this, the assessment report makes three key recommendations, which are reproduced below:

**1. Listing on Campbelltown Local Environmental Plan 2015 (CLEP)**

The building should be listed as a locally significant item of environmental heritage in Schedule 5 of the Campbelltown Local Environmental Plan 2015, in recognition of the contribution the place makes to the historical environment of Minto. The rarity of places in Minto, listed as heritage items in Schedule 5 of the CLEP, makes this action all the more important.

**2. Interim Heritage Order**

Heritage 21 strongly recommends Campbelltown Council, as a delegate of the NSW Heritage Minister, place an Interim Heritage Order on St James Anglican Church. This action would impose a moratorium on any works at the site for a period of up to 12 months, to allow Council to make a full assessment of the heritage significance of the place (such as the one presented in this report).

**3. Remedial Works**

An assessment of the current condition of the subject building should be undertaken by a suitably-qualified structural engineer. Such a report should also detail remedial works to be undertaken to restore the building and address the identified structural failures.

Of relevance in the immediate short term, and with particular regard to the ongoing Court matter is recommendation 2, which is discussed in more detail later in this report.

**Interim Heritage Order – Heritage Act 1977**

The *Heritage Act 1977* is the pre-eminent piece of legislation created for the protection of post European settlement heritage in NSW. The *Heritage Act 1977* (the Act) provides for various means to protect heritage items, including (but not limited to) listing in state and local registers and the issuance of conservation orders.

One such means of limited protection of potential heritage items available to Council under the Act, is the issuing of an Interim Heritage Order (IHO).

A short explanation of interim orders is located on the Office of Environment's website. It reads:

Interim Heritage Orders are made by the Minister on the recommendation of the Heritage Council, or by local councils under delegation.

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The purpose of an Interim Heritage Order is to provide a breathing space of no more than 12 months during which a full heritage assessment can be completed. Temporary in nature, the majority of Interim Heritage Orders are made in response to community representations or concerns raised by local government.

Councils can only make IHO in those circumstances where a potential heritage item, place or area:

- is or is likely to be of heritage significance
- is under threat of demolition or unsympathetic alteration
- does not have statutory heritage protection under the *Environmental Planning and Assessment Act 1979* or the *Heritage Act 1977*.

The above circumstances are considered to apply to the subject site and its current situation.

In this regard, Council is conferred delegations to impose IHOs pursuant to an instrument made under the *Heritage Act 1977* in 2002 and a more recent update in 2013.

Additional information prepared by the Office of Environment and Heritage regarding the IHO process is provided at Attachment 2 to this report.

Correspondence received from Marsdens during preparations for a hearing on the matter, suggests that Council's position in defending its refusal would be strengthened should an IHO be imposed on the subject item.

The IHO process can be commenced by way of Council resolution, with the interim order made pursuant to Section 25(2) of the *Heritage Act 1977*, which reads:

A council authorised under this section may make an Interim Heritage Order for a place, building, work, relic, moveable object or precinct in the council's area that the council considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the council considers is being or is likely to be harmed.

A draft IHO made in the prescribed format is found at attachment 3 to this report.

Under Council's delegation, the maximum period of time an IHO can be made is 6 months. However, this can be extended by way of a further resolution within that initial 6 month period to place an item on a local heritage register. In these circumstances, the Order's expiry period extends to 12 months from the date of its making.

According to the NSW Heritage Office's Local Government Heritage Guidelines publication:

Council must establish whether a potential heritage item is of local or State significance within a reasonable time frame. As soon as possible after an Interim Heritage Order is made, the Heritage Advisor, council heritage officer or consultant should undertake a detailed assessment of the heritage significance of the item. The assessment should be prepared in accordance with Heritage Council guidelines. In some instances it may be necessary for council to engage a consultant with particular expertise to carry out the assessment.

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It would be intended to undertake the further necessary studies to support the site's listing as an item of heritage significance should the IHO be made. As mentioned earlier, it is considered likely that this additional work would assist Council's defence of its decision to refuse the application to demolish the church.

Pursuant to Section 26 of the Act, a council is not required, before making an IHO, to notify any person who will be affected by the order of the intention to make the order.

The IHO becomes effective upon its appearance in the Government Gazette and upon notification of its making to the owner.

Council already has an extensive listing of heritage significant items under its planning instruments, which has ensured that to date there has been no need to utilise the protection mechanisms of the IHO process.

It is important to note that where the Land and Environment Court decides to approve the demolition of the subject building, Council would no longer have the power to make an IHO on the subject building i.e. the making of an IHO must be completed before the Court (or any other authority) makes a decision that allows the demolition of the subject building.

An owner can appeal the making of an IHO to the Land and Environment Court. It is considered likely that should such an appeal be made with the Court against the IHO, such an appeal would be joined to the existing appeal against Council's refusal of the development application.

### **Conclusion**

Council has refused a development application to demolish the original St James Church building at No. 2 Kent Street, Minto.

The applicant subsequently lodged an appeal with the NSW Land and Environment Court against Council's refusal of the application to demolish the church.

As part of Council's defence of its decision to refuse the application, specialist heritage advice was sought to consider the building's potential heritage significance.

The specialist advice has found that the church has potential heritage significance and recommends that Council issue an Interim Heritage Order on the property and the item to protect it for a maximum of 12 months until such time that further detailed investigations can be undertaken, moving to the item being listed as locally significant in Council's local environmental plan.

Council's established position in relation to listing items of heritage significance has been that it would not do so without the agreement of the landowner. Council's position was held to ensure that there is no motive for owners wanting to diminish the heritage value of properties (by way of neglect) that are being considered for listing.

Council's legal representative has suggested that Council's position in defending its refusal would be strengthened should an Interim Heritage Order be imposed on the site.

The Interim Heritage Order can be made within days of Council's resolution according to the procedures outlined by the NSW Government Parliamentary Counsel.

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It would be intended to gazette the Interim Heritage Order with some haste as the initial conciliation conferencing on the applicant's appeal is being held in late October.

Further recommendations would be provided to Council in the coming months in regard to the future listing of the item in Council's local environmental plan once additional detailed heritage significance and building condition reports is received.

**Attachments**

1. St James Anglican Church, Minto - Assessment of Significance (distributed under separate cover - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)
2. Office of Environment and Heritage Interim Heritage Order Information sheet (distributed under separate cover - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)
3. Proposed Interim Heritage Order to be published in the NSW Government Gazette (contained within this report - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)

**14.1 No. 2 Kent Street, Minto - St James Anglican Church Interim Heritage Protection Order**

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

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

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

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**CAMPBELLTOWN CITY COUNCIL****INTERIM HERITAGE ORDER NO 1**

Under section 25 of the Heritage Act 1977 Campbelltown City Council does by this order:

- i. make an Interim Heritage Order to cover the item of the environmental heritage specified or described in Schedule "A"; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule "B".

This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date either:

1. in the case of an item which, in the Council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
2. in the case of an item which in the Council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Sydney 10<sup>th</sup> October 2017

LINDY DEITZ, General Manager, Campbelltown City Council

**Schedule "A"**

The property known as St James Anglican Church, situated at 2 Kent Street, Minto on land described in Schedule B.

**Schedule "B"**

All those pieces and parcels of land known as Lot 12, DP 712599 in the Parish of Minto, County of Cumberland.

## *Heritage Data Form*

ITEM DETAILS					
<b>Name of Item</b>	St James Anglican Church				
<b>Other Name/s Former Name/s</b>	-				
<b>Item type (if known)</b>	Built				
<b>Item group (if known)</b>	Religion				
<b>Item category (if known)</b>	Church				
<b>Area, Group, or Collection Name</b>	-				
<b>Street number</b>	2				
<b>Street name</b>	Kent Street				
<b>Suburb/town</b>	Minto	<b>Postcode</b>		2566	
<b>Local Government Area/s</b>	Campbelltown				
<b>Property description</b>	Lot 12 / DP 712599				
<b>Location - Lat/long</b>	<b>Latitude</b>	-34.028673		<b>Longitude</b>	150.846923
<b>Location - AMG (if no street address)</b>	<b>Zone</b>		<b>Easting</b>		<b>Northing</b>
<b>Owner</b>	Anglican Church of Australia				
<b>Current use</b>	Vacant				
<b>Former Use</b>	Church				
<b>Statement of significance</b>	<p>St James Anglican Church embodies historical, associative, aesthetic, social, and representative values, and is also significant for its rarity in the local context.</p> <p>St James Anglican Church exhibits historical significance at the local level as remnant evidence of the historical development of the local area and the increasing population of the late-nineteenth century. Its relocation represents the growth of Minto as a distinct township and has served the needs of the Anglican community of Minto for nearly a century.</p> <p>The building is associated with two prominent architects of the Federation period – Henry Austin Wilshire (who designed the original building) and John Burcham Clamp (who oversaw the relocation project). Together, Wilshire and Burcham Clamp are associated with over 40 buildings and / or works which are statutorily protected as heritage items in New South Wales. The subject building forms part of their legacies.</p> <p>Although the building is not notable for displaying any particular creative achievement, the building does demonstrate landmark qualities in the area as one of the last remnant buildings from the original Minto Village. It is intact and its original form, scale, and dimensions are readily legible from all perspectives. Its setting – including early pine tree plantings and intact front fence from c. 1930s – remains intact, and serves to enhance the landmark qualities of the building. Additionally, the building displays significant technical achievement, having been dismantled and reconstructed entirely by hand within 10 weeks, with minimal change to original fabric (save the deletion of the front veranda).</p> <p>St James Anglican Church represents the continuing presence of the Anglican community in the locale for over a century. Its built fabric displays evidence of community involvement – several renovation works have been undertaken by members of the local community, including extensive working bees in the 1970s. The place also demonstrates ties to the Anglican community of New South Wales, with Wilshire (the original architect) designing the building pro bono, and donations towards the original</p>				

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	<p>building made by the trustees of St James Church, Sydney and St Phillips Church, Glebe. In general, the site represents a continuing link between the Anglican Church of NSW and the Anglican community of Minto, and is socially significant.</p> <p>The subject building is one of the last remnant buildings that date to the early beginnings of Minto Village, and its original form, scale, and setting is readily legible. It is a locally rare item. At the same time, the building is a highly intact example of a simple, late-nineteenth century church building, and its continued legibility means that it is a fine representation of this type of building.</p>				
<b>Level of Significance</b>	State <input type="checkbox"/>		<u>Local</u> <input checked="" type="checkbox"/>		
<b>DESCRIPTION</b>					
<b>Designer</b>	Henry Austin Wilshire				
<b>Builder/ maker</b>	T. P. Latter				
<b>Physical Description</b>	<p><u><b>Exterior:</b></u></p> <p>The subject site is a large allotment located at the intersection of Redfern Road and Kent Street. The property frontage displays a wire and timber fence which, although not original, likely dates to the Inter-War period. Between the fence and the Church building are a series of palm trees, which were planted in the late 1910s. The relatively large, grassed allotment gives ample curtilage for the Church building to stand out as the prominent built form at the site.</p> <p>The Church building itself is of simple form – a single-storey building with a prominent gabled roof with a slight parapet at the front and back. The structure is of polychromatic brick masonry construction, with a roof of cement tile sheeting. At the front of the building is a smaller, enclosed gable element with a pointed arch window fronting the street, which serves as the entry point to the Church. Near the apex of the primary gable, at both sides, is a decorative oeil de boeuf opening.</p> <p>At the side elevations to the east and west, the structure is punctured by an identical fenestration pattern of three, pointed arch windows set into bays created by non-load bearing piers, with doors at the northern ends.</p> <p>At the rear, the Church is supported by two buttresses of brick masonry in a polychromatic tonality similar to that of the primary structure. These were added after the building was reconstructed at the present site in 1918.</p> <p><u><b>Interior:</b></u></p> <p>Originally, the site would have been divided into two spaces: the front gable entrance, and the nave.</p> <p>Currently, the interior is divided into four spaces: the entrance, a makeshift narthex, the nave, and an upper level (above the narthex, facing into the nave). The narthex and upper level are recent additions of timber construction.</p> <p>The ceiling is of timber planks, with evenly-spaced hardwood trusses. Flooring is timber, and likely early to the construction of the Church.</p> <p>Stained glass windows at the rear wall are visible from within the building.</p>				
<b>Physical condition</b>	A preliminary visual inspection was undertaken in January 2018, which found that the item is in fair condition.				
<b>Archaeological potential</b>	Low – none.				
<b>Construction years</b>	<b>Start year</b>	1897	<b>Finish year</b>	1898 (dismantled and reconstructed 1918)	<b>Circa</b> <input type="checkbox"/>
<b>Modifications and dates</b>	<p>The original building – located on a different site between the townships of Minto and Ingleburn – was dismantled and reconstructed in its present location in Minto in 1918. The reconstructed Church was exactly the same as the original, although the original veranda which extended across the primary elevation of the building had been deleted in the building's second iteration.</p> <p>Other modifications and alterations to the building and the site include:</p>				

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	<p>Late 1910s: Planting of palm trees at the property frontage, Redfern Road</p> <p>1920: Construction of tennis court</p> <p>Late 1920s: Replacement of four Miller kerosene lights – used to illuminate the interior – with three Aladdin lamps (donated by parishioners)</p> <p>August 1938: Installation of electric lights in interior</p> <p>1948: Connection to new city water supply</p> <p>1962: Expansion of Church to obtain adjacent Guild Hall (currently in use at the Children's Centre)</p> <p>1966: Construction of Sunday School Hall (later demolished to make way for new Church building)</p> <p>1975: Erection of rectory building; Retiling of roof of Church building (the cost of which was borne through an interest-free loan from Mary Monkley, a late parishioner)</p> <p>1977: Internal floor varnished; vestry and broom room removed from interior to allow space for organ, communion table, and dais</p> <p>Late 1970s: Renovation of stained glass window at northern end of building in memory of Mr Apps, a late parishioner; Community working bees – repainting all windows and doors of building; clearing moss from southern end of building; replacement of most fencing around Church and rectory buildings</p> <p>1 December 1984: Laying of foundation stone for new Church building, to the south of the original Church – the new Church building, which is currently in use, was opened on 25 May 1985</p>
<b>Further comments</b>	None.

### HISTORY

<b>Historical notes</b>	<p><b><u>Beginnings:</u></b></p> <p>As a result of significant population growth in the region, St James Church of England was first erected on the corner of Minto and Cumberland Roads in 1897 to serve the suburbs of Glenfield, Ingleburn, and Minto. The architect of the building was Henry Austin Wilshire, the youngest son of James Robert Wilshire MLC, second elected Lord Mayor of Sydney. Henry Wilshire was a prominent social figure and architect in the late nineteenth and early twentieth centuries, and at present 12 of his buildings have been afforded statutory protection as heritage items in NSW. Wilshire provided his services pro bono to the Anglican Church for the design of St James Church. Prior to construction of the Church, a sum of approximately £200 was donated by the trustees of St James Church in central Sydney, with a smaller amount given by St Phillips Church in Glebe.</p> <p><b><u>Construction and Opening:</u></b></p> <p>The foundation stone for the Church was laid on 13 September 1897 by the Bishop of Bathurst, the Right Reverend Dr C.E. Camidge. The ceremony was seen as a "means of bringing a large gathering of the residents together," and was a well-attended affair which was followed by a fundraising concert. Copies of Sydney and local newspapers from the day of the ceremony were placed in a bottle, which in turn was placed into a portion of the foundation stone. Also in the bottle was a written document recording the names of the principal figures in the ceremony.</p> <p>St James Church was officially opened on Saturday 5 February 1898. The Cumberland Herald wrote at length on the Church's opening, describing a service which had "a very large attendance, which included visitors from all parts of the [Minto-Ingleburn-Glenfield] district." The article goes on to describe the building:</p> <p><i>The foundations are built in solid cement, the walls being 9in. with a 3in. cavity. The gables are 14in. with 3in. cavity, dark grey, with red bricks as a string course; also, door and window openings which are Gothic. The frames are Oregon with Kauri linings and architraves. The roof is open with framed principals, lined on the top with colonial mahogany and covered with Terra Cotta roofing [sic] tiles. The floors are 4in. x 1in. T.G. best tallow-wood. The chancel windows are fitted with lead lights and tinted glass; all other windows are frosted. The vestry and organ screens are formed of Oregon and diagonal panels of best Kauri. The whole of the seats, pulpit, reading-desk, and front-table are of the same material. The decoration of interior of walls are French grey Alabastine, with a stencil design</i></p>
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## *Heritage Data Form*

	<p>over a dark dado. The principals and rafters are grained, and all other woodwork and furniture varnished throughout, thus producing a very pleasing effect.</p> <p>St James would soon become a focal point for community gatherings, with many fundraising events held at the Church grounds. For one such event, a marquee was lent gratis to the Church by Dudley and Co., sailmakers located in Sussex Street, Sydney. Captain Thomas Dudley, of Dudley and Co., was a somewhat infamous figure in the late nineteenth and early twentieth centuries. In July 1884, Dudley was on voyage from Southampton, England to Australia on the yacht Mignonette, which became foundered some 1800 miles from the closest shoreline. Dudley, two men, and a young boy were fortunate enough to escape on a boat, but without any provisions. After two weeks with no food or water, Dudley and one of the other men decided to execute and consume the young boy. The three survivors were eventually rescued and taken to Falmouth. Dudley and the other man responsible for the death of the boy were tried at the assizes of Exeter, where they were sentenced to death for cannibalism on the high seas. The sentence, however, was immediately commuted to six months' prison with no hard labour. After moving to Sydney and finding commercial success as a sail maker and ship chandler, Dudley would become the first person in Australia to die of the bubonic plague in February 1900.</p> <p><b><u>Relocation:</u></b></p> <p>Rising populations in the townships of Minto and Ingleburn in the early twentieth century saw St James increasingly unable to serve the two communities for which it was established. A meeting was convened on 25 June 1915 by the Rural Dean of Cobbity and attended by the rectors of Campbelltown and Ingleburn, together with their wardens. Ingleburn expressed a desire for a new church and St James, in its original location on the border of the two towns, was not seen as adequately central to either one or the other. On 15 February 1915, the people of Minto had purchased two blocks of land in proximity to Minto Village, on Kent Street at the intersection with Redfern Road. This would eventually become the new location for St James Church (where it still stands), although at the time there were inadequate funds to move the structure to a new location.</p> <p>By the mid-1910s St James was only occasionally being used for Church services, with services mainly being held at the Minto School of Arts. During this time, St James would become something of a haven for 'swaggies' – transient itinerant labourers who would pass through on their way to find employment opportunities wherever they existed.</p> <p>Research suggests that the initial plan was for the final services at the original St James to be held towards the end of 1915. An article from the Campbelltown Herald dated 25 September 1915 writes of a wedding which was "in all probability" the final service to be held at the Church before the relocation.</p> <p>However, Church records indicate that the final service to be held at the original St James was on Sunday, 21 July 1918. No records detailing the specifics of this service were kept, however following this and through the end of July, workers began the process of cleaning and clearing the new Kent Street site and dismantling the original Church building.</p> <p><b><u>The New Church:</u></b></p> <p>In July 1918, a contract was signed with builder Syd A. Cross and architect John Burcham Clamp for the dismantling and rebuilding of St James Church on the allotment purchased by the parishioners of Minto in 1915. Burcham Clamp was a prominent architect in the late-nineteenth and early-twentieth centuries, responsible for the original St James Hall on Phillip Street, Sydney (since demolished), Victoria Hall, Manly (since demolished to make way for St Matthews Church), and the conversion of a two-storey residence in Rushcutters Bay to house St Luke's Hospital. Clamp was also an active Anglican and served as the building surveyor for the diocese of Sydney – he designed St Matthews Church, Manly and the Sydney Church of England Grammar School (Shore) chapel, North Sydney, and was a founder of the prestigious Cranbrook School in Rose Bay. At present, 29 works designed by or associated with Burcham Clamp have been afforded statutory protection as heritage items in NSW, including two items listed on the State Heritage Register.</p> <p>The contract for the relocation of St James included a time allowance of 10 weeks, and included the dismantling of the original building, transportation of all material and fabric from the original site to the new, and reconstruction of the Church at the new site. All transport was done by horse and dray, and all work done by hand.</p>
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## *Heritage Data Form*

	<p>The foundation stone for the rebuilt St James – in its current location on Kent Street, Minto – was laid by Anglican Archbishop of Sydney, John Charles Wright, on Saturday 24 August 1918. The day's editions of the Daily Telegraph and Campbelltown Herald were placed in the cavity, along with details of the Church and a silver coin struck in 1918. The original foundation stone was also laid at this ceremony.</p> <p>The rebuilt St James was open for worship by the end of 1918, with a dedication service being held on 19 November and conducted by the Dean and Archdeacon of Sydney, Albert Edward Talbot. Records indicate that it was a well-attended affair, with 162 seated guests and many others standing.</p> <p>The Church in its new location was almost identical to its original iteration, save for the deletion of the original veranda which extended along the primary elevation of the building. There were also plans to insert a Gothic arched-extension to the north of the building to lead to the Chancel and vestry door, although this plan never came to fruition.</p> <p>The Church was officially consecrated on Sunday, 14 October 1934 by the Archbishop of Sydney, Howard W. K. Mowll.</p>
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THEMES	
<b>National historical theme</b>	3. Developing local, regional and national economies 4. Building settlements, towns and cities 8. Developing Australia's cultural life
<b>State historical theme</b>	Events Land tenure Religion



## *Heritage Data Form*

<b>APPLICATION OF CRITERIA</b>	
<b>Historical significance</b> SHR criteria (a)	<p>St James Anglican Church demonstrates the development of the Minto-Ingleburn locale towards the end of the nineteenth century, and was constructed to serve the needs of the growing population of the area. The original foundation stone is intact and exhibits this early development of the area.</p> <p>In its current location, the site represents the growth of Minto as a distinct locality and is located within the grounds of the first subdivision of the Minto Township, in the original Minto Village. The second foundation stone is intact and demonstrates this early development of Minto. Today, the Church is one of the final extant buildings from the original Minto Village.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting historical significance at the local level.</p>
<b>Historical association significance</b> SHR criteria (b)	<p>The original design for the Church was that of Henry Austin Wilshire, who was the youngest son of James Robert Wilshire MLC, second elected Lord Mayor of Sydney. Henry Wilshire was a prominent architect in the late nineteenth and early twentieth centuries, and at present 12 of his buildings have been afforded statutory protection as heritage items in NSW. Wilshire provided his services pro bono to the Anglican Church for the design of St James Church.</p> <p>The relocation of St James Church in 1918 was overseen by architect John Burcham Clamp, a prominent architect in the late-nineteenth and early-twentieth centuries. At present, 29 works designed by or associated with Burcham Clamp have been afforded statutory protection as heritage items in NSW, including two items listed on the State Heritage Register.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting associative significance at the State level.</p>
<b>Aesthetic significance</b> SHR criteria (c)	<p>The subject building is not notable for demonstrating any creative achievement, being of a simple form typical of church buildings. Despite its associations with two prominent late-nineteenth and early-twentieth century architects, the building is not considered a major work by either of these designers.</p> <p>However, the building does demonstrate landmark qualities in the area, being one of the last remnant buildings from the original Minto Village. It is intact, and its original form, scale, and dimensions are readily legible from all perspectives. Its setting – including early pine tree plantings and intact front fence from c. 1930s – remains intact, and serves to enhance the landmark qualities of the building.</p> <p>The subject building also displays significant technical achievement, having been dismantled and reconstructed entirely by hand within 10 weeks, with minimal change to original fabric (save the deletion of the front veranda).</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting aesthetic significance at the local level.</p>
<b>Social significance</b> SHR criteria (d)	<p>St James Anglican Church represents the continuing presence of the Anglican community in the locale for over a century. Its built fabric displays evidence of community involvement – several renovation works have been undertaken by members of the local community.</p> <p>The site exhibits ties to the Anglican community of New South Wales, with the building's original architect Henry Austin Wilshire undertaking the work pro bono and donations made for the original building by the trustees of St James Church, Sydney and St Phillips Church, Glebe. The relocation work was overseen by John Burcham Clamp, who was also a prominent figure in the Anglican Church in the early twentieth century.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting social significance at the local level.</p>
<b>Technical/Research significance</b> SHR criteria (e)	<p>There is no evidence to suggest that the building demonstrates construction techniques other than those commonly employed at the time.</p> <p>The subject site therefore does not meet the requirements of this criterion.</p>
<b>Rarity</b> SHR criteria (f)	<p>The subject building is one of the last extant buildings that date to the early beginnings of Minto Village.</p> <p>As such, the site meets the threshold of this criterion and is assessed as being locally rare.</p>

## *Heritage Data Form*

<b>Representativeness</b> SHR criteria (g)	<p>Although not of notable design, the subject building is a highly intact example of simple, late-nineteenth century local church buildings in New South Wales. Its original form, scale, and dimensions remain highly legible, and its historical setting – including palm trees and front fence – has been retained, despite later development on the allotment.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting representative significance at the local level.</p>
<b>Integrity</b>	<p>The original form, scale, and dimensions of the Church are readily legible to the present day.</p> <p>Internally, some intrusive fabric has been recently introduced (namely the timber partitions which have created the narthex and the upper level – including the staircase), however this is readily distinguishable from the original fabric.</p> <p>Extant original / early fabric includes: front fence, palm trees, building envelope of brick masonry, timber window frames, roofing, timber doors and surrounds, stained glass windows, and internal flooring.</p>

### HERITAGE LISTINGS

<b>Heritage listing/s</b>	None.
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### INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Newspaper	Biz; Camden News; Campbelltown Herald; Daily Telegraph; Evening News; Liverpool Herald; Morning Bulletin; The Sydney Morning Herald.		Various	'Trove': National Library of Australia
Publication	Olaf Brockenhuus-Schack	The Church of St James Parish of Minto, Wollongong Region, Anglican Diocese of Sydney	2010	Myrrh – The Moore Institutional Repository, Moore College Library
Online	Manly Library Local Studies Blog	A Cannibal on North Head	16 January, 2014	Northern Beaches Library
Online	Peter Reynolds	Clamp, John Burcham (1869-1931)	1981	Australian Dictionary of Biography
Online	NSW Office of Environment & Heritage	State Heritage Inventory	Various	NSW Office of Environment & Heritage

### RECOMMENDATIONS

<b>Recommendations</b>	<p>Retain and conserve building and setting (including significant landscape elements) within an appropriate curtilage. Repair works should be undertaken – in keeping with the maxim of doing “as much as necessary, but as little as possible” – in order to restore full structural integrity to the building. A suitably-qualified heritage practitioner should be engaged to prepare a Schedule of Conservation Works and to subsequently supervise conservation works.</p> <p>The site should be listed as an item of environmental heritage on Schedule 5 of the Campbelltown Local Environmental Plan 2015.</p> <p>In general, the identified heritage values of the site should be managed in accordance with best practice conservation principles offered by <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance</i>, 2013 and pertinent documentation produced by the NSW Office of Environment and Heritage.</p> <p>Any work at the site which carries the potential to impact upon identified heritage values should entail</p>
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## *Heritage Data Form*

	<p>the preparation of a Heritage Impact Statement, to be written by a suitably-qualified heritage practitioner.</p> <p>Any approved works undertaken at the site should be supervised by a suitably-qualified heritage architect and be undertaken by tradespeople experienced with historical building fabric.</p>
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SOURCE OF THIS INFORMATION			
<b>Name of study or report</b>	N/A	<b>Year of study or report</b>	N/A
<b>Item number in study or report</b>	N/A		
<b>Author of study or report</b>	N/A		
<b>Inspected by</b>	N/A		
<b>NSW Heritage Manual guidelines used?</b>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>This form completed by</b>	Heritage 21	<b>Date</b>	February 2018

## *Heritage Data Form*

### IMAGES

Image caption	Primary (western) elevation and front landscape elements (front fence, palm trees).				
Image year	2018	Image by	Heritage 21	Image copyright holder	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Southern elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Rear (eastern) elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21

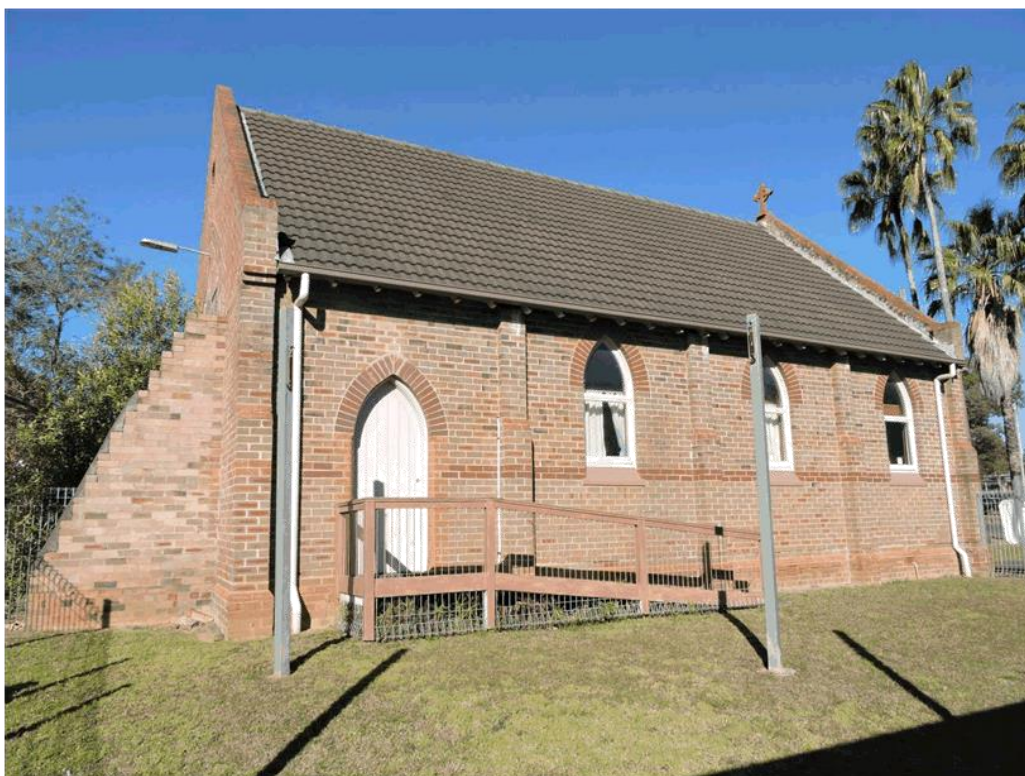




## *Heritage Data Form*

### IMAGES

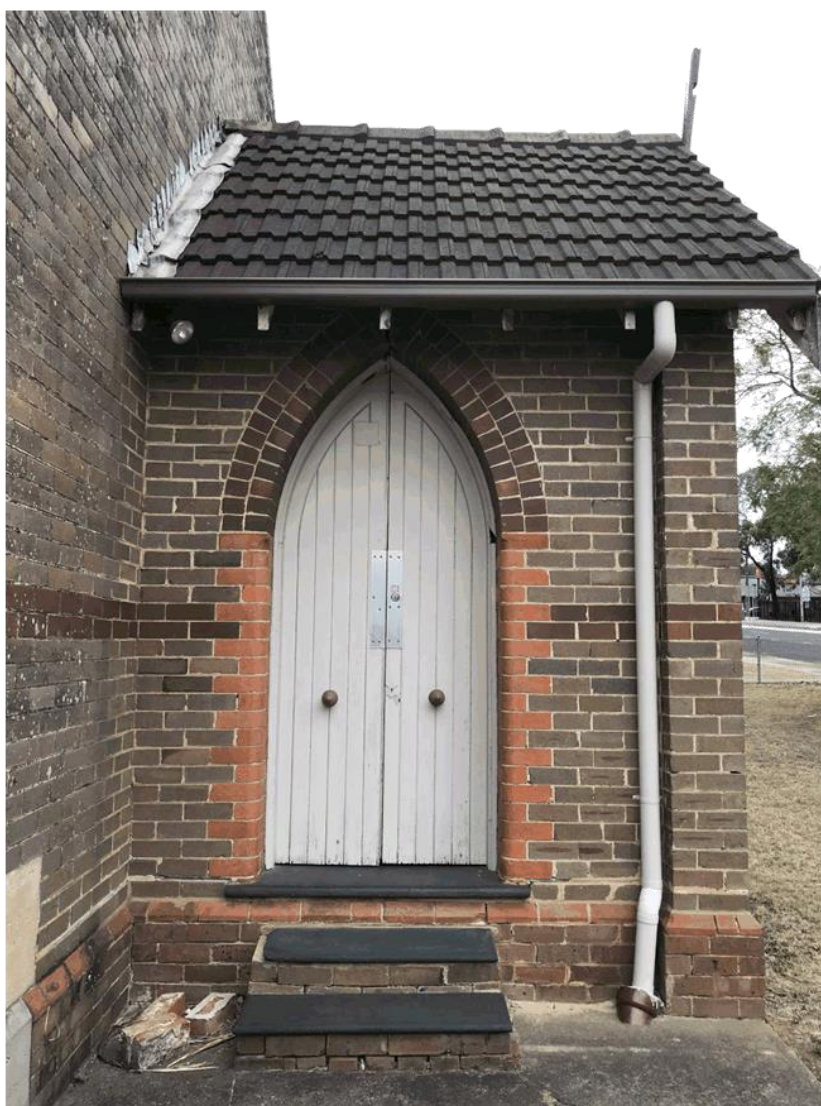
Image caption	Northern elevation.				
Image year	2017	Image by	Heritage 21	Image copyright holder	Heritage 21



## *Heritage Data Form*

### IMAGES

Image caption	Entrance at front gable.				
Image year	2018	Image by	Heritage 21	Image copyright holder	Heritage 21



## *Heritage Data Form*

### IMAGES

Image caption	Foundation stones, next to front entrance.				
Image year	2017	Image by	Heritage 21	Image copyright holder	Heritage 21





## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Entrance to Church inside front gable.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21

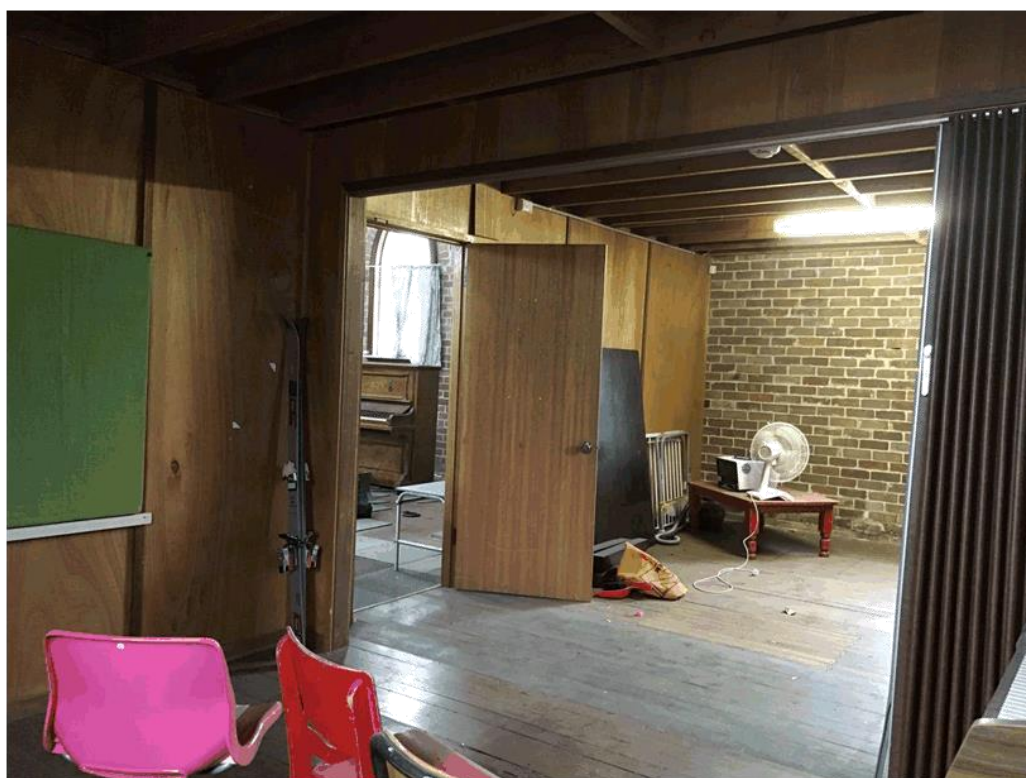




## *Heritage Data Form*

### IMAGES

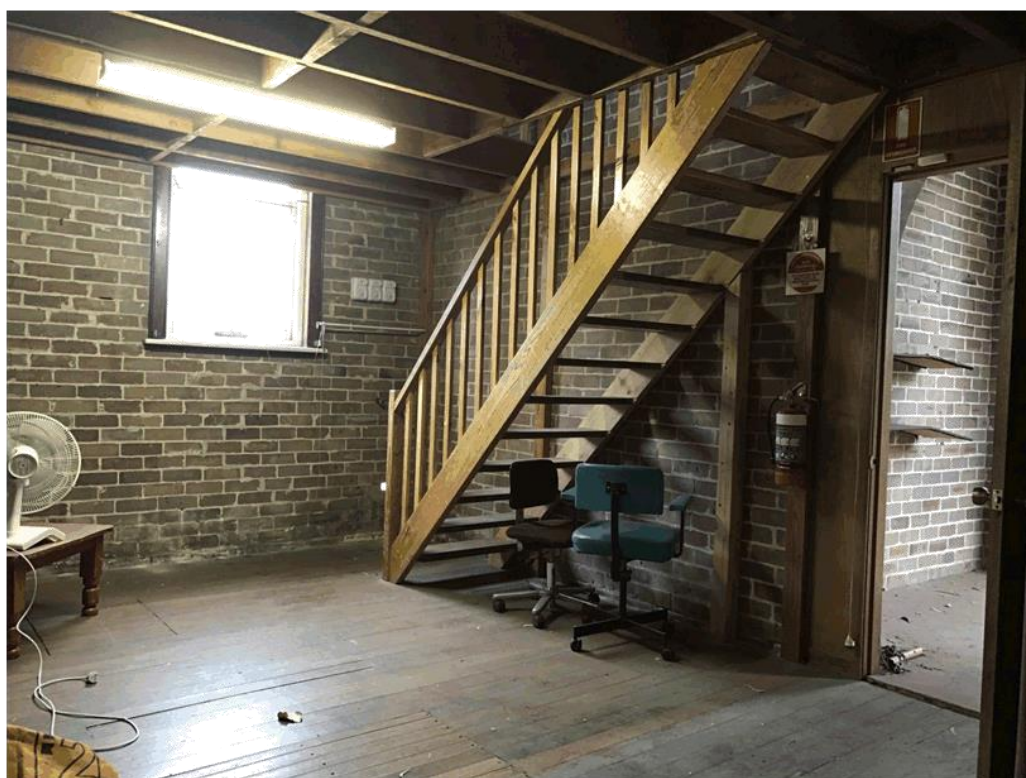
Image caption	Narthex.				
Image year	2018	Image by	Heritage 21	Image copyright holder	Heritage 21



