



**CAMPBELLTOWN  
CITY COUNCIL**

# **ORDINARY BUSINESS PAPER**

**10 MARCH 2020**

## COMMON ABBREVIATIONS

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



03 March 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 10 March 2020 at 6.30pm.

Lindy Deitz  
General Manager

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## Agenda Summary

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## **1. ACKNOWLEDGEMENT OF LAND**

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

## **2. APOLOGIES**

Nil at time of print.

### **2.1 Request for Leave of Absence - Councillor Lake**

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

That Councillor Paul Lake be granted a leave of absence from the Council meeting on Tuesday 10 March 2020.

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Councillor Paul Lake has requested a leave of absence.

Councillor Lake will be absent from Council for a period incorporating the Council meeting on Tuesday 10 March 2020.

Under Section 234 of the *Local Government Act 1993* and clause 235A of the Local Government Regulations 2005, leave of absence can be granted to a Councillor with Council approval.

#### **Attachments**

Nil

### **3. CONFIRMATION OF MINUTES**

#### **3.1 Minutes of the Ordinary Meeting of Council held 11 February 2020**

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

That the Minutes of the Ordinary Meeting of Council held 11 February 2020, 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 11 February 2020 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 11 February 2020 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 11 February 2020.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 11 February 2020**

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

## **1.     ACKNOWLEDGEMENT OF LAND**

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

### **Council Prayer**

The Council Prayer was presented by the General Manager.

## **2.     APOLOGIES**

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

That the apology from Councillor P Lake be received and accepted.

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

**001**   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 10 December 2019**

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

That the Minutes of the Ordinary Council Meeting held 10 December 2019, copies of which have been circulated to each Councillor, be taken as read and confirmed with an amendment to Presentations by Councillors, point 7.

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**002** 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**

Councillor Greiss – Item 8.3 – Result of Pre-Gateway Review – 71 St Andrews Road, Varroville. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Lound – Item 8.3 – Result of Pre-Gateway Review – 71 St Andrews Road, Varroville. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Hunt – Item 14.1 – Proposed Sale of Council Property. Councillor Hunt is a director on the Board that has significant interests in relation to the subject property and that she will leave chamber.

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

Nil

##### **Other Disclosures**

Nil

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

#### **6. PETITIONS**

#### **7. CORRESPONDENCE**

##### **7.1 Local Government Election Costs**

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

That the letters be received and noted.

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

1. That the letters be received and noted.
2. That Council requests a report that outlines the costs and benefits of universal postal voting.

The Amendment became the motion.

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

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## **7.2 Greater Macarthur Koala Partnership Forum**

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

That the letter be received and the information be noted.

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

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## **7.3 The Hon Shelly Hancock MP**

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

That the letter be received and the information be noted.

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

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## **8. REPORTS FROM OFFICERS**

### **8.1 Development Application Status**

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

That the information be noted.

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

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## 8.2 Establishment of a new Alcohol Free Zone - Raby (Zone 2)

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

1. That Council establish an Alcohol Free Zone to be known as Raby (Zone 2) over the streets, footpaths and car park areas detailed in attachment 1 to the report.
2. That subject to recommendation No.1, the Raby (Zone 2) Alcohol Free Zone be:
  - a) placed on Council's website giving notice of Council's decision
  - b) sign-posted in accordance with Council's standard Alcohol Free Zones sign template including a contact phone number of the Police Local Area Command; and
  - c) reviewed prior to the expiration of the North Area Alcohol Free Zones re-establishment period, being 24 December 2023.

Voting against the resolution was Councillor B Moroney.

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

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**Meeting note:** Having declared an interest in Item 8.3 Councillor Lound and Councillor Greiss left the Chamber at 6:49pm and did not take part in the discussion or vote on the matter.

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## 8.3 Result of Pre-Gateway Review - 71 St Andrews Road, Varroville

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

1. That Council note the decision of the Sydney Western City Planning Panel to support the submission of a draft Planning Proposal for 71 St Andrews Road, Varroville for a Gateway determination.
2. That Council notify the Department of Planning, Industry and Environment that it declines the offer of undertaking the role of local Planning Proposal Authority in this instance.

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An **Amendment** was **Moved** Councillor Oates, **Seconded** Councillor Moroney:

1. That Council note the decision of the Sydney Western City Planning Panel to support the submission of a draft Planning Proposal for 71 St Andrews Road, Varroville for a Gateway determination.
  2. That Council notify the Department of Planning, Industry and Environment that it declines
-

the offer of undertaking the role of local Planning Proposal Authority in this instance.

3. That Council reaffirms by writing to the department its original resolution to not support the draft planning proposal submission to Gateway determination.

The Amendment was **CARRIED**

The Amendment became the **MOTION**.

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

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

Voting against the Resolution were Nil.

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**Meeting note:** At the conclusion of the discussion regarding Item 8.3 Councillor Lound and Councillor Greiss returned to the Chamber at 6:55pm.

#### **8.4 Pop Culture Evaluation Report**

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

That the information be noted.

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

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#### **8.5 Local Government Bushfire Recovery Support Program**

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

That the information be noted.

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

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## 8.6 Investments and Revenue Report - November/December 2019

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

That the information be noted.

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

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## 8.7 National General Assembly of Local Government Motions

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

That Council endorse the attendance of the Mayor and General Manager or delegate/s and any interested Councillors to the 2020 National General Assembly of Local Government in Canberra between 14 -17 June 2020.

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

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## 8.8 Revised Investment Policy

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

1. That the revised Investment Policy attached to this report be adopted.
2. That the Investment Policy review date be set at 30 June 2021.

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

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## 8.9 Minutes of the Audit Risk and Improvement Committee Report

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

That the minutes of the Audit Risk and Improvement Committee held 26 November 2019 be noted.

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

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### **8.10 Quarterly Business Review Statement as at 31 December 2019**

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

That the adjustments recommended in the Quarterly Business Review be adopted.

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

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### **8.11 Reports and Letters Requested**

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

That the information be noted.

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

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## **9. QUESTIONS WITH NOTICE**

Nil

## **10. RESCISSION MOTION**

Nil

## **11. NOTICE OF MOTION**

Nil

## **12. URGENT GENERAL BUSINESS**

### 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 16 January with Councillor Hunt attended Campbelltown Arts Centre for the opening of two significant projects co-presented with Sydney Festival. The exhibition on display was The Island by Vernon Ah Kee which looked at different aspects of being an Aboriginal person living in society. The other project was the premiere of a new accessible performance by internationally acclaimed artist Justene Williams titled She Conjured the Clouds with Councillor Oates noting what a vibrant, colourful and remarkable performance. Councillor Oates encouraged all the community to attend and was pleased that Campbelltown Arts Centre was a destination for the Sydney Festival again.
2. Councillor Meg Oates on 24 January with The Mayor, Councillor Breticevic and Councillor Chowdhury attended Ingleburn Village to support the Silver Coin Project. The Silver Coin Project has been operating for four years in Campbelltown and provides financial support for students providing uniforms, lunches, school stationary and excursion fees. This year a special collection took place at Ingleburn with the community helping to raise funds and provide for local students who were impacted by bush fires with stationary going to Bargo Public, Buxton Public, Yandeera Public, Oakedale Public, Colo Vale Public, Tahmoor Public and Hill Top Public. Councillor Oates noted the strong community spirit and phenomenal effort by all the volunteers.
3. Councillor Masood Chowdhury on 29 January celebrated the Festival of Puja which a time when Hindu Bengali communities celebrate during February with a cultural program with food and activities for Children that was highly attended by local residents.
4. Councillor Masood Chowdhury on 1 February with Councillors Lound, Hunt, Gilholme and Morrison attended Light Up the Lane at Erica Lane, Minto. The event was attended by a large number of locals with a great variety of cultures attending to celebrate Minto. Councillor Chowdhury thanked Uniting Minto and Council's City Lifestyle team for providing this opportunity for the residents of Minto.
5. Councillor Karen Hunt on 8 February attended the official opening of the Little Athletics NSW Regional Championships to be held over three days - One of eight regions holding the same championships. Over 1200 athletes in groups spanning under eight years to under 17 years representing clubs covering a large area from Campbelltown, Ingleburn, Ambarvale, Bankstown, Camden, Girraween, Douglas Park, Cabra Vale/Fairfield, Liverpool, Prestons, Warradale, Everley Park (Chester Hill), Eschol Park, Holroyd, Greystanes, Western Blues from Austral and Smithfield to gain a place at the next level and be a NSW State representative.

The competition proceeded in ghastly weather conditions. The first two places of each event from the eight regions qualify automatically to progress to State representation. Little Athletics NSW then selects the next best eight from across all regional championships to reach a total of 24 athletes in each event at State Championships.

Councillor Hunt congratulated each and every athlete on reaching this highly competitive level of athletics and thank their parents for the never-ending support to help them reach their goals. Councillor Hunt thanked the numerous club volunteers and officials who continue to ensure these events continue. Councillor Hunt thanked the Director and stadium staff who always ensure the field is in excellent order to hold these events.



6. Councillor Darcy Lound on 7 February attended Campbelltown Stadium to watch the Australian female soccer team, the Matildas play to qualify for Olympics. Councillor Lound thanked the staff for their efforts in arranging these games on such short notice and commented on the excellent condition of the ground how wonderful it was to have the Matildas and world class teams play at our stadium. Councillor Lound noted the great form the Matildas were in placing in top of their division for Olympic qualification.
7. Councillor Darcy Lound on 5 February attended the Ingleburn Lions Club Annual Dinner which was attended by the District Governor, Gordon Matthews and his wife Lyn. Councillor Lound thanked the Lions Club for their work with many BBQ to raise funds for the local community supporting St Vincent de Paul, Youth Solutions, Campbell House and Odyssey House.
8. Councillor Rey Manoto on 14 January with Councillor Chowdhury, the General Manager and the Director of City Governance attended Campbelltown Police Station for the 19<sup>th</sup> year memorial service for Senior Constable James Affleck. Senior Constable James Affleck was tragically killed in the line of duty and gave the ultimate sacrifice. Councillor Manoto passed on his appreciation to Senior Constable John Crawford for arranging a memorial to pay tribute each year.
9. Councillor Ben Gilholme on 31 December attended the New Year's Eve celebrations at Koshigaya Park. This year had no fireworks in light of the recent bush fires and Councillor Gilholme supported and congratulated Council on this decision. Bella and Christian from C91.3 were present and kept the crowd's energy levels up. Councillor Gilholme thanked all involved.
10. Councillor Warren Morrison on 11 December attended the Gift of Time Awards at the Civic Centre. Councillor Morrison noted his appreciation for all award recipients for their hard work and support they provide to the community.
11. Councillor Warren Morrison on 18 January with Councillors Chowdhury, Hunt and Manoto attended the Tennis Macarthur Open Day at Wests Tennis Club. Councillor Morrison noted what a great opportunity this was to showcase the tennis facilities at Leumeah. Councillor Morrison passed on his thanks to everyone at Tennis Macarthur for organising the open day and the coaching and opportunities they provide for the area.
12. Councillor Warren Morrison passed on his appreciation for the Silver Coin Project and the financial support they provide in providing resources to students at primary schools in the local area.
13. Councillor Warren Morrison on 26 January attended the Australia Day Awards at the Greg Percival Community Centre, Ingleburn. Councillor Morrison congratulated all recipients and welcomed all the new citizens.
14. Councillor Warren Morrison on 1 February attended Light Up the Lane at Erica Lane, Minto. Councillor Morrison thanked the community group, Uniting Minto for all their help with Council to organise this community event.
15. Councillor Bob Thompson thanked the City Delivery team for their efforts in keeping our LGA looking great, in particular the parks. Councillor Thompson thanked the City Development team for responding to all his queries from residents in a timely manner.

16. The Mayor, Councillor Brticevic on 11 December attended the Gift of Time Awards. Councillor Brticevic noted the large number of awards presented and thanked all receivers for their community spirit and volunteering their time.
17. The Mayor, Councillor Brticevic welcomed all Councillors, Council Executive and staff, the media and the regular attendees in the public gallery back to Chambers for the 2020 Council year.
18. The Mayor, Councillor Brticevic on 25 January attended Our Lady of Mount Carmel, Varroville to celebrate mass and the view relics of St Therese, St Martin and St Zelig. Councillor Brticevic thanked Bishop Brian Mascord, Father Shane and the Carmelite Community.
19. The Mayor, Councillor Brticevic on 26 January attended the Australia Day Awards. The 2020 Citizen of the year was Emma Macfarlane. Councillor Brticevic congratulated all the Australia Day Award Winners and congratulated all the new citizens noting the vast range of cultures and what a wonderful multicultural community Campbelltown LGA represents. Councillor Brticevic passed on his thanks to the Council event staff for their help at these events.
20. The Mayor, Councillor Brticevic on 2 February attended the postponed Volunteer Bush Care Christmas party at Simmos Beach. Councillor Brticevic commented on how enjoyable it was to see the bush care volunteers in the different areas and appreciated their efforts with continuous tree planting, weeding and removing rubbish.
21. The Mayor, Councillor Brticevic on 7 February attended Campbelltown Stadium to watch the Matildas. Councillor Brticevic shared that their win has put them in a good position for the qualifying match for the Olympics. Councillor Brticevic shared that one of the Matildas players, Alanna Kennedy is a Campbelltown local and passed on her excitement to play in front of family and friends at Campbelltown. Councillor Brticevic passed on his appreciation to all the Matildas players for taking the time after matches to take pictures and sign autographs with local kids.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of item 14.1 which is considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

#### **Item 14.1 Proposed Sale of Council Property**

Item 14.1 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.
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**The Ordinary Meeting of Council was adjourned at 7.35pm and reconvened as a meeting of the Confidential Committee at 7.36pm.**

## **Recommendations of the Confidential Committee**

**Meeting note:** Having declared an interest in Item 14.1 Councillor Hunt left the Chamber at 7:37pm and did not take part in the discussion or vote on the matter.

### **14.1 Proposed Sale of Council Property**

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

That Council deals with the subject property on the terms and conditions outlined in this report.

Voting against the resolution was Councillor G Greiss and Councillor T Rowell.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 14.1 Councillor Hunt returned to the Chamber at 7:41pm.

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7.42pm and the Mayor read the resolution for Item 14.1 to the open meeting.**

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

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

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

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There being no further business the meeting closed at 7.43pm.

Confirmed by Council on

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

### **3.2 Minutes of the Extraordinary Meeting of Council held 18 February 2020**

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

That the Minutes of the Extraordinary Meeting of Council held 18 February 2020, 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 18 February 2020 are presented to Council for confirmation.

#### **Attachments**

1. Minutes of the Extraordinary Meeting of Council held 18 February 2020 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Extraordinary Council Meeting held at 6.30pm on Tuesday, 18 February 2020.

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**Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 18 February 2020**

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

**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 Hunt, **Seconded** Councillor Chowdhury:

That an apology from Councillor D Lound, Councillor B Moroney and Councillor B Thompson be received and accepted.

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

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

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### 3. DECLARATIONS OF INTEREST

#### Pecuniary Interests

Nil

#### Non Pecuniary – Significant Interests

Nil

#### Non Pecuniary – Less than Significant Interests

Nil

#### Other Disclosures

Nil

### 4. REPORTS FROM OFFICERS

#### 4.1 Revised Draft Local Strategic Planning Statement – Final Health Check Outcomes and Assurance Process

---

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

1. That Council note the information regarding the successful outcome of the Local Strategic Planning Statement (LSPS) Final Health Check held on 28 January 2020, and that the feedback of the Greater Sydney Commission (GSC) and various NSW State Government agencies has been incorporated into the Final Draft Campbelltown LSPS.
2. That Council endorse the Final Draft Campbelltown LSPS and its forwarding to the GSC for the purposes of seeking Assurance so that the LSPS can be made.
3. That Council delegate to the General Manager:
  - a. The ability to make minor amendments to the Final Draft LSPS (if needed), to address any changes required as part of the final Assurance process, that do not change the intent of the LSPS, and
  - b. The authority to make the Campbelltown LSPS once Assurance has been granted.

The Motion on being Put was CARRIED

A Division was recorded in regard to the Resolution for Item 4.1 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison, G Greiss and T Rowell.

Voting against the Resolution were Nil.

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



**5. URGENT GENERAL BUSINESS**

There being no further business the meeting closed at 6.46pm.

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**

### **5.1 Community Service Award's - Wayne Benson, Pauline James and Tanya Whitehouse**

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#### **Recommendation**

That Wayne Benson, Pauline James and Tanya Whitehouse be presented with Community Service Award's in recognition of their contributions to the Campbelltown community.

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Campbelltown is a city with a big heart, known for its generous spirit and for its people who regularly go above and beyond to help those less fortunate. Tonight I would like to recognise three stalwarts of our community who have demonstrated this sense of goodwill and kindness in both their personal and professional lives.

After nearly 33 years of service to the NSW Police, Wayne Benson APM completed his last shift after a distinguished career on 31 December 2019.

Mr Benson was appointed as the Commander of the City of Campbelltown in 2012 and in 2017 he was appointed as the Commander of Campbelltown PAC.

From his first days at the Command Mr Benson's vision was not only to reduce crime - which he achieved during his time - but to strengthen the bond that the community had with the Police. He aimed to give them a stronger voice and build opportunities within a number of groups to encourage community leaders to take an active role in growing a safe and harmonious community. This included PACC meetings with Aboriginal elders, development of the Pacific Islander Forum and involvement with various non-government agencies, schools and community groups.

Mr Benson was often a mentor to many of Campbelltown's youth and has demonstrated a selfless and generous commitment to the City of Campbelltown.

Mr Benson is the recipient of numerous awards including the Commissioners Unit Citation, for outstanding bravery and dedication to duty and he was awarded the Australian Police Medal on Australia Day 2018.

Pauline James has long been an advocate for our city's veterans and has been a passionate campaigner to improve outcomes for veterans across NSW. Through volunteering her time, fundraising or in her role as the state coordinator of the RSL Auxiliaries, Mrs James selflessly gives her time to help veterans and their families.

Mrs James is a passionate member of the Ingleburn Sub-branch and the Ingleburn Women's Auxiliary and she was instrumental in the creation of the Lest We Forget Quilt project which raised more than \$64,000 for DefenceCare.

Mrs James was also recognised this year with an OAM for her service to veterans and their families and to the community.

Tanya Whitehouse is the coordinator of Macarthur Women's Domestic Violence Court Advocacy Service, a role she has held for more than 25 years. She has worked tirelessly to help victims of domestic and family violence across the Macarthur region.

In addition to her work with the Court Advocacy Service, Ms Whitehouse is the convenor of the Camden/Wollondilly Domestic Violence Committee, a member of the Campbelltown Domestic Violence Committee and was appointed to the NSW Domestic and Family Violence and Sexual Assault Council.

Ms Whitehouse is passionate about empowering women, giving them a voice and supporting them to feel safe. She was recognised this year with an OAM for her service to the community through social welfare initiatives.

### **Attachments**

Nil

**6. PETITIONS**

## **7. CORRESPONDENCE**

### **7.1 Development Applications**

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

That the letters be received and the information be noted.

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Letter from Anoulack Chanthivong MP in response to Council's correspondence seeking support to bring decision making powers back to Council.

#### **Attachments**

1. Copy of letter from Anoulack Chanthivong MP regarding return of powers to Council (contained within this report)
2. Copy of letter to Anoulack Chanthivong MP regarding return of powers to Council (contained within this report)



13FEB'20 07:23 RCUD

# Anoulack Chanthivong MP

MEMBER FOR MACQUARIE FIELDS

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

11 February 2020

Dear Lindy,

I refer to your letter dated 6 February 2020 regarding current planning regulations that remove Councillors from the decision-making process for development applications.

As a result of your representations I have written to both the Minister for Planning and Public Spaces and the Minister for Local Government for their advice on the matters you have raised.

I am pleased Council has taken a stance on this matter, an issue that has deeply concerned me for quite some time.

As you are aware, I have continuously and consistently advocated for residents' concerns and wishes to be at the heart of our planning system – whether it be during the determination of a particular development application or in the drafting of wider regulations.

It is imperative that both the Liberal Government and Campbelltown City Council enact planning and development policies that reflect the views of our community.

Given the structure of the Liberal Government's current planning system, I would encourage all Councillors wanting to advocate on behalf of their constituents in relation to particular development applications to write submissions to the Local Planning Panel. Staying silent would be inconsistent with the values expressed in Council's correspondence on this issue.

When I am in receipt of the Minister's advice I will write to you again.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

**Anoulack Chanthivong MP**  
Member for Macquarie Fields

**Office:** Shop 3, 2-6 Oxford Road Ingleburn NSW 2565 **Mail:** PO Box 882 Ingleburn NSW 1890  
**Phone:** 02 9618 2077 **Fax:** 02 9618 2088 **Email:** macquariefields@parliament.nsw.gov.au  
**Website:** www.letsbackanoulack.com



6 February 2020

Mr Anoulack Chanthivong MP  
Member for Macquarie Fields  
Shop 3 Ground Floor  
2-6 Oxford Street  
INGLEBURN NSW 2565

Dear Mr Chanthivong

#### **Return of Powers to Elected Council - Development Applications**

I refer to the NSW Government's decision to remove the powers of determination for development applications from elected Councillors, who are the representatives of their local communities. In place of the elected Council, the government requires all development applications which meet a certain criteria, to be determined instead by an independent Local Planning Panel (the Panel).

It has become a continual point of frustration for both the community and the elected Council where decisions on certain types of development made by the Panel, are not necessarily made in the manner expected by the Council or its constituents. While the decisions made by the Panel may well be legally sound, the decisions are not necessarily in keeping with the expectations of the local community.

Additionally, community access to Panel members is dissimilar, to the point of non-existent, when compared to the access afforded by Councillors to their constituents when the elected Council had the power of determination. The community subsequently feels removed from the planning process, with elected Councillors being disenfranchised and suffering reputational damage through perceived lack of action on development issues it cannot involve itself in, resulting from policy it did not devise or agree to.

This point alone has raised questions as to whether the current planning law acts appropriately and whether in fact, the current planning framework (by removing the authority of the elected Council) is acting to protect the local environment and community or instead (by replacing the elected Council with an independent Panel) the interests of the developer.

Although it is aware of the genesis of the government's decision to remove the determination powers of the elected Council, this action has brought with it undesirable outcomes including further delays to the planning process, the introduction of further red tape and additional and unnecessary costs to the developer and rate payer, and a disconnect between the community and what is supposed to be a transparent and community focused planning system.

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131 450



For example, the particular criteria that requires development applications to be forwarded to the Panel for determination has in some circumstances, resulted in unnecessary delays for the applicant with the determination process timeframes delayed by up to six weeks due to having to meet the next available Panel meeting agenda deadline. There are many examples where such a development could have easily been determined under delegated authority without being subject to unnecessary delays characteristic of the Local Planning Panel system.

A further example of how the Local Planning Panel framework is having a significantly adverse impact on the operations of a Council is that the regulated fees and charges that a Council is able to apply to a particular development application, do not necessarily cover the additional cost associated with the holding and resourcing of a Panel meeting. Any additional fees above that which the Council can lawfully recoup from the applicant is ultimately borne by the rate payer.

Following on from this, all Councils would have experienced the additional resource burden of the operation and management of the Panel where (but due to the Panel criteria) it was totally unnecessary for the application to be referred to the Panel. This results in unnecessary delays in the determination of applications; additional expenses related to catering for the unnecessary Panel meeting; and the engagement and payment of wages to the Panel members for attendance at an unnecessary Panel meeting. This doesn't account for the additional time and resource load and productivity loss experienced by the proponent in having to attend the unnecessary Panel meeting.

In every circumstance, the Council is adequately resourced to determine development applications under delegated authority or otherwise under the authority of the elected Council reflecting the desires and expectations of its community.

The current system is not considered a suitable response or experience as it relates to the management of development applications, and it is expected that it is not one that the government would support in its efforts in making the planning system less bureaucratic, less cumbersome, less costly and more community focused.

With respect to this issue, I can advise that Council recently considered a Notice of Motion in relation to this matter, and resolved, in part:

- To express the Council's and the communities' frustration with the NSW Government's decision to remove the powers of determination for development applications away from elected councillors who represent their community.
- That the NSW Government return to the elected Council, the power to determine development applications, immediately.
- That the NSW Government remove the monetary threshold for development applications to be referred to Local Planning Panels.
- That the NSW Government place the power with the Council to determine as to what circumstances a development application might be referred to the Local Planning Panel.

While the Council can see value in there being an independent planning panel available to the Council where particular circumstances prevail (such as for the determination of development applications lodged by the Council, or by Councillors or those who hold positions of particular statutory authority within the Council, for example), it is the Council's strongest opinion that the authority to determine development applications in its local area lies squarely with the elected Council and as such, the authority to determine development applications should be returned to the elected Council immediately.

Having regard to the above, and on behalf of the Council, I look forward to your support and representations to the Minister for Planning and Public Spaces - The Hon. Rob Stokes MP and the Minister for Local Government - The Hon. Shelley Hancock MP, and look forward to your response to the same.

Council has written to both the Minister for Planning and Public Spaces and the Minister for Local Government separately and is also seeking the support of yourself, the Member for Campbelltown and Shadow Minister for Local Government – Mr Greg Warren MP, and the Shadow Minister for Planning and Better Places - The Hon. Adam Searle MLC.

Should you require any additional information, please feel free to contact myself on 4645 4305 or Mr Jim Baldwin on 4645 4575.

Yours sincerely,

*SIGNATURE HAS BEEN REMOVED*

Lindy Deitz  
**General Manager**

## **7.2 Local Government Election Costs**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

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Letter from Greg Warren MP in response to Council's correspondence regarding the Local Government election costs.

### **Attachments**

1. Copy of the letter from Greg Warren MP regarding Local Government election costs (contained within this report)
2. Copy of the letter to Greg Warren MP regarding Local Government election costs (contained within this report)



06FEB'20 07:28 RCUD

## Greg Warren MP

SHADOW MINISTER FOR LOCAL GOVERNMENT  
SHADOW MINISTER FOR VETERANS  
SHADOW MINISTER FOR WESTERN SYDNEY  
MEMBER FOR CAMPBELLTOWN

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

Dear Ms Deitz,

Thank you for your correspondence dated 6<sup>th</sup> November 2019 in relation to the IPART review of election costs and Council's subsequent position.

I concur with Council's concerns and have been making any and every appropriate representations for all 128 councils across our State. I have also personally expressed these concerns with the Minister and will be putting them in writing to ensure the Minister has full clarity in relation to the widespread concerns amongst all our councils and the financial implications for them.

Thank you again for contacting me regarding this important issue.

Yours sincerely,

Greg Warren MP

30 JAN 2020

**OFFICE:** Shop 3, 72 Queen St, Campbelltown 2560  
**PHONE:** (02) 4625 3344 **EMAIL:** [Campbelltown@parliament.nsw.gov.au](mailto:Campbelltown@parliament.nsw.gov.au)



6<sup>th</sup> November 2019

Mr Greg Warren  
Member for Campbelltown  
PO BOX 895  
CAMPBELLTOWN NSW 2560

Dear Mr Warren,

I am writing in response to a recent resolution of Council in relation to Local Government elections.

Council notes the recent response by the State Government to the recommendations made by the Independent Pricing and Regulatory Tribunal following the review of Local Government Election Costs. Whilst Council welcomes the Government's announcement to contribute funding of \$19.9 million to the core costs component of the 2020 election, Council strongly opposes the shift of a greater burden of core election costs onto councils for local government elections beyond 2020.

The Council supports the Government's commitment to investigate other election cost saving measures to minimise the financial burden on Councils of elections.

As the Government would be aware, voter turnout at Local Government elections has been steadily declining over recent elections. Further, data reported by the NSW Electoral Commission shows that whilst declining voter participation is an issue across all Australian jurisdictions, the experience appears to be more pronounced at a local government level with voter turnout in excess of ten percent lower than that of State and Federal Government elections.

At the 2016 election the NSW Electoral Commission reports a voter turnout rate of 84 percent with 376,189 non-voter notices issued. The voter turnout rate in the Campbelltown Local Government Area was even lower at 80 percent.

Voter participation is a measure of citizen engagement and fundamental to the legitimacy of electoral outcomes. In order to address the declining voter turnout at Local Government elections, Campbelltown City Council calls upon the NSW Government to allocate additional funding to Councils to implement community engagement strategies to maximise voter turnout at the Local Government election in 2020 from revenue raised by Revenue NSW through failure-to-vote penalties from prior elections.

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Please note, in accordance with the resolution of the Council, I have also written to the following local Federal and State members of parliament seeking their support of the issues identified:

Ms Anne Stanley MP  
Member for Werriwa

Mr Anoulack Chanthivong  
Member for Macquarie Fields

Yours Sincerely

*SIGNATURE HAS BEEN REMOVED*

Lindy Deitz  
General Manager

## 8. REPORTS FROM OFFICERS

### 8.1 Development Application Status

#### Reporting Officer

Director City Development  
City Development

#### Community Strategic Plan

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

---

#### Officer's Recommendation

That the information be noted.

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#### Purpose

To advise Council of the status of development applications within the City Development Division.

#### Report

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the (IHAP), now known as the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1m, the attachment to this report provides this information as requested.

#### Attachments

1. List showing status of Development Applications (contained within this report)

## Development Application Register

DAs to be considered by the Regional Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Under assessment	
4435/2018/DA-SL	Lot 1 Pembroke Road, Minto	Construction of a seniors living development comprising 315 independent living units, 100 bed residential aged care facility and 32 villas, associated car parking, site works and landscaping in stages	\$157,872,000	>\$30 million capital investment value	Land and Environment Court Approved	Approved 5 December 2019
130/2019/DA-SL	247 Jamboree Avenue, Denham Court	Construction of a 144 bed residential aged care facility with onsite parking for 48 cars, loading facility and associated site and landscaping works	\$39,051,242	>\$30 million capital investment value	Report prepared for March meeting	
308/2019/DA-C	22-32 Queen Street, Campbelltown	Concept plan for a proposed multi-storey mixed use residential and commercial development	\$132,572,272	>\$30 million capital investment value	Under assessment	
1227/2019/DA-M	12-16 Francis Street and 121 Minto Road, Minto	Demolition of four existing dwellings and construction of 23 'affordable rental housing' townhouses and basement car parking	\$7,995,408	>\$5 million capital investment value for affordable rental housing	Preparing to re-exhibit amended plans	
2117/2019/DA-DE	Lot 104 Hepher Road, Campbelltown	Construction and operation of a waste management facility in the form of a community recycling centre	\$480,000	Designated development	Under assessment	



## Development Application Register

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	
SSD-9476	Commissioners Drive, Denham Court	Construction and operation of a new public primary school	Unavailable	State Significant Development	Under assessment	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Preparing for public exhibition	

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2238/2017/DA-RA	37 Cumberland Road, Ingleburn	Demolition of an existing dwelling and construction of a five storey residential apartment building containing 30 units, basement car parking	\$8,712,418	Residential Flat Building - more than 3 storeys	Deferred for amendments at December 2019 Panel meeting	
3598/2017/DA-SL	1 Reddall Street, Campbelltown	Demolition of existing dwelling and construction of a three storey senior living building consisting of 14 independent living units	\$2,400,000	Residential Flat Building – more than 3 storeys	Report prepared to Panel meeting March 2020	

## Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
3885/2017/DA-SW	Lot 3 Menangle Rd, Menangle Park	Stage 1 – Menangle Park Urban Release Area – civil works and subdivision of land to create 255 residential lots and seven super lots	\$19,330,000	VPA	Under assessment	
368/2016/DA-U	150 Georges River Road, Kentlyn	Extension of existing poultry sheds	\$10,000	Number of objections	Awaiting further information from applicant	
743/2018/DA-SW	901 & 913 Appin Road, Campbelltown	Subdivision into 333 residential allotments, 5 residue allotments with associated civil works including road construction, stormwater management facilities and tree removal Stage 1	\$19,072,587	Number of objections	Under assessment	
3493/2017/DA-RS	Lot 1 Linum and Lot 143 Lantana Streets, Macquarie Fields	Construction of 12 two storey dwellings and subdivision into 12 Torrens title allotments	\$3,200,000	Council land	Awaiting further information from applicant	
975/2019/DA-S	10 Dowie Drive, Claymore	Subdivision and change of use of a residential building	No cost	Council staff	Assessing	
774/2018/DA-C	111 Oxford Road, Ingleburn	Partial demolition of existing heritage-listed dwelling and alterations to the existing dwelling for use as a childcare centre for 150 children and associated car parking	\$1,250,000	Heritage	Amended proposal notified, under assessment	

### Development Application Register

<b>DAs with a stated value of \$1 million or more approved under Delegated Authority by the General Manager since last Council meeting</b>						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1215/2014/DA-BH/A	17 Iolanthe Street, Campbelltown	Modification of an existing development consent for the construction of a four storey, 19 self-contained room boarding house	\$3,420,000	Delegated	Completed	Approved with conditions on 20 January 2020
2547/2019/DA-C	Frank Whiddon Masonic Homes 81 Belmont Road, Glenfield	Construction of alterations and additions to an existing building within the aged care facility	\$2,705,800	Delegated	Completed	Approved with conditions on 14 February 2020
2657/2018/DA-C	14-16 Albert Street, Ingleburn	Demolition of existing dwelling and construction of a two storey centre-based child care facility accommodating 80 children with basement parking and consolidation of lot 4 and 5	3,522,293	Delegated	Completed	Approved with conditions on 19 February 2020
4621/2018/DA-RS	19 Kent Street, Minto	Demolition of existing structures, construction of five attached dwellings and subdivision into five Torrens title allotments	1,815,000	Delegated	Completed	Approved with conditions on 11 February 2020

## 8.2 Menangle Park - Draft Planning Proposal

### Reporting Officer

Executive Manager Urban Release and Engagement  
 City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Menangle Park Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure and monetary contributions relating to the Menangle Park Urban Release Area which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to 'make' the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

### Executive Summary

- Dahua Group Australian Pty Ltd (Dahua) has submitted a Planning Proposal Request (PPR) that seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in respect of land within the Menangle Park Urban Release Area (MPURA). The PPR does not apply to land within the existing village that is under separate fragmented ownership.

- The PPR is based upon the proponent's revised vision for the MPURA and seeks to expand and rationalise the current urban zonings, realign some existing zones, introduce the R4 High Density Residential zone, relocate the B2 Local Centre zone, introduce a B1 Neighbourhood Centre zone and zone two critically endangered ecological communities for conservation.

The PPR is supported by a revised draft masterplan that proposed:

- a. Approximately 4,000 dwellings (an increase of 1,000 dwellings in the site) in a range of densities, lot sizes and dwelling types across the Dahua holdings to increase gross dwelling density from approximately 12 to 18 dwellings per hectare.
- b. The relocation of the town centre to provide a super neighbourhood shopping centre within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway, adjacent to Howes Creek and associated open space.
- c. The introduction of a new neighbourhood centre (adjacent to the proposed new school and open space).
- d. A revised road and street network to provide improve permeability throughout the site including a new north-south green active transport link.
- e. A total of 34.81 hectares of active and passive open space, including a new 5 ha site for new sporting fields.
- f. A total of 43.96 hectares of land for environmental conservation.
- g. Opportunity to enhance and relocate the community facility within the town centre to support the proposed increase to the population.
- h. A two-hectare primary school site adjacent to the neighbourhood centre and associated open space.

It is considered that the PPR has strategic merit and would allow a more diverse and sustainable urban release outcome, with an enhanced range of dwelling opportunities, supporting commercial and community facilities, greater conservation of sensitive ecological areas, increased open space and appropriate road and stormwater management infrastructure supported by a local voluntary planning agreement.

## **Purpose**

The purpose of the report is to present a Planning Proposal (PP) (attachment 1) derived from a Proponent initiated Planning Proposal Request (PPR) (attachment 2) relating to a significant portion of the Menangle Park Urban Release Area and to recommend that Council seek a Gateway Determination in accordance with the provision of the EP&A Act with amendments as outlined in this report.

**Property Description** The Planning Proposal Request applies to the lands:

Lot 1 DP 534114  
Lot 1 DP 554242  
Lot 3 DP 236059  
Lot 1 DP 727098  
Lot 7 DP 787284  
Lot 1 DP 249393  
Lot 1 DP 707225  
Lot 31, 32 and 33 DP 1101983  
Lot 1 DP 708770  
Lot 124 DP 1097090  
Lot 125 DP 1097138  
Lot 641 DP 600334  
Lot 1001 DP 1219028  
Lot 32 DP 1101983  
Lot 1 DP 598067  
Lot 1000 DP 1219023  
Lot 1001 DP 1219023  
Lot 32 DP 1105615  
Lot 1 DP 1091474  
Lot 2 DP 554242  
Lot 59 DP 10718  
Lot D DP 19853  
Lot 9 DP 249530  
Lot 12, 15 and 17 DP 251335  
Lot 4 DP 628052  
Lot 1 DP 349475  
Lot A DP 380033  
Lot 642 DP 600334  
Lot 1002 DP 1234642  
Lot 2006 DP 1234643  
Lot 2007 DP 1234643  
Lot 2008 DP 1234643  
Lot 2009 DP 1234643  
Lot 2010 DP 1234643  
Lot 2011 DP 1234643  
Lot 2012 DP 1234643  
Lot 2013 DP 1234643  
Lot 1 DP 737485  
Lot 1 DP 1232321

**Application Number** 4106/2018/E-PP

**Applicant** Dahua Group Sydney

**Land Owner** Dahua Group Sydney 3 Pty Ltd  
Dahua Group Sydney 2 Pty Ltd  
Landcom  
SydneyWater Corporation  
John Robert Brownlee & Marion Brownlee  
Troy Barrie Martin & Jason James Young  
Field Developments Pty Ltd

Rogan Property Group Pty Ltd  
 Shirley Lorraine Cocker & Helen Margaret Martin  
 Epsilon Distribution Ministerial Holding Corporation

### Provisions

- Campbelltown Local Environmental Plan 2015
- Section 9.1 Ministerial Directions
- Greater Sydney Region Plan
- Western City District Plan
- Greater Macarthur: An Interim Plan for the Greater Macarthur Growth Area.
- Campbelltown Community Strategic Plan
- Campbelltown Draft Local Strategic Planning Statement
- State Environmental Planning Policies
  
- Campbelltown (Sustainable City) Development Control Plan 2015

### Date Received

19 November 2018

### History

The Menangle Park Urban Release Area (MPURA) was rezoned in November 2017 after a decade long strategic planning phase. The relevant LEP amendment and site specific Development Control Plan amendment provided comprehensive planning controls for development of approximately 3400 dwellings, support infrastructure and conservation outcomes.

Since rezoning, the Proponent and other land owners within the precinct have commenced the process of seeking development consent to enable commencement of works as per the applicable planning framework. The subject applications and their current status is summarised in Table 1 below:

<b>Development Application</b>	<b>Details</b>	<b>Status</b>
3885/2017/DA-SW	Stage 1 – Subdivision of 255 residential lots and 7 super lots including works	Under Assessment
292/2018-SW	Stage 2A – Subdivision of 67 residential lots and one residue lot.	Under Assessment
681/2018/DA –SW	Stage 2B – Subdivision of 87 residential lots and three residue lots.	Under Assessment
2023/2018/DA-CW	Temporary Sales Office - construction of a temporary sales office on land to the south of the intersection of Cummins and Menangle Road, Menangle Park	Approved/Constructed
2393/2018/DA-CW	Landscaping works and associated civil works – design and construction of	Under Assessment

	two parks (Hill Top Park on the northern side of Menangle Road; and Linear Park along the northern side of Menangle Road and western side of the Hume Highway).	
2807/2018/DA-CW	Cummins and Menangle Road Intersection - design and construction of a new four leg roundabout at the intersection of Cummins and Menangle Road	Approved
3199/2017/DA-A	Advertising/Signage – construction of eight freestanding pylon signs	Approved
3315/2018/DA-DW	Vegetation Management – development of vegetation management on site including removal, proposed offset areas and areas that will be retained.	Under Assessment
4057/2018/DA-SW	Stage 3 - Subdivision to create 355 residential lots, within 6 sub stages and works	Under Assessment
3574/2019/DA-CW	Bulk earthworks to regrade the site, vegetation removal and subdivision works	Under Assessment
3573/2019/DA-CW	Remediation of contaminated land and enabling site works	Under Assessment
3953/2019/DA-S	Creation of 5 lots from 10 existing lots	Under Assessment

In addition to the above applications, the Proponent lodged a PPR (attachment 2) in November 2018 with supporting technical studies. Councillors were briefed on the proposal by the Proponent on 16 October 2018 prior to lodgement.

The Campbelltown City Council Local Planning Panel (the Panel), at its meeting of 23 October 2019 considered the proposal and provided the following advice:

1. That the Panel advise the Council that it supports the PPR to amend the Campbelltown Local Environmental Plan 2015 as outlined in the Officer's report subject to the following key amendments:
  - a) The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living with a minimum lot size of 4000 square metres.
  - b) Areas of critically endangered Elderslie Banksia Scrub community proposed to be zoned RE1 Public Recreation should be zoned E2 Environmental Management.



- c) That the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31 Roads be zoned SP2 Infrastructure and be subject to Roads and Maritime Services being the responsible authority for acquisition and ownership.
  - d) Amend the Floor Space Ratio standard in Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.
  - e) The Panel is of the view that at 11.5 hectares, the proposed large B2 zone appears to be of excessive area to provide for the requested 30,000 square metres of gross floor area. The area of the proposed B2 zone therefore requires review commensurate with the proposed increase of gross floor area from 15,000 to 30,000 square metres.
  - f) The final B2 area be determined following a more detailed economic modelling study and land use assessment of the zoned area and its impact on existing and proposed surrounding commercial centres. This work should be undertaken prior to referral for Gateway Determination.
  - g) That Dahua commit to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure within its land holdings, including early provision of public transport.
2. That the PPR, as amended in 1 above, has strategic merit in regard to the natural environment, dwelling diversity, and consistency with relevant requirements of the Regional and District Plans.

Subject to addressing the above matters, the Panel recommends to Council that it considers it appropriate for the proposal to proceed for a Gateway Determination to enable public comment to be obtained on the proposal.

Those items above that require a response from Council are addressed in Section 2 Evaluation.

Most recently, Councillors were briefed by the Proponent on the final draft PPR on 25 February 2020.

### **The Site**

The MPURA comprises both the fragmented Menangle Park Village holdings and the larger properties principally owned and/or controlled by the Dahua Group.

