



CAMPBELLTOWN  
CITY COUNCIL

# ORDINARY BUSINESS PAPER

## 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



02 August 2022

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 9 August 2022 at 6:30 pm.

Lindy Deitz  
General Manager

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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/LEAVE OF ABSENCE**

Nil at time of print.

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 12 July 2022**

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

That the Minutes of the Ordinary Meeting of Council held 12 July 2022, 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 12 July 2022 are presented to Council for confirmation.

##### **Attachments**

3.1.1. Minutes of the Ordinary Meeting of Council held 12 July 2022 (contained within this report)

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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 12 July 2022.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 12 July 2022**

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**Present**           The Mayor, Councillor G Greiss  
Councillor G Brticevic  
Councillor J Chew  
Councillor M Chivers  
Councillor M Chowdhury  
Councillor J Cotter  
Councillor M George  
Councillor K Hunt  
Councillor M Khalil  
Councillor D Lound  
Councillor W Morrison  
Councillor R Munro  
Councillor M Oates  
Councillor M Stellino

**1.     ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2.     APOLOGIES/LEAVE OF ABSENCE**

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

That the apology from Councillor R Manoto be received and accepted.

**133/2022**     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 14 June 2022**

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

That the Minutes of the Ordinary Council Meeting held 14 June 2022, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**134/2022**     The Motion on being Put was **CARRIED**.

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### 3.2 Minutes of the Extraordinary Meeting of Council held 28 June 2022

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

That the Minutes of the Extraordinary Council Meeting held 28 June 2022, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**135/2022** 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 Karen Hunt – Item 8.1 – Planning Proposal – Macarthur Grange Golf Club.

Councillor Hunt advised she is a member of the Sydney Western City Planning Panel and will leave the Chamber.

Councillor George Brticevic – Item 8.1 – Planning Proposal – Macarthur Grange Golf Club.

Councillor Brticevic advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber.

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

Councillor Margaret Chivers – Item 11.1 – Council Involvement in Apprenticeship and Traineeship Programs.

Councillor Chivers advised she works in this industry and will leave the Chamber.

Councillor Josh Cotter – Item 14.1 – Lease of Council Property – Woodbine.

Councillor Cotter advised he is an associate of the tenant and will leave the Chamber.

Councillor Meg Oates – Item 8.8 – Road Naming Proposal Leumeah.

Councillor Oates advised that a family member lives in this area and will remain in the Chamber.

### **Other Disclosures**

Nil

## 5. MAYORAL MINUTE

### 5.1 Sustainable implementation of our city's future.

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It was **Moved** Councillor Greiss:

That the information be noted.

**136/2022** The Motion on being Put was **CARRIED**.

### 5.2 Billabong Parklands Project Audit

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It was **Moved** Councillor Greiss:

#### **Recommendation**

That the information be noted.

**137/2022** The Motion on being Put was **CARRIED**.

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## 6. PETITIONS

Nil

## 7. CORRESPONDENCE

### 7.1 Koala Care and Treatment Facilities

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It was **Moved** Councillor Khalil, **Seconded** Councillor Stellino:

That the letter be received and the information be noted.

**138/2022** The Motion on being Put was **CARRIED**.

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## 8. REPORTS FROM OFFICERS

**Meeting note:** Having declared an interest in Item 8.1 Councillor Brticevic and Councillor Hunt left the Chamber at 6:49pm and did not take part in the discussion or vote on the matter.

### 8.1 Planning Proposal – Macarthur Grange Golf Club

**Meeting note:** Mr Sam Haddad addressed the meeting.

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

1. That Council support and forward the Planning Proposal, forming attachment 1 to the Department of Planning and Environment for Gateway Determination.
2. That the applicant be advised of Council's decision.
3. That Council reinforce its desire for an open space corridor between the Australian Botanic Garden (Mount Annan) and the Western Sydney Parklands.
4. That the subdivision occur in accordance with the *Community Land Development Act 1989*.
5. That a further visual analysis for more distant views associated with the East Edge Scenic Protection Lands occur in relation to zoning of the "Southern Point" land.

A Division was **Moved** Cr Oates, **Seconded** Cr Lound in regard to the Resolution for Item 8.1 with those Voting for the Motion being Councillors G Greiss, W Morrison, M Khalil, M Stellino, J Cotter, M Chivers, M George, J Chew and R Munro.

Voting against the Motion were Councillors D Lound, M Chowdhury and M Oates.

**139/2022** The Motion on being Put was **CARRIED**.

**Meeting note:** At the conclusion of the discussion regarding Item 8.1 Councillor Brticevic and Councillor Hunt returned to the Chamber at 7:45pm.

### 8.2 Development Application Status

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

That the information be noted.

**140/2022** The Motion on being Put was **CARRIED**.

### 8.3 Investments and Revenue Report - May 2022

It was **Moved** Councillor Chew, **Seconded** Councillor Khalil:

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That the information be noted.