## *Heritage Data Form*

### IMAGES

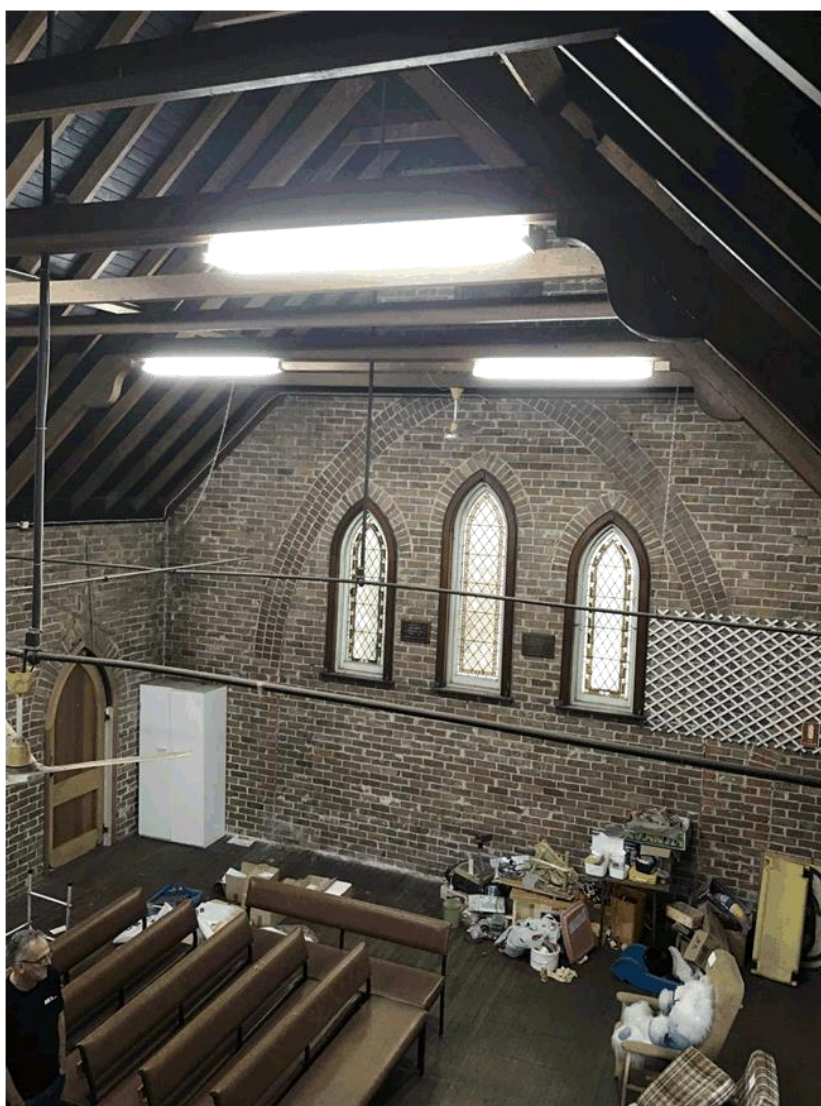
<b>Image caption</b>	Staircase in narthex.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Nave, as viewed from upper level.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21





## *Heritage Data Form*

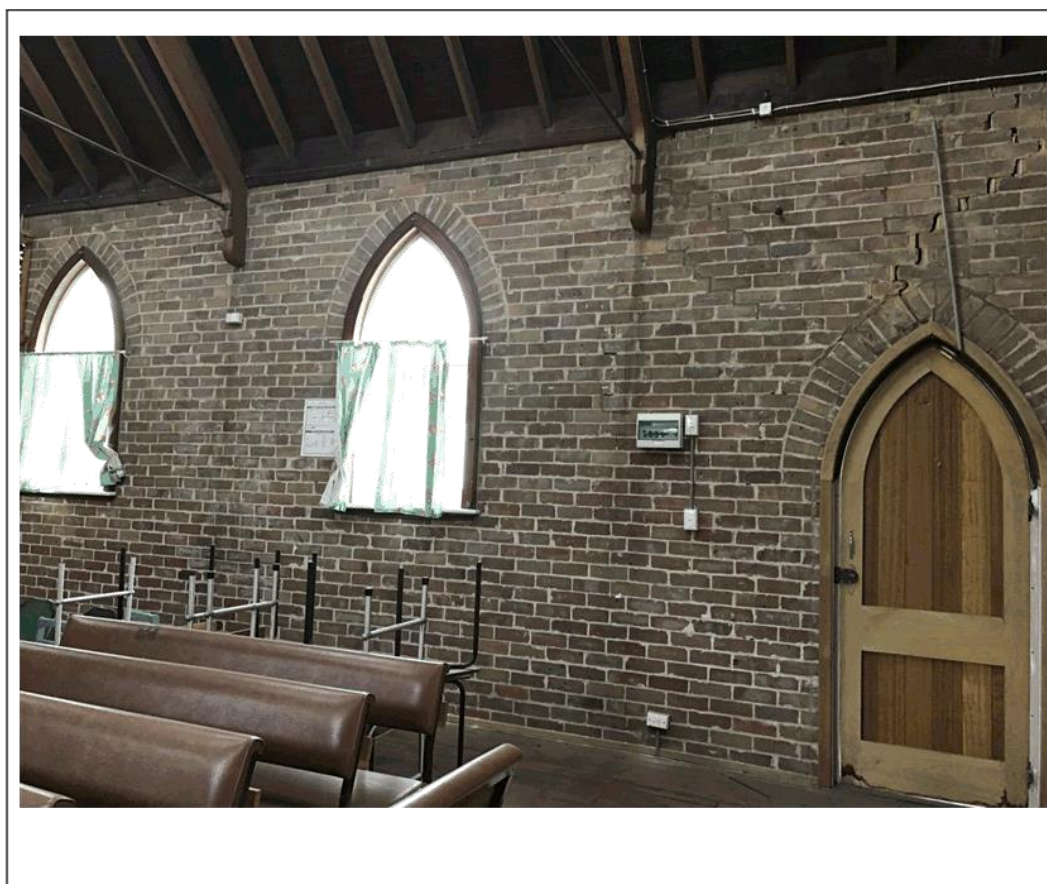
### IMAGES

<b>Image caption</b>	Stained glass windows at rear (eastern) elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

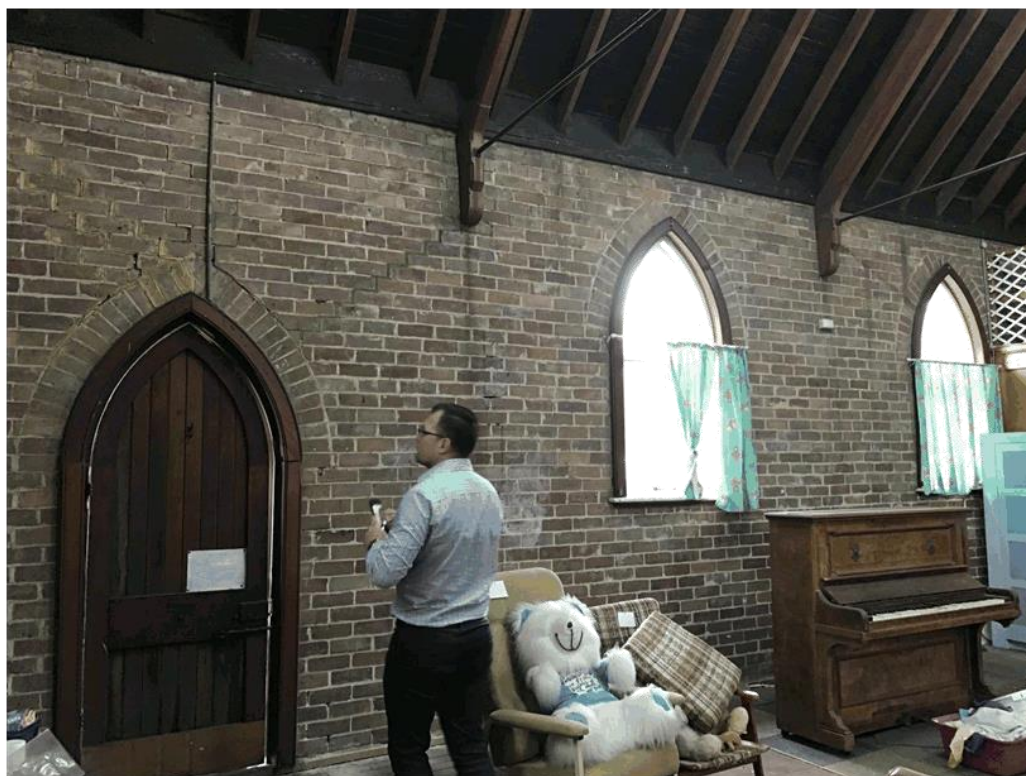
IMAGES					
<b>Image caption</b>	Northern elevation, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Southern elevation, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21

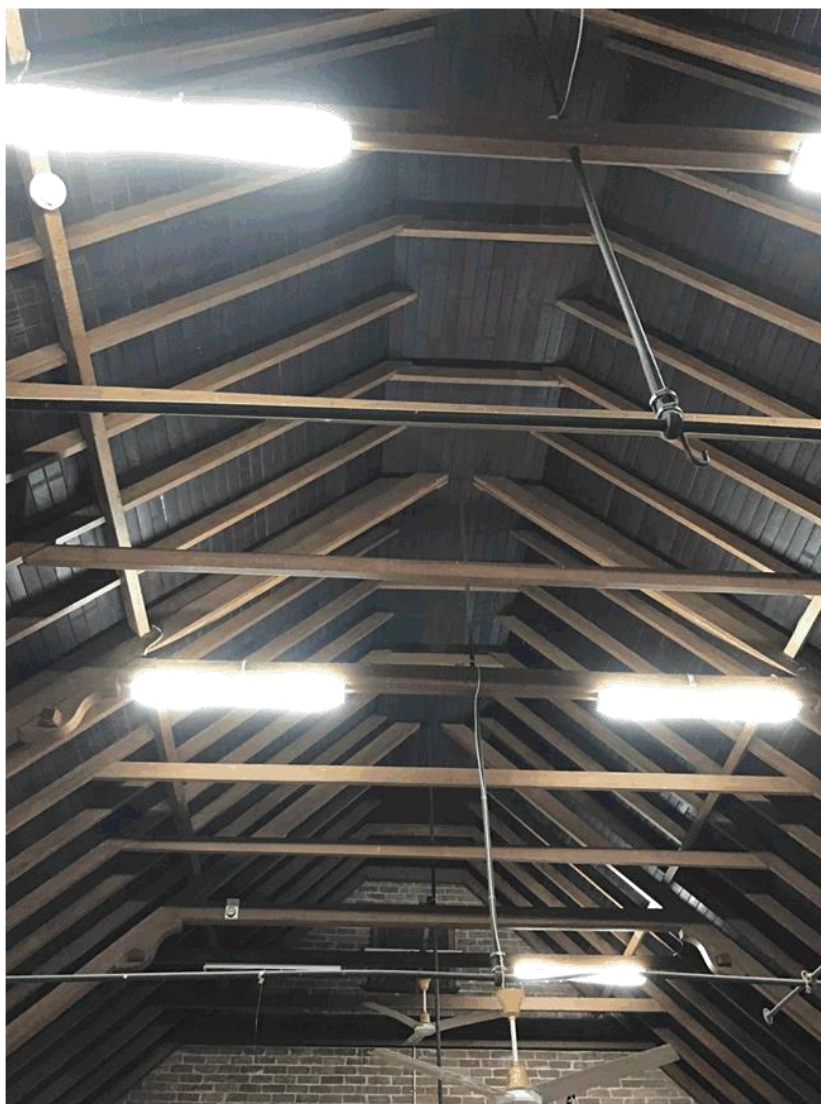




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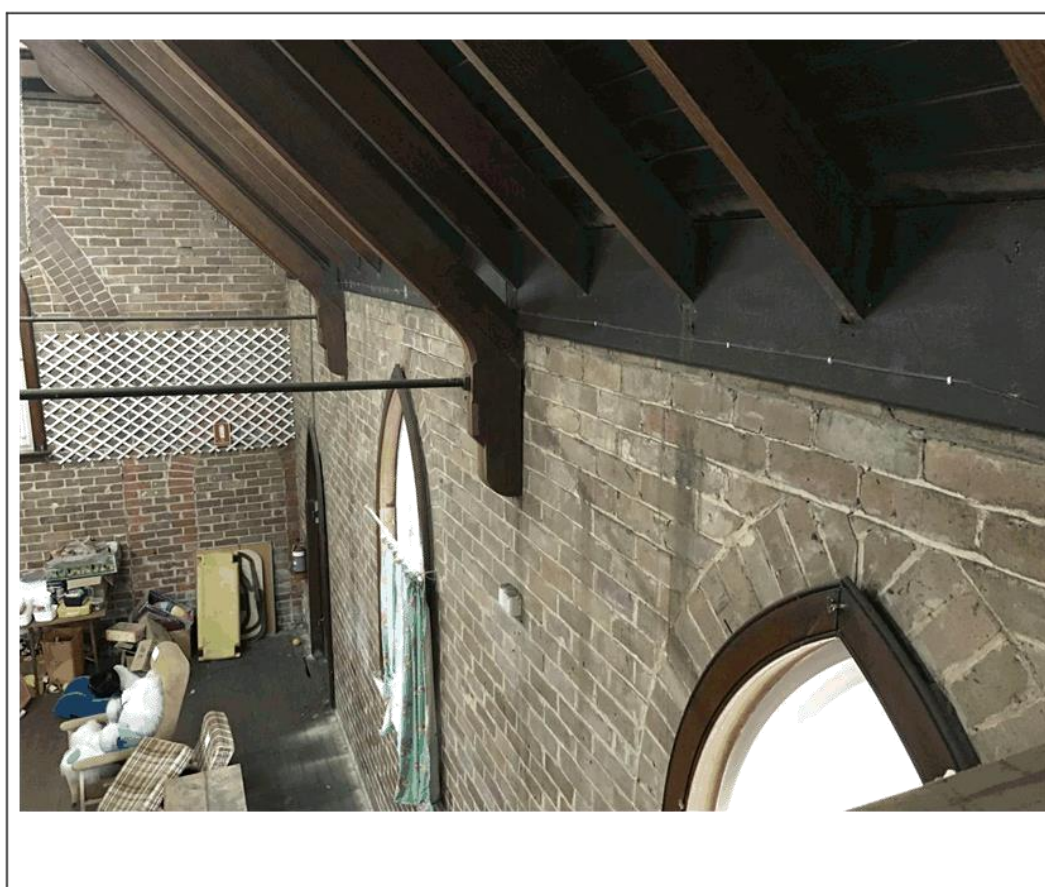
### IMAGES

<b>Image caption</b>	Roofing, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

IMAGES					
<b>Image caption</b>	Detail of roofing.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21





## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Detail of floor.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Original St James Church, located on the intersection of Minto and Cumberland Roads.				
<b>Image year</b>	n.d.	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown & Airds Historical Society



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	St James Church in its current form and location.				
<b>Image year</b>	c.1937	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown City Council (Follan Collection, Local Studies Collection)



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Current St James Church, with palm trees at front.				
<b>Image year</b>	n.d.	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown City Council (William Bayley Collection, Local Studies Collection)





## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Current St James Church, as viewed from Kent Street				
<b>Image year</b>	1979	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown City Council (Local Studies Collection)



## **The former St James Anglican Church Building Minto Submission on behalf of the Anglican Church Property Trust with regard to the IHO on the building.**

prepared by

Paul Davies

Paul Davies Pty Ltd – Architects Heritage Consultants

I have been requested by the Anglican Church Property Trust to make a submission in relation to the IHO on the former church building that is currently under consideration by Council.

The background to the IHO, the application for demolition and the consequent appeal against Council's refusal of the DA are well known and are not set again in this submission.

The question before Council is whether to proceed to list the building as a heritage item on the LEP or to not proceed with the IHO.

Council based the IHO on a heritage report that Council commissioned prepared to inform that process.

We provide, as part of this submission, our heritage assessment of the property along with supporting material that points to the property not being of sufficient heritage significance to be included as a heritage item. This is material that was prepared for the appeal that has now been abandoned.

We would suggest that simply finding a ground for significance (which is not hard given that the place is a church) to support heritage listing, is not the only consideration that should inform Council's decision.

While we maintain that the church should not be heritage listed, as set out in the supporting material, we understand that the community wish to see the building retained as there is almost nothing of heritage value in the locality or suburb. Being only one of a few possible heritage places does not though equate to significance in itself.

There also has to be an understanding of why the place was not previously recommended for listing. If the building is worthy of being a heritage item, given the prominence of the place, it is very hard to understand how it was overlooked when heritage studies were undertaken. At best this suggests that the place was not seen as an important site or it would have been listed.

My practice has supported Council's heritage initiatives through studies, advice, defending council in court appeals etc. and is very aware of the heritage issues of the council area. Consequently, we do not make this representation lightly and rarely support the removal of a building that may have some value.

If Council determine to proceed with heritage listing in the LEP, the issue that immediately arises is what then happens to the building.

As the supporting report sets out, the building is quite small, in very poor condition and while it could be used for church related purposes if it was in sound condition, has no use as it is now found. If the building were usable and sound, the parish would use it as any space is valuable and the parish are not able to easily undertake the construction of new facilities. Until its condition deteriorated significantly it was used for church uses.

It is not difficult to see that the parish is not well-resourced financially and is not able to simply replace the building. The parish are not able to undertake the required structural repair and conservation/ maintenance work that would be necessary to use the building as part of the parish life.

The proposal is not part of an application to redevelop the site where a building is 'in the way'. The church site contains several buildings that are quite separate and the small hall to the west is separated from the main church building by the former church building. This also means that the prospect of excising part of the church lands and selling the church is not viable as it is centrally located on the site and would make the site unviable.

The first task we undertook when considering the future of the building was to seek costings to ascertain if it was viable to retain the building in use. The parish had expected that repair work would be in the order of \$150,000 and that could not be afforded. We prepared a scope of works and sought three builders quotes to understand the range of costs. Two quotes were received at \$560,000 and \$660,000. Council have copies of that material and it is appended to this submission.

In the supporting material we also looked at doing less work but even at half the quoted costs the work is not viable for the parish.

There are also no grant or funding sources available for buildings such as this that have marginal heritage value.

Each parish or church is self-funded and has not assistance in funding from the diocese. Quite the reverse is the case where all parishes contribute funds to support the diocese. The only funds available at parish level are those that the parish holds or can raise through donations.

There is also very little chance of raising say \$500,000 from the community.

This represents a significant problem as if the building were to be heritage listed there is no practical or viable way to repair it or use it. If there were the parish would continue to use the building.

Summary

We understand that council may take the view that the building has some heritage value and should be protected but we wish to make sure that Council understands that the consequences of the listing are very significant and onerous for the parish.

Where, as we argue, the significance of the building is nominal and where the condition and ability to manage the building are very difficult we submit that Council should not heritage list the building and, even if reluctant, should allow its future removal.

Paul Davies

February 2018



## 8.3 Draft Menangle Park Contribution Plan

### Reporting Officer

Executive Manager Urban Renewal  
City Development

### 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 Council adopt the Campbelltown City Council Menangle Park Contribution Plan as contained within this report and notify commencement of the Plan in the local newspaper.
2. That Council forward an application to IPART to assess the Menangle Park Contributions Plan and seek the Minister's endorsement to levy above the maximum contribution of \$20,000 per residential lot or dwelling.
3. That a further report be presented to Council outlining the Minister's response to the plan and any required amendments and to consider adoption of the amended Menangle Park Contribution Plan.
4. That all parties who made a submission be advised of Council's decision.

### Purpose

To review submissions received in response to the public exhibition of the Menangle Park Contributions Plan and to recommend that Council proceed to adopt the amended plan and forward to the Independent Pricing and Regulatory Tribunal (IPART) for assessment.

### History

Council at its meeting held 12 December 2017, Council considered a report on the draft Section 94 Development Contributions Plan – Menangle Park (November 2017) (the draft Plan) and resolved to endorse the draft plan for public exhibition.

The Menangle Park Precinct will provide approximately 3,500 dwellings and 20,000sqm of commercial floor space, housing a population of approximately 9,800 people. The new community will be supported by open space and recreational areas, community facilities, a school and a network of public transport routes, pedestrian paths and cycleways. The precinct will also contain a new town centre to accommodate a range of retail and residential uses.

The precinct was rezoned for urban development on 17 November 2017 and requires finalisation of the plan to ensure that Council can lawfully require payment of monetary contributions to fund the provision of essential infrastructure to meet future needs of the incoming population.

## Report

This report discusses the submission received in response to the exhibition of the draft Section 94 Development Contributions Plan – Menangle Park (November 2017).

### 1. Exhibition and Review of Submission

In accordance with Council's resolution, the draft plan was placed on public exhibition from 13 December 2017 to 19 January 2018. A notice was placed in the local paper and on Council's website and all land owners within the release area were notified.

Council received one submission during the public exhibition period. The submission requested an extension of time, which was granted. An outline of the submission and response from the Council officer is provided in Table 1 below.

**Table 1:** Submission Summary

<b>Matter Raised</b>	<b>Submission Comment</b>	<b>Officer Response</b>
Net developable area (NDA)	Existing roads should be excluded from the NDA, while the proposed school site should be included in the NDA.	This matter will be resolved following discussions with IPART.
Employment Land	The employment land should not be included within the plan. The employment land should also be responsible for the provision of drainage items D1.15 and D1.21, and therefore removed from the plan.	The employment land was removed from the plan, along with items D1.15 and D1.21, as reported to Council on 12 December 2017. Employment lands would be subject to a fixed rate levy in accordance with Council's S94A Development Contributions Plan.
Stormwater Management Catchments	Create a northern and southern sub-catchment for the stormwater management system.	It is proposed that stormwater management be retained as an entire catchment. The need to create a north and south catchment will be considered by IPART.
Spring Farm Parkway (SFP)	Stage 1 of SFP will be fully funded by Dahua and the RMS should be removed from the plan. Stage 2 of SFP should also be removed. The land for the road reserve will be dedicated to Council at no cost, while the construction of the road is considered to be the responsibility of the State and Federal governments.	The SFP was removed from the plan as reported to Council on 12 December 2017.

Community Facilities	Increase the size of the community facility to 840 square metres and its associated land to 4000sqm.	The size of the community facility has been retained as per the background studies. Opportunity to increase the size of the community facility should be addressed as part of a future review of the Menangle Park structure plan and planning controls which has been commenced by the major land owner.
Traffic and Transport	Review the scope of the Menangle Road works and reconcile the total \$13m difference between the plan and WT Partnership Report.	All costs associated with infrastructure provision will be reviewed as part of the IPART assessment.
General discrepancies between works schedules and figures	A number of minor discrepancies were identified within the plan.	Any discrepancies between the work schedules and figures are minor in nature and would be addressed and, if required, rectified as part of the IPART assessment.
Half Road Provision	Remove the land acquisition and construction costs for half roads within the plan	Half road provision was removed from the plan as reported to Council on 12 December 2017

The plan identifies approximately \$133m in local infrastructure, which equates to a range of residential contributions between \$21,600 (residential units) to \$44,500 (traditional and large lot residential). The plan also requires a monetary contribution from retail and commercial development, at a rate of \$52,000 per 100sqm of gross floor area.

The draft plan requires a monetary contribution that exceeds the \$20,000 cap mandated by the Minister for Planning (Direction Section 94E under the Environmental Planning and Assessment Act 1979 - September 2010). Therefore, to enable Council to apply conditions of development consent that exceed a contribution amount exceeding \$20,000 per lot or dwelling, a review by IPART and a determination by the Minister for Planning is required.

The revised Local Development Contributions Practice Note (February 2014), prepared by the Department of Planning and Infrastructure, requires new development contribution plans that require assessment by IPART to be submitted for review following public exhibition, but prior to adoption by Council.

Following the IPART Assessment Process, IPART will provide the minister with advice regarding the contributions plan. After consideration of this advice, the minister may determine that no further action is required, or request the Council to make changes to the contributions plan prior to it coming into effect.

Therefore, Council will need to forward the plan to the IPART for assessment. The assessment involves ensuring that the proposed works are essential to the development and the costs are fairly apportioned. The IPART advises this assessment can take six months after receiving Council's full application. Council then needs to wait for the ministers' determination of the IPART assessment findings. The timeframe for this determination is unknown.

## **2. Revised approach**

To ensure Council, and the community of Campbelltown, is not financially burdened prior to the adoption of the Minister's endorsed plan, it is proposed that in the interim Council adopt the plan at the contribution cap level of \$20,000 per dwelling or lot. A further report will be presented to Council seeking the adoption of to consider any amendments relating to the Minister's endorsed plan.

This would allow Council to levy at least \$20,000 per lot/dwelling from new developments within the Menangle Park Precinct, in the interim period between the adoption of this plan, and the subsequent adoption of the Minister's endorsed plan. Following the adoption of the endorsed plan, Council would then levy the full amount permissible under the plan, or receive contributions through an alternate funding method determined by the Minister for Planning.

## **3. Alternate Infrastructure Funding Mechanism**

On 3 March 2011, the Minister for Planning issued a Section 94E Direction – Development Contributions which allows a Council to impose a condition on development consent for the payment of a monetary contribution that exceeds the \$20,000 contribution cap. This may only occur with the written agreement of the applicant for the consent and the approval of the minister, before the condition is imposed.

Council is in receipt of development applications from the major land owner seeking to create approximately 400 final lots within the Menangle Precinct. Council officers have commenced discussions with the major land owner regarding written agreement to apply a monetary contribution that exceeds the contribution cap and is likely to be resolved by exchange of letters and application for the minister's endorsement to impose a monetary contribution above the cap.

This process would minimise Council's financial exposure, while ensuring the new community is supported with the appropriate local infrastructure and services, and allow the developer to seek works-in-kind credits for local infrastructure provision during the staged construction of their residential estates.

## **4. Statutory Consideration**

On 1 March 2018, the Department of Planning and Environment made changes to the *Environment Planning and Assessment Act, 1979* (Act). The changes, amongst other amendments, have re-numbered the sections within the Act, resulting in development contribution provisions being contained within section 7.11, and not section 94. Therefore the name of the draft plan has changed from the Section 94 Development Contribution Plan – Menangle Park to the Menangle Park Contribution Plan. This change in the naming is to ensure consistency with the Act.

The plan identified that contributions will be levied for residential subdivisions, construction of dwellings, dual occupancies, multi-dwelling and multi-unit housing. To provide additional clarification on the different lot/dwelling types, additional dwelling types have been added to Table 2 (Contributions by Development Type). These additional dwelling types include one, two, and three and more bedroom dwellings.

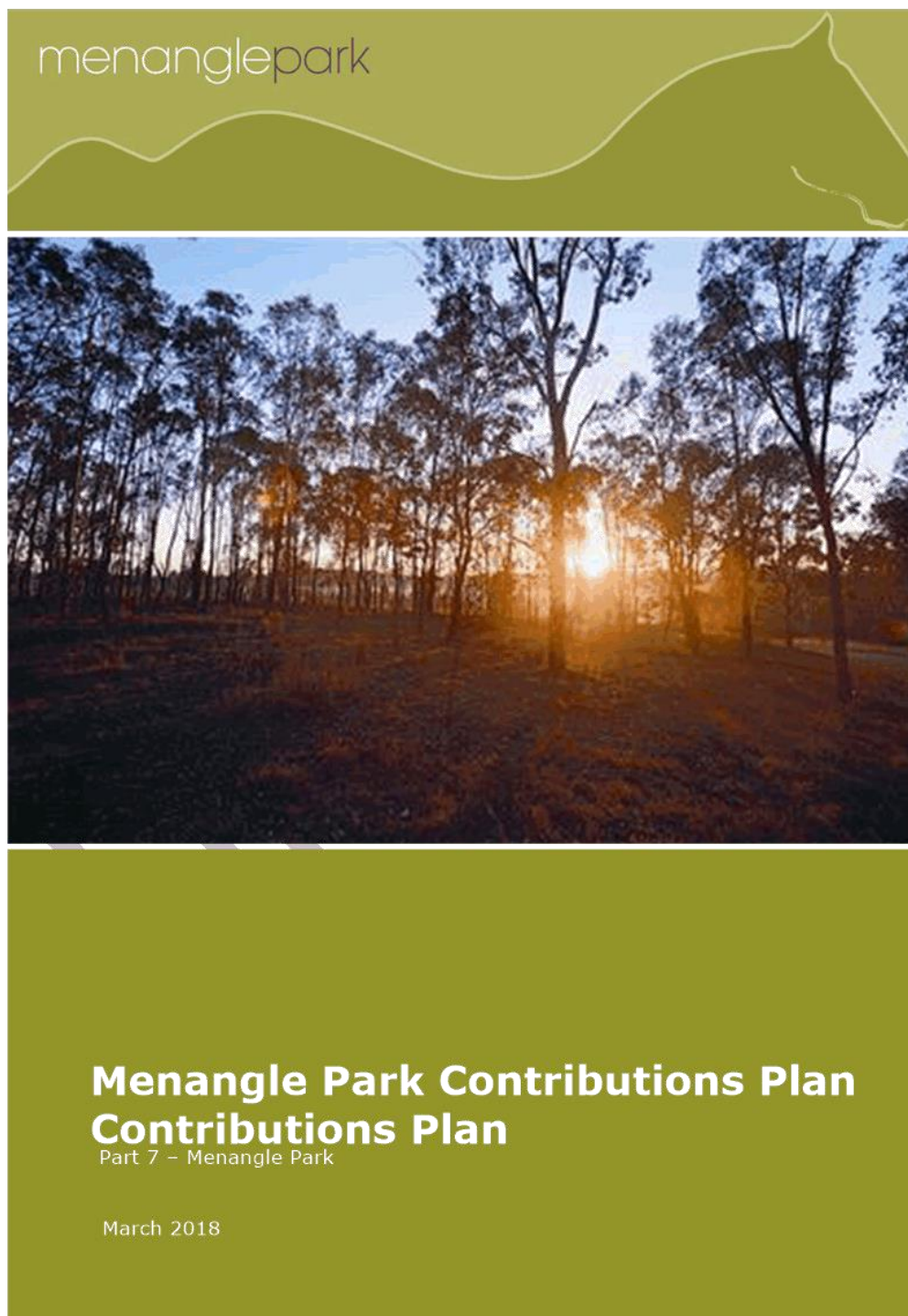
**Conclusion**

The Menangle Park Precinct was rezoned in November 2017 and Council is now in receipt of development applications that will trigger the requirement for delivery of essential community infrastructure. Therefore, it is appropriate that Council endorse adoption of the plan at the contribution cap level of \$20,000 per dwelling or lot prior to seeking IPART and the Minister's approval.

A further report will be presented to Council, once IPART and the Minister has considered the Contribution Plan-

**Attachments**

1. Menangle Park Contributions Plan (contained within this report)



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## Summary

### Overview

Menangle Park is located within the Local Government Area (LGA) of Campbelltown approximately 5.5 km to the south west of the Campbelltown CBD. While the site is predominantly rural, it has been earmarked by the NSW Government for urban redevelopment to help meet Sydney's demand for new housing.

The future development of Menangle Park is expected to be characterised as follows:

- approximately 3,500 dwellings to be developed over a timeframe of approximately 16 years;
- an anticipated population of around 9,800 people;
- a new town centre to accommodate a range of retail, residential and recreation uses;
- an employment area of approximately 29 hectares;
- educational, community and recreation land uses to support the population of Menangle Park; and
- new networks of roads, public transport routes, pedestrian paths and cycleways to facilitate access within the release area and to/from destinations outside Menangle Park.

Menangle Park's current population is estimated at only around 240 people (ABS 2011 Census). As a rural area with only limited population base, there are few if any existing facilities that can cater to the needs of the incoming population.

Studies undertaken for Menangle Park (as listed in Section 3.1) have identified that the expected population will generate the following impacts on public services and amenities:

- increased demand for facilities that will support safe and convenient travel between land uses within the release area and to and from destinations out of the area, such as new roads and public transport facilities;
- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, parks and bike paths;
- increased demand for spaces that will meet community needs and foster the development of social capital in Menangle Park, such as child care and a meeting space;
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.



Table 1: Contributions Schedule

Facility	Total Cost to Development	Total Area of Land to Acquired (m <sup>2</sup> )	Residential per person	Retail/ Commercial per 100m2 GFA
<b>Community</b>				
Land Acquisition	\$ 355,332	2961m2	\$ 36	
Capital Works	\$ 113,800		\$ 12	
<b>Total</b>	<b>\$ 469,132</b>	<b>0.30 ha</b>	<b>\$ 48</b>	
<b>Open Space &amp; Recreation</b>				
Land Acquisition	\$ 16,475,500	1243600m2	\$ 1,676	
Capital Works	\$ 31,682,803		\$ 3,224	
<b>Total</b>	<b>\$ 48,158,303</b>	<b>124.36 ha</b>	<b>\$ 4,900</b>	
<b>Trunk Drainage &amp; Water Quality</b>				
Land Acquisition	\$ 6,677,850	161130m2	\$ 675	\$ 201
Capital Works	\$ 24,608,957		\$ 2,489	\$ 740
<b>Total</b>	<b>\$ 31,286,807</b>	<b>16.11 ha</b>	<b>\$ 3,164</b>	<b>\$ 941</b>
<b>Traffic &amp; Transport</b>				
Land Acquisition	\$ 3,042,200	196285m2	\$ 248	\$ 3,026
Capital Works	\$ 47,865,671		\$ 3,901	\$ 47,612
<b>Total</b>	<b>\$ 50,907,871</b>	<b>19.63 ha</b>	<b>\$ 4,149</b>	<b>\$ 50,638</b>
<b>Plan Preparation</b>				
Plan Preparation Costs	\$ 2,058,821		\$ 208	\$ 62
<b>Total</b>	<b>\$ 2,058,821</b>		<b>\$ 208</b>	<b>\$ 62</b>

Table 2: Contribution by Development Type

Facility	Net developable area	Lot Area (m <sup>2</sup> )	Occupancy Rate per dwelling	Community	Open Space & Recreation	Trunk Drainage & Water Quality	Traffic & Transport	Plan Preparation	TOTAL 2016	TOTAL CPI adjusted rate 2017
Rate per person										
Residential	330 ha									
Town Centre Unit		N/A	1.7	\$81	\$8,330	\$5,379	\$7,054	\$354	\$21,199/lot	\$21,602/lot
Small Lot		300-419	2.4	\$115	\$11,760	\$7,594	\$9,959	\$500	\$29,927/lot	\$30,497/lot
Standard Lot		420-599	2.4	\$115	\$11,760	\$7,594	\$9,959	\$500	\$29,927/lot	\$30,497/lot
Standard Lot		600-949	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Traditional Lot		950-1999	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Large Lot		2000+	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
One Bedroom Dwelling			1.7	\$81	\$8,330	\$5,379	\$7,054	\$354	\$21,199/lot	\$21,602/lot
Two Bedroom Dwelling			2.4	\$115	\$11,760	\$7,594	\$9,959	\$500	\$29,927/lot	\$30,497/lot
Three and more Bedroom Dwelling			3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Retail / Commercial (per 100m <sup>2</sup> gross floor area)	2 ha			\$0	\$0	\$941	\$50,638	\$62	\$51,641/100m <sup>2</sup> GFA	\$52,624/100m <sup>2</sup> GFA

## 1 Introduction

### 1.1 Background

Menangle Park is located within the Local Government Area (LGA) of Campbelltown approximately 5.5 km to the south west of the Campbelltown CBD. While the site is predominantly rural, it has been earmarked by the NSW Government for urban redevelopment to help meet Sydney's demand for new housing.