The land subject to the PPR (the land) is located approximately 5.5km south west from the Campbelltown CBD. The site is generally bound by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the North. The Main Southern Railway Line dissects the MPURA in a north south direction and the planned Spring Farm Parkway is planned to be constructed along the northern edge of Howes Creek. The site comprises numerous lots of variable size and has a total area of 507 hectares (76 percent of the MPURA) and excludes land known as the Village as illustrated in figure 1 within attachment 1.

The land has an overall relief of approximately 60m from the highest part of the site to the Nepean River, the lowest part. There are two gas wells in the open space/riparian area adjacent to Howes Creek, in the eastern portion of the site. AGL has confirmed that these gas wells are anticipated to cease production in 2022 and following this will be scheduled for rehabilitation.

The land does not contain any items of State or local heritage significance and is not located within a heritage conservation area. The Glenlee House Estate is a State Heritage Listed Item and is located to the immediate north-west of the site.

## Report

The proposal is comprised of three parts being the PPR, Development Control Plan Amendment and commitment to infrastructure delivery via a proposed Voluntary Planning Agreement as summarised below.

The Planning Proposal Request (PPR) as originally lodged with Council seeks to comprehensively amend Campbelltown Local Environmental Plan 2015 (the CLEP 2015) to:

- Amend the land use zones and principle development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development. Further detail is provided in Section 1.9 below.
- Relocate and expand the local centre from around 15,000sqm of Gross Floor Area (GFA) to permit 30,000sqm of GFA of commercial uses within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway.
- Introduce a new neighbourhood centre (adjacent to the proposed new school and open space) to permit 3500sqm of GFA for commercial uses.
- Relocate and provide for a two-hectare primary school site adjacent to the proposed neighbourhood centre and associated open space.
- Adjust the provision of public open space consisting of sporting fields and local parks from 31.37 hectares to 43.77 hectares.

The Development Control Plan Amendment proposes to:

- Deliver a more diverse range of housing types and densities in proximity to the proposed local centre, neighbourhood centre and local open spaces to facilitate approximately 4000 dwellings (an increase of 1000 dwellings in the site).
- Amend the road and street network and introduce a new major north south green spine/active transport link.
- Relocate and increase the provision of passive and active open space comprising sporting fields, local parks, pocket parks and a riparian corridor network.
- Introduce the provision of conservation lands arising from detailed site investigations to support the making of development applications.

- Introduce a precinct based approach to guiding dwelling mix and density based on existing and future place characteristics.
- Update built form controls for residential development to ensure controls are suitable for development of a range of lot sizes and dwelling types.
- Update street design, road hierarchy and cycle way links to provide a logical and connected street network.
- To provide landscape controls that seek to address tree canopy and heat island effect measures.

The approach to infrastructure delivery seeks to:

- Progress a local Voluntary Planning Agreement for Dahua lands based on a revised Section 7.11 Contribution Plan.
- Apply to all works in kind and land dedications included in the new Section 7.11 Contribution Plan that are situated on the Dahua Land.
- Demonstrate there will be no additional financial risks or costs to Council for the balance lands of the MPURA above and beyond what is in the current Section 7.11 Contributions Plan.
- Deliver works generally to coincide with the adjacent stage of development or based on yield triggers for phases of works.

The VPA would be negotiated and prepared to coincide with a review of the current Menangle Park Development Contributions Plan which is required as a result of the current proposal.

The PPR is supported by the following specialist technical studies.

<b>Specialist Technical Studies</b>	<b>Author</b>	<b>Date</b>
Preliminary Site Investigations with Limited Intrusive sampling, Menangle Park North	Douglas Partners Pty Ltd.	April, 2017
Detailed Site Investigations for Contamination with Limited Sampling Menangle Park South	Douglas Partners Pty Ltd.	April, 2017
Menangle Park Master plan – Preliminary European Heritage Assessment	Extent Heritage Pty Ltd.	November, 2018
Menangle Park – Proposed Masterplan Assessment of Impact on Aboriginal Cultural Heritage	Kelleher Nightingale Consulting Pty Ltd.	November, 2018
Menangle Park Urban Design Report	Roberts Day	November, 2018
Menangle Park Open Space and Landscape Strategy Report	Place Design Group	November, 2018
Masterplan Water Cycle Management Menangle Park Urban Design	SMEC	November, 2018
Masterplan – Master Plan Biodiversity Assessment	Cumberland Ecology	November, 2018
Menangle Park Planning Proposal Bushfire Management Strategy	Eco Logical Australia	May, 2018

Menangle Park Planning Proposal Traffic Impact Assessment	GTA Consultants	November, 2018 amended December, 2018
Menangle Park Social Infrastructure Study and Social Impact Assessment	Elton Consulting	May, 2018
Menangle Park Urban Release Area Acoustic Report	TTM	November, 2018
Menangle Park Masterplan Economic Impact Assessment	AEC Group Ltd	November, 2018
Menangle Park Target Market and Dwelling recommendations – Summary of Highlights	Colleen Coyne Property Research	February, 2018
Service Infrastructure Report - Menangle Park	SMEC	November, 2018
Menangle Park Market Potential Report	Location IQ	December 2018
Menangle Park Town Centre Response to Local Planning Panel	Locaton IQ	December 2019

Since submission of the PPR, elements of the supporting studies may no longer be relevant due to iterative amendments to the proposal arising from Council Officer Review.

## Discussion

This report considers the strategic context of the PPR in relation to State and local planning policies and the potential impacts of the proposal.

### 1. Strategic Context

The following State and local planning policies are relevant to the Proposal as discussed below.

#### 1.1. Greater Sydney Region Plan

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PPR against the relevant Directions and Objectives of the Greater Sydney Regional Plan is provided in table 2 of attachment 1. The PPR is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

#### 1.2. Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Menangle Park as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, the MPURA has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PPR against the relevant Directions and Priorities District of the Plan is provided in table 2 of attachment 1. The PPR is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

### **1.3. Greater Macarthur Growth Area**

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including Menangle Park.

Greater Macarthur 2040 identifies that Menangle Park will be:

- rezoned and release land for urban development
- deliver around 4,000 new homes
- create a new town centre providing local retail and commercial services

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including:

- sub-regional shopping centre at Wilton providing around 52,600sqm Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600sqm GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000sqm GLA overall

The Menangle Park centre is proposed to be located in close proximity to the Menangle Park Railway Station.

The PPR is supported by an Economic Impact Assessment that indicates that up to 33,500sqm of Gross Floor Area (GFA) could be supported, comprising:

- a new local centre (Town Centre) comprising 30,000sqm of retail and employment
- a new neighbourhood centre comprising 3500sqm of employment

However, the figures within the Economic Impact Statement are based on the Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan, which precedes Greater Macarthur 2040. This Plan identifies Menangle Park as having a local centre with approximately 20,000 to 30,000sqm of GFA.

The PPR proposes to relocate the Town Centre closer to the Spring Farm Parkway connection to ensure that a full-line supermarket and associated retailers are provided the best opportunity to achieve a high sustainability level and to be open at the earliest possible time. The retention of a neighbourhood primary centre within the southern portion of the release area, and integrated with the future primary school and open space would provide retail choice for future residents.

The Campbelltown Local Planning Panel identified a need to further review the footprint of the relocated Town Centre of 11.5 hectares in providing for 30,000sqm of GFA. Additionally, the Panel advised that the final amount of land zoned B2 Local Centre, be established after detailed modelling of commercial impacts upon nearby existing and proposed commercial centres and land use assessment of the zoned area. This matter is addressed in Section 2.1 of this report.

#### **1.4. Consideration of State Regional Environmental Plans**

State Regional Environmental Plan 20 – Hawkesbury Nepean River applies to the Menangle Park Urban Release Area. The aim of the SREP 20 is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The PPR is generally consistent with SREP 20 as it aims to protect the environment of the Hawkesbury-Nepean River with appropriate development controls in place for development impacted by the probable maximum flood.

#### **1.5. Consideration of State Environmental Planning Policies**

The PPR is consistent with relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and statement of consistency is provided in table 5 of attachment 1. This includes the recently made Greater Macarthur Growth Area amendment to State Environmental Policy (Sydney Region Growth Centres) 2008 which was notified on the NSW Legislation Website on 6 December 2019.

#### **1.6. Consideration of Section 9.1 Ministerial Directions**

The PPR is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions forms table 6 in attachment 1.

#### **1.7. Campbelltown Community Strategic Plan 2017-2027**

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

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PPR is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

<b>CSP Outcome</b>	<b>Statement of Consistency</b>
<b>Outcome 1</b>	
A vibrant, liveable city.	<ul style="list-style-type: none"> <li>• The community will be afforded the opportunity to review the Planning Proposal and engage at key stages in the decision-making process.</li> <li>• The proposal seeks to revise the masterplan to improve place making, public domain and open space outcomes.</li> <li>• Provides for the interpretation of historical uses and ownership of the site.</li> <li>• Provides for greater housing choice and diversity.</li> </ul>
<b>Outcome 2</b>	
A respected and protected natural environment	<ul style="list-style-type: none"> <li>• The proposal seeks to preserve additional areas of critically endangered ecological communities that were incorrectly identified during the previous plan making process.</li> <li>• Is consistent with Council's Natural Assets Corridor Map.</li> </ul>
<b>Outcome 3</b>	
A thriving, attractive city	<ul style="list-style-type: none"> <li>• Delivery of infrastructure is supported by Council's Menangle Park Development Contributions Plan and the Proponents offer to enter into a Voluntary Planning Agreement.</li> </ul>
<b>Outcome 4</b>	
A successful city	<ul style="list-style-type: none"> <li>• The proposal seeks to implement a more permeable road network and transport system that will serve a greater walking catchment within the site.</li> <li>• The proposal seeks to implement an iconic 'Green Spine' to provide a connected pedestrian link through the site with opportunity to form part of a regional connection to the Western Sydney Parklands.</li> </ul>

### 1.8. Draft Local Strategic Planning Statement 2019

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting on 18 February 2020. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- outline the characteristics that make our city special
- identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is generally consistent with the draft LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

### 1.9. Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework, proposed amendments and planning response is discussed below:

CLEP 2015 Current	Proposed Amendment	Comment
<b>Land Use Zoning Map</b>		
<p>The zoning of land in the MPURA uses the R2 Low Density Residential, R3 Medium Density and RU5 Large Lot Residential zones to control density and residential housing form. Commercial uses are supported by a B2 Local Centre zone.</p>	<p>The PPR seeks to introduce or amend the spatial location of land use zones to:</p> <ul style="list-style-type: none"> <li>• Relocate and enlarge the B2 Local Centre adjacent to Howes Creek and the future Spring Farm Parkway.</li> <li>• Introduce a B1 Neighbourhood Centre to provide for convenience retailing and local place making adjacent to a proposed primary school.</li> <li>• Increase the area zoned R3 Medium Density Residential along the Green Spine and around the relocated B2 Local Centre and proposed B1 Neighbourhood Centre zones.</li> <li>• Introduce the R4 High Density Residential zone along the southern side of the Howes Creek and as part of the Town Centre precinct.</li> <li>• Replace the RU2 Rural Landscape zone with E4 Environmental Living zone.</li> <li>• Increase the provision of RE1 Public Recreation land to support additional passive and active recreation.</li> </ul>	<p>The updated land use strategy is based on providing a greater address to Howes Creek and the future Spring Farm Parkway which will become the main arterial road that supports the precinct.</p> <p>Concern is raised the footprint of the proposed Town Centre exceeds the supportable commercial floor space and should be reduced. This would best be achieved by specifying suitable areas of land for retail, business and support uses and returning the balance to a residential use.</p> <p>The expansion of R3 Medium Density Residential and introduction of the R4 High Density Residential Zone is supported on the basis that housing diversity will be required to align with locations that either have good access to services, education or public open space. The provision of a diverse range of housing will also assist in providing appropriate density in the right locations.</p> <p>The R4 High Density Residential zone allows for residential flat buildings within walking distance to the town centre and would provide certainty to future residents regarding the</p>



CLEP 2015 Current	Proposed Amendment	Comment
		<p>agreed location for this form of housing.</p> <p>The replacement of the RU2 Rural Landscape zone with the E4 Environmental Living zone is proposed on the grounds that agricultural uses are not appropriate and that the land has certain environmental interface and scenic qualities.</p> <p>Any future application for a dwelling would require submission of a development application to Council and could be considered as complying development.</p> <p>Finally, as further discussed in Section 2.1 (biodiversity) below, areas of the critically endangered Elderslie Banksia Scrub community have been identified by the Proponent for conservation within open space.</p> <p>It is recommended these areas (known as parks K and L within the Proponents supporting material) be part zoned part E2 Environmental Protection. This would support offsetting as part of future development applications.</p>
<b>Minimum Lot Size Map</b>		
<p>The current minimum lot sizes are:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420sqm</li> <li>• R3 Zone: 300sqm</li> <li>• R5 Zone: 950sqm and 2,000sqm</li> </ul>	<p>The PPR seeks to amend the Minimum Lot Size Map as follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420sqm (No change)</li> <li>• R3 Zone: NA</li> <li>• R4 Zone: NA</li> <li>• R5 Zone: 750sqm</li> </ul>	<p>The PPR does not propose to amend the existing Minimum Lot Size Map for the R2 zone.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and R4 High Density Residential zones is to provide consistency with a proposed new subdivision clause to provide for a</p>

<b>CLEP 2015 Current</b>	<b>Proposed Amendment</b>	<b>Comment</b>
<ul style="list-style-type: none"> <li>• RU2 Zone: 3ha</li> </ul>	<ul style="list-style-type: none"> <li>• E4 Zone: 4,000sqm</li> </ul> <p>The PPR also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes “Area 1” which would apply to the R3 Medium Density Residential zone and “Area 2” which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards below.</p>	<p>diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p> <p>The proposal to reduce the minimum lot size for the E4 Environmental Living zone to 4,000sqm would ensure a reasonable transition in built form to the R2 Low Density Residential zone and provide greater opportunity for increased dwelling setbacks, particularly adjoining Menangle Park Road.</p> <p>Subdivision to a minimum of 4,000sqm lots in the E4 Environmental Living Zone (as recommended above) would support the provision of homes within a landscape setting and would require a development application to be lodged for any dwelling. The provisions of the Exempt and Complying SEPP would not apply due to the sensitive interface with the Nepean River.</p> <p>The proposed identification of specific areas for reduced lot sizes would allow dwelling diversity within the release area. This approach is supported on the grounds that the proposal would only apply to the Proponents land holdings.</p> <p>As the Proponent has control of the site, there is greater opportunity to provide a master planned estate that is supported by high quality open spaces, green streets and active commercial areas.</p>

<b>Height of Building Map</b>		
<p>The current maximum buildings heights are:</p> <ul style="list-style-type: none"> <li>• B2 Zone: 15m</li> <li>• R2 Zone: 8.5m</li> <li>• R3 Zone: 8.5m</li> <li>• R5 Zone: 8.5m</li> <li>• RU2 Zone: 8.5m</li> </ul>	<p>The PPR seeks to amend the Height of Building Map as follows:</p> <ul style="list-style-type: none"> <li>• B2 Zone: 24m (6–8 sty)</li> <li>• B1 Zone: 15m (4-5-sty)</li> <li>• R2 Zone: 9m (1-2 sty)</li> <li>• R3 Zone: 12m (2-3 sty)</li> <li>• R4 Zone: 18m (4-6 sty)</li> <li>• E4 Zone: 8.5m (1-2 sty)</li> </ul>	<p>The proposal seeks to apply a 9m height of building control for the R2 Low Density Residential Zone. This control is 0.5m higher than the standard 8.5m control applied by the Codes SEPP and is considered appropriate for development on sloping land.</p> <p>The proposed 12m height limit on R3 Medium Density Land is commonly applied in similar land release settings and ideally supports terrace style housing. Clause 4.3A of the CLEP would continue to apply and limit development to two storeys.</p> <p>Within the B2 Local Centre and R4 High Density Residential zones, opportunity to provide developments up to 6 and 8 storeys is supported on the grounds that the subject land would be within a town centre setting, have excellent access to services and lifestyle opportunities. Development of this scale would also be consistent with other centre locations along the Growth Area corridor.</p>
<b>Floor Space Ratio Map</b>		
<p>The current maximum floor space ratios are:</p> <p>R2 Zone: 0.55:1</p> <p>R3 Zone: 0.55:1</p> <p>No FSR standard applies to the B2, R5 or RU2 zones.</p>	<p>The PPR seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates to.</p>	<p>The application of an FSR control within a land release context is uncommon. The usual approach is for floor area to be addressed via building envelope and site coverage controls within a DCP.</p> <p>The Proponent is seeking to control bulk and scale using building footprint limits, minimum landscaped area, maximum site coverage, solar access controls and</p>

		<p>minimum boundary setbacks. These matters will be appropriately dealt with in the revised Menangle Park DCP.</p> <p>This outcome would provide a consistent approach with the Greenfield Housing Code for Complying Development and would improve the customer experience for land owners seeking to either lodge a Development Application with Council or to seek a Complying Development Certificate from an Accredited Certifier.</p> <p>However, development in the town centre would benefit from the application of a floor space ratio control due to the opportunity for mixed use development up to 8 storeys. It is recommended that a floor space ratio be determined as a condition of Gateway Determination prior to commencement of public exhibition.</p>
<p><b>Land Reservation Map</b></p>		
<p>The land reservation map identified land required for a public purpose such as open space roads and utilities.</p>	<p>The PPR seeks to update the land reservation map based on the updated Land Zoning Map where reserved exclusively for a public purpose, including the provision of open space and environmental conservation land.</p>	<p>The proposed amendments are generally supported on the grounds of an appropriate provision of open space.</p> <p>Funding for acquisition via the Menangle Park Development Contributions Plan will require an update and further review by the Independent Pricing and Regulatory Tribunal.</p> <p>In progressing the amendment, it is recommended that Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining</p>

		<p>the north facing ramps onto the M31 as these form batters to the road structure.</p>
<p><b>Principal Development Standards: Subdivision</b></p>		
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Semi-detached dwelling</li> <li>• Attached dwelling</li> <li>• Multi Dwelling Housing</li> <li>• Centre based child care facilities</li> <li>• Residential Flat Buildings</li> </ul> <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PPR seeks to insert additional subdivision clauses to enable development consent to be granted for subdivision of land to achieve the following:</p> <p>On R2 Low Density Residential land, to permit 150 lots no less than 375sqm subject to meeting the following criteria:</p> <ul style="list-style-type: none"> <li>• Each lot has a minimum lot size of not less than 375sqm</li> <li>• Each lot has a minimum primary road frontage of 11.5sqm</li> <li>• Each lot is not a corner allotment,</li> <li>• No more than 150 lots have a lot size of less than 420sqm within a defined area of R2 zoned land</li> <li>• No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420sqm and</li> <li>• Each lot is located not more than 200m from a bus stop or open space area.</li> </ul> <p>On R3 Medium Density Residential zoned land, to permit a variety of low rise dwelling types with the following minimum lot sizes:</p> <p>Dwelling House: 250sqm                  Semi-detached dwellings: 250sqm                  Dual Occupancy: 500sqm                  Secondary Dwellings: 450sqm</p>	<p>On 11 June 2019, Council adopted amendments to CLEP 2015 to prohibit multi dwelling housing in the R2 Low Density Housing Zone. This will provide certainty that subdivision for dwellings and dual occupancy development may only occur in the R2 zone.</p> <p>However, for development in the R3 Medium Density Residential zone, CLEP 2015 does not currently have controls that would be suitable for Menangle Park. Therefore, the inclusion of a new subdivision clause is appropriate to support medium density development in specified areas.</p> <p>This approach would position Menangle Park to provide a similar housing product to the Willowdale Precinct whilst providing certainty that this housing may only occur in the R3 zone in locations close to open space, services and public transport.</p> <p>It would also enable these forms of development to occur as either local development (CLEP 2015) or complying development (State Environmental Planning Policy (Exempt and Complying Development) 2008.</p> <p>The proposal to allow some lots below 420sqm in the R2 Low Density Zone is already applied in the Mt Gilead Urban Release Area and</p>

	<p>Attached Dwellings: 200sqm Multi Dwelling Housing: 1500sqm</p> <p>It is intended that the Menangle Park Development Control Plan guide the applicable built form and site requirements in relation to driveways, parking and access.</p>	<p>provides for a 'salt and pepper' approach to delivering lot diversity. On the grounds that only 150 smaller lots are proposed, this amendment is supported as it would support a diversity of lot widths assist to improve streetscape diversity.</p>
<b>Principal Development Standards: Floor Space Ratio</b>		
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1</p> <p>Centre-based child care facilities in a residential zone: 0.55:1</p>	<p>The applicant has not sought to amend this development standard.</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floor space controls are in addition to the Floor Space Ratio Map.</p> <p>Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the Menangle Park URA in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.</p>

In summary, the above amendments are considered to have strategic merit subject to the following changes:

- The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living, with a minimum 4000sqm Lot size provision.

- The height of building map for land within the town centre zoned B1 Neighbourhood Centre is reduced to 15 metres and R3 Medium Density Residential reduced to 12 metres.
- A floor space ratio be determined as a condition of Gateway Determination prior to commencement of public exhibition.
- Areas of critically endangered Elderslie Banskia Scrub community are to be zoned E2 Environmental Management and not RE1 Public Recreation.
- Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31.
- Amend Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.

The recommended amendments listed above are included in the Planning Proposal prepared by Council officers in attachment 1.

The current planned residential density of the MPURA is approximately 12 dwellings per hectare. This density is considered low by contemporary standards and would not support future business cases for improved public transport or contemporary expectations on local service provision.

The proposal would result in approximately 1000 additional dwellings on land under the control of Dahua, lifting the density to approximately 18 dwellings per hectare on Dahua controlled land. This density would be less than many nearby growth area precincts that have gross residential densities above 20 dwellings per hectare.

### **1.10. Campbelltown (Sustainable City) Development Control Plan 2015**

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 8 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the MPURA.

The PPR foreshadows an amendment to Part 8 of the CSCDCP (April, 2019) including the adoption of the new Structure Plan and Character Areas controls. The amendments are intended to guide the projected development yield and structured provision of diverse housing forms in respect of minimum lot size and density distribution.

Should the matter progress to Gateway Determination, staff would commence the process of reviewing and updating the DCP. Importantly, the proposed amendments would not compromise established planning for the existing Village area.

## 2. Evaluation

As the precinct is already a release area, the assessment is limited to matters relevant to likely impacts arising from the proposal as discussed below.

### 2.1. Town Centre

The PPR proposed the following key changes to the provision of commercial facilities; supported by reports by Location IQ 2018 and AEC:

- Relocation of the Menangle Park Town Centre to a location proximate to the Spring Farm Parkway so as to enhance its early and longer-term trade.
- Increase the Town Centre commercial footprint to approximately 11.5ha and increase the gross floor area (GFA) from 15,000sqm to 30,000sqm.

The Campbelltown City Council Local Planning Panel (the Panel) considered the proposed footprint of the Town Centre of 11.5ha to be excessive for the proposed 30,000sqm of gross floor area and that the area of the proposed B2 zone should be reviewed commensurate with the proposed increase of gross floor area from 15,000sqm to 30,000sqm.

Additionally, the Panel advised that the area of land to be zoned B2 Local Centre should be determined after detailed economic modelling and land use assessment having regard to impact on existing and proposed surrounding commercial centres, prior to being referred to Gateway Determination.

In response, the Proponent submitted the following additional information specific to the town centre:

- a draft Town Centre Masterplan compiled by Allen Jack and Cottier Architects (AJC)
- Location IQ Menangle Park, Potential Market Report, December 2018
- Location IQ Menangle Park, Response to LPP Report, December 2019
- ARUP – Menangle Park Town Centre Traffic Advice

Arising from the above reports, the Proponent has agreed to reduce the proposed commercial footprint from 11.5ha to 6.2ha and use the B1 Neighbourhood Centres (2.2ha) and B2 Local Centre (4ha) zones to provide greater certainty regarding the permissibility of retail versus other business related land uses. This outcome generally addresses the Panel's concern and results in a slightly smaller (-2000sqm) town centre than zoned under the existing CLEP 2015.



## **2.2. Biodiversity**

The current planning controls for Menangle Park seek to ensure appropriate biodiversity conservation outcomes in an urban release area context. Review of the PPR has confirmed the presence of significant additional patches of the critically endangered Elderslie Banksia Scrub community that require specific protection and management measures.

It is proposed that the conservation of the Elderslie Banksia Scrub community include supplementary planning and the forging of linkages to proximate remnants, together with perimeter buffering. Conservation protection measures for these land may be either be via stewardship sites, positive covenant or zoning with related Vegetation Management Plans. Any open space opportunities within close proximity of the subject conservation areas shall be clearly delineated.

The current controls in respect of terrestrial biodiversity are contained principally in Clause 7.20 of the Campbelltown Local Environmental Plan 2015 and the associated Terrestrial Biodiversity Map.

Assessment of biodiversity impacts is currently ongoing with respect to separate development applications lodged with Council. These applications as described in the history section of this report have been prepared in accordance with the Biodiversity Conservation (Savings and Transitional) Regulation 2017.

## **2.3. Bushfire**

The original rezoning demonstrated that urbanisation of the site could incorporate appropriate bushfire protection measures in accordance with the provisions of Planning for Bushfire Protection 2006 (PBP). The most recent amendments to PBP by the NSW Rural Fire Service (RFS) has resulted in changes to various requirements, in particular Asset Protection Zones (APZs) and the categorisation of bushfire hazards.

The general principles of the former bushfire management strategy remain largely intact. Minor modifications may potentially be needed to the Masterplan as a result of public agency feedback from the NSW Rural Fire Service or as future development applications are lodged and determined.

## **2.4. Contamination**

The original rezoning deemed the site suitable for urban purposes with identified Areas of Environmental Concern (AEC) considered capable of practical and economic remediation. More recent site investigations accompanying the PPR undertaken by Douglas Partners Pty Ltd (DP) concluded the potential for contamination constraints, excluding the AECs to be low. The investigation further concluded that a Sampling and Analysis Quality Plan (SAQP) should be prepared for each AEC and should also include an Unexpected Finds Protocol within future subdivision determinations.

In summary, it is considered that contamination remains a matter that does not preclude development of the site for urban purposes and that more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.

## 2.5. Mine Subsidence

The site falls within the South Campbelltown Mine Subsidence District. Mine subsidence was previously considered as part of the original rezoning of the site for urban purposes.

The Department of Planning previously advised in 2006 that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region.

The current planning proposal as it relates to Menangle Park does not change the conclusions of the previous assessment. As part of staged subdivision and early works Development Applications (DAs) within Menangle Park approval from Subsidence Advisory NSW under section 22 of the *Coal Mine Subsidence Compensation Act 2017* will be progressively required.

The previous conclusion of the suitability of the site for urban purposes remains unaltered.

## 2.6. Open Space Provision

The PPR is supported by an open strategy that provides a series of diverse open space opportunities and performs a diversity of functions including:

- Riparian land/flood plain
- Informal open space (parks and play spaces)
- Formal playing fields/Structure sport
- Ecological land

Assessment of the strategy is based on the traditional standard of 2.83ha of open space per 1000 people. Under the current plan, a total of 31.37ha of open space is provided as detailed in the Menangle Park Contributions Plan.

The PPR is based on an updated population estimate arising from an addition 1000 dwellings on land controlled by Dahua, the updated masterplan proposes to provide an extra 12.4ha of open space comprised of a new double playing field on Lot D in DP 19853 (Rural lot north of Club Menangle) and various local parks and linear links adjoining riparian areas. Further open space would be delivered within the town centre in the form of pedestrian plazas and town square treatment that could be privately managed space.

Areas excluded from the assessment as usable open space include land adjoining the north facing ramps for Stage 1 of the Spring Farm Parkway, land reserved for an entry feature at the intersection of the Spring Farm Parkway, proposed north-south spine road, the steep knoll adjoining the M31 and land recommended in this report to be zoned E2 Environmental Conservation.

## **2.7. Traffic Assessment**

The support traffic modelling indicates satisfactory levels of performance both midblock and at critical intersections, during both morning and afternoon peak periods. It is noted however, that traffic and accessibility of the masterplan level requires review, inclusive of proposed bus route planning. Traffic impacts beyond the site are considered to be manageable. Further analysis should however, be undertaken in the context of traffic modelling for the Greater Macarthur Growth Area and occur prior to finalisation of the amendment.

## **2.8. Water Cycle Management**

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the SPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the one percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained with riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes are to be addressed in future DA's for development of these areas. The PPR does not result in significant increases in development of land affected by the one percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the one percent AEP and stormwater pollutant load reduction targets. It is proposed to continue to address the final sizing of stormwater quality and detention facilities for each DA that progresses on the site and adopting these parameters will ensure the facilities are appropriately sized and meet the water quality targets.

## **3. Local Infrastructure Delivery**

Council approved the Menangle Park Contributions Plan, which became effective on 24 April 2018. Council commenced the process of seeking IPART assessment of the Plan in May 2018 with the view of seeking consideration to contributions exceeding the \$20,000 per lot/dwelling cap. IPART commenced assessment of the Plan in June 2018 and completed its final report on 18 December 2018.

IPART recommended an increase to the total costs within the plan from \$132.88m (in September 2016 dollars) to \$171.32m (in June 2018 dollars). This amounts to an increase of 28.9 percent (when including inflation) and a real increase of 25.7 percent (when excluding inflation).

In dollar terms, IPART's recommendations would increase uncapped contributions for a standard residential lot by about \$12,700 (or in other words), from approx. \$43,500 (in September 2016 dollars) to approx. \$56,200 (in June 2018 dollars).

The increase in costs is the result of:

- The cost of additional land for transport and stormwater management works, which were not originally included in the plan.
- Adopting updated (June 2018) land value estimates because Menangle Park land values have risen significantly above forecasted land values since the plan was prepared in 2016.
- Consistent with changing the base period for land costs, changing the base period for cost estimates of works in the plan from September 2016 to June 2018.

In response to IPART's recommendations, the Minister for Planning is yet to advise Council of any required changes.

The updated Masterplan proposed by Dahua will require amendments to the adopted Contributions Plan and further revision by IPART. In lieu of this process, Dahua has offered to enter into a Voluntary Planning Agreement (VPA) with Council for the provision of all required infrastructure within their land holdings and to make a contribution towards any relevant external infrastructure.

The specific infrastructure requirements, including functions and embellishment levels, are yet to be negotiated and would occur in conjunction with the preparation and finalisation of the draft planning policies. The infrastructure to be considered would include open space, recreation, community facilities, roads and stormwater management.

The key benefit to Council from entering into a VPA would be the timely delivery of essential community infrastructure to support development. In addition, the risk of cost escalation to Council beyond plan assumptions would be minimised and any amendment to the cap on developer contributions would not apply.

Should Council support progression of the PPR in its current form, a further report to Council would be progressed providing further detail on the VPA including a formal letter of offer.

#### **4. State Infrastructure**

The Department of Planning, Infrastructure and Environment (DPIE) has executed two State Voluntary Planning Agreements (SVPAs) for the Menangle Park Urban Release Area.

Clause 6.1 of the Campbelltown Local Environment Plan 2015 provides that the Consent Authority must not grant Development Consent for certain land subdivision in an Urban Release Area unless the Secretary has issued a Satisfactory Arrangements Certificate regarding the provision of Designated State Public Infrastructure.

The Developer (Dahua) has entered into the SVPAs with the Minister to enable a Satisfactory Arrangements certificate to be issued for future development applications, subject to compliance.

The SVPAs require the Developer to provide monetary contributions totalling \$113,125,000, being:

- Monetary Contribution 1: \$23,000,000
- Monetary Contribution 2: \$125,000
- Monetary Contribution 3: \$12,000,000
- Monetary Contribution 4: \$63,000,000
- Dedicated Land Contribution: land to be dedicated as part of the Spring Farm Parkway
- Education Land Contribution: land to be dedicated for a School
- Monetary Contribution 6: being the difference between \$90,000,000 and the sum of the previous 4 contributions

A total of \$86m of the contributions received from Monetary Contribution 1, 3 and 4 are to be directed towards the Menangle Park Spring Farm Parkway Transport Infrastructure Contributions Deed. This Deed is between the Roads and Maritime Services, Landcom, Dahua Group Sydney Project 3 Pty Ltd and Dahua Group Sydney Project 2 Pty Ltd. The purpose of the Deed is to deliver:

- 880m of upgraded Menangle Road
- 860m of Spring Farm Parkway, including bridge over the M31
- Northbound Entry Ramp to the M31
- Southbound Exit Ramp from the M31

Timing of delivery is set out within the agreements and is linked to new lot registration thresholds.

## **5. Public Benefit**

The community benefit test is an important element of determining whether a Planning Proposal has merit. Relevant matters for consideration of a Local Environmental Plan amendment include whether it accurately reflects the strategic direction and changing circumstances of an area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and whether the planning controls are too prescriptive to facilitate a sensible development. The test also considers whether there is a demonstrable public interest in considering an alternative proposal to the existing planning scheme, which may not have been considered by the Council or the community when the scheme was adopted.

In the case of this proposal, a public benefit is achieved by amending the CLEP 2015 as is reflected in the following:

- Introduce a new neighbourhood centre (adjacent to the proposed new school and open space) to permit 3500sqm of GFA for commercial uses.
- Relocate and provide for a two-hectare primary school site adjacent to the proposed neighbourhood centre and associated open space.
- Relocate and increase the provision of passive and active open space comprising sporting fields, local parks, pocket parks and a riparian corridor network.
- To provide landscape controls that seek to address tree canopy and heat island effect measures.

## **6. The Existing Village**

The PPR does not apply to the existing Menangle Park Village precinct. The Village will continue to develop under the current planning policy provisions.

However, recent development applications within the Village precinct have identified the need for an amendment to the proposed road network within the Menangle Park Development Control Plan (DCP). The need for a change in the road network has resulted from the existing allotment boundaries and the ability to develop an efficient subdivision pattern over the existing allotments to achieve the required residential dwelling yields. Therefore, it is proposed that a future amendment to the road network layout that applies to the Village would occur as part of the proposed amendments to the CSCDCP to reflect the revised masterplan within the PPR.

## **7. Formal Consultation**

A guide to preparing local environmental plans has been prepared by the Department of Planning, Industry and Environment (DPIE) to assist councils in preparing planning proposals and LEPs. Should Council resolve to proceed with the draft Planning Proposal, and Gateway Authorisation is issued by the DPIE, consultation would be undertaken in accordance with the Gateway Determination requirements.

## **8. Statutory Consideration**

The preparation of a draft Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to progress the draft Planning Proposal to Gateway Determination, the DPIE would confirm the technical studies required and relevant parts of the draft Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 3.34 of the EP&A Act allows the Minister and the Secretary to delegate functions to a Council and/or officer or employee of a Council. When submitting a draft Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must not be considered and which stages of the plan making process must be carried out again.

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director of Planning and Environment (now titled Director City Development).

On the grounds that the Planning Proposal is consistent with the types of draft LEPs routinely delegated by the DPIE, it is recommended that council seek to exercise the Authorisation in this instance.

## **9. Next Steps**

Following the advice and support of Council, the process for requesting a Gateway Determination will be undertaken. Any further report would extend to address proposed amendments to the local development guidelines contained in the Menangle Park Development Control Plan.

## **Conclusion**

This report has outlined a comprehensive suite of amendments to the Menangle Park Urban Release Area that is under the control of the Proponent. The proposed relocation of the commercial centres and increase of housing diversity is consistent with prevailing requirements of the Regional, District and draft Macarthur 2040 Plans and would be supported by a voluntary planning agreement to ensure all required infrastructure is delivered to coincide with the need of future residents with minimum financial risk to Council.

Strategic merit is demonstrated by an overall improvement in the provision of open space, delivery of the green spine and new primary school in proximity to a neighbourhood centre and local park.

Accordingly, it is recommended that the Council support progression of the draft Planning Proposal with amendments as outlined in this report and provided in the Planning Proposal at attachment 1.

## **Attachments**

1. Attachment 1 - Menangle Park Planning Proposal (contained within this report)
2. Attachment 2 - Menangle Park Planning Proposal Request (due to size - 189 pages) (distributed under separate cover)



**Planning Proposal  
Menangle Park**

**Proposed amendment of  
Campbelltown Local Environmental  
Plan 2015**



## Definitions and abbreviations

*CLEP 2015* means Campbelltown Local Environmental Plan 2015

*DCP* means Development Control Plan

*DPIE* means Department of Planning, Industry and Environment

*EP&A Act 1979* means *Environmental Planning and Assessment Act 1979*

*GSC* means Greater Sydney Commission

*Ha* means hectares

*LGA* means local government area

*LVPA* means Local Voluntary Planning Agreement

*M* means metres

*MPURA* means Menangle Park Urban Release Area

*PP* means Planning Proposal

*PPR* means Planning Proposal Request

*SEPP* means State Environmental Planning Policy

*SIC* means Special Infrastructure Contribution

*SQM* means m<sup>2</sup>

## Introduction/Background

The Menangle Park Urban Release Area (MPURA) was rezoned in November 2017 after a decade long planning phase. The relevant LEP amendment and site specific Development Control Plan amendment provided comprehensive planning controls for development of approximately 3,400 dwellings, support infrastructure and conservation outcomes.

Since rezoning, the proponent and other land owners within the precinct have commenced the process of seeking development consent to initiate commencement of subdivision, infrastructure and marketing works.

The local infrastructure delivery mechanism is underpinned by a Development Contribution Plan which is currently with the Minister of Planning for final endorsement. Additionally, a number of Local Voluntary Planning Agreements (LVPA) is being finalised with the Proponent.

The State Government also imposes a SIC in respect of 'higher order' infrastructure. In this regard, the Proponent has met their obligation via the execution of two State Voluntary Planning Agreements.

Since rezoning the Proponent has commenced the process of seeking development consent to enable the commencement of works as per the applicable planning framework.

## The Site

The MPURA comprises both the fragmented Menangle Park Village holdings and the larger properties principally owned and/or controlled by the Dahua Group.

The land comprising of the Planning Proposal (the land) is located approximately 5.5km south west from the Campbelltown CBD. The site is generally bound by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the north. The Main Southern Railway Line dissects the MPURA in a north south direction and the planned Spring Farm Parkway is planned to be constructed along the northern edge of Howes Creek.

The land includes a number of allotments of variable size and has a total area of 507 hectares (76 percent of the MPURA) which excludes land known as the 'Village' illustrated in Figure 1 location map.

The land has an overall relief of approximately 60m from the highest part of the site to the Nepean River, the lowest part. There are two gas wells in the open space/riparian area adjacent to Howes Creek, in the eastern portion of the site. AGL has confirmed that these gas wells are anticipated to cease production in 2022 and following this will be scheduled for rehabilitation. The site does not contain any items of State or local heritage significance and is not located within a heritage conservation area. The Glenlee House Estate is a State Heritage Listed Item and is located to the immediate north-west of the site.

An aerial photograph extract of the planning proposal in its immediate context is illustrated in Figure 1 below.



Menangle Park Existing Village



Menangle Park Proposal

Figure 1 Location Map

## Part 1 – Objectives or Intended Outcomes

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Development Controls in the form of zoning, principal development standards and specific clauses to facilitate an increase in dwelling yield and achieve a more diverse range of housing types with supporting land uses for the Menangle Park Urban Release Area.

The Planning Proposal aims to:

- Provide for an increase in dwelling yield and diversity in a contemporary green field environment
- Ensure appropriate supporting infrastructure is facilitated

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- Enhance the protection of sensitive ecological communities, including endangered and critically endangered species
- Provide a diverse open space network
- Detail a statutory planning framework to assist in realising the Menangle Park vision
- Minimise local hazards

**Part 2 - Explanation of provisions**

The PP seeks to amend the CLEP 2015 as follows:

- Amend the land use zones and principal development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development.
- Relocate the town centre and introduce a new neighborhood centre to adjoin a new planned primary school
- Increase the provision of open space land
- Increase the protection of critically endangered *Elderslie Banksia Scrub*
- Identify the Roads and Maritime Services as an acquisition authority for specific land

The PP is accompanied by proposed amendments to the prevailing Development Control Plan. These companion planning document will be the subject of separate review and public consultation. The existing structure plan and proposed structure plan are reproduced as attachments 6 and 7 respectively.

**Part 3 - Justification**

**Section A – Need for the Planning Proposal**

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

The Menangle Park Urban Release Area (MPURA) has been identified for urban development since 1973.

Its role as an urban release area has been reinforced in district level planning including most recently the Western Parkland City District Plan.

The MPURA was the subject of a rezoning that occurred in 2017.

A comprehensive review of the existing planning framework, which was established in 2017, was recently undertaken in response to market developments and more detailed environment and infrastructure studies associated with the initial development planning for the MPURA. This review was assembled as a Planning Proposal Request (PPR) and is supported by technical studies and reports as detailed below:

**Table 1: Background Studies and Reports**

Specialist Technical Studies	Author	Date
Preliminary Site Investigations with Limited Intrusive sampling, Menangle Park North	Douglas Partners Pty Ltd.	April, 2017

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Specialist Technical Studies	Author	Date
Detailed Site Investigations for Contamination with Limited Sampling Menangle Park South	Douglas Partners Pty Ltd.	April, 2017
Menangle Park Master plan – Preliminary European Heritage Assessment	Extent Heritage Pty Ltd.	November, 2018
Menangle Park – Proposed Masterplan Assessment of Impact on Aboriginal Cultural Heritage	Kelleher Nightingale Consulting Pty Ltd.	November, 2018
Menangle Park Urban Design Report	Roberts Day	November, 2018
Menangle Park Open Space and Landscape Strategy Report	Place Design Group	November, 2018
Masterplan Water Cycle Management Menangle Park Urban Design	SMEC	November, 2018
Masterplan – Master Plan Biodiversity Assessment	Cumberland Ecology	November, 2018
Menangle Park Planning Proposal Bushfire Management Strategy	Eco Logical Australia	May, 2018
Menangle Park Planning Proposal Traffic Impact Assessment	GTA Consultants	November, 2018 amended December, 2018
Menangle Park Social Infrastructure Study and Social Impact Assessment	Elton Consulting	May, 2018
Menangle Park Urban Release Area Acoustic Report	TTM	November, 2018
Menangle Park Masterplan Economic Impact Assessment	AEC Group Ltd	November, 2018
Menangle Park Target Market and Dwelling recommendations – Summary of Highlights	Colleen Coyne Property Research	February, 2018
Service Infrastructure Report- Menangle Park	SMEC	November, 2018
Market Potential Assessment	Location IQ	December, 2018
Economist Report	Location IQ Location IQ	December, 2018 December, 2019
Traffic Advice	ARUP	October, 2019

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

A Planning Proposal is the only relevant means of achieving the intended outcomes.

Importantly, it proposes the amendment of the principal local planning instrument applying to the Campbelltown Local Government Area, namely CLEP 2015.