**141/2022** The Motion on being Put was **CARRIED**.

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#### **8.4 2022 Local Government NSW Annual Conference**

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

1. That Council nominate Councillor Morrison, Councillor Brticevic, Councillor Chivers, Councillor Khalil, Councillor Chew, Councillor Greiss, Councillor Chowdhury, Councillor Lound and Councillor Hunt as voting delegates for determination of motions at the 2022 Local Government NSW Annual Conference.
2. That other interested Councillors also be authorised to attend together with the General Manager and/or delegate.
3. That the registration fees and travel expenses be met in accordance with Council's Policy.

**142/2022** The Motion on being Put was **CARRIED**.

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#### **8.5 T22/04 Design and Construct Precast Concrete Panel Building**

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

That Council:

1. In accordance with section 178 of the *Local Government (General) Regulation 2005* Council declines to accept the tender received for the design and construct of a precast concrete panel building as the current market did not provide an adequate response to represent a value for money outcome and the submission exceeded Council's budget.
2. That Council review the scope of works and invite fresh tenders based on the revised scope.
3. That Council notify the Tenderer of the results.

**143/2022** The Motion on being Put was **CARRIED**.

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#### **8.6 Reports and Letters Requested**

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

That the comments and updates to the reports and letters requested be noted.

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**144/2022** The Motion on being Put was **CARRIED**.

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## **8.7 Minutes of the Audit Risk and Improvement Committee Report**

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

That the minutes of the Audit Risk and Improvement Committee held 28 June 2022 be noted.

**145/2022** The Motion on being Put was **CARRIED**.

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## **8.8 Road Naming Proposal Leumeah**

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

1. That Council approve the proposed road names listed in this report for use within the suburb of Leumeah.
2. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notify the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposed road names be received, during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

**146/2022** The Motion on being Put was **CARRIED**.

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## **8.9 Road Naming Proposal Rosemeadow**

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

1. That Council approve the proposed road names listed in attachment 1 to this report for use within Rosemeadow.
2. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notify the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposed road names be received, during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette

**147/2022** The Motion on being Put was **CARRIED**.

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## **9. QUESTIONS WITH NOTICE**

Nil

## **10. RESCISSION MOTION**

Nil

## 11. NOTICE OF MOTION

**Meeting note:** Having declared an interest in Item 8.3 Councillor Chivers left the Chamber at 7:54pm and did not take part in the discussion or vote on the matter.

### 11.1 Council Involvement in Apprenticeship and Traineeship Programs

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It was **Moved** Councillor Munro, **Seconded** Councillor Cotter:

1. That a report be presented to outline Council's involvement in any apprenticeship, traineeship programs, scholarships, school based work experience and any other similar programs, to include:
  - a. An overview of any existing programs in place; and
  - b. An outline of the feasibility to extend the program to support the employment of local people in local jobs; and
  - c. An outline of the feasibility of introducing an identified indigenous scholarship program.

**148/2022** The Motion on being Put was **CARRIED**.

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**Meeting note:** At the conclusion of the discussion regarding 11.1 Councillor Chivers returned to the Chamber at 8:00pm.

## 12. URGENT GENERAL BUSINESS

Nil

## 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Darcy Lound on 29 June with Councillor Chowdhury and Councillor Manoto attended the Campbelltown City Council Civic reception at Campbelltown Arts Centre to thank all the dedicated volunteers from our local Campbelltown State Emergency Services. Thank you to Councillor Munro who spoke on behalf of the Mayor and did a great job. It was a great turnout and a great opportunity to thank the volunteers on behalf of the Labor party.
2. Councillor Darcy Lound on 8 July with Councillor Hunt and Councillor Chowdhury attended the 60th anniversary celebrations for the East Campbelltown 'Eagles' Rugby League Club. It was great to attend the dinner and celebrate 60 years in Campbelltown fostering young rugby league players and creating a great community in their football club. There were a lot of fantastic and fun things on the night they named the team of the decade and inducted some new life members.