It is estimated that Menangle Park will supply approximately 3,500 dwellings. The proposed urban development of Menangle Park has involved a number of years of planning, technical investigations, studies and consultation.

As Menangle Park is a new release area rather than an "infill" area, it will require a range of new public services and facilities to cater for the new population that is expected. This Contributions Plan is one mechanism that Campbelltown City Council will use to deliver these services and facilities.

Campbelltown City Council has identified the following vision for Menangle Park:

*"As an impressive southern gateway to the Sydney Metropolitan Region, Menangle Park will become a unique urban community characterised by sustainable design, accessibility and a vibrant town centre. As part of the broader Macarthur community, Menangle Park's urban form will capitalise on the existing economic resources, existing natural and cultural heritage qualities and the adjacent Nepean River".*

The future development of Menangle Park is expected to be characterised as follows:

- approximately 3,500 dwellings to be developed over a timeframe of approximately 16 years;
- an anticipated population of around 9,800 people;
- a new town centre to accommodate a range of retail, residential and recreation uses;
- an employment area of approximately 29 hectares;
- educational, community and recreation land uses to support the population of Menangle Park; and
- new networks of roads, public transport routes, pedestrian paths and cycleways to facilitate access within the release area and to/from destinations outside Menangle Park.

The proposed new development is illustrated on the Structure Plan at Figure 1 below:

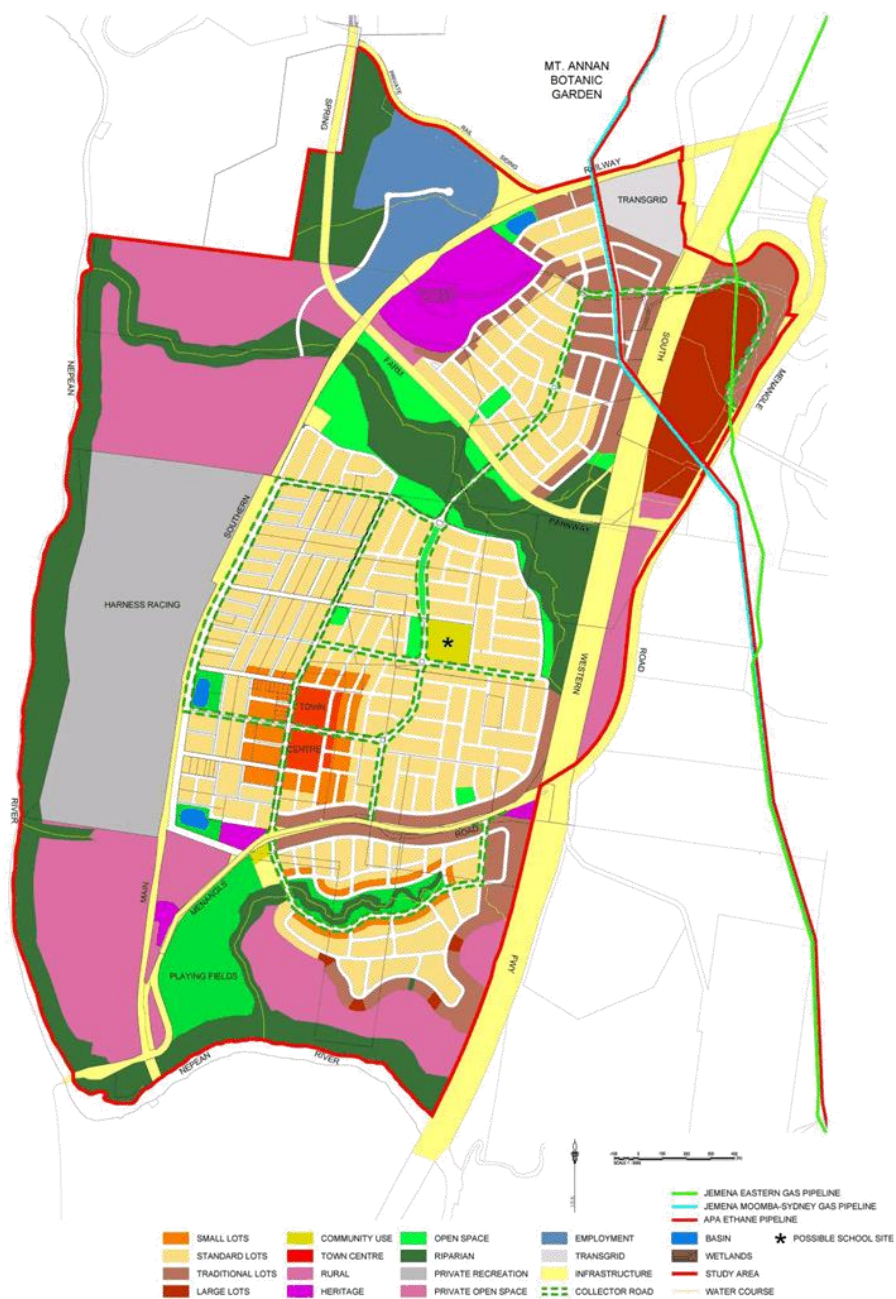


Figure 1: Menangle Park Structure Plan

Menangle Park's current population is estimated at only around 240 people (ABS 2011 Census). As a rural area with only limited population base, there are few if any existing facilities that can cater to the needs of the incoming population. Studies undertaken for Menangle Park (as listed in Section 3.1) have identified that the expected population will generate the following impacts on public services and amenities:

- increased demand for facilities that will support safe and convenient travel between land uses within the release area and to and from destinations out of the area, such as new roads and public transport facilities;
- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, parks and bike paths;
- increased demand for spaces that will meet community needs and foster the development of social capital in Menangle Park, such as child care and a meeting space;
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.

This Plan has therefore been prepared to determine the demand for public facilities generated by the incoming population and to ensure that development makes a reasonable contribution toward the provision of services and facilities that are required for that population.

## 1.2 Name of this Plan

This Plan is called *Menangle Park Contributions Plan*.

## 1.3 Commencement of this Plan

This Plan commences on xx [INSERT DATE OF PLAN COMMENCEMENT].

Development applications determined on or after this date will be subject to the provisions of this Plan.

## 1.4 Aims and Objectives

The aims and objectives of this Plan are to:

- (a) ensure that an adequate level of public infrastructure, services and facilities is provided in Menangle Park to meet the needs of the incoming population and workforce and as development occurs;
- (b) demonstrate the nexus between the demands generated by future development and the provision of services and facilities;
- (c) identify the traffic and transport, community, recreation and open space, and water management works and improvements and administrative needs required as a result of development;
- (d) provide a transparent and accountable system for the administration of levying, collecting, and expenditure of funds derived from this Contributions Plan;
- (e) identify reasonable and relevant charges to be levied on or collected from each development for the services and amenities to be provided; and

- (f) provide an administrative tool to satisfy the public and financial accountability and other statutory requirements outlined in Section 7.11 of the Environmental Planning and Assessment Act and Regulation.

### **1.5 Land to which this Plan applies**

This Plan applies to the land identified in Figure 2. However it excludes the employment lands within the northern portion of the Menangle Park Release Land.

### **1.6 Relationship to other plans and reports**

Any other contributions plan approved by Council (and in force under the EP&A Act at the time this Plan commenced) does not apply to development that is subject to a requirement to pay a contribution under this Plan.

### **1.7 Savings and transitional arrangements**

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

### **1.8 Regional infrastructure funding**

While there is a need to provide local amenities and services for Menangle Park through development contributions, the funding of regional infrastructure is critical if the site is to be successfully developed.

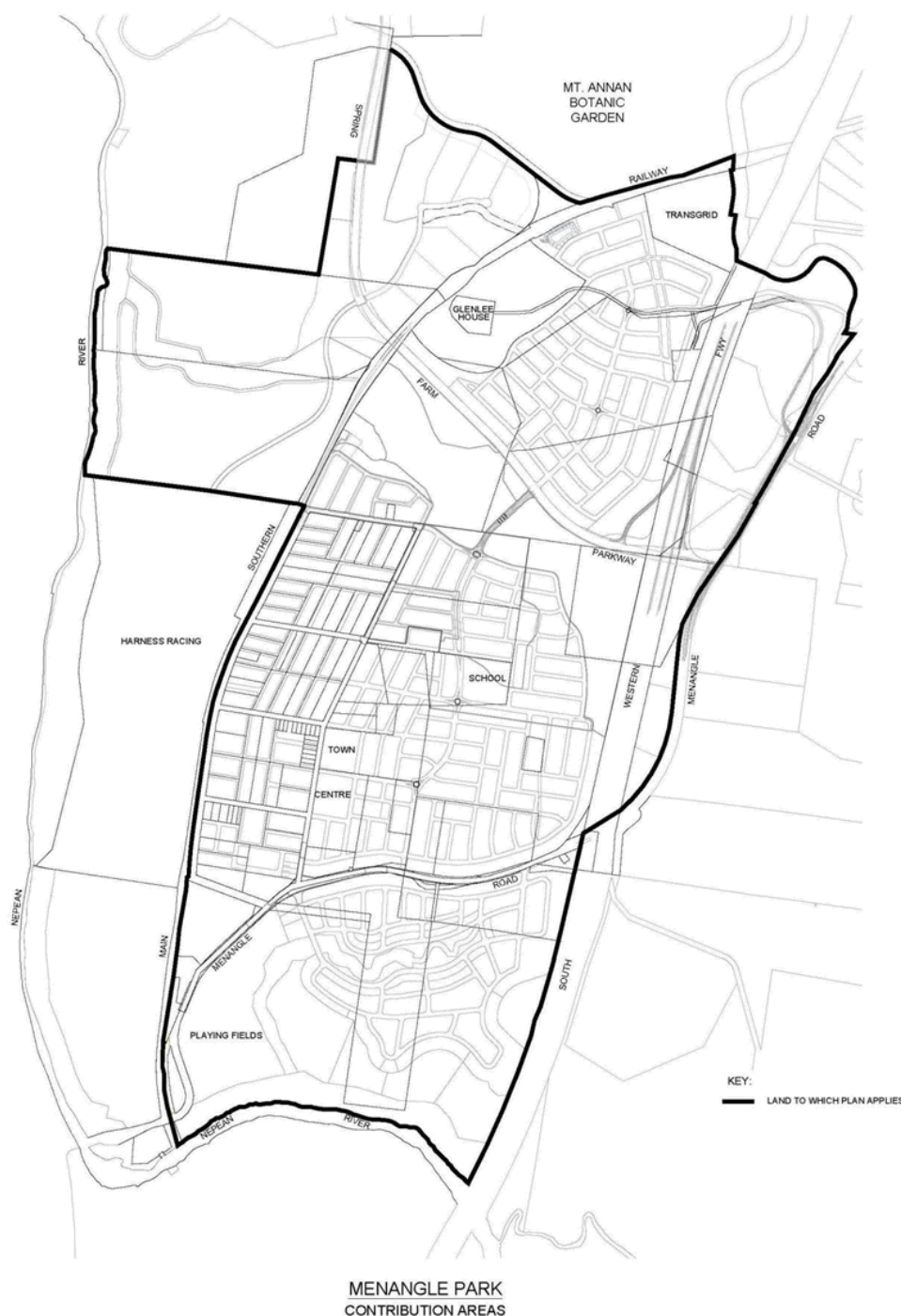
The Menangle Park Release Area is not currently covered by the NSW Government's Special Infrastructure Contribution (also referred to as State Infrastructure Contribution) Levy provisions as it falls outside of the nominated South West Growth Area.

However, as part of the work for the Greater Macarthur Investigation Area, the Department of Planning and Environment (DPE) has indicated that it will ensure that an appropriate mechanism is put in place to secure infrastructure needed to support growth in the region. The preferred approach is a Special Infrastructure Contribution or a series of planning agreements between the Minister for Planning and the relevant proponents. A Special Infrastructure Contribution (SIC) will create a framework to share the costs and coordinate delivery of major new transport and other regional infrastructure.

The work being undertaken by the DPE on the Special Infrastructure Contribution for the Greater Macarthur region is ongoing and is likely to lag behind the rezoning process for Menangle Park. In association with the proposed SIC, the NSW 2016-17 Budget has provided \$30 million to support regional traffic infrastructure, being Stage One of the Spring Farm Parkway, intended to accelerate housing supply in the area. The proposed SIC and the \$30 million budget allocation form the regional funding strategy.

The funding for Stage Two of the Spring Farm Parkway has not been included within this Contributions Plan. Given the unknown timeframe associated with the provision of the second stage, and its importance to the regional work network, it is anticipated that construction cost of the road will be borne by the State government. It is intended that funding for the regional component of the works will be funded via the regional funding strategy.





MENANGLE PARK  
CONTRIBUTION AREAS

Figure 2: Land to which plan applies (outlined in black)



## 2 Administration and Operation of the Plan

### 2.1 Scope of the plan

This Plan identifies the relationship between the future development at Menangle Park and the public amenities and services required to meet the demands of that development. It identifies the range of facilities and services that will be required and the formulas and contribution rates to be used in determining the contributions required for different categories of public amenities and services. It provides work schedules identifying specific works to be undertaken and an estimate of the cost of carrying out those works as well as maps showing the location of the public facilities. The administrative and accounting arrangements to apply in levying development contributions are also detailed in the Plan.

### 2.2 Development forms to which the plan applies

Council may impose a contribution under Section 7.11 of the EP&A Act on consents issued for different types of development. The type and quantum of the contribution will relate to the form of the development proposed.

The following sets out the types of development that may be required to make a development contribution, and the contributions that the development may be subject to:

- Subdivision for residential purposes; construction of a dwelling, a dual occupancy, multiple dwelling housing, multi-unit housing, seniors housing or other dwellings – contributions identified in Table 2.
- Other developments, including retail, commercial and educational establishments – contributions also identified in Table 2.

#### 2.2.1 Exemptions

The only exemptions allowed are those the subject of a direction from the Minister for Planning under Section 7.17 of the EP&A Act.

### 2.3 Types of works addressed by the plan

The types of amenities and services addressed by this Contributions Plan fall within the “Essential Works List” as identified in the IPART Practice Note. Essential works are defined as follows:

- Land for open space including base level embellishment
- Land for community services
- Land and facilities for transport, not including carparking
- Land and facilities for stormwater management

The definition of “base level embellishment” in the IPART Practice Note was amended by the former Minister for Planning on 1 March 2011. The implications on open space provision are discussed further in Section 4.2.1.

It is proposed that development contributions will only be levied for “essential works”. Additional works are not proposed. However, it is considered reasonable that contributions be sought towards the cost of specialist studies which have been required

to inform the preparation of the Contributions Plan. This is consistent with the Department of Planning's *Development Contributions Practice Notes* (July 2005). The costs associated with the preparation of this plan will therefore be levied for under this Contributions Plan.

It is anticipated that the following public amenities and services will be required to meet the needs of the expected future residential and working population of Menangle Park:

- traffic and transport management facilities;
- community centre;
- open space and recreation facilities; and
- trunk drainage and water quality management facilities.

More detail on the demand for public amenities and services and the relationship with the expected development is included in Sections 4.1 to 4.4 of this Plan.

## **2.4 Facility costings**

Costs for facilities included in this Contributions Plan were derived from the services of a qualified quantity surveyor as well as from Council's experience of facility costs in other release areas. Details of cost estimates and assumptions used to derive the costs are included in the report prepared by WT Partnership and provided at Appendix A.

The costings have been based on preliminary advice or concept designs as follows:

- Open space concept designs prepared by JMD Design (provided at Appendix B);
- Stormwater infrastructure design concepts prepared by GHD (provided in reports);
- Road intersection designs provided in the Transport Management and Accessibility Plan prepared by AECOM (refer Appendix C) and concept design of Spring Farm Parkway (refer Appendix D); and
- Community infrastructure (refer Appendix F).

A construction contingency allowance of 10% is proposed by WT Partnership which reflects the high level strategic studies on which costs are based.

For an item of work that is to be provided through a works-in-kind agreement or a planning agreement, the credit for the item will include any contingency amount provided for in the plan.

## **2.5 Land valuation**

The land valuations provided for in this Contributions Plan have been undertaken by William C. McManus (Valuations) Pty Limited. A copy of the Valuer's report, including information on how the valuations have been derived, is provided at Appendix G.

## **2.6 Calculation of contributions**

The formulas used to determine the contributions rates applicable under this Plan are set out in Sections 4.1 to 4.5.

### **2.6.1 Allowances for existing development**

There is no existing development of any significance in the subject area. It is anticipated that the large majority of the approximately 80 dwellings will be demolished to make way for new residential dwellings and as a consequence no allowance has been made for existing development.

## **2.7 How will contributions be imposed?**

This Plan authorises the Council or an accredited certifier, when determining a development application or an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under **Section 7.11** of the EP&A Act requiring:

- the payment of a monetary contribution; and/or
- the dedication of land free of cost,

to the Council towards the provision of public facilities to meet the demands of the development as specified in the works schedule to this Plan.

Developers of land to which this Plan applies will be required to provide either:

- sufficient, usable and (where appropriate) embellished land for the particular facilities identified in this Plan to meet the needs of the population attributable to the proposed development; or, alternatively
- an equivalent monetary contribution to Council for the acquisition and embellishment of land for the particular facilities identified in this Plan.

Council will, wherever appropriate, require developers to dedicate land free of cost for the facilities identified in this Plan. Where the development does not, or cannot provide the full land area required as a contribution the shortfall will be required as a monetary contribution. The contribution rates included in this Plan reflect the monetary contribution required where land is not dedicated free of cost.

Where the contribution required is by way of dedication free of cost, the land:

- (where the dedication relates to the provision of community or open space and recreation facilities) is to have an associated draft plan of management prepared in accordance with Part 2, Division 2 of the Local Government Act 1993 and Part 4, Division 2 of the Local Government (General) Regulation 2005; and
- will have a value equal to the attributable cost under this Plan at the time of transfer. The attributable cost will be offset against monetary contributions required under this Plan.

## **2.8 Methods of payment**

The EP&A Act provides that development contributions may be met by payment of a monetary contribution, the dedication of land, the carrying out of works in kind or the provision of a material public benefit or any combination of these methods.

Each of these methods is a form of payment. Any agreement by the council to accept non-monetary satisfaction of a contribution condition will not require an amendment to the contribution condition. The method of satisfying a contribution does not change the obligation to make the contribution.

### **2.8.1 Monetary contribution**

This is the usual means of satisfying a condition of consent requiring a **development** contribution. Payment must be in the form of cash, debit card (EFTPOS) or bank cheque. Credit cards are not accepted. Personal and company cheques are not accepted. Direct debit is not accepted.

### **2.8.2 Works in kind and other material public benefits**

A person may make an offer to the Council to carry out work to provide another kind of material public benefit in lieu of making a **development** contribution as set out below.

### **2.8.3 Offer of a material public benefit made after the imposition of a **development** condition under this Plan**

The Council may accept an offer made in writing to the Council that provides for:

- A material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition already imposed requiring the payment of a monetary contribution; or
- The dedication of land free of cost towards the provision of public facilities to meet the demands of the development.

Council will only consider material public benefits not identified in the works schedule where such offers meet the requirements of Section 2.8.5.

Where the Council accepts such an offer, it is not necessary for the consent to be amended under **clause 4.55** of the EP&A Act.

### **2.8.4 Offer of a material public benefit made before the imposition of a **development** condition under this Plan**

An applicant for consent to carry out development to which this Plan applies may request that any consent granted to the development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

If the council agrees to the offer, the consent would not be made subject to a **development** condition in relation to the work or the benefit.

The applicant's request:

- May be contained in the relevant development application; or
- May constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The council will consider the request as part of its assessment of the development application.

If the Council decides to grant consent to the development and agrees to a request made in the relevant development application, it may impose a condition under **clause 4.17** of the EP&A Act requiring the works to be carried out or the material public benefit to be provided.

If the applicant makes an offer to enter into a planning agreement, the Council will, if it proposes to enter into the agreement, publicly notify the draft agreement and an explanatory note relating to the draft agreement together with the development application in accordance with the requirements of the EP&A Act.

If the Council decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under **Clause 7.7** (3) of the EP&A Act requiring the agreement to be entered into and performed.

#### **2.8.5 Matters to be considered by the Council in determining offers of material public benefits**

In addition to any matters identified in Sections 2.8.3 and 2.8.4 Council will take into account the following matters in deciding whether to accept an offer of material public benefit:

- the requirements contained in any material public benefits or works-in-kind policy that the Council has adopted; and
- Whether the standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction; and
- Whether the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- If the provision of the material public benefit will or will not prejudice the timing or the manner of the provision of public facilities included in the works program.

Where the offer is made in accordance with Section 2.8.4 (above) and relates to a material public benefit that is not a works-in-kind proposal, Council will take into account the following additional matters:

- the overall benefit of the proposal; and
- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer; and
- the implications of funding the recurrent cost of the facility(s) the subject of the offer.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of works or the development. If the offer is made by way of a draft planning agreement under the EP&A Act, Council will require the agreement to be entered into and performed via a condition in the development consent.

Works in kind and material public benefit agreements shall be made between the Council and the developer and (if the developer is not the land owner) the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan and the program for delivering the works. Planning agreements shall address the matters included in the EP&A Act and EP&A Regulation.

### 2.8.6 Valuation of offers of works-in-kind and other material public benefits

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared. Council may require supporting evidence of the value of any material public benefit, such as a report by a qualified quantity surveyor.

### 2.9 Timing of payment

A contribution is payable at the following times:

- Development applications involving subdivision – prior to the release of the subdivision certificate (linen plan);
- Development applications involving building work – prior to the release of the construction certificate;
- Complying development works – prior to the issue of a complying development certificate.

#### 2.9.1 How are contributions adjusted at the time of payment?

The contributions stated in a consent are calculated on the basis of the **development** contribution rates determined in accordance with this Plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted according to the formulas outlined in section 2.10 (below).

The current contributions are published by Council and are available from Council offices or on Council's website at [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au). Should the Council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

### 2.10 Indexation

To ensure that the value of contributions are not eroded over time by movements in the Consumer Price Index, (CPI), land value increases, the capital costs of administration of the plan or through changes in the costs of studies used to support the Plan, the Council will review the contribution rates.

The contribution rates will be reviewed by reference to the following specific indices:

- all works and construction costs by the CPI All Groups for Sydney as published quarterly by the Australian Bureau of Statistics; and
- land acquisition costs by reference to the Campbelltown release area residential land price index published by Residex P/L and displayed on Council's Website.

In accordance with clause 32(3)(b) of the EP&A Regulation, the following sets out the means by which the Council will make changes to the rates set out in this Plan.

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### Works and Construction

For changes to the Works and Construction contributions the contribution rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\text{\$Cw} \times \frac{\text{CPI}_n}{\text{CPI}_b}$$

Where

**\\$Cw** is the works and construction contribution at the time of adoption of the Plan expressed in dollars;

**CPI<sub>n</sub>** is the most recent Consumer Price Index All Groups for Sydney as published by the Australian Bureau of Statistics at the time of review of the works and construction contribution rate;

**CPI<sub>b</sub>** is the base Consumer Price Index All Groups for Sydney as published by the Australian Bureau of Statistics at the date of adoption of this Plan which is xx [TO BE INSERTED AT THE DATE OF ADOPTION].

Note: In the event that the Current CPI is less than the previous CPI the current CPI shall be taken as not less than the previous CPI.

### Land Acquisition

$$\text{\$Lw} \times \frac{\text{RX}_n}{\text{RX}_b}$$

Where

**\\$Lw** is the land acquisition contribution at the time of adoption of the Plan expressed in dollars;

**RX<sub>n</sub>** is the most recent Residex Campbelltown Release Area Land Price Index as published by Residex at the time of review of the works and construction contribution rate;

**RX<sub>b</sub>** is the base Residex Campbelltown Release Area Land Price Index as published by Residex at the date of adoption of this Plan which is xx.

### Administration

Contribution rates for Administration will be based on 1.5% of the total land acquisition and capital cost of the Plan. These costs will be indexed as outlined above, and therefore no further indexing is required to the Administration component of the Plan.

**Note:** The proposed indexation of contributions as outlined above is not an alternative to regular reviews. Council will undertake a review of the actual costs of infrastructure and land values every 5 years (at a minimum) to ensure that the development contributions are appropriate, adequate and transparent.



## 2.11 Deferred and periodic payments

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

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

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

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

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

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

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

## 2.12 Planning Agreements

The EP&A Act allows for the negotiation of voluntary planning agreements between councils, developers and/or other planning authorities for the provision of public purposes.

Public purposes are defined in the EP&A Act as (without limitation):

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) affordable housing;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and
- the conservation or enhancement of the natural environment.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the section 94 contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial directions made under the EP&A Act or Regulation relating to planning agreements.

## 2.13 Review of the Plan

This Plan will be subject to regular review by Council. The purpose of such review is to ensure that:

- levels of public service and amenity provisions are consistent with likely population trends and community needs;
- contribution levels reflect changes to construction costs and land values; and
- the work program can be amended if the rate of development differs from current expectations.

The contribution rates and works program for this Plan have been formulated using information available at the time of writing. A number of variables will be monitored to facilitate the review process. Some of these are listed below:

- lot production and dwelling construction;
- potential development remaining;
- construction costs;
- land costs;
- projected development rate;
- assumed occupancy rates;
- anticipated population;
- indexation assumptions;
- demand for services and facilities.

Any changes to the Contributions Plan, apart from minor typographical corrections, will be placed on public exhibition in accordance with the requirements of the EP&A Act and Regulation.

#### **2.14 Accounting and management of funds**

Council is required to comply with a range of financial accountability and public access to information requirements in relation to development contributions. These are addressed in Divisions 5 and 6 of Part 5 of the EP&A Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

The accounting records for this Plan will indicate the following:

- (a) the various kinds of public amenities or services for which expenditure is authorised by the Plan;
- (b) the monetary contributions received under the Plan, by reference to the various kinds of public amenities or services for which they have been received;
- (c) in respect of development contributions paid for different purposes, the pooling or progressive application of the contributions or levies for those purposes, in accordance with any requirements of the plan or any ministerial direction under Division 6 of Part 4 of the Act; and
- (d) the amounts spent in accordance with the Plan, by reference to the various kinds of public amenities or services for which they have been spent.

##### **2.14.1 Contributions register**

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

- (a) Details of each development consent for which contributions have been sought;
- (b) Nature and extent of the contribution required by the relevant condition of consent;
- (c) Name of the Contributions Plan imposing the condition of consent; and
- (d) Date the contribution was received, for what purpose and the amount.

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

- (a) Opening and closing balances of money held in the Contributions Plan by the Council for the accounting period;
- (b) Total amounts received by way of monetary contribution under this Plan;

- (c) Total amount spent in accordance with this Plan; and
- (d) Outstanding obligations of the Council to provide works for which contributions have been received.

#### **2.14.2 Investment and interest**

Council will invest monies received in order to maintain the time-value of monetary contributions between the time of payment and the time of expenditure for the purpose for which they are required. Records of contributions (including investment return) will be kept and distinguished from other accounts. This will ensure that interest from development contributions accounts is returned to the accounts rather than being placed within general revenue funds.

#### **2.14.3 Pooling of contributions**

Pursuant to clause 27(1)(i) of the EP&A Regulation, this Plan expressly authorises monetary contributions paid for different purposes under this Plan to be pooled and applied (progressively or otherwise) for those purposes.

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### 3. Facility Needs Associated with Expected Development

#### 3.1 Background

Menangle Park has been identified for urban redevelopment to help meet demand for new housing within the Sydney Metropolitan Area. It is estimated that the area will supply approximately 3,500 dwellings over a 16 year period resulting in an additional population of some 9,800 persons. The Menangle Park Release Area represents the culmination of a number of years of planning, technical investigations, studies and consultation.

As it is a greenfield release area (i.e. it is located on the urban periphery and is not an 'infill' area) it will require a raft of new public services and facilities to cater to the new population that is expected. Consequently, this plan is one mechanism that the Council will use to deliver a range of those public services and facilities.

Campbelltown City Council has identified the following vision for Menangle Park:

*"As an impressive southern gateway to the Sydney Metropolitan Region, Menangle Park will become a unique urban community characterised by sustainable design, accessibility and a vibrant town centre. As part of the broader Macarthur community, Menangle Park's urban form will capitalise on the existing economic resources, existing natural and cultural heritage qualities and the adjacent Nepean River".*

Planning for the release area is now complete and this section 94 plan draws together the substantial information and specialist studies which have led to the rezoning of the area. The key studies which have been used to determine key infrastructure and servicing requirements include:

- *Menangle Park Transport Management and Accessibility Plan*, AECOM Australia Pty Ltd, June 2010;
- *Menangle Park Strategic Concept Design, Spring Farm Parkway*, AECOM Australia Pty Ltd, 2016 (for information only);
- *Menangle Park Trunk Stormwater Management Strategy including Local Flooding and Stormwater Quantity Management (Detention)*, GHD, May 2010, *Menangle Park WSUD Strategy*, AECOM, June 2010 and *Review of Drainage Options*, GHD, October 2011; and
- *Social Sustainability for Menangle Park*, Heather Nesbitt Planning, February 2010 and Addendum by GHD, 2016.

#### 3.2 Existing population

Campbelltown City is one of the most populated LGAs in the Sydney metropolitan area with 146,000 residents in 2011 according to the Census. Although a major regional centre for south-west Sydney, Campbelltown City's growth has been relatively small in recent years as the LGA's residents have matured and household size decreased.

As identified in Table 3 below the largest demographic change between 2006 and 2011 was in the residents aged 60 to 69. This is likely related to the evolution of Campbelltown as a new residential area in the 1970s and 1980s, which has caused the population to steadily age.

**Table 3: Campbelltown Age Structure**

Age Group	2006		2011		% Change
	Number of residents	% of total LGA population	Number of residents	% of total LGA population	
0 to 4	10,636	7.5%	10,893	7.5%	0%
5 to 11	15,872	11.1%	14,557	10.0%	-1.1%
12 to 17	15,090	10.6%	13,583	9.3%	-1.3%
18 to 24	16,006	11.2%	15,552	10.7%	-0.5%
25 to 34	19,251	13.5%	20,676	14.2%	0.7%
35 to 49	30,607	21.5%	29,203	20.0%	-1.5%
50 to 59	18,901	13.3%	19,748	13.5%	0.2%
60 to 69	9,089	6.4%	13,245	9.1%	2.7%
70 to 84	5,937	4.2%	7,148	4.9%	0.5%
85 and over	994	0.7%	1,363	0.9%	0.2%
<b>Total</b>	<b>142,383</b>	<b>100%</b>	<b>145,967</b>	<b>100%</b>	

Based on 2011 Census data Menangle Park has the following existing population characteristics which are reflective of its existing rural / semi-rural character:

- Resident population of 241 persons with a slight increase from the population in 2006 (236 persons). Between 2006 to 2011 the number of dwellings decreased from 87 to 77 dwellings.
- There is a high proportion of young families with a high percentage of infants (9.1%) in comparison to LGA (7.5%) and Greater Sydney (6.8%).
- Over one in three residents are aged 50 years and over (38% compared to LGA average 28% and 30% for Greater Sydney).
- Residents with a high level of mobility with 67% of residents at a different address five years ago, which is significantly higher than in 2006 (37%).
- Very few people are from non-English speaking backgrounds (2.5%) compared to LGA (20.5%) and Greater Sydney (26.5%).
- Separate houses make up the majority (92%) of private housing stock. The occupancy rate in Menangle Park is 3.1 persons per dwelling which is higher than for Campbelltown City (2.8) and the Greater Sydney average (2.7).
- 74% of occupied dwellings in Menangle Park are owned/being purchased with 26% being rental properties.
- Predominate household type in Menangle Park is couples with children (46%), followed by one parent households (21%) and lone person households (15%). This is slightly different to 2006 when couples with children households (38%) and one parent households (16%) were less significant.
- Median weekly household income in Menangle Park was an average of \$1,036, which has increased from \$850 in 2006.

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- There is a higher proportion of part time employment in comparison to the LGA and Greater Sydney and a slightly lower labour force participation.
- Car ownership is high with 76% of the households owning 2 or more vehicles (compared to 52% for the LGA and 48% for Greater Sydney).
- Monthly mortgage repayments are significantly less than the LGA and Greater Sydney with 27% over \$1,800 in comparison to 49% and 67% respectively.

### 3.3 Development and population projections

The future development of Menangle Park will result in an increase in the number of people living and working in the area. The expected development and estimates of the incoming population attributable to the expected residential development and employment is shown in Table 4.

**Table 4: Future Development and Population Yield**

Land Use	Expected dwellings	Occupancy Rate per dwelling	Expected residents*	Expected net developable area
<b>Residential land use</b>				
Town Centre units	160	1.7	272	
Small Lot (300-419m <sup>2</sup> )	435	2.4	1044	
Standard Lot (420-599m <sup>2</sup> )	1505	2.4	3612	
Standard Lot (600-949m <sup>2</sup> )	925	3.5	3238	
Traditional Lot (950-1900m <sup>2</sup> )	456	3.5	1596	
Large Lot (2000+m <sup>2</sup> )	19	3.5	67	
Total all dwellings	3500		9828	331.7ha
<b>Non-residential land use</b>				
Retail and commercial	n/a		n/a	2ha Gross Leasable Floor Area

\*Occupancy rates based on GHD Addendum to Social Sustainability Report (2016)

It is anticipated that the initial development will consist of residential subdivision, based on the lot sized identified in the table above. However, if development applications are lodged for the construction of multiple dwellings on a single allotment, a development contribution will be levied based on a per dwelling rate, based on the following occupancy rates:

- One bedroom dwelling - 1.7 persons per dwelling;
- Two bedroom dwelling - 2.4 persons per dwelling; and
- Three and more bedroom dwelling - 3.5 persons per dwelling.

### 3.4 Demographic and socio-economic characteristics

#### 3.4.1 Future demographics

Features of projected population change and future characteristics of the Menangle Park resident population are summarised below and generally reflective of new release areas. The characteristics are indicative based on a comparative assessment of Camden Park:



- The indicative age and household characteristics of the future population is expected to vary with different household types and price points likely to influence the age profile of households. It will also be affected by resources such as schools, community facilities, transport and the local job market.
- The projected future occupancy rates of various household types are as shown in Table 4 above.
- It is assumed that Menangle Park will attract a variety of household types from young families (generally first home buyers), established families with teenagers / young adults (second/third home buyers) as well as couple only households (empty nesters and young couples). The traditional lot (and larger) component of the development (i.e. > 1000m<sup>2</sup>) would attract mainly established families.
- Given the proposed household mix and historical patterns of settlement, the expected age profile for the future development at Menangle Park is outlined in Table 5 below:

**Table 5 Indicative age profile for projected Menangle Park population**

	Age profile		Population
	Separate dwellings (%)	Town centre units (%)	Total residents
0 to 4 years	10.5%	7.5%	1,020
5 to 11 years	13.1%	3.2%	1,259
12 to 17 years	9.7%	6.2%	948
18 to 24 years	7.2%	15.7%	728
25 to 34 years	14.9%	24.9%	1,490
35 to 49 years	24.9%	20.9%	2,437
50 to 59 years	11.5%	9.8%	1,125
60 to 69 years	5.9%	8.7%	588
70 to 84 years	2.4%	2.8%	233
85 and over years	0.0%	0.6%	2
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>9,829</b>

Note: Total population is rounded up to the nearest whole number when adding residents from separate dwellings and town centre units together.