**Section B – Relation to Strategic Planning Framework**

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)**

**Greater Sydney Region Plan**

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PP against the relevant Directions and Objectives of the GSRP is provided below in Table 2. The PP is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

**Table 2: Key Directions and Planning Priorities**

Key Directions and Planning Priorities				
Greater Sydney Region Plan	Western City District Plan	Consistent	Response	
<b>Infrastructure and Collaboration</b>				
<i>A City Supported by Infrastructure</i>				
<ul style="list-style-type: none"> <li>Infrastructure supports the three cities</li> <li>Infrastructure aligns with forecast growth - growth infrastructure compact</li> <li>Infrastructure adapts to meet future needs</li> <li>Infrastructure use is optimised</li> </ul>	<ul style="list-style-type: none"> <li>Planning for a city supported by infrastructure (W1)</li> </ul>	Yes	The requisite social and physical infrastructure required to support the proposal have been identified and an outline strategy for their delivery provided, including suggested framework for amending the prevailing Developer Contribution Plan (CP) and principles of a Voluntary Planning Agreement (VPA).	
<i>A Collaborative City</i>				
<ul style="list-style-type: none"> <li>Benefits of growth realised by collaboration of governments, community and business</li> </ul>	<ul style="list-style-type: none"> <li>Working through collaboration (W2)</li> </ul>	Yes	<p>The realisation of the revised vision underpinning the PP will require collaboration with various government agencies, Council, the development sector and existing and envisaged community.</p> <p>Upon issuing of a Gateway Determination, Council would undertake public consultation to seek the views of relevant agencies and interested persons.</p>	

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Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
<b>Liveability</b>				
<i>A City of Great Places</i>				
<ul style="list-style-type: none"> <li>Services and infrastructure meet communities' changing needs</li> <li>Communities are healthy, resilient and socially connected</li> <li>Greater Sydney's communities are culturally rich with diverse neighbourhoods'</li> <li>Greater Sydney celebrates the arts and supports creative industries and innovation</li> </ul>	<ul style="list-style-type: none"> <li>Providing services and social infrastructure to meet peoples changing needs (W3)</li> <li>Fostering healthy, creative, culturally rich and socially connected communities (W4)</li> </ul>	Yes	<p>The revised vision, planning controls and support infrastructure provide a template for people focused planning outcomes</p> <p>Community infrastructure, business and retail facilities, access to diverse open space and transport means future residents would be capable of living as a healthy, resilient and socially connected community.</p>	
<i>Housing in the City</i>				
<ul style="list-style-type: none"> <li>Greater housing supply</li> <li>Housing is more diverse and affordable</li> </ul>	<ul style="list-style-type: none"> <li>Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)</li> </ul>	Yes	<p>A central foundation of the proposal is increased housing diversity in a local market that is relatively already affordable in comparison with metropolitan Sydney.</p> <p>The proposed expansion of the R3 Medium Density Residential zone, introduction of an R4 High Density Residential zone (providing an additional 1000 dwellings) and lower minimum lot size provisions underpin the proposal.</p> <p>Larger lots providing aspirational housing opportunities leverage off high amenity areas rural/environmental interfaces.</p>	

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**MENANGLE PARK PLANNING PROPOSAL**

Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
<i>A City of Great Places</i>				
<ul style="list-style-type: none"> <li>Great places that bring people together</li> <li>Environmental heritage is identified, conserved and enhanced.</li> </ul>		<ul style="list-style-type: none"> <li>Creating and renewing great places and local centres, and respecting the District's heritage (W6)</li> </ul>	Yes	A character/place focus underpins the accompanying amended masterplan and proposed development controls. Additionally, enhanced access to diverse open space resources and commercial and community facilities would be available, sensitive ecologically communities conserved and broad ranging infrastructure generally provided.
<b>Productivity</b>				
<i>A Well Connected City</i>				
<ul style="list-style-type: none"> <li>A metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities</li> <li>The Eastern, GOP and Western Economic corridors are better connected and more competitive and efficient</li> <li>Freight and logistics network is competitive and efficient</li> <li>Regional connectivity is enhanced</li> </ul>		<ul style="list-style-type: none"> <li>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)</li> </ul>	Yes	A hierarchical, fine grained accessibility strategy underpins the proposal. Direct access is proposed to higher order roads, existing roads are to be upgraded, intersections enhanced and alternate movement means (pedestrian/cycle) integrated to provide a highly permeable structure, facilitating appropriate public transport service levels.
<i>Jobs and Skills for the City</i>				
<ul style="list-style-type: none"> <li>Harbour CBD is stronger and more competitive</li> <li>Greater Parramatta is</li> </ul>		<ul style="list-style-type: none"> <li>Leveraging industry opportunities from the Western Sydney Airport</li> </ul>	Yes	The proposal maintains an employment lands precinct on the north western side of the railway line. Significant employment opportunities will



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Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> <li>stronger and better connected</li> <li>Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</li> <li>Internationally competitive health, education, research and innovation precincts</li> <li>Investment and business activity in centres</li> <li>Industrial and urban services land is planned, protected and managed</li> <li>Economic sectors are targeted for success</li> </ul>		<ul style="list-style-type: none"> <li>and Badgerys Creek Aerotropolis (W8)</li> <li>Growing and strengthening the metropolitan city cluster (W9)</li> <li>Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)</li> <li>Growing investment, business opportunities and jobs in strategic centres (W11)</li> </ul>		<p>be provided in the expanded Town Centre and local Neighbourhood Centre. Additionally, significant local construction and maintenance employment opportunities will evolve.</p>

**Sustainability**

*A City in its Landscape*

<ul style="list-style-type: none"> <li>The coast and waterways are protected and healthier</li> <li>A cool and green parkland city in the South Creek corridor</li> <li>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</li> <li>Scenic and cultural landscapes are protected</li> <li>Environmental, social and economic values in rural areas are</li> </ul>	<ul style="list-style-type: none"> <li>Protecting and improving the health and enjoyment of the District's waterways (W12)</li> <li>Creating a Parkland City urban structure and identity with South Creek as a defining spatial element (W13)</li> <li>Protecting and enhancing bush land and biodiversity (W14)</li> <li>Increasing urban tree canopy cover and delivering Green Grid connections (W15)</li> </ul>	Yes	<p>The proposal seeks to conserve and embellish sensitive remnant ecological communities and riparian zones. Additionally, it provides a green grid dimension through structured and informal recreation areas and linkages, including the proposed iconic north/south active green transport link. A sustainable street tree planting regime is to be implemented via the DCP.</p>
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Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> <li>protected and enhanced</li> <li>Urban tree canopy cover is increased</li> <li>Public open space is accessible, protected and enhanced</li> <li>The Green Grid links, parks, open spaces, bushland and walking and cycling paths</li> </ul>		<ul style="list-style-type: none"> <li>Protecting and enhancing scenic and cultural landscapes (W16)</li> <li>Better managing rural areas (W17)</li> <li>Delivering high quality open space (W18)</li> </ul>		
<i>An Efficient City</i>				
<ul style="list-style-type: none"> <li>A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change</li> <li>Energy and water flows are captured, used and re-used</li> <li>More waste is re-used and recycled to support the development of a circular economy</li> </ul>		<ul style="list-style-type: none"> <li>Reducing carbon emissions and managing energy, water and waste efficiently (W19)</li> </ul>	Yes	<p>The proposal will provide a highly permeable and accessible network to support public transport and healthy lifestyles.</p> <p>Water management is addressed by appropriate stormwater management and implementation of BASIX requirements at the dwelling construction stage.</p> <p>Measures to minimise adverse potential urban heat island impacts are to be addressed in updated DCPs controls regarding tree planting and materials.</p>
<i>A Resilient City</i>				
<ul style="list-style-type: none"> <li>People and places adapt to climate change and future shocks and stresses</li> <li>Exposure to natural and urban hazards is reduced</li> <li>Heatwaves and extreme heat are managed</li> </ul>		<ul style="list-style-type: none"> <li>Adapting to the impacts of urban and natural hazards and climate change (W20)</li> </ul>	Yes	<p>Appropriate flood and bushfire hazard management strategies underpin the proposal and opportunities to proactively address potential urban heat island impacts.</p>

### **Western City District Plan - Connecting Communities**

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Menangle Park as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, the MPURA has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PP against the relevant Directions and Priorities District Plan is provided in Table 3. The PP is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

### **Greater Macarthur Growth Area**

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including Menangle Park.

Greater Macarthur 2040 identifies that Menangle Park will be:

- rezoned and release land for urban development,
- deliver around 4,000 new homes,
- create a new town centre providing local retail and commercial services.

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including in particular:

- Sub-regional shopping centre at Wilton providing around 52,600m<sup>2</sup> Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600m<sup>2</sup> GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000m<sup>2</sup> GLA overall.

The Menangle Park centre is proposed to be located in close proximity to the Menangle Park Railway Station.

The PP is supported by an Economic Impact Assessment that justifies a total 33,500m<sup>2</sup> Gross Floor Area (GFA) for the proposal, comprising:

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- A new local centre (Town Centre) comprising 30,000m<sup>2</sup> of retail and employment,
- A new neighbourhood centre comprising 3,500m<sup>2</sup> of employment.

However, the figures within the Economic Impact Statement are based on the Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan, which precedes Greater Macarthur 2040. This Plan identifies Menangle Park as having a local centre with approximately 20,000 to 30,000m<sup>2</sup> of employment GFA.

In summary, the PPR is seeking an increase and redistribution of retail and commercial floor space within the Menangle Park urban release area. Although the increase in GFA is larger than proposed within the relevant State strategies, it provides a significant opportunity to meet market requirements and achieve good spatial urban design outcomes within the Town Centre.

The PPR proposes to relocate the Town Centre closer to the Spring Farm Parkway connection to ensure that a full-line supermarket and associated retailers are provided the best opportunity to achieve a high sustainability level and to be open at the earliest possible time. The retention of a neighbourhood centre within the southern portion of the release area, and integrated with the future primary school and open space, will provide retail choice for future residents.

The Campbelltown Local Planning Panel identified a need to further review the footprint of the relocated Town Centre of 11.5 hectares in providing for 30,000m<sup>2</sup> of GFA. Additionally, the Panel advised that the final amount of land zoned B2 Local Centre, be established after detailed modelling of commercial impacts upon nearby existing and proposed commercial centres and land use assessment of the zoned area.

This issue was addressed by reducing the proposed size of the town centre from 11.5ha to approximately 6.2ha and adjusting the zoning to part B2 Local Centre (4.2ha) and part B1 Neighbourhood Centre (2ha) and the balance area returned to part R4 High Density Residential and park R3 Medium Density Residential. This outcome would likely support less than 30,000 of commercial GFA.

To confirm this outcome, it is recommended that an FSR study be undertaken to confirm an appropriate FSR control for the proposed B2 and B1 zones.

**Local Strategic Planning Statement**

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting of 18 February 2020. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained

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- Direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PP is consistent with the LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

**Campbelltown Local Environmental Plan 2015 (CLEP2015)**

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are discussed below:

**Table 3: Campbelltown Local Environmental Plan 2015 Proposed Amendments**

CLEP 2015 Current	Proposed Amendment
<b>Mapping</b>	
<p><b>Zoning</b></p> <p>Zoning of land in the MPURA uses the R2 Low Density Residential, R3 Medium Density and RU5 Large Lot Residential zones to control density and residential housing form. Commercial uses are supported by a B2 Local Centre zone.</p>	<p>The PP seeks to introduce or amend the spatial location of land use zones to:</p> <ul style="list-style-type: none"> <li>• Relocate and enlarge the Town Centre adjacent to Howes Creek and the future Spring Farm Parkway.</li> <li>• The Centre is to be zoned Part B1 Neighbourhood Centre, Part B2 Local Centre. Additionally, the Centre is to have an integrated cell of R4 High Density Residential and R3 Medium Density Residential in a "sleeving" configuration.</li> <li>• Introduce a B1 Neighbourhood Centre to provide for convenience retailing and local place making adjacent to a proposed primary school.</li> <li>• Increase the area zoned R3 Medium Density Residential along the Green Spine and around the relocated B2 Local Centre and proposed B1 Neighbourhood Centre.</li> <li>• Introduce the R4 High Density Residential zone to the immediate east of the Proposed Town Centre.</li> <li>• Replace the RU2 Rural Landscape zone with E4 Environmental Living.</li> <li>• Increase the provision of RE1 Public Recreation land to support additional passive and active recreation.</li> <li>• Open Space Areas (Parks known as K and L) be part zoned E2 Environmental Conservation in recognition of their Environmental Conservation purposes.</li> </ul> <p>The proposed zoning amendments are shown in attachment 1.</p>
<p><b>Minimum Lot Size</b></p> <p>The current minimum lot sizes</p>	<p>The PP seeks to amend the Minimum Lot Size Map as</p>

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CLEP 2015 Current	Proposed Amendment
<p>are:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420m<sup>2</sup></li> <li>• R3 Zone: 300m<sup>2</sup></li> <li>• R5 Zone: 950 &amp; 2,000m<sup>2</sup></li> <li>• RU2 Zone: 3ha</li> </ul>	<p>follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420m<sup>2</sup></li> <li>• R3 Zone: NA</li> <li>• R4 Zone: NA</li> <li>• R5 Zone: 750m<sup>2</sup></li> <li>• E4 Zone: 4,000m<sup>2</sup></li> </ul> <p>The PPR does not propose to amend the existing Minimum Lot Size Map for the R2 zone.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and R4 High Density Residential zones is to provide consistency with a proposed new subdivision clause to provide for a diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p> <p>The proposal to reduce the minimum lot size for the E4 Environmental Living zone to 4,000m<sup>2</sup> would ensure a reasonable transition in built form to the R2 Low Density Residential zone and provide greater opportunity for increased dwelling setbacks, particularly adjoining Menangle Park Road.</p> <p>Subdivision to a minimum of 4,000m<sup>2</sup> lots in the E4 Environmental Living Zone (as recommended above) would support the provision of homes within a landscape setting and would require a development application to be lodged for any dwelling. The provisions of the Exempt and Complying SEPP would not apply due to the sensitive interface with the Nepean River.</p> <p>The PP also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes "Area 1" which would apply to the R3 Medium Density Residential zone and "Area 2" which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards below and as shown I attachment B.</p> <p>(The proposed minimum lot size amendments are shown in attachment 2)</p>
<p><b>Maximum Height of Building</b></p> <p>The current maximum buildings heights as shown on HOB_003 are:</p> <ul style="list-style-type: none"> <li>• I: 8.5</li> <li>• O: 15</li> </ul>	<p>The PP seeks to amend the Height of Buildings Map, as follows:</p> <ul style="list-style-type: none"> <li>• I: 8.5m (reduced extent)</li> <li>• J: 9m (R2 Zone)</li> <li>• M: 12m (R3 zone)</li> <li>• P: 18m (R4 zone)</li> <li>• S: 24m (B2 zone)</li> </ul> <p>This would involve updating all HOB map sheets to reflect the updated legend.</p> <p>The proposed building heights amendments are shown in attachment 4.</p>

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CLEP 2015 Current	Proposed Amendment
<p><b>Floor Space Ratio</b></p> <p>The current maximum floor space ratios are:</p> <p>R2 Zone: 0.55:1</p> <p>R3 Zone: 0.55:1</p> <p>No FSR standard applies to the B2, R5 or RU2 zones.</p>	<p>The PP seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates.</p> <p>With the respect to the Town Centre, however, it is recommended that a floor space ratio be determined as a condition of Gateway determination prior to public exhibition.</p> <p>The proposed amended floor space ratio map is whown in attachment 5.</p>
<p><b>Land Reservation</b></p> <p>The land reservation map identified land required for a public purpose such as open space roads and utilities.</p>	<p>The PP seeks to update the land reservation map based on the updated Land Zoning Map, where land reserved exclusively for a public purpose, including the provision of open space and environmental conservation land.</p> <p>It is recommended that Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31 as these form batters to the road structure.</p> <p>The proposed amended Land Reservation Acquisition Map forms attachment 3</p>
<p><b>Clauses</b></p>	
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Semi-detached dwelling</li> <li>• Attached dwelling</li> <li>• Multi Dwelling Housing</li> <li>• Centre based child care facilities</li> <li>• Residential Flat Buildings</li> </ul> <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PP seeks to insert additional subdivision clauses to enable development consent to be granted for subdivision of land to achieve the following:</p> <p>On R2 Low Density Residential land (Area 2), to permit 150 lots less than 420m<sup>2</sup> subject to meeting the following criteria:</p> <ul style="list-style-type: none"> <li>• Each lot has a minimum lot size of not less than 375m<sup>2</sup>,</li> <li>• Each lot has a minimum primary road frontage of 11.5m,</li> <li>• Each lot is not a corner allotment,</li> <li>• No more than 150 lots have a lot size of less than 420m<sup>2</sup> within (defined area of R2 zoned land);</li> <li>• No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and</li> <li>• Each lot is located not more than 200m from a bus stop or open space area.</li> </ul> <p>On R3 Medium Density Residential zoned land (Area 1), to permit a variety of low rise dwelling types with the following minimum lot sizes:</p> <ul style="list-style-type: none"> <li>• Dwelling House: 250m<sup>2</sup></li> <li>• Semi-detached dwellings: 250m<sup>2</sup></li> <li>• Dual Occupancy: 500m<sup>2</sup></li> <li>• Secondary Dwellings: 450m<sup>2</sup></li> <li>• Attached Dwellings: 200m<sup>2</sup></li> <li>• Multi Dwelling Housing: 1,500m<sup>2</sup></li> <li>• Area 1 and Area 2 are shown in attachment 8 and 9.</li> </ul>

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CLEP 2015 Current	Proposed Amendment
	It is intended that the Menangle Park Development Control Plan guide the applicable built form and site requirements in relation to driveways, parking and access.
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1</p> <p>Centre-based child care facilities in a residential zone: 0.55:1</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floorspace controls are in addition to the Floor Space Ratio Map. Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the MPURA in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.</p>

**Campbelltown (Sustainable City) Development Control Plan, 2015**

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 8 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the MPURA. The subject provisions will be revised to support achievement of the objectives of the proposed LEP amendment.

**4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**

**Campbelltown Community Strategic Plan – Campbelltown 2027**

The Campbelltown City Community Strategic Plan (CSP) is a ten (10) year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local



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Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PP is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

**Table 4: Consistency with Campbelltown Community Strategic Plan**

CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	<ul style="list-style-type: none"> <li>The community will be afforded the opportunity to review the PP and engage at key stages in the decision-making process.</li> <li>The PP seeks to establish a framework to inform the future review of the masterplan to improve place making, public domain and open space outcomes.</li> <li>Provides for the interpretation of historical uses and ownership of the site.</li> <li>Provides for greater housing choice and diversity.</li> </ul>
Outcome 2	
A respected and protected natural environment	<ul style="list-style-type: none"> <li>The PP seeks to preserve additional areas of critically endangered ecological communities that were not accurately identified during the previous plan making process.</li> </ul>
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> <li>Delivery of infrastructure is supported by Council's Menangle Park Development Contributions Plan and the Proponent's offer to enter into a Voluntary Planning Agreement.</li> </ul>
Outcome 4	
A successful city	<ul style="list-style-type: none"> <li>The PP seeks to provide a framework for a more permeable road network and transport system that will serve a greater walking catchment within the site.</li> <li>The PP seeks to provide for an iconic 'Green Spine' to provide a connected pedestrian link through the site with opportunity to form part of a regional connection to the Western Sydney Parklands.</li> </ul>

**5. Is the Planning Proposal consistent with applicable State Environmental Planning Polices?**

The following State Environmental Planning Policies (SEPPs) are relevant to the PPR.

**Table 5: Consistency with State Environmental Planning Policies**

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No 1 Development Standards	Yes	Not applicable as CLEP 2015 is a Standard Instrument LEP and incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	Yes	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 44 - Koala Habitat Protection	Yes	Although the initial investigations establish that no Koala habitat is present on the site further investigations need to be completed as a possible condition of Gateway and prior to public exhibition. Koala habitat however was not a constraint in the current planning regime.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 - Remediation of Land	Yes	The site identified generally low areas of contamination, a detailed site investigation will be required prior the issuing of development consent, it being noted that the land is currently zoned for urban purposes.
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will be assessed in accordance with the provisions of the SEPP.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	Future Residential Flat Buildings would be designed in accordance with the provisions of the SEPP.
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this SEPP.
SEPP (Affordable Rental Housing) 2009	Yes	The PP does not prejudice the application of the SEPP and development of the various forms of affordable housing.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP is not inconsistent with the application of the SEPP to residential development.
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	The PP recognises that a school will be situated within the site with appropriate road and site planning to suit. An assessment of the school and any childcare centres would be subject to assessment at the development assessment stage, in accordance with the SEPP.

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Exempt & Complying Development Codes) 2008	Yes	The PP is not inconsistent with the SEPP, the provisions of which would apply to future developments.
SEPP (Housing for Seniors or People with a Disability)	Yes	The PP does not preclude future merit based provisions of housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Yes	Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	The current planning controls to facilitate urban development satisfactorily addressed the provisions of the SEPP. Mineral and extractive industries are not imperiled by the PP.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The PP does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	Justifiably Inconsistent	The site is currently zoned 'urban release area.' 'Any interfaces with primary production areas and rural development will be addressed.
SEPP (State & Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Yes	The PP is consistent with the subject SEPP which was recently amended to include Greater Macathur.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	Vegetation removal is initially to be minimised in the Proposal. Any vegetation proposed for removal will need to comply with the provisions of the SEPP and other companion legislation.

**6. Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 directions)?**

The PP is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 6 for an assessment of the PP against the S9.1 Ministerial Directions.

Table 6: Consistency with Ministerial Directions

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
1.1 Business and Industrial Zones		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	Yes	<p>The Proposal seeks to relocate and expand the current supermarket based shopping centre and maintain a small neighbourhood centre within proximity of the proposed school.</p> <p>The relocation and expansion of the proposed Town Centre would provide a sustainable centre without adversely impacting the 'residual' proposed "freestanding" neighbourhood centre (B1).</p> <p>Further, it would not likely adversely impact the higher order centres of Campbelltown and Macarthur.</p> <p>The light industrial (IN2) employment precinct remains unchanged.</p>
<b>1.2 Rural Zones</b>		
This Direction seeks to protect the agricultural production value of rural lands.	Yes	<p>The subject land, within the exception of several fringing holdings was zoned for urban purposes in 2017. The former RU2 – Rural Landscape zoned lands on the southern frame of the precinct, adjoin the Nepean River and are proposed to be rezoned E4 – Environmental Living to support large lot residential development that addresses the scenic and environmental attributes of the land. This area is not identified as forming part of the Metropolitan Rural Area and would not be appropriate to maintain agricultural uses with a direct interface with conventional housing.</p>
<b>1.3 Mining, Petroleum Production</b>		
This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	Yes	<p>The PP does not propose additional constraints to the subject resources.</p>
<b>1.5 Rural Lands</b>		
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	Yes	<p>The PP does not impact upon the rural residue holdings in the urban release area or nearby similarly zoned areas.</p>

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
<b>2.1 Environmental Protection Zones</b>		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	<p>The PP has identified additional environmentally sensitive areas and seeks to protect these together with the previously identified areas.</p> <p>Preservation is to be afforded by Clause 7.20 in respect of Terrestrial Biodiversity and the zoning of certain lands RE1 - Public Recreation and E2 - Environmental Management.</p>
<b>2.3 Heritage Conservation</b>		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	<p>The Proposal does not compromise the heritage sensitivity strategy underpinning the current planning controls.</p> <p>Additionally, some of the revised masterplan principles provide a template for improved planning outcomes as is highlighted by a more sensitive interface treatment with the Glenlee House precinct.</p> <p>Items such as former silos would be further addressed at the development application stage, largely in an interpretive manner.</p> <p>The cultural landscape would be significantly altered in accordance with its urban release status. Aboriginal</p> <p>Archaeological significance is not further compromised by the proposal.</p>
<b>3.1 Residential Zones</b>		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Yes	<p>The PP seeks to introduce the R4 High Density Residential zone to facilitate apartments and expand the R3 Medium Density Residential zone for terrace and small lot housing product.</p> <p>Additionally, provision is made for increased diversity in allotment sizes which would increase development yield and support the feasible delivery of essential infrastructure.</p>
<b>3.2 Home Occupations</b>		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to facilitate low impact small businesses in dwelling houses	Yes	The PP does not impact standard provisions that facilitate home occupations.
<b>3.4 Integrating Land Use and Transport</b>		
This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	Yes	The PP provides a sensitive juxtaposition of land uses, with appropriate accessibility.  Provision of the Spring Farm Parkway and ramps accessing the M31 motorway are a key feature of the PP. A Separate VPA with the Department of Planning, Industry and Environment to support delivery of this work is separately progressing.
<b>3.6 Shooting Ranges</b>		
This Direction seeks to maintain appropriate levels of public safety and amenity when rezoning land adjacent to shooting ranges.	Yes	There are no shooting ranges proximate to the development.
<b>4.1 Acid Sulphate Soils</b>		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Yes	A review of the NSW Natural Resource Atlas (NRA 2013) indicates there are no known occurrences of acid sulphate soils.
<b>4.2 Mine Subsidence and Unstable Land</b>		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Yes	The land is in the south Campbelltown Mine Subsidence district. The relevant mine subsidence considerations underpinned the zoning for urban purposes in 2017. The current proposal is generally consistent in terms of the development impacts apart from the introduction of medium rise residential apartments which can be addressed via further consultation.
<b>4.3 Flood Prone Land</b>		
This Direction seeks to ensure that development of flood prone land is consistent with the Policy and Principles as well as ensuring the LEP provides consideration of flood impacts and surrounding land.	Yes	The urban footprint of the proposal varies little from that zoned for urban purposes in the prevailing LEP. The most significant change is the nomination of flood affected land on the north western side of the rail-line for formal active recreation purposes.

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
		Flood modelling and stormwater management strategies identify acceptable flooding and stormwater management outcomes.
<b>4.4 Planning for Bushfire</b>		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	The PP has had regard to Planning for Bushfire Protection 2006 and generally does not increase the fire hazard for the release area.  An outline strategy has been developed to provide for appropriate hazard outcomes and potentially requires further amendment (post gateway) to reflect amendments arising from Council officer assessment of the proposal.
<b>6.1 Approvals and Referral Requirements</b>		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The PP does not contain provisions that require additional concurrence requirements.
<b>6.2 Reserving land for Public Purposes</b>		
This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Yes	The PP seeks to amend and increase the overall provision of open space to support the development. The reservation of land for the Spring Farm Parkway and north facing ramps onto the M31 will require ongoing consultation with relevant NSW Government departments.
<b>6.3 Site Specific Controls</b>		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	The PP relates to the 'standard instrument' Campbelltown LEP 2015. No site specific provisions are proposed to be introduced to Campbelltown LEP 2015, via the Proposal.
<b>7.1 Implementation of a "Plan for Growing Sydney"</b>		
This Direction seeks to give legal effect to the planning principles; directions and priorities for sub-regions, strategic centres and transport gateways.	Yes	The PP is consistent with the Greater Sydney Region Plan as detailed in table 2 of this PP.
<b>7.2 Implementation of a "Greater Macarthur Land Release Investigation Area</b>		
This Direction seeks to ensure development within the Greater Macarthur Land Release	Yes	The proposal is generally consistent with the Draft Greater Macarthur 2040: An Interim Plan for the Greater

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.		Macarthur Greater Area. Minor departures previously documented are considered acceptable.

**Section C – Environmental Social or Economic impact**

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

The current planning controls for Menangle Park seek to ensure appropriate biodiversity conservation outcomes in an urban release area context. Compilation of the PP has confirmed the presence of significant additional patches of the critically endangered Elderslie Banksia Scrub community that require specific protection and management measures.

It is proposed that the conservation of the Elderslie Banksia Scrub community include supplementary planning and the forging of linkages to proximate remnants, together with perimeter buffering. Conservation protection measures for these lands may be either via stewardship sites, positive covenant or zoning with related Vegetation Management Plans. Any open space opportunities within close proximity of the subject conservation areas shall be clearly delineated.

The current controls in respect of terrestrial biodiversity are contained principally in Clause 7.20 of the Campbelltown Local Environmental Plan 2015 and the associated Terrestrial Biodiversity Map.

Assessment of biodiversity impacts is currently ongoing with respect to separate development applications lodged with Council.

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

**Bushfire**

The original rezoning demonstrated that urbanisation of the site could incorporate appropriate bushfire protection measures in accordance with the provisions of Planning for Bushfire Protection 2006 (PBP). The most recent amendments to PBP by the NSW Rural Fire Service (RFS) has resulted in changes to various requirements, in particular Asset Protection Zones (APZs) and the categorisation of bushfire hazards.

The general principles of the former bushfire management strategy remain largely intact. Minor modifications may potentially be needed to the Masterplan as a result of public agency feedback from the NSW Rural Fire Service or as future development applications are lodged and determined.



### Contamination

The original rezoning deemed the site suitable for urban purposes with identified Areas of Environmental Concern (AEC) considered capable of practical and economic remediation. More recent site investigations accompanying the PPR undertaken by Douglas Partners Pty Ltd (DP) concluded the potential for contamination constraints, excluding the AECs to be low. The investigation further concluded that a Sampling and Analysis Quality Plan (SAQP) should be prepared for each AEC and should also include an Unexpected Finds Protocol within future subdivision determinations.

In summary, it is considered that contamination remains a matter that does not preclude development of the site for urban purposes and that more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.

### Mine Subsidence

The site falls within the South Campbelltown Mine Subsidence District. Mine subsidence was previously considered as part of the original rezoning of the site for urban purposes.

The Department of Planning previously advised in 2006 that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region.

The current Planning Proposal as it relates to Menangle Park does not change the conclusions of the previous assessment. As part of staged subdivision and early works Development Applications (DAs) within Menangle Park approval from Subsidence Advisory NSW under section 22 of the *Coal Mine Subsidence Compensation Act 2017* will be progressively required.

The previous conclusion of the suitability of the site for urban purposes remains unaltered.

### Open Space Provision

The PP has adapted the general principles of the Open Space Strategy which accompanied the PPR. This Strategy provides a series of diverse open space opportunities and performs a diversity of functions including:

- Riparian land/flood plain
- Informal open space (parks and play spaces)
- Formal playing fields/ Structure sport
- Ecological land

Assessment of the PPR and suitability of provision is based on the traditional standard of 2.83 ha of open space per 1000 people. Under the current plan, a total of 31.37ha of open space is provided as detailed in the Menangle Park Contributions Plan.

The PPR is based on an updated population estimate arising from an addition 1000 dwellings on land controlled by Dahua, the updated masterplan proposes to provide an extra 12.4ha of open space comprised of a new double playing field on Lot D in DP 19853 (Rural lot north of Club Menangle) and various local parks and linear links adjoining riparian areas.

Areas excluded from the assessment as usable open space include land adjoining the north facing ramps for Stage 1 of the Spring Farm Parkway, land reserved for an entry feature at the intersection of the Spring Farm Parkway, proposed north-south spine road, the steep knoll adjoining the M31 and land recommended in this report to be zoned E2 Environmental Conservation.

### **Traffic Assessment**

The supporting traffic model indicates satisfactory levels of performance both midblock and at critical intersections, during both morning and afternoon peak periods. It is noted however, that traffic and accessibility of the masterplan level requires review, inclusive of proposed bus route planning. Traffic impacts beyond the site are considered to be manageable. Further analysis should however, be undertaken in the context of traffic modelling for the Greater Macarthur Area and occur prior to public exhibition of the PP.

### **Water Cycle Management**

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address floor risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the SPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the 1 percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes are to be addressed in future DA's for development of these areas. The PP does not result in significant increases in development of land affected by the 1 percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the 1 percent AEP and stormwater pollutant load reduction targets. It is proposed to continue to address the final sizing of stormwater quality and detention facilities for each DA that progresses on the site and adopting these parameters will ensure the facilities are appropriately sized and meet the water quality targets.

## **9. How has the planning proposal adequately addressed any social and economic effects?**

The PP will contribute to the orderly development and social and economic benefit of the wider precinct.

The PP does not apply to the existing Menangle Park Village precinct. The Village will continue to develop under the current planning policy provisions.

Positive social benefits of the PP includes:

- Increased housing supply and diversity in an accessible, serviceable setting.
- Creation of an environment that provides access to public and private spaces, promotes healthy lifestyles and facilitates and will support a vibrant, robust, and sustainable community.
- Public benefits including additional public open space, sports and community facilities.
- Provision of physical and social infrastructure generally.

Positive economic benefits of the PP include:

- Access to local employment opportunities,
- Significant local centre based employment, service and retail opportunities
- Significant construction and on-going maintenance activities.

## **Section D – State and Commonwealth interests.**

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

#### **Local Infrastructure:**

Council approved the Menangle Park Contributions Plan, which became effective on 24 April 2018. Council commenced the process of seeking IPART assessment of the Plan in May 2018 with the view of seeking consideration to contributions exceeding the \$20,000 per lot/dwelling cap. IPART commenced assessment of the Plan in June 2018 and completed its final report on 18 December 2018.

IPART recommended an increase to the total costs within the plan from \$132.88 million (in September 2016 dollars) to \$171.32 million (in June 2018 dollars). This amounts to an increase of 28.9 percent (when including inflation) and a real increase of 25.7 percent (when excluding inflation).

In dollar terms, IPART's recommendations would increase uncapped contributions for a standard residential lot by about \$12,700 (or in other words), from approx. \$43,500 (in September 2016 dollars) to approx. \$56,200 (in June 2018 dollars).

The increase in costs is the result of:

- The cost of additional land for transport and stormwater management works, which were not originally included in the plan.

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- Adopting updated (June 2018) land value estimates because Menangle Park land values have risen significantly above forecasted land values since the plan was prepared in 2016.
- Consistent with changing the base period for land costs, changing the base period for cost estimates of works in the plan from September 2016 to June 2018.

In response to IPART's recommendations, the Minister for Planning is yet to advise Council of any required changes.

The updated Masterplan proposed by Dahua will require amendments to the adopted Contributions Plan and further revision by IPART. In lieu of this process, Dahua has undertaken to enter into a Voluntary Planning Agreement (VPA) with Council for the provision of all required infrastructure within their land holdings and to make a contribution towards any relevant external infrastructure.

The specific infrastructure requirements, including functions and embellishment levels, are yet to be negotiated and would occur in conjunction with the preparation and finalisation of the draft planning policies. The infrastructure to be considered would include open space, recreation, community facilities, roads and stormwater management.

The background technical studies of relevance in respect of service infrastructure provision include in particular:

- Service Infrastructure Report (SMEC 2018)
- Menangle Park Social Infrastructures Study and Social Impact Assessment (Elton Consulting 2018)
- Menangle Park Open Space and Landscaping Strategy Report (Place Design Group 2018)

The key benefit to Council from entering into a VPA would be the timely delivery of essential community infrastructure to support development. In addition, the risk of cost escalation to Council beyond plan assumptions would be minimised and any amendment to the cap on developer contributions would not apply.

In a similar manner the State Government will be seeking a contribution to "higher order" infrastructure through a Special Infrastructure (SIC) mechanism.

**State Infrastructure:**

The Department of Planning, Infrastructure and Environment (DPIE) has executed two State Voluntary Planning Agreements (SVPAs) for the Menangle Park Urban Release Area.

Clause 6.1 of the Campbelltown Local Environment Plan 2015 provides that the Consent Authority must not grant Development Consent for certain land subdivision in an Urban

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Release Area unless the Secretary has issued a Satisfactory Arrangements Certificate regarding the provision of Designated State Public Infrastructure

The Developer (Dahua) has entered into the SVPAs with the Minister to enable a Satisfactory Arrangements certificate to be issued for future development applications, subject to compliance.

The SVPAs require the Developer to provide monetary contributions totalling \$113,125,000, being:

- Monetary Contribution 1: \$23,000,000
- Monetary Contribution 2: \$125,000
- Monetary Contribution 3: \$12,000,000
- Monetary Contribution 4: \$63,000,000
- Dedicated Land Contribution: land to be dedicated as part of the Spring Farm Parkway
- Education Land Contribution: land to be dedicated for a School
- Monetary Contribution 6: being the difference between \$90,000,000 and the sum of the previous 4 contributions

A total of \$86m of the contributions received from Monetary Contribution 1, 3 and 4 are to be directed towards the Menangle Park Spring Farm Parkway Transport Infrastructure Contributions Deed. This Deed is between the Roads and Maritime Services, Landcom, Dahua Group Sydney Project 3 Pty Ltd and Dahua Group Sydney Project 2 Pty Ltd. The purpose of the Deed is to deliver:

- 880m of upgraded Menangle Road
- 860m of Spring Farm Parkway, including bridge over the M31
- Northbound Entry Ramp to the M31
- Southbound Exit Ramp from the M31

Timing of delivery is set out within the agreements and is linked to new lot registration thresholds.

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

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur with State and Commonwealth agencies in the event of a Gateway Determination and will indeed be a requirements of the same.

The consultation will be undertaken pursuant to S3.34 of the EP&A Act.

## Part 4: Mapping

The planning proposal is accompanied by the following maps as shown in table 7 below:

**Table 7: Schedule of Existing Maps, Map Amendments and New Clauses**

Item	Location
Existing Zoning Map	Attachment 1
Proposed Zoning Map	Attachment 1
Existing Minimum Lot Size Map	Attachment 2
Proposed Lot Size Map	Attachment 2
Existing Land Reservation Map	Attachment 3
Proposed Land Reservation Map	Attachment 3
Existing Height of Buildings Map	Attachment 4
Proposed Height of Buildings Map	Attachment 4
Existing Floor Space Ratio Map	Attachment 5
Proposed Floor Space Ratio Map	Attachment 5
Existing Structure Plan	Attachment 6
Proposed Structure Plan	Attachment 7
Area Map	Attachment 8
Clause 4.1H	Attachment 9

## Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination made by the Minister for Planning and Infrastructure in accordance with Sections 3.34 and Schedule 1, clause 4 of the Environmental Planning and Assessment Act 1979.

## Part 6 - Project Timeline

A draft project timeline has been included in Table 9 below.