3. Councillor Karen Hunt on 15 June with Councillor Lound, Councillor Chowdhury, Councillor Morrison and Councillor Khalil attended the NSW Pacific Awards event at Ottimo House. It was a great and lively event full of much talk and awards that were given out rewarding the Pacific Islander Community. At the helm is Mal Fruean, Chairperson of the NSW Council for Pacific Communities as the OAM. Local State and Federal MPs and Minister Couré on behalf of the Government attended and a great night was had by all.
4. Councillor Karen Hunt on 1 July with Councillor Chew, Councillor Lound, Councillor Munro, Councillor Chowdhury and Councillor Oates along with our local MP's attended the opening of Chillfest. It was great to see the return of the event after the last 2 years despite the weather. This is a great event for the Campbelltown area and is so very popular with families.
5. Councillor Karen Hunt on 4 July with Councillor Chowdhury, Councillor Khalil and Councillor Oates attended the NAIDOC flag raising which due to the weather had to be held indoors. Wonderfully received by all especially the kids and it was a great event.
6. Councillor Masood Chowdhury on 5 July with Councillor Khalil attended the 45th changeover dinner for the Ingleburn Rotary Club at West Leagues. The Rotary share the responsibility of dealing with the persistent issues in the community. The hardworking outgoing 2022-23 President Syed Akram Ullah handed over the reigns to the 2022 - 2023 incoming President PDG Bill Salter. Councillor Chowdhury thanked all the Rotarians for their voluntary service to the community.
7. Councillor Masood Chowdhury on 10 July with Councillor Lound, Councillor Hunt and Councillor Khalil attended Eid al Adha at Minto Indoor Sports Centre. This was organised by the Australian Muslim Welfare Centre and there was over 2000 people in attendance. This is a very special day for people of Islamic faith - in Makkah that are performing the Hajj. Councillor Chowdhury would like to share with everybody Eid Mubarak.
8. Councillor Meg Oates acknowledged and thanked the staff and team for the Handmade and Homegrown markets. These markets have been tremendously successful and showcases the great talent from the local community. People are enjoying coming out to meet, eat and talk. It is also a great opportunity to showcase Glenalvon house. Councillor Oates gave a huge thankyou to the staff and is very pleased that the markets are extended for a few more months.
9. Councillor Meg Oates on 3 June attended Campbelltown Arts Centre for the opening Luke Sciberras' exhibition 'Side of the Sky'. The exhibition is an explosion of vitality and vibrancy. Luke grew up in Campbelltown and has resided in Wedderburn and Broken Hill and his work is influenced by the environment and people in his life. The exhibition is being held co-currently with Bathurst Regional Art Gallery and Councillor Oates encouraged the community to view the exhibition which is on display at Campbelltown Arts Centre until 7 August.
10. Councillor Meg Oates would like to advise everyone that entries for the Fishers Ghost art awards are open. The exhibition comes out at the end of October early November so please get involved we have a brilliant Art Centre that is internationally known.
11. Councillor Warren Morrison on 15 June with Councillor Lound, Councillor Chowdhury, Councillor Hunt and Councillor Khalil attended the NSW Pacific Awards event at Ottimo

- House. Congratulations to Mal Fruean and all the people that had awards given to them and all the proud family and friends who were there to support for the NSW Council for Pacific Communities.
12. Councillor Warren Morrison on 19 June with Councillor Manoto, Councillor, Chowdhury and Councillor Hunt attended the Philipino Independence Day at Rizal Park, Rosemeadow. Congratulations to the Philipino community on this joyous occasion for that spectacular event.
  13. Councillor Warren Morrison on 19 June with other Councillors attended the Australian Local Government Association Conference at the National Convention Centre in Canberra. This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy, and to influence the future direction of our councils and our communities.
  14. Councillor Warren Morrison on 25 June attended the Pacific Test at Campbelltown Sports Stadium. Councillor Morrison praised the amazing success of the event at the stadium with great amount of people that come out in support of the Pacific nations for the community.
  15. Councillor Warren Morrison on 27 June attended the Rotary club of Campbelltown 64th annual change over dinner at West Leagues Club. Congratulations to Councillor Cotter and his wife for being inducted.
  16. Councillor Warren Morrison on 29 June attended the Rotary Sunrise changeover dinner at Ottimo House. I'd like to congratulate all Rotary's in the area for the change overs including the Ingleburn Sunrise which was last Tuesday and unfortunately was not able to attend.
  17. Councillor Warren Morrison on 1 July attended the opening of Chillfest with other Councillors. Congratulations to Councillor Chew who did a great job opening the event. Unfortunately the rain put a dampener on the start of this event but since the sun has come out there's been so many people with smiles on their faces enjoying the chill fest celebrations so congratulations to the staff for all their hard work, let's hope the rain stays away for the rest of the event.
  18. Councillor Warren Morrison on 4 July attended the police NAIDOC Flag Raising ceremony at the Civic Centre. After the flag raising the Art Centre held NAIDOC community connection event and at 2 pm experienced the arts competition presentation of juvenile justice indigenous art on display at the gallery for the remainder of the afternoon which was excellent day.
  19. Councillor Warren Morrison on 8 July attended the 60<sup>th</sup> year of the Easts Rugby League team. Councillor Morrison had the opportunity of awarding Glen Harding 50 years of service to the Community and area. Thank you and congratulations to Daniel and Tammy Draper who have always been such a great presence for the community and club.
  20. Councillor Warren Morrison on 12 July with Councillor Chew and Councillor Khalil attended the inclusive libraries program launch at Eaglevale Library It was great to see all the parents and kids enjoying their story time and I asked the little ones to help me open the new sensory wall, which they all loved. Thank you to the Council staff for working hard