- It should be noted that the above profile is indicative only with factors such as housing prices, job markets, transport costs and lifestyle trends all ultimately determining factors.
- Over time, the peaks in the age distribution associated with a predominance of young families will reduce and the population will become more diverse. Increasing levels of single person households and group households are anticipated.
- Adults aged 35-49 are likely to be the biggest age group, around 25%.
- It is unlikely that there will be a high proportion of frail aged older people.
- Over time, it can be expected that the population profile will come to more closely approximate that of an established area with a variety of age and household characteristics, particularly if there are a range of housing types and affordability available in the release area.

### 3.4.2 Employment

There were 70,236 persons in Campbelltown City's labour force in 2011 of which 16,985 were employed part-time (26.1%) and 43,969 were full time workers (67.6%). Unemployment in 2011 was higher in Campbelltown LGA as compared to Greater Sydney. Overall, 92.6% of the labour force was employed and 7.4% unemployed compared with 94.3% and 5.7% respectively for Greater Sydney. Analysis of the labour force participation rate of the population in Campbelltown City in 2011 shows that there was a similar proportion in the labour force (61.6%) compared with the Sydney Statistical Division (61.7%) (ABS, 2011 Census).

Campbelltown's employment profile in 2011 was dominated by jobs in the following sectors:

- Manufacturing (9,052 persons or 13.9%)
- Retail Trade (7,011 persons or 10.8%)
- Health Care and Social Assistance (7,032 persons or 10.8%)

Campbelltown also has a health/education focus with the University of Western Sydney's School of Medicine and Campbelltown Hospital providing general hospital services.

Planning for Menangle Park includes land dedicated as employment areas as well as for retailing. Working from home will also be encouraged through the provision of the National Broadband Network to all dwellings and businesses.

It is envisaged that development of retail land at Menangle Park will result in additional demand for transport and water cycle management facilities in the release area.

The employment lands will also result in additional demand for transport and water cycle management facilities. These additional demands will be funded in conjunction with the development of the employment lands, and have been excluded from this Plan.

### 3.5 Facility demands

There is limited provision of social and recreation infrastructure currently in the area with no existing public health, public education, welfare / support, recreation or emergency services in Menangle Park. Based on the 2010 Social Sustainability Report (Heather Nesbitt Planning), the majority of services in surrounding communities do not have the

capacity to expand and /or services are already in short supply. For Menangle Park and southern Campbelltown this includes:

- Lack of child care, preschool and parenting services;
- Lack of formal youth and informal youth recreation, social and cultural infrastructure with existing youth centres not fulfilling the needs of local youth;
- Lack of services for special needs groups i.e. people with a disability, indigenous residents, residents from non-English speaking backgrounds;
- Lack of services and appropriate accommodation for older residents;
- Poor existing public transport services with no pedestrian / cycle network in place;
- Poor access to Council library services;
- Spare capacity in majority of public schools in surrounding areas;
- Shortage of general practitioners and no existing general practitioners in the area; and
- Emergency services in Campbelltown with NSW Ambulance and NSW Police to service development by outreach services. NSW Fire Services has insufficient capacity in their service to meet needs of Menangle Park<sup>1</sup>.

Studies listed in Section 3.1 of this Chapter have identified that the expected development in Menangle Park will generate the following impacts on public services and public amenities:

- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, walking trails and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in Menangle Park, such as meeting spaces and after school child care;
- increased demand for facilities that will support safe and convenient travel between land uses both within the release and to and from destinations outside of Menangle Park, such as new roads and public transport facilities; and
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to address the impacts of the expected development, including:

- Community centre – minimum 500m<sup>2</sup>;
- Primary school;
- Long day child care centre with pre-school programs – 2-3 new 90 place day care facilities;
- Outside school hours care centre – total of 252 places;
- Health services – seven GPs and three primary health care nurses or early childhood nurses;
- Fire station co-located with Rural Fire Service;

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<sup>1</sup> Heather Nesbitt Planning (2009), p.24

- Open space and recreation facilities – proposal include four local parks and three district with additional open space adjacent to riparian area and 18ha of land for playing fields. It is recommended to include one multipurpose court and two tennis courts and for indoor courts at community centre and inclusion of skate park at proposed parks be explored;
- Transport and traffic management facilities; and
- Water cycle management facilities.

More detail on the demand for public facilities and the relationship with the expected development is included in Section 4.1 to 4.4 of this Plan.

Strategies for the delivery of these facilities and amenities are detailed in Section 4 of this Plan.

The costs and programs of works related to these facility categories are shown in the Work Schedules at Appendix H to this Contributions Plan.

Details on assumptions used for costing purposes are contained in Appendix A of this Plan.

### **3.6 Demand and facility staging**

The program for delivery of the required facilities has been based on the anticipated lot development program.

Details of the indicative residential development program are shown in Table 6. The indicative development program for employment and retail/commercial lands is shown in Table 7.

**Table 6: Indicative Residential Development Program**

Year		Product Type					Total	
	Calendar Target	Small	Standard	Traditional	Large	Town Centre	annual	cumulative
1	2018		50				50	50
2	2019		125				125	175
3	2020		155	8	3		166	341
4	2021		175	8	3		186	527
5	2022		175	8	3		186	713
6	2023		190	20	3		213	926
7	2024	20	190	15	0	20	245	1171
8	2025	40	190	50	0	20	300	1471
9	2026	70	215	60	0	20	365	1836
10	2027	70	215	70	0	20	375	2211
11	2028	70	205	75	1	20	371	2582
12	2029	55	175	50	2	20	302	2884
13	2030	40	155	40	2	20	257	3141
14	2031	40	115	25	1	20	201	3342
15	2032	30	75	17	1		123	3465
16	2033		25	10			35	3500
<b>TOTALS</b>		<b>435</b>	<b>2430</b>	<b>456</b>	<b>19</b>	<b>160</b>	<b>3500</b>	
<i>DCP Target</i>		<i>435</i>	<i>2430</i>	<i>460</i>	<i>15</i>	<i>160</i>	<b>3500</b>	

**Table 7: Indicative Employment and Retail/Commercial Development Program**

Year		Employment Lands	Retail/Commercial Lands
	Calendar Target		
1	2018		
2	2019		
3	2020		
4	2021		
5	2022		
6	2023		
7	2024		
8	2025		6,000m <sup>2</sup> GLFA*
9	2026		
10	2027		
11	2028		
12	2029		8,000m <sup>2</sup> GLFA
13	2030	10 hectares	
14	2031	10 hectares	
15	2032	9 hectares	6,000m <sup>2</sup> GLFA
16	2033		
<b>Total</b>		<b>29 hectares</b>	<b>20,000m<sup>2</sup> GLFA</b>

\*Gross Leasable Floor Area

The data in Tables 6 and 7 are an indication of the projected staging only. The roll-out of development over time will be dependent on a number of factors, including market demand and the timing of extensions to infrastructure and services. The program has

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been prepared in response to strategic level information and will evolve as development occurs. Changes to the program may impact on the sequencing and timing of the delivery of facilities addressed by this Plan. Lot programming and facility staging will be regularly reviewed and such reviews may result in amendments to the Plan.

The program for delivery of facilities under this Plan is set out in the Work Schedules at Appendix H. As with the development program, the timing of the delivery of facilities is dependent on a wide range of factors including development take up and receipt of contributions.

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#### 4. Strategy Plans

This section sets out the strategies that Council intends to follow to cater to the needs of future population growth and development in the Menangle Park release area. It identifies the resulting demand for public services and facilities and the costs and timing of provision of the works that the council intends to provide to cater for that demand.

It is important to note that the release area will take some years to develop and planning for facilities at this stage of the development must recognise that population demands will vary over time. They may also possibly vary from the assumptions that are used to determine the contributions that are set out in this Plan. The Council will continually monitor population growth and demand, and where necessary, will appropriately adjust the facilities to ensure that the facilities are delivered to meet the demands of the population.

##### 4.1 Community facilities

###### 4.1.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for community facilities as a result of the expected development of Menangle Park are documented in the Social Sustainability report prepared by Heather Nesbitt Planning (February 2010).

The Social Sustainability Report provides an assessment of existing community facilities and services currently provided in Menangle Park and the wider area. It notes that in general local community infrastructure is limited given the small existing population in Menangle Park and its location on the south-western border of the Campbelltown LGA. Existing residents use services and facilities in Campbelltown's southern suburbs together with services in the Campbelltown CBD and Macarthur Square and in the adjacent Wollondilly LGA.

In consulting with key stakeholder groups, a number of consistent social issues were raised:

- potential physical and social isolation of the proposed development including its lack of connection to established suburbs;
- limited capacity of some existing services in surrounding suburbs;
- likelihood that the future Menangle Park residents will be more culturally diverse than evident in Campbelltown City;
- concern that the proposed development will be a dormitory suburb resulting in poor social connections, limited community cohesion and poor community safety.

The report identified that, in the main, existing community services do not have the capacity to accommodate the demand generated by the proposed development. The exception to this is public schools in surrounding areas which have significant capacity for additional students with enrolments declining. Although spare capacity exists in schools in the surrounding area it was considered that the proposed development can support its own public primary school and that such a facility would play a significant role in community building. Accordingly a new public primary school was recommended for the development. In terms of high schools it was considered that children could be taken to existing schools in surrounding suburbs by bus and that the development would not create sufficient demand to warrant provision of a new local high school.

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To address the social issues raised in the report and to ensure a socially sustainable development is delivered for this new community, a social sustainability framework and objectives have been adopted for the new release area. These are detailed in the Social Sustainability Report.

### **Planning Standards**

The use of service thresholds or standards alone to determine community infrastructure needs has been primarily discredited as they do not reflect the individual characteristics and needs of communities. They also do not guarantee provision as typically there are a myriad of social, environmental and economic factors which impact on the provision of infrastructure. Importantly the provision of built community infrastructure alone does not result in a socially sustainable development.

Issues which impact on service thresholds include:

- Differing socio-economic characteristics of an area;
- Influence of services available in the surrounding area;
- Competing priorities for government funding;
- Impact of issues such as transport nodes and major shopping centres on service demands;
- Slow land development rates which increase the time in which thresholds are reached;
- Innovative new models for service delivery.

Nevertheless service thresholds do provide one indicator of need and as such, can be used as an assessment tool with other indicators. They also provide a guideline through which the physical infrastructure needs of a new urban community can be broadly assessed.

The Social Sustainability Report includes a list of service thresholds often used for planning the provision of community infrastructure. These service thresholds have been considered together with the best practice social sustainability objectives established for Menangle Park in determining appropriate community infrastructure for the release area.

### **Facilities Required**

In terms of facilities to be funded through Section 94 contributions, the Social Sustainability Report and Addendum identify the need for community facilities to support these social sustainability measures. The report recommends that the following local community infrastructure be funded through development contributions:

- Community centre, and
- Outside school hours centre (in association with primary public school to be funded by the NSW Government/Special Infrastructure Contribution).

However, where the \$20,000 cap is to be exceeded, under the IPART guidelines development contributions may only be sought for the land component of any community facility.

Council has made provision for the acquisition of land sufficient to deliver a minimum 500m<sup>2</sup> facility as recommended by the GHD 2016 Report. While this size of facility is not ideal, Council considers that it is of a sufficient size for it to be able to deliver a range of community programs.

Land to be acquired for the community facility will be funded through section 94 contributions. A total site area of 13,700m<sup>2</sup> is proposed for the facility which will accommodate the community facility, at grade parking and an area for outdoor community activities. The size of the site will also enable the community facility to be expanded in the future when funds become available.

#### **4.1.2 What is the strategy for delivering facilities?**

Council will require contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. These contributions may be in the form of monetary contributions, works in kind, land dedications, or a combination of these.

The Menangle Park Structure Plan has nominated a site adjacent to the playing fields for the location of the community centre. Its location adjacent to the playing fields means that the facility can also be used in conjunction with recreation activities.

It is intended that the community facility will be provided in Year 10 of the development.

Where alternatives to the works schedule are proposed in conjunction with the development of land and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

The proposed location of the community facilities is shown in Figure 3.



Figure 3: Proposed location of community facility

4.1.3 How are the contributions calculated?

Contributions will be collected from residential development toward acquisition of land for the community facility as identified under this Plan (refer discussion in Section 4.1.1).

As workers in the employment areas are unlikely to significantly increase the demand for community facilities within the release area, no contributions are to be collected from employment development towards community facilities.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the estimated cost of acquiring land for the community facility (refer Appendix H – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Appendix H – works schedule)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates included in Table 4.

#### **4.1.4 How is cost apportionment determined?**

The contribution catchment for community facilities is the expected additional resident population for Menangle Park. The community facilities are required to meet the demand generated by the additional resident population rather than the existing community.

Facilities included in this Plan have been sized to reflect the demand generated by the population attributable to the expected residential development. Although there is likely to be some demand for the facilities generated by employees working at Menangle Park but living outside the area, this Plan has not quantified this demand. As a result, the cost of facilities identified in this Plan has not been apportioned to the population attributable to expected non-residential development in the release area.

## 4.2 Open Space

### 4.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for open space and recreation facilities as a result of the expected development of Menangle Park are documented in the Social Sustainability Report prepared by Heather Nesbitt Planning (February 2010) and Addendum by GHD (2016).

Key characteristics of existing recreation and open space facilities and services in the area are as follows:

- the only major open space in Menangle Park is on the Nepean River (Menangle River Reserve).
- there are 11 sporting grounds with a total of 13 playing fields located in southern Campbelltown but these are all located outside of Menangle Park;
- services in the area for young people are already inadequate and there is an identified need for informal youth recreation facilities in the LGA including basketball courts, cycleways, rollerblading tracks etc;
- the study area has a large expanse of flood-labile land which has agricultural, recreation and lifestyle potential. However, if given over to public ownership this large area of land will have high operational and maintenance costs in an area which already has a large amount of land in public ownership e.g. Georges River foreshore, Mt Annan Botanic Gardens and Western Sydney Regional Parklands.

The Social Sustainability Report and Addendum note that there is limited provision of recreation infrastructure in Menangle Park and no existing capacity to meet the needs of the incoming population. The report therefore recommends the following recreation facilities should be provided at Menangle Park to be funded through Section 94 Contributions:

- passive open space;
- active open space; and
- informal youth recreation facilities.

However, only land for open space and base level embellishment may be funded through section 94 contributions where the \$20,000 cap is to be exceeded. As a result, the proposed informal youth recreation facilities are not included in this contributions plan.

This Plan documents the open space and recreation facilities requirements pertaining to expected development of Menangle Park.

These facilities are in addition to other facilities including tennis courts and indoor sports courts which are proposed to be funded via the private sector and/or not-for-profit sector.

### Planning standards and principles

The amount of land required for local open space and recreation facilities in Menangle Park has been determined on the basis of a needs analysis having regard to a range of standards applied to development. The standards that were considered as part of the needs assessment included the following:

- the existing provision of open space in the Campbelltown LGA of approximately 9 hectares per 1,000 persons<sup>2</sup> (excluding regional open space);
- open space and recreation provided at a rate of 2.83 hectares per 1,000 people (Growth Centres Development Code standard).

In determining an appropriate level of local open space provision, the needs assessment also had regard to the following principles:

- the type of facilities to be provided;
- the quality of facilities to be provided;
- recognition that passive open space can be provided in areas which have conservation value;
- collocation of open space with community facilities;
- locating different open space and recreation facilities together and in central locations; and
- flexibility in use of open space areas and recreation facilities.

A total of 31.37 hectares of open space is to be funded through section 94 contributions. This will result in open space provision at a rate of 3.19 hectares per 1,000 people which is slightly higher than the general standard of 2.83 hectares. However, it is considered that this rate of provision is reasonable given the very high provision currently enjoyed by Campbelltown residents generally (9ha per 1,000 persons). It is also considered that the proposed provision will be sufficient open space to meet the needs of the future residential community of Menangle Park, having regard to its location, configuration and proposed embellishment.

#### Facilities required

On the basis of the principles and standards discussed above, open space and recreation facilities to be funded through Section 94 Contributions are shown in Table 8.

**Table 8: Required Open Space and Recreation Facilities**

Open Space and Recreation Infrastructure Required	Specific Requirements
Local Parks	Four local parks at a minimum 0.5ha usable site area within 400m walking circle of all residents
Playing Fields	1 oval, practice field, multi-use courts and playground
District Park	A network of district park land for passive recreation purposes

#### Base Level Embellishment

This Contributions Plan makes provision for base level embellishment of open space in accordance with the revised IPART definition of "essential works". It is noted that the definition of "base level embellishment" in the IPART Practice Note was amended by the former Minister for Planning on 1 March 2011 as follows:

<sup>2</sup> Glenfield Road Section 94 Contributions Plan, p.24

*Base level embellishment of open space is considered to be those works required to bring open space up to a level where the site is secure and suitable for passive and active recreation. This may include:*

- *site regrading*
- *utilities servicing*
- *basic landscaping (turfing, asphalt\* and other synthetic playing surfaces planting, paths)*
- *drainage and irrigation*
- *basic park structures and equipment (park furniture, toilet facilities and change rooms, shade structures and play equipment)*
- *security lighting and local sports field floodlighting*
- *sports fields, tennis courts, netball courts, basketball courts (outdoor only), but does not include skate parks, BMX tracks and the like.*

\*Note: 'asphalt' (under 'basic landscaping') includes at-grade carparks to the extent that they service the recreation area only and does not include multi-storey carparks.

Concept designs for the local parks, district parks and playing fields have been prepared and are provided at Appendix B. The designs provide for base level embellishment in accordance with the amended definition. The cost of the proposed open space embellishment has been independently assessed by quantity surveyors, WT Partnership, and these costs have been included in the Open Space Work Schedules at Appendix A.

#### **4.2.2 What is the strategy for delivering facilities?**

Council will require contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. These contributions may be in the form of monetary contributions, works in kind, land dedications, or a combination of these.

The proposed location of the open space is shown in Figure 4.



Figure 4: Proposed location of open space



All facilities will be developed in a manner that allows the facilities to serve the local needs generated by the population of the release area.

Preliminary design concepts for the facilities have been prepared for the purposes of this Contributions Plan. More detailed designs will be prepared so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

Where alternatives to the works schedule are proposed in conjunction with the development of land and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

#### 4.2.3 How are the contributions calculated?

Contributions will be collected from residential development toward open space and recreation facilities identified under this Plan.

As workers in the employment areas are unlikely to significantly increase the demand for open space and recreation facilities within the release area, no contributions are to be collected from employment development towards open space and recreation facilities.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the estimated cost – or if the facility has been completed, the actual cost – of providing each of the open space and recreation facilities (refer Appendix H – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Appendix H – works schedule)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates included in Table 4.

#### 4.2.4 How is cost apportionment determined?

The contribution catchment for open space and recreation facilities is the expected additional resident population for Menangle Park. These facilities are required to meet the demand generated by the additional resident population rather than the existing community.

Facilities included in this Plan have been sized to reflect the demand generated by the population attributable to the expected residential development. Although there is likely to be some demand for the facilities generated by employees working at Menangle Park but living outside the area, this Plan has not quantified this demand. As a result, the cost of facilities identified in this Plan has not been apportioned to the population attributable to expected non-residential development in the release area.

### 4.3 Water cycle management facilities

#### 4.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The existing and future stormwater drainage conditions and strategies have been documented in the following reports:

- Report for Menangle Park Flood Study (Nepean River), GHD (Sept 2008 Rev 4);
- Menangle Park LES Local Flooding and Stormwater Quantity Management (Detention), GHD, May 2010;
- Menangle Park WSUD Strategy, AECOM, June 2010;
- GHD letter dated 5 July 2011 which includes an update of the cost schedules from the GHD May 2010 report;
- Review of Drainage Options, GHD, October 2011.

The existing drainage system is characterised as follows:

- The Nepean River bounds the site to the west and receives discharge from all drainage systems on the Menangle Park site. A large portion of the site includes the Nepean River and its floodplain;
- at present, the areas of residential development on site are not serviced by sewer and the presence of septic systems is having some impact on water quality. There are also stock and horses on site which may also contribute to faecal coliform contamination as well as suspended solids and nutrients from runoff;
- In terms of topography the site has three distinct drainage creek valleys draining roughly east to west and discharging into the Nepean River. Approximately 60 to 70% of the site is located in reasonably steep terrain with slopes in excess of 2 to 3 %;
- Creek slopes are flat (less than 1%) in the Nepean River floodplain, generally to the west of the Main Southern Railway, and Nepean River flood levels and backwater effects dominate flooding in this area;
- the site hydrology will be significantly impacted by urban development due to an increase in impervious areas limiting infiltration and increasing the frequency and intensity of runoff events; and
- Salinity is a potential issue, particularly in the vicinity of the more elevated drainage lines in the north and south of the site.

Without adequate stormwater management measures, urban development at Menangle Park may have the following impacts:

- increased stormwater runoff, which could impact sensitive downstream habitats in terms of flushing regimes (frequency, volume and rate), water quality and wetting cycles;
- reduction in rainfall infiltration and decreased groundwater recharge; and
- disturbance of groundwater flow due to site compaction, fill, landform reshaping and underground structures.

A comprehensive water cycle management strategy will be required to ensure that both stormwater quantity and quality is not adversely impacted by the anticipated development at Menangle Park.

The objectives of this strategy are:

- to protect and enhance natural water systems in urban developments;
- to integrate stormwater treatment into the landscape by incorporating multiple-use corridors that maximise the visual and recreational amenity of the development;
- to manage water quality draining from the development;
- to reduce runoff and peak flows from developments by employing local detention measures, minimising impervious areas and maximising re-use; and
- to add value while minimising drainage infrastructure development costs.

The main elements of the water cycle management strategy for Menangle Park comprise the following:

- upgrading and/or stabilisation of existing open channels to convey flows up to the 100-year ARI event;
- detention/bio-retention basins at key locations to treat the quantity and quality of stormwater flows. These systems would essentially comprise a dry basin (to provide detention function) combined with bio-retention (to provide water quality treatment function) situated in the invert of the basin;
- additional wetlands and bio retention systems as necessary to meet water quality discharge targets; and
- rainwater tanks throughout, as required and as appropriate.

A range of strategies to address potable mains water conservation and reduction in wastewater discharge from the site are also incorporated in the water cycle management strategy. A stretch target of a 65% reduction on the BASIX benchmark is proposed that moves beyond minimum compliance with BASIX. Adopting this stretch target for potable water conservation is considered appropriate for the Menangle Park site, to demonstrate more sustainable development.

#### **4.3.2 What is the strategy for delivering facilities?**

The drainage strategy requires a combination of detention basins, water quality treatment measures and floodway stabilisation measures to safely convey stormwater runoff through the development and discharge it into the Nepean River.

In recognition of the \$20,000 cap and the relatively unique site characteristics, the drainage strategy has been developed to minimise the number of detention basins. It also involves utilising and stabilising the natural floodways through the development (refer Appendix E) to accommodate stormwater flows. This approach makes full utilisation of existing on site resources and reduces the capital cost of implementing the drainage strategy by around 50%. It also has the benefits of enhancing environmental benefits and minimising ongoing operational costs.

Details of the costs and timing of the range of water cycle management facilities to be addressed through development contributions are included in the Works Schedule at Appendix H to this Plan. The different types of water cycle management facilities and their location are shown in Figure 5.

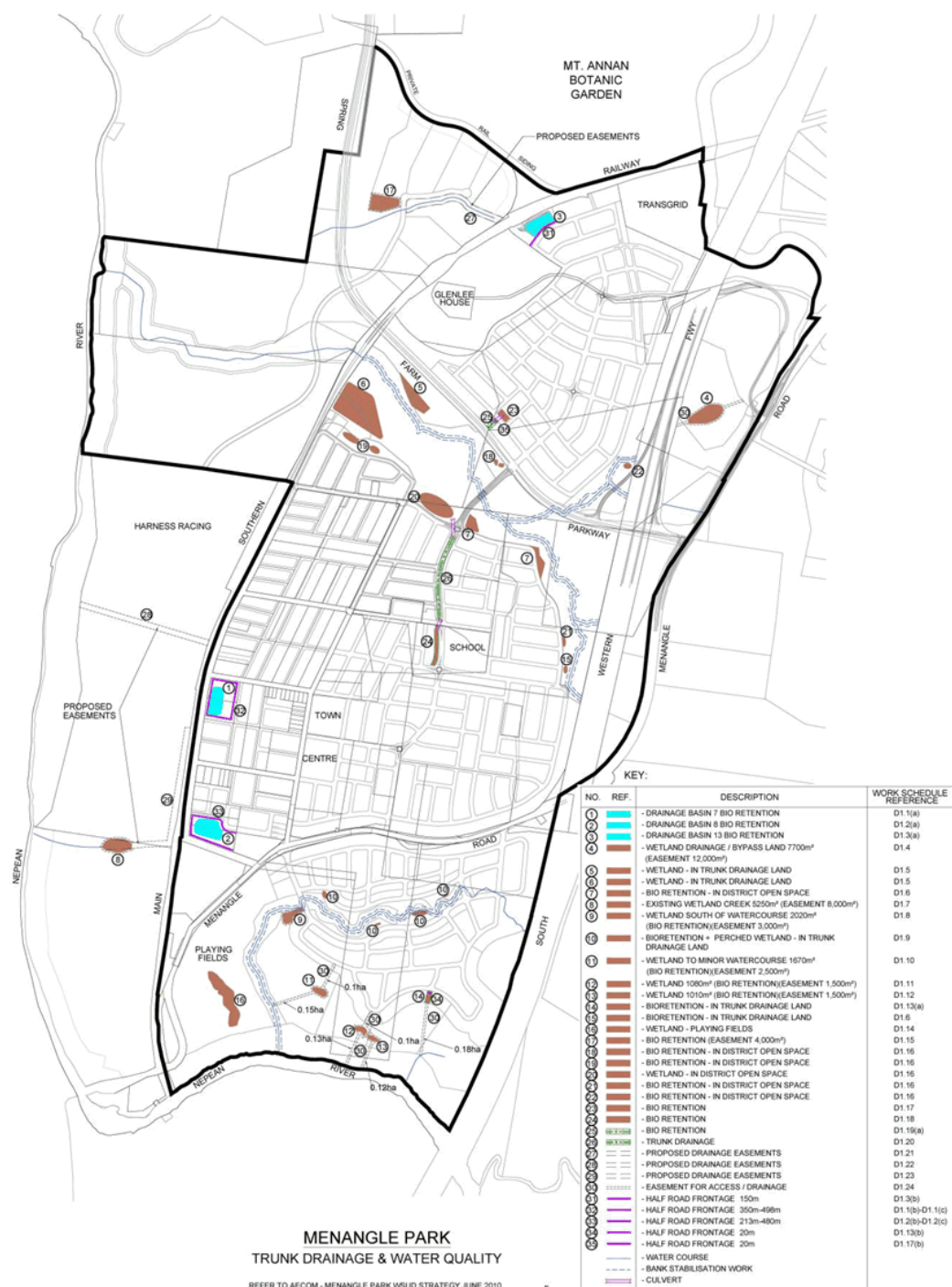


Figure 5: Water Cycle Management Facilities

GHD has proposed trunk drainage channels at a number of locations. These are proposed to be naturalised open channel systems, which could be designed to treat water quality with low capital and maintenance costs.

Water quality treatments along arterial roads are not considered. These treatment measures have been incorporated into **contributions plan** costings for the relevant roadworks.

Council will require contributions from developers under this Plan toward provision of the facilities and services. Although land within and around the Menangle Park village is relatively fragmented, elsewhere the relatively unfragmented land ownership arrangement and the probability that development staging will be controlled by a few developers suggest that developer provision of the works will be the most efficient outcome. The provision of water cycle management works identified in this Plan as works-in-kind in conjunction with the civil works undertaken as part of land subdivision is considered the most efficient approach to providing these facilities.

A range of water cycle management facilities not included in this Plan will be required by Council to be undertaken directly by the developer as conditions of consent under section 4.17(1)(f) of the EP&A Act. The facilities may include lot-scale OSD basins, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

The water cycle management strategies proposed for Menangle Park are based on strategic information. It is possible that, as the planning process for the different development stages proceeds, modified and more cost effective solutions that still meet the strategy objectives may be developed.

Where alternatives to the works identified in this Plan are proposed in conjunction with the development of sub-precincts and are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

A portion of the water cycle management facilities (specifically water quality measures) will be implemented within the district open space land in recognition of the dual water cycle and passive recreation benefits of these facilities. The drainage land for acquisition is shown in Figure 6.

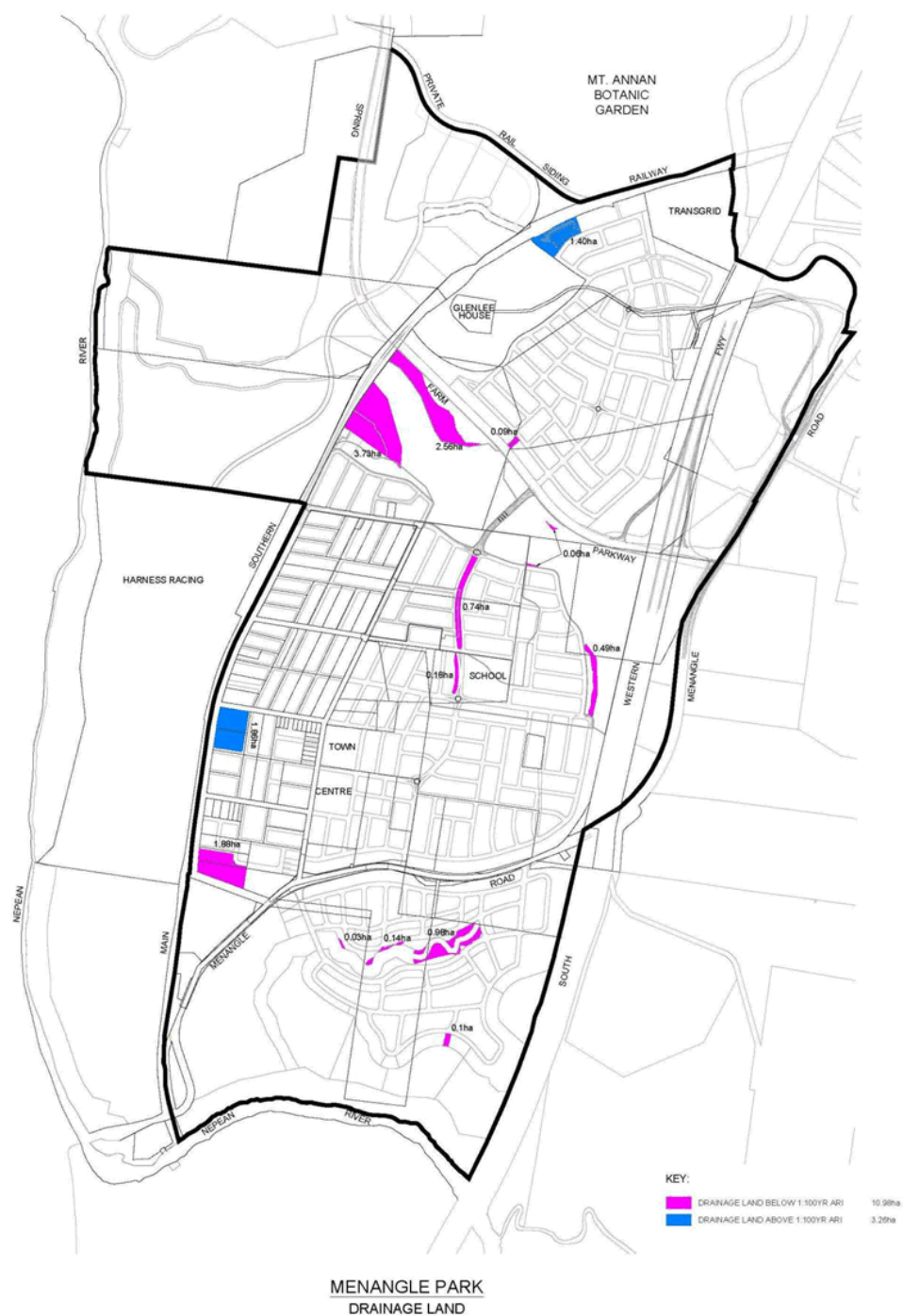


Figure 6: Drainage land (NB: land coloured pink is land to be acquired under this plan for trunk drainage purposes)

#### 4.3.3 How are the contributions calculated?

Contributions for drainage are determined on a per hectare of net developable land basis. A per person approach to drainage is not reasonable as this base does not relate to the facility.

$$\text{Contribution per hectare of net developable land (\$)} = \Sigma \left( \frac{C}{NDA} \right)$$

Where:

**C** = the estimated cost of providing the water cycle management facilities within the release area (refer Appendix H – works schedule).

**NDA** = the total area of net developable land within the release area (in hectares) as shown in Appendix H – works schedule.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

#### 4.3.4 How is cost apportionment determined?

Expected development in Menangle Park will solely generate the demand for the water cycle management works included in the works schedule, Appendix H. Therefore the full cost of the works will be met by expected development in Menangle Park.

#### 4.4 Transport management facilities

##### 4.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The existing and future transport network and strategies have been documented in the *Menangle Park Transport Management and Accessibility Plan* (TMAP) prepared by AECOM (June 2010) and updated to reflect changes to the microsimulation model (VISSIM) since that time, refer AECOM (June 2016).

Existing transport conditions in Menangle Park reflect the rural nature of the locality. The existing road network within the study area comprises Menangle Road, a two-way two-lane rural arterial, along with a number of smaller local roads, primarily providing access within Menangle Park village. The local roads are of rural standard, typically 20 metres wide and laid out in a grid pattern.

There are a limited number of rail services provided to Menangle Park. Electrification of the rail line ceases to the south of Macarthur Station and services to Menangle Park are provided by diesel trains on the Southern Highlands Line.

Menangle Park Station is a rural station. Pedestrian connectivity to the local area from the station is minimal.

Similarly, there are limited bus services currently servicing Menangle Park. The study area is currently serviced by Busabout route 889 from Menangle to Campbelltown. Six services are provided each weekday and two on Saturdays, with no services operating on Sundays or public holidays.

Existing infrastructure for pedestrians is also limited in the Menangle Park area, reflecting the low number of residents that currently live in Menangle Park and the rural nature of the area. Footpaths are not provided on local roads and there are a number of other constraints to walking including barriers to pedestrian activity caused by topography, the freeway and rail line.

In summary, the review of existing transport conditions in the draft TMAP has noted a number of constraints in the local area, including:

- limited existing pedestrian facilities;
- barriers to pedestrian and cycle activity caused by topography, the freeway and rail line;
- high traffic volumes on cycle routes;
- low bus mode share, caused in part by low permeability of local communities, restricting access to public transport;
- lack of electrification between Menangle Park and Macarthur Interchange;
- some road links approaching capacity, in particular Narellan Road north of the F5/M5 corridor;
- limited peak period capacity at intersections in the Macarthur and Campbelltown centres; and
- relatively high levels of car use in the region.

On the basis of the forecast trips generated by the proposed development and the output from the traffic model, the TMAP recommends that a package of measures be

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introduced. The focus of the TMAP is to promote and achieve improved walking, cycling and public transport use in the area around Menangle Park to meet NSW Government objectives for sustainable travel and environmental impacts. In particular, the TMAP aims to provide an integrated transport network which offers a choice of travel mode.

The assumptions regarding future development, the methodology to determine the required transport facilities and the scope and specification of those facilities are contained in the TMAP.

The recommended measures include:

- Policy measures aimed at increasing levels of pedestrian and cycle movements through a comprehensive transport policy that deals with all modes, not just cars.
- Transport service improvements, including increased rail services from Macarthur Interchange and from Menangle Park, together with an integrated package of bus service improvements that are responsive to the development of the site.
- Infrastructure improvements to provide easy pedestrian and cyclist access to Macarthur via a connection to the Regional Cycleway, together with cycle parking and comprehensive directional signage.
- Public transport infrastructure, such as public transport priority at key intersections, a public transport spine within the site and the upgrade of Macarthur Interchange to better facilitate transfers between bus and rail.
- Public transport information, such as comprehensive timetable information on all stops and key retail locations, together with a community intranet.
- Road network improvements within Macarthur to widen selected links and to provide intersection improvements at key locations.