**Table 8: Project Timeline**

Milestone	Timeline
Gateway Determination	May 2020
Completion of additional supporting documentation	July 2020
Public Exhibition	October / November 2020
Consideration of Submissions	December 2020
Council submissions Report	February 2021
Request for finalisation of Planning Proposal	March 2021

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Plan amendment made

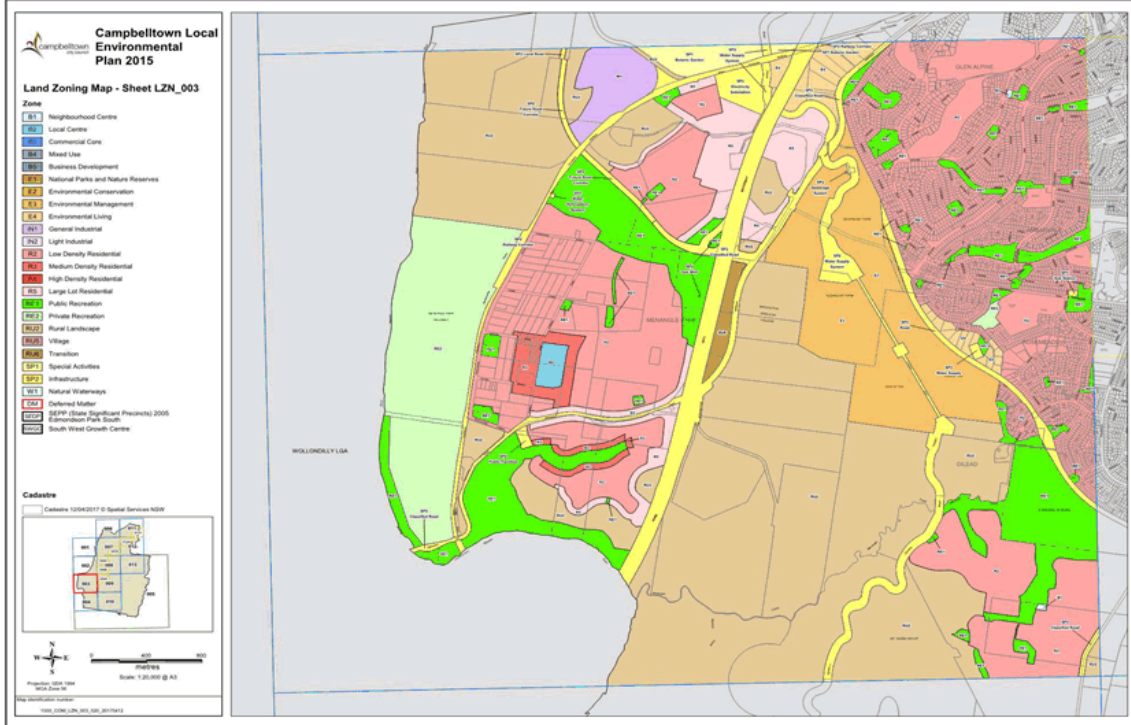
June 2022

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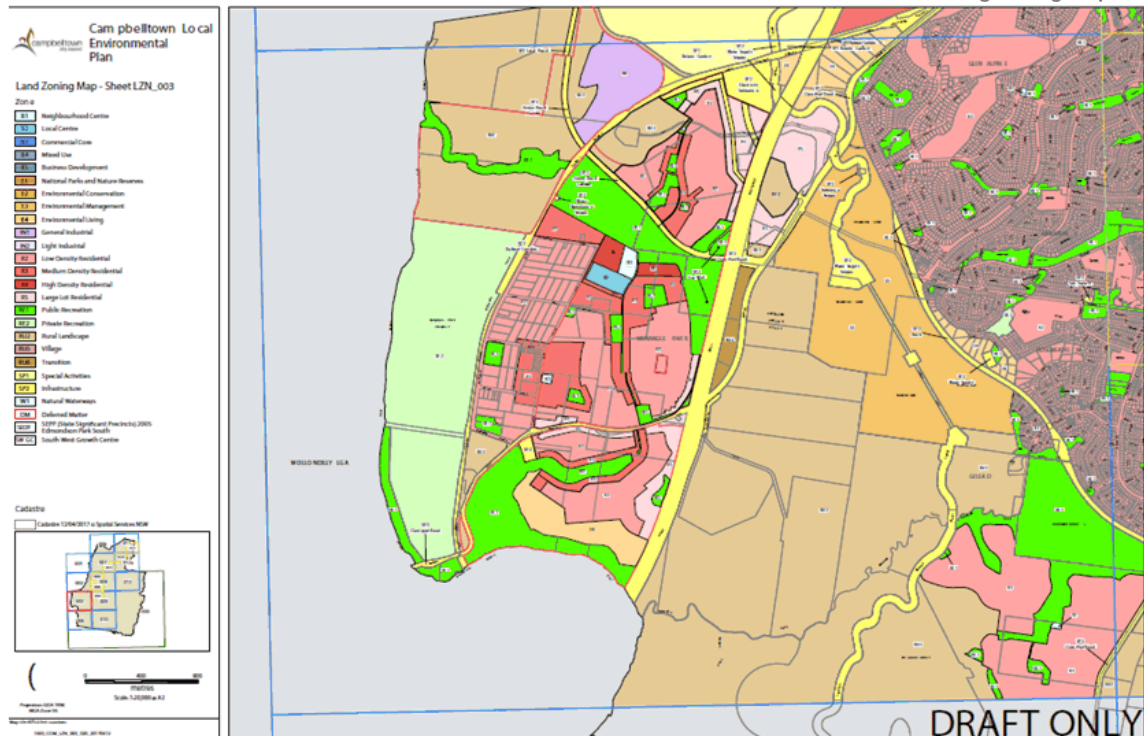
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Attachment 1 Changes to Zoning Map



Existing Zoning Map



Proposed Zoning Map

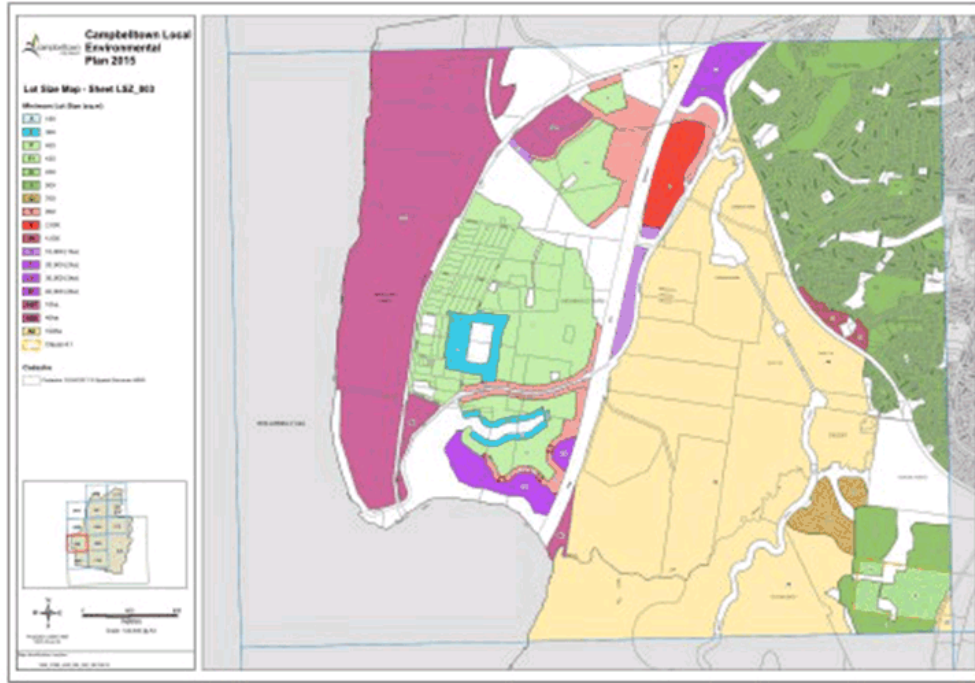


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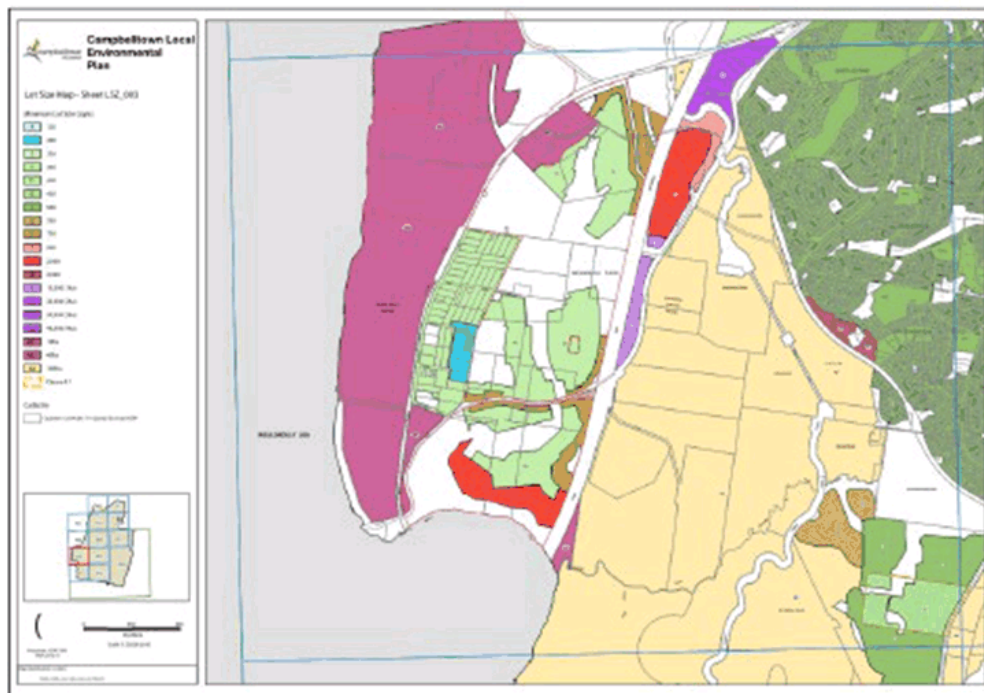
MENANGLE PARK PLANNING PROPOSAL

Attachment 2 - Changes to Minimum Lot Size Map

Existing Lot Size Map

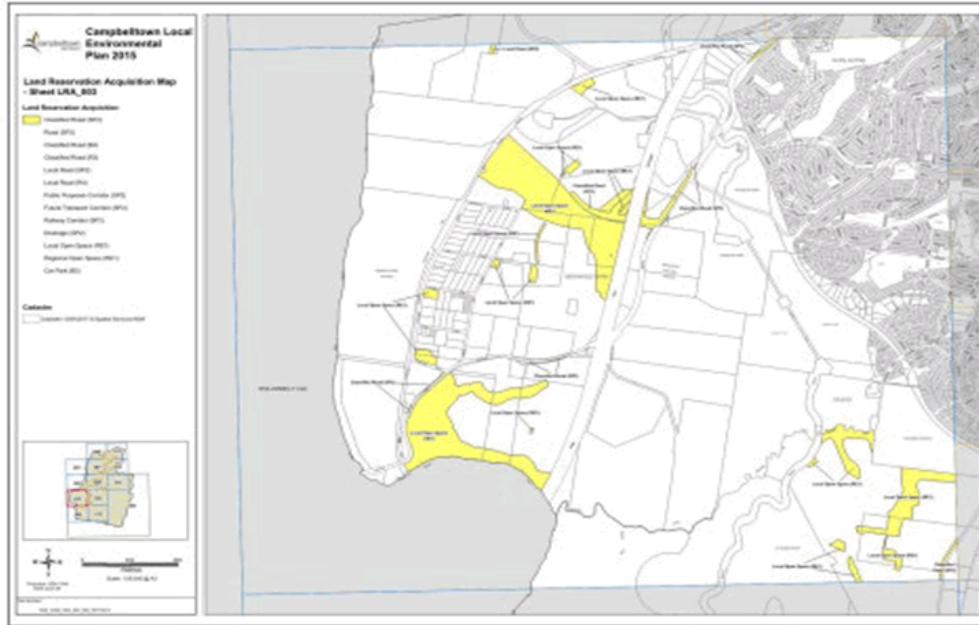


Proposed Lot Size Map

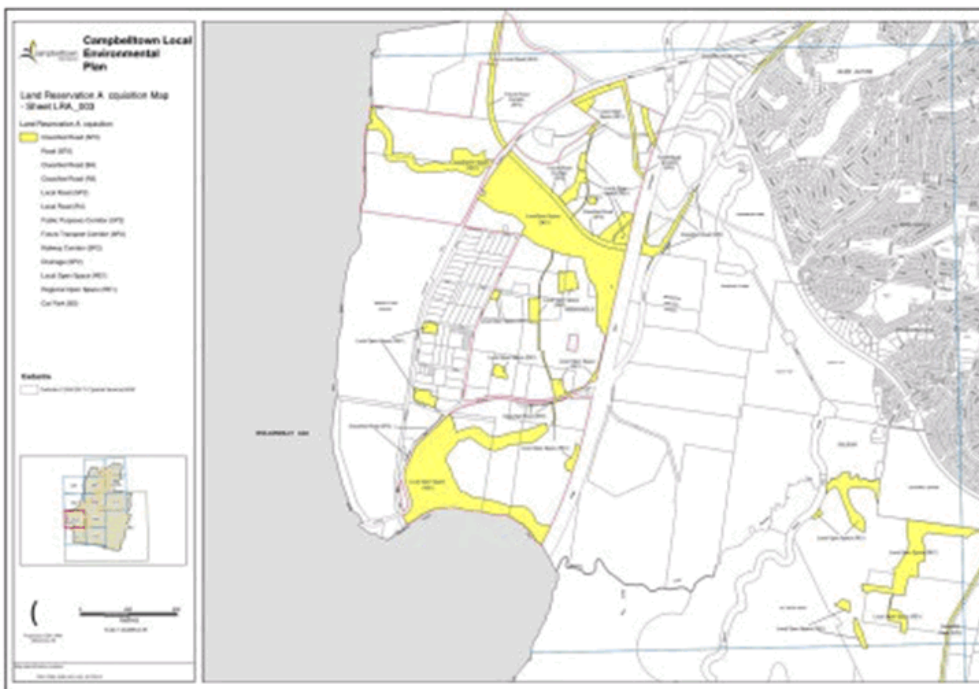


### Attachment 3 – Changes to Land Acquisition Map

Existing Land Reservation Acquisition Map



Proposed Land Reservation Acquisition Map



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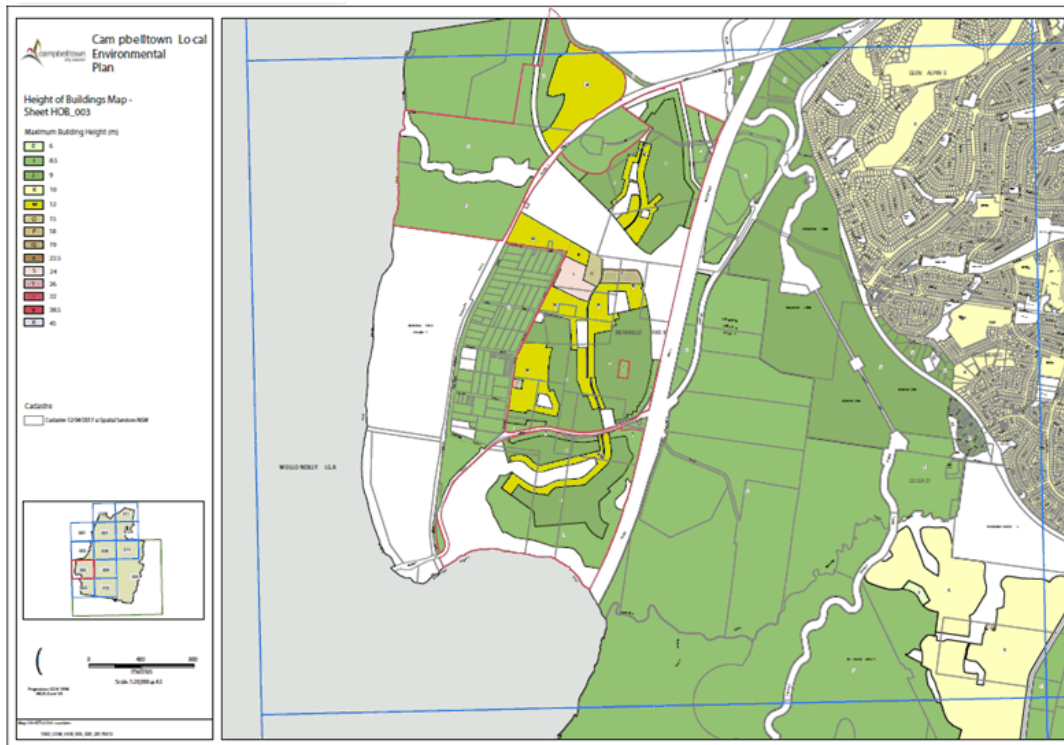
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### Attachment 4 – Changes to Height of Buildings Map

Existing Height of Building Map



Proposed Height of Building Map

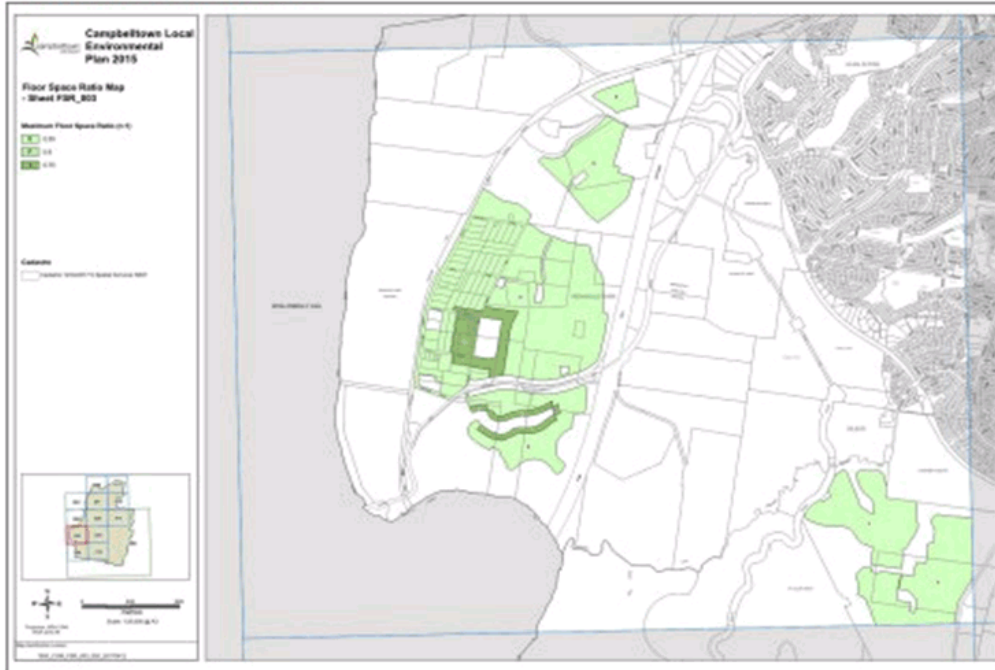


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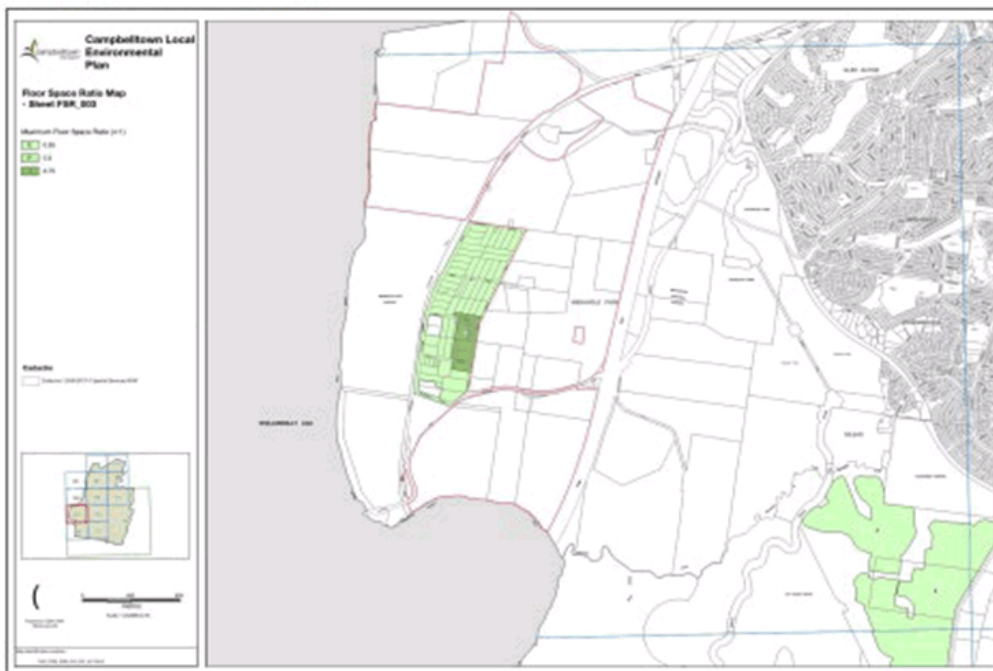
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### Attachment 5 – Changes to Floor Space Ratio Map

Existing Floor Space Ratio Map



Proposed Floor Space Ratio Map

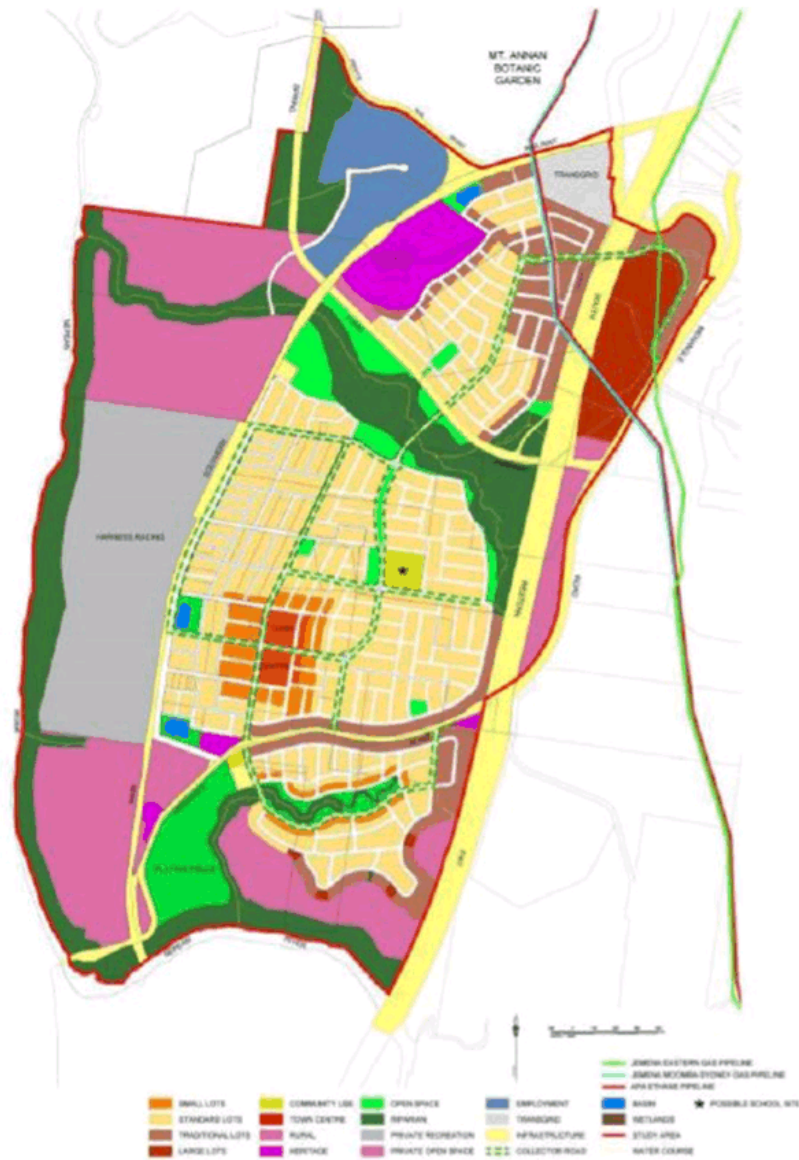


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**Attachment 6 – Existing Structure Plan**

Existing Structure Plan



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### Attachment 7– Proposed Structure Plan

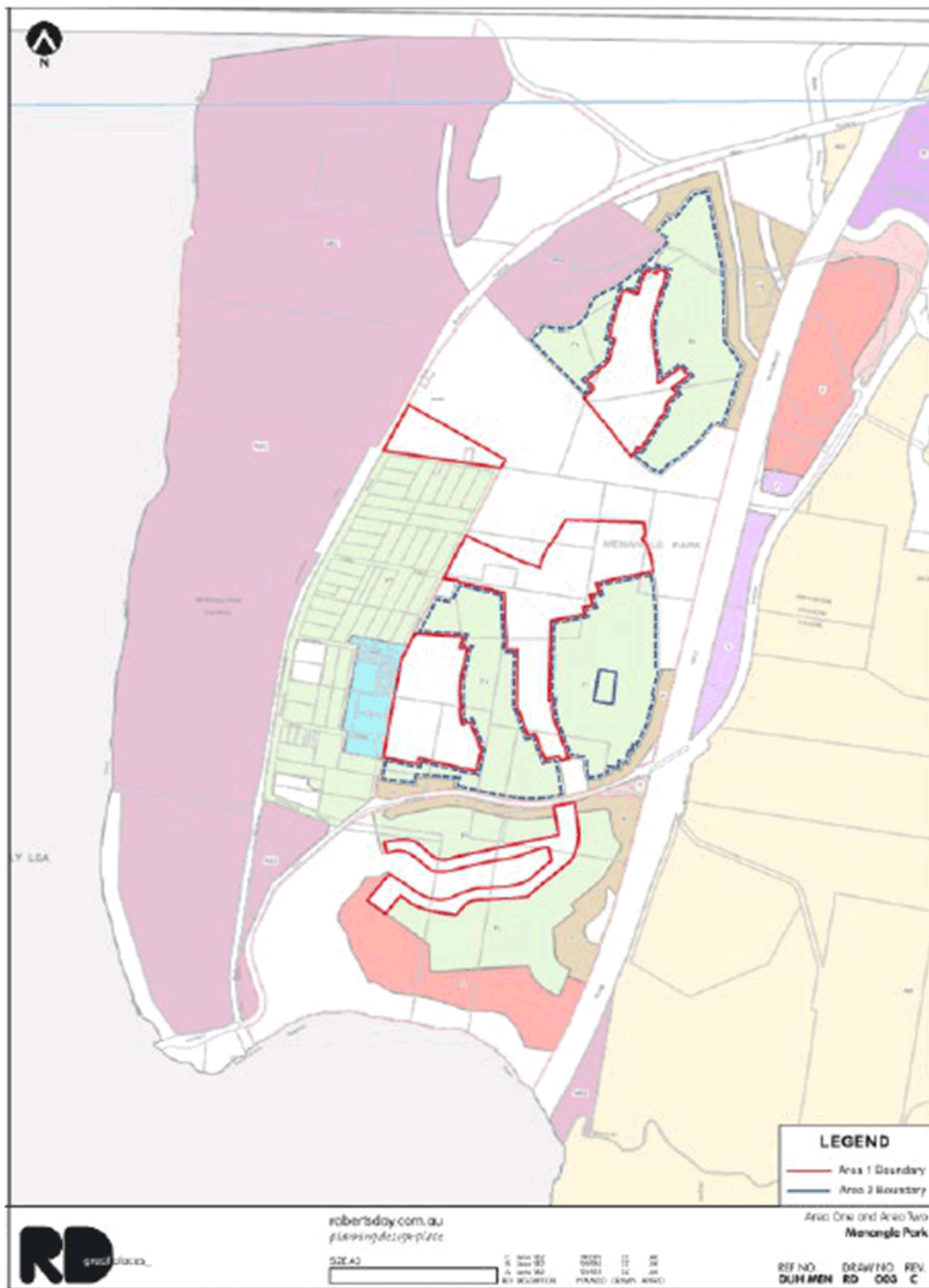
Proposed Structure Plan



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**Attachment 8 – Area Map**



## Attachment 9 – Clause 4.1H

Clause 4.1H Minimum lot sizes for dwelling houses, semi-detached dwellings, attached dwellings, dual occupancy and multi-dwelling housing in Menangle Park.

This Clause applies to land within **Area 1** on the Urban Release Area Map.

1. The objective of this clause is to achieve planned residential density in certain zones.
2. Development must not be carried out on a lot in Zone R3 Medium Density Residential for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:
  - Dwelling House (Detached): 250m<sup>2</sup>
  - Semi-Detached Dwellings: 250m<sup>2</sup>
  - Dual Occupancy: 500m<sup>2</sup>
  - Secondary Dwellings: 450m<sup>2</sup>
  - Attached Dwellings: 200m<sup>2</sup>
  - Multi-Dwelling Housing: 1,500m<sup>2</sup>
3. Development consent may be granted for the subdivision of land within **Area 2** on the Urban Release Area Map on land zoned R2 Low density Residential into lots that do not meet the minimum size show on the Lot Size Map if:
  - a) Each lot has a minimum lot size of not less than 375m<sup>2</sup>, and
  - b) Each lot has a minimum primary road frontage of 11.5m, and
  - c) Each lot is not a corner allotment, and
  - d) No more than 150 lots have a lot size of less than 420m<sup>2</sup> within Area 2 to which this clause applies, and
  - e) No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and
  - f) Each lot is located no more than 200m from a bus stop or open space area.



## 8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments

### 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 the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.
2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.
3. That where no submissions are received during the exhibition period, the draft Plan be adopted and commenced upon public notification being completed in accordance with the Environmental Planning and Assessment Regulations, 2000.

### Purpose

The purpose of this report is to seek Council's endorsement to proceed with the public exhibition of a draft amendment to Campbelltown (Sustainable City) Development Control Plan 2015, to introduce new controls providing guidance for senior living developments within Campbelltown. The proposed amendment will also assist Council Staff in undertaking the assessment of development applications for seniors living developments.

### Executive Summary

The State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 provides development controls for the purposes of seniors living developments across the State.

It has been identified that there are circumstances where the design requirements and development standards contained in the SEPP do not apply to particular development applications. It is proposed to rectify this by adding an additional section to the Campbelltown (Sustainable City) development Control Plan 2015. The draft amendment is attached to this report. Council approval to exhibit the amendment is sought.

## Report

This report outlines a draft proposal to amend Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) to introduce development controls for seniors living developments and to recommend that Council exhibit the amendment for public feedback.

### 1. Current Situation

The State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP) currently provides design and development requirements for the whole state for a range of seniors living developments such as residential care facilities, hostels, self-contained dwellings, seniors housing and housing for people with a disability. Part of the purpose of the SEPP is to enable development for seniors living developments on sites adjoining urban zones where they would otherwise be prohibited.

The SEPP currently applies to the Campbelltown LGA and provides design and development controls when an application is lodged through the site compatibility certificate under SEPP pathway.

Through experience in the land and environment court it has been identified that the SEPP controls do not broadly apply to seniors living level permits that are permissible with consent under CLEP 2015.

Seniors living is currently permitted with consent in the following zones under CLEP 2015:

- R3 Medium Density Residential
- B4 Mixed Use
- SP2 Infrastructure (seniors housing is only permitted in the SP2 zone if it is identified on the land zoning map under the CLEP 2015).

In these circumstances where broad sections of the SEPP do not apply there are no alternate statutory design criteria by which to assess a proposed development. This does not help applicants in knowing what to supply Council when preparing applications. Further this potentially restricts the ability of Council's development assessment planners to require a development to meet standards that would apply in circumstances where the whole of the SEPP applies.

The introduction of development controls for seniors living developments into the SCDCP would provide more certainty surrounding the construction of seniors living facilities and the standards they must meet.

### 2. Draft DCP Amendment

An amendment is required to the SCDCP to facilitate the orderly development of seniors living housing across Campbelltown. This approach is the quickest and most streamlined to address the gap in assessment criteria. Other options such as an amendment to the CLEP2015 were considered but were discounted due to the length of time required to complete them.

The proposed SCDCP amendment (attachment 1) has been drafted to address the gap in policy and provide suitable controls for the development of seniors housing.

The SCDCP amendment will facilitate the following objectives:

- Provide high quality seniors living developments across the LGA with dwellings and fittings designed to meet the needs of seniors and people with a disability
- Create a high quality residential environment focused on providing high quality housing for seniors and people living with a disability
- Generate employment opportunities and economic growth across the Campbelltown LGA through the function of these facilities
- Development with a bulk and scale that is compatible with the character of the area
- Generate a good housing mix consistent with the Western District Plan and Greater Sydney Region Plan

The proposed amendment seeks to include clauses to assist the development application process for both applicants and staff. The amendment includes the following:

- Reference to the assessment of all development applications for the purposes of any type of seniors living or accessible housing being undertaken against the requirements of the SEPP even where the whole of the SEPP does not apply
- The introduction of a waste disposal and waste management requirements
- The introduction of a clause advising of information requirements at the DA lodgement stage.

The introduction of new clauses will be used in conjunction with the requirements of the SEPP. New clauses relating to seniors living developments will provide greater certainty in achieving desirable developments in the local government area.

The inclusion of clauses under the proposed new section of the SCDCP does not impact on the SEPP or CLEP 2015. The intention of the proposed controls is to ensure all seniors living developments have to meet the same standards and requirements regardless of whether they are assessed under the SEPP or CLEP 2015.

The draft SCDCP is intended to be inserted as a new part (Part 19) in the SCDCP. This would allow for simple useability and easy accessibility to users of the document. The draft SCDCP will promote sustainable outcomes and design requirements that respond to local character and existing streetscapes.

### **Public Exhibition**

The draft SCDCP amendment is proposed to be exhibited for 28 days as required under the provisions of the Campbelltown Community Participation Plan. Notice of the proposed public exhibition will be published in the Campbelltown-Macarthur Advertiser, Macarthur Chronicle and on Council's website. A further report on submissions will be considered by Council after the public exhibition period.

**Conclusion**

A draft SCDCP has been prepared to provide consistent controls for seniors living developments within the Campbelltown LGA. The draft SCDCP would facilitate orderly development of seniors living facilities and would provide provisions in conjunction with the SEPP SL to establish good outcomes for the community and ensure all seniors living development are assessed against the same criteria.

Accordingly, it is recommended that Council publicly exhibit the draft SCDCP for community input, and a further report to review of any submissions and consider the making of the amendment to the Campbelltown Sustainable City Development Control Plan 2015 at the end of the exhibition period.

**Attachments**

1. Draft DCP Seniors Living (contained within this report)

## **Draft Amendment to Campbelltown (Sustainable City) Development Control Plan**

### **Part 19 – Seniors Housing and Housing for People with a Disability**

#### **19.1 Seniors Housing and Housing for People with a Disability**

##### **Objectives**

- Provide high quality seniors living developments across the LGA with dwellings and fittings designed to meet the needs of seniors and people with a disability
- Create a high quality residential environment focused on providing housing for seniors and people living with a disability
- Generate employment opportunities and economic growth across the Campbelltown LGA through the function of these facilities
- Development with a bulk and scale that is compatible with the character of the area
- Generate a good housing mix consistent with the Western District Plan and Greater Sydney Region Plan

##### **Controls**

#### **19.1 Application**

This part sets out controls for seniors housing and housing for people with a disability within the City of Campbelltown.

All proposed seniors housing development types are required to meet the standards for development detailed in Chapter 3 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

#### **19.2 General requirements for seniors housing and housing for people with a disability**

##### **19.2.1 Requirements for a development application**

- a) A photomontage of the proposed development shall accompany any development application for seniors housing that is for more than 20 dwellings.
- b) A detailed landscape plan prepared by an appropriately qualified landscape architect shall accompany development applications for seniors housing.
- c) A detailed Waste Management Plan (WMP) prepared by an appropriately qualified waste management professional a waste audit is to be submitted as part of the waste management plan.
- d) A detailed traffic and car parking assessment report that is suitably prepared by a qualified consultant report shall accompany the development application.
- e) This section is to be read in conjunction with Clause 2.15 of the Campbelltown (Sustainable City) Development Control Plan. Which contains other requirements.

## Draft Amendment to Campbelltown (Sustainable City) Development Control Plan

### Part 19 – Seniors Housing and Housing for People with a Disability

#### 19.2.2 Additional Controls relating to Waste Management

##### a. Residential Aged Care Facilities (RACFs):

RACFs are considered to be a commercial operation, and on this basis would need to arrange commercial waste services through private contractor/s. Suggested clauses are as follows:

- Development shall make provision for an enclosed onsite waste storage area that provides adequate space to accommodate all streams of waste expected to be generated from the development (*taken from clause 6.7 (a) – Commercial waste*)
- Bin storage area to be provided for medical and cytotoxic waste, which must be separate from the bin storage area for general waste and recycling streams
- Bin storage areas to be constructed in accordance with clause 5.4.8.3 ((a) to (f)) of Council's DCP (*consistent with requirements for RFBs*)
- General waste and recycling to be collected by a licensed contractor, and a copy of the service agreement to be provided to Council prior to occupation of the premises
- Medical and cytotoxic waste to be collected by a licensed contractor, and a copy of the service agreement to be provided to Council prior to occupation of the premises
- Where on-site collection is proposed, the development must be designed to accommodate forward-in forward-out access for an Australian Standard heavy rigid vehicle
- Estimated waste generation rates are as follows (*based on recent WMP plans provided for aged care facilities and the estimate for one bedroom units in the EPA MUD guide – we don't currently have other data to base this on*):

General waste	80L/bed/week
Recycling	40L/bed/week
Medical waste	4.8L/bed/week
Cytotoxic waste	4.8L/bed/week

##### b. For Independent Living Units and Self-contained Dwellings:

For these types of developments, it is assumed that no external care is provided such as nursing for residential care facilities. On this basis, the relevant waste requirements will be determined by the development type and zone, bin storage arrangements such as individual and shared and proposed collection arrangements such as kerbside and on-site.

Council would more than likely provide the waste service to these types of developments, and applications would therefore be assessed accordingly for compliance with the appropriate section of the DCP. In this regard:

## **Draft Amendment to Campbelltown (Sustainable City) Development Control Plan**

### **Part 19 – Seniors Housing and Housing for People with a Disability**

- Clause 2.15 provides the general waste requirements for all dwelling types
- Clause 3.7.1.10 provides the requirements for attached dwellings (zone R3)
- Clause 3.7.2.10 provides the requirements for multi dwelling housing (zone R3)
- Clause 5.4.8 provides the requirements for residential flat buildings and mixed use developments (zones R4, B3 and B4)
- Clause 5.6.5 provides the requirements for mixed use developments (zones B3 and B4)

#### **c. All Senior Living Developments**

##### **19.2.8 Waste Storage Areas**

- Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided to enable easy cleaning.
- Closed waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.
- The business operator must enter into a commercial waste contract agreement for regular waste & recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.
- All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

##### **19.2.3 Food Premise**

The construction, fit-out and use of all cafes and food preparation areas must comply with the Food Act 2003, Food Regulation 2015, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

##### **19.2.4 Public Health**

The construction, fit out and use of all regulated systems, public swimming pools/spas, skin penetration premises, hairdresser/barber or beauty salons must comply with the Public Health Act 2010, Public Health Regulation 2010 and Local Government Act 1993.

## **Draft Amendment to Campbelltown (Sustainable City) Development Control Plan**

### **Part 19 – Seniors Housing and Housing for People with a Disability**

#### **19.2.5 Additional Requirements for Residential Aged Care Facilities**

##### **19.2.5.1 Body Holding Rooms**

The Residential Care Facility must be provided with a Body Holding Room that is designed and constructed in accordance with the Local Government (General) Regulations 2005, Public Health Act 2010, Public Health Regulation 2012 and NSW Health Guidelines for Funeral Industry.

The location of the body holding room must be physically separated from all public areas of the building in which it is situated but may be integral with the construction of the remainder of the building.

The body holding room must be capable of being sealed off from the remainder of the premises.

##### **19.2.5.2 Chemical Storage Area**

The chemical store room must be constructed with smooth and impervious floors, walls and ceiling to enable easy cleaning.

Appropriate ventilation, bunding and storage of the chemical must be provided within the room in accordance with SafeWork NSW and the Safety Data Sheets for each chemical to prevent any pollution incidents or risk to public health and safety.

All chemical waste must be collected and disposed of appropriately by a waste transporter and treatment facility licensed by the DEC – Department of Environment and Conservation (Protection of the Environment Operations (Waste) Regulation 2014).

##### **19.2.5.3 Laundry Room**

The laundry room must be constructed with smooth and impervious floors, walls and ceiling to enable easy cleaning.

Appropriate ventilation (where applicable) must be provided in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings within the laundry room.

The laundry must be provided with a trade waste agreement in accordance with Sydney Water requirements. Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate. Please contact Sydney Water for information and requirements for trade waste agreement by calling 13 20 92.



## **Draft Amendment to Campbelltown (Sustainable City) Development Control Plan**

### **Part 19 – Seniors Housing and Housing for People with a Disability**

#### **19.2.5.4 Clinical Waste Rooms**

The clinical waste room must be constructed with smooth and impervious floors, walls and ceiling to enable easy cleaning.

All clinical waste must be placed into an approved yellow sharps container/bin immediately after use. All clinical waste containers/bins must comply with AS 4261:1994 or AS 4031:1992. Sharps containers/bins must be collected and disposed of appropriately by a waste transporter and treatment facility licensed by the DEC – Department of Environment and Conservation (Protection of the Environment Operations (Waste) Regulation 2014)

The following clinical waste guideline, plan and policy must be complied with:

- Guidelines for Approval of Method to Treat Clinical Waste  
<https://www.health.nsw.gov.au/environment/clinicalwaste/Documents/approval-method-treat-clinical-waste.pdf>
- Clinical and Related Waste Management for Health Services - Policy Directive 2017\_026  
[http://www1.health.nsw.gov.au/pds/Pages/doc.aspx?dn=PD2017\\_026](http://www1.health.nsw.gov.au/pds/Pages/doc.aspx?dn=PD2017_026)
- Generic Waste Management Plan for Health Care Facilities -  
<https://www.health.nsw.gov.au/environment/clinicalwaste/Documents/generic-wmp.pdf>

## 8.4 Outcome of the 2020 Free Recyclables Drop Off Day

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.3 - Promote and educate our community on sustainable practices and encourage practicable take up of more sustainable life-choices

### Officer's Recommendation

1. That the results of the August 2019 and January 2020 Free Recyclables Drop Off Day trial events be noted.
2. That the Christmas time Free Recyclables Drop Off Day be moved to a date in February on an ongoing basis, starting from 2021.
3. That an additional Free Recyclables Drop Off Day be held annually in August, commencing 2020.
4. That both events operate from 8am to midday.
5. That the dates for the Free Recyclables Drop Off Days be promoted to ensure a smooth transition to the revised arrangements.

### Purpose

To provide Council with an update on the Free Recyclables Drop Off Day trial events that were run in August 2019 and January 2020, and provide recommendations for how the event could proceed in the future.

### History

Council at its meeting of 9 July 2019, considered a report in relation to the format of the Free Recyclables Drop Off Day, which has been run annually in the first week of January since 2009, to increase recycling capacity for the community, and in particular after the Christmas period.

The report discussed a number of issues, including an identified downward trend in participation rates over recent years, as well as high temperatures usually experienced in early January. Community demand was also discussed, on the basis that the timing of the event is driven by its connection with the Christmas period.

A number of proposals were outlined within the report, including the proposal to reduce the operating hours for the event, with an additional event to be run in late 2019. Further to this it was required by the Council that a survey be undertaken of participants attending the January 2020 event to evaluate demand for the event over the Christmas period.

In consideration of the report, Council also resolved that a follow-up report be provided to Council with the results of the Free Recyclables Drop Off Days held in both August 2019 and January 2020, and the results of the survey.

## **Report**

### **Results of the August 2019 event**

The additional Free Recyclables Drop Off Day was run on Saturday, 17 August 2019 and attracted 190 vehicles over the course of the four hour event. Participants dropped off a total of 2680kg of recyclables, which was made up primarily of bulk cardboard, and equated to an average of 14.1kg per vehicle.

The polystyrene recycling service was well utilised, with 136 participants (or 71 percent) collectively delivering approximately 41 cubic metres of polystyrene for recycling. This is the highest proportion of participants using the polystyrene drop off service in the event's history, and is indicative of the ongoing demand for disposal options for this problematic waste type.

While participation rates for the August event were considerably lower than recent January events, it is worth noting that they are consistent with the participation rates for the initial three events, suggesting that participation rates would be likely to increase with growing community awareness should a mid-year event continue to be offered.

### **Results of the January 2020 event**

The 2020 Free Recyclables Drop Off Day was held on Saturday, 4 January, and attracted a total of 635 participants between 8am and midday. Participants dropped off a total of 10,340kg of recyclables, an average of 16.3kg per vehicle, as well as approximately 96 cubic metres of polystyrene for recycling.

Bulk cardboard and polystyrene again formed the majority of materials brought to the event for recycling, with almost 68 percent of participants dropping off polystyrene. This is the highest proportion of participants utilising the polystyrene service at January events, and is second only to the event run in August 2019.

In order to gauge the ongoing need for additional recycling capacity during the Christmas period, the customer survey conducted at this event was adapted to capture information in relation to the source of materials, and determine whether they had been generated as a result of Christmas activities, moving house, furniture purchases, or a combination of these options.

Survey results indicated that just over half of participants (56.4 percent) brought only Christmas related recyclables, while approximately one fifth (20.3 percent) brought only items that were unrelated to Christmas and were the result of activities such as moving or furniture purchases. The remaining respondents (22.7 percent) had brought materials from a combination of Christmas and other activities.

It is worth noting, however, that these statistics were not necessarily consistent with the observations made by staff at the drop off point, who observed that the bulk cardboard dropped off by residents appeared to be largely unrelated to Christmas activities.

The 2020 Free Recyclables Drop Off Day, while operating over reduced hours, saw the highest participation rate in the event's history, in terms of cars serviced per hour. Taking into account the additional 45 minutes that the event was extended to accommodate cars already in the queue at midday, staff unloaded approximately 143 cars per hour in what was to become an increasingly hot day.

This rate of participation is inconsistent with the significant downward trend that had occurred at the 2018 and 2019 events, which is likely due to the introduction of the NSW Government's Return and Earn Scheme in December 2017. The factors contributing to the sudden increase in participation at the 2020 event are unknown, but a possible contributing factor may have been a reduction in residents travelling over the Christmas holiday period due to the widespread fire activity and associated travel warnings in place in the lead up to the event.

### **Proposed new arrangements for the Free Recyclables Drop Off Day**

Based on the above results, it is considered reasonable moving forward to continue with providing the community with two Free Recyclables Drop Off Days throughout the year.