- on this project and looking at how our libraries could encourage greater inclusion for people of all abilities.
21. Councillor Masud Khalil on 10 July with Councillor Lound, Councillor Hunt and Councillor Chowdhury attended Eid al Adha at Minto Indoor Sports Centre. It is a special Muslim Celebration that occurs all over the world. Councillor Khalil thanked Mayor Councillor Greiss for the opportunity to represent him at various prayers in the community. There was a great turnout at many congregations. Councillor Khalil on behalf the Muslim Community and Campbelltown City Council Eid Murbarak to all.
  22. Councillor Josh Cotter attended the opening of Arts on Q. Councillor Cotter was manning the Rotary BBQ at the Art Centre. There were lots of families commenting on the great art and activities for all abilities. Up the other end Queen Street was buzzing with music, families and children dancing and was a great atmosphere.
  23. Councillor Josh Cotter on 1 July attended the Chillfest Opening Night which was a great event despite the rain. Councillor Cotter also attended Chillfest as it reopened at 4pm the following Tuesday and there were lots of families there ready to look at the event. It has been a great and popular event.
  24. Councillor Josh Cotter attended the 45<sup>th</sup> Rotary club changeover dinner where his wife and himself were inducted. Councillor Cotter commends the Rotary Club for over the last 2 years really looking into the changeover and wanting to bring in some new people with fresh incites balanced well with the older experienced members.
  25. Councillor Josh Cotter with his wife and team over the last few weeks have had the privilege to meet with some families facing hard times at the moment with the weather and flooding. Councillor Cotter extended his support to those affected by flooding and reiterated that the Macarthur community is behind them and we are all in this together. Councillor Cotter appreciates all the families helping with sandbagging at Pembroke Park Minto for people in need.
  26. Councillor George Briticevic would like to thank staff for their efforts during the weather events. Fantastic to see Councillor Cotter and his wife for keeping the community informed and helping out. Councillor Briticevic was happy to see it that despite the flooding, business in the Macarthur were still able to operate and so it is important for the community to support them during this time.
  27. Councillor Margeret Chivers on 12 July attended the Chillfest quiet session opening. Councillor Chivers thanked the Mayor for acknowledging quiet hour in the Mayoral minute and sharing the data with the community. The line to get in was as far as the eye could see and it was so touching to see that the families and kids were so happy. Quiet hours mean that there is no loud music and no lines to help children with different additional needs. Councillor Chivers would like to thank the staff, especially Brittany Duncan and Michelle Sheehan for working hard with everybody else to make the event such a success.
  28. Councillor Marian George would like to send condolences to the Mayor for the loss of his Mother in law and Father in law, and may they Rest in Peace.

29. Councillor John Chew on 1 July attended the opening of Chillfest. After 2 years of cancellations the return of this event was very welcomed. As noted in the Mayoral Minute and also by Councillor Chivers the inclusion of quiet hour has made this community event integral to the well being of those in our community with additional needs. Councillor Chew commends this Council, our staff and our event sponsors for making the return of this event possible especially with the severe weather events that have occurred over the past week.
30. Councillor Riley Munro on 19 June attended the presentation of the AGM of Scouts NSW Hume Region. He acknowledged how the Scouts have navigated the challenges over the last 2 years, and former Councillor Ben Gilhome, President of the Hume Region. Also in attendance was CEO Scouts NSW Carolyn Campbell. The Hume region should be commended for being the first Scout region to have 2 youth members address their governing body at an AGM. Especially Campbelltown Ghosts venturer, Leilani Riley, who highlighted the challenges youth face and how joining scouts has equipped her with the skills to overcome such challenges.
31. Councillor Riley Munro on 29 June attended with Councillor Lound, Councillor Chowdhury, Councillor Manoto and Jim Baldwin, Director City Development the Campbelltown City Council Civic reception at Campbelltown Arts Centre. It was an honour to have the opportunity to thank all the volunteers of the local Campbelltown SES unit especially during the recent weather events. Councillor Munro advised that the emcee, Lily Whitfield did an exceptional job and should be commended for her efforts officiating the event. Thank you to the Art Centre and Council staff for event. The sincere gratitude of the Campbelltown SES Unit leader, Ian Sheppard, for arranging the event was deeply moving.
32. Mayor George Greiss and his wife Michelle would like to thank all the Councillors and Council staff for their condolences. They were overwhelmed by messages, flowers, gifts and support during this time. Thank you to all the Councillors who have stepped in and representing him on his behalf to some of the events during this time.

## 14. Confidential Reports from Officers

### Confidentiality Recommendation

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1, 14.2, 14.3 and 14.4 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

**Item 14.1 Lease of Council Property - Woodbine**

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.

**Item 14.2 Lease of Council Property - Campbelltown**

Item 14.2 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.

**Item 14.3 Assignment of Lease on Council Property**

Item 14.3 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.

**Item 14.4 Lease of Council Property - Campbelltown**

Item 14.4 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.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

**149/2022** The Motion on being Put was **CARRIED**.

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**The Ordinary Meeting of Council was adjourned at 8.32 and reconvened as a meeting of the Confidential Committee at 8.33.**

## Recommendations of the Confidential Committee

**Meeting note:** Having declared an interest in Item 14.1 Councillor Cotter left the Chamber at 8:34pm and did not take part in the discussion or vote on the matter.

### 14.1 Lease of Council Property - Woodbine

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

1. That Council agree to enter into a new lease over Council owned property in Woodbine on the terms and conditions as identified in this report.
2. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act, 1993*.

**150/2022** The Motion on being Put was **CARRIED**.

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**Meeting note:** At the conclusion of the discussion regarding Item 14.1 Councillor Cotter returned to the Chamber at 8:35pm.

### 14.2 Lease of Council Property - Campbelltown

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

1. That approval be granted to enter into a new lease over the subject property on terms and conditions outlined in this report.
2. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act, 1993*.

**151/2022** The Motion on being Put was **CARRIED**.

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### 14.3 Assignment of Lease on Council Property

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

1. That Council endorse the assignment of lease on the subject property located at Macquarie Fields on terms and conditions set out in this paper.
2. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act, 1993*.