#### 4.4.2 What is the strategy for delivering facilities?

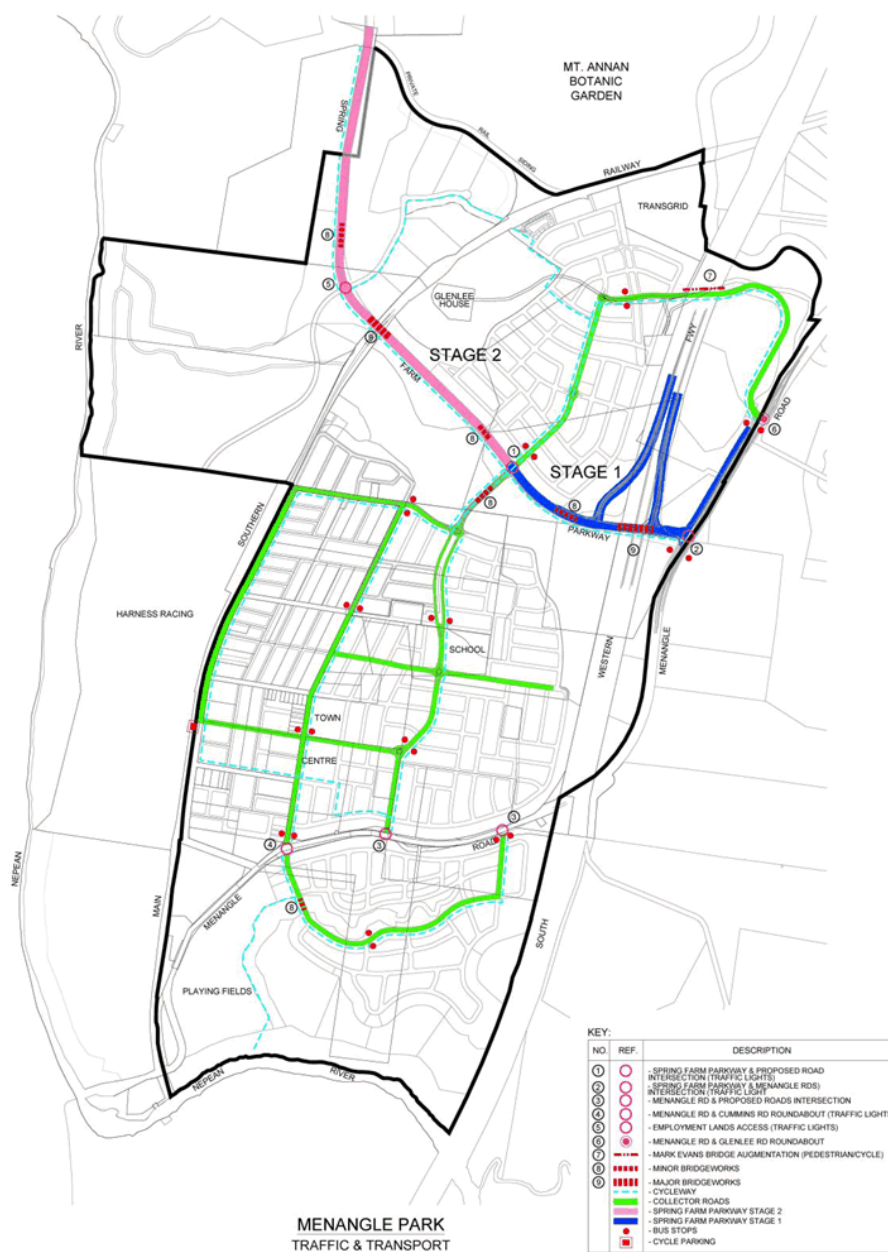
##### Section 7.11 Facilities

Transport works that are to be funded in part or full by section 7.11 contributions under this plan are as follows:

- upgrading of existing collector roads and construction of new collector roads,
- upgrading/construction of intersections;
- public transport facilities (including bus shelters and bus priority measures at intersections); and
- cycling facilities.

The need for transport facilities at Menangle Park arises not only from new residential development but also new retail/commercial activity. As a result, contributions will be sought from both land use sectors towards the provision of transport facilities at Menangle Park. In addition, the Plan already makes provision for the upgrade of local roads to collector standard and it is these roads that the retail / commercial traffic would utilise.

Details of the costs and timing of individual transport measures to be addressed through development contributions are included in the Works Schedule at Appendix H to this Plan. The location of these works is shown in Figure 7.



**Figure 7: Proposed Location of Transport Facilities**

### Regional facilities

Some of the transport measures needed to meet demand arising from the urban development of Menangle Park will also meet regional demand extending beyond the boundary of the release area. These works include arterial road links, improvements in

regional public transport facilities and services (e.g. upgrading of rail and bus interchanges) and regional cycleways.

Regional transport facilities will need to be delivered either via direct funding from relevant NSW Government agencies (e.g. Roads and Maritime Services, RailCorp), or through imposition of a special infrastructure contribution (SIC) or a mixture of both.

As noted in Section 1.9 the NSW State Government has committed \$30 million toward the construction of Stage One of Spring Farm Parkway, forming part of the regional funding strategy.

A number of the traffic improvements required to meet the resident and workforce needs at Menangle Park will also meet regional traffic needs. This is reflected in the apportionment of costs for the traffic works (refer discussion in Section 1.9). It is intended that funding for the regional component of the works will be via the regional funding strategy.

#### **Local facilities**

Local roadworks that are not to be levied for under Section 94 and that are required to facilitate subdivision of land (i.e. to fulfil demand being generated directly as a result of the development) will be provided by the developer through a Voluntary Planning Agreement or the Council placing conditions of development consent on development approvals that occasion the need for the facilities. Conditions of consent for these types of local works are imposed under section 80A(1)(f) of the EP&A Act.

Such facilities may include:

- local roads, footpaths and street tree planting not addressed by this Plan and located within or adjacent to proposed subdivisions; and
- traffic management devices and treatments on local roads (both temporary and permanent) required to provide safe and convenient access to the development.

The integrated use of the different contributions mechanisms under the EP&A Act will result in the transport infrastructure that is required as a consequence of the expected development in the Menangle Park release area being provided.

#### **4.4.3 How are the contributions calculated?**

The contributions for transport facilities have been calculated on a trip generation basis. This approach was considered preferable to other approaches given that the Menangle Park release area includes a range of different land uses (i.e. residential and retail/commercial) generating different trip generation rates and therefore different transport impacts.

The TMAP<sup>3</sup> estimated travel demand for the different land use categories in the AM peak hour as follows:

- Residential – 2,316 vehicle trips
- Employment – 1,500 vehicle trips

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<sup>3</sup> Refer discussion in Section 7.3 of TMAP

- Retail – 895 vehicle trips.

However, since the TMAP was prepared, the lot estimate and future population of the release area has been revised. As a result, the trip estimates have also been revised as follows:

- Based on the revised estimated population of 9,828 persons, the total number of residential vehicle trips in the AM peak hour is estimated at 2,440. This has been calculated as follows:

*Calculate average trips per person to establish site trips*  $3.77 \times 9828 = 37,051$

*Apply percentage of trips in the AM period*  $21.2\% \times 37,051 = 7,855$

*Apply percentage trips in the AM Peak hour*  $40\% \times 7,855 = 3,142$

*Apply percentage trips by car*  $79\% \times 3,142 = 2,482$

The contributions towards the cost of the local component of the Spring Farm Parkway have been calculated in accordance with the above percentage breakdown.

The following contribution formula therefore applies to all development:

$$\text{Contribution per trip (\$)} = \frac{\sum (C)}{PW}$$

Where:

C = the estimated cost – or if the facility has been completed, the actual cost – of providing each of the open space and recreation facilities (refer Appendix H – works schedule)

PW = the contribution catchment attributable to each facility (refer Appendix H – works schedule). The contribution catchments are:

- Residential development – per lot type
- Retail/commercial – per 100m<sup>2</sup> of Gross Floor Area

The resultant contribution rates for roads and traffic management facilities are set out in the Works Schedule at Appendix H.

#### 4.4.4 How is cost apportionment determined?

Apportionment aims to ensure that development is only charged for the portion of demand (i.e. cost) that it actually creates. DPE notes (in its Section 94 manual) that full cost recovery (i.e. no apportionment) can only be used where the public facility is provided to meet the level of demand anticipated by new development only and there is no facility or spare capacity available in the area.

If the proposed public facility satisfies not only the demand of new development, but also some regional demand, demand by people from outside the area, or makes up for some existing deficiency, only the portion of demand created by new development can be charged.

These principles are obviously important to the apportionment methodology for the Menangle Park Urban Release Area. Apportionment is particularly important in this case because there are diverse ownerships, a range of development intentions, and many Government agencies (including Campbelltown and Camden Councils) with direct interests in the transport and land use outcomes in the vicinity of the site.

The basic principles underlying the methodology for apportionment are:

- developers of land should be required to contribute to the extent necessary to ameliorate the impacts generated by their development;
- growth in background levels of demand for facilities and infrastructure should be met by government, either local or State, depending on the traditional allocation of responsibilities;
- where commercial operators can be expected to benefit from increased patronage, they should be expected to contribute (where practical) to the provision of infrastructure which makes new services and patronage possible;
- the scale of the proposed Menangle Park development is anticipated to have some regional or at least sub-regional transport impacts, so there will be a need for developers to contribute to some extent to the delivery of regional infrastructure.

The apportionment methodology for each of the transport infrastructure items is provided in Table 9 below.

Table 9: Apportionment Methodology

TRANSPORT FACILITY	APPORTIONMENT CONSIDERATION
<b>On Site Works</b>	Footpaths, cycleways and local road network within the development, will be funded by the proponent as well as through Section 94 Contributions.
<b>Widening of Menangle Road (Glenlee Road to Gilchrist Drive)</b>	The strategic traffic model and traffic generation analyses indicate that during the morning peak hour, 51 per cent of the traffic likely to utilise the road are generated by the Menangle Park development. This represents the regional infrastructure component attributable to Menangle Park. The balance is to be funded by Government.
<b>Cycle Parking at Menangle Station</b>	As the provider of all rail infrastructure, it is assumed that RailCorp would meet 100% of the cost of these works and will benefit from increased patronage as a result.
<b>Connection to Regional Cycleways</b>	The cost of a connection will need to be met by the development as it provides for access between the site and Macarthur/ Camden
<b>Macarthur Rail Interchange</b>	The design of the rail interchange has commenced, funding has been allocated from other sources and construction will commence prior to development of the site. It has therefore been assumed that the release area will not contribute towards these costs.
<b>Rail – Increased Service Frequencies</b>	The Clearways Program, including provision of an additional platform at Macarthur and increased service frequencies, has commenced and funding has been allocated from other sources. It has therefore been assumed that the release area will not contribute towards these costs.
<b>Bus Stops</b>	The cost of providing bus stops within the site has been apportioned in full to the release area.
<b>Bus – Increased Service Frequencies</b>	The DPE Special Infrastructure Contribution Western Sydney Growth Areas nominates that the Special Infrastructure Contribution will provide for 50% of the infrastructure cost with the balance being funded by Government. The costs associated with the provision of increased peak period bus services to the site is expected to be funded through a combination of the Special Infrastructure Contribution and the State Government.

#### 4.5 Plan Preparation Costs

##### 4.5.1 Plan preparation

The specialist studies required to inform preparation of this Contributions Plan are extensive and have involved significant cost. The list of studies and associated costs are provided at Appendix H in the Works Schedule. In accordance with the DIPNR *Development Contributions Practice Notes – July 2005*, it is proposed that contributions will be sought towards the costs of undertaking these studies.

##### 4.5.2 Schedule of works and cost estimates

The specific costs described above are detailed in the Works Schedule at Appendix H.

##### 4.5.3 How are the contributions calculated?

Contributions will be collected from all development toward plan preparation costs on a net developable area basis.

The monetary contribution per net developable area is calculated as follows:

$$\text{Contribution per net developable area (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the cost of plan preparation (refer Appendix H – works schedule)

P = the contribution catchment (net developable area) attributable to each facility (refer Appendix H – works schedule)

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) of the site the subject of the proposed development.

## **8.4 Outcome of the Public Exhibition of Draft Amendment No. 5 to Campbelltown (Sustainable City) Development Control Plan 2015**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

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

### **Officer's Recommendation**

1. That Council adopt draft Amendment No. 5 to the Campbelltown (Sustainable City) Development Control Plan 2015 as contained under attachments 4, 5 and 6 of this report.
2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the Environmental Planning and Assessment Regulation 2000.
3. That Council write to parties who made a submission on the draft Amendment No. 5 to Campbelltown (Sustainable City) Development Control Plan 2015 advising of Council's decision.

### **Purpose**

1. To inform Council of the outcome of the public exhibition of draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015 (the draft SCDCP).
2. To seek Council's endorsement to adopt draft Amendment No 5 to the SCDCP.

### **History**

Council at its meeting held 12 December 2017, considered a report on draft Amendment No 5 to the SCDCP and resolved as follows:

1. That Council endorse draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1) as outlined in this report for public exhibition in accordance with the *Environmental Planning and Assessment Act 1979* and associated regulation.



2. That at the conclusion of the public exhibition, a separate report be provided to Council on the outcome of the public exhibition of the draft Amendment 5 to Campbelltown (Sustainable City) Development Control Plan 2015.

This report presents to Council the outcome of the public exhibition of draft Amendment No 5 to the SCDCP.

## Report

### 1. Draft Amendment No 5 to the SCDCP

Draft Amendment No 5 to the SCDCP mainly includes the following to:

- clarify and strengthen certain development controls under Volume 1 of the plan
- introduce a new draft Part 18 Tattoo Parlour Premises
- amend where Part 5 Western Sydney Development Control Plan applies
- introduce a site specific development control plan for the urban renewal areas of Airds and Claymore
- introduce a site specific development control plan for certain land in Blairmount.

A copy of the report that was submitted to Council's Ordinary Meeting held 12 December 2017 is included as attachment 1 to this report, and includes detailed and background information on the proposed draft Amendment No 5 to the SCDCP.

### 2. Public Exhibition of Draft Amendment No 5 to the SCDCP

In accordance with Council's resolution of 12 December 2017, draft Amendment No 5 of the SCDCP was publicly exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* from Wednesday 17 January 2018 until Friday 16 February 2018.

Copies of the draft Amendment No 5 were made available at Council's Customer Service Centre, on Council's website and at all of Council's public libraries.

### 3. Submissions/comments received

#### Council generated comments/suggestions

A submission was received from Council's City Standards and Compliance Section in relation to draft Part 18 Tattoo Parlour Premises. The submission suggested that to ensure the proper disposal of waste, the inclusion of an additional clause under Section 18.2.6 would be appropriate.

In this regard it was suggested that the following clause be included:

18.2.6 c) A Commercial Contractor Agreement for the disposal of all the generated waste from the premises shall be provided with the development application.

The above proposed requirement is considered appropriate and essential, as it would ensure the proper disposal of all generated waste. As such, it is recommended that the above clause be included under Section 18.2.6 of the Part 18 Tattoo Parlour Premises.

**Submission received from the public.**

Council received one submission by email from a resident of Campbelltown which raised concerns primarily relating to the proposed amendment to the application of the Western Sydney University DCP (WSU DCP).

A table that summarises the contents of the public submission is included under attachment 2 to this report.

**Background information**

The Western Sydney University DCP (WSU DCP) currently applies to the residential land located within the vicinity of the Western Sydney University (WSU Residential Precinct).

The WSU DCP came into effect on 24 February 2009 and was later incorporated as Part 5 of Volume 2 - Site Specific DCPs of the broader Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP).

In March 2015, Campbelltown Local Environmental Plan 2015 (CLEP 2015) commenced and part of the land where the WSU DCP applies was assigned Zone R3 Medium Density Residential. The remaining part of the site that the WSU DCP applied to was deferred from the CLEP 2015 and as such the older Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002) continues to apply to that part of the site.

The application of different policies across the same lands can lead to confusion and in order to provide more clarity to the application of policy across the subject lands, it is recommended that the site specific WSU DCP be amended so that it only applies to the part of the site where LEP 2002 applies, and the broader SCDCP be applied to the area that CLEP 2015 applies. This approach has been undertaken for the following reasons:

1. the terms and definitions used in the WSU DCP do not align with the terms and definitions used under the CLEP 2015
2. under Section 74C (5) of the *Environmental Planning and Assessment Act 1979* (the Act) a provision of a development control plan (whenever made) has no effect if it is not consistent with the LEP that applies to the Land. The WSU DCP contains development standards in relation to minimum lots sizes and building heights that are not consistent with the development standards under the CLEP 2015
3. the development controls are not inclusive, as the WSU DCP does not include development controls for dual occupancies
4. there is no need for a site specific DCP for the part of the WSU site that is zoned under the CLEP 2015, as the SCDCP provides development controls for R3 medium density Zone that are considered appropriate for this site and align with the anticipated residential development for the site.

The proposed Amendment No 5 to the SCDCP seeks to remove the application of the site specific WSU DCP from the WSU Residential Precinct. As a result, the provisions for medium density residential development, Under Part 3 of the SCDCP would apply to this precinct instead of the WSU site specific DCP.

**The main matters raised by the external submission in relation to the proposed amendment to the WSU DCP****a) Issue one: Increased front setback**

Under the provisions of the WSU DCP, residential dwellings are currently permitted to have a setback of 3.5 to 4.0 metres. However under the SCDP 2015, a more generous setback of 5.5 metres is required. The submission argued that the requirement to increase the setback from 4.0 to 5.5 metres is unreasonable as it would reduce the current allowable building footprint within the site. The submission also suggested that the primary street setback for the land zoned R3 Medium Density Residential is not appropriate, because it is the same as the primary setback for the R2 Low Density Residential Zone.

**Comments/recommendations**

The concerns raised by the submission in relation to the front setback are noted, however are only partially supported for the following reasons:

- a. an examination of a portion of a developed area within the WSU Residential Precinct (refer to attachment 3) has shown that the majority of the constructed dwellings have been designed so that the garage component of the building is set back at least 5.5 metres to allow for a minimum of one additional parking space on site, outside of the garage. If the front setback is to be reduced to 3.5-4.0 metres, the space would not be sufficient to accommodate the private vehicles on site and potentially would result in private vehicles blocking footpaths and/or reducing the capacity of on street parking
- b. the traditionally used 5.5 metre front building setback under the SCDP allows for deep soil planting and landscaping thus enhancing the overall aesthetic appearance of the streetscapes. It also provides for a reasonable privacy and noise buffer between the footpath and the residential building. Notably, under the CLEP, attached dwellings and multi dwelling housing within the R3 Medium Density Residential Zone may be created on comparatively smaller allotments of about 300sqm area. As such, reducing the front setback by 1.5 metres, as suggested by the submission, would potentially increase the areas of private open space and the rear separation between dwellings. It would also potentially enhance solar access and natural ventilation. The 4 metre front setback would still allow for deep soil planting and would still allow for a reasonable separation between the street and the dwelling.

Given the above, it is recommended that the front setback requirement for attached dwellings and multi dwelling housing within areas zoned R3 Medium Density Residential Zone be amended to require a minimum of 5.5 metres for the garage/car parking space and 4.0 metres for the remaining parts of the building.

**b) Issue 2: The lack of provisions for studio apartments and garden duplexes**

The site specific UWS DCP provides provisions for studio apartments and garden duplexes within the WSU Residential Precinct. The SCDP fails to provide specific provisions for studio apartments and garden duplexes within the R3 zone.

**Comments/recommendations**

The types of residential accommodation that are permitted within the residential zones within Campbelltown LGA are specified under the CLEP 2015 and not the SCDCP and include any of the following:

- a. attached dwellings
- b. boarding houses
- c. dual occupancies
- d. dwelling houses
- e. group homes
- f. hostels
- g. multi dwelling housing
- h. residential flat buildings
- i. rural workers' dwellings
- j. secondary dwellings
- k. semi-detached dwellings
- l. seniors housing
- m. shop top housing.

The above provisions originated from the Standard Instrument – Principal Local Environmental Plan, and relevantly determine the types of residential accommodation that are permissible within each respective zone. There is no scope under the Act for the SCDCP to introduce or facilitate new types of residential accommodation (such as studio apartments and garden duplexes) not defined or permitted by CLEP 2015.

As previously outlined, Section 74C(5) of the Act states that a provision of a DCP has no effect to the extent that it is inconsistent or incompatible with the LEP that applies to the land.

Accordingly, no changes are recommended in regard to the request for the SCDCP to introduce studio apartments and garden duplexes as additional types of residential accommodation permitted in the R3 zone.

**c) Issue 3: Provision of Private Open Space per Dwelling**

The submission raises concerns that the UWS DCP currently allows 16sqm of private open space per dwelling, whereas the proposed SCDCP controls would increase this requirement to 40sqm per dwelling. The submission includes reference to Figure 3.7.2.2 which is an illustration of a concept residential design that includes an upper dwelling with a balcony area that appears to be less than 40sqm in area.

**Comments/Recommendations**

The majority of attached dwellings that are currently being approved and constructed within Campbelltown have 3 to 4 bedrooms. As such, 16sqm of private open space is not considered sufficient to provide a reasonable level of amenity for occupants of these dwellings. In this respect, the retention of the minimum 40sqm private open space requirement per dwelling under the SCDCP is recommended.

Figure 3.7.2.2 is used for the purposes of a concept illustration only and is not intended to be read as a development control. It is recommended that this matter is addressed by including a minor notation in the SCDCP to clarify that figures provided in the DCP are for conceptual illustration purposes only and are not to be interpreted as a development control.

### **3. Where to from here?**

The proposed amendments to the SCDCP 2015 as a result of the public exhibition are not considered major and as such would not trigger the need to publicly re-exhibit the draft Amendment No 5 to the SCDCP. No submissions have been received in relation to any of the other proposed matters relating to the introduction the draft site specific development control plans under Volume 2 comprising draft Part 10 Blairmount DCP and draft Part 9 Urban Renewal Area DCP. A copy of those draft parts is shown under attachment 5 of this report.

An advertisement will need to be placed in the two circulating local papers advising of Council's decision to adopt draft Amendment No 5, prior to its commencement.

### **4. Conclusion**

Draft Amendment No 5 to SCDCP was publicly exhibited for a period of one month. During this time, only one external written submission was received and one internal submission in relation to draft Part 18 Tattoo Parlour Premises as discussed in this report.

The proposed amendments to the SCDCP as a result of the public exhibition are considered justifiable and as such would not trigger the need to re-exhibit Amendment No 5.

It is therefore recommended that Council endorse and adopt Amendment No 5 to the SCDCP.

### **Attachments**

1. Copy of previous report to Council dated 12 December 2017 (contained within this report)
2. Summary of submission received (contained within this report)
3. Snap shot of the UWS Residential Precinct (contained within this report)
4. Draft Part 18 - Tattoo Parlour Premises (contained within this report)
5. Site specific DCPs (contained within this report)
6. Volume 1 SCDCP 2015 - July 2016 Amendment 1 - due to size of document - 378 pages (distributed under separate cover)

## 8.6 Draft Amendment No 5 - Campbelltown (Sustainable City) Development Control Plan 2015

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council endorse draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1) as outlined in this report for public exhibition in accordance with the *Environmental Planning and Assessment Act 1979* and associated regulation.
2. That at the conclusion of the public exhibition, a separate report be provided to Council on the outcome of the public exhibition of the draft Amendment 5 to Campbelltown (Sustainable City) Development Control Plan 2015.

### Purpose

1. To advise Council of a proposed draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015.
2. To seek Council's approval to place the proposed draft Amendment No 5 on public exhibition for community input.

### History

Council at its meeting held 16 February 2016 adopted draft Campbelltown (Sustainable City) Development Control Plan 2015. The Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) came into effect on 11 March 2016 to coincide with the commencement of Campbelltown Local Environmental Plan (CLEP 2015).

Since its commencement in March 2015, the SCDCP 2015 has been subject to two consecutive amendments in 2016 that primarily finalised the consolidation process of all existing DCPs and introduced additional development standards for boarding houses.

Amendment No 3 to the SCDP 2015 added Part 7 Mount Gilead DCP to Volume 2 Site Specific DCP and came into effect on 8 September 2017. Amendment No 4 was adopted by Council on 13 December 2016 which added Part 8 Menangle Park DCP to Volume 2 Site Specific DCP. Amendment No 4 came into effect on 17 November 2017.

## Report

Proposed Amendment No 5 to the SCDP 2015 primarily aims to:

1. address a number of matters identified by internal staff during the application of the SCDP 2015
2. address Council's previous resolution of 15 November 2011 in relation to the displacement of shopping trolleys
3. introduce a new draft Part 18 Tattoo Parlours under Volume 1
4. address Council resolution of 27 October 2015 in relation to Part 9 Public Consultation of Volume 1
5. amend Part 5 University of Western Sydney Development Control Plan (WSU DCP)
6. introduce a site specific DCP for the urban renewal areas of Airds-Bradbury and Claymore
7. introduce a site specific DCP for a number of development applications within the vicinity of Blairmount.

### 1. Addressing some minor issues with Volume 1 of the SCDP 2015

The proposed amendments to Volume 1 of the SCDP 2015 aim to clarify and strengthen certain development controls. The majority of the proposed changes to Volume 1 are considered of minor nature and are included under attachment 1 of this report. All proposed changes to the SCDP 2015, are shown in red text on the attached draft SCDP 2015 under attachment 5 of this report.

The remaining main proposed changes to Volume 1 are discussed in details below:

#### a) Proposed changes to the ratio of shared facilities for boarding houses

Under the Building Code of Australia (the BCA), a boarding house may be classified as either Class 1b Building or Class 3 Building as follows:

**A Class 1b boarding house** is a boarding house that has a total area of all floors not exceeding 300sqm and in which not more than 12 persons reside.

**A Class 3 boarding house** is a boarding house, other than a Class 1 or 2 buildings, which is a common place of long term or transient living for a number of unrelated persons.

Under the deemed-to-Satisfy Provisions of Volume 1 Section F2.1 of the BCA, a Class 3 boarding house must be provided with the following facilities for each ten residents for whom private facilities are not provided:

- (a) a bath or shower
- (b) a closet pan and washbasin.

The existing requirement under Section 17.2.7 Shared Facilities of Volume 1 of the SCDGP 2015 in relation to the toilet/shower ratio per resident aligns with the requirement of the BCA (i.e. one shower per 10 residents). However, under the BCA this ratio only applies to Class 3 boarding houses.

A Class 1b Boarding house is required to be provided with a minimum of one toilet, a washbasin and a bath or a shower (Section 3.8.3.2 Required Facilities, Volume 2 of the BCA).

Additional requirements relating to facilities for people with a disability in Class 1b and Class 3C boarding houses are contained in Volume 1 of the BCA and are summarised in Table 1 below.

Table 1: Requirements for Accessible Unisex Sanitary compartments and Showers under the BCA are summarised in the table below:

Class of boarding houses	Minimum accessible unisex toilets/shower to be provided.
Class 1b Class 1b Boarding Houses	<p>Not less than one toilet and one shower ;and</p> <p>(b) where private accessible toilets and showers are provided for every accessible bedroom, common accessible toilets and showers need not be provided.</p> <p>Common Areas: One accessible toilet to be provided as part of the common area.</p>
Class 3	<p>Not less than one toilet and one shower; and</p> <p>(b) where private accessible toilets and showers are provided for every accessible bedroom, common accessible toilets and showers need not be provided.</p> <p>Common Areas</p> <ul style="list-style-type: none"> <li>– One accessible toilet to be provided as part of the common area</li> <li>– One accessible shower to be provided for every ten showers or part thereof.</li> </ul>

However, the BCA requirements of a one toilet/shower per ten residents for Class 3 Boarding Houses and one toilet/shower for Class 1b boarding houses are not considered adequate, particularly where a boarding house may potentially be occupied by children and/or the elderly.

A review of a number of adjoining and other metropolitan Councils' policies in regard to the ratio of toilets/showers per resident was undertaken in June this year and the findings are summarised in the table below:



<b>Council</b>	<b>Existing requires under the relevant boarding housing DCP/section of the DCP</b>	<b>Compliance with the BCA</b>
Sydney City Council	One shower/toilet per ten occupants.	Yes
Wollongong City Council	One shower/toilet per ten occupants.	Yes
Randwick City Council	For over 12 boarding rooms, separate male and female facilities must be provided.	Yes
Ashfield Municipal Council (now part of Inner West Council)	One bath or shower and washbasin with hot and cold running water for each six occupants or part thereof and separate independently accessible toilet facilities.	No
City of Ryde	No mention of the ratio, however bathrooms must have a minimum area of 5sqm.	-
North Sydney Council	No mention of the ratio, however bathrooms must have a minimum area of 5sqm and refer to the BCA.	-
Liverpool City Council	No specific development controls.	-
Camden City Council	No specific development controls.	-
Fairfield City Council	No mention of the ratio however 1 in 10 rooms must be adaptable.	-

The above table shows that some of the Councils' requirements do not align with the BCA requirement of 1 shower/toilet per ten residents, while others do.

To improve the quality of life for the occupants of boarding houses within Campbelltown LGA, the following ratios are recommended:

- one toilet/shower per ten residents or part thereof
- one accessible toilet/shower where the number of residents exceeds five or more
- where the number of residents is five or less, the common toilet/shower shall also be accessible for people with disabilities
- at least one toilet/shower shall be provided on every floor level
- toilets shall be able to be accessed separately from the shower, so that the toilet and the shower may be used by two separate people at the same time.

The proposed toilet/shower ratios per resident provide a more reasonable outcome that would enhance the quality of life for the residents of boarding houses.

#### **b) Review of Part 8 Child Care Centres**

A new state planning policy entitled State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the Ed SEPP) commenced on 1 September 2017. The Ed SEPP introduced a number of non-discretionary development standards in relation to the location of child care centres, site area and site dimensions that are not consistent with the existing development controls under Part 8 Child Care Centres (Part 8).

The Ed SEPP also requires development applications to comply with a Child Care Planning Guideline – August 2017 (the CCP Guideline). The CCP Guideline provides a design framework for preparing and considering development applications for centre-based child care facilities. It includes development controls relating to building design, visual and acoustic privacy, landscaping, noise and air pollution.

Given that the development standards/requirements under the Ed SEPP override the development controls in any DCP, Part 8 has been aligned with the Ed SEPP. Following is a summary of the main recommended changes:

- replace the reference to Child Care Centre by Centre-based Child Care Facility
- include a reference under Part 8 to the Ed SEPP and the Child Care Planning Guideline
- delete Clause 8.3.2 a) that requires child care centres to be developed on allotments having a minimum width of 20 metres, as the Ed SEPP specifically states that a Centre-based Child Care Facility may be located on a site of any size and have any length of street frontage or an allotment depth
- delete Clause 8.3.5 Hours of Operation and all references to the maximum number of children as the Ed SEPP specifically states that a provision of a development control plan that specifies a requirement standard or control in relation to operational management plans or arrangements (including hours of operation) and number of children does not apply to Centre-based Child Care Facility.

### **3. Proposed draft Part 18 Tattoo Parlours Premises**

Tattoo parlours are considered to be potentially a high risk premises to public health and safety and are required to be inspected regularly not only by Council Officers but by the NSW Police Local Area Command. Specific provisions under a newly proposed draft Part 18 Tattoo Parlours are proposed to ensure appropriate design and construction standards are applied, hygiene procedures are followed and premises are suitably located.

A copy of the proposed draft Part 18 Tattoo Parlours Premises is shown as attachment 2 to this report.

## **2. Addressing a number of Council's previous resolutions**

### **a) Review of Part 9 Public Consultation – Volume 1**

Council on 27 October 2015 resolved;

That Council's Public Notification Policy, in respect to development applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process.

A review of Part 9 Public Consultation (Part 9) has been undertaken in consultation with internal staff. Part 9 was found to be sufficiently detailed and comprehensive in regard to the type of development to be notified, however, the section that relates to the parties to be notified (Section 9.4.1.3) may be further improved. Section 9.4.1.3 only requires adjacent owners to be notified and this may not be adequate in circumstances where the proposed development may have an impact on the immediate locality and not just the adjoining owners.

#### **Recommended approach/amendment**

To address this matter it is proposed to include a new requirement under Part 9 that requires Council to notify all properties located within 100 metres of the development site where the proposed development is located within a residential zone and comprises any of the following:

A boarding house, attached dwellings, schools; centre-based child care centre; multi dwelling housing; places of public worship; respite day care centre and group homes.

The 100 metres distance is to be measured from the external boundaries of the land subject of the application.

The above approach is similar to Liverpool Council's notification practices for similar type developments.

#### **b) Abandoned Shopping Trolleys**

Council at its meeting held 15 November 2011, partially resolved:

That a review of all relevant planning instruments and policies to require that any application for commercial/retail premises is assessed to ensure the prevention of the removal of shopping trolleys from premises.

As a result of the above Council resolution, a condition of consent was introduced that requires all newly proposed supermarkets or alterations to supermarkets include a coin mechanism to encourage customers to return the shopping trolleys to their base.

However, there are concerns that this has greatly disadvantaged the newly established supermarkets as shoppers prefer to shop at the supermarket that does not have the coin mechanism in place, as they are not required to return the trolley to certain bays.

A smart technology has now emerged, which utilises a Wi-Fi technology that sends a signal to an antenna embedded within the shopping trolley and it locks one or two wheels, where the trolley moves beyond a certain point. This system would not require shoppers to return the trolley to a particular point nor would it require shoppers to have a coin to enable them to use the shopping trolley. This smart system is currently being utilised by Coles Supermarket in Mount Annan. Council staff contacted the Mt Annan Coles Manager, and he indicated that this system is currently working very well.

The cost of this smart system may make it only feasible for larger supermarkets such as Coles and Woolworths. Aldi stores currently utilise the coin mechanism to ensure that their trolleys are returned to a designated area.

**Recommended approach/amendment**

In light of the above, it is recommended to include a new development control under Part 6 Commercial Development that requires all newly proposed supermarkets that operate ten or more shopping trolleys to include a smart technology or a coin mechanism to ensure that shoppers will not be able to leave the site/vicinity with the shopping trolleys.

**Proposed draft Part 9 Urban Renewal DCP for Airds/Bradbury and Claymore – Volume 2**

The Public Housing Estates situated at Claymore and Airds/Bradbury are the subject of targeted and staged urban renewal programs aimed at revitalising the public housing estates within these suburbs and creating a safe, secure and liveable environment.

Central to the renewal schemes is a reduction in the proportion of public housing to private ownership to approximately 30 per cent of the final yield.

Both the Claymore and Airds/Bradbury public housing precincts are the subject of Concept Plan Approvals issued under the former Part 3A of the *Environmental Planning and Assessment Act 1979* (as amended) (The Act). A set of development control guidelines were also prepared at the time and formed part of the concept plan approval. A copy of the development control guidelines (DCGs) for each precinct is included as attachment 3 to this report. Development applications for subdivision and residential development are required to be consistent with the design requirements under the DCGs. The design requirements relate to maximum site coverage, boundary setbacks and maximum building height.

To facilitate the desired urban design outcomes and ensure that matters that are not included in the design guidelines (such as solar access requirement, privacy, parking) are also considered, Housing, in liaison with staff from Council, prepared a site specific DCP for the subject renewal areas. This DCP is proposed to be included as draft Part 10 Urban Renewal DCP, under Volume 2 of the SDCP. A copy of the proposed draft Part 10 DCP is shown as attachment 3 of this report.

**Proposed draft Part 10 Blairmount DCP**

The proposed draft Part 10 Blairmount DCP is a site specific DCP that applies to the land shown on the Map under attachment 4 and generally applies to certain land along Eagle Vale Drive and Blairmount.

The land where this draft DCP applies has been subject to approved development application for residential subdivision and the requirement of the preparation of a site specific DCP for the land was included as part of the conditions of consent for each approved development application on these sites.

Notably, no further subdivision would be allowed on any of the allotments, unless the proposed subdivision is consistent with the subdivision requirements under Volume 3 of the SDCP 2015.

The main objective of this draft DCP is to provide development controls for lots smaller than the conventional 500sqm lots to ensure the desired design outcome.

A copy of this draft DCP is shown under attachment 4.



**Proposed amendment to Part 5 Western Sydney University DCP**

The Western Sydney University DCP (WSU DCP) applies to the residential land located within the vicinity of the Western Sydney University.