However, in order to balance the needs of the community with the safety and comfort of staff working at the Free Recyclables Drop Off Day, it is considered appropriate to move the summer time Free Recyclables Drop Off Day from January to a date in February, and continue providing the service from 8am to midday on each of the two separate days in February and August moving forward.

Therefore it is recommended that:

- the Free Recyclables Drop Off Day usually held in January be rescheduled to February, commencing in 2021
- an additional Free Recyclables Drop Off Day be held annually in August, commencing in 2020
- both events operate from 8am to midday

To ensure a smooth transition for the community, widespread promotion of these changes would occur well in advance of each event, should this proposal be adopted.

### **Attachments**

Nil

## 8.5 Application to Revoke Dangerous Dog Declarations

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.2 - Ensure that service provision supports the community to achieve and meets their needs

### Officer's Recommendation

1. That the Dangerous Dog Declarations made on 10 May 2016, in respect of a female Staffordshire Terrier/Boxer cross and male Boxer be revoked in accordance with provision Section 39 (2)(a) *Companion Animals Act, 1998*.
2. That Council give notice to the owner of the dog and to the Director General Division of Local Government of the revocation of the Dangerous Dog Declarations referred to in 1 above within seven days in accordance with the provisions of Sections 39 (3) and 40 (2) *Companion Animals Act, 1998*.

### Purpose

To report on a request lodged by an owner of two dogs, for Campbelltown City Council to revoke Dangerous Dog Declarations issued in respect of the same two dogs.

### History

On 10 May 2016, Campbelltown City Council declared a Staffordshire Terrier/Boxer and a Boxer owned by a Kentlyn resident as Dangerous Dogs.

The dogs were declared as Dangerous in response to an incident where the dogs attacked a number of sheep kept on an adjoining property. One sheep was killed and five other sheep were injured as a result of the attack.

As the owner has moved since from the rural area of Kentlyn and had the dogs continuously in his possession for well over 12 months without record of any further attack, he now requests the Dangerous Dog Declarations be revoked.

## Report

The owner of the dogs, has made a written application to Campbelltown City Council, as the responsible regulatory authority, to seek to have the declarations revoked. It is considered there is merit in supporting the request, particularly given the circumstances surrounding the initial incident which occurred on 22 March 2016 and that there have been no incidents of further aggressive behaviour or ill temperament displayed by the dogs since. Furthermore there is less likelihood of a similar attack occurring given the owner has now relocated.

The circumstances surrounding the declaration and an observation of the dog's temperament have been considered by Council's Animal Control Ranger, who has recommended that the Dangerous Dog Declarations be revoked.

It should be noted that under Section 39 (1) of the *Companion Animals Act* (the Act), the owner of a dog that has been declared Dangerous can apply to the Council of the area in which the dog is ordinarily kept for the declaration to be revoked. This application cannot be made until 12 months after the dog was declared Dangerous and this period has since expired.

Section 39 (2)(a) of the Act provides that the Council to which the application is made can revoke the declaration, but only if it is satisfied it is appropriate to do so.

In addition, a Council that revokes a declaration must give notice of the revocation to the Director General, Office of Local Government within seven days.

On review of the application and the circumstances surrounding the Dangerous Dog Declarations, it is concluded that the two dogs subject of the subject application are considered to pose a low threat to the community and therefore it is recommended that the Dangerous Dog Declarations be revoked.

## Attachments

Nil

## 8.6 Mt Gilead - Draft Planning Proposal

### Reporting Officer

Executive Manager Urban Release and Engagement  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Mt Gilead Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to amend the existing Voluntary Planning Agreement with Council for the provision of all local infrastructure required to support the incoming population which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

### Executive Summary

- Lendlease Communities (Mt Gilead) Pty Ltd (Lendlease) has submitted a Planning Proposal Request (PPR) that seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in respect of land within the Mount Gilead Urban Release Area (Mt Gilead), which forms part of the Greater Gilead Urban Release Area (Greater Gilead).
- Mt Gilead was rezoned for urban purposes in September 2017 and is the subject of a Local Voluntary Planning Agreement, State Voluntary Planning Agreement and Biodiversity Certification Agreement.

- The PPR seeks to amend the spatial layout of residential and open space zoned land while retaining the existing dwelling yield of 1700 lots. The PPR also seeks to introduce the R3 Medium Density Residential and B4 Mixed Use zones. The existing B1 Neighbourhood Centre is proposed to be rezoned R2 Low Density Residential due the impact of planning for bushfire protection and location which does not align with the desired future road hierarchy.
- On review, it is considered that the PPR has sufficient strategic merit and would allow a more diverse and sustainable urban release outcome, with an enhanced range of dwelling opportunities, supporting commercial and community facilities, greater connectivity of areas protected as bio-banking sites, increased open space and appropriate road and stormwater management infrastructure supported by an updated local voluntary planning agreement.

## Purpose

The purpose of the report is to present a draft Planning Proposal (the Proposal) (attachment 1) derived from a Proponent initiated Planning Proposal Request (PPR) (attachment 2) relating to land within the Mt Gilead Urban Release Area and to recommend that Council seek a Gateway Determination in accordance with the provision of the Environmental Planning and Assessment Act 1979 (EP&A Act) with amendments as outlined in this report.

<b>Property Description</b>	The Planning Proposal Request applies to the lands:  Lot 1 DP 1240836 Lot 2 DP 1240836 Lot 3 DP 1240836 Lot 4 DP 1240836 Lot 5 DP 1240836 and Lot 61 DP 752042.
<b>Application Number</b>	561/2019/E-PP
<b>Applicant</b>	Lendlease Communities (Mt Gilead) Pty Ltd
<b>Land Owner</b>	Lendlease Communities (Mt Gilead) Pty Ltd
<b>Provisions</b>	<ul style="list-style-type: none"> <li>• Campbelltown Local Environmental Plan 2015</li> <li>• Section 9.1 Ministerial Directions</li> <li>• Greater Sydney Region Plan</li> <li>• Western City District Plan</li> <li>• Greater Macarthur: An Interim Plan for the Greater Macarthur Growth Area.</li> <li>• Campbelltown Community Strategic Plan</li> <li>• Campbelltown Draft Local Strategic Planning Statement</li> <li>• State Environmental Planning Policies</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015</li> </ul>
<b>Date Received</b>	20 February 2019



## History

The Mt Gilead Homestead Precinct (the Precinct) was rezoned for urban purposes in September 2017 after an extensive strategic planning phase. The Precinct is to provide a maximum of 1700 lots, ranging in size from 375sqm to 700sqm, supported by a network of open space and stormwater management facilities, a community hub and the conservation of existing sensitive ecological communities on the site.

Since the rezoning, Lendlease has taken a controlling interest in the land and has lodged various development applications with Council, seeking development consent to undertake urban development of the land.

The local infrastructure delivery mechanism for the land is a Local Voluntary Planning Agreement (LVPA) that was executed in August 2019 in respect of 1700 allotments (registration on title is imminent) between Lendlease Communities Mt Gilead Pty Ltd, the Dzwonnik Family and Campbelltown City Council to an aggregate value of \$56m. The subject funding is to be expended on open space, community infrastructure and water quality treatment basins.

A State Voluntary Planning Agreement (SVPA) was executed in May 2019 in respect of 1700 allotments (registered on title October 2019) between Lendlease Communities Figtree Hill Pty Ltd and the Minister for Planning and Public Spaces to a value of \$86m. The SVPA funding is to be expended on works associated with the upgrade of Appin Road.

A Biodiversity Certification Order was issued in respect of the subject land in July 2019 under the *Threatened Species Conservation Act 1995*.

The Campbelltown City Council Local Planning Panel (the Panel), at its meeting of 27 November 2019 provided advice in support of the Proposal and recommend that:

- Clause 4.3A be amended to allow multi dwelling housing to be a maximum of three storeys in the R3 Medium Density Residential Zone.
- Clause 4.4 (2A) be amended to exclude its application for areas shown on the Urban Release Area Map.
- Delete Clause 4.1E and amend the minimum lot size map in respect of that part of Lot 5 DP 1240836 zoned RU2 Rural Landscape to 5ha to permit its excision.
- Clause 4.1 (4C) be amended to support no more than 30 percent of the notional yield or 510 lots (total) to be less than the minimum lot size of 450sqm.
- The proposed exemption to Clause 4.1C be replaced by a new Clause 4.1H to specify the applicable minimum lot size for residential accommodation in the R3 Medium Density Residential zone.
- The Panel is of the view that at four hectares, the proposed B4 Mixed Use zone appears to be of excessive area to provide for the requested 4000sqm of retail gross floor area. The area of B4 Mixed Use zone needs to be determined following economic modelling and land use assessment in respect of the future role of the centre in the existing and evolving centres hierarchy. A suitable FSR should also be determined following this analysis prior to referral for Gateway Determination.

- That visual analysis of the proposed B4 Mixed Use and R3 Medium Density Residential zones and their proposed maximum height limits be undertaken with respect to potential impacts on the adjoining heritage and landscape value of Figtree Hill prior to referral for Gateway Determination.
- That Lendlease commit to updating the existing Voluntary Planning Agreement (VPA) with Council to ensure all local infrastructure required to support the incoming population is delivered in conjunction with the development of the release area.
- That the PPR, as amended above, has strategic merit in regard to the natural environment, dwelling diversity, open space provision and consistency with relevant requirements of the Regional and District Plans.

Subject to addressing the above matters, the Panel recommends to Council that it considers it appropriate for the draft Proposal to proceed for a Gateway Determination to enable public comment to be obtained on the proposal.

Those items above that require a response from Council are addressed in Section 2 Evaluation.

### **The Site**

Mt Gilead forms part of the Greater Macarthur Growth Area which is located south of the Campbelltown City Centre.

The land subject to the PPR (the site) is located south of the existing urban areas of Campbelltown, on the western side of Appin Road, and adjoining the southern boundary of the Noorumba Reserve.

The site comprises six allotments and has an approximate area of 216 hectares. Historically the site has been predominantly used for agricultural purposes, and contains a number of riparian corridors and farm dams, with pockets of remnant native vegetation. Whilst a hill with steep slopes is located within the north western corner of the subject site, the rest of the land is generally gently sloping.

There are some remaining stands of significant vegetation which have been conserved under a Biodiversity Certification Agreement and BioBank Agreements. The site does not contain any items of local or State heritage significance and is not located within a heritage conservation area. The site is in close proximity to the State Heritage Listed Upper Canal Water Supply System and the curtilage associated with the greater Mt Gilead Homestead Precinct.

### **Report**

The Proposal is comprised of two parts being the PPR and an amendment to Volume 2, Part 7 (Mt Gilead) of the Campbelltown (Sustainable City) Development Control Plan (CSCDCP).

The Proposal derived from the PPR seeks to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) by:

- Amending the land use zones and principal development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision

requirements for certain forms of development. Further detail is provided in Section 1.9 below. (It is noted that a comprehensive visual analysis of the significant view lines associated with the heritage and landscape value of Fig Tree Hill and surrounds is to be undertaken to refine the final land use controls and heights proposed for the commercial and medium density residential precincts, prior to public exhibition).

- Relocating and expanding the neighbourhood centre to provide a retail gross floor area of 4,000sqm (it is noted, however, that the final scale and composition of the proposed centre is to be the subject of detailed economical modelling and land use assessment prior to public exhibition).
- Increasing the level of protection for land conserved under the Biodiversity Certification Agreement by zoning the land E2 Environmental Conservation.
- Increasing the provision of open space from 29.91ha to 50.27ha (excluding the Macarthur Onslow BioBank of 11.88ha) and an increase of the open space and recreation function from 12.86ha to 35.35ha. This equates to 7.6ha per 1000 people, which is significantly above the traditional standard of 2.83ha per 1000 people.

The Development Control Plan amendment seeks to:

- Deliver a more diverse range of housing types whilst not exceeding the current endorsed limit of 1700 dwellings.
- Amend the road and street network, including the primary collector road network to celebrate the scenic value of One Tree Hill, improve future bus coverage and provide a future link to the balance lands.
- Identify a two hectare site for a potential future school.
- Provide an extra 1700 trees in private land by requiring a minimum of two trees in the front setback, two in the rear setback and 50 percent of the front setback to be landscaped with turf and garden beds.
- Revise the major road cross sections to provide additional opportunities for tree planting.
- Update the open space network to align with the proposed PPR and improve pedestrian, cycle and biodiversity connections.
- Enhance and relocate the community facility to a location more proximate to the town centre to support the future needs of the community.
- Align the residential dwelling controls with Greenfield Housing Code to avoid inconsistencies in streetscapes and insert provisions for small lot housing for parts of the B4 Mixed Use and R3 Medium Density Residential zones.
- Reference the Proponent's Dwelling Design Guidelines that include greater requirements for on lot tree planting and use of building materials with reduced solar absorption.
- Provide guidance on the layout of future neighbourhood centre.

The PPR is supported by the following specialist technical studies.

<b>Specialist Technical Studies</b>	<b>Author</b>	<b>Date</b>
Gilead Landscape Masterplan	ASPECT Studios	October, 2018
Detailed Site Investigation with Limited Sampling - Mt Gilead	Douglas Partners Pty Ltd	October, 2016
Remediation Action Plan – Mt Gilead	Douglas Partners Pty Ltd	August, 2017
Report on Preliminary Site Investigation	Douglas Partners Pty Ltd	December, 2016
Mt Gilead Project (MDP Lands) Aboriginal Cultural Heritage Assessment	Cultural Heritage Connections & Virtus Heritage Pty Ltd.	July, 2017
Heritage Assessment and Management Strategy	TKD Architects	June, 2017

Since submission of the PPR, elements of the supporting studies may no longer be relevant due to iterative amendments to the PPR arising from the review of Council Officers.

## **Discussion**

This report considers the strategic context of the PPR in relation to State and local planning policies and the potential impacts of the proposal.

### **1. Strategic Context**

The following State and local planning policies are relevant to the PPR as discussed below.

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

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Greater Sydney Region Plan (GSRP) sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The GSRP identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PPR against the relevant Directions and Objectives of GSRP is provided in attachment 1 (table 2 of the document). The PPR is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

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

The Western City District Plan (WCDP) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The WCDP identifies Gilead as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, the Mt Gilead Precinct has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PPR against the relevant Directions and priorities are provided in attachment 1 (table 2 of the document). The PPR is generally consistent with the WCDP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

### **1.3 Greater Macarthur Growth Area**

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including the Mt Gilead Urban Release Area.

Greater Macarthur 2040 identifies that Mt Gilead will be:

- rezoned and release land for urban development
- deliver around 15,000 new homes in the broader Gilead precinct
- provide higher density residential development around centres and along the central transport corridor
- conserve biodiversity corridors and waterways
- create a central transport corridor providing public transport connections beyond the site
- create road upgrades and connections beyond the precinct

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including:

- sub-regional shopping centre at Wilton providing around 52,600sqm Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600sqm GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000sqm GLA overall
- supermarket based town centre at Mt Gilead providing around 8700sqm GLA

The proposed Mt Gilead B4 Mixed Use Town Centre is generally consistent with the above retail analysis, with capacity to support a supermarket-based centre with supporting speciality retail floor area of 4000sqm. The final scale and composition of the proposed centre should be the subject of detailed economical modelling and land use assessment as a condition of Gateway Determination and prior to public exhibition.

#### 1.4 Consideration of State Regional Environmental Plans

State Regional Environmental Plan 20 – Hawkesbury Nepean River (SREP 20) applies to the Gilead precinct. The aim of the SREP 20 is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The PPR is generally consistent with SREP 20 as it aims to protect the environment of the Hawkesbury-Nepean River in regards to the proposed land use and environmental protection.

#### 1.5 Consideration of State Environmental Planning Policies

The PPR is consistent with the relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and commentary is provided at attachment 1 (table 5 of the document).

#### 1.6 Consideration of Section 9.1 Ministerial Directions

The PPR is generally consistent with the Section 9.1 Directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 Directions forms attachment 1 (table 6 of the document).

#### 1.7 Campbelltown Community Strategic Plan 2017-2027

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

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PPR is not inconsistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

CSP Outcome	Statement of Consistency
<b>Outcome 1</b>	
A vibrant, liveable city	<ul style="list-style-type: none"> <li>The community will be afforded the opportunity to review the Planning Proposal and engage at key stages in the decision-making process.</li> <li>The proposal seeks to revise the masterplan to improve place making, public domain and open space outcomes.</li> <li>Provides for the interpretation of historical uses and ownership of the site.</li> <li>Provides for greater housing choice and diversity.</li> </ul>
<b>Outcome 2</b>	
A respected and protected natural environment	<ul style="list-style-type: none"> <li>The proposal seeks to link two parcels of critically endangered ecological communities through the provision of an open space corridor.</li> <li>Is consistent with Council's Natural Assets Corridor Map.</li> </ul>
<b>Outcome 3</b>	
A thriving, attractive city	<ul style="list-style-type: none"> <li>The proposal will facilitate the delivery of all local infrastructure on behalf of Council through a Planning Agreement.</li> </ul>

<b>Outcome 4</b>	
A successful city	<ul style="list-style-type: none"> <li>• The proposal seeks to implement a more permeable road network and bus route that will serve a greater walking catchment within the site.</li> <li>• The proposal continues to respect and manage key environmental and heritage outcomes identified for the site in the original rezoning.</li> </ul>

### 1.8 Draft Local Strategic Planning Statement 2019

The draft Local Strategic Planning Statement (draft LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting on 18 February 2020. It details Campbelltown City Council’s plan for the community’s social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA), and seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- outline the characteristics that make our city special
- identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The draft LSPS responds to the District and Regional Plans and to the community’s documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is consistent with the draft LSPS as the proposal has good alignment with Council’s Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

### 1.9 Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment is discussed below, with maps illustrating the proposal provided in attachment 1 (attachments 1 – 4 of the document).

CLEP 2015 Current	Proposed Amendment	Comment
<b>Land use Zoning Map</b>		
The zoning of land in Mt Gilead uses the R2 Low Density Residential, RE1 Public Recreation and B1 Neighbourhood Centre zones.	<p>The PPR seeks to introduce or amend the spatial location of land use zones to:</p> <ul style="list-style-type: none"> <li>• Replace the B1 Neighbourhood Centre zoning with a B4 Mixed Use town centre zone and relocate to a more central location.</li> <li>• Introduce a R3 Medium Density Residential zone along the southern spine</li> </ul>	<p>No concern is raised in regard to the proposed amendments to the Land Zoning Map.</p> <p>Although the proposal seeks to allow for a more diverse range of dwelling types in the R3 Medium Density Residential and B4 Mixed Use zones, the future yield is not expected to increase due to the reduced area of proposed residential land, local and State infrastructure agreements that</p>

CLEP 2015 Current	Proposed Amendment	Comment
	<p>entry corridor.</p> <ul style="list-style-type: none"> <li>• Rezone portions of RU2 Rural Landscape to E2 Environmental Conservation and RE1 Public Recreation land to allow for conservation of threatened species as well as providing open space.</li> <li>• Rezone areas of RE1 Public Recreation that are subject to biobank protection to E2 Environmental Conservation.</li> <li>• Reduce the extent of R2 Low Density Residential zoned land to reflect the revised open space and conservation areas.</li> </ul>	<p>cap development to 1700 dwellings and road network design limitations.</p> <p>The footprint of the proposed B4 Mixed Use Town Centre at 4ha is considered appropriate to accommodate the forecast demand for future retail floorspace and would also accommodate other commercial uses that support retail development as well as to provide amenity to the community. These uses may include child care centres, co-working office space, medical centres and live/work housing.</p> <p>The proposed zoning amendments also contribute to enhanced open space and ecological conservation outcomes.</p>
<b>Minimum Lot Size Map</b>		
<p>The current minimum lot sizes for the R2 Low Density Residential are the following:</p> <ul style="list-style-type: none"> <li>• 450sqm</li> <li>• 500sqm</li> <li>• 700sqm</li> </ul> <p>The current minimum lot size for the RU2 Rural Landscape zone is 100ha.</p> <p>There is no land currently zoned R3 (hence no minimum lot size map reference)</p> <p>There is no land currently zoned B4 (hence no minimum lot size map reference)</p>	<p>The PPR seeks to amend the Minimum Lot Size Map generally as follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: <ul style="list-style-type: none"> <li>- 500sqm to 450sqm (in part)</li> <li>- 700sqm to 450sqm</li> </ul> </li> </ul> <p>Note that some 500sqm 'precincts' remain unchanged.</p> <ul style="list-style-type: none"> <li>• R3 Zone: N/A</li> <li>• B4 Zone: N/A</li> <li>• RU2 Zone: 5ha</li> </ul> <p>The PPR also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types.</p>	<p>The proposed standard minimum lot size of 450sqm over the majority of the R2 Low Density Residential zone is considered appropriate having regard to the site attributes and resulting housing diversity benefits. Further, it would assist to balance, in part, the additional land proposed to be zoned for open space.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and B4 Mixed use zone is to provide consistency with a proposed new subdivision clause to provide for a diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p>



CLEP 2015 Current	Proposed Amendment	Comment
	<p>This includes Area 1 which would apply to the R3 Medium Density Residential zone and Area 2 which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards Subdivision heading below.</p>	<p>A variation to the RU2 minimum lot size map as proposed (5ha) is supported. This would support the deletion of Clause 4.1E to support the excision of urban zoned land from Lot 5 in DP 124036.</p>
<b>Height of Building Map</b>		
<p>The current maximum building heights are:</p> <ul style="list-style-type: none"> <li>• RU2 Zone: 9m</li> <li>• R2 Zone: 6m, 8.5m</li> <li>• B1 Zone: 9m</li> </ul>	<p>The PP seeks to amend the Height of Building Map as follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 9m (1-2 sty)</li> <li>• R3 Zone: 12m (2-3 sty)</li> <li>• B4 Zone: 15m (3-4 sty)</li> </ul> <p>The PPR also seeks to include a new subclause under Clause 4.3A to permit the number of storeys on R3 zoned land to 3 storeys, including dwelling houses, attached dwellings, semi-detached dwellings and multi-dwelling housing.</p>	<p>The proposal seeks to apply a 9m height of building control for the R2 Low Density Residential Zone. This control is 0.5m higher than the standard 8.5m control applied by the Codes SEPP and is considered appropriate for development on sloping land.</p> <p>Areas currently limited to a building height of 6m relate to land located on key view lines from the Old Mill to One Tree Hill. This resulted in a 6m building height control for a depth of approximately 30m on the northern side of One Tree Hill with associated screen planting. Due to the proposed inclusion of One Tree Hill in the open space network and further distancing of residential development from this area, an increase from 6m to 9m is considered appropriate. To confirm this outcome, it is recommended that further survey of the sight line be undertaken as a condition of Gateway Determination.</p> <p>The proposed 12m height limit on R3 Medium Density Land is commonly applied in similar land release settings and ideally supports terrace style housing. The proposal to amend Clause 4.3A to allow</p>

CLEP 2015 Current	Proposed Amendment	Comment
		<p>three storeys for all forms of residential accommodation in the R3 zone is not supported due to the opportunity to undertake a separate subdivision and built form process.</p> <p>Alternatively, three storey development may be considered for multi dwelling housing as this form of housing involves the siting, dwelling design and strata subdivision within a single application and provides opportunity for a more rigorous merit assessment.</p>
<b>Floor Space Ratio Map</b>		
<p>The maximum floor space ratio for the R2 Low Density Residential zone in the Mt Gilead precinct is 0.55:1.</p> <p>No FSR applies to the B1 Neighbourhood Centre and RU2 Rural Landscape zones</p>	<p>The applicant has not sought to amend the Floor Space Ratio Map.</p>	<p>The application of an FSR control within a land release context is uncommon. The usual approach is for floor area to be addressed via building envelope and site coverage controls within a DCP.</p> <p>The preferred approach to controlling bulk and scale is to implement building floor area limits, minimum landscaped area, maximum site coverage, solar access controls and minimum boundary setbacks. These matters would be appropriately dealt with in the revised Mt Gilead DCP.</p> <p>This outcome would provide a consistent approach with the Greenfield Housing Code for Complying Development and would improve the customer experience for land owners seeking to either lodge a Development Application with Council or to seek a Complying Development Certificate from an Accredited Certifier.</p>

<b>Land Reservation Map</b>		
The land reservation map identifies land required for public purposes such as open space, roads and utilities.	The PPR seeks to update the Land Reservation Map based on the updated Land Zoning Map where land is reserved exclusively for a public purpose, including open space, environmental conservation and infrastructure.	The proposed amendments are supported to reflect the proposed changes in land uses.
<b>Principal Development Standards: Clause 4.1E</b>		
Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1E also applies in respect to defining the minimum lot size for part of Lot 3, DP 1218887, Appin Road, Gilead that is in RU2 Rural Landscape zone.	The proposal seeks a reduction of the minimum subdivision lot size from 100ha to 5ha to facilitate the subdivision of the land known as Part Lot 5 DP 1240836 and zoned RU2 on the western side of the Sydney Water Supply Upper Canal (Lot 3 DP 730136).	The proposed amendment is supported as future urban development would require a future subdivision to excise part of Lot 3 which would remain as rural land.
<b>Principal Development Standards: Clause 4.1(4C)</b>		
<p>Despite subclause (3), development consent may be granted for the subdivision of land within Lot 61, DP 752042, Appin Road, Gilead, into lots that do not meet the minimum size shown on the Lot Size Map if:</p> <p>a) each lot has a minimum lot size of not less than 375sqm, and</p> <p>b) no more than 65 lots have a lot size of less than 450sqm, and</p> <p>c) no more than three contiguous lots sharing a street frontage have a lot size of less than 450 sqm, and</p> <p>d) each lot is located not more than 200m from a bus route, community centre or</p>	<p>The proposal seeks to amend this clause so that it would also apply to lots 1 to 5 in DP 1240836) to allow the following outcomes:</p> <ul style="list-style-type: none"> <li>Reduction in the minimum lot size for R2 zoned land to be reduced to 375sqm for up to 255 lots, provided there will be no more than three contiguous lots sharing a street frontage.</li> <li>Reduction in the minimum lot size for R2 zoned land to 300sqm for up to 255 lots provided:</li> <li>there will be no more than three contiguous lots sharing a street frontage</li> <li>each lot is located not more than 200m from a bus route, community facility or open space area</li> </ul>	<p>The current subclause permits only 65 or 3.8% of total lots below the standard minimums and would not support an effective salt and pepper approach to supporting more affordably priced land to be distributed throughout the release.</p> <p>The proposed amendment would result in up to 510 lots or 30% of total lots providing a more affordable product. Although the approach is supported in principle, a reduced provision of 20% was recommended to the Panel.</p> <p>Since the Panel meeting, the Proponent has submitted additional information advising that the usual provision of smaller lots (between 300sqm to 449sqm) usually comprises about 70% of master planned greenfield estates in Sydney.</p> <p>The proposal to cap this provision to 30% would be well</p>

<p>open space area</p>		<p>below the usual benchmark and would still result in the average lot size of final lots remaining above 500sqm.</p> <p>To support this outcome, existing Clause 4.1(4C) should be amended and replaced with an amended Clause 4.1H as shown in attachment 1 (attachment 6 of the document).</p>
<p><b>Principal Development Standards: Subdivision</b></p>		
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Semi-detached dwelling</li> <li>• Attached dwelling</li> <li>• Multi Dwelling Housing</li> <li>• Centre based child care facilities</li> <li>• Residential Flat Buildings</li> </ul> <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PPR seeks to insert an additional subdivision clause, to enable development consent to be granted for subdivision of land to achieve the following:</p> <ul style="list-style-type: none"> <li>• Dwelling houses – Down to 300sqm where location criteria in clause 4.1(4C) are met for R2 zoned land and 125sqm for R3 zoned land</li> <li>• Dual occupancies – To remain at 700sqm for starting lot size and 300sqm for end lot size for R2 zoned land</li> <li>• Semi-detached dwelling – To remain at 700sqm for starting lot size and 300sqm end lot size for R2 zoned land to remain and starting lot size of 250sqm and end lot size of 125sqm for R3 zoned land</li> <li>• Attached dwellings – Will no longer be permissible in R2 zone as per Council Planning Proposal, no minimum lot size to apply to R3 zoned land to remain</li> </ul>	<p>Concern is raised that the proposed subdivision outcome would be too dissimilar to the proposed amendment for the Menangle Park Urban Release Area.</p> <p>The preferred approach is to have a consistent subdivision standard for the R3 Medium Density Residential zone for the permitted forms of residential accommodation with Campbelltown’s urban release areas.</p> <p>Therefore, it is recommended that the proposed amendment be modified to support the following subdivision standards for development in the R3 zone:</p> <ul style="list-style-type: none"> <li>• Dwelling House (detached): 250sqm</li> <li>• Semi detached dwellings: 250sqm</li> <li>• Dual Occupancy: 500sqm</li> <li>• Secondary Dwellings: 450sqm</li> <li>• Attached Dwellings: 200sqm</li> <li>• Multi Dwelling Housing: 1,500sqm</li> </ul> <p>Attachment 1 (attachment 6 of the document) sets out the proposed wording of Clause 4.1H as the recommended approach.</p>

		<p>This would be consistent with the adopted LEP amendments made on 11 June 2019 (now in force), to prohibit multi dwelling housing in the R2 Low Density Housing Zone. This would provide certainty that subdivision for dwellings and dual occupancy development may only occur.</p> <p>This approach would position Gilead to provide a similar housing product to the Willowdale Precinct (whilst providing certainty that this housing may only occur in the R3 zone.</p> <p>It would also enable these forms of development to occur as either local development (CLEP 2015) or complying development (State Environmental Planning Policy (Exempt and Complying Development) 2008.</p>
<b>Floor Space Ratio Clause</b>		
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential:</p>	<p>The PPR seeks to:</p> <p>Remove the FSR standard For the R2 and R3 zones</p> <p>Specify a new FSR of 2.0:1 for the B4 Mixed Use zone</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floor space controls are in addition to the Floor Space Ratio Map.</p> <p>Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the Mt Gilead Precinct in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its</p>

<p>0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1</p> <p>Centre-based child care facilities in a residential zone: 0.55:1</p>		<p>application for areas shown on the Urban Release Area Map.</p> <p>The proposed specification of an FSR for the B4 zone may be facilitated via the Floor Space Ratio Map. It should, however, be further evaluated as part of the Gateway Determination requirement.</p>
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In summary, the above amendments are considered to have strategic merit subject to the following changes:

- that Clause 4.3A be amended to only allow three storey multi dwelling housing in the R3 Medium Density Residential zone
- amend Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map
- delete Clause 4.1E and amend the minimum lot size map in respect of that part of Lot 5 DP 1240836 zoned RU2 Rural Landscape to 5ha to permit its excision
- amend Clause 4.1 (4C) to support no more than 30 percent of the national yield of 510 lots (total) to less than the minimum lot size of 450sqm
- that the proposed exemption to Clause 4.1C be replaced by a new Clause 4.1H to specify the applicable minimum lot size for residential accommodation in the R3 Medium Density Housing zone
- that an FSR of 2:1 for the B4 Mixed Use zone be applied to the Floor Space Ratio Map

The current planned residential density of the Mt Gilead URA is approximately 1700 dwellings over 216 hectares. This density is considered low by contemporary standards and would be maintained by the proposal due to the dedication of an additional 18 hectares of public open space, a new school site (public or private) and larger town centre.

### 1.10 Campbelltown (Sustainable City) Development Control Plan 2015

The Campbelltown (Sustainable City) Development Control Plan 2015 (DCP 2015) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 7 of the DCP 2015 contains a structure plan and series of development controls to guide delivery of Mt Gilead.

The PPR foreshadows an amendment to Part 7 of the DCP 2015 including the adoption of the new structure plan and controls to guide new forms of housing and layout of the amended neighbourhood centre.

Should the matter progress to Gateway Determination, staff would commence the process of reviewing and updating DCP 2015.

### 1.11 Natural Asset Corridors

Council has developed two natural asset policy positions over recent years to inform planning for the Campbelltown South Area.

The natural asset policy position comprising of maps and principles was adopted by Council on 28 November 2017. The PPR is consistent with the adopted Council maps, which at the time of drafting, relied on the existing urban extent of the Mt Gilead Precinct.

On 13 March 2018, Council considered the South Campbelltown Koala Connectivity Study, wherein Council noted the findings of the study and resolved to forward the study to the NSW Government to inform the strategic planning processes for Macarthur South and associated infrastructure upgrades in respect to:

- establishing at least three east-west primary natural asset corridors in the Mt Gilead (South Campbelltown) urban release area, with minimum width ranging from 200m – 425m with at least one corridor designed specifically for Koalas that achieves an average width of 425m
- the provision of at least three fauna and koalas overpasses along Appin Road, supported by wildlife exclusion fences and koala grid across all associated driveways and intersections.

Although the Connectivity Study does not contain mapping of the recommended corridors, it referenced the previous 2017 natural asset corridors in relation to the location of recommended fauna crossings of Appin Road.

In this regard, the Roads and Maritime Services (RMS) undertook public consultation on the Review of Environmental factors for the upgrade of Appin Road in November 2018. As part of this process, Council made a submission that referenced the connectivity study and need for a fauna crossing as part of the works. Notwithstanding this representation, the RMS decided to proceed with the project and made minor amendments to include additional fauna fencing along the western side of Appin Road.

Therefore, having regard to the above, the PPR is generally consistent with contemporary policy in regard to natural asset corridors. Opportunity for wider, primary width corridors would be considered in future land release proposals in South Campbelltown and would be informed by the NSW Government's policy in regard to the final Macarthur 2040 Plan and Cumberland Plain Conservation Plan which are yet to be finalised.

## 2. Evaluation

As Mt Gilead is already zoned for urban purposes, the assessment is limited to matters relevant to likely impacts arising from the proposal as discussed below.

### 2.1 Biodiversity

The Minister for the Environment, Developer, Landowners and Council, have entered into a Biodiversity Certification Agreement on the land under the *Threatened Species Conservation Act 1995*.

The agreement includes the bio-banking of vegetation, and the retirement of particular biodiversity credits under other bio-banking agreements to facilitate the proposed development.

Accordingly, developments or activities proposed to be undertaken within the certified areas do not need to undertake assessment of impacts on threatened species, populations and ecological communities, or their habitats, that would normally be required under the EP&A Act.

The Biodiversity Certification Agreement requires the Developer to prepare and implement a Construction Environmental Management Plan to the satisfaction of Council prior to the clearing of land. The plan must include but not be limited to:

- the erection of temporary and permanent protective fencing around all areas identified for conservation to minimise any inadvertent damage
- the retention of hollow bearing trees (where possible) that potentially contain roosting and breeding habitat for threatened microbats
- the salvaging of trees or parts thereof for use as fauna habitat in other biobank sites
- provision of kerb and gutter and piped stormwater management infrastructure to roads surrounding the conservation areas to ensure that stormwater will not flow into the conservation areas
- preparation of a dam de-watering plan for the removal of the farm dams
- preparation of a fauna pre-clearance protocol for the removal of all trees

It is noted that the PPR proposes a higher level of land use protection for the Biobank sites with an E2 Environmental Conservation zone proposed over these sites to replace the existing RE1 Public Recreation zone. In addition, a third Biobank site is proposed over the managed lands as per the requirements of the Biodiversity Certification Agreement for Gilead Stage 1.

In this regard, the proposal is not considered to have an unacceptable impact on threatened species, populations, ecological communities or their habitats, within the meaning of the *Threatened Species Conservation Act 1995*.

## **2.2 Bushfire Hazard**

The original rezoning demonstrated that development of the site could incorporate appropriate bushfire protection measures in line with the requirements of Planning for Bushfire Protection 2006. The NSW Rural Fire Service (RFS) has exhibited an update to this guideline and has resulted in changes to various requirements, in particular the provision of Asset Protection Zones (APZ) and categorisation of bushfire hazards. Future development applications would be required to address the requirements of this plan and any concurrence requirements.



### **2.3 Contamination**

The site is currently zoned for urban purposes. The Proponent has since lodged a series of development applications on the site that have confirmed the site is generally free of contamination. Four Potential Areas of Environmental Concern (PAEC) have been identified on Lots 1 to 5 in DP 1240836 (previously Lot 3 in DP 1218887) and include uncontrolled fill from road cuttings, asbestos containing material from the existing pipe network and hydrocarbon impacted soils along the alignment of an existing transmission line. A Remediation Action Plan (RAP) has been prepared to address the four PAECs and confirms that the site can be made suitable for the proposed residential development and would be implemented via future development applications.

### **2.4 Geotechnical Conditions**

The Geotechnical investigations considered in the original rezoning of the site confirmed that the land was suitable for residential development with no significant geotechnical hazards and that there is very low risk of potential acid sulphate soils. The Planning Proposal does not alter this conclusion.

### **2.5 Air Quality**

Air quality implications for limitations on residential development of the site was previously considered under the original rezoning based on a yield of 1700 lots. An Air Quality Assessment for the site was prepared that considered external existing land uses that may be a source of odour or air quality impacts as well as air quality impacts associated with the increase of traffic along Appin Road.

The assessment considered air quality impacts from the following external sources:

- Rosalind Park Gas Plant approximately 1.1km from the site
- Menangle Quarry approximately 1.2km from the site
- Ingham Appin Broiler Complex approximately 4km from the site

In terms of existing land uses external to the site, the Air Quality Assessment concluded that the existing uses would not cause air quality impacts for the development of the site. The assessment also considered air quality impacts associated with increased traffic volumes along Appin Road.

The Development Control Plan did not include specific requirements for air quality to be addressed beyond compliance with DPE's Development near Rail Corridors and Busy Roads - Interim Guideline. The Planning Proposal does not alter this conclusion.

### **2.6 Mine Subsidence**

The site falls within the South Campbelltown Mine Subsidence District and Coal Exploration Authorisation Area A248 that includes the Bulli and Balgownie Coal Seams. Mine subsidence was previously considered as part of the original rezoning of the site for residential development. The assessment concluded that mining of the Balgownie Seam is unlikely to be mined due to extraction constraints. No mining activities of the part of the site within the Bulli Seam are planned.

The Proposal derived from the PPR does not alter this conclusion. Further, since the site was rezoned, Subsidence Advisory NSW has been issuing approvals under the *Coal Mine Subsidence Compensation Act 2017* and include appropriate design requirements to mitigate subsidence impacts on residential development should future mining occur.

## **2.7 Noise**

Noise impacts on future development of the site were previously addressed as part of the original rezoning. Appin Road and future traffic noise was identified as the predominant noise source affecting the site. The Development Control Plan requires compliance with DPE's Development Near Rail Corridors and Busy Roads - Interim Guideline.

The Proposal derived from the PPR intends on maintaining this requirement. These standards would be met through the use of architectural construction standards in accordance with the guideline and use of a landscape and potential noise wall treatment along the frontage to Appin Road. The noise wall and landscape treatment is at present under review and would be the subject of development applications for the subdivision of land within proximity to Appin Road.

## **2.8 Riparian Corridors**

Riparian corridors were investigated and mapped as part of the original rezoning. Riparian corridor outcomes for the site were then confirmed with the NSW Department of Primary Industries - Water.

The Planning Proposal does not seek to alter the outcomes agreed with Department of Primary Industries - Water.

## **2.9 Water Cycle Management**

As part of the original rezoning, a Stormwater Management and Flooding Assessment was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the DPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the one percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes were to be addressed in future development applications for development of these areas. The Planning Proposal does not result in significant increases in development of land affected by the one percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the one percent AEP and stormwater pollutant load reduction targets. This strategy was developed on the basis that two different developers would be delivering the site without placing a burden on one landowner to deal with the others stormwater.

This approach led to the identification of surplus stormwater detention and treatment facilities, in particular the inclusion of a stormwater detention and treatment basin along the northern boundary of Lot 61 in DP 750452. As part of The Proponent current development applications, a revised Water Cycle Management Strategy has been lodged with Council to rationalise the stormwater management facilities and improve their delivery whilst still meeting Council's specifications.

The same parameters for the sizing and design of the water cycle management network as per the original strategy have been applied and are being refined through a design verification process for each development application. Using this approach, the same parameters would be applied to all developable land that would result from the draft Planning Proposal. Consistent with the original zoning scheme, all stormwater infrastructure falls within land zoned RE1. Any loss of public recreation area for stormwater management has been significantly offset by the total increase of RE1 land being delivered as part of the rezoning.

## **2.10 Open Space**

The PPR is supported with a Landscape Masterplan that provides a diverse range of open space with various functions including:

- riparian land
- informal open space (parks and play spaces)
- formal playing fields/ structured sport
- ecological/ Conservation Areas

Assessment of the PPR and suitability of open space provision is based on the traditional standard of 2.83ha of open space per 1000 people. The current Gilead release area has a total of 29.91ha of open space, of which 12.86ha has a specific open space and recreation function. This equates to 2.77 hectares per 1000 people.

The PPR is proposing to increase the open space and recreation function from 12.86ha to 35.35ha. This equates to 7.6 hectares per 1000 people, which is significantly above the traditional standard.

There is also an opportunity to review and refine the open space areas adjoining the conservation areas to improve biodiversity connections and minimise edge effects. This refinement can be undertaken as a Gateway outcome, prior to public exhibition.

Although this additional provision may be considered appropriate to contribute to open space demand for the balance lands (Mt Gilead Stage 2), it would not meet the requirement for active recreation and future sports field demand which would be addressed in future stages of land release.

## **2.11 Visual Impact**

The Panel recommended that the Proponent provide a visual analysis of the proposed B4 Mixed Use and R3 Medium Density Residential zones and their proposed maximum height limits with respect to potential impacts on the adjoining heritage and landscape value of Figtree Hill prior to referral for Gateway Determination.

In response, the Proponent has requested that the requirement to prepare a visual analysis be made a condition of any gateway Determination. Should the visual analysis not support development of the proposed heights, the Proponent advises it would be active in refining the controls to preserve views to/from Figtree Hill.

### **3. Infrastructure Delivery**

As outlined in the history section of this report, the Proponent and Council have executed a Voluntary Planning Agreement (VPA) that secures the provision of local infrastructure needed to support the incoming population.

Amendments to the executed VPA are required to reflect the proposed changes and increase in open space provision. An amended or new VPA would need to be executed, or substantially advanced, prior to the finalisation of the Planning Proposal process and would be the subject of a future report to Council.

### **4. Public Benefit**

The community benefit test is an important element of determining whether a Planning Proposal has merit. Relevant matters for consideration of a Local Environmental Plan amendment include whether it accurately reflects the strategic direction and changing circumstances of an area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and whether the planning controls are too prescriptive to facilitate a sensible development. The test also considers whether there is a demonstrable public interest in considering an alternative proposal to the existing planning scheme, which may not have been considered by the Council or the community when the scheme was adopted.