**152/2022** The Motion on being Put was **CARRIED**.

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### 14.4 Lease of Council Property - Campbelltown

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

1. That approval be granted to enter into a new lease over the subject property on the terms and conditions as outlined in the report.
2. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act, 1993*.

**153/2022** The Motion on being Put was **CARRIED**.

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It was **Moved** Councillor Khalil, **Seconded** Councillor Chew:

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

**154/2022** The Motion on being Put was **CARRIED**.

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.42**

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

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

**155/2022** The Motion on being Put was **CARRIED.**

There being no further business the meeting closed at 8.43.

Confirmed by Council

..... 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 Our City, Our Region, Our Future.

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#### **Recommendation**

That the information be noted.

I was recently invited to visit a local school to help share my insights into how the community, particularly young people, can help influence outcomes for their city. To set the scene and provide a platform for the discussion, I was advised that the students had prepared ideas and given speeches on several topics.

The ideas generated demonstrated our young people's passion for their future and their city. Some of these ideas that were shared with me included improving infrastructure and the appearance of buildings to make Campbelltown more appealing, creating housing affordability, initiatives to assist unemployment, and creating tourism opportunities through an Aboriginal Art and Culture Centre.

This highlighted how our young people's passion, creativity and ability to think outside the box could influence positive change in our city by providing a different perspective. As such, I have asked the General Manager to initiate the following two projects: establish an online Campbelltown Aboriginal Art and Culture Centre and launch the *Your City, Your Future* ideas competition.

#### **Aboriginal Art and Culture Centre**

Campbelltown is located on custodial lands of the Dharawal people, who have a strong and rich tradition and ongoing connection to the land. The Campbelltown Local Government Area is home to many sites of Dharawal cultural significance, including the Minerva and Jingga Pools, the Bull Cave and number of important meeting places and flora and fauna that is significant to our First Nations people.

Campbelltown is also proud to have one of the largest urban populations of Aboriginal and Torres Strait Islander people in New South Wales and we undertake numerous activities to nurture and promotes the importance of our Aboriginal culture, including through our programming and collection at Campbelltown Arts Centre, our support of significant National activities such as NAIDOC Week, Reconciliation Week and Sorry Day, the Campbelltown Yarning Circle, a number of award and recognition programs, our Reconciliation Action Plan, consultation on major projects and initiatives and through important strategic plans and documents such as our Aboriginal Interpretation Strategy – Our Voice, Our Place.

A virtual Aboriginal Art and Cultural Centre will provide a central place that will detail our city's Aboriginal history and culture, along with highlighting our current connection with the local Aboriginal community and our expanding community programs. The Centre will aim to showcase our city's Aboriginal heritage and will also virtually educate and attract visitors from across the country and beyond, encouraging more visits and the promotion of cultural tourism in Campbelltown.

I have suggested that, in the first instance, we will work with our local Aboriginal community and peak organisations to collect and combine all information into a central location and help leverage existing programs. We will also contact the Federal Minister for Indigenous Australians, the Hon. Linda Burney MP and the NSW Minister for Aboriginal Affairs, the Hon. Ben Franklin MP seeking their support to expand the initiative and our ongoing Aboriginal programs.

### **Your City, Your Future**

The second initiative is a new civic engagement activity that will call on bright, young minds from across Campbelltown to think big and share their thoughts with us. In the coming weeks, I will launch Your City, Your Future – an ideas competition that will call on our local High School Students to share their big ideas for the future.

We will acknowledge the top three ideas submitted, and in addition to promoting the ideas received, the students will be presented with a certificate and medallion. There will also be an opportunity for a class to workshop ideas as a group and enter, and we will also recognise the school that submits the most ideas.

I look forward to promoting this to our local high schools shortly, calling for online entries before sharing these ideas with Councillors and the community, and announcing the winners later this year.

Subject to the outcome of the competition and the interest and ideas we receive, I hope we will be able to embed the competition and youth engagement in our Community Engagement Strategy which is currently being prepared and will be brought to Council later this year for consideration and adoption.

### **Our Region, Our Future**

According to the Minister for Cities, the Hon Rob Stokes, the (then) Greater Sydney Commission was established in 2015 with bipartisan support as a revolutionary model for metropolitan governance in Australia. The model intended to remove the disconnect between State and local government and overcome the difficulties of trying to plan for large cities without the coordination between these levels of government.

The Hon Rob Stokes highlighted these issues in the Greater Cities Commission Bill 2022 Second Reading Speech by saying:

On one hand, the State Government has disproportionate fiscal powers and service delivery responsibility for infrastructure and services like public transport, roads, health and education. It also has a broader interest in the economic and social progress of a much larger community over space and time. On the other hand, local government, with great restraints on its fiscal and political autonomy, has less capacity to help meet the State's broader objectives. Local communities that deliver housing and jobs growth shoulder the burden of growth, while investment in necessary infrastructure may not have been proportionate to manage that growth.

The Commission's intention was to coordinate the city planning efforts and bring together the efforts of State and Local Governments to develop the government's long-term growth objectives. The Commission developed the Greater Sydney Region Plan, which established a vision of Sydney as a Metropolis of Three Cities: Western Parkland City, Central River City, and

Eastern Harbour City. The Commission's remit was recently expanded to encompass the Lower Hunter and Greater Newcastle, Central Coast and Illawarra-Shoalhaven. The Commission is now known as the Greater Cities Commission.