The WSU DCP came into effect on 24 February 2009 and was later incorporated as Part 5 of Volume 2 Site Specific DCPs of the SCDCP 2015.

In March 2015, the CLEP 2015 commenced and part of the land where the WSU DCP applies was assigned Zone R3 Medium Density Residential. The remaining part of the site was deferred from the CLEP 2015 and as such LEP 2002 continued to apply to this part of the site.

For the following reasons, it is recommended that the WSU DCP be amended so that it only applies to the part of the site where LEP 2002 applies:

1. the terms and definitions used in the WSU DCP do not align with the terms and definitions used under the CLEP 2015.
2. under Section 74C (5) of the *Environmental Planning and Assessment Act 1979* (the Act) a provision of a development control plan (whenever made) has no effect if it is not consistent with the LEP that applies to the Land. The WSU DCP contains development standards in relation to minimum lots sizes and building heights that are not consistent with the development standards under the CLEP 2015.
3. the development controls are not inclusive, as the WSU DCP does not include development controls for dual occupancies.
4. there is no need for a site specific DCP for the part of the WSU site that is zoned under the CLEP 2015, as the SCDCP 2015 provides development controls for R3 medium density Zone that are considered appropriate for this site and align with the anticipated residential products for the site.

**Public Exhibition of the draft Amendment No 5**

Subject to Council endorsement of Amendment No 5 to the SCDCP 2015, it is recommended that:

- the draft SCDCP 2015 be placed on public exhibition for two months, given that the exhibition will occur around the Christmas Holiday period
- the draft SCDCP 2015 Amendment No 5 is placed in all Council libraries, the Civic Centre and on Council's website.

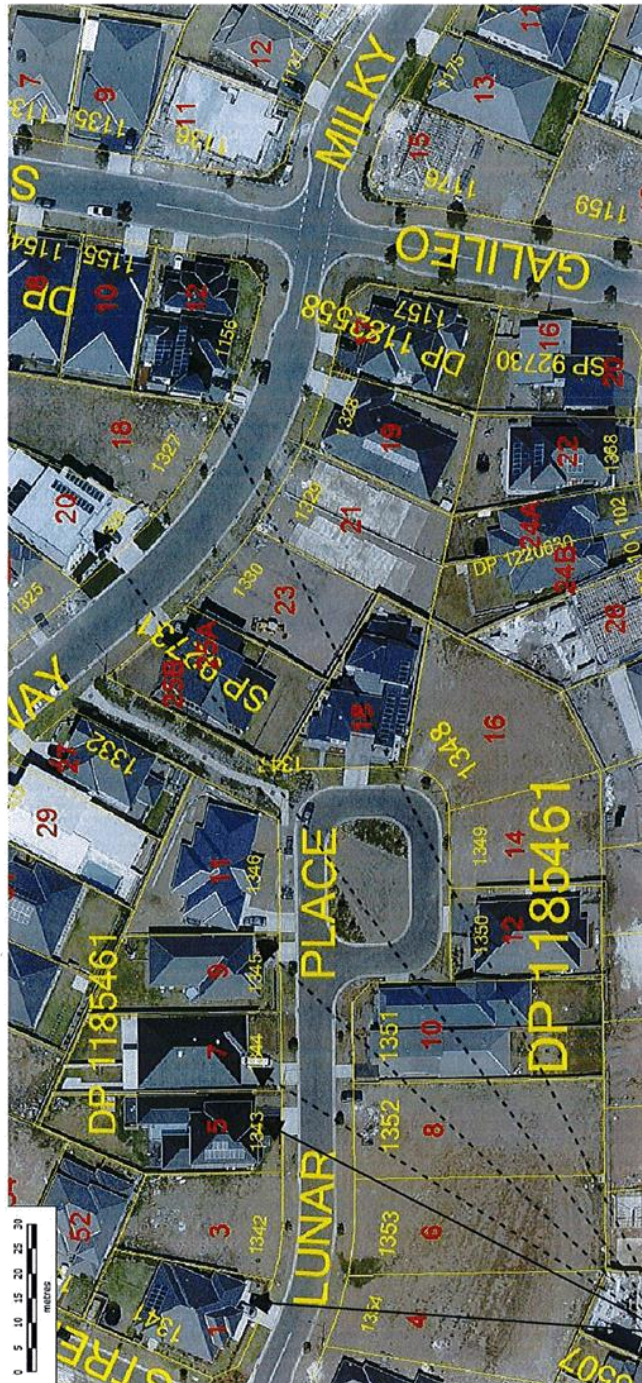
**Attachments**

1. Proposed minor changes to the SCDCP (contained within this report)
2. Volume 1 - draft Part 18 Tattoo Parlours Premises (contained within this report)
3. Volume 2 - draft Part 9 Urban Renewal Area DCP (contained within this report)
4. Volume 2 - draft Part 10 Blairmount DCP (contained within this report)
5. Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Volume 1 (due to size of document 378 pages) (distributed under separate cover)

**Attachment 2: Summary of all the matters raised by the external submission in relation to the proposed amendment to the WSU DCP and a copy of the email submission.**

<b>Matters raised</b>	<b>Comments</b>	<b>Recommended approach</b>
<b>Front setback</b> The site specific UWS DCP currently allows dwellings to have a primary street setback of 3.5 – 4m. The lack of provisions for Studio Apartments	This matter has been addressed in the report	Refer to the report for the suggested approach to this matter
<b>Private open space</b> 1. The UWS DCP currently provides provisions for garden duplexes (essentially a dwelling located on top of another dwelling e.g. two storey flat building). 2. The proposed DCP provides the same building typology in Figure 3.7.2.2 (page 115) but appears to be inconsistent with its own controls under Section 3.7.2.7, which states that each unit shall be provided with 40sqm of private open space. The upper dwelling does not appear to have 40sqm of private open space located on its balcony. 3. The UWS DCP currently allows 16sqm of private open space per dwelling, but the proposed DCP would increase the private open space requirement to 40sqm per dwelling, which is unlikely to be feasible for upper dwelling and its floor plan layout.	<p>This matter has been addressed in the report to Council</p> <ol style="list-style-type: none"> <li>Given that Garden Duplexes are not separately defined under the CLEP 2015, it is not appropriate for a DCP to refer to, nor use this terminology.</li> <li>Figure 3.7.2.7 is used for the purposes of an illustration of the concept and is not to be read as a development control. The development controls under the SCDCP are clearly stated under each relevant section.</li> <li>Notably the majority of the attached dwellings that are currently being constructed/approved within Campbelltown have 3 to 4 bedrooms. As such a, 16 square meters of open space per dwellings is not considered sufficient.</li> </ol>	<p>Refer to the report for the suggested approach to this matter.</p> <ol style="list-style-type: none"> <li>No changes are recommended in this regard.</li> <li>Include a note in the SCDCP that reads: Figures included under the DCP are for illustration purposes only and are not to be interpreted or taken in any way or form as a development control.</li> <li>No changes are recommended in this regard</li> </ol>

Site analysis of a snap shot of part of the area within the WSU Residential Precinct



The majority of the garages within the Macarthur Heights developed areas are set back at least 5.5 metres from the front boundary setback

---

# Draft Part 18 Tattoo Parlour Premises



## 18.1

### Application Tattoo Parlour Premises

#### 18.1 Application

This part sets out control for tattoo parlour premises within the City of Campbelltown. This part should be read in conjunction with the relevant LEP/IDO applying to the site to determine the zoning of the land and the permissibility of any proposed tattoo parlour premises.

**Note:**

Tattooing is defined under the Public Health Act 2010 as a skin penetration procedure.

For the purpose of this part tattooing includes:

**Body art tattooing business**(Tattoo Parlours Act 2012) means a business involving the carrying out of body art tattooing procedures (whether or not in combination with other tattooing procedures or with other activities).

**Body art tattooing procedure** (Tattoo Parlours Act 2012) means a tattooing procedure performed for decorative purposes, but does not include a cosmetic tattooing procedure.

**Note:**

For the purpose of this part tattoo parlour premises include:

- Body art tattooing business;
- Body art tattooing procedure.

**Note:**

This part does not apply to Cosmetic tattooing procedures. Cosmetic tattooing procedures include procedures performed for the purpose of providing eyeliner, eyebrow, or any permanent make up effect, or by a medical practitioner for a medical reason (eg hide, disguise or cover a medical condition or post-operative outcome).

## 18.2 General Requirements for Tattoo Parlour Premises

## 18.2 General Requirements for Tattoo Parlour Premises

### Objectives:

- Ensure tattoo parlour premises are appropriately located so as to minimise any potential adverse social or economic impacts upon surrounding locality.
- Identify relevant public health and safety standards that are required for all tattoo parlour premises.

### 18.2.1 Requirements for a development application

- a) All tattoo parlour premises within Campbelltown Local Government Area require development consent issued under the Environmental Planning and Assessment Act 1979 (The Act) to legally operate.
- b) Campbelltown City Council is the consent authority for the assessment and determination of development applications for skin penetration/ tattoo parlour premises.

### 18.2.2 Location requirements

- a) The tattoo parlour premises shall not adjoin areas that are zoned residential.

### 18.2.3 Tattoo Parlour Registration and General Requirements

- a) All tattoo parlour premises are required to be registered with Council under the provisions of the Public Health Act and the Local Government Act 1993 for on going health surveillance and regulatory purposes.
- b) All tattoo parlours shall comply with the Tattoo Parlours Act 2012 and the Tattoo Parlours Regulation 2013. This Act and Regulation is governed by the Police and Department of Fair Trading and requires all tattoo parlours and tattoo artists to be licensed. For

### Note:

Council's role in applying the planning controls for tattoo parlour premises is in addition to the regulatory functions of other Government agencies that contribute to the safe and legal operations of such premises. This includes:

- a) NSW Health who are responsible for safe health practices in any workplace;
- b) SafeWork NSW regarding occupational health and safety issues in the workplace;
- c) NSW Police Service with respect to complaints and issues relating to criminal behaviour; and .
- d) Department of Fair Trading with respect to licensing of operators and tattoo artists.

## 18.2

### General Requirements for Tattoo Parlour Premises

further information please visit the following website: [http://www.fairtrading.nsw.gov.au/Businesses/Specific\\_industries\\_and\\_businesses/Tattoo\\_parlours.html](http://www.fairtrading.nsw.gov.au/Businesses/Specific_industries_and_businesses/Tattoo_parlours.html)

- c) A condition of any development consent issued for tattoo parlour premises shall require:
  - i) written notification to Council of the person responsible for operating the premises (proprietor/ licensee); and
  - ii) environmental health inspection by Council to ensure compliance with construction/hygiene standards prior to commencement of the use of the premises.

#### 18.2.4 Construction requirements

- a) The internal walls of the premises shall be constructed to provide a smooth, even, and impervious surface that is capable of being easily cleaned.
- b) The floor construction shall be finished in a smooth, non-slip, impervious material that is capable of being easily cleaned.
- c) The ceiling of a tattoo treatment room/bay shall be constructed with rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint.
- d) The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed. Drop in panels are not permitted.
- e) All gaps, open joints, cracks and crevices within the walls and floors which may allow dust, hair, lint and other residue to collect shall be sealed in all walls and floors to enable easy cleaning.
- f) All service pipes and electrical

conduit shall be contained in the floor, walls or ceiling.

- g) The internal and external surfaces of storage cabinets, cupboards, preparation benches and the like shall be finished in a smooth impervious material that is capable of being easily cleaned.
- h) All surfaces of chairs and treatment beds must be finished in a smooth impervious material that is capable of being easily cleaned.
- i) Provide appropriate ventilation to eliminate odours and fumes.

#### 18.2.5 Sanitary Facilities

- a) A hand washbasin shall be installed in all treatment rooms/bays.
- b) The hand washbasin shall be serviced with a continuous supply of potable hot and cold water through a single outlet and fitted with a hands-off type tap set (portable handwash basins are not permitted).
- c) The hand washbasins shall be provided with an adequate supply of soap and disposable handtowels from a dispenser at all times.
- d) A toilet shall be provided for the client and all employees .
- e) All toilets and wastewater collection facilities shall be connected to the sewer in accordance with the local authorities' requirements.
- f) The toilet shall be provided with a hand washbasin serviced with hot and cold water through a single outlet and fitted with a hands-off type tap set (portable handwash basins are not permitted).
- g) Provide an equipment wash sink of adequate size to clean and rinse all equipment and implements. The equipment wash sink shall be provided with a continuous supply of hot and cold water through a single outlet.
- h) If reusable skin penetration implements are used, a designated cleaning and sterilisation work area shall be provided within the premises and designed in accordance with

## 18.2

### General Requirements for Tattoo Parlour Premises

## 18.2

### General Requirements for Tattoo Parlour Premises

AS4815:2006 Office based health care facilities  
- Reprocessing of reusable medical and surgical instruments and equipment and maintenance of the associated environment. This work area shall be separate from a treatment room/ lunch room and constructed so as to prevent the possibilities of contamination.

- i) The cleaning and sterilisation area shall be provided with the following:
  - i) A hand washbasin in an accessible and convenient location within the area. The basin shall be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands-off type tap set.
  - ii) A double bowl wash sink of adequate capacity to clean and rinse all equipment and implements. The sinks shall be serviced with hot and cold water through a single outlet in addition to the hand basin;
  - iii) All walls, floor, cabinets, cupboards, benches and the ceiling shall be provided with smooth and impervious surfaces that are free from gaps, cracks and crevices to enable easy cleaning. A drop in panel ceiling shall not be permitted
  - iv) An approved autoclave operated in accordance with Australian Standard (AS) 4815:2006 Office-based health care facilities - cleaning, disinfection and sterilisation of re-usable medical and surgical instruments and equipment and maintenance of the associated environment. The autoclave shall be tested, serviced regularly and calibrated at least once a year by a qualified service technician. Details and documents of the services shall be provided and available at all times at the premises;
  - v) An ultrasonic cleaner to clean all implements and equipment. An ultrasonic cleaner shall not be used as a method of sterilisation.
  - vi) Sterilisation procedures must comply with

AS4815:2006 Office based health care facilities - Reprocessing of reusable medical and surgical instruments and equipment and maintenance of the associated environment.

- j) A cleaner's sink shall be installed within the tattoo parlour premises and must be serviced with hot and cold water through taps fitted with hose connectors to adequately clean the premises and to dispose of all waste water.

#### 18.2.6 Waste

- a) General waste should be placed in plastic lined receptacles at the site of generation. Waste bags and containers must be tied and sealed and left in a secure waste bin to be collected by an approved waste transporter. (Protection of the Environment Operations (Waste) Regulation -1996)
- b) Sharps and clinical waste must be placed into a sharps container immediately after use. The yellow sharps container must be approved by Australian Standards and comply with AS4261:1994 or AS 4031:1992. The sharps container must be collected and disposed of appropriately by an approved waste transporter to a treatment facility licensed by the EPA (Protection of the Environment Operations (Waste) Regulation 1996).
- c) A Commercial Contractor Agreement for the disposal of all the generated waste from the premises shall be provided with the development application.

## 18.2

### General Requirements for Tattoo Parlour Premises

Draft Part 9  
Volume 2  
URBAN RENEWAL AREAS  
DEVELOPMENT CONTROL  
PLAN

Airds Bradbury and Claymore

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## 1. Preliminary

# 1.1 - 1.6

Name of the  
DCP

### 1.1 Name of the DCP

This Plan is called Urban Renewal Areas Development Control Plan (the URADCP).

### 1.2 Purpose of the URADCP

The URADCP has been prepared in accordance with Section 74C of the Environmental Planning and Assessment Act 1979 (the Act) and Part 3 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). The purpose of the URADCP is to provide more detailed provisions to supplement Campbelltown Local Environmental Plan 2015 (CLEP 2015), to the extent applicable, so as to implement the intention of the concept plan approvals granted by the Minister for Planning for the urban renewal of Airds Bradbury and Claymore.

A consent authority is required under Section 79C of the Act, to take into consideration the relevant provisions of the Campbelltown (Sustainable City) Development Control Plan, 2015 (SCDCP 2015) which includes URADCP in determining development applications for residential accommodation.

### 1.3 Land to which the URADCP Applies

The provisions of this URADCP are site specific and apply only to certain Urban Renewal Areas within Campbelltown LGA shown on Figures 1 to 2 in Appendix 1 of the URADCP. The URADCP does not apply to any lots shown as privately owned on Figures 1 and 2 in Appendix 1.

### 1.4 The Consent Authority

Campbelltown City Council (Council) is the consent authority for local development within the urban renewal areas that requires development consent.

### 1.5 Variation to Planning Controls and Standards within the URADCP.

Refer to Section 1.1.7 Variation to Planning Controls and Standards within the Plan under Volume 1 of the SCDCP 2015.

### 1.6 Structure of the URADCP

The format of the DCP has been set up to identify various objectives and general design requirements for each of the permissible residential development typologies. It comprises the following structure:

1. Preliminary
2. All Types of Development
3. Application

## 1.7 - 1.8

### Relationship to other Plans and Documents

4. Desired Future Character for Urban

5. Dwellings and Ancillary Structures

6. Residential Development.

#### 1.7 Relationship to other Plans and Documents

The provisions of this URADCP are site specific and apply only to certain Urban Renewal Areas within Campbelltown LGA. The URADCP forms Part xxx of Volume 2 of the SCDCP 2015. The provisions of the SCDCP 2015 apply to the land to which URADCP applies. However, the URADCP prevails to the extent of any consistency with the SCDCP 2015.

Where a site specific DCP does not include specific development controls for a certain type of development, the development controls under Volume 1 of the SCDCP shall be used to assess the development applications received by Council.

Airds/Bradbury and Claymore urban renewal areas are subject to a Concept Plan approval under the former Part 3A of the EP&A Act received in 2012 and 2013 respectively. In approving the concept plans, the Minister for Planning determined that subsequent development is to be subject to Part 4 of the Act. The determinations of the Minister for Planning in approving the concept plans and the provisions of Schedule 6A of the Act are relevant and include a provision to the effect that the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the Concept Plan.

The term of approval of the concept plans requires development to be carried out generally in accordance with the Airds Bradbury Urban Renewal Development Control Guidelines dated October 2011 and the Claymore Urban Renewal Development Control Guidelines dated May 2012. This URADCP incorporates these guidelines and the controls in this DCP have been prepared so as to be generally consistent with the terms of approval of the concept plans.

Consideration is to be given to the provisions of the CLEP 2015 and the SCDCP 2015. It is intended that the provisions of CLEP 2015 will be amended to delete clause 4.1A relating to yield restrictions on the basis of the certainty provided by the URADCP.

#### 1.8 AIMS AND OBJECTIVES OF THE URADCP

The aims of this URADCP are to:

- Ensure that the intentions of the Airds Bradbury and Claymore concept plan approvals are met;
- Ensure that controls and guidelines are in place for dwellings on lots created by subdivision of land within the urban renewal areas;
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;
- Facilitate innovative development of high quality design and construction in the urban renewal areas;
- Encourage the creation of safe, secure and liveable environments; and

- Provide for a variety of high quality housing choices within the City of Campbelltown.

The objectives of the URADCP are:

**Social:**

1. Provide for a mixture of housing types;
2. Provide housing that responds to the network of open spaces, focal points and community facilities;
3. Ensure safety and security through passive surveillance of streets and open space areas by following the principles of 'safety by design'.

**Environmental:**

1. Establish quality streetscapes which add to the visual and environmental amenity of the site;
2. Encourage environmentally responsible building practices including solar passive design solutions for all housing;
3. Encourage built form consistent with the Desired Future Character.

**Economic**

1. Ensure that the future development enhances the surrounding suburbs and positively impacts upon market values in the area;
2. Create variety in housing types and tenure mix which is marketable and feasible;
3. Provide appropriate housing for low income earners, the aged and people with disabilities.

## 1.9 Definitions

Terms in this URADCP are defined in the CLEP 2015 and the SCDCP 2015. Additional terms include:

*Abutting dwelling* is a building containing one dwelling, on a single block of land that is designed and constructed on a zero lot line immediately adjacent to another dwelling on a different lot that is also built to the zero lot line and is structurally independent of any other dwelling. An abutting dwelling is a form of dwelling house.

*Building Envelope Plan (BEP)* means a plan that shows the location and number of storeys of a building on a site. The BEP should be at a legible scale (suggested 1:200) and include the following elements:

- Lot numbers, north point, scale, drawing title and site labels such as street names;
- Maximum permissible building envelope (setbacks, storeys, articulation zones)
- Preferred principal private open space;
- Garage size (single or double) and location;
- Zero lot line boundaries.

A BEP should be fit for purpose and include only those elements that are necessary for that particular lot.

## 1.8 - 1.9

### Aims and Objectives of the URADCP

## 1.9

### Definitions

*Manor home* is a form of multi-dwelling housing and means a 2-storey building containing 4 dwellings, where:

- (a) each storey contains 2 dwellings, and
- (b) each dwelling is on its own lot (being a lot within a lot within a strata scheme or community title scheme), and
- (c) access to each dwelling is provided through an individual entry at ground level.

Manor homes are not residential flat buildings.

*Principal private open space* area means the area of private open space that is directly outside the living areas of the dwellings, consisting of an appropriately dimensioned square. The PPOS can include an outdoor leisure / alfresco dining areas that are covered either by the main roof structure or by another lightweight material.

*Studio Dwelling* means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used as a separate secondary domicile on the land, which is located above a garage, car port or the like.

*Zero Lot Line Dwelling* is a building containing one dwelling, on a single block of land, that is constructed with an exterior wall on one of its side boundaries but is not attached to any other dwelling. A zero lot line dwelling is a type of dwelling house.

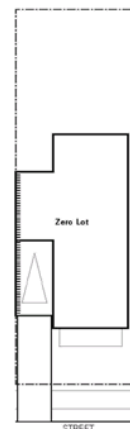


Illustration 1: Zero Lot Line

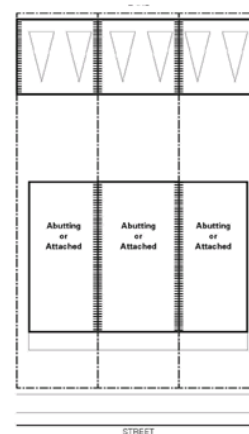


Illustration 2: Abutting Dwelling

## 2. Requirements Applying to all Types of Development

### 2.1-2.4 Introductions

#### 2.1 Introduction

The provisions of Part 2 of the SCDCP 2015 apply to development in the urban renewal areas.

#### 2.2 Additional Controls regarding Noise

In addition to the requirements under Section 3.4.3 Acoustic and Visual Privacy of the SCDCP 2015 any future development application for residential lots or seniors living development fronting Badgally Road must refer to the document entitled Environmental Criteria for Road Noise (EPA 2010), to enable Council to properly consider potential impacts on that residential development that may arise from the developments proximity to potential road noise and to determine if there are any particular conditions of consent that should be imposed upon that development.

#### 2.3 Additional Controls regarding Retaining Walls

Section 2.12 of the SCDCP 2015 does not apply to neighbourhood subdivision.

#### 2.4 Future Development Applications

Pursuant to the terms of the concept plan approvals for Airds Bradbury and Claymore, any future applications for dwellings (that are not defined as exempt or complying development) within the sites shall:

1. include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts;
2. demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level;
3. demonstrate compliance with the Planning for Bushfire Protection 2006; and
4. demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

These requirements are included generally in Part 2 of the SCDCP 2015.

## 2.5

### Reiby Juvenile Justice Centre

#### 2.5 Reiby Juvenile Justice Centre

Dwellings on properties that adjoin the Reiby Juvenile Justice Centre are to have a 6 metre rear building setback.

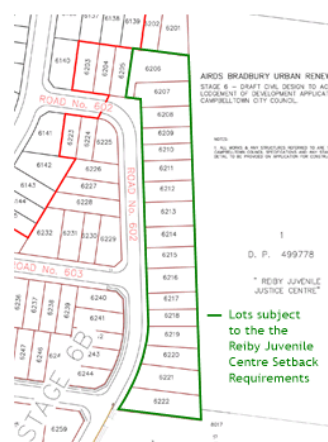


Illustration 3: Land to which Section 2.5 applies

### 3. Application

## 3.0 Application

Part 3 sets out the following:

- Desired future character of the urban renewal areas
- General Requirements for residential Development
- Development controls for the following residential development to where the URADCP applies :
  - dwelling houses including zero lot dwelling houses and abutting dwellings
  - Secondary dwellings
  - Dual occupancies (attached and detached)
  - Studio Apartments
  - Semi-detached dwellings
  - Attached dwellings
  - Multi dwelling housing
  - Manor homes

The design requirements contained within this part are to be read in conjunction with the provisions contained in Part 2 of Volume 1 of the SCDCP 2015



## 4.0

### Desired Future Character for Urban Renewal Areas

#### 4. Desired Future Character for Urban Renewal Areas

The desired future character of the urban renewal areas is one that:

- Provides a range of dwelling types in response to market demands;
- Provides new dwellings that address and reinforce the street through appropriate building siting and orientation;
- Provides buildings that can be constructed to enhance safety through design, by providing casual surveillance over areas of public open space, including streets and paths;
- Provides medium density housing types, such as attached dwellings and manor homes in appropriate locations such as near shopping centres and parks;
- Encourages more active and inviting streetscapes by designing car parking structures and hardstand areas to complement the built form of dwellings and to avoid dominating the streetscape.

**Note:**

For the purpose of the URADCP part Zero Lot Line Dwelling and abutting dwellings are a type of dwelling house and studio apartments are a type of dual occupancies.



Illustration 4: Residential streetscapes

## 5. General Requirements for Residential Development

### 5.1

#### Building Form and Character

This Section provides general development controls for residential development within the areas where the URADCP applies.

##### Car Parking and Access

Section 3.4.2 of Volume 1 of the SCDP shall apply.

##### Car Parking Rates

- a) Each dwelling house or a dwelling that is part of a dual occupancy, semi detached dwellings, manor home or attached dwellings shall be provided with a minimum of one (1) single garage.

##### Visual and Acoustic Privacy

Section 3.4.3 of Volume 1 of the SCDP shall apply.

### 5.1 Building Form and Character

#### Objectives:

- To ensure that buildings are designed to enhance the existing and future desired built form and character of the urban renewal areas by encouraging innovative and quality housing designs which are distinctive and contemporary and fits harmoniously with their surroundings.

#### Design Requirements

##### 5.1.1 Streetscape

- a) Building design (including façade treatment, massing, roof design and entrance features), setbacks and landscaping shall complement the scale of development, character and qualities of the adjoining streetscape.
- b) Articulate building frontages facing the street to add visual interest. Use of stepping, material combinations, verandahs, porches and balconies, canopies and blade walls shall be encouraged.
- c) Development on corner sites shall incorporate facade treatments that address both street frontages and achieve articulation in the building design.
- d) The built form shall relate to the natural landform and setting, particularly when viewed from a public place, building entrance ways and recognised vantage points outside the immediate locality. A sites natural slope should be used to create visual interest and generate innovative housing forms while minimising cut and fill requirements.
- e) All dwellings shall be designed with a contemporary architectural character
- f) Outbuildings and ancillary structures shall be located to the rear of the site.

## 5.1 Building Form and Character

- g) The pitch of hipped and gable roof forms on the main dwelling house have a maximum slope of 36 degrees. Skillion roofs, roofs hidden from view by parapet walls, roofs on detached garages, studios and ancillary buildings on the allotment are excluded from this control.
- h) Eaves are to provide sun shading to protect windows and doors and provide aesthetic interest and are permitted to extend up to 450mm from the side boundary, except for zero lot line, attached dwellings and semi-detached dwellings and parapet walls.
- i) No blank walls shall be presented to any street frontage. Any continuous wall of more than one storey in height shall be no more than 10m in length. Walls over 10m long shall have a minimum off- set of 500mm wherein the wall can either pursue a new alignment or return to the original alignment after a minimum distance of 2 metres. Where a 'cut away' is pursued, the roofline must reflect the cutaway and not extent straight past the cut away. This requirement does not apply to party walls of attached dwellings or zero lot line dwellings.
- j) When determining appropriate external building materials for residential development, the following guidelines shall be observed:
  - a. External wall materials shall be predominantly masonry (i.e. brick) and finished in either face brickwork, coloured/painted render or coloured bagging;
  - b. Lightweight materials can be utilised to provide variety in textures or profile on dwelling facades (e.g. timber, feature fibre cement sheeting or pre-finished metal sheeting);
  - c. No galvanised iron, plain cement sheeting or plain concrete blocks shall be utilised;
  - d. Low profile concrete, terracotta or slate roof tiles or pre-finished and pre-coloured corrugated metal roofing shall be utilised
- 11. The colour palette to be used in all dwellings is to consist largely of neutral, natural tones. Feature colours may be utilised for selected elements to create interest and highlights.
- 12. A detailed schedule of the proposed external finishes, materials and colours shall be submitted for Council's approval as part of the development application.

### 5.1.2 Building Height

- a) Residential development other than seniors housing provided by NSW Land & Housing Corporation shall be a maximum of 9.5 metres in height.
- b) The height of development shall not result in any significant loss of amenity (including loss of solar access and visual and acoustic privacy) to adjacent properties and public places.
- c) All dwellings shall have a least one habitable room window at ground and first floor level addressing the primary street (and secondary street frontage for corner lots).



Illustration 5: Single garage

## 5.1

### Building Form and Character

#### 5.1.3 Garages

- a) Council will consider proposals for garages under dwellings on sloping sites if satisfied that the garage would not result in a building that exceeds 9.5m in height at any point.
- b) A single garage only shall be provided within the front elevation of a dwelling with a lot frontage of less than 12 metres.
- c) The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width.
- d) The width of the garage door where it has a rear access shall be a maximum of 6.0 metres.
- e) Sites with lot sizes of 300sqm or less shall be limited to a single garage only at the primary street frontage.
- f) A garage shall be setback a minimum of:
  - (i) 1.0 metre from the rear boundary where it has a rear vehicle access;
  - (ii) 3.0 metres from the rear boundary where it does not have rear vehicle access.
  - (iii) 4 metres from the primary setback for a site with an area of 300 sqm or less;
  - (iv) 5 metres from the primary setback for a site with an area of greater than 300sqm

## 5.2

### Private Open Space

#### 5.2 Private Open Space

##### Objectives:

- To ensure that dwellings are provided with sufficient area of private open space for the use of the occupants.

- a) A dwelling located on a site with a lot area of 300sqm or less shall be provided with an area of private open space that:
  - i) is located behind the primary street building setback;
  - ii) has a minimum area of 16 sqm for sites;
  - iii) Includes a minimum levelled area of (4x4)sqm;
  - iv) has an internal living room directly accessible to the outdoor private open space areas; and
  - v) satisfies solar access requirements contained in 5.3.
- b) A dwelling located on a site area of more than 300sqm shall be provided with an area of private open space that:
  - i) is located behind the primary street building setback;
  - ii) has a minimum area of 24sqm;
  - iii) Includes a minimum levelled area of (4x6)sqm;
  - iv) has an internal living room directly accessible to the outdoor private open space areas; and
  - v) satisfies solar access requirements contained in Solar Access in Section 5.3.

### 5.3 Solar Access

## 5.3

### Solar Access

#### Objectives:

- Encourage building design and siting to take advantage of climatic factors and reduce household energy consumption.
- Encourage features to be incorporated into site and building design to optimise passive solar access to internal and external spaces.

#### Design Requirements

1. Living areas shall generally have a northern orientation and be directly accessible to private open space areas.
2. New dwellings shall be designed to maximise solar access to all private open space areas. Suitable shadow diagrams shall be required for all house designs greater than one storey in height.
3. At least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to at least 50% of the required private open space principal of both the proposed development and the neighbouring properties.
4. Development shall have appropriate regard to the impact on solar access to usable private open space, solar collectors and clothes drying areas of adjoining residential development.
5. New dwellings shall be designed to reduce the need for artificial lighting during daylight hours.
6. Windows and glazed doors shall be protected from direct summer sun with appropriate hoods, eaves or louvres or adjustable shading devices wherever possible. Living areas shall generally have a northerly orientation.



## 5.4

### Landscaping

#### 5.4 Landscaping

##### Objectives:

- Maintain and rehabilitate the natural environment and assist in the conservation of Campbelltown's landscape character;
- Enhance the sustainability of the development by minimising water usage, contributing to biodiversity and enhancing passive energy systems for dwellings.

##### Design Requirements

1. Front gardens are to include one tree that will reach a height of 5m to 8 metres on maturity;
2. Rear gardens are to include at least one tree that will reach a height of 10 to 15 metres on maturity;
3. Retaining walls shall be stepped / terraced at a maximum height of 900mm and incorporate a minimum step of 900mm face to face;
4. No more than 30% of the area forward of any building line shall be surfaced with impervious materials;
5. A minimum of 15% of the total site area shall be available for deep soil planting.

## 5.5 Location and Treatment of Services

## 5.5

### Location and Treatment of Services

#### Objectives:

- To minimise the visual and acoustic impact of onsite services.

#### Design Requirements

1. All metre boxes and services plant shall be treated to reduce their visual prominence from the public domain by screening, recessing or colour treatments.
2. TV aerials shall be located to the rear of the dwelling, whilst satellite dishes may only be erected if they are suitably screened from view of the public and neighbours.
3. Letter boxes shall be located visible from the street and accessible from the public footpath. If no footpath is present access shall be provided accessible from outside the front boundary of the property.
4. Air-conditioning units shall be located a minimum of 4 metres from the site boundary or screened for visual and acoustic privacy. They shall not be located along the front site boundary.



## 5.6

### Waste Storage Provisions

#### 5.6 Waste Storage Provisions

##### Objectives:

- Ensure waste systems are easy to use and are accessible by collection vehicles;
- Ensure healthy and safe practices for the storage, handling and collection of waste and recycling materials;
- Promote the principles of ESD through appropriate resource recovery and recycling, leading to a reduction in the consumption of finite natural resources.

##### Design Requirements

1. Provision shall be made for all waste and recycling storage containers to be located behind the primary and secondary building alignment and out of public view.
2. Space shall be allocated behind the primary and secondary building alignments and out of public view to store the following bins:
  - a) a 140 litre bin;
  - b) two (2) 240 litre bins;
3. Any area for storing garbage and recycling shall be located in a position that is convenient for occupants.
4. The path for wheeling bins between waste storage area(s) and the collection vehicle shall be free of steps or kerbs and have a maximum gradient of 1:8 where possible.
5. Rear loaded, battle axe and car court dwellings shall make provision for bin collection on a public street accessible by collection vehicles.
6. The location of bin storage areas is to be shown on dwelling plans.

## 6. Ancillary Residential Structures

## 6.1 - 6.3

### Outbuildings

This section applies to ancillary residential structures including outbuildings, swimming pools/spas and fencing.

### 6. 1 Outbuildings

Section 3.5.2 of Volume 1 of the SDCDP shall apply.

### 6. 2 Swimming Pools/Spas

Section 3.5.3 of Volume 1 of the SDCDP shall apply.

### 6. 3 Fencing

#### Objectives:

- To ensure that front fencing design complements the character and streetscape of residential neighbourhoods.

#### Design Requirements

1. Fencing is to be in accordance with the fencing strategy with the Fencing Strategy as approved by Campbelltown Council for each stage of development. This information will be provided to purchasers of lots.

## 7.1

### Introduction

## 7. Residential Development

### 7.1 Introduction

This section sets out controls for various dwelling types expected in the renewal areas such as:

- Dwelling houses (including abutting dwellings, zero lot line dwellings;
- Attached dwellings;
- Semi-detached dwellings;
- Dual occupancies (attached and detached);
- Multi dwelling housing (including manor homes)

Development shall be in accordance with the key development controls summary table (Table 1) and as described in Sections 7.2 to 7.8.