In the case of this proposal, a public benefit is achieved by amending the CLEP 2015 as is reflected in the following:

- deliver a more diverse range of housing types whilst not exceeding the current endorsed limit of 1700 dwellings
- increase the level of protection for land conserved under the Biodiversity Certification Agreement by zoning the land E2 Environmental Conservation
- increases the retail and business uses to support the everyday needs of the future community
- improve the open space network to promote pedestrian, cycle and biodiversity connections.

### **5. Formal Consultation**

A guide to preparing local environmental plans has been prepared by the Department of Planning, Industry and Environment (DPIE) to assist councils in preparing planning proposals and LEPs. Should Council resolve to proceed with the Planning Proposal, and Gateway Authorisation is issued by the DPIE, consultation would be undertaken in accordance with the Gateway Determination requirements.

## 6. Statutory Consideration

The preparation of a draft Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to progress the draft Planning Proposal to Gateway Determination, the DPIE would confirm the technical studies required and relevant parts of the draft Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 3.34 of the *Environmental Planning and Assessment Act 1979* allows the Minister and the Secretary to delegate functions to a Council and/or officer or employee of a Council. When submitting a draft Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must not be considered and which stages of the plan making process must be carried out again.

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director of Planning and Environment (now titled Director City Development).

On the grounds that the draft Planning Proposal is consistent with the types of draft LEPs routinely delegated by the DPIE, it is recommended that council seek to exercise the Authorisation in this instance.

## 7. Next Steps

Following the advice and support of Council, the process for requesting a Gateway Determination will be undertaken. Any further report would extend to address proposed amendments to the local development guidelines contained in Volume 2, Part 7 Mt Gilead Development Control Plan and the LVPA.

## Conclusion

This report has outlined a comprehensive suite of amendments to the Mt Gilead Urban Release Area that is under the control of the Proponent. The proposed relocation of the commercial centre and increase of housing diversity is consistent with prevailing requirements of the Regional, District and Macarthur 2040 Plans and would be supported by a revised LVPA to ensure all required infrastructure is delivered to coincide with the need of future residents with minimum financial risk to Council.

Strategic merit is demonstrated by an overall improvement in the provision of open space, conservation outcomes, housing diversity and community infrastructure.

Accordingly, it is recommended that the Council support progression of the draft Planning Proposal with amendments as outlined in this report and contained in attachment 1.

## **Attachments**

1. Gilead Planning Proposal (contained within this report)
2. Gilead Planning Proposal Request - due to size of document (91 pages) (distributed under separate cover)



**Planning Proposal  
Mt Gilead**

**Proposed amendment of  
Campbelltown Local Environmental  
Plan 2015**

## Definitions and abbreviations

*CLEP 2015* means Campbelltown Local Environmental Plan 2015

*DCP* means Development Control Plan

*DPIE* means Department of Planning, Industry and Environment

*EP&A Act 1979* means *Environmental Planning and Assessment Act 1979*

*GSC* means Greater Sydney Commission

*LGA* means local government area

*LVPA* means Local Voluntary Planning Agreement

*M* means metres

*MGURA* means Mt Gilead Urban Release Area

*PP* means Planning Proposal

*PPR* means Planning Proposal Request

*SEPP* means State Environmental Planning Policy

*SIC* means Special Infrastructure Contribution

## Introduction/Background

Gilead was rezoned for urban purposes in September 2017 after an extensive planning phase. The Precinct is to provide a maximum of 1,700 lots, ranging in size from 375m<sup>2</sup> to 700m<sup>2</sup>, supported by a network of open space and stormwater management facilities, a community hub and the conservation of existing sensitive ecological communities on the site.

The local infrastructure delivery mechanism for the Precinct is a Voluntary Planning Agreement which was executed, between Council and the land owners. Subsequently to the rezoning, Lendlease has taken a controlling interest in the land and have commenced the urban development of the release area.

The State Government also imposes a SIC in respect of 'higher order' infrastructure.

Since rezoning the Proponent has commenced the process of seeking development consent to enable the commencement of works as per the applicable planning framework.

Protection measures in respect of the koala are subject to ongoing strategy discussions with the relevant State authorities, Council, the Proponent and the community.



## The Site

Mt Gilead forms part of the Greater Macarthur Growth Area which is located south of the Campbelltown City Centre. The land subject to the PP (the land) is located south of the existing urban areas of Campbelltown, on the western side of Appin Road, and adjoining the southern boundary of the Noorumba Reserve.

The land comprises 6 allotments and has an approximate area of 216 hectares. The land is generally clear of structures and has been subject to cattle grazing and as a result, is dominated by cleared open grasslands and sparsely scattered tree coverage. There are some remaining stands of significant vegetation which have been conserved under a Biodiversity Certification Agreement and BioBank Agreements between Lendlease and Council, separate to this PP.

The land does not contain any items of local or State heritage significance and is not located within a heritage conservation area. The land is in close proximity to the State Heritage Listed Upper Canal Water Supply System and the curtilage associated with the greater Mount Gilead Homestead Precinct, a proposed State Heritage Item.

Several riparian corridors traverse the land and generally align with most of the on-site remnant vegetation and related bushfire hazards and readily capable of remediation where needed and not subject to geotechnical hazards or mine subsidence issues.

An aerial photograph extract of the planning proposal in its immediate context are illustrated in Figure 1 below.




 Mt Gilead Urban Release Area

Figure 1 Location Map

## Part 1 – Objectives or Intended Outcomes

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Principal Development Standards to facilitate the dwelling yield of 1,700 and achieve a better outcome for the Mt Gilead Urban Release Area.

The Planning Proposal aims to:

- Provide for an increase diversity in dwelling types in a contemporary green field environment
- Ensure appropriate supporting infrastructure is facilitated
- Enhance the protection of sensitive ecological communities, including endangered and critically endangered species
- Provide a diverse open space network
- Detail a statutory planning framework to assist in realising the Mt Gilead Urban Release Area vision
- Minimise local hazards

## Part 2 - Explanation of provisions

The PP seeks to amend the CLEP 2015 as follows:

- Amend the land use zones and principal development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development.
- Relocate and expand the neighbourhood centre to provide a retail gross floor area of 4,000m<sup>2</sup>
- Increase the level of protection for land conserved under the Biodiversity Certification Agreement by zoning the land E2 Environmental Conservation
- Increase the provision of open space from 29.91 hectares to 50.27 hectares

The PP is accompanied by proposed amendments to the prevailing Development Control Plan. These companion planning document will be the subject of separate review and public consultation.

The existing Masterplan and proposed Masterplan are reproduced as attachment 6.

## Part 3 – Justification

### Section A – Need for the Planning Proposal

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

The Mt Gilead Urban Release Area (MGURA) has been identified for urban development since the 1973.

Its role as an urban release area has been reinforced in subject district level planning including most recently the Western Parkland City District Plan.

The MGURA was the subject of a rezoning that occurred in 2017.

A comprehensive review of the pre-existing planning framework was recently undertaken in response to market developments and more detailed environment and infrastructure studies associated with the initial development planning for the MGURA. This review was assembled as a Planning Proposal Request (PPR) and is supported by technical studies and reports as detailed below:

Table 1: Back Ground Studies and Reports

Specialist Technical Studies	Author	Date
Gilead Landscape Masterplan	ASPECT Studios	October, 2018
Detailed Site Investigation with Limited Sampling - Mt Gilead	Douglas Partners Pty Ltd	October, 2016

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Specialist Technical Studies	Author	Date
Remediation Action Plan – Mt Gilead	Douglas Partners Pty Ltd	August, 2017
Report on Preliminary Site Investigation	Douglas Partners Pty Ltd	December, 2016
Mount Gilead Project (MDP Lands) Aboriginal Cultural Heritage Assessment	Cultural Heritage Connections & Virtus Heritage Pty Ltd.	July, 2017
Heritage Assessment and Management Strategy	TKD Architects	June, 2017

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

A Planning Proposal is the only relevant means of achieving the intended outcomes.

Importantly, it proposes the amendment of the principal local planning instrument applying to the Campbelltown Local Government Area, namely CLEP 2015.

**Section B – Relation to Strategic Planning Framework**

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)**

**Greater Sydney Region Plan**

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney’s future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PP against the relevant Directions and Objectives of GSRP is provided below in table 2. The PP is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

**Table 2: Response to Key Directions and Planning Priorities**

Key Directions and Planning Priorities				Consistent	Response
Greater Sydney Region Plan	Western City Plan	District Plan			
<b>Infrastructure and Collaboration</b>					
<i>A City Supported by Infrastructure</i>					

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Key Directions and Planning Priorities					
Greater Region Plan	Sydney	Western City District Plan	City District Plan	Consistent	Response
<ul style="list-style-type: none"> <li>Infrastructure supports the three cities</li> <li>Infrastructure aligns with forecast growth - growth infrastructure compact</li> <li>Infrastructure adapts to meet future needs</li> <li>Infrastructure use is optimised</li> </ul>		<ul style="list-style-type: none"> <li>Planning for a city supported by infrastructure (W1)</li> </ul>		Yes	The requisite social and physical infrastructure needs required to support the proposal have been identified and an outline strategy for their delivery provided, including suggested framework for amending the prevailing Developer Contribution Plan (CP) and principles of a Voluntary Planning Agreement (VPA)
<i>A Collaborative City</i>					
<ul style="list-style-type: none"> <li>Benefits of growth realised by collaboration of governments, community and business</li> </ul>		<ul style="list-style-type: none"> <li>Working through collaboration (W2)</li> </ul>		Yes	<p>It is noted; however, that realisation of the revised vision will ultimately be dependent upon collaboration of various government instrumentalities, Council, the development sector and existing and envisaged community.</p> <p>An appropriate delivery mechanism focused on collaboration should potentially be explored as a more detailed planning framework is established after the rezoning.</p>

Liveability

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Key Directions and Planning Priorities				Consistent	Response
Greater Region Plan	Sydney	Western City District Plan	City District		
<i>A City of Great Places</i>					
<ul style="list-style-type: none"> <li>• Services and infrastructure meet communities' changing needs</li> <li>• Communities are healthy, resilient and socially connected</li> <li>• Greater Sydney's communities are culturally rich with diverse neighbourhoods</li> <li>• Greater Sydney celebrates the arts and supports creative industries and innovation</li> </ul>		<ul style="list-style-type: none"> <li>• Providing services and social infrastructure to meet peoples changing needs (W3)</li> <li>• Fostering healthy, creative, culturally rich and socially connected communities (W4)</li> </ul>		Yes	<p>The revised vision and accompanying planning controls and proposed support infrastructure provide a template for people focused planning outcomes</p> <p>Community infrastructure, business and retail facilities, access to diverse open space and transport/access means will reflect in a health, resilient and socially connected community.</p>
<i>Housing in the City</i>					
<ul style="list-style-type: none"> <li>• Greater housing supply</li> <li>• Housing is more diverse and affordable</li> </ul>		<ul style="list-style-type: none"> <li>• Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)</li> </ul>		Yes	<p>A central foundation of the proposal is increased housing supply, diversity and affordability.</p> <p>The proposed introduction of the R3 medium density zone and lower minimum lot size provisions underpin the foregoing amended housing template.</p>
<i>A City of Great Places</i>					

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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> <li>Great places that bring people together</li> <li>Environmental heritage is identified, conserved and enhanced.</li> </ul>	<ul style="list-style-type: none"> <li>Creating and renewing great places and local centres, and respecting the District's heritage (W6)</li> </ul>	Yes	<p>Sensitivity to the open space underpins the accompanying amended masterplan and proposed development controls.</p> <p>Additionally, enhanced access to diverse open space resources, commercial and community facilities will be available, sensitive ecologically communities conserved and broad ranging infrastructure generally provided.</p>

**Productivity**

*A Well Connected City*

<ul style="list-style-type: none"> <li>A metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities</li> <li>The Eastern, GOP and Western Economic corridors are better connected and more competitive and efficient</li> <li>Freight and logistics network is competitive and efficient</li> <li>Regional connectivity is enhanced</li> </ul>	<ul style="list-style-type: none"> <li>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)</li> </ul>	Yes	<p>A hierarchical, fine grained accessibility strategy underpins the proposal. Direct access is proposed to higher order roads, existing roads are to be upgraded, and intersections enhanced and alternate movement means (pedestrian/cycle) integrated.</p> <p>Similar infrastructure extends upon such framework and provides a highly permeable structure, facilitating appropriate public transport service levels.</p>
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Key Directions and Planning Priorities				Consistent	Response
Greater Region Plan	Sydney	Western City District Plan	City District Plan		
<i>Jobs and Skills for the City</i>					
<ul style="list-style-type: none"> <li>• Harbour CBD is stronger and more competitive</li> <li>• Greater Parramatta is stronger and better connected</li> <li>• Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</li> <li>• Internationally competitive health, education, research and innovation precincts</li> <li>• Investment and business activity in centres</li> <li>• Industrial and urban services land is planned, protected and managed</li> <li>• Economic sectors are targeted for success</li> </ul>		<ul style="list-style-type: none"> <li>• Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)</li> <li>• Growing and strengthening the metropolitan city cluster (W9)</li> <li>• Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)</li> <li>• Growing investment, business opportunities and jobs in strategic centres (W11)</li> </ul>	Yes	The proposal is projected to support an increase of new jobs over the current projection - largely in the proposed centres and in the local construction and maintenance industries.	

**Sustainability**

*A City in its Landscape*



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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> <li>• The coast and waterways are protected and healthier</li> <li>• A cool and green parkland city in the South Creek corridor</li> <li>• Biodiversity is protected, urban bushland and remnant vegetation is enhanced</li> <li>• Scenic and cultural landscapes are protected</li> <li>• Environmental, social and economic values in rural areas are protected and enhanced</li> <li>• Urban tree canopy cover is increased</li> <li>• Public open space is accessible, protected and enhanced</li> <li>• The Green Grid links, parks, open spaces, bushland and walking and cycling paths</li> </ul>	<ul style="list-style-type: none"> <li>• Protecting and improving the health and enjoyment of the District's waterways (W12)</li> <li>• Creating a Parkland City urban structure and identity with South Creek as a defining spatial element (W13)</li> <li>• Protecting and enhancing bush land and biodiversity (W14)</li> <li>• Increasing urban tree canopy cover and delivering Green Grid connections (W15)</li> <li>• Protecting and enhancing scenic and cultural landscapes (W16)</li> <li>• Better managing rural areas (W17)</li> <li>• Delivering high quality open space (W18)</li> </ul>	Yes	The proposal seeks to conserve and embellish sensitive remnant ecological communities and riparian zones. Additionally, it provides a green grid dimension through structured and informal recreation areas and linkages, including Figtree Hill. A sustainable street tree planting regime is to be implemented.

*An Efficient City*

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Key Directions and Planning Priorities					
Greater Sydney Region Plan	Western City District Plan	Consistent	Response		
<ul style="list-style-type: none"> <li>A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change</li> <li>Energy and water flows are captured, used and re-used</li> <li>More waste is re-used and recycled to support the development of a circular economy</li> </ul>	<ul style="list-style-type: none"> <li>Reducing carbon emissions and managing energy, water and waste efficiently (W19)</li> </ul>	Yes	<p>A highly permeable accessibility network, which also accommodates alternative movement means and provides reasonable access to public transport, underpins the proposal as previously highlighted.</p> <p>Limited water management optimisation opportunities are to be pursued, together with measures to minimise adverse potential urban heat island impacts.</p>		
<i>A Resilient City</i>					
<ul style="list-style-type: none"> <li>People and places adapt to climate change and future shocks and stresses</li> <li>Exposure to natural and urban hazards is reduced</li> <li>Heatwaves and extreme heat are managed</li> </ul>	<ul style="list-style-type: none"> <li>Adapting to the impacts of urban and natural hazards and climate change (W20)</li> </ul>	Yes	<p>Appropriate flood and bushfire hazard management strategies underpin the proposal and opportunities to proactively address potential urban heat island impacts.</p>		

**Western City District Plan - Connecting Communities**

The Western City District Plan (District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Gilead as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, Gilead has not been subject to the various incremental State Government led amendments such as the 2016 Housing

Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PP against the relevant Directions and District Plan priorities is provided in Table 2. The PP is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

### **Greater Macarthur Growth Area**

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including the Mt Gilead Urban Release Area.

Greater Macarthur 2040 identifies that Mt Gilead will be:

- rezoned and release land for urban development
- deliver around 15,000 new homes in the broader Gilead precinct
- provide higher density residential development around centres and along the central transport corridor
- conserve biodiversity corridors and waterways
- create a central transport corridor providing public transport connections beyond the site
- create road upgrades and connections beyond the precinct

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including:

- sub-regional shopping centre at Wilton providing around 52,600m<sup>2</sup> Gross Leasable Area (GLA) in total.
- second sub-regional shopping centre at West Appin providing around 32,600m<sup>2</sup> GLA in total.
- supermarket based shopping centre at Menangle Park providing around 15,000m<sup>2</sup> GLA overall.
- supermarket based town centre at Mount Gilead providing around 8,700m<sup>2</sup> GLA.

The proposed Mt Gilead Town Centre has the capacity as a supermarket-based centre anchored by large format supermarkets (4,000m<sup>2</sup>) and supported by specialty retail floor space.

The PP is generally consistent with Greater Macarthur 2040. The resizing and relocation of the current B1 Neighbourhood Centre zone to the B4 Mixed Use zone reflects the draft Preliminary Structure Plan and Wilton Retail Market Analysis for the Greater Macarthur Priority Growth Area.

**Draft Local Strategic Planning Statement**

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting of 18 February 2020. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is consistent with the draft LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

**Campbelltown Local Environmental Plan 2015 (CLEP 2015)**

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are illustrated in attachments 1 to 4 and discussed below:

**Zoning**

**Table 3: Proposed amendment to CLEP 2015**

CLEP 2015 Current	Proposed Amendment
<p><b>Mapping</b></p> <p>The zoning of land in Gilead uses the R2 Low Density Residential, RE1 Public Recreation and B1 Neighbourhood Centre zones.</p>	<p>The PP seeks to introduce or amend the spatial location of land use zones as follows:</p> <ul style="list-style-type: none"> <li>• Replace the B1 Neighbourhood Centre zoning with a B4 Mixed Use town centre zone and relocate to a more central location.</li> <li>• Introduce R3 Medium Density Residential zone into the southern spine entry corridor.</li> <li>• Rezone portions of RU2 Rural Landscape to E2 Environmental Conservation and RE1 Public Recreation to allow for conservation of threatened species as well as providing open space.</li> <li>• Rezone areas of RE1 Public Recreation that are subject to biobank protection to E2 Environmental Conservation.</li> <li>• Reduce the extent of R2 Low Density Residential zoned land to reflect the revised open space and conservation area.</li> </ul> <p>The proposed zoning amendments are shown in attachment 1.</p> <p><i>(It is noted that the final size of the proposed B4 Centre should be established by more detailed analysis prior to public exhibition).</i></p>

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CLEP 2015 Current	Proposed Amendment
<p><b>Minimum Lot Size</b></p> <p>The current minimum lot sizes for the R2 Low Density Residential are the following:</p> <ul style="list-style-type: none"> <li>• 450m<sup>2</sup></li> <li>• 500m<sup>2</sup></li> <li>• 700m<sup>2</sup></li> </ul> <p>The current minimum lot size for the RU2 Rural Landscape zone is 100ha.</p>	<p>The PP seeks to amend the Minimum Lot Size Map as follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 500m<sup>2</sup> to 450m<sup>2</sup></li> <li>• R3 Zone: Introduced with no minimum lot size.</li> <li>• B4 Zone: Introduced with no minimum lot size.</li> </ul> <p>The PP also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes Area 1 which will apply to the R3 Medium Density Residential zone and Area 2 which will apply to the R2 Low Density Residential zone.</p> <p>Area 1 identifies the minimum lots sizes for the following dwelling types:</p> <p>Dwelling House (detached): 250m<sup>2</sup>                      Semi detached dwellings: 250m<sup>2</sup>                      Dual Occupancy: 500m<sup>2</sup>                      Secondary Dwellings: 450m<sup>2</sup>                      Attached Dwellings: 200m<sup>2</sup>                      Multi Dwelling Housing: 1,500m<sup>2</sup></p> <p>Area 2 identifies the area where lots may be created below the minimum standard provided certain criteria are met.</p> <p>These include:</p> <ul style="list-style-type: none"> <li>• reduction in the minimum lot size for R2 zoned land to be reduced to 375m<sup>2</sup> for up to 255 lots, provided there will be no more than three contiguous lots sharing a street frontage.</li> <li>• Reduction in the minimum lot size for R2 zoned land to 300m<sup>2</sup> for up to 255 lots provided:                             <ul style="list-style-type: none"> <li>• there will be no more than three contiguous lots sharing a street frontage</li> <li>• each lot is located not more than 200m from community facility or open space area.</li> </ul> </li> </ul>

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<p><b>Maximum Height of Building</b></p> <p>The current maximum building heights are:</p> <ul style="list-style-type: none"> <li>• J: 9m (B1 Zone)</li> <li>• E: 6m, 8.5m (R2 Zone)</li> <li>• I: 8.5m (R2 Zone)</li> </ul>	<p>The PP seeks to amend the Height of Building Map Sheet as follows:</p> <ul style="list-style-type: none"> <li>• O: 15m (B4 Zone)</li> <li>• J: 9m (R2 Zone)</li> <li>• M:12m (R3 Zone)</li> </ul> <p>The proposal seeks to apply a 9m height of building control for the R2 Low Density Residential Zone. This control is 0.5m higher than the standard 8.5m control applied by the Codes SEPP and is considered appropriate for development on sloping land.</p> <p>Areas currently limited to a building height of 6m relate to land located on key view lines from the Old Mill to One Tree Hill. This resulted in a 6m building height control for a depth of approximately 30m on the northern side of One Tree Hill with associated screen planting. Due to the proposed inclusion of One Tree Hill in the open space network and further distancing of residential development from this area, an increase from 6m to 9m is considered appropriate. To confirm this outcome, it is recommended that further survey of the sight line be undertaken as a condition of Gateway Determination.</p> <p>The proposed 12m height limit on R3 Medium Density Land is commonly applied in similar land release settings and ideally supports terrace style housing. The proposal to amend Clause 4.3A to allow three storeys for all forms of residential accommodation in the R3 zone is not supported due to the opportunity to undertake a separate subdivision and built form process.</p> <p>Alternatively, three storey development may be considered for multi dwelling housing as this form of housing involves the siting, dwelling design and strata subdivision within a single application and provides opportunity for a more rigorous merit assessment.</p>
<p><b>Floor Space Ratio</b></p> <p>The maximum floor space ratios for the R2 Low Density Residential zone 0.55:1. No FSR applies to the B1 and RU2 zones</p>	<p>The PP propose to amend the Floor Space Ratio Map by removing FSR for any building that the proposal relates.</p> <p>It is noted that a Floor Space Ratio in respect of the proposed B4 Mixed Use Centre needs to be established by analysis as a potential Gateway condition and prior to public exhibition.</p>
<p>The land reservation map identified land required for public open space such as open space roads and utilities.</p>	<p>The PP proposes to update the Land Reservation Map based on the updated Land Zoning Map where reserved exclusively for a public purpose, including the provision of open space and environmental conservation land and infrastructure.</p>

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<p><b>Clauses</b></p> <p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1E also applies in respect to defining the minimum lot size that is part of Lot 3, DP 1218887, Appin Road, Gilead that is in RU2 Rural Landscape zone.</p>	<p>The proposal seeks a reduction of the minimum subdivision lot size from 100ha to 5ha to facilitate the subdivision of the land known as Part Lot 5 DP 1240836 and zoned RU2 on the western side of the Sydney Water Supply Upper Canal (Lot 3 DP 730136).</p> <p>The proposed amendment is supported as future urban development would require a future subdivision to excise part of Lot 3 which would remain as rural land.</p>
<p>Despite subclause (3), development consent may be granted for the subdivision of land within Lot 61, DP 752042, Appin Road, Gilead, into lots that do not meet the minimum size shown on the Lot Size Map if:</p> <ul style="list-style-type: none"> <li>a) each lot has a minimum lot size of not less than 375m<sup>2</sup>, and</li> <li>b) no more than 65 lots have a lot size of less than 450m<sup>2</sup>, and</li> <li>c) no more than 3 contiguous lots sharing a street frontage have a lot size of less than 450m<sup>2</sup></li> <li>d) each lot is located not more than 200m from a bus route, community centre or open space area</li> </ul>	<p>The PP seeks to amend this subclause so that it applies across the land (lot 1 to 5 in DP 1240836).</p> <p>It is proposed that this subclause will be revoked and the provisions replaced by the new Area 2 provisions.</p>
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Semi-detached dwelling</li> <li>• Attached dwelling</li> <li>• Multi Dwelling Housing</li> <li>• Centre based child care facilities</li> <li>• Residential Flat Buildings</li> </ul> <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PP seeks to establish the following subdivision standards for development in the R3 Medium Density Residential zone:</p> <ul style="list-style-type: none"> <li>• Dwelling House (detached): 250m<sup>2</sup></li> <li>• Semi Detached Dwellings: 250m<sup>2</sup></li> <li>• Dual Occupancy: 500m<sup>2</sup></li> <li>• Secondary Dwellings: 450m<sup>2</sup></li> <li>• Attached Dwellings: 200m<sup>2</sup></li> <li>• Multi Dwelling Housing: 1,500m<sup>2</sup></li> </ul>



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<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floor space controls are in addition to the Floor Space Ratio Map.</p> <p>Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the Mt Gilead Precinct in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.</p> <p>The PP also seeks to introduce a FSR of 2.0:1 for the B4 Mixed Use zone.</p> <p>The proposed specification of an FSR for the B4 zone may be facilitated via the Floor Space Ratio Map. It should, however, be further evaluated as part of the Gateway Determination requirement.</p>

**Campbelltown (Sustainable City) Development Control Plan, 2015**

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 7 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the Mt Gilead Urban Release Area. The subject provision will be revised to support the achievement of the objectives of the proposed LEP amendment.

**4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**

**Campbelltown Community Strategic Plan – Campbelltown 2027**

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

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The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PPR is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

**Table 4: Consistency with Community Strategic Plan**

CSP Outcome	Statement of Consistency
<b>Outcome 1</b>	
A vibrant, liveable city.	<ul style="list-style-type: none"> <li>The community will be afforded the opportunity to review the PP and engage at key stages in the decision-making process.</li> <li>The PP seeks to revise the masterplan to improve place making, public domain and open space outcomes.</li> <li>Provides for the interpretation of historical uses and ownership of the site.</li> <li>Provides for greater housing choice and diversity.</li> </ul>
<b>Outcome 2</b>	
A respected and protected natural environment	<ul style="list-style-type: none"> <li>The PP seeks to link two parcels of critically endangered ecological communities through the provision of an open space corridor.</li> <li>Is generally consistent with Council's Natural Assets Corridor Map.</li> </ul>
<b>Outcome 3</b>	
A thriving, attractive city	<ul style="list-style-type: none"> <li>The proposal will facilitate the delivery of all local infrastructure on behalf of Council through a Voluntary Planning Agreement.</li> </ul>
<b>Outcome 4</b>	
A successful city	<ul style="list-style-type: none"> <li>The proposal seeks to implement a more permeable road network and bus route that will serve a greater walking catchment within the site.</li> <li>The proposal continues to respect and manage key environmental and heritage outcomes identified for the site in the original rezoning.</li> </ul>

**Natural Asset Corridors**

Council has developed two natural asset policy positions over the recent years to inform planning for the South Campbelltown Area.

The natural asset policy position comprising of maps and principles was adopted by Council on 28 November 2017. The PP is generally consistent with the adopted Council maps, which at the time of drafting, relied on the existing urban extent of the Mt Gilead Precinct.

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On 13 March 2018, Council considered the South Campbelltown Koala Connectivity Study. Wherein Council noted the findings of the study and resolved to forward the study to the NSW Government to inform the strategic planning processes for Macarthur South and associated infrastructure upgrades in respect to:

- Establishing at least three east-west primary natural asset corridors in the Mt Gilead (South Campbelltown) urban release area, with minimum width ranging from 200m-425m with at least one corridor designed specifically for Koalas that achieves an average width of 425m
- The provision of at least three fauna and koalas overpasses along Appin Road, supported by wildlife exclusion fences and koala grid across all associated driveways and intersections.

Although the Connectivity Study does not contain mapping of the recommended corridors, it referenced the previous 2017 natural asset corridors in relation to the location of recommended fauna crossings of Appin Road.

In this regard, the Roads and Maritime Services (RMS) undertook public consultation on the Review of Environmental factors for the upgrade of Appin Road in November 2018. As part of this process, Council made a submission that referenced the connectivity study and need for a fauna crossing as part of the works. Notwithstanding this representation, the RMS decided to proceed with the project and made minor amendments to include additional fauna fencing along the western side of Appin Road.

Therefore, having regard to the above, the PP is generally consistent with contemporary policy in regard to natural asset corridors. The opportunity for wider, primary width corridors would be considered in future land release proposals in South Campbelltown and would be informed by the NSW Government’s policy in regard to the final Macarthur 2040 Plan and Cumberland Plain Conservation Plan which are yet to be finalised.

**5. Is the Planning Proposal consistent with applicable State Environmental Planning Polices?**

The following State Environmental Planning Policies (SEPPs) are relevant to the PP and addressed in Table 5 below:

**Table 5: Consistency with State Environmental Planning Policies**

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No 1 Development Standards	Yes	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No. 19 - Bushland in Urban Areas	Yes	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation. It is noted that the land has been Biodiversity Certified.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the PP.
SEPP No. 44 - Koala Habitat Protection	Yes	Stage 1 has been biodiversity certified. It has assumed that the native vegetation in the area is Koala Habitat.  Koala credits are being retired in association with the proposed development as per the requirements of the Biodiversity Certification Order and EPBC approval.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 - Remediation of Land	Yes	Contaminated lands investigations have identified 4 areas of Potential Areas of Environmental Concern (PAEC). A Remediation Action Plan has established that the PAECs can be made suitable for residential development.
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will need to comply with the provisions of the SEPP.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	Residential flat buildings and shop top housing are permissible in the B4 Mixed Use Zone shop top housing are also permissible in the R3 Medium Density Residential Zone. Such forms of development should comply with the SEPP or at least the principles in the case of shop top housing.
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to the subject land.
SEPP (Affordable Rental Housing) 2009	Yes	The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PPR is not inconsistent with the application of the SEPP to residential development. All future residential development will need to comply with BASIX.
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	Any educational establishments will be subject to development approval in accordance with the provisions of the SEPP.
SEPP (Exempt & Complying Development Codes) 2008	Yes	The PPR is not inconsistent with the SEPP and the provisions of which would apply to future developments.

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Housing for Seniors or People with a Disability)	Yes	The PPR does not preclude future merit based provisions of housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Yes	Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage. The Proponent is currently working with the RMS and Sydney Water pursuant to this SEPP.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	The Planning Proposal does not impede potential mining of coal resources. As was the case with the original rezoning.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	Justifiably Inconsistent	The site is currently designed to be an 'urban release area.' Any interfaces with primary production areas and rural development will be addressed.
SEPP (State & Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Yes	The PP is consistent with the subject SEPP which was recently amended to include Greater Macathur.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	The majority of the site is Biodiversity Certified with applications currently before Council to remove vegetation in line with the certification outcomes.  The removal of additional vegetation will be required at the southern end of the site to facilitate the delivery of the revised open space masterplan. Post receipt of the Gateway Determination, an assessment of significance will be completed to verify the quality of this vegetation, the associated impact on this community and necessary offset strategy to mitigate these impacts. Removal of this vegetation will be subject to a future development application to Council.

**6. Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 directions)?**

The PP is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 6 for an assessment of the PP against the S9.1 Ministerial Directions.

Table 6: Consistency with Ministerial Directions

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
<b>1.1 Business and Industrial Zones</b>		
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	Yes	<p>The Proposal seeks a modification to the existing zoning provision for commercially zoned land. (From B1 to B4)</p> <p>The relocation and up zoning of the proposed local centre (B4) would provide for a retail and commercial hub. The Mixed Use Centre would not adversely impact the higher order centres of Campbelltown and Macarthur.</p> <p>However, further modelling should be undertaken to support this position as a condition of Gateway Determination and prior to public exhibition.</p>
<b>1.2 Rural Zones</b>		
This Direction seeks to protect the agricultural production value of rural lands.	Justifiably Inconsistent	<p>The small perimeter area zoned RU2 Rural Landscape and interfacing with the 'Balance Lands' is proposed to be rezoned to E2 Environmental Conservation and RE1 Public Recreation in accordance with its intended land use.</p> <p>The current RU2 – Rural Landscape Zoning represents an interim transitional zoning having regard to the interface with the 'Balance Lands'. Such land however, has been previously endorsed as an Urban Release Area and any inconsistency with the subject Direction accepted.</p>
<b>1.3 Mining, Petroleum Production</b>		
This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	Yes	<p>The original rezoning of the Gilead Urban Release Area acknowledged the primacy of urban development in the subject context and on acceptable outcome in respect of the subject Direction. The Proposal does not introduce elements that would change the former conclusion.</p>
<b>1.5 Rural Lands</b>		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	Yes	The Direction does not apply to the Campbelltown Local Government Area.
<b>2.1 Environmental Protection Zones</b>		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	Initially, the majority of the land is Biodiversity Certified. The PP seeks to zone conservation areas E2 Environmental Conservation to assist in preserving the BioBank intentions.
<b>2.3 Heritage Conservation</b>		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	The PP does not compromise the heritage significance of the site or its broader context. (Including the Gilead Homestead and curtilage) It seeks to recognise the potential local significance of the former Hillsborough Homestead, via a public open space zoning.
<b>3.1 Residential Zones</b>		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Yes	The PP seeks to provide for enhanced housing diversity through the introduction of an R3 – Medium Density Residential Zone and greater variety in allotment sizes.  In doing so it seeks to optimise infrastructure investment outcomes. Additionally, a VPA will ensure a commitment to requisite infrastructure.
<b>3.2 Home Occupations</b>		
This Direction seeks to facilitate low impact small businesses in dwelling houses	Yes	The PP includes standard provisions to facilitate home occupations.
<b>3.4 Integrating Land Use and Transport</b>		
This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	Yes	The PP provides a sensitive juxtaposition of land uses, with appropriate accessibility and is proximate to existing development.  The commitment to an upgrade of Appin Road (VPA) is critical to facilitating appropriate access.
<b>3.6 Shooting Ranges</b>		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to maintain appropriate levels of public safety and amenity when rezoning land adjacent to shooting ranges.	N/A	The PP does not include or within proximity to a shooting range.
<b>4.1 Acid Sulphate Soils</b>		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Yes	A review of the NSW Natural Resource Atlas (NRA 2013) indicates there are no known occurrences of Acid Sulphate Soils.  The original rezoning considered that the Acid Sulphate Soils present a low risk, an no further assessment is required.
<b>4.2 Mine Subsidence and Unstable Land</b>		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Yes	The land is in the South Campbelltown Mine Subsidence District. The relevant mine subsidence considerations underpinned the zoning for urban purposes in 2017. The PP is generally consistent in terms of the development impacts apart from the introduction of some increased residential densities. Such as, development forms can however, be appropriately managed in accordance with relevant subsidence paramount.
<b>4.3 Flood Prone Land</b>		
This Direction seeks to ensure that development of flood prone land is consistent with the Policy and Principles as well as ensuring the LEP provides consideration of flood impacts and surrounding land.	N/A	The site is not identified to be flood prone.  Stormwater will be appropriately managed to minimize localized flooding.
<b>4.4 Planning for Bushfire</b>		



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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	<p>The PP has had regard to Planning for Bushfire Protection 2006 and generally does not increase the fire hazard for the release area.</p> <p>The PP will be assessed against the recently released Planning for Bushfire Protection 2019 prior to public exhibition.</p> <p>An outline strategy has been developed to provide for appropriate hazard outcomes and will be further refined upon receipt of a favourable Gateway Determination.</p>
<b>6.1 Approvals and Referral Requirements</b>		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The PP does not contain provisions that introduce additional concurrence requirements.
<b>6.2 Reserving land for Public Purposes</b>		
This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Yes	<p>The provision of public open space is being rationalised in the PP. The rationalisation includes the designation of some current areas as conservation land (E2) in accordance with their principal purpose, the addition of open space corresponding with a potential local heritage site and additional open space for enhanced connectivity.</p> <p>A final 'open space balance' must be resolved prior to public exhibition.</p>
<b>6.3 Site Specific Controls</b>		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	<p>The PP pertains to amendments to the 'standard instrument' Campbelltown LEP 2015.</p> <p>It is proposed to introduce Clause 4.1H to address housing diversity. This provision is considered critical to achieving controlled and flexible housing diversity.</p> <p>It is noted however, that an independent Planning Proposal proposes to resite the proposed sales office/community facility as a Schedule 1 amendment.</p>

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
<b>7.1 Implementation of a “Plan for Growing Sydney”</b>		
This Direction seeks to give legal effect to the planning principles; directions and priorities for sub-regions, strategic centres and transport gateways.	Yes	The PP is consistent with the Greater Sydney Region Plan.
<b>7.2 Implementation of a “Greater Macarthur Land Release Investigation Area</b>		
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Yes	The PP is considered to be generally consistent with the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Greater Area.

**Section C – Environmental Social or Economic impact**

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

The Minister for the Environment, Developer, Landowners and Council, have entered into a Biodiversity Certification Agreement on the land under the Threatened Species Conservation Act 1995.

The agreement includes the bio-banking of vegetation, and the retirement of particular biodiversity credits under other bio-banking agreements to facilitate the proposed development.

Accordingly, developments or activities proposed to be undertaken within the certified areas do not need to undertake assessment of impacts on threatened species, populations and ecological communities, or their habitats, that would normally be required under the EP&A Act.

The Biodiversity Certification Agreement requires the Developer to prepare and implement a Construction Environmental Management Plan to the satisfaction of Council prior to the clearing of land. The plan must include but not be limited to:

- the erection of temporary and permanent protective fencing around all areas identified for conservation to minimise any inadvertent damage
- the retention of hollow bearing trees (where possible) that potentially contain roosting and breeding habitat for threatened microbats
- the salvaging of trees or parts thereof for use as fauna habitat in other biobank sites
- providing kerb and gutter and piped stormwater management infrastructure to roads surrounding the conservation areas to ensure that stormwater will not flow into the conservation areas
- preparation of a dam de-watering plan for the removal of the farm dams
- preparation of a fauna pre-clearance protocol for the removal of all trees

In this regard the proposal is not considered to have an unacceptable impact on threatened species, populations, ecological communities or their habitats, within the meaning of the Threatened Species Conservation Act 1995.

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

**Bushfire**

The original rezoning demonstrated that development of the site could incorporate appropriate Bushfire Protection Measures in line with the requirements of Planning for Bushfire Protection 2006. The NSW Rural Fire Service (RFS) has adopted an update to this guideline and has resulted in changes to various requirements, in particular the provision of Asset Protection Zones (APZ) and categorisation of bushfire hazards.

A further review should be a requirement of Gateway Determination prior to public exhibition.

**Contamination**

The site is currently zoned for urban purposes. Lendlease has since lodged a series of development applications on the site that have confirmed the site is generally free of contamination. Four Potential Areas of Environmental Concern (PAEC) have been identified on Lots 1 to 5 in DP 1240836 (previously Lot 3 in DP 1218887) and include uncontrolled fill from road cuttings, asbestos containing material from the existing pipe network and hydrocarbon impacted soils along the alignment of an existing transmission line. A Remediation Action Plan (RAP) has been prepared to address the four PAEC and confirm the site can be made suitable for the proposed residential development.

**Air Quality**

Air quality and limitation on residential development of the site was previously considered under the original rezoning based on a yield of 1,700 lots. An Air Quality Assessment for the site was prepared that considered external existing land uses that may be a source of odour or air quality impacts as well as air quality impacts associated with the increase of traffic along Appin Road.

The assessment considered air quality impacts from the following external sources:

- Rosalind Park Gas Plant approximately 1.1km from the site
- Menangle Quarry approximately 1.2km from the site
- Ingham Appin Broiler Complex approximately 4km from the site

In terms of existing land uses external to the site, the Air Quality Assessment concluded that the existing uses would not cause air quality impacts for the development of the site. The assessment also considered air quality impacts associated with increased traffic volumes along Appin Road.

The Development Control Plan did not include specific requirements for air quality to be addressed beyond compliance with DPE's Development Near Rail Corridors and Busy Roads - Interim Guideline. The Planning Proposal does not alter this conclusion.

**Mine Subsidence**

The site falls within the South Campbelltown Mine Subsidence District and Coal Exploration Authorisation Area A248 that includes the Bulli and Balgownie Coal Seams. Mine subsidence was previously considered as part of the original rezoning of the site for residential development. The assessment concluded that mining of the Balgownie Seam is unlikely to be mined due to extraction constraints. No mining activities of the part of the site within the Bulli Seam are planned.

The Planning Proposal does not alter this conclusion. Further, since the site was rezoned, Subsidence Advisory NSW has been issuing approvals under the Coal Mine Subsidence Compensation Act 2017 and include appropriate design requirements to mitigate subsidence impacts on residential development should future mining occur.

**Noise**

Noise impacts on future development of the site were previously addressed as part of the original rezoning. Appin Road and future traffic noise was identified as the predominant noise source affecting the site. The Development Control Plan requires compliance with DPE's Development Near Rail Corridors and Busy Roads - Interim Guideline.

The Planning Proposal intends to maintain this requirement. These standards would be met through the use of architectural construction standards in accordance with the guideline and use of a landscape and noise wall treatment along the frontage to Appin Road. The noise wall and landscape treatment would be the subject of development applications for the subdivision of land within proximity to Appin Road.

**Riparian Corridors**

Riparian corridors were investigated and mapped as part of the original rezoning. Riparian corridor outcomes for the site were then confirmed with the NSW Department of Primary Industries - Water.

The Planning Proposal does not seek to alter the outcomes agreed with Department of Primary Industries - Water.

**Open Space Provision**

The PPR is supported with a Landscape Masterplan that provides a diverse product of open space with various functions including:

- Riparian land
- Informal open space (parks and play spaces)
- Formal playing fields/ Structured sport

- **Ecological/Conservation Areas**

Assessment of the PPR and suitability of open space provision is based on the traditional standard of 2.83ha of open space per 1,000 people. The current Gilead release area has a total of 29.91ha of open space, of which 12.86ha has a specific open space and recreation function. This equates to 2.77 hectares per 1,000 people.

The PPR is proposing to increase the open space and recreation function from 12.86ha to 35.35ha. This equates to 7.6 hectares per 1,000 people, which is significantly above the traditional standard.