The idea of the Western Parkland City spans eight vast local government areas: Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly. Covering an area of more than 8,000 km<sup>2</sup>, or two-thirds of Greater Sydney, the Western Parkland City will accommodate most of Sydney's impending population growth to be home to over 1.5 million people by 2036.

The importance of the Western Parkland City and the building of Sydney's new airport within it was further reinforced by the Western Sydney City Deal established in 2018 and negotiated between the Federal, State and eight local governments with significant involvement of the Greater Sydney Commission. In 2018 the Western City and Aerotropolis Authority was established (changed to the Western Parkland City Authority in 2020) to deliver, coordinate and attract investment to the Western Parkland City.

Regardless of diverse views about the merits of the comprehensive planning that has taken place in the last seven years since the establishment of the Greater Sydney Commission, I hope we can all agree that the high-level strategic planning for Western Sydney has been has come a long way and the broader interest of economic and social progress of Sydney has been considered and established.

Now I believe that attention must be turned to our sub-region or, more importantly for our city, to our region of Macarthur. We must pay attention to our local communities who are dealing with the delivery of the housing strategy and shouldering the burden of the State's growth. Attention must be focused on developing the necessary social and physical infrastructure that our region needs to deal with this growth.

Macarthur is a significant part of Western Parkland City and consists of the three local government areas of Camden, Wollondilly and, of course, Campbelltown. Macarthur's population has increased from 291,684 in 2016 to 351,816 in 2021, an increase of 21 per cent in 5 years, and this growth is expected to accelerate to reach 558,317 in the next 15 years. The number of dwellings that are housing this population growth has increased from 94,071 in 2016 to 117,045 in 2021, an increase of 24 per cent and is expected to reach 170,685 in the next 15 years.

We know that around 63 per cent of Campbelltown workers leave our city every day for work, this is also consistent with the experience of our neighbouring LGAs Camden and Wollondilly. While the pandemic may have had some impact on reducing this, this situation needs to be rectified through a strong commitment of Government to bring a focus to the generation of local jobs.

I am sure many will join me in welcoming the growth of housing and economic activities in our areas and look forward to it continuing. However, to ensure the sustainability of this growth and ensure we continue to look after our natural environment and increase our liveability standards, we need to work collectively and with government, elected and appointed, to focus their attention on prioritising our regions needs.

Macarthur's future and identity should not and cannot be lost in the bigger picture of Western Sydney growth strategy. We must demand attention and come together to lobby all levels and sides of government to receive our fair share of funding, jobs and infrastructure as we continue to shoulder our fair share of population growth.

I have written to the Mayors and General Managers of the Macarthur region, inviting them to a meeting where we can discuss opportunities to ramp up our combined advocacy efforts for the benefit of our region. I look forward to an open and productive discussion and I am sure we will be able to work together to influence better outcomes from our communities.

### **Advocacy update**

Following the establishment of our Strategic Advocacy Group and adoption of the terms of reference, I am pleased to advise that our first meeting has taken place and was highly successful. Our members have provided a range of valuable insights and advice to strengthen our city's advocacy efforts and I look forward to providing further updates as the group progresses.

### **Attachments**

Nil

## **6. PETITIONS**

### **6.1 Establishment of a District Park in Midlothian Reserve, St Andrews**

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

That the petition be received and the petitioners be advised in terms of the comment below.

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Forwarding a petition containing more than 160 signatures requesting the establishment of a District Park at Midlothian Reserve, St Andrews.

#### **Attachments**

6.1.1 Letter from Anoulack Chanthivong (contained within this report)



# Anoulack Chanthivong MP

MEMBER FOR MACQUARIE FIELDS

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

5 July 2022

Dear Lindy,

I write in relation to my campaign for a district park in Midlothian Reserve, St Andrews.

In its State of Play Strategy (2016-2036), Council identified Midlothian Reserve as a suitable location for a district park. The strategy recommended enhancing Midlothian Reserve to a district park within 3-5 years.

Six years later, residents are still waiting for a district park to cater to families in St Andrews and Bow Bowling.

Within days of launching my campaign, more than 160 residents signed an online petition calling on Council to build a district park in Midlothian Reserve, with people from St Andrews and Bow Bowling continuing to add their name on a daily basis.

The overwhelming response highlights the importance of parks and recreational activities for local families. I have included a range of comments overleaf from my constituents who want to see action from Council to enhance play options in their area.

Ratepayers in St Andrews and Bow Bowling rightly expect Council to adhere to the recommendations in the State of Play Strategy (2016-2036) and build quality play spaces for local families.

I request that my correspondence on this matter be tabled at the next Council meeting. I look forward to your advice on the matters raised above.