Table 1: Key Housing Development Controls

Item	Lot Size	200-250m2	251-300m2	301-450m2	451-600m2	601-900m2
1	Maximum site cover	70%	65%	60%	55%	55%
2	Primary street setback	3.0m	3.0m	4.0m	4.0m	4.0m
3	Secondary street setback	1.0m	1.0m	2.0m	2.0m	2.0m
4	Rear boundary setback	1.0m from rear access garage or 3 metres where no garage		3.0m	4.0m	4.0m
5	Side setback	0.9m for detached dwellings or refer to items 6 & 7		0.9m	0.9m	0.9m
6	Build to boundary (attached dwellings and abutting dwellings)	Lot width 6.0-7.9 metres: both sides  lot width 8.0-10.0 metres: one side and 0.9m on the other		Does not apply	Does not apply	Does not apply
7	Build to boundary (zero lot line walls and semi-detached dwellings)	Build to boundary one side and 0.9m on the other		Does not apply	Does not apply	Does not apply
8	Garage setback	1.0m for rear access garage: 4.0m to primary street		5.0m	5.0m	5.0m
9	Garage dominance	Rear access garage (6.0m max door width) or single garage only to primary street frontage. The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width		The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width.		
10	Principal private open space area	Minimum of 16 sqm (provision of 4m x 4m square)		Minimum of 24 sqm (provision of 6m x 4m square)		
11	Maximum building height	9.5m				

## 7.2 Dwelling Houses

## 7.2

### Dwelling Houses

#### Objectives:

- Encourage quality-designed dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To ensure that subdivision and development on smaller lots is undertaken in a co-ordinated manner;
- To promote housing choice / variety / affordability; and
- To provide higher density dwellings around parks and close to community facilities, increasing casual surveillance and activity to improve safety and security in public areas.

#### 7.2.1 Site Coverage

- a) A dwelling house shall have a maximum site coverage of:
  - ii) 70% for a lot with an area between 200-250sqm;
  - iii) 65% for a lot with an area between 251-300sqm
  - iv) 60% for a lot with an area between 301-450sqm;
  - v) 55% for a lot with an area larger than 451sqm.



Illustration 6: 14m frontage



Illustration 7: 10m frontage

#### 7.2.2 Setbacks

- a) A dwelling house shall be setback a minimum of:
  - i) 3.0 metres from the primary street boundary for a site with a lot area of 300sqm or less;
  - ii) 4.0 metres from the primary street boundary for a site with a lot area greater than 300sqm;



Illustration 8: Dwelling house - Corner Lot

## 7.2 - 7.3

### Dwelling Houses

- iii) 1 metre from the secondary street boundary for a site with a lot area of 300sqm or less;
- iv) 2 metres from the secondary street boundary for a site with a lot area greater than 300sqm;
- v) 0.9 metres from any side boundary, other than zero Lot Line Dwelling; and
- vi) 3 metres from the rear boundary for a site with a lot area of 450sqm or less;
- vii) 4 metres from the rear boundary for a site with a lot area of more than 450sqm.

#### 7.2.3 Dwelling houses with zero side setback

- a) Dwelling houses shall only be permitted to be located on the side boundary where the lot is nominated on the subdivision plan.
- b) Where a zero lot line is nominated on a lot on the subdivision plan, the adjoining (burdened) allotment is to include a 900mm easement for single storey zero lot walls and 1200mm for two storey zero lot walls to enable servicing, construction and maintenance of the adjoining dwelling. No overhanging eaves, gutters or services (including rainwater tanks, hot water units, air-conditioning units or the like) of the dwelling on the benefited lot will be permitted within the easement.
- c) The S88B instrument for the subject (benefited) lot and the adjoining (burdened) lot shall include a note identifying the potential for a building to have a zero lot line.

#### 7.3 Secondary Dwellings

##### *Design Requirements:*

- a) Secondary Dwelling shall comply with Section 3.6.2 of Volume of the SCDP 2015.

##### **Note:**

Secondary dwellings are permitted under SEPP (Affordable Rental Housing) 2009.

##### **Note:**

Secondary dwelling (as defined under the CLEP) means a self-contained dwelling that:

- a) is established in conjunction with another dwelling (the principal dwelling), and
- b) is on the same lot of land as the principal dwelling, and
- c) is located within, or is attached to, or is separate from, the principal dwelling.

## 7.4 Semi-Detached Dwellings

# 7.4

## Semi-Detached Dwellings

### Objectives:

- Encourage quality-designed semi-detached that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To promote housing choice / variety / affordability.

### 7.4.1 Site Coverage

- a) A semi-detached Dwelling shall have a maximum site coverage of:
- ii) 70% for a lot with an area between 200-250sqm;
  - iii) 65% for a lot with an area greater than 251sqm.

#### Note:

Semi-detached dwellings (as defined under the CLEP) means a dwelling that is on its own lot of land and is attached to only one other dwelling.

### 7.4.2 Setbacks

- a) A semi-detached dwelling shall be setback a minimum of:
- i) 3.0 metres from the primary street boundary;
  - ii) 1.0 metre from the secondary street boundary;
  - iii) 0.9 metres from the side that is not attached to the other dwelling;
  - iv) 3 metres from the rear boundary for a site with a lot area of 450sqm or less

## 7.5 - 7.6

### Dual Occupancies

#### 7.5 Dual Occupancies

##### *Design Requirements:*

- a) Site coverage and setbacks for dual occupancies shall be similar to the site coverage and setback for semi-detached dwellings under this part.
- b) Dual occupancies (attached or detached) may be constructed on corner lots where the lot has an area of not less than 500sqm. Each dwelling is to address a street frontage.
- c) Any other dual occupancy development is to comply with the provisions of Clause 4.1B of CLEP 2015 and Section 3.6.3 of SCDCP 2015.

#### 7.6 Studio Dwelling

##### *Objectives:*

- E 1. To provide housing choice / diversity for families;
- To provide the opportunity for rental accommodation for single occupants; and
- To provide casual surveillance over rear access points.

##### *Design Requirements:*

1. Studio apartments are to be located only on top of detached garages accessible from rear lanes.
2. Studio apartments are not to be subdivided into a separate allotment.
3. The maximum gross floor area of a studio dwelling is 75sqm.
4. Where the studio apartment is built to a zero lot line on a side boundary, windows are not to be located on the zero lot wall unless that wall adjoins a laneway, public road, public open space or drainage land.
5. Studio apartments are to have balconies or living areas that overlook laneways for casual surveillance.
6. Where studio dwelling is built over a rear garage and separated from the upper levels of the principal dwelling, there must be a minimum separation of 5m between the upper floor rear façade of the principal dwelling and studio dwelling.



Illustration 9: Studio apartment

##### **Note:**

For the purpose of the URADCP part, studio apartments are a type of dual occupancy.

##### **Note:**

Studio Apartment means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used as a separate secondary domicile on the land, which is located above a garage, car port or the like.

## 7.7 Multi Dwelling Housing

## 7.7 - 7.8

### Multi Dwelling Housing

- a) The provisions of CLEP 2015 and SCD2015 apply with respect to multi dwelling housing on land within the urban renewal areas except for multi dwelling housing for, or on behalf of, NSW L&HC and manor homes which are a form of multi dwelling housing.
- b) manor homes are permitted in areas shown as future development lots on Figures 3 and 4 and shall comply with the controls contained in the following table:

Table 2: Manor Homes Development Controls

Item	Element	Control
1	Minimum site area	600m <sup>2</sup>
2	Maximum site coverage	50% of site area
3	Primary Street Setback	4.5 metres to building façade line 3 metres to articulation zone 5 metres to garage line or 1 metre behind building line
4	Corner or Secondary Street Setback	2 metres
5	Side Boundary Setback	1.5 metres
6	Rear Boundary Setback	4 metres (excluding rear garages)
7	Principal Private Open Space Area	Minimum 16m <sup>2</sup> per dwelling with minimum dimension of 3 metres; or Minimum 8m <sup>2</sup> per dwelling with minimum dimension of 2 metres if provides as balcony or rooftop
8	Maximum Building Height	9.5 metres

**Note:**

Multi-dwelling housing may be built by or on behalf of NSW L&HC under SEPP (Affordable Rental Housing) 2009. Manor homes may be built by any person on land identified as future development lots on Figure 3 and 4.

## 7.8 Attached Dwellings

**Objectives:**

- Encourage quality-designed attached that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To promote housing choice / variety / affordability.

### 7.8.1 Site Coverage

- a) An attached Dwelling shall have a maximum site coverage of:
  - i) 70% for a lot with an area between 200- 250sqm;



## 7.8

### Attached Dwellings

- ii) 65% for a lot with an area greater than 251sqm.

#### 7.8.2 Setbacks

- a) An attached dwelling shall be setback a minimum of:
    - i) 3.0 metres from the primary street boundary;
    - ii) 1.0 metre from the secondary street boundary;
    - iii) 0.9 metres from the side that is not attached to another dwelling;
    - iv) 3 metres from the rear boundary.
  - b) Combined applications for subdivision of land and the construction of a dwelling on each lot shall contain a minimum of three and a maximum of six attached dwellings in any continuous row.
3. Where a side dwelling wall is not attached (i.e. located on a corner allotment or midblock) that building line wall shall be setback a minimum distance of 2 metres for a corner lot and 0.9 metres from a midblock property boundary.



Illustration 10: Manor homes



Illustration 11: Attached dwellings

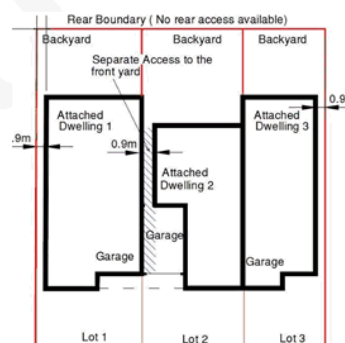


Figure 12 - Illustration of an example of a design solution for 'rear to front' access requirement for attached dwellings at ground level.

#### 7.8.3 Rear Access for Attached Dwellings

- a) Where there is no access to a rear lane or rear street directly available from the back of attached dwellings, each dwelling shall be provided with a separate and direct access from the backyard to the front yard that does not pass through any habitable area of the dwelling (Refer to Figure 11 for a suggested design solution).
- b) For the purpose above, the direct access from the rear to the front of the dwelling shall have a minimum width of 0.9 metres and shall not be obstructed by hot water systems, air conditioning units, gardens or anything that may result in the obstruction of the access way.

#### Note:

The requirement for the rear-to front access is to enable occupants of an attached dwelling to move organic waste bins, lawnmowers and the like from the backyard to the front of the building without the need to pass through the main living areas.

## 8. Neighbourhood Subdivision

## 8.1 - 8.2

### Introduction

**Important Note:** The term neighbourhood subdivision refers to subdivision of land undertaken by UrbanGrowth NSW or NSW Land and Housing Corporation as a means of implementing urban renewal projects at Claymore and Airds Bradbury.

#### Objectives:

- Provide a range of lot sizes with the more intensive development located closer to the town centre and around parks.
- Provide lot dimensions capable of accommodating a range of affordable house types.
- Create efficient layouts that respond to existing site conditions and context.
- Ensure that subdivision provides safe connections with an extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks.
- Promote walking and cycling as the primary mode of travel within a residential neighbourhood.
- Provide a network of bus, pedestrian and cycle routes within the public domain which connect open space areas and community facilities and encourage alternative modes of transport.

### 8.1 Introduction

Neighbourhood subdivision applications can indicate lots intended for further subdivision. Not all lots created by Neighbourhood subdivisions are suitable for further subdivision.

### 8.2 Neighbourhood Subdivision

The urban design intent for subdivision in the renewal areas is to create an urban structure based on:

- a more inter-connective street system focussing movement onto streets;
- reconfigured open spaces responding to community needs and providing safe and accessible spaces linked to the pedestrian and cycle network;
- improved community safety by introducing

#### Important Note:

Neighbourhood Subdivision to create lots smaller than permitted under CLEP 2015 is proposed but only in accordance with this section.

## 8.3 - 8.4

### Design Requirements

- street edges to open spaces and fronting housing towards open spaces;
- establishing new roads to create new blocks of a size suitable for a variety of lot sizes and to improve vehicle and pedestrian accessibility and safety.

Lot sizes range predominantly from 200 square metres to 600 square metres. Some variation to this might occur in localised areas constrained by the road layout and existing development. Battle axe type lots shall be avoided and only entertained where a street frontage cannot otherwise be provided due to levels, existing development constraints or residual land issues.

#### 8.3 Design Requirements

- All neighbourhood subdivisions shall be generally consistent with the Concept Plan approval for Claymore and Airds Bradbury and generally as shown in Figures 1 and 2 regarding the location of open space areas, public roads and proposed residential development.
- No further subdivision of allotments following the neighbourhood subdivision, shall be permitted unless:
  - the allotment is located in an area identified in Figures 3 and 4 as future development lots or seniors living; or
  - The land is located in an area identified in Figure 3 as existing residential areas and the subdivision is a re-subdivision of existing lots in the ownership of NSW Land and Housing Corporation; or
  - The land is located on any of the following streets within the Claymore Urban Renewal Area (Figure 4) and the subdivision is a re-subdivision of existing lots in the ownership of NSW Land and Housing Corporation:
    - Carter Place;
    - Drysdale Street;
    - Crozier Street, Blake Place and Auld Place;
    - Boyd Street;
    - Fairweather Place;
    - Gould Road; or
  - The size of any lot resulting from a subdivision of land is not to be less than the minimum size allowed for that land under CLEP 2015.
  - The subdivision is a strata subdivision or community title subdivision.

#### 8.4 Neighbourhood Subdivision - Allotment Size and Design

- Design of residential allotments shall have regard for the impact of orientation, slope, and aspect to facilitate solar access to future dwelling development.
- All proposed allotments shall have a street frontage.
- Battle axe lots shall only be permitted where a street frontage cannot otherwise be

provided because of existing conditions including the size and shape of a residual parcel.

4. All allotments intended for dwellings will have a minimum site area of 200m<sup>2</sup> with a minimum width measured at the building line of 6 metres.
5. Any allotment with a width to the street frontage of less than 9 metres is to have the garage located to the rear of the property accessed from a rear lane or accessway.
6. Allotments are to have a minimum depth of 25 metres.

## 8.5

### Subdivision Approval Process for Housing on Smaller Lots

#### 8.5 Subdivision Approval Process for Housing on Smaller Lots

The land subdivision approval process is to be consistent with the following provisions:

1. For lots equal to or greater than 300m<sup>2</sup>:
  - a. Dwelling plans required as part of future development application of complying development certificate application;
  - b. No restrictions on title;
  - c. Subdivision can be completed (plan registered) prior to dwelling construction.
2. For lots less than 300m<sup>2</sup> and equal to or greater than 225m<sup>2</sup> in area, and with a width equal to or greater than 9m:
  - a. Dwelling plans are required as part of future development application or complying development certificate application;
  - b. A Building Envelope Plan is to accompany the development application for subdivision;
  - c. Dwelling design restriction to be registered on title via a S88B instrument to reflect the Building Envelope Plan;
  - d. Subdivision can be completed (plan registered) prior to dwelling construction.
3. Dwelling construction involving detached dwellings on lots less than 225m<sup>2</sup>, or lots with a width less than 9m:
  - a) Dwelling plans required as part of subdivision application (the development application seeks approval for subdivision of land and construction of a dwelling on each lot in the subdivision);
  - b) Subdivision can be completed (plan registered) following construction of dwellings.
4. Dwelling construction involving common walls (i.e. attached dwellings, semi-detached dwellings, dual occupancies and multi dwelling housing):
  - a. Dwelling plans required as part of subdivision application (the development application seeks approval for subdivision of land and construction of a dwelling on each lot in the subdivision);
  - b. Subdivision can be completed (plan registered) following construction of dwellings.

The Building Envelope Plan is to be at a legible scale (suggested 1:200) and include the

## 8.5

### Subdivision Approval Process for Housing on Smaller Lots

following elements:

- a. Lot numbers, north point, scale, drawing title and site labels such as street names;
- b. Maximum permissible building envelope (setbacks, storeys, articulation zones);
- c. Preferred principal private open space;
- d. Garage size (single or double) and location; and
- e. Zero lot line boundaries (if any).

Draft



APPENDIX 1





**FIGURE 3**







# **Volume 2**

## **Site Specific Development Control Plans**

### **Part: 10**

#### **Badgally Road, Blairmount DCP**

## 10.1

### Application

#### 10.1 Application

This Part provides site specific development controls for the site shown in Figure 1.

All development is required to conform with the relevant requirements contained in this Part. In the event of any inconsistencies between this part and Volume 3 of the Campbelltown (Sustainable City) Development Control Plan 2015, this part shall prevail to the extent of the inconsistency.

Where this site specific DCP does not include specific development controls for a certain type of development, development controls under Volume 1 and Volume 3 shall be used. For example, development applications proposing a child care centre will be assessed under the relevant section of Volume 1.

##### 10.1.1 Definitions

Refer to Volume 3 of the Campbelltown (Sustainability) Development Control Plan 2015 and those contained within the Campbelltown (Urban Areas) Local Environmental Plan 2002, for standard definitions relating to development.

### 10.1.2 Site

The subject site to which this DCP applies, is identified in Figure 1.

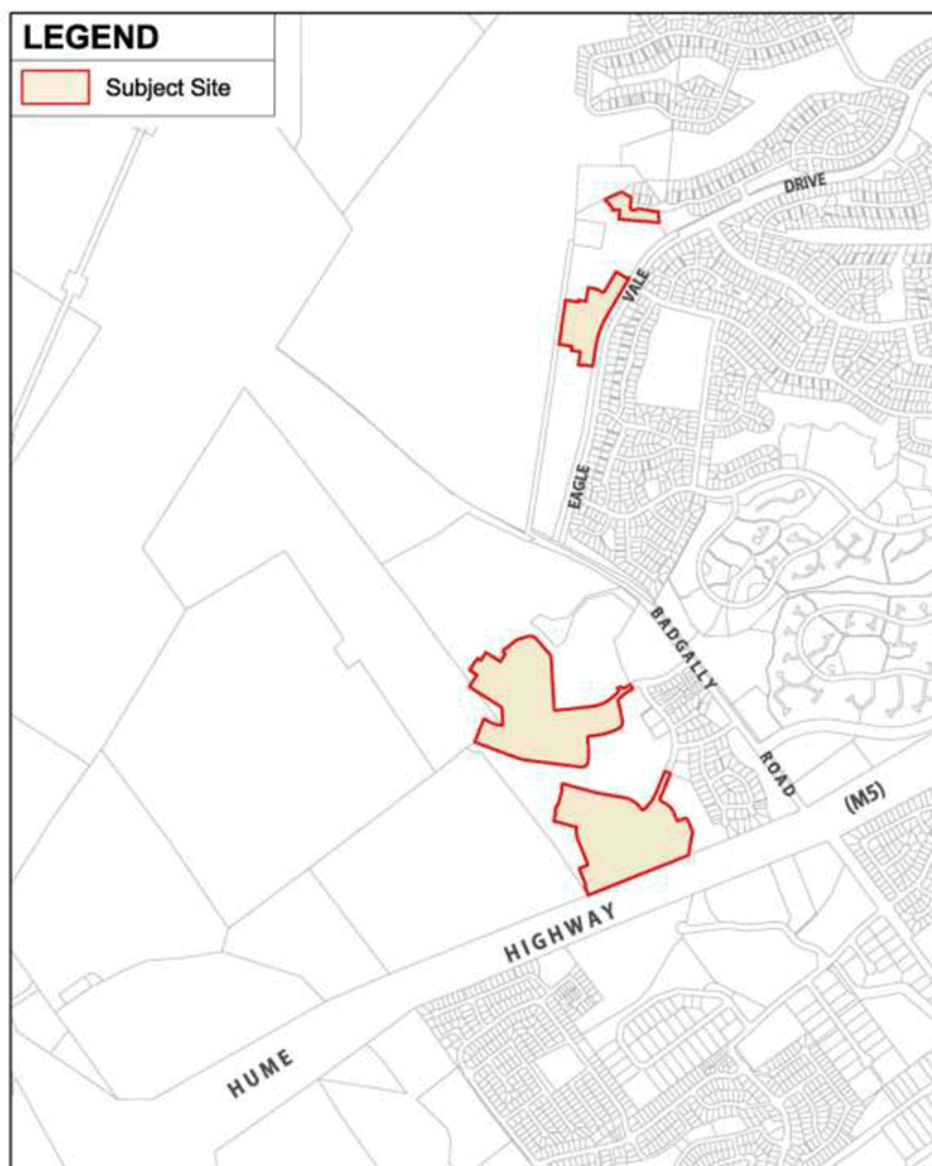


Figure 1: Land to which this DCP Applies

## 10.2

### 10.2.1 Subdivision

The subdivision pattern shall be in accordance with the subdivision layout that has been approved by Council under the following development applications.

DA 43/1981/A  
DA 21/1982/DA-S/A  
DA 2283/2014/DA-SW

No further subdivision of any allotments shall be permitted unless it complies with all the residential development controls that are provided under Volume 3, Part 2 of the Campbelltown (Sustainable City) DCP 2015.

### 10.2.2 Residential Development

#### Objectives

- Promote well-designed buildings that make a positive contribution to the streetscape and amenity of the neighbourhood.
- Ensure development responds to the natural and other positive features, and considers amenity, streetscape and energy efficiency at the outset.

The following Sections under Volume 3, Part 2 of the Campbelltown (Sustainable City) DCP 2015 shall apply.

- 2.2 *Building Form and Character*
- 2.3 *Car Parking and Assess*
- 2.4 *Acoustic and Visual Privacy*
- 2.5 *Solar Access & Energy Efficiency*

#### 10.2.2.1 Dwelling Houses

##### Objectives:

- Encourage quality-designed dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood.
- Provide definition of the public domain by ensuring development addresses the streets and open spaces.

##### Design Requirements:

- a) Dwellings shall comply with the controls provided in Table 10.1 and 10.2.

Table 10.1: Controls for detached (front-loaded) dwellings

Element	Control
Front setback (min)	4m to building facade line and 3m to articulation zone
Side setback (min)	0.9m
Rear Setback (min)	4m  6m second storey (except where the rear property boundary adjoins public open space, a riparian corridor or the Hume Highway, where the second storey setback can be reduced to 4m subject to achieving the required solar access controls)
Garage setback (min)	5.5m front-loaded garages
Corner lots secondary street setback (min)	2.0m
Building height, massing and siting	2 storeys maximum
Site coverage	Single storey dwelling: 60%  Upper level no more than 40% of lot area
Soft landscaped area	Minimum 25% lot area.
Principal Private Open Space (PPOS)	Minimum 24m <sup>2</sup> with minimum dimension of 4.0m.  The PPO is to receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to 50% of the required area, including both the proposed development and neighbouring property.
Garages and car parking	Minimum one single garage.

Table 10.2: Controls for detached (rear-loaded) dwellings

Element	Control
Front setback (min)	3.5m to building facade line and 2.5m to articulation zone
Side setback (min)	0.9m
Garage setback (min)	0.5m to the rear boundary and 0.9m to the side boundary
Corner lots secondary street setback (min)	2m
Building height, massing and siting	2 storeys maximum
Site coverage	Upper level no more than 40% of lot area
Soft landscaped area	Minimum 15% lot area.
Principal Private Open Space (PPOS)	Minimum 16m <sup>2</sup> with minimum dimension of 4m.  The PPO is to receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to 50% of the required area, including both the proposed development and neighbouring property.
Garages and car parking	Minimum one single garage.

#### 10.3.3.4 Other Forms of Residential Development

Controls for other forms of residential development contained in Volume 3, Part 2 of the Campbelltown (Sustainability) Development Control Plan 2015 shall apply.

Note: where minimum lot widths and building setbacks differ between this Part and Volume 3, Part 3 of the DCP, the minimum standards contained in this Part apply.



## **8.5 Minutes of Campbelltown Arts Centre Strategic Committee held 7 March 2018**

### **Reporting Officer**

Executive Manager Community and Cultural Services  
City Lifestyles

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### **Officer's Recommendation**

That the minutes of the Campbelltown Arts Centre Strategic Committee held 7 March 2018 be noted.

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### **Purpose**

To seek Council's endorsement of the minutes of the Campbelltown Arts Centre Strategic Committee held 7 March 2018.

### **Report**

Detailed below are the recommendations of the Campbelltown Arts Centre Strategic Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

#### **Reports listed for consideration**

##### **4.1 Minutes of the previous Campbelltown Arts Centre Strategic Committee Meeting held 22 November 2017**

#### **Committee's Recommendation:**

That the information be noted.

##### **5.1 Campbelltown Arts Centre 30th Anniversary Celebration**

#### **Committee's Recommendation:**

That members of the Campbelltown Arts Centre Strategic Committee notes the information contained in the presentation of the 30th Anniversary celebration and endorses the content.

##### **5.2 Cultural Infrastructure Strategy Update**

#### **Committee's Recommendation:**

That the Campbelltown Arts Centre Strategic Committee notes the recent development of the New South Wales State Government's Cultural Infrastructure Plan.

**6.1 Campbelltown City Council Collection - New Acquisitions****Committee's Recommendation:**

1. That the following proposed acquisitions be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council:
  - a) Donation by Spectre and Shadow (bayi wungumali)
  - b) Donation by David Griggs, The bleedings hearts Club #8
  - c) Purchase of works by Abdul-Rahman Abdullah - The Days 2016 at a cost of \$5,500.
2. That Donations and acquisitions to be added as a standing agenda item in future Committee meetings for consideration by the Campbelltown Arts Centre Strategic Committee.

**6.2 Campbelltown Arts Centre Strategic Committee Skills Audit****Committee's Recommendation:**

That the Manager Creative Life undertakes a skills audit of the Campbelltown Arts Centre Strategic Committee members with a view to leveraging skills for future works/projects.

**Attachments**

1. Minutes of the Campbelltown Arts Centre Strategic Committee held 7 March 2018 (contained within this report)

## Minutes Summary

**Campbelltown Arts Centre Strategic Committee Meeting held at 6.00pm on Wednesday, 7 March 2018.**

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ITEM	TITLE	PAGE
1.	<b>ACKNOWLEDGEMENT OF LAND</b>	<b>2</b>
2.	<b>APOLOGIES</b>	<b>2</b>
3.	<b>DECLARATIONS OF INTEREST</b>	<b>2</b>
4.	<b>MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 22 NOVEMBER 2017</b>	<b>3</b>
5.	<b>REPORTS</b>	<b>3</b>
5.1	Campbelltown Arts Centre 30th Anniversary Celebration	3
5.2	Cultural Infrastructure Strategy Update	4
6.	<b>GENERAL BUSINESS</b>	<b>6</b>
6.1	Campbelltown City Council Collection - New Acquisitions	6
6.2	Campbelltown Arts Centre Strategic Committee Skills Audit	7
6.3	Campbelltown Arts Centre Website	7

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**Minutes of the Campbelltown Arts Centre Strategic Committee Meeting held on 07 March 2018**

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**Present:**

Deputy Mayor Cr M Oates	Chairperson, Campbelltown City Council
Councillor B Moroney	Committee Member, Campbelltown City Council
Councillor M Chowdhury	Committee Member, Campbelltown City Council
Councillor M Banasik	Committee Member, Wollondilly Shire Council
Mr Andrew Christie	Committee Member, Arts Community
Ms Alison Derrett	Committee Member, Business Sector/Community
Ms Lucy Stackpool	Committee Member, Business Sector/Community
Mr Steven Donaghey	Committee Member, Business Sector/Community
Ms Mariah Calman	Committee Member, Education Sector
Ms Lorna Gear	Committee Member, Education Sector
Mrs Joan Long	Committee Member, Friends of Campbelltown Arts Centre

**Also Present:**

Mrs Justine Uluibau	Executive Manager Community and Cultural Services, Campbelltown City Council
Mr Michael Dagostino	Manager Creative Life, Campbelltown City Council
Mrs Jane Worden	Executive Support, Campbelltown City Council

**1. ACKNOWLEDGEMENT OF LAND**

An Acknowledgement of Land was presented by the Chairperson Councillor Meg Oates.

**2 APOLOGIES**

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**Committee's Recommendation: (Chowdhury/Moroney)**

That the apologies from Campbelltown City Council Committee members and representatives Mayor Councillor George Brticevic, Lindy Deitz - General Manager and Lisa Miscamble - Director City Lifestyles; Dr Cheryle Yin-Lo - Camden Council, Rudi Kolkman - Business Sector/Community and Dorothy Heatley - Friends of Campbelltown Arts Centre be received and accepted.

**CARRIED**

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**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

### **3. MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 22 NOVEMBER 2017**

#### **Reporting Officer**

Executive Manager Community and Cultural Services

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

That the information be noted.

#### **Committee's Recommendation: (Banasik/Stackpool)**

That the information be noted.

#### **CARRIED**

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#### **Report**

The minutes of the Campbelltown Arts Centre Strategic Committee Meeting held 22 November 2017, copies of which have been circulated to each Sub Committee member, were adopted by Council at its meeting held 13 February 2018.

#### **Attachments**

Nil

### **4. REPORTS**

#### **5.1 Campbelltown Arts Centre 30th Anniversary Celebration**

Reporting Officer Manager Creative Life City Lifestyles

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

That members of the Campbelltown Arts Centre Strategic Committee review the presentation of the 30<sup>th</sup> Anniversary celebration and endorse the content.

#### **Committee's Recommendation: (Chowdhury/Moroney)**

That members of the Campbelltown Arts Centre Strategic Committee notes the information contained in the presentation of the 30<sup>th</sup> Anniversary celebration and endorses the content.

#### **CARRIED**

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## Purpose

The members of the Campbelltown Arts Centre Strategic Committee will be presented with the exhibition and series of events to celebrate the 30<sup>th</sup> Anniversary of Campbelltown Arts Centre resulting from the workshop held on 22 November 2017.

## History

On 22 November 2017, members of the Campbelltown Arts Centre Strategic Committee participated in a workshop whereby the 30<sup>th</sup> Anniversary of Campbelltown Arts Centre was discussed. A brainstorming session was held around a series of events that could be held, in conjunction with the exhibition program.

## Report

During August to October 2018, Campbelltown Arts Centre will celebrate the past, present and future of the site and Campbelltown City Council's commitment to contemporary arts. It is planned to present a series of programs alongside a major exhibition that will aim to deliver on the key proposed outcomes below:

- harnessing the creative energy of the Macarthur region and the wider community
- build new local partnerships
- profile the heritage and history of the local area
- discuss the growth of Campbelltown and South West Sydney region
- profile the Campbelltown Arts Centre's archive
- increase community partnerships
- increase the capacity of the Campbelltown Arts Centre Friends
- connect with new audiences
- explore the meaning of yesterday, today and tomorrow, the past, present and future
- profile artistic impact, locally, nationally and internationally
- connect with all artists that have exhibited at Campbelltown Arts Centre
- connect with past directors and staff
- launch and profile the Campbelltown City Council collection online
- launch the Campbelltown Arts Centre Trust.

The Creative Life team have planned for the exhibition to occur: 11 August - 14 October 2018, with the Official Anniversary being 1 December 2018.

## Attachments

Nil

## 5.2 Cultural Infrastructure Strategy Update

### Reporting Officer

Manager Creative Life  
City Lifestyles

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### Officer's Recommendation

That the Campbelltown Arts Centre Strategic Committee notes the recent development of the New South Wales State Government's Cultural Infrastructure Plan.

### Committee's Recommendation: (Moroney/Stackpool)

That the Campbelltown Arts Centre Strategic Committee notes the recent development of the New South Wales State Government's Cultural Infrastructure Plan.

### CARRIED

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### Purpose

To provide the Campbelltown Arts Centre Strategic Committee with information regarding the recent development of the New South Wales State Government's Cultural Infrastructure Strategy.

### Report

The Cultural Infrastructure Program Management Office (CIPMO) has been created within the Department of Planning and Environment to provide a centralised, strategic approach to cultural infrastructure planning and delivery.

A key project for CIPMO is the development of a Cultural Infrastructure Plan, aimed at identifying regional demands and priorities across the state through to 2025. CIPMO works in collaboration with Cultural Institutions, State Significant Organisations, other Government Departments and the broader arts and culture sector to create significant cultural precincts and infrastructure for New South Wales.

Late last year, New South Wales State Government released the 2016 Cultural Infrastructure Plan (distributed under separate cover) and wrote to Council requesting input about Cultural Infrastructure within our local area and looking for opportunities for Council to engage our local communities in the consultation process, which included an online survey.

Local Councils play a central role in providing cultural infrastructure throughout the state and will be critical to the success of the Cultural Infrastructure Plan. The New South Wales State Government, through the CIPMO, engaged in a consultation process through January and February 2018 which will assist in the development of a policy document that the Government will consider later this year.



Consultation sessions were held in February at a number of locations throughout the state including Sydney Metropolitan and Regional locations. Council's Creative Life Manager, Michael Dagostino, attended the session at Blacktown on 6 February 2018.

The session aimed to seek feedback on how the new Cultural Infrastructure Plan would:

- set an approach and delivery framework
- cover the whole of New South Wales
- conduct research mapping existing cultural infrastructure and identifying gaps
- define five priority areas for investment opportunities.

Campbelltown Arts Centre's role in supporting the Government's vision for New South Wales to be known for its bold and exciting arts and culture that engages the community was to encourage the broader community to have their say and complete the CIPMO survey that will inform decisions about cultural infrastructure into the future.

The survey was shared through Campbelltown Arts Centre Facebook page along with a direct mail out to the Campbelltown Arts Centre's mailing list and Strategic Committee. Community groups directly involved with the Centre's artistic program have also been encouraged to have their say by completing the survey.

Direct approaches have also been made to key contacts in the sector and community by Council officers. The survey closed on Friday 23 February.

## **Attachments**

1. Correspondence from NSW Planning & Environment regarding Cultural Infrastructure Plan (contained within this report)
2. Infrastructure NSW Cultural Infrastructure Strategy 2016 (distributed under separate cover)
3. Cultural and Infrastructure Action Plan 2018 (distributed under separate cover)

## **6. GENERAL BUSINESS**

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

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Council's Manager Creative Life advised the members of the Committee that in keeping with Council's 'Campbelltown Collection Policy' which is a framework for the management of Campbelltown City Council's permanent collection by the Campbelltown Arts Centre; approvals for the acquisition of new works are to be supported by recommendations from the Campbelltown Arts Centre Strategic Committee which are submitted to Council for formal consideration.

The Committee noted that the following works have been proposed to be donated to the Campbelltown City Council and are presented to the Committee for consideration and recommendation to Council:

- Donation by Danie Mellor - Spectre and Shadow (baya wungumali)
- Donation by David Griggs - The bleeding hearts club #8 and The bleeding hearts club #6

The Committee noted that is proposed that the following work be acquired:

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- Purchase of works by Abdul-Rahman Abdullah - The Days 2016 at a cost of \$5,500

Council's Manager Creative Life distributed detailed information to the Committee regarding the proposed abovementioned acquisitions and encouraged discussions around the works. The Committee noted the information provided and moved that the proposed abovementioned works be acquired.

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#### **Committee's Recommendation: (Moroney/Christie)**

The Campbelltown Arts Centre Strategic Committee resolved that:

1. That the following proposed acquisitions be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council:
  - Donation by Danie Mellor - Spectre and Shadow (bayi wungumali)
  - Donation by David Griggs - The bleeding hearts club #8 and The bleeding hearts club #6
  - Purchase of works by Abdul-Rahman Abdullah - The Days 2016 at a cost of \$5,500
2. That Donations and acquisitions to be added as a standing agenda item in future Committee meetings for consideration by the Campbelltown Arts Centre Strategic Committee.

**CARRIED**

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## **6.2 Campbelltown Arts Centre Strategic Committee Skills Audit**

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Campbelltown Arts Centre Strategic Committee members enquired as to how they can provide support to the Campbelltown Arts Centre in their current capacity.

Council's Manager Creative Life suggested that a skills audit of the Committee members be undertaken and results reviewed to gain a better understanding of the Committees specific skill sets and how these skills can be leveraged to assist with projects or initiatives.

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#### **Committee's Recommendation: (Christie/Grear)**

That the Manager Creative Life undertakes a skills audit of the Campbelltown Arts Centre Strategic Committee members with a view to leveraging skills for future works/projects.

**CARRIED**

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## **6.3 Campbelltown Arts Centre Website**

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Committee members enquired as to whether there were any plans for Council to undertake a review of the Campbelltown Arts Centre microsite: <http://c-a-c.com.au/>

Council's Manager Creative Life advised the Committee that he would be investigating resource options to undertake a review of the microsite in the future.

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**Committee's Recommendation: (Stackpool/Moroney)**

That the information be noted.

**CARRIED**

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The next meeting of the Campbelltown Arts Centre Strategic Committee will be held on 2 May 2018 at the Campbelltown Arts Centre.

The Deputy Mayor, Chairperson Meg Oates

**Chairperson**

Meeting Concluded: 6.58pm

## **8.6 Campbelltown Community Facilities Strategy Draft for Public Exhibition**

### **Reporting Officer**

Executive Manager Community Life  
City Lifestyles

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
1 Outcome One: A Vibrant, Liveable City	1.2 - Create safe, well maintained, activated and accessible public spaces

### **Officer's Recommendation**

1. That Council endorse the draft Community Facilities Strategy for the purpose of a 28 day public exhibition period.
2. That a further report be presented to Council following the public exhibition period to consider submissions and final adoption.