There is also an opportunity to review and refine the open space areas adjoining the conservation areas to improve biodiversity connections and minimise edge effects. This refinement can be undertaken pre Gateway Determination.

### **Water Cycle Management**

As part of the original rezoning, a Stormwater Management and Flooding Assessment was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the DPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the 1 percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes were to be addressed in future development applications for development of these areas. The Planning Proposal does not result in significant increases in development of land affected by the 1 percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows are discharges do not exceed pre-development peak discharge rates for the 1 percent AEP and stormwater pollutant load reduction targets. This strategy was developed on the basis that two different developers would be delivering the site without placing a burden on one landowner to deal with the others stormwater.

This approach led to the identification of surplus stormwater detention and treatment facilities, in particular the inclusion of a stormwater detention and treatment basin along the northern boundary of Lot 61 in DP 750452. As part of Lendlease's current development applications, a revised Water Cycle Management Strategy has been lodged with Council to rationalise the stormwater management facilities and improve their delivery whilst still meeting Council's specifications.

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

The PP will contribute to the orderly development and social and economic benefit of the wider precinct.

Positive social benefits of the PP includes:

- Increased housing supply and diversity in an accessible, serviceable setting.
- Creation of an environment that provides access to public and private spaces, promotes healthy lifestyles and facilitates and will support a vibrant, robust and sustainable community.
- Public benefits including additional public open space and community facilities.
- Provision of physical and social infrastructure generally.

Positive economic benefits of the PP include:

- Access to local employment opportunities,
- Significant local centre based employment, service and retail opportunities
- Significant construction and on-going maintenance activities.

**Section D – State and Commonwealth interests.**

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

**Local Infrastructure:**

Lendlease and Council have executed a Voluntary Planning Agreement that secures the provision of the local infrastructure needed to support the incoming population.

The PP will require amendments to the executed VPA to reflect the proposed changes to open space and conservation provisions. Should the PP progress, a further report would be provided to Council detailing the proposed changes to the VPA.

The amendments to the existing Voluntary Planning Agreement seeks to:

- Retain the current provisions within the executed VPA to deliver works and dedicate land in an orderly manner in conjunction with the staged development of the release area; and
- Amend the quantity and infrastructure work items to reflect the PPR.

**State Infrastructure**

A State Voluntary Planning Agreement (SVPA) was executed in May 2019 in respect of 1700 allotments (registered on title October 2019) between Lendlease Communities Figtree Hill Pty Ltd and the Minister for Planning and Public Spaces to a value of \$86 Million. The SVPA funding is to be expended on works associated with the upgrade of Appin Road.

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

## Proposed Amendment to Campbelltown Local Environmental Plan 2015

## MT GILEAD PLANNING PROPOSAL

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur with State and Commonwealth agencies in the event of a Gateway Determination which allows the PP to advance.

The consultation will be undertaken pursuant to S3.34 of the EP&A Act.

### Part 4 - Mapping

The PP is accompanied by the maps as shown in table 7 below:

Table 7: Schedule of Existing Maps, Map Amendments and New Clauses

Item	Location
Existing and Proposed Zoning Map	Attachment 1
Existing and Proposed Minimum Lot Size Map	Attachment 2
Existing and Proposed Land Reservation Map	Attachment 3
Existing and Proposed Height of Buildings Map	Attachment 4
Existing and Proposed Floor Space Ratio Map	Attachment 5
Existing and Proposed Master Plan	Attachment 6
Proposed Clause 4.1H	Attachment 7

### Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

### Part 6 - Project Timeline

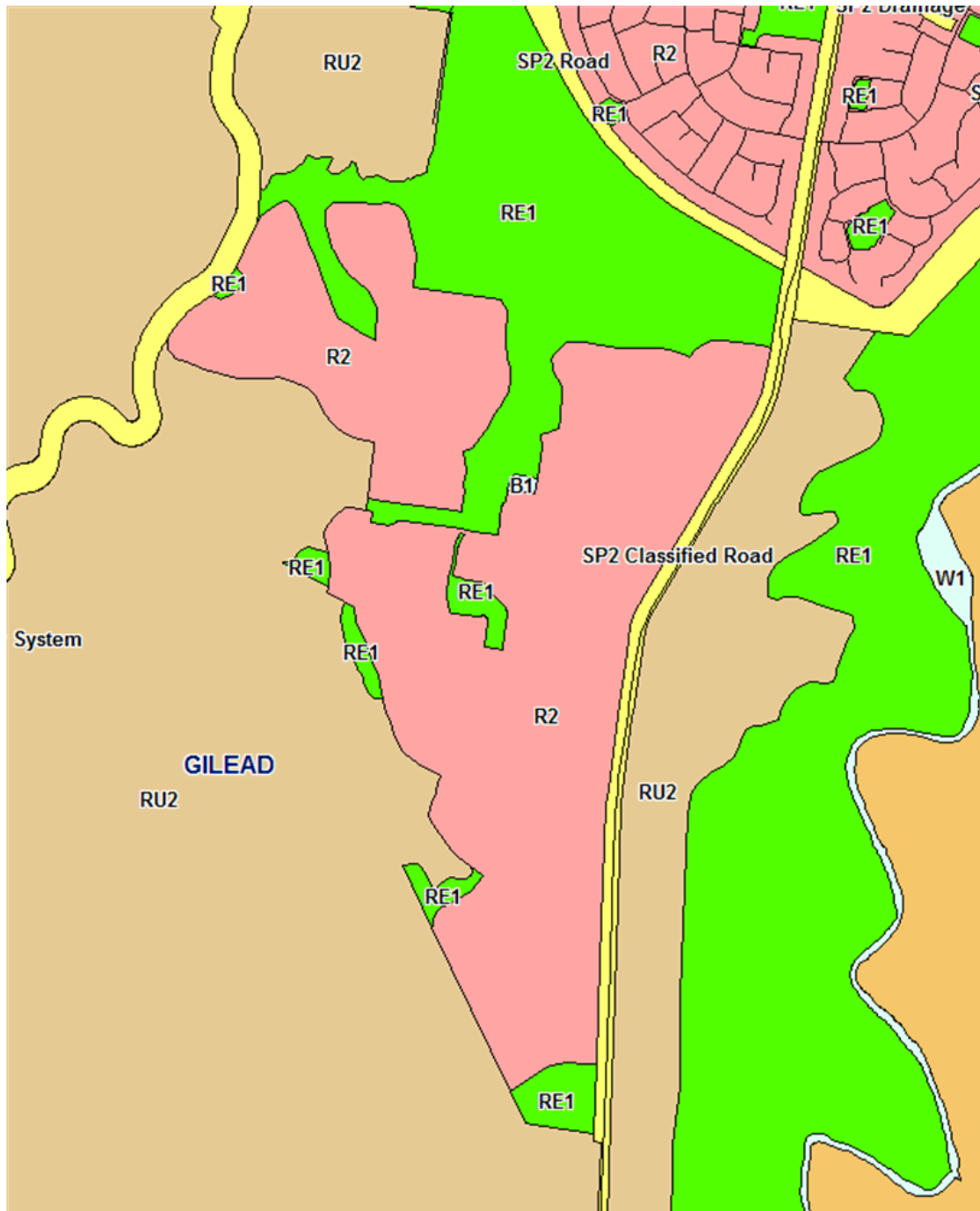
A draft project timeline has been included in Table 9 below:

Table 8: Project Timeline

Milestone	Timeline
Referral to Local Planning Panel	November 2019
Council Endorsement of Planning Proposal	March 2020
Referral for Gateway Determination	March 2020
Gateway Determination	February 2020
Completion of additional supporting documentation	March 2020
Public Exhibition	May 2020
Consideration of Submissions	July 2020
Finalisation of LEP amendment	August/September 2020
Plan amendment made	January 2021

## Attachment 1 Changes to Zoning Map

### Existing Zoning Map

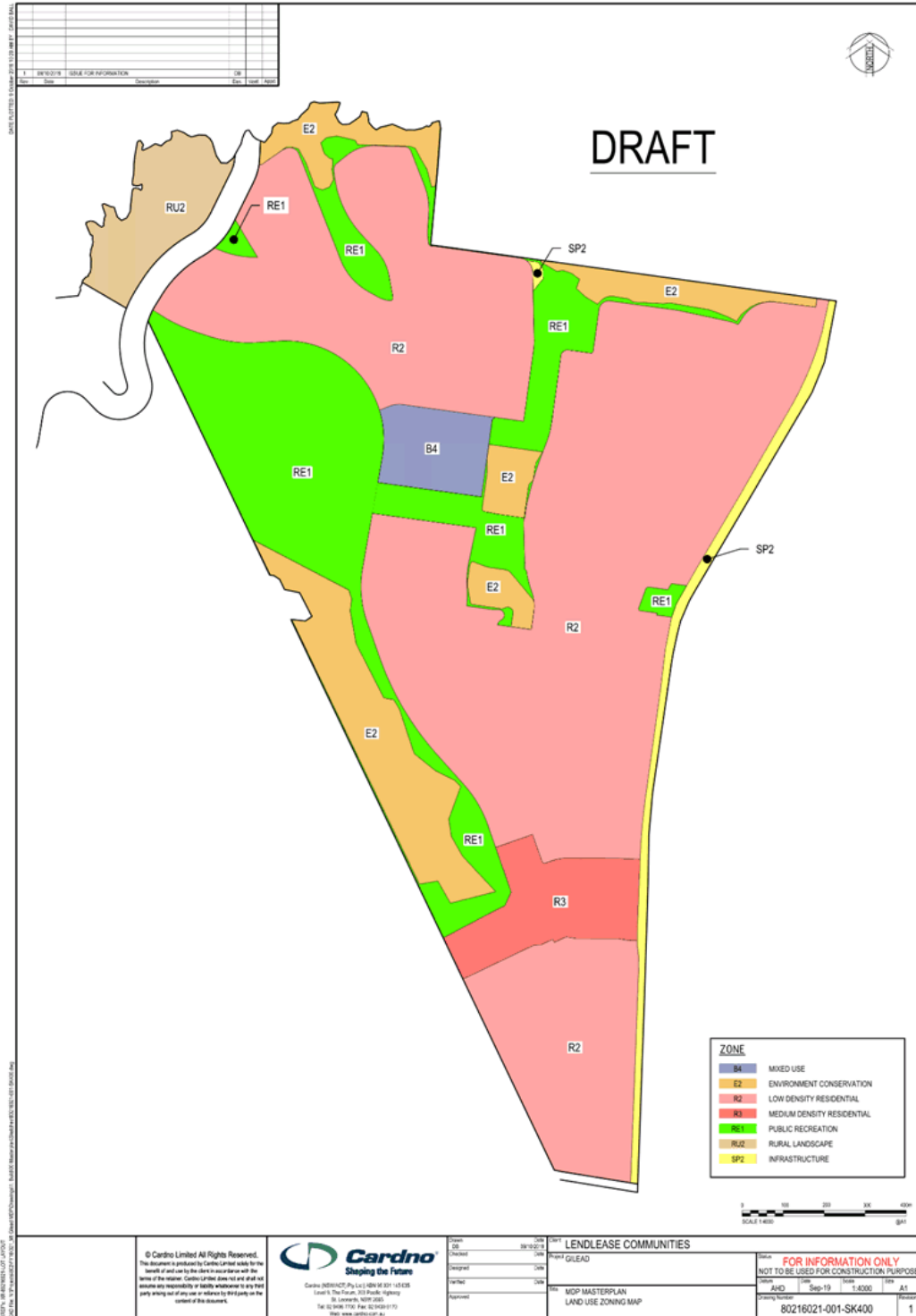




Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

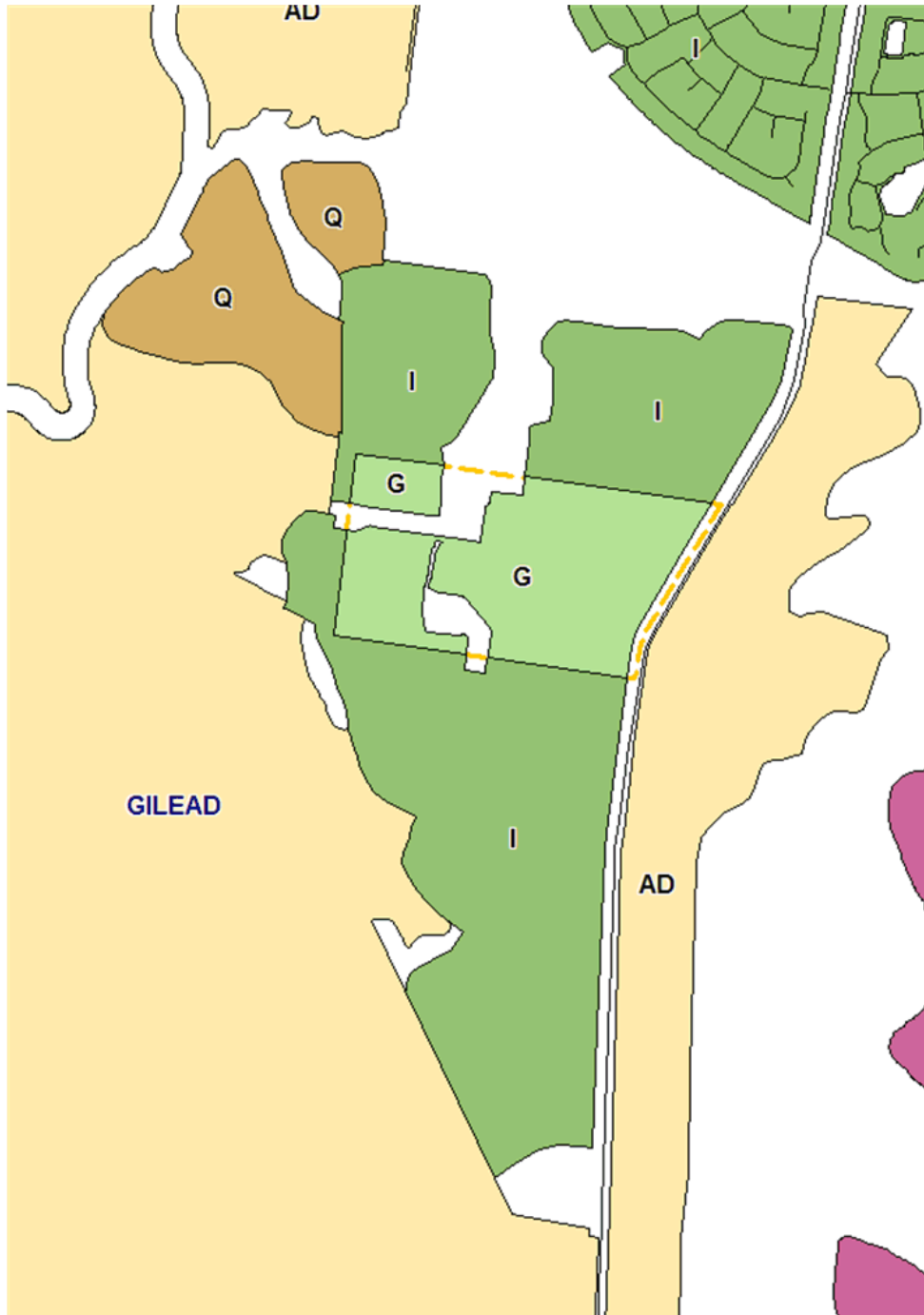
MT GILEAD PLANNING PROPOSAL

Proposed Zoning Map



## Attachment 2 - Changes to Minimum Lot Size Map

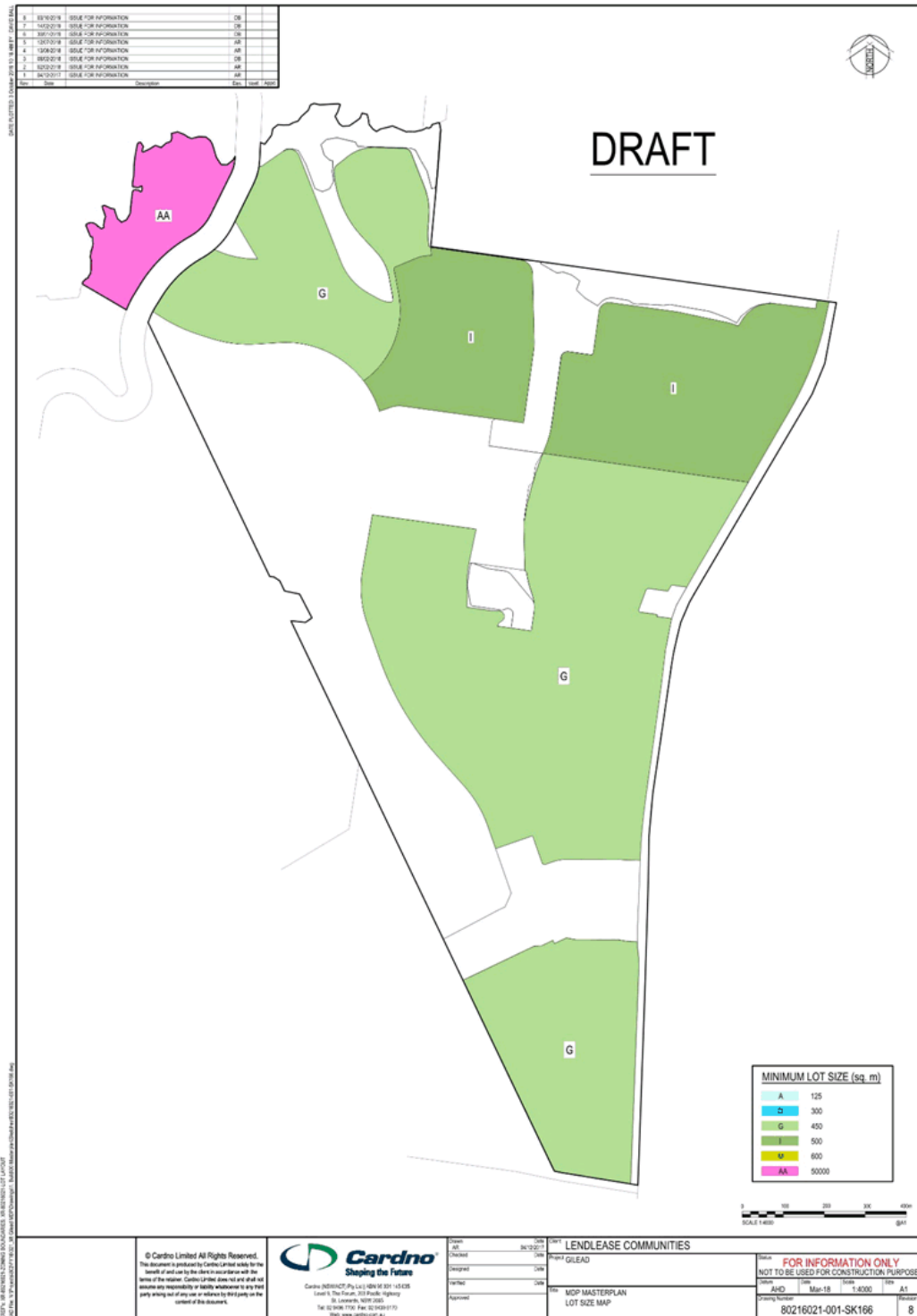
### Existing Lot Size Map



Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

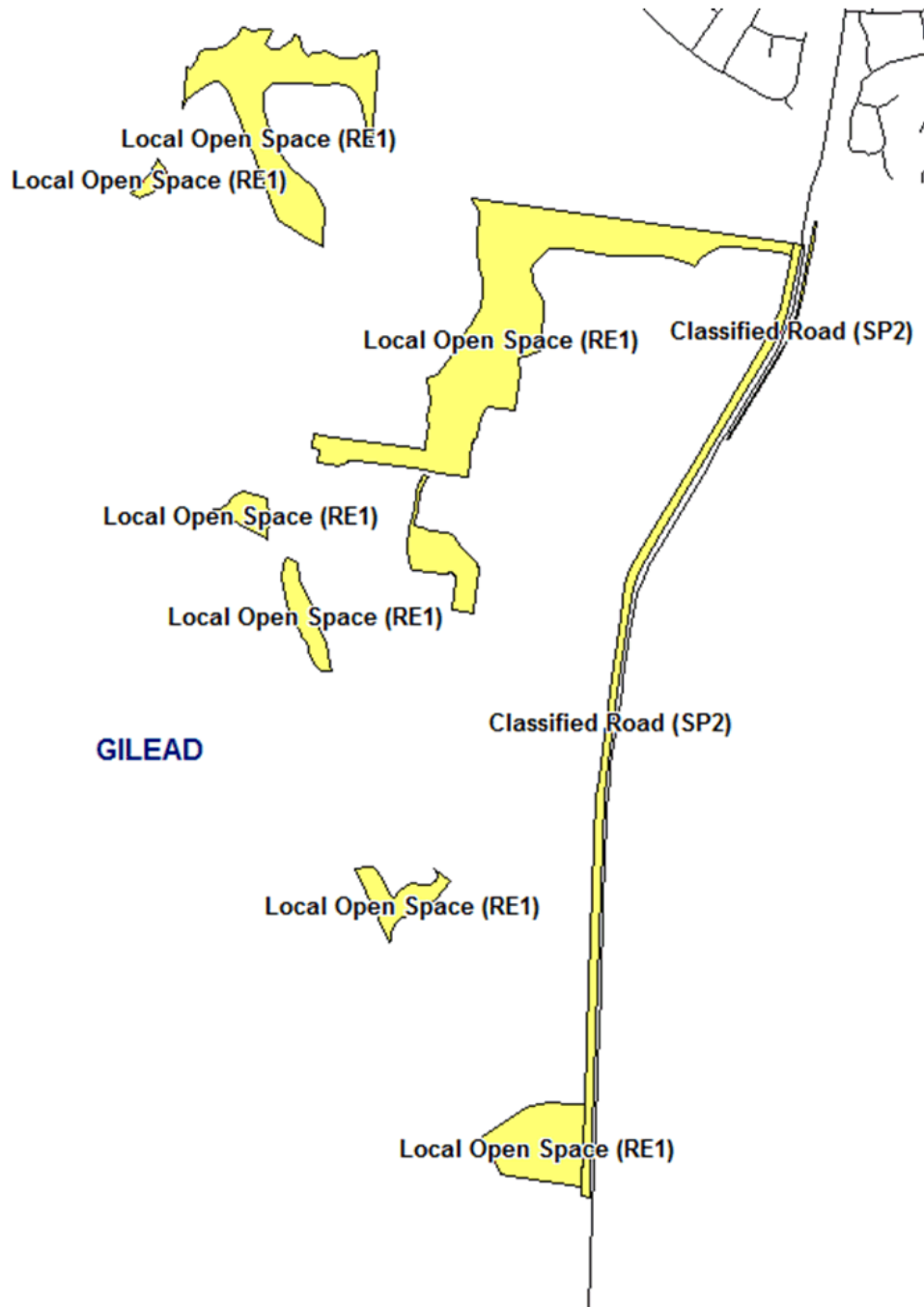
MT GILEAD PLANNING PROPOSAL

Proposed Lot Size Map



### Attachment 3 – Changes to Land Reservation Acquisition Map

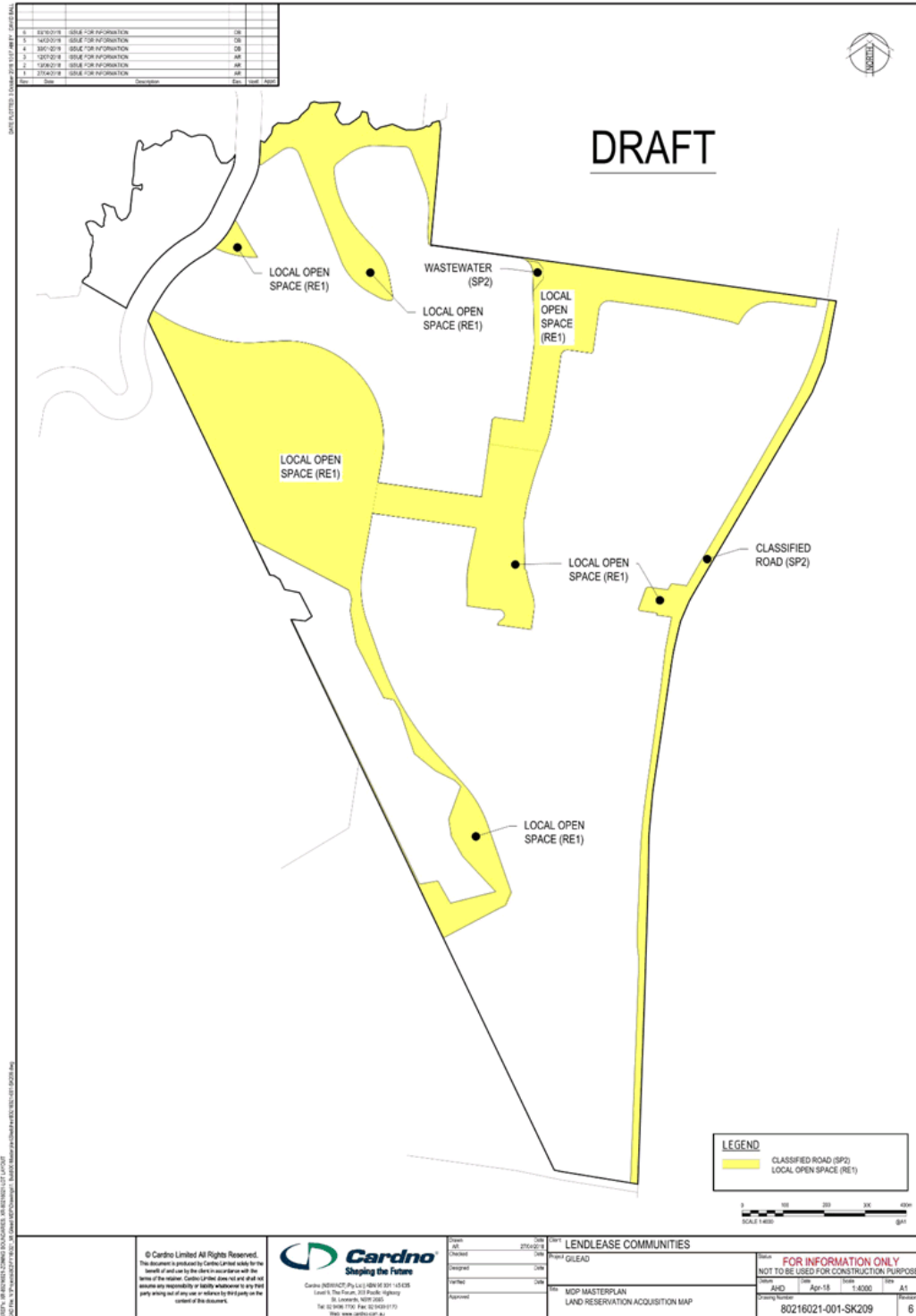
Existing Land Reservation Acquisition Map



Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

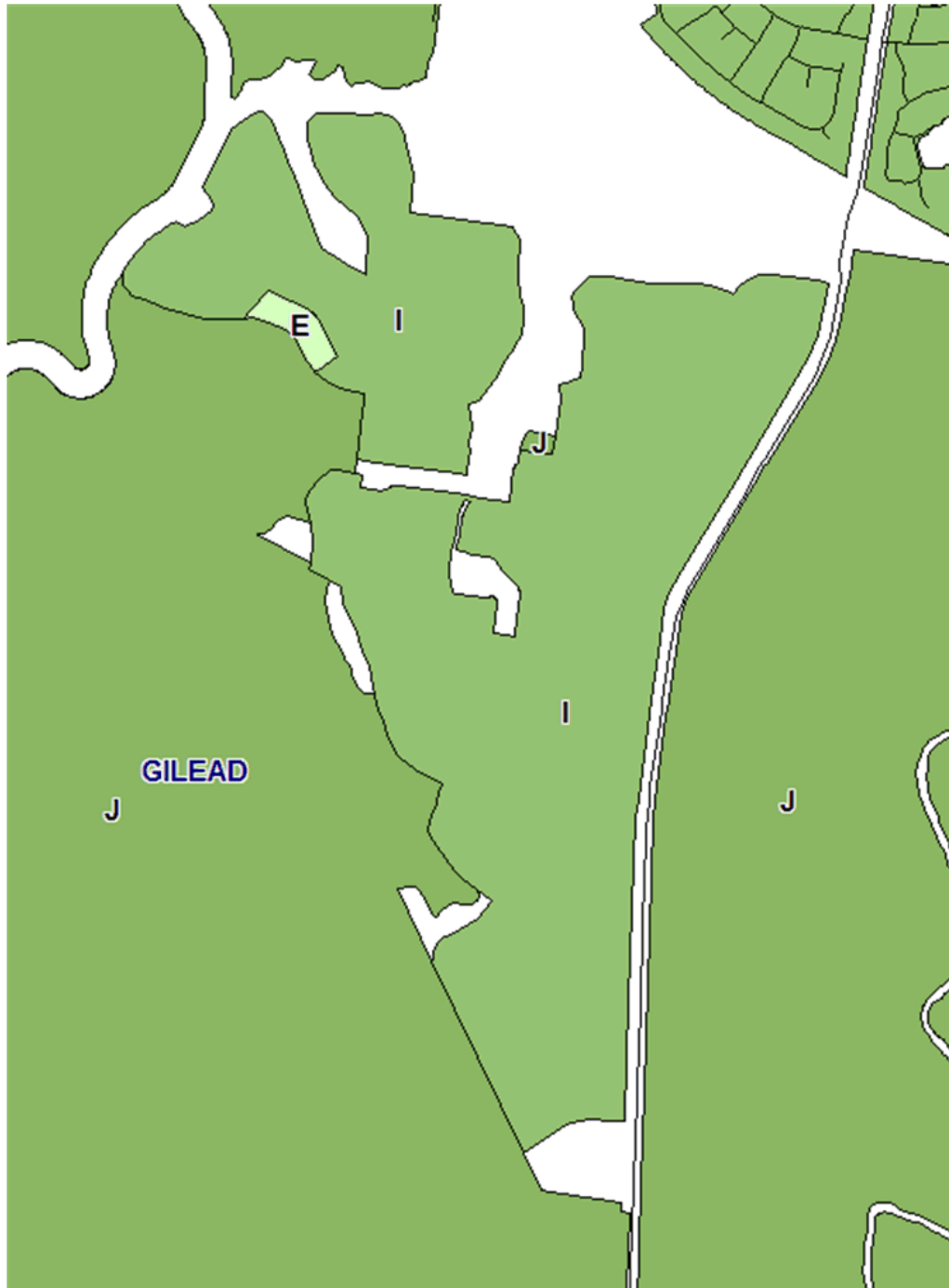
MT GILEAD PLANNING PROPOSAL

Proposed Land Reservation Acquisition Map



## Attachment 4 – Changes to Height of Building Map

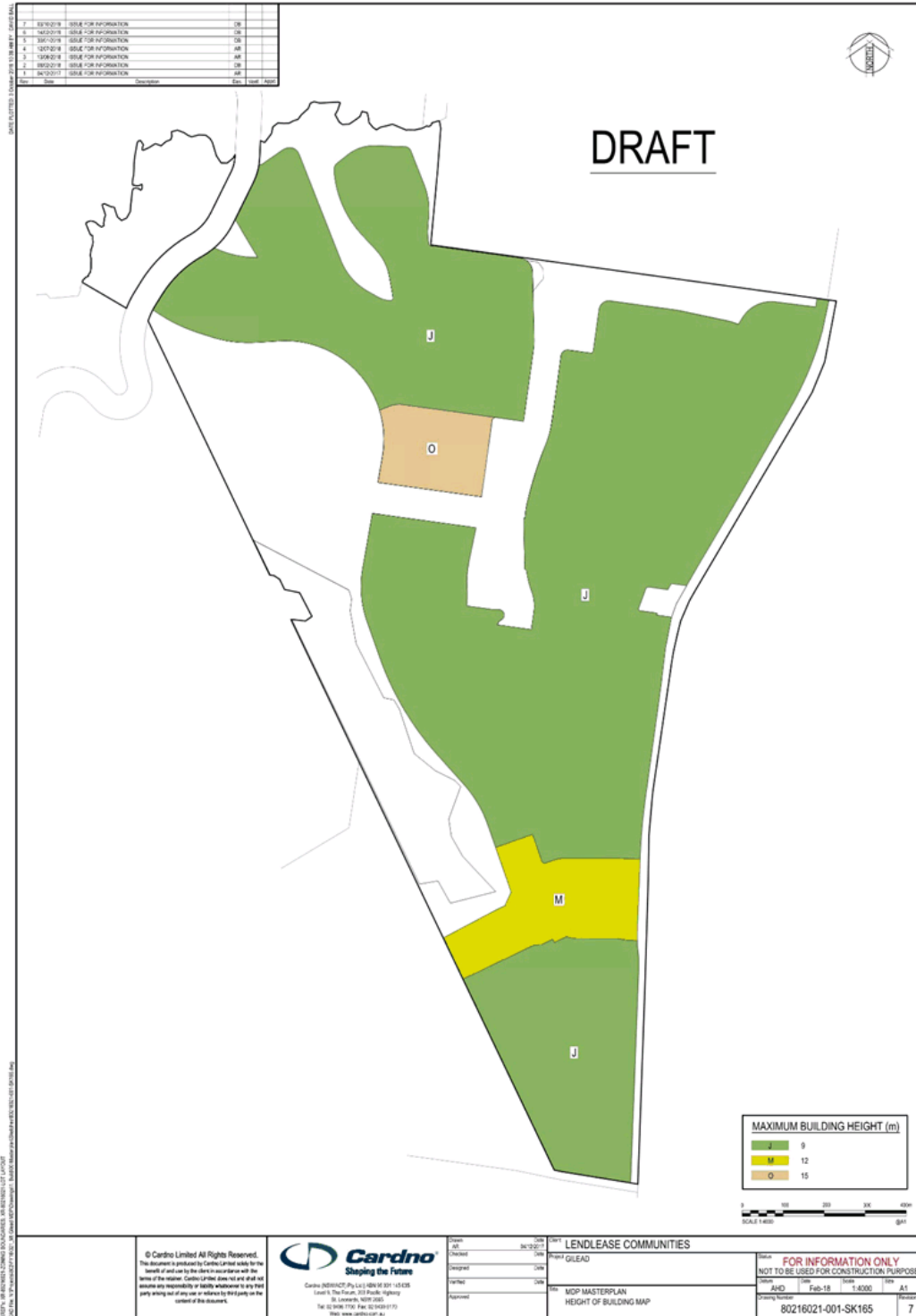
### Existing Height of Building Map



Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

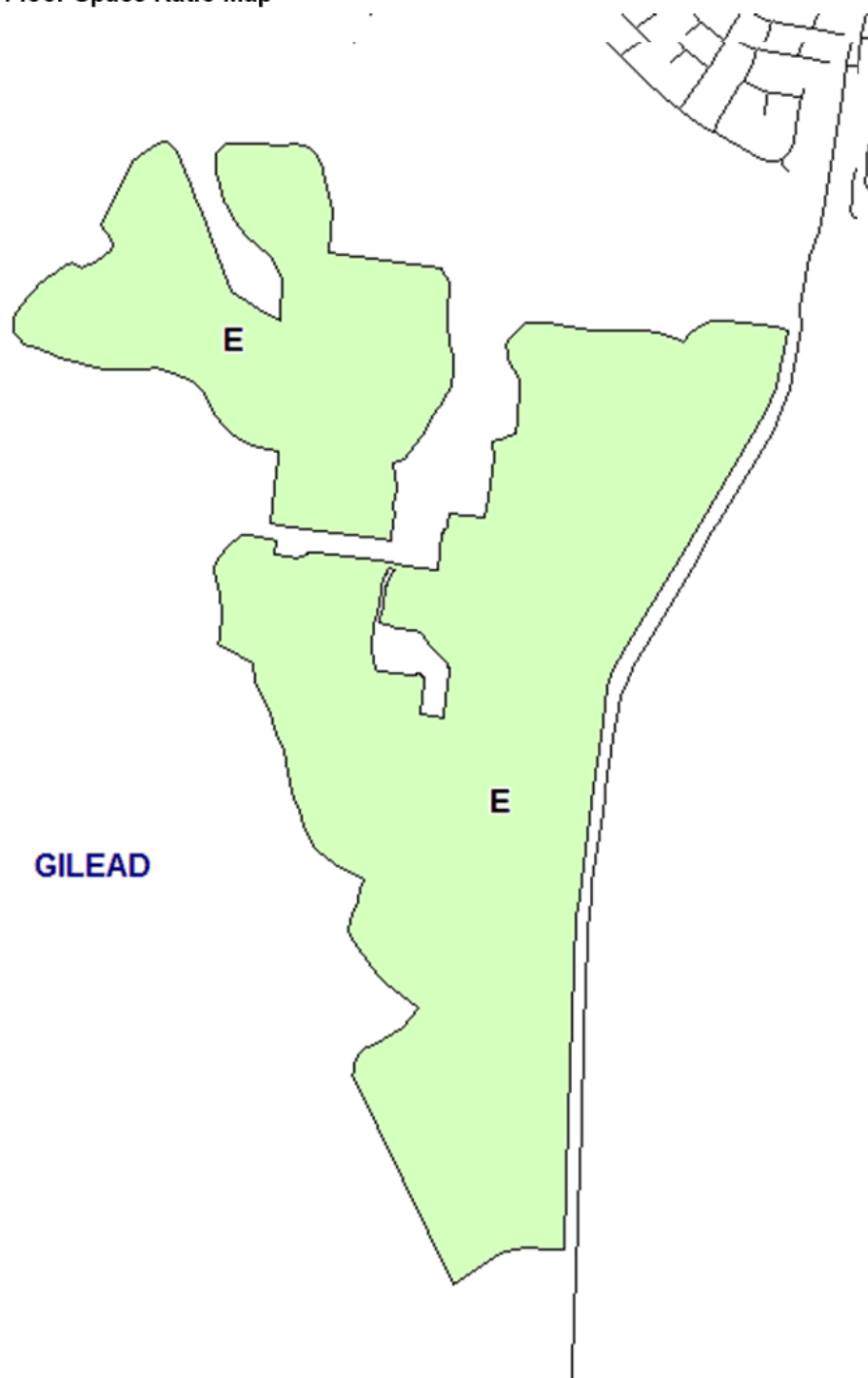
MT GILEAD PLANNING PROPOSAL

Proposed Height of Building Map



### Attachment 5 – Changes to Floor Space Ratio Map

Existing Floor Space Ratio Map

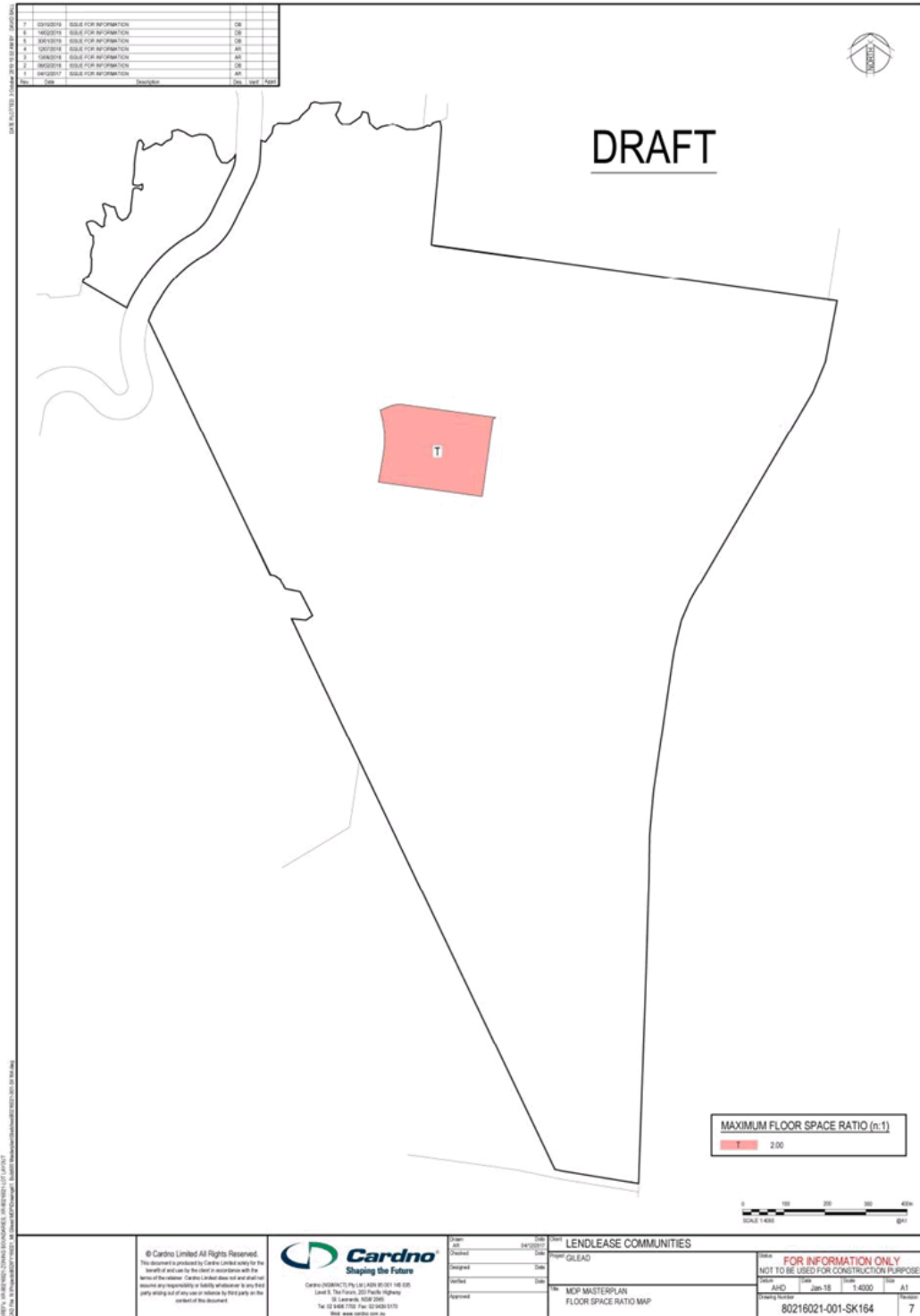




Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

MT GILEAD PLANNING PROPOSAL

Proposed Floor Space Ratio Map

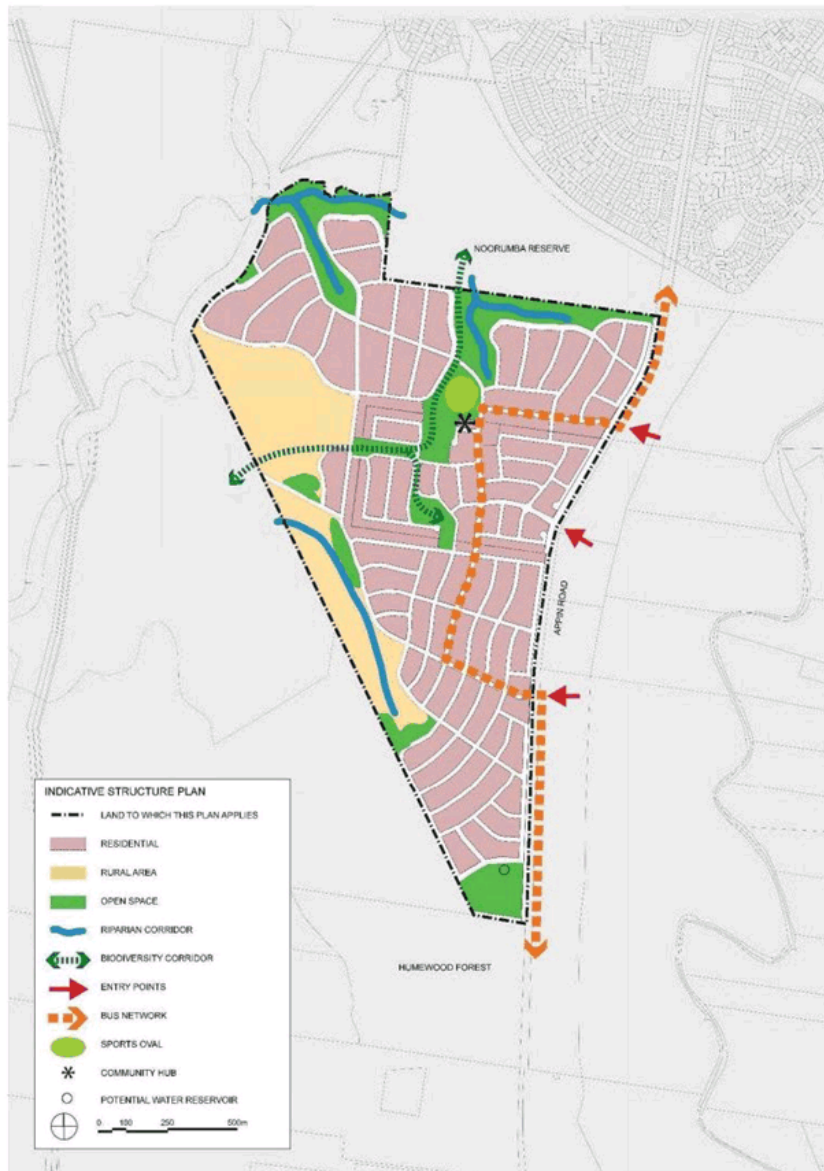


## Attachment 6 Changes to Masterplan

### Existing Structure Plan

#### Part 7 MT GILEAD

Figure 2: Mt Gilead Indicative Structure Plan



Proposed Structure Plan



## Attachment 7 – Proposed Clause 4.1H

### Proposed Clause 4.1H

*This clause applies to land within **Area 1** on the Menangle Park Urban Release Area Map and the Mount Gilead Urban Release Area Map.*

1. *The objective of this clause is to achieve planned residential density in certain zones.*
2. *Development must not be carried out on a lot in **Zone R3 Medium Density Residential** for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:*
  - *Dwelling House (detached): 250m<sup>2</sup>*
  - *Semi detached dwellings: 250m<sup>2</sup>*
  - *Dual Occupancy: 500m<sup>2</sup>*
  - *Secondary Dwellings: 450m<sup>2</sup>*
  - *Attached Dwellings: 200m<sup>2</sup>*
  - *Multi Dwelling Housing: 1,500m<sup>2</sup>*
3. *Development consent may be granted for the subdivision of land within **Lot 1 DP 1240836, Lot 2 DP 1240836, Lot 3 DP 1240836, Lot 4 DP 1240836, Lot 5 DP 1240836; and Lot 61 DP 752042** on the Mount Gilead Urban Release Area Map Area on land zoned **R2 Low Density Residential** into lots that do not meet the minimum size shown on the Lot Size Map if:*
  - a) *each lot has a minimum lot size of not less than 375m<sup>2</sup>, and*
  - b) *each lot has a minimum primary road frontage of 11.5m, and*
  - c) *each lot is not a corner allotment, and*
  - d) *no more than 255 lots have a lot size of less than 450m<sup>2</sup> and greater than or equal to 375m<sup>2</sup> within the subject land to which this clause applies, and*
  - e) *no more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and*
  - f) *each lot is located not more than 200m from a bus stop or open space area.*
4. *Development consent may be granted for the subdivision of land within **Lot 1 DP 1240836, Lot 2 DP 1240836, Lot 3 DP 1240836, Lot 4 DP 1240836, Lot 5 DP 1240836; and Lot 61 DP 752042** on the Mount Gilead Urban Release Area Map Area on land zoned **R2 Low Density Residential** into lots that do not meet the minimum size shown on the Lot Size Map if:*
  - a) *each lot has a minimum lot size of not less than 300m<sup>2</sup>, and*
  - b) *each lot has a minimum primary road frontage of 10m, and*
  - c) *each lot is not a corner allotment, and*
  - d) *no more than 255 lots have a lot size of less than 375m<sup>2</sup> within the subject land to which this clause applies, and*
  - e) *no more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and*
  - f) *each lot is located not more than 200m from a bus stop or open space area.*

## 8.7 Investments and Revenue Report - January 2020

### 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 January 2020.

### Report

#### Investments

Council's investment portfolio as at 31 January stood at approximately \$232m. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

The return on Council's investments whilst continues to outperform the AusBond Bank Bill Index benchmark, may not reach the estimated original budget, which is a direct result of the sluggish economy coupled with financial institutions holding large liquidity in comparison to the rate at which funds are being borrowed, which also impacts interest rates. For the month of January, Council's return exceeded the benchmark by some 89 basis points on an annualised basis.