Yours sincerely

*Signature has been removed*

**Anoulack Chanthivong MP  
Member for Macquarie Fields**

1

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

**Unedited comments from residents who signed my online petition calling on Campbelltown City Council to build a district park in Midlothian Reserve, St Andrews**

1. We desperately need a good park.
2. Please fund it and build it.
3. I moved here in 2008. I wrote to the local MP for this project. Big vacant land no paths for walk or bike riding. I now have grandkids so maybe if this is done they can use instead of me going to new estates for their parks.
4. Need good park and playground for the grandkids, long overdue and thanks Anoulack for driving this.
5. I hope you can make a nice play ground for all ages specially for the little ones.
6. As a father of a 6 months old baby a district park would be ideal to take my family to and enjoy the outdoors. Having a district park close to our house would make it so much easier to take my family out to enjoy some sunshine and fresh air and meet new people in the neighbourhood.
7. I have lived in St. Andrews for over 30 years I took my girls to the park and now my grandkids a revamp would be wonderful it has been a long over due I pray this happens.
8. Hi , this is a great idea! I'd also like a paved footpath from Midlothian St onto St Andrews Road for safer access to the local school & local St. Andrews shopping Centre
9. This would be a great asset for the local community with children, also consider adding exercise equipment for adults & water bubbler, as the area is frequently used for walking & the exercise equipment would encourage healthy behaviours in the community.
10. Too long to wait for action. Need it now.
11. We need more parks and less housing. Do it for the kids!!
12. Our children have a need for more outdoor recreational activities which will encourage better health and fitness and more desire to spend less time hopefully on electronic media. (We can only wish!)
13. This would be great for families in this area.
14. I have 3 young kids who will love this park!
15. As there are more children in St Andrews area particularly on Midlothian Road, this is a very good proposal to build and upgrade the Midlothian Reserve so that all children can enjoy playing where possible closer to their home, I hope that the Campbelltown city Council will consider this proposal in positive way and make it happen so that all the kids in this area will enjoy outdoor activities rather than sit and watch TV at home, Thanks
16. Let the district park be built for our younger generations who not only getting lazier and lazier but most importantly they're getting obese because these computer games. They need to get moving and exercise to be able to get fit and healthy.
17. I wish will get the families park including a playground and fitness machines Very soooooon

18. I would LOVE an upgrade of this Park. My Daughter is 2 and I find most things are way too big for her to use. So would love for the equipment to cater to all ages. Fencing would be amazing too as well as more seating, shade, shelter, toilets, nature play and barbecues would be great too! We're very close to this Park and would definitely use it much more often if it had a better range of equipment and facilities. Really hoping to see a change here soon.
19. I support construction of a district park at St Andrews.
20. District park in Midlothian Reserve is urgently required. We put through the original plans to council for this many years ago with no results or very little. That is how the play equipment got there.
21. I support Mr Chanthivong's petition for a district park to cater families in St Andrews and Bow Bowling
22. My kids would love a new park close to home to play at.
23. Anoulack, you have my support.
24. Hurry and build it, the council doesn't seem to care about the people around here.
25. We really need this in our area
26. A district park is much needed for the kids of St Andrews and Bow Bowling as there is more and more young families looking to use local amenities. We have to drive to Ingleburn for a good park
27. My kids have been using this park for years. With the dynamic of more young families moving into St Andrews this is really needed. Also needed is a safer way for children to cross Campbelltown Rd to/from Bow Bowling.
28. This is just up the road from my house and for too long this beautiful open space has been neglected. St Andrews is a prominent and sort after suburb to live in and we deserve a good space for families to congregate and play. So much potential here.
29. We have to commute to either Campbelltown or Glenquarie to go to a good clean family park.
30. We are a young family with 2 small children under 5 years old and we would love to have a new exciting park like our neighbouring areas.
31. It is a good proposal and I fully endorse it
32. We have 2 young children and would like a nice new park like all the areas around us have
33. We really need a new park, this park is getting boring for the kids.
34. This is fantastic news. I have always wished for something special like this in St Andrews. I have driven, and every other suburb has parks, except for St Andrews. Our parks here are just land. I wish there was something close to home. My kids grew up here. Only my 4 year old and probably my 9 year old will get to enjoy these new facilities. My other 2 kids are 15 and 17. Great decision Anoulack and good luck. Thanks
35. 100% with u
36. Long overdue

37. A great park in St Andrews would be amazing.
38. This would be amazing. We live not too far from here and would love this. Thank you.
39. This will benefit the community.
40. This park is long overdue and would be a great asset to the community.
41. Really it is important idea
42. We need a kids park
43. It would be best place for district park
44. Very good Idea and will be helpfull to grow our children. Definately supporting
45. Totally support building more services for kids activities
46. We want the park for our family and the community
47. It's great idea to have big good park around All family happy with that Thanks
48. Please build park
49. I have lived here for almost 40 years and both my adult children used to play in the park. I now have grandchildren and would love to see the park update not only for them, but all the other children that go there to play. A bike/walking track would be a great addition as well, as I can see the older generation doing laps around the park, instead of walking on our roads with the influx of traffic we now have.
50. My family have been wanting this for so long, we would love to have drinking fountains and lighting at night
51. Yes. I'd like a park to spend some quality time with family on weekends.
52. How about making a way for Bow Bowling residents and kids to get there so they don't have to cross a 4 lane roundabout aswell!
53. Bow bowling Park is well overdue an upgrade. Plenty of room to put a walking track and children play area
54. We would also love to see council make use of the park in bow bowling which most of the greenery goes unused. A lovely walking track extending the existing one and play equipment would be great for the suburb
55. This would be great for the area, especially as there are lots of families with young children
56. We really need that. Thanks Mr. Honorable MP
57. Great idea hoping that it well go a head
58. Park please Closest decent park is in Macquarie fields

**7. CORRESPONDENCE****7.1 Campbelltown Billabong Parklands Project**

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**Officer's Recommendation**

That the letter be received and the information be noted.

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A copy of the letter from Dr Mike Freeland MP in relation to the Campbelltown Billabong Parklands Project and a copy of Campbelltown City Council's reply.

**Attachments**

- 7.1.1 A copy of the letter from Dr Mike Freeland MP (contained within this report)
- 7.1.2 A copy of Council's response to Dr Mike Freeland MP (contained within this report)



# Dr Mike Freeland MP

Federal Member for Macarthur

21<sup>st</sup> June 2022

21062022

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

Dear Ms Deitz,

I write to you regarding Campbelltown City Council's 'Billabong Parklands Project' (the Billabong) and concerns I have with the cost of this project.

Specifically, I am concerned with reports that the Billabong is experiencing a significant cost blowout. If this is the case, then it is very troubling given the Billabong was not intended to cost this much in the first place and ratepayer funds have been diverted from local services and utilities to cover this increase.

Regardless of the exact blowout sum, I request a meeting with Council to discuss the costs of the Billabong project and to verify these blowout reports.

Further, I would appreciate a detailed breakdown looking into the financial viability of the Billabong once it begins operations. I believe this is imperative to ensure the long-term viability of the Billabong and to provide certainty to residents that their rates will not be used to keep the Billabong operational at the expense of other services and utilities in our LGA.

I believe it is imperative that this project does not cost Campbelltown residents anymore than was originally intended, as I have had strong reservations regarding the economic cost and viability of this project since it began.

If the project proves to be financially unviable and an ongoing burden to ratepayers, what contingencies does Council have in mind to rectify the situation or would Council consider abandoning the project entirely?

*Signature has been removed*

**Dr Mike Freeland MP**  
**Federal Member for Macarthur**

**Office:** 37 Queen St Campbelltown NSW 2560 **Mail:** PO BOX 88 Campbelltown NSW 2560  
**Phone:** (02) 4620 0293 **Fax:** (02) 4620 4414 **Email:** Mike.Freeland.MP@aph.gov.au



Office of the General Manager



18 July 2022

Dr Mike Freeland MP  
Federal Member for Macarthur  
PO Box 88 Campbelltown NSW 2560  
E: [Mike.Freeland.mp@aph.gov.au](mailto:Mike.Freeland.mp@aph.gov.au)

Dear Dr Freeland,

#### **Campbelltown Billabong Parklands Project**

I refer to your letter of 21 June, 2022 in relation to Campbelltown Billabong Parklands (Billabong) and the concerns you have raised in relation the cost of the project and the ongoing financial viability of the facility upon completion.

The initial project budget for the Billabong project was \$18,750,000, which was reflective of the Funding Deed, Council agreed through the Western Parkland City Liveability Program (WPCLP) in May 2019. This budget comprises of \$15,000,000 from WPCLP and Council's contribution of \$3,750,000.

At the Ordinary meeting of Council on the 8 December 2020, the Council resolved to increase the project budget to a total of \$31,000,000. The additional funding will be used to enable the separation of the Children's pool, increase integrated artworks, improvements in landscape features and augmentation of utilities servicing the site to ensure that onsite facilities could be expanded in the future without disturbance of completed works.

Despite significant delays due to unprecedented wet weather, flood events and the ongoing effects of the COVID pandemic, which has resulted in an escalation of costs, Council is confident that it will deliver this project within the allocated budget of \$31,000,000, which Council has verified through advice from external Quantity Surveyors.

Concurrently Council is also undertaking embellishment works on the remnant sections of Apex Park adjacent to the Billabong site. This project is being undertaken utilising funds allocated to Council through the NSW Government Public Spaces Legacy Program (PSLP). The PSLP was a targeted program to stimulate economic activity in response to the COVID pandemic. The Apex Park project was selected for this Program, as preliminary due diligence and design had sufficiently progressed to meet the delivery requirements prescribed by the Program. The program requirements were specific and limited the projects that could be funded, Apex Park was the best fit based on the funding requirements.

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

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## Office of the General Manager



Council received \$4,000,000 through the PSLP program, and \$3,656,000 of this funding was applied to the Apex Park site. The remnant \$344,000 was used to purchase land to increase open space at Hurley Park. Council is confident that it will deliver this project within the allocated funding at no additional cost to Council.

Whilst the Billabong and the Apex Park projects are for all intents and purposes separate projects, Council is managing these as a single project for the purposes of ensuring integration of design, cost efficiencies and the management of contractors.

In your correspondence you note concerns in relation to the ongoing financial viability of the Billabong once it begins operations. As you may be aware Council is proposing free entry to the Billabong for visitors and the community of Campbelltown. Therefore, Council will need to subsidise the annual operations of the Billabong Parklands to maintain free entry, as is the case with many of its other community facilities. Council has considered this position in the context of its long term financial planning to ensure the continuation