### **Purpose**

To seek Council endorsement of the draft Community Facilities Strategy for the purpose of public exhibition.

### **History**

In February 2017, Council sought quotations for a suitably qualified consulting company to prepare a Community Facilities Strategy to guide community facility provision in the Campbelltown Local Government Area (LGA) over the next twenty years.

RPS Consulting were the successful consultant and commenced preparation of the strategy in May 2017. Preparation of the strategy involved significant cross-organisational consultation and engagement, community engagement, analysis of current utilisation data, demographic needs analysis, benchmarking of provision in other areas, consideration of best practice case studies, mapping of Council and non-Council owned facilities, and development of a strategic framework for the provision of community facilities into the future and strategies to resource this provision.

The lead consultant from RPS presented the draft strategy to the Council briefing session held on 21 November 2017. Minor amendments have been made based on Councillor and officer feedback and the draft is now submitted for Council endorsement for the purpose of publicly exhibiting the draft for community and stakeholder feedback.

A further internal review of the draft strategy was undertaken in February 2018 in light of market indications that future population growth in the southern greenfield areas was more likely to approach the high growth scenario, and that further community facility provisions should be included in recommendations within the document to guide evolving planning proposals. The lead consultant provided further advice to Council in regard to this revised population scenario.

RPS agreed to Council ownership of the draft strategy executive summary document which officers have edited and branded to reflect the revised recommendations for the Southern District and Glen Alpine – Gilead. Council has further revised the introduction to this executive summary document in order to more strongly reflect the role of the document as providing a flexible framework to guide future planning and Council's approach to delivery and funding. As such, this summary document is now considered Council's draft Community Facilities Strategy, supported by the detailed analysis and engagement undertaken by RPS.

## **Report**

### **Purpose and use of the draft Community Facilities Strategy**

The purpose of the draft Community Facilities Strategy is to:

1. audit existing community facilities, Council and non-Council owned. The audit of Council-owned facilities involved assessing current utilisation data and building condition ratings which are in Council's Asset Management Plans
2. identify and develop strategies to meet future needs for community facilities that takes into consideration:
  - a. social demographic target groups including families and children, young people, older people, people with a disability, people from Aboriginal and Torres Strait Islander and other culturally diverse backgrounds
  - b. geographic areas (or hubs) within the LGA, based on the classification of neighbourhood, district and regional facilities
3. provide a needs assessment for each activity hub catchment to project future community facility needs
4. provide analysis of and specific directions on how to efficiently and effectively utilise buildings and spaces (that are fit for purpose), for delivery of community services and programs. To meet this need, consideration was given to resourcing implications such as acquisition and construction of new facilities; change of use of some existing facilities to best meet future community needs; and, opportunities for the provision of facilities by others
5. align community facility provision with the city's priorities and strategies including financial and capital works planning and delivery.

The draft Community Facilities Strategy will be used to:

1. inform decisions on the need for, and provision of, community facilities in light of:
  - a. anticipated growth as a result of greenfield development and urban development
  - b. changing demographics, such as increased or ageing populations
  - c. ageing facilities, that are single purpose, do not meet access requirements and may not meet current needs, which may be adapted or replaced with flexible, multipurpose facilities to respond to change in program and service needs
  - d. the need for sustainable community facilities that are able to be managed more efficiently and with maximum community benefit

2. identify any unmet needs for certain types of facilities; for example meeting spaces, exhibition or performance spaces that may be incorporated into flexible multi-purpose facilities in light of the projected growth
3. advocate for the timely provision of facilities for new communities to both Government (State and Federal) and developers.

The definition of community facilities for the purposes of the strategy has been adopted from the Campbelltown Local Environmental Plan (LEP) 2015. A community facility means a building or place:

1. owned or controlled by a public authority or non-profit community organisation
2. used for the physical, social, cultural or intellectual development or welfare of the community.

The strategy therefore includes:

- child care facilities
- library services
- community buildings (Council owned that include buildings to accommodate community services, groups or organisations; buildings to accommodate sporting, recreational and leisure services, groups or organisations, community halls and meeting spaces; libraries, swimming centres and golf courses).

As Campbelltown is a large LGA, community facilities have been considered in a hierarchy at regional, district and local levels based on both size and scope of facilities, as well as a geographic hierarchy to enable a place based assessment and associated recommendations.

### **Community and stakeholder engagement**

The community engagement aimed to inform a thorough understanding of how Council's assets are being used, where there are major issues in the current provision, and how demand is likely to change based on population growth and demographic change.

A number of methods were used to seek community and stakeholder engagement in the preparation of the strategy including use of:

- Have Your Say section of the Council website
- social media posts
- online community mapping, with 416 responses from 217 people
- pop up engagement stalls at the Campbelltown Arts Centre, Ingleburn Library, Macarthur Night Markets and HJ Daley Library, with responses from 182 people
- individual engagement with key internal stakeholders.

The engagement phase gathered input on what the community values about community facilities and ideas for improvement.

Based on research, best practice trends in the provision of community facilities and the feedback obtained from the community consultation process, the following overarching goals have been developed.

These goals will be used to guide the way in which community facilities will be planned, delivered and managed into the future.

**Overarching goals of the draft Community Facilities Strategy are to:**

- provide access to community facilities that meet the needs of the community (now and in the future)
- ensure facilities are adaptable and allow for multi-purpose use
- ensure a hierarchy of facilities that support local, district and regional uses
- ensure that the provision of community facilities can be feasibly provided by the public and private sectors
- provide co-located facilities as part of strategically located community hubs
- provide equitable access to facilities for people from a range of incomes, age groups and abilities
- locate facilities in close proximity to public transport
- ensure there is a hierarchy of local, district and regional facilities servicing place based needs and population growth
- provide flexible spaces that can adapt with changing and growing community needs
- ensure facilities are staffed and programmed to increase utilisation and activation
- ensure facilities are well-resourced with access to smart technology and innovation
- provide facilities which are creators of socially, economically and environmentally sustainable outcomes.

**Structure of the draft strategy**

The draft Community Facilities Strategy contains:

- a hierarchy of facilities
- overarching principles
- best practice case studies
- benchmarking
- consultation outcomes
- city wide and regional facilities
- facility findings and recommendations by each district.

**Resourcing the strategy**

Following the adoption of the final Community Facilities Strategy, Council Officers will work on a range of implementation strategies for the delivery of the recommendations in the strategy, which will include a combination of:

- funding through development contributions, through Section 94 and/or voluntary planning agreements
- joint use and partnership agreements, working with other parties such as State Government agencies, businesses and the not for profit sector to create facilities and hubs for communities
- effective management and decision-making about Council's property portfolio, assessing the best use of Council's properties and planning for their allocation into the future
- delivery of facilities by the private sector, such as child care centres and medical facilities. Council will have a role in advocating and facilitating these developments in line with the principles in the strategy.

**Proposed public exhibition process**

It is proposed that the draft Community Facilities Strategy be placed on public exhibition for a period of 28 days.

The public exhibition period will be advertised using Council's usual notification processes through the local newspapers, Council website, social media and through the communication channels that were utilised during the community engagement process for the drafting of the strategy such as mailing lists and identified key stakeholders.

**Attachments**

1. Campbelltown City Community Facilities Strategy - due to size and branding (distributed under separate cover)



## 8.7 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 13 March 2018.

### Attachments

1. Reports and Letters Requested Listing (contained within this report)

**Reports Requested as at 13 March 2018**

<b>*Date of Decision *Mover *DocSet</b>	<b>Item/Comments</b>	<b>Div. Resp</b>	<b>Comp Date</b>
<b>City Lifestyles</b>			
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. <b>Comment:</b> To be considered as part of the events review in the first half of 2018.	CL	June 2018
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	June 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Delivery</b>			
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	<p>ORD - NM - 11.1</p> <p>1. That a report be presented to Council investigating the potential to establish a Georges River Bush Cycle Track from Glenfield to Wedderburn.</p> <p>2. That this report include:</p> <ul style="list-style-type: none"> <li>possible route and various access points</li> <li>potential and existing sources of funding - Local, State, Federal and Non-Governmental Organisation</li> <li>estimated initial construction costs and ongoing maintenance costs</li> <li>suggested time frame and schedule</li> <li>potential impediments to the development</li> <li>an assessment of environmental issues.</li> </ul> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
22.11.16 GB 5116854	<p>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.</p> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
18.04.17 GB 5311171	<p>ORD - NM - 11.1</p> <p>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.</p> <p>2. That the report include costings and timeframes.</p> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
18.04.17 KH 5311169	<p>ORD - NM - 11.3</p> <p>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.</p> <p>2. That a report be presented on the costs and possible time frame for providing such pathways.</p> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 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"> <li>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"> <li>Welcome to Campbelltown - landscaping or entry statement</li> <li>Thank you for visiting or Campbelltown Exit Statement.</li> </ul> </li> <li>That Council provide alternative designs, perspective layout/blueprints, appropriate entry and exit wordings, list of specific locations and cost estimates.</li> <li>That a comprehensive report be presented at a future Briefing evening for consideration.</li> </ol> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
18.04.17 GB 5311166	<p>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.</p> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
18.04.17 GB 5311165	<p>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.</p> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
26.09.17 M. Chowdhury	<p>ORD - NM - 11.1</p> <ol style="list-style-type: none"> <li>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.</li> <li>That the report include potential designs, material types, provision for weatherproof 3-phase power access and relevant costings.</li> </ol> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018
12.12.17 RM	<p>ORD - NM - 11.2</p> <ol style="list-style-type: none"> <li>That a report be presented to Council investigating an area in Campbelltown where Jacaranda trees can be planted contiguously and prominently on both sides of the street or road, including the median strip if possible with a minimum of 45 trees should there be a median strip or 50 trees if just both sides of the road.</li> </ol> <p><b>Comment:</b> Awaiting this item to be listed at a future briefing evening.</p>	CD	June 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
12.12.17 PL	<p>ORD - NM - 11.4</p> <ol style="list-style-type: none"> <li>1. That a report be presented to Council investigating the feasibility of extending the current bus service from Campbelltown Public Hospital through Parkside Crescent past Campbelltown Private Hospital to Macarthur Square.</li> <li>2. That a further report be presented to Council on the possibility of a new bus service being established to service the businesses along Blaxland Road and that Council Staff survey the individual businesses along Blaxland Road for their input on the benefits of a bus service including the hours and days of service.</li> <li>3. That Council investigate the feasibility of reintroducing the free bus service with the State Government.</li> </ol>	CD	May 2018
13.02.18 BM	<p>ORD - NM - 11.2</p> <ol style="list-style-type: none"> <li>2. That a report be presented to Council investigating these concerns, in consultation with the residents.</li> </ol>	CD	June 2018
13.02.18 WM	<p>ORD - NM - 11.1</p> <ol style="list-style-type: none"> <li>3. That a report be presented to Council investigating Council's capacity to secure free or subsidised parking at Campbelltown Hospital for patients, visitors and staff.</li> </ol>	CD	June 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Governance</b>			
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. <b>Comment:</b> Still in the process of finalising the VPA/ISDP with Urban Growth. Strategic Property and Urban Release and Engagement currently reviewing.	CG	September 2018
23.05.17 BM	ORD - 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.  <b>Comment:</b> Briefing date requested however has been deferred given the announcement of Local Planning Panel.	CG	April 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Development</b>			
19.04.16 MO 4770730	<p>CS8.1- Old Clinton's development site</p> <p>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.</p> <p><b>Comment:</b> Further discussion currently being organised with development representatives to discuss financial contribution for street tree damage. Estimate of financial contribution prepared for further consideration and consultation.</p>	CDVP (CS)	June 2018
08.11.16 GG 5095788	<p>ORD - 11.5</p> <ol style="list-style-type: none"> <li>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.</li> <li>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: <ol style="list-style-type: none"> <li>a. The Design Excellence Panel be comprised of five members consisting of, four professionals and one community representative, with membership open to: <ul style="list-style-type: none"> <li>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</li> <li>o a community representative with a demonstrated understanding and experience in architecture, urban design, landscape architecture or a related field.</li> <li>o to ensure the panel's independence, a panel member cannot be a Councillor or council employee.</li> </ul> </li> <li>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.</li> <li>c. That the panel members' tenure should be limited to two years with an optional extension for another two years.</li> <li>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.</li> <li>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.</li> </ol> </li> </ol> <p><b>Comment:</b> Information currently being compiled.</p>	CDVP	May 2018

*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. <b>Comment:</b> Investigation will be undertaken and report compiled.	CDVP	May 2018
12.12.17 WM	ORD - NM - 11.1 1. That a report be presented investigating the feasibility and funding options to use the silos known as Vardy's Estate on the eastern side of Menangle Road, Menangle Park for art work associated with the use of Menangle Park by the Defence Forces during the first (Beersheba) and second world wars.	CDVP	July 2018
28.11.17 BM	ORD - NM - 11.1 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.	CDVP	July 2018
13.02.18 BM	ORD - NM - 11.3 1. That a report be presented to Council investigating the implementation of an organic bin program for Campbelltown, including a briefing for Councillors. 2. That the report include the results of Bathurst Regional Council's organic bin program, with the diversion of 4000 tonnes of organic waste from landfill to commercial compost in its first year.	CDVP	May 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Growth and Economy			



## Letters Requested as at 13 March 2018

*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			
13.02.18 WM	ORD - NM - 11.1  2. That Council write to the Minister for Health, the Hon. Brad Hazzard MP, stating our objection to the introduction of paid parking for patients, visitors and staff at Campbelltown Hospital, and a copy of this letter be sent to the Member for Campbelltown Mr. Greg Warren MP.	CD	To be advised
*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			
*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Growth and Economy			

## 8.8 Investment and Revenue Report - February 2018

### 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 February 2018.

### Report

#### Investment Portfolio

Council's Investment Portfolio as at 28 February 2018 stood at approximately \$208m. 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 four years.

The official cash rate has remained steady, with no movement since August 2016 at its present level of 1.50 percent.

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 28 February 2018 totalled \$106,874,743 representing 99 percent of the current budget estimate.

The rates and charges receipts collected to the end of February totalled \$76,034,472. In percentage terms, 70.3 percent of all rates and charges due to be paid have been collected, representing a decrease in the amount collected in the same period last year of 70.5 percent.

Debt recovery action during the month involved the issue of 13 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 46 Judgments and nine 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 continue to provide assistance to ratepayers experiencing difficulty in settling their accounts. This includes the monitoring of 318 ratepayers with a total arrears balance of \$512,908 who have made suitable payment arrangements.

Ratepayers who purchased property since the February instalment notices are issued with a Notice to new owner letter. During the month, 17 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 28 February 2018 are \$2,725,546 reflecting an increase of \$1,384,814 since January 2018. During the month, 1398 invoices were raised totalling \$2,538,550. 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 \$350,612 as at 28 February 2018. A significant portion of this debt is made up of outstanding road restoration works totalling \$80,098. The debtor is maintaining their payments in an agreed arrangement for road widening works completed at Eagleview Road Minto. Based on this arrangement the debt will be finalised by September 2018. Also included in the aged debts are field hire charges for \$42,367, most of which has been paid in early March 2018. It should be noted the public hall hire fees of \$46,164 have been raised in advance of the booking and in accordance with Council policy do not need to be finalised until two weeks prior to the function date.

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, eight 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 proceed with an Examination Notice on one debtor for unpaid licence inspection fees; efforts are continuing to recover the debt. No further legal action was taken for the month.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

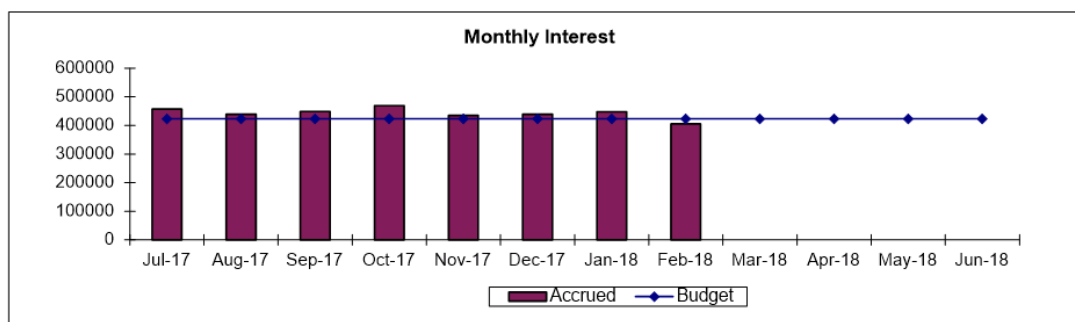
## **Attachments**

1. Investment Report - February 2018 (contained within this report)
2. Rates Summary and Statistics February 2018 (contained within this report)
3. Sundry Debtor Summary and Ageing February 2018 (contained within this report)

**CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO****February 2018**

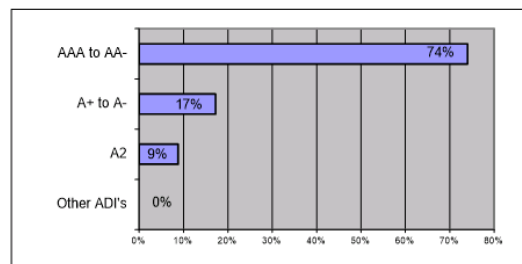
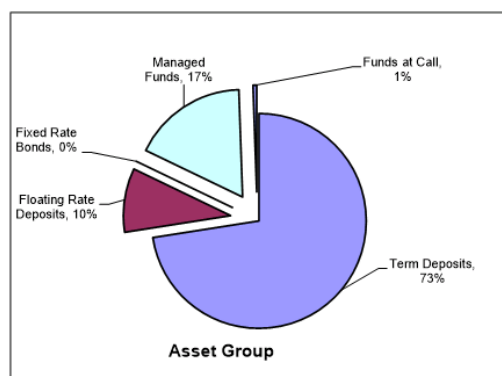
Benchmark AusBond Bank Bill Index  
 Portfolio Balance 208,145,070.59

Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.12%	1.61%
Portfolio - Direct Investments	0.21%	2.70%
<i>Performance to Benchmark</i>	<i>+</i> 0.08%	<i>+</i> 1.09%
Short Term Call Accounts	0.13%	1.75%
Managed Funds	0.15%	1.92%

**Year to Date Performance****Credit Exposure (S&P Long Term Rating)**

*Rolling 12 Month Period*  
 2.72% Council Managed Funds  
 1.73% Benchmark

*Interest Budget to Actual*  
 Avg Original Budget to Period \$3,383,333  
 Actual Accrued to Period \$3,543,833

**Portfolio Diversity**

			%
Funds at Call	\$ 1,166,919.61	AA-	1%
NSW Treasury	\$ 39,783,739.33	AA+	19%
National Australia Bank	\$ 38,247,619.15	AA-	18%
Westpac Bank	\$ 41,151,694.94	AA-	20%
Commonwealth Bank	\$ 25,104,393.09	AA-	12%
Bank Western Australia	\$ 8,528,467.17	AA-	4%
AMP Bank	\$ 5,000,000.00	A	2%
Suncorp Metway	\$ 21,852,779.24	A+	10%
ING Bank	\$ 9,040,389.04	A-	4%
Members Equity Bank	\$ 5,000,000.00	A2	2%
Rural Bank	\$ 4,026,369.86	A2	2%
Bank of Queensland	\$ 5,067,290.22	A2	2%
Credit Union Aust	\$ 4,175,408.94	A2	2%
	<b>\$ 208,145,070.59</b>		<b>100%</b>

## 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	60,439,752.03	1,419,150.23	531,567.45	61,654,407.98	42,335,553.61	19,318,854.37	289,082.84	19,607,937.21
BUSINESS	315,185.85	18,429,179.93		55,576.91	18,799,942.69	13,834,610.36	4,965,332.33		4,965,332.33
FARMLAND	0.00	497,368.08	691.32	220.11	496,896.87	393,795.66	103,101.21	157,826.92	260,928.13
MINING	0.00	26,080.56		0.00	26,080.56	26,080.56	0.00		0.00
SR - LOAN	0.00	54.54		276.70	331.24	2,933.11	-2,601.87	8,655.88	0.00
SR - INFRASTRUCTURE	262,966.59	5,999,509.71		5,788.01	6,268,264.31	4,294,436.74	1,973,827.57	35,462.19	2,015,343.77
TOTAL	\$2,680,391.17	\$85,391,944.85	\$1,419,841.55	\$593,429.18	\$87,245,923.65	\$60,887,410.04	\$26,358,513.61	\$491,027.83	\$26,849,541.44
GARBAGE	625,322.26	20,740,006.89	870,067.97	24,755.45	20,520,016.63	14,172,065.55	6,347,951.08		6,347,951.08
STORMWATER	50,503.34	1,356,470.93		307.28	1,407,281.55	974,996.59	432,284.96		432,284.96
GRAND TOTAL	\$3,356,216.77	\$107,488,422.67	\$2,289,909.52	\$618,491.91	\$109,173,221.83	\$76,034,472.18	\$33,138,749.65	\$491,027.83	\$33,629,777.48

Total from Rates Financial Transaction Summary	32,946,384.59
Overpayments	-683,392.89
Difference	0.00

### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	415,002.03
Rate accounts greater than 12 months less than 18 months in arrears	132,180.95
Rate accounts greater than 18 months in arrears	47,787.85
TOTAL rates and charges under instruction with Council's agents	\$594,970.83

# RATES STATISTICS

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Feb-17
Rate Notices	49,616	324		236			595						
Electronic - DoH	5,266												
Instalment Notices				45,424			40,255						
Electronic - DoH				5,276			5,168						
Missed Instalment Notices			8,283				6,957						
- Pensioners > \$15.00			733				675						
Notice to new owner	122	83	36	27	30	49	51	17					22
7-day Letters - Council issued			1,793			1,944							
- Pensioners > \$500.00			160			246							
7-day Letters - Agent issued			485				601						
Statement of Claim	119	19	14	197	17	10	225	13					14
Judgments	9	68	13	16	65	9	10	46					44
Writs	10	48	11	5	8	11	8	9					6
Electronic - eRates & BPAYView	3,241	3,454	3,578	3,631	3,736	3,777	3,833	3,944					2,838
Arrangements	303	263	398	431	393	455	402	318					313

**DEBTORS SUMMARY 1 February 2018 to 28 February 2018**

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/01/2018	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 28/02/2018	% DEBT RATIO
Corporate Administration	187,532	42,145	115,314	114,364	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	80,603	258	22,027	58,833	5.46%
Government and other Grants	278,710	495,000	519,000	254,710	12.87%
Public Hall Hire	154,622	68,029	61,411	161,239	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	102,119	291,453	145,203	248,369	5.63%
Healthy Lifestyles	22,085	51,005	35,112	37,977	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	21,657	14,601	12,186	24,072	1.85%
Pool Hire	34,100	16,371	10,184	40,286	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	153,573	38,923	76,781	115,715	28.17%
Shop and Office Rentals	38,549	43,935	52,940	29,543	2.17%
Various Sundry Items	273,737	1,458,401	93,952	1,638,186	6.42%
Waste Collection Services	9,294	18,430	9,624	18,100	6.17%
	<b>1,340,732</b>	<b>2,538,550</b>	<b>1,153,736</b>	<b>2,725,546</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 28 February 2018**

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	39,249	3,701	2,193	69,220	114,364	71,621
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	3,350	13,116	0	42,367	58,833	9,859
Government and other Grants	0	254,710	0	0	254,710	24,000
Public Hall Hire	70,208	32,349	12,518	46,164	161,239	49,063
Health Services	0	0	0	350	350	350
Land and Building Rentals	247,869	500	0	0	248,369	733
Healthy Lifestyles	21,777	5,062	3,356	7,783	37,977	8,247
Licence Fees	9,141	889	1,459	12,583	24,072	13,952
Pool Hire	16,674	474	10,542	12,597	40,286	1,276
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	35,616	0	0	80,098	115,715	139,331
Shop and Office Rentals	20,535	4,440	2,242	2,326	29,543	0
Various Sundry Items	1,455,321	88,110	20,122	74,634	1,638,186	73,653
Waste Collection Services	18,100	0	0	0	18,100	0
	<b>1,919,151</b>	<b>403,351</b>	<b>52,432</b>	<b>350,612</b>	<b>2,725,546</b>	<b>394,575</b>



## 8.9 Proposed Naming of Parks and Reserves in the Willowdale Residential Development

### Reporting Officer

Executive Manager Corporate Support Systems  
City Governance

### 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

1. That Council endorse Dingu Park, Durelle Park, Ngungi Nguru Park and Yirran Burraay Park as the names of the four parks in the Willowdale residential development.
2. That Council publicly exhibit this naming proposal for a period of 28 days for public comment.
3. That, should no objections to this naming proposal be received during the public exhibition period, Council submit an application to the Geographical Names Board of NSW to have these names assigned as the geographical names for these parks.
4. That Council endorse Nangamai Ngura Park, Baya Ngura Park, and Bulga Park as names for use in the future naming of parks and reserves.

### Purpose

To seek Council's endorsement to publicly exhibit the proposed names for parks and reserves within the Willowdale residential development in Denham Court.

### History

The Willowdale estate is part of the East Leppington Precinct of the South West Growth Centre and is located in the suburb of Denham Court. A number of areas of open space are proposed to be created as part of this residential development.

Council at its Planning and Environment Committee meeting held 19 July 2016, Item 2.2 - Proposed Naming of a Park in the Willowdale Residential Development, endorsed for public exhibition the name Willowdale Park for the first park created in this development. Willowdale Park was subsequently assigned as a geographical name by the Geographical Names Board of NSW (GNB) on 17 March 2017.

Council has now received a request from the developer (Stockland Development Pty Ltd) to name four other parks in the Willowdale estate.

## Report

The East Leppington Precinct Indigenous and Non-indigenous Heritage Assessment was prepared as part of the early stages of the planning of the Willowdale estate. Discussions with locally registered Aboriginal stakeholders during the preparation of this heritage assessment indicated that the hills local to this development, which provide views to Sydney Harbour and the Blue Mountains, may have been used for men's business and potentially activities that did not necessitate stone resources. These uses could have included ceremonial activities, communication with other nearby groups and male initiation. The heritage assessment also identifies the site of this development as being scientifically important with regards to its Aboriginal heritage significance. A number of Aboriginal objects were uncovered during test excavations carried out as part of this assessment and many of the locations of these finds have been incorporated into the areas of open space within this development as part of the overall Aboriginal heritage management plan.

It is therefore considered appropriate to use the local Aboriginal heritage as a source for the names of these four parks. In addition, Council's Parks, Reserves, Assets and Facilities Names Policy identifies Aboriginal names from the local dialect as a preferred source of park and reserve names within the Campbelltown Local Government Area. The following names are therefore proposed for use in the naming of the four parks in the Willowdale estate:

- Dingu Park – the local Aboriginal word for dingo
- Durelle Park - named after Durelle, a traditional Tharawal man, who had affiliations to the Leppington and Glenfield areas and was identified among the dead after the Appin Massacre in 1816
- Ngungi Nguru Park – meaning - our place to sit
- Yirran Burraay Park – meaning - many children.

A location plan showing the proposed allocation of these names to parks within the Willowdale estate is included as an attachment to this report.

Extensive consultation about these proposed names was conducted with relevant Aboriginal groups and elders, including the Tharawal Local Aboriginal Land Council, by both Council's Strategic Aboriginal Development Officer and Stockland. During this consultation process, the following were also suggested as possible names for parks and reserves:

- Nangamai Ngura – meaning - dreaming place
- Baya Ngura – meaning - speaking place
- Bulga – the local Aboriginal word for hill.

## Conclusion

Having assessed the four proposed park names against Council's policy on Parks, Reserves, Assets and Facilities Names and also the current guidelines for the determination of placenames issued by the Geographical Names Board of NSW, it is recommended that Council endorse them as proposed names for parks within the Willowdale residential development.

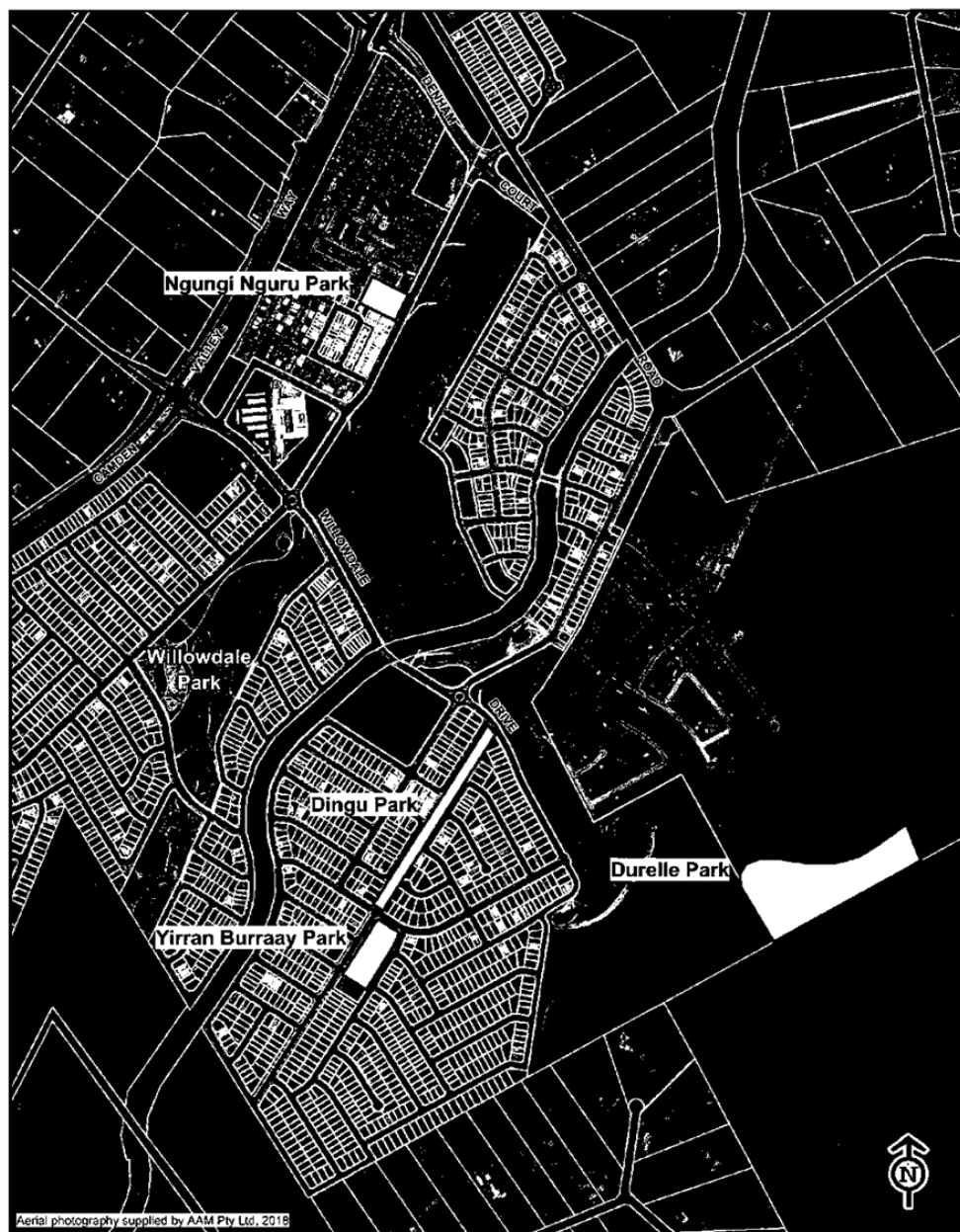
Should Council endorse these four proposed park names, it is also recommended that they be publicly exhibited by Council for 28 days to allow for community feedback. Should no objections be received during this period, it is recommended that Council complete the next step in the formal naming process by forwarding an application to the Geographical Names Board of NSW to have these four park names assigned as the geographical names. Should any objections be received during the exhibition period, a further report will be presented to the next available Council meeting.

It is also recommended that Council endorse Nangamai Ngura Park, Baya Ngura Park and Bulga Park as names for use in the future naming of parks and reserves as these names have been reviewed and approved by the Tharawal Local Aboriginal Land Council.

### **Attachments**

1. Location Plan indicating Proposed Naming of Parks and Reserves in the Willowdale Residential Development (contained within this report)

# Location plan



## **8.10 Proposed Road Name - Laneway in the Western Sydney University Campbelltown Residential Project - Stage 1**

### **Reporting Officer**

Executive Manager Corporate Support Systems  
City Governance

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
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**

1. That Council approve Antares Lane as the name for a new laneway within Stage 1 of the Western Sydney University Campbelltown Residential Project.
2. That Council advertise its proposal to use this road name in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use this road name be received during the exhibition period, Council publish notice of this new road name in the NSW Government Gazette.

### **Purpose**

To seek Council's approval of a new road name for a laneway within Stage 1 of the Western Sydney University (WSU) Campbelltown Residential Project area.

### **History**

Council at its meeting held 8 April 2014, Planning and Environment Committee Item 2.3 - Proposed Road Names - UWS Campbelltown Residential Project Stage 1, approved a list of 12 road names for use in Stage 1 of the previously named University of Western Sydney (UWS) Campbelltown Residential Project, drawn from an astronomy theme.

In February 2015, Council approved the construction of 31 two-storey terrace dwellings within Stage 1 of the WSU Campbelltown Residential Project area, on Lots 1212, 1213, 1408 and 1409 Goldsmith Avenue, Campbelltown. Council has now received a request for an approved road name for the laneway that will be created as part of this residential development.

## **Report**

It has been Council's protocol for some time to select specific themes in an effort to harmonise road names within suburbs and development areas. Stage 1 of the WSU Campbelltown Residential Project is located adjacent to the university's observatory and the names for the roads in this stage were therefore selected from the theme of astronomy.

It is considered appropriate to continue this theme and the proposed road name for the new laneway is Antares Lane. Antares is on average the fifteenth-brightest star in the night sky, and the brightest star in the constellation of Scorpius.

The proposed road name has been selected to ensure compliance with the requirements of the NSW Addressing Policy and the NSW Addressing User Manual.

### **The road naming process**

Division 2 of Part 2 of the Roads Regulation 2008 outlines the procedure that Council must follow when naming public roads under its control. In accordance with these procedures, it is recommended that, subject to Council approval, the proposed road name is advertised in local newspapers to allow for public comment and that Australia Post, the Registrar General, the Surveyor General and the various emergency services are also notified of Council's intention to use this proposed road name within this development.

Should no objections be received in the period of one month following advertisement and notification of this proposal, it is also recommended that Council then completes the road naming process by publishing a notice of this new road name in the NSW Government Gazette. Should any objections be received during the exhibition period, a further report on this matter will be presented to the next available Council meeting.

## **Attachments**

Nil

## 8.11 T17/30 Brick Repointing Tender

### Reporting Officer

Executive Manager Infrastructure and 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 decline to accept the offer of Murphys Construction Group Pty Ltd for the Civic Centre brick repointing works.
2. That the unsuccessful Tenderer be notified of the result of the tender process.
3. That the two organisations that purchased the tender document be refunded the purchase price of the Request for Tender document.

### Purpose

To advise Council of the tender received for the Civic Centre brick repointing works and recommend that Council declines to accept the tender submitted by Murphys Construction Group Pty Ltd.

### History

It was identified there was a requirement for a contract for a suitably experienced contractor to inspect all joints in the east facing wall to Council's Civic Centre and repair where required.

### Report

#### Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the Local Government (General) Regulation 2005 and Council's Procurement Policy and Procedures.

**Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 23 and 30 October 2017. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

**Tender document**

Organisations were requested to submit the following information with their tender response:

- company details
- references
- company experience, particularly as they relate to these services
- details of any subcontractors and their experience, particularly as they relate to the services
- details of their project methodology
- pricing
- insurances
- environmental practices
- work health and safety management systems
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract, if proposed.

**Tenders received**

Tenders closed on Tuesday 14 November 2017. One on-time response was received from Murphys Construction Group Pty Ltd.

**Tender not recommended**

The evaluation panel considered it appropriate that Council decline to accept the tender in accordance with Clause 178(3)(a) Local Government (General) Regulation 2005, as Council has reviewed the building and operation of the structure and it is deemed economically inefficient to proceed with the brick repointing works. Council are considering options such as cladding and greenwall features to mitigate the urban heat island effect.

**Attachments**

Nil



**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION**

Nil

**12. URGENT GENERAL BUSINESS**

Nil

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Demolition of Council Premises**

#### **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: -

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.