The portfolio is diversified with maturities ranging up to a period five years in accordance with Council's Investment Policy.

The official cash rate remains unchanged at three quarters of one percent with economists predicting further rate cuts may be required after the Reserve Bank assesses the impact of previous reductions on economic data in the coming months.

With credit margins continuing to contract particularly for term deposits, where better value can be obtained investing in floating rate notes, these opportunities will continue to be taken.

The ASX200 closed at 7017.20 at the completion of December. This represents an annualised monthly performance result of positive 59 percent ex dividend, the monthly change was positive 4.98 percent. It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

### **Rates**

Rates and Charges levied for the period ending 31 January 2020 totalled \$119,620,836 representing 100 percent of the current budget estimate.

The rates and charges receipts collected to the end of January totalled \$69,616,950. In percentage terms 59 percent of all rates and charges due to be paid have been collected, compared to 58 percent collected in the same period last year.

Debt recovery action during the month involved the issue of 57 Statements of Claim to ratepayers with two or more instalments outstanding and a combined balance exceeding \$1000. Further recovery on accounts with previous action resulted in 42 Judgments and 19 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 487 ratepayers with a total arrears balance of \$771,939, who have made suitable payment arrangements.

Ratepayers who purchased property since the annual rates and charges notices are issued with a 'Notice to new owner' letter. During the month, 39 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

### **Sundry Debtors**

Debts outstanding to Council as at 31 January 2020 are \$1,922,717 reflecting an increase of \$378,032 since December 2019. During the month, 1294 invoices were raised totalling \$1,306,814. 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 \$464,307 as at 31 January 2020.

A significant portion of this debt relates to Various Sundry Items totalling \$116,111. The majority of this amount is the unpaid balance for road and footpath occupancy totalling \$15,812. The company has entered into a legally binding settlement of \$5,271 per month, this will see the debt finalised by April 2020. Another debt of \$15,500 is for a motor vehicle accident and damage to Council property (bus shelter) in Ambarvale, this account has been identified by our recovery agent as unrecoverable and is recommended for write-off. Another claim relating to a Council vehicle damaged in a traffic incident totalling \$9,786 has also been identified by our agent as unrecoverable and been recommended for write-off. Also

outstanding are reimbursement costs of \$10,488 from Endeavour Energy for electrical works carried out at Ambarvale Sports Complex, this debt was finalised after 31 January.

A major part of the Corporate Administration debt totalling \$84,164 relates to the quarterly payment of the refund sharing agreement between Council and Suez Recycling and Recovery Pty Ltd. Council has been in constant contact with the debtor and anticipates to resolve the balance outstanding within the month. Two other amounts outstanding being \$29,361 for street advertising signs and the other for \$16,958 owing as part of a property lease agreement were both paid and finalised in early February.

The amount under Government and Other Grants of \$57,000 is for the Road Safety Officer Program, payment from Roads & Maritime Services has been delayed due to system changes and is expected to be finalised within the coming weeks.

Public hall hire fees of \$46,549 are a result of debts that have been raised in advance and in accordance with council policy, do not need to be finalised until two weeks prior to function.

Debt recovery action is undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transaction is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, 14 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 issue two letters of demand. Contact has been made from one debtor and a suitable arrangement has been entered into, the other has made no contact and it is anticipated that the next stage of recovery will commence.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

### **Attachments**

1. Summary of Council's Investment Portfolio January 2020 (contained within this report)
2. Rates and Charges summary and statistics January 2020 (contained within this report)
3. Debtors Summary and Ageing Report January 2020 (contained within this report)



## Summary of Council's Investment Portfolio

Portfolio as at 31 January 2020

Product Type	Face Value	% of Total
At Call Deposits	557,694	0.2%
Term Deposits - Fixed Rate	74,947,221	32.3%
Term Deposits - Fixed/Floating	5,000,000	2.2%
Term Deposits - Floating Rate	84,000,000	36.2%
FRN	30,400,000	13.1%
Managed Funds - TCorp	37,363,991	16.1%
<b>Grand Total</b>	<b>232,268,907</b>	<b>100.0%</b>

### Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AAA	4,810,000	2.9%
AA-	117,982,919	72.0%
A+	9,087,487	5.5%
BBB+	25,066,815	15.3%
Baa1	2,000,000	1.2%
BBB	3,000,000	1.8%
Baa2	2,000,000	1.2%
<b>Total Term Deposits</b>	<b>163,947,221</b>	<b>100.0%</b>

## Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
AU3FN0028189	CBA	AA-	17-Jul-20	3m BBSW + 0.90%	\$5,000,000
AU3FN0039160	ME Bank	BBB	9-Nov-20	3m BBSW + 1.25%	\$2,500,000
AU3FN0046769	Newcastle Perm	BBB	26-Feb-21	3m BBSW + 1.10%	\$500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	77.3%	50%	100%	Yes
A+, A, A- and above	81.6%	70%	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp Hour Glass Cash Fund	16.0%	0%	20%	Yes

## Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund) provided a weighted average return (running yield) of:

31 January 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.15%	2.29%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.08%	1.40%
Performance Relative to Benchmark	0.07%	0.89%

## RATES SUMMARY

### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2019	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,811,810.14	66,586,487.44	1,423,852.73	398,582.37	68,373,027.22	38,847,711.13	29,525,316.09	265,636.18	29,790,952.27
BUSINESS	355,656.57	19,586,202.93		30,279.51	19,972,139.01	12,798,907.37	7,173,231.64		7,173,231.64
FARMLAND	165,474.11	540,664.14	678.09	228.45	705,688.61	508,982.03	196,706.58	252,272.37	448,978.95
MINING	0.00	27,902.16		0.00	27,902.16	27,902.16	0.00		0.00
SR - LOAN	278.81	0.00		146.18	424.99	0.00	424.99	396.77	821.76
SR - INFRASTRUCTURE	319,047.27	6,567,557.69		6,564.79	6,893,169.75	3,927,892.05	2,965,277.70	52,667.21	3,017,944.91
<b>TOTAL</b>	<b>\$3,652,266.90</b>	<b>\$93,308,814.36</b>	<b>\$1,424,530.82</b>	<b>\$435,801.30</b>	<b>\$95,972,351.74</b>	<b>\$56,111,394.74</b>	<b>\$39,860,957.00</b>	<b>\$570,972.53</b>	<b>\$40,431,929.53</b>
GARBAGE	891,143.33	22,104,410.73	850,111.85	26,333.08	22,171,775.29	12,643,474.38	9,528,300.91		9,528,300.91
STORMWATER	60,278.75	1,416,105.65		324.43	1,476,708.83	862,081.16	614,627.67		614,627.67
<b>GRAND TOTAL</b>	<b>\$4,603,688.98</b>	<b>\$116,829,330.74</b>	<b>\$2,274,642.67</b>	<b>\$462,458.81</b>	<b>\$119,620,835.86</b>	<b>\$69,616,950.28</b>	<b>\$50,003,885.58</b>	<b>\$570,972.53</b>	<b>\$50,574,858.11</b>

Total from Rates Financial Transaction Summary	49,829,487.97
Overpayments	-745,370.14
Difference	0.00

### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	395,000.00
Rate accounts greater than 12 months less than 18 months in arrears	181,505.00
Rate accounts greater than 18 months in arrears	50,123.00
<b>TOTAL rates and charges under instruction with Council's agents</b>	<b>\$626,628.00</b>

## RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Feb-19
Rate Notices	50,115	76		109			94						108
Electronic - DoH	5,055												
Instalment Notices				48,385			47,825						47,254
Electronic - DoH				5,048			5,040						5,147
Missed Instalment Notices			8,232			6,957							
- Pensioners > \$15.00			716			768							
Notice to new owner	161	39	25	22	20	31	39						44
7-day Letters - Council issued			2,358			2,377							
- Pensioners > \$500.00			206			199							
7-day Letters - Agent Issued			617				179						699
Statement of Claim	182	22	6	143	34	6	57						263
Judgments	46	15	47	9	19	4	42						9
Writs	32	27	22	8	20	12	19						9
Electronic - eRates & BPAYView	6,162	6,275	6,304	6,487	7,499	7,503	7,516						5,130
Arrangements	266	229	403	239	515	487	399						389

**DEBTORS SUMMARY 1 January 2020 to 31 January 2020**

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/12/2019	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/01/2020	% DEBT RATIO
Corporate Administration	204,895	70,289	88,850	186,334	29.49%
Abandoned Items	0	1,949	410	1,539	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	0	0	0	0	0.01%
Sportsground and Field Hire	73,594	12,333	37,227	48,700	5.46%
Government and other Grants	372,428	472,378	21,340	823,466	12.87%
Public Hall Hire	131,908	88,829	66,267	154,470	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	143,217	179,850	228,908	94,159	5.63%
Healthy Lifestyles	45,384	46,352	48,820	42,916	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	72,678	19,318	28,355	63,641	1.85%
Pool Hire	26,920	10,790	5,795	31,915	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	188,117	10,707	61,753	137,071	28.17%
Shop and Office Rentals	62,435	63,765	91,352	34,849	2.17%
Various Sundry Items	250,114	310,984	240,435	320,664	6.42%
Waste Collection Services	0	19,270	19,270	0	6.17%
	<b>1,554,685</b>	<b>1,306,814</b>	<b>938,782</b>	<b>1,922,717</b>	<b>100%</b>

## 8.8 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 3 March 2020.

### Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

## Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
12.11.19 RM	<p>ORD NM - 11.2 Stormwater Usage</p> <p>That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.</p>	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2020
10.12.19 WM	<p>ORD NM - 11.2 Grey Water Usage</p> <p>1. That a report be presented on the feasibility of the re-use of grey water within the community.</p>	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2020
<b>City Governance</b>			
11.06.19 BG	<p>ORD NM - 11.1 Legal Advice - Standard Contracts</p> <p>1. That legal advice be sought on making amendments, if necessary, to Council's existing standard contract clauses to ensure they are providing the best value and flexibility for rate payers of Campbelltown.</p> <p>2. That a report be presented on the findings and any recommended changes.</p>	Council has engaged an external legal expert to undertake a review of Council's suite of standard contracts.	April 2020
10.12.19 WM	<p>NM 11.1 - QR Codes on Monuments and Street Signage</p> <p>3. That in addition to street sign plates, the opportunity and feasibility of QR codes or similar electronic internet based information devices to be included on all similar information devices referred to in item No.1, across the Campbelltown LGA, be investigated and reported back to Council for its consideration.</p>		June 2020

### Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Governance</b>			
11.02.20 WM	<p>ORD 7.2 - Local Government Election Costs</p> <p>2. That Council requests a report that outlines the costs and benefits of universal postal voting.</p>	The Minister for Local Government has indicated that consultation with regard to universal postal voting will commence with the sector in early 2020. Outcomes of that consultation will be included in the report to Council.	June 2020
<b>City Development</b>			
13.11.18 GB	<p>ORD - 8.3 Household E-Waste Drop Off Event</p> <p>2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.</p>	This report is subject to the time frame of the Community Recycling Centre.	April 2020
09.04.19 WM	<p>ORD - 8.2 Planning Proposal - Ingleburn CBD</p> <p>4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.</p>	Still awaiting Gateway determination from Department.	April 2020
09.04.19 BT	<p>ORD 8.6 Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)</p> <p>5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.</p>	To be included in the next amendment to the Contributions Plan.	June 2020

### Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
11.06.19 MC	<p>ORD 8.10 Planning Proposal 22-32 Queen St, Campbelltown</p> <p>2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.</p>	Gateway determination received 20 January 2020.	June 2020
09.07.19 BT	<p>ORD 8.2 Outcome of the 2019 Free Recyclables Drop Off Day</p> <p>4. That a further update be provided to Council following the Free Recyclables Drop Off Day in January 2020 advising on the outcome of the August and January trial events.</p>	<p>Drop Off Day held on 17 August 2019 with next Drop Off Day scheduled for 4 January 2020. A report will be prepared after the January Drop Off Day.</p> <p>A report to be presented to Council at the March 2020 meeting.</p>	March 2020
06.08.19 GG	<p>ORD 14.1 Campbelltown Design Excellence Panel</p> <p>That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.</p>		March 2021
10.09.19 KH	<p>ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use</p> <p>5. That following an exhibition, a report on submissions be presented to Council.</p>	Exhibition subject to the Gateway determination.	June 2020



## Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
10.12.19 MO	<p>ORD 8.1 Campbelltown (Sustainable City) Development Control Plan: Housekeeping Amendments</p> <p>2. That where non-supportive submissions are received during the public exhibition period, a further report be presented to the Council on the outcome of the public exhibition and the response to the submissions.</p>	Was on public exhibition until 21 February 2020.	April 2020
<b>City Growth</b>			
11.12.18 BM	<p>ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Council has engaged the architect and commenced Stage one of the scope works.</p> <p>Stage one has been completed and Stage two is now in progress.</p>	May 2020
11.06.19 BM	<p>ORD NM 11.5 Global Climate Change</p> <p>That a report and briefing be provided to Council detailing the IPCC and IPBES reports and what actions other Councils have taken in regards to declarations of climate emergency.</p>	A report to be presented to Council at the April 2020 meeting.	April 2020

### Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
09.07.19 KH	<p>ORD NM 11.1 Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. The team is investigating with a report on electric car charging stations expected to be presented to Council in May 2020.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	May 2020
12.11.19 BM	<p>ORD NM 11.3 Coffee Cup Recycling</p> <p>That a report be presented to Council investigating options, in collaboration with local business owners, for the provision of takeaway coffee cup recycling along Queen St.</p>	A report is expected to be presented in April 2020.	April 2020
<b>General Manager</b>			
08.10.19 MO	<p>ORD NM 11.2 Digital Advertising in Shopping Precincts</p> <p>1. That a report be presented to Council that explores the opportunities for digital advertising in public locations such as shopping centres to regularly promote Council's activities and programs.</p> <p>The report should focus on key shopping precincts including Macarthur Square, Campbelltown Mall, Glenquarie Town Centre and Minto Marketplace and any other appropriate locations, assessing costs, feasibility of producing marketing material and any other operational benefits or implications.</p>	A Creative Marketing Specialist commences in January 2020 and will undertake the investigations so a report can be presented.	April 2020

### Reports Requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>General Manager</b>			
10.12.19 RM	ORD 8.22 Western Parkland City Overseas Study Tour  1. That the Mayor and General Manager be authorised to attend the 2020 City Deal Study Tour to the United Kingdom and Amsterdam.  2. That a full report be presented to Council.		May 2020

### Letters requested effective 3 March 2020

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Development</b>		
11.06.19 KH	<p>ORD 8.11 Proposed Biodiversity Certification Process Mount Gilead Stage 2</p> <p>3. That a letter be sent to the Department of Planning and Infrastructure noting our previous stated objections to the state Governments treatment of Beulah and Noorumba reserves and seek commitment that future bio banking sites will remain accessible to local wildlife populations.</p>	Letter sent on 3/10/2019 to the Department of Planning and Industry and Environment.
12.11.19 GB	<p>ORD NM - 11.1 Development Applications</p> <p>1. That representations be made to the Office of Local Government NSW, the Minister for Local Government, the shadow Minister for Local Government, the Minister for Planning and the shadow Minister for Planning expressing the Council's and the communities' frustration with the NSW Government's decision to remove the powers of determination for development applications away from elected councillors who represent their community.</p> <p>5. That Council writes to the Local State Members of Campbelltown and Macquarie Fields seeking their support on bringing decision making powers back to Council.</p>	<p>Letters sent on 6/2/2020 to the Hon Shelley Hancock MP, the Hon Rob Stokes, the Hon Adam Seale MLC, Anoulack Chanthivong MP and Greg Warren MP.</p> <p>A response was received on 13/2/20 from Anoulack Chanthivong MP and has been included in the March 2020 agenda.</p>
11.2.20 MO	<p>ORD 8.3 - Result of Pre-Gateway Review - 71 St Andrews Road, Varroville</p> <p>3. That Council reaffirms by writing to the department its original resolution to not support the draft planning proposal submission to Gateway determination.</p>	

## 8.9 Sundry Debtor Write-offs March 2020

### 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 sundry debtors as listed in the attachment totalling \$43,668.28 be written off as uneconomical to recover.

### Purpose

To advise Council of sundry debts that are uneconomical to recover and recommended for write off.

### Report

During the past 12 month period, Council has raised 16,787 invoices with a combined value of \$17,768,618.

The debts submitted have undergone extensive recovery procedures with every avenue available to Council being explored and eventually exhausted, prior to be determined as uneconomical to recover and being recommended for write off.

The list of debts are summarised as follows:

One account for a motor vehicle accident causing damage to Council property totalling \$15,550. After extensive efforts internally and through Council's agent, it has been advised that to pursue the debt would be uneconomical. Another account also relates to a motor vehicle accident with damage to a council vehicle totalling \$9,786.89. The 'at fault driver' was not insured and this debt has also been identified as unrecoverable and would be uneconomical to pursue.

One debt relates to fees for an abandoned motor vehicle which was impounded by Council and sold at auction. This vehicle had no residual value and costs incurred due to impounding, towing and formal recovery less sale amount has resulted in a balance remaining. Council has no further avenues through which it would be economical to pursue the recovery of this amount totalling \$2396.20.

Six debts relate to food premise licence fees and include recovery costs totalling \$6317.10. In four of these matters the business has either filed for bankruptcy, liquidation or been deregistered. In two matters the licenced premises have closed and the registered owners are no longer contactable or have moved from the original contact address. Council staff continue to work on early and regular contact with food premise licences in an attempt to minimise the risk of non-payment or escalating debts.

Two debts relate to unpaid facility hire fees and legal recovery costs at Glen Alpine Community Centre and Eagle Vale Neighbourhood Centre. Both accounts have been pursued by Councils agents with one account totalling \$1761.06 and the other with a residual debt of \$281.42. In both of these cases the debtors are unable to be located and further recovery efforts are considered uneconomical.

One debt for \$6765.50 relates to carpark occupancy fees in Broughton Street Campbelltown. This business has gone into liquidation and Council has lodged documentation to the administrators but has been advised that a dividend would be unlikely.

Road Restoration costs to the value of \$810.11 for two debtors both of which after extensive efforts of Council staff and Council agents has failed to locate the debtors and to pursue would be uneconomical.

In many of these cases, the debtors are no longer contactable, rendering recovery unattainable or at significant costs that may, in future, also not be recoverable. It should be noted, Council's authorisation to write off bad debts does not prevent recovery of the debt in the future, should circumstances change or Council becomes aware of the debtors new address. Once written off, debtors are noted as bad debtors within Council's corporate systems ensuring they are easily identified, should the individual or company attempt to transact with Council in the future.

In accordance with accounting standards, Council is required to create a provision for doubtful debts and review that provision at the end of each financial year. The provision currently stands at \$39,007 and therefore will require an adjustment of \$4661 in the quarterly financial review.

## **Attachments**

1. Sundry Debtor Write-off March 2020 (contained within this report)

**Sundry Debtor Write-off 2020**

<b>Account</b>	<b>Comments</b>	<b>Total Due</b>
100795434	Motor vehicle accident , damage to Council property	\$15,550.00
100731726	Motor vehicle accident, damage to Council vehicle	\$9,786.89
100816107	Car Park Occupancy fees - Broughton Street	\$6,765.50
100780162	Health Licence Inspection fees and legal costs - unable to locate debtor uneconomical to pursue	\$2,556.30
100762137	Abandoned motor vehicle charges and legal costs - unable to locate debtor and all legal options exhausted	\$2,396.20
100722933	Hall Hire damage charges and legal costs - unable to locate debtor uneconomical to pursue	\$1,761.06
100753377	Health Licence fees and legal costs - company gone into liquidation	\$1,585.80
100707918	Licence fees - company in liquidation	\$633.50
100811264	Licence fees - unable to locate debtor uneconomical to pursue	\$548.00
100736198	Licence fees - unable to locate debtor uneconomical to pursue	\$503.00
10077054	Licence fees - company in liquidation	\$490.50
100758036	Road Restoration - unable to locate debtor uneconomical to pursue	\$437.58
100781699	Road Restoration - unable to locate debtor uneconomical to pursue	\$372.53
100767342	Hall Hire Fees and legal costs - unable to locate debtor uneconomical to pursue	\$281.42
		<hr/>
		<b>\$43,668.28</b>

## 8.10 Delivery Program - Six Monthly Progress Report

### Reporting Officer

Coordinator Corporate Planning and Strategy  
City Growth

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

### Officer's Recommendation

That Council receive and note the Six-monthly Progress Report for the period of July 2019 to December 2019.

### Purpose

To advise Council of the progress on the principal activities outlined in the 2017-2021 Delivery Program and 2019-2020 Operational Plan for the period of July 2019 to December 2019, in line with the requirements of the *Local Government Act 1993*.

### History

Council provides a six-monthly progress report to meet its requirements under the Integrated Planning and Reporting Framework. This report forms a key component of Council's accountability to its community on the delivery of committed projects and initiatives.

It is a requirement of the *Local Government Act 1993*, that Council receive a progress report on the principle activities outlined in the Delivery Program and Operational Plan at least once every six months.

### Report

At its Ordinary Council meeting of 27 June 2017, Council adopted the Delivery Program for 2017-2021. At its Extraordinary meeting of 25 June 2019, Council adopted the Operational Plan for 2019-2020 along with the 2019-2020 Budget and Fees and Charges.

This report provides an update on the Council's progress in achieving the principle activities and projects included in the adopted Delivery Program 2017-2021 and Operational Plan 2019-2020 for the period of July 2019 to December 2019.



Highlights from the reporting period include:

- the launch of the new City Identity and Brand on 21 August 2019 cementing Campbelltown as a place where opportunity comes to life
- delivery of a huge line-up of events at this year's Festival of Fisher's Ghost
- a successful Winterland event attracting 15,000 people
- the launch of the Campbelltown 2020 Bicentenary Program
- major progress and engagement on Reimagining Campbelltown City Centre as the masterplan reached its final stages of development
- exhibition of the first Draft Local Strategic Planning Statement for Campbelltown
- a renewed commitment with Western Sydney University, signing a key Memorandum of Understanding
- winning the IPWEA Engineering Excellence Award for Council's Asset Backlog strategy
- Badgally Road upgrade received State Government funding and works commenced
- appointment of key design leads to progress the Campbelltown Billabong Parklands project
- the final results of the Urban Heat Investigation in partnership with Western Sydney University were received.

Following Council consideration, the six monthly progress report will be published on Council's website for community viewing.

### **Attachments**

1. Delivery Program - Six Monthly Progress Report July - December 2019 (distributed under separate cover)

## 8.11 Revised Campbelltown City Council Collection Policy

### Reporting Officer

Executive Manager Creative Life  
City Growth

### Community Strategic Plan

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

### Officer's Recommendation

1. That the revised Campbelltown City Council Collection Policy as attached to this report be adopted.
2. That the name of the policy be amended to Campbelltown City Council Art Collection Policy.
3. That the Campbelltown City Council Art Collection Policy review date be set at 30 December 2022.

### Purpose

To seek Council's endorsement of the revised Campbelltown City Council Collection Policy.

### History

At its meeting of 28 November 2017, Council adopted the current Campbelltown Council Collection Policy.

The draft revised Campbelltown City Council Collection policy was considered by the Campbelltown Arts Centre Strategic Committee on 9 October 2019 and it was resolved to refer the draft revised policy to Council for its consideration.

### Report

In late 2018 Campbelltown Arts Centre engaged The Countess Report to review the Campbelltown City Council Collection as part of the 2019 Collections exhibition Borrowed Scenery. As part of this process, The Countess Report discovered that there was a gender disparity in the Collection and advised the Campbelltown City Council Collection policy be reviewed to address this inequality.

In view of the above, it is proposed that the following additions be made to the Policy:

Under Objectives

“10. To commit to a diverse and equal gender representation within the Campbelltown City Council art collection and curation of exhibitions.”

Under Collection Management


“3.4 The collection is to be periodically audited and maintained to reflect and strive for a representation of gender equality through new acquisitions and deaccession of artworks”

It is also proposed that the name of the Policy be amended to:

“Campbelltown City Council Art Collection Policy”

### **Attachments**

1. Current Campbelltown Council Collection Policy (contained within this report)
2. Revised Campbelltown City Council Collection Policy (contained within this report)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Campbelltown City Council <b>Art</b> Collection	
Related Documentation	Cultural Gifts Program – Certificate of Donation Deed of Donation – Form Procedural Document – Accessing Artworks in Collection Storage Areas Council's Asset Management Policy	
Relevant Legislation/ Corporate Plan		
Responsible Officer	<b>Executive</b> Manager Creative Life	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Purpose

The purpose of this Policy is to provide a framework for the management of Campbelltown City Council's permanent collection by Campbelltown Arts Centre. To ensure a sustainable permanent collection in accordance with Council's Asset Management and Collection Policy objectives.

### Objectives

1. To develop a permanent collection, to be housed and cared for by Campbelltown Arts Centre, of post 1950 original works of art. The collection will include paintings, original prints, drawings, sculptures and ceramics, of the highest professional standard, and of national significance.
2. To collect and develop unique collections building on key focus areas including but not limited to Aboriginal Art, Contemporary Art, ceramics, works on paper, installation and new media art.
3. To collect and represent historical artworks of regional significance to the exploration and settlement of Campbelltown and South-West Sydney.
4. To collect works of significance by professional artists associated with Campbelltown, the Macarthur region and Western Sydney.
5. To collect artworks that reflect the artistic, cultural and social development of Campbelltown, the Macarthur region and Western Sydney.
6. To provide the community with opportunities to engage with works of art in a public place.
7. To acquire works of art by way of purchase (from artists' studios, exhibitions and auction), bequest or gift or donation in accordance with the established delegated authority.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> Community Services <b>Section:</b> Cultural Services <b>DocSet:</b> 1748890	<b>Adopted Date:</b> 26/05/1992 <b>Revised Date:</b> 28/11/2017 <b>Minute Number:</b> 322 <b>Review Date:</b> 30/12/2020	<b>Page:</b> 1 of 3

## Campbelltown City Council

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8. To collect artworks which do not duplicate existing holdings, but strengthen the relevance of other related works within the permanent collection.
9. To enable Campbelltown Arts Centre to deaccession and dispose of objects that are not required as part of its collection in accordance with the Policy Statement.
10. To commit to a diverse and equal gender representation within the Campbelltown City Council art collection and curation of exhibitions.

## Policy Statement

### 1. Acquisitions

- 1.1 All artworks acquired for the Campbelltown City Council's collection whether by gift, bequest, purchase or loan, involve a considerable investment by the Arts Centre in the care, maintenance, conservation and protection of such artworks. Therefore only artworks of the highest artistic standard, which satisfy the objectives of the Campbelltown City Council's collection, shall be accepted by purchase, gift or loan into the permanent collection at the Arts Centre.
- 1.2 Artworks offered, on loan or as a gift, which do not meet the quality criteria or meet the Art Collection Policy objectives, should not be recommended for acquisition into the permanent collection.
- 1.3 Artworks, which by their size or characteristics, are considered to be permanent fixtures requiring considerable attachment to part of the structure of the building, shall not be accepted for the permanent collection unless such artworks are considered to be of outstanding artistic merit and recognised as valuable to the development of Australian art.
- 1.4 All moral, legal and ethical implications of proposed acquisitions must be considered prior to approval of new artworks for the permanent collection.
- 1.5 All new artworks acquired must be unencumbered for transfer of title to Campbelltown City Council, and accompanied by a completed Deed of Donation or Certificate of Donation form at time of donation.
- 1.6 Any artworks offered to Campbelltown City Council by bequest may be held within the permanent collection on long term inward loan. For accepted bequests a copy of the will, codicils and other related documentation will be retained by Campbelltown Arts Centre.

### 2. Approvals

- 2.1 The Executive Manager Creative Life will make recommendations for the acquisition of artworks to the Business Coordinator and two (2) nominated Strategic Committee members, who then makes a formal recommendation to the Strategic Committee. The Strategic Committee will then approve and recommend to Council whether to acquire the donated works in line with the Art Collection Policy objectives.

### 3. Collection Management

- 3.1 All artworks held in the permanent collection will be cared for, handled and displayed in line with the Accessing Artworks in Collection Storage Areas procedural document and in line with National Standards for Australian Museums and Galleries where relevant.

<b>DATA AND DOCUMENT CONTROL</b>		
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**Campbelltown City Council**

- 3.2 The Arts Centre will make permanent collection artworks available for loan at the approval of the Executive Manager Creative Life for institutions with museum grade environmental and security conditions outlined in a Standard Facility Report. The borrower must complete a loan agreement and agree to the Arts Centre’s terms and conditions prior to the commencement of the loan.
- 3.3 All artworks must be managed inline the Council’s Asset Management Policy.
- 3.4 The collection is to be periodically audited and maintained to reflect and strive for a representation of gender equality through new acquisitions and deaccession of artworks.

**4. Deaccessioning Permanent Collection artworks**


- 4.1 Campbelltown City Council recognises that the ability to deaccession and dispose of objects from the permanent collection is an essential part of an effective collection management program. The deaccessioning of objects from the collection will be approached with caution and due consideration. All collection material considered for deaccessioning will be approved by the Executive Manager Creative Life.
- 4.2 Permanent collection artworks may be deaccessioned for the following reasons:
  - Objects that do not fall within Campbelltown City Council Art Collection policy
  - Objects of a particular genre of which the Council possesses better examples
  - Object has no associated information or provenance
  - Object irretrievably degraded or irreparably damaged beyond the capacity of the Arts Centre to rectify
- 4.3 Campbelltown Arts Centre will dispose of material in a manner it considers most beneficial to the collection and future of the object. The following are a list of disposal methods in order of priority:
  - Return to donor or donor’s family
  - Offered to other institutions in the cultural sector
  - Sale/Auction
  - Recycled or destroyed
- 4.4 Campbelltown Arts Centre may determine to transfer objects which by virtue of its subject focus may be better placed in another art gallery or similar public collecting institution or exchange objects with another art gallery or similar public collecting institution, where this will result in the mutual enrichment of both collections.
- 4.5 On completion of the deaccessioning and disposal process, the Arts Centre’s database and files shall be amended to note the deaccessioning and disposal of the object and copies of photographic and written records pertaining to the object shall be retained by the Arts Centre.
- 4.6 Full documentation of the objects will remain in the collection management system including the reason for deaccessioning. The objects accession number will not be reassigned.

**Responsibility**

Executive Manager Creative Life

**END OF POLICY STATEMENT**

<b>DATA AND DOCUMENT CONTROL</b>		
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 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Campbelltown City Council Art Collection	
Related Documentation	Cultural Gifts Program – Certificate of Donation Deed of Donation – Form Procedural Document – Accessing Artworks in Collection Storage Areas Council's Asset Management Policy	
Relevant Legislation/ Corporate Plan		
Responsible Officer	Executive Manager Creative Life	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Purpose

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2. To collect and develop unique collections building on key focus areas including but not limited to Aboriginal Art, Contemporary Art, ceramics, works on paper, installation and new media art.
3. To collect and represent historical artworks of regional significance to the exploration and settlement of Campbelltown and South-West Sydney.
4. To collect works of significance by professional artists associated with Campbelltown, the Macarthur region and Western Sydney.
5. To collect artworks that reflect the artistic, cultural and social development of Campbelltown, the Macarthur region and Western Sydney.
6. To provide the community with opportunities to engage with works of art in a public place.
7. To acquire works of art by way of purchase (from artists' studios, exhibitions and auction), bequest or gift or donation in accordance with the established delegated authority.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> Community Services <b>Section:</b> Cultural Services <b>DocSet:</b> 1748890	<b>Adopted Date:</b> 26/05/1992 <b>Revised Date:</b> 28/11/2017 <b>Minute Number:</b> 322 <b>Review Date:</b> 30/12/2020	<b>Page:</b> 1 of 3

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## Campbelltown City Council

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8. To collect artworks which do not duplicate existing holdings, but strengthen the relevance of other related works within the permanent collection.
9. To enable Campbelltown Arts Centre to deaccession and dispose of objects that are not required as part of its collection in accordance with the Policy Statement.
10. To commit to a diverse and equal gender representation within the Campbelltown City Council Art Collection and curation of exhibitions.

## Policy Statement

### 1. Acquisitions

- 1.1 All artworks acquired for the Campbelltown City Council's collection whether by gift, bequest, purchase or loan, involve a considerable investment by the Arts Centre in the care, maintenance, conservation and protection of such artworks. Therefore only artworks of the highest artistic standard, which satisfy the objectives of the Campbelltown City Council's collection, shall be accepted by purchase, gift or loan into the permanent collection at the Arts Centre.
- 1.2 Artworks offered, on loan or as a gift, which do not meet the quality criteria or meet the Art Collection Policy objectives, should not be recommended for acquisition into the permanent collection.
- 1.3 Artworks, which by their size or characteristics, are considered to be permanent fixtures requiring considerable attachment to part of the structure of the building, shall not be accepted for the permanent collection unless such artworks are considered to be of outstanding artistic merit and recognised as valuable to the development of Australian art.
- 1.4 All moral, legal and ethical implications of proposed acquisitions must be considered prior to approval of new artworks for the permanent collection.
- 1.5 All new artworks acquired must be unencumbered for transfer of title to Campbelltown City Council, and accompanied by a completed Deed of Donation or Certificate of Donation form at time of donation.
- 1.6 Any artworks offered to Campbelltown City Council by bequest may be held within the permanent collection on long term inward loan. For accepted bequests a copy of the will, codicils and other related documentation will be retained by Campbelltown Arts Centre.

### 2. Approvals

- 2.1 The Executive Manager, Creative Life will make recommendations for the acquisition of artworks to the Business Coordinator and two (2) nominated Strategic Committee members, who then makes a formal recommendation to the Strategic Committee. The Strategic Committee will then approve and recommend to Council whether to acquire the donated works in line with the Art Collection Policy objectives.

### 3. Collection Management

- 3.1 All artworks held in the permanent collection will be cared for, handled and displayed in line with the Accessing Artworks in Collection Storage Areas procedural document and in line with National Standards for Australian Museums and Galleries where relevant.

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### Campbelltown City Council

- 3.2 The Arts Centre will make permanent collection artworks available for loan at the approval of Executive Manager, Creative Life for institutions with museum grade environmental and security conditions outlined in a Standard Facility Report. The borrower must complete a loan agreement and agree to the Arts Centre's terms and conditions prior to the commencement of the loan.
- 3.3 All artworks must be managed inline the Council's Asset Management Policy.
- 3.4 The collection is to be periodically audited and maintained to reflect and strive for a representation of gender equality through new acquisitions and deaccession of artworks.

#### 4. Deaccessioning Permanent Collection artworks

- 4.1 Campbelltown City Council recognises that the ability to deaccession and dispose of objects from the permanent collection is an essential part of an effective collection management program. The deaccessioning of objects from the collection will be approached with caution and due consideration. All collection material considered for deaccessioning will be approved by the Executive Manager Creative Life.
- 4.2 Permanent collection artworks may be deaccessioned for the following reasons:
- Objects that do not fall within Campbelltown City Council Art Collection policy
  - Objects of a particular genre of which the Council possesses better examples
  - Object has no associated information or provenance
  - Object irretrievably degraded or irreparably damaged beyond the capacity of the Arts Centre to rectify
- 4.3 Campbelltown Arts Centre will dispose of material in a manner it considers most beneficial to the collection and future of the object. The following are a list of disposal methods in order of priority:
- Return to donor or donor's family
  - Offered to other institutions in the cultural sector
  - Sale/Auction
  - Recycled or destroyed
- 4.4 Campbelltown Arts Centre may determine to transfer objects which by virtue of its subject focus may be better placed in another art gallery or similar public collecting institution or exchange objects with another art gallery or similar public collecting institution, where this will result in the mutual enrichment of both collections.
- 4.5 On completion of the deaccessioning and disposal process, the Arts Centre's database and files shall be amended to note the deaccessioning and disposal of the object and copies of photographic and written records pertaining to the object shall be retained by the Arts Centre.
- 4.6 Full documentation of the objects will remain in the collection management system including the reason for deaccessioning. The objects accession number will not be reassigned.

#### Responsibility

Executive Manager Creative Life

### END OF POLICY STATEMENT

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**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION****11.1 Flag Raising Day**

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**Notice of Motion**

Councillor Warren Morrison has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 10 March 2020.

That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.

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**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Campbelltown Sports Stadium Procurement Opportunity**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)((d)(ii)) 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 competitor of the council.

### **14.2 Lease of a Council Property**

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

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### **14.3 Lease of Council Land**

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

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### **14.4 Licence Agreement over Council Land, Kentlyn**

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

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### **14.5 General Manager's Contract Renewal and Performance Review**

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

personnel matters concerning particular individuals (other than Councillors).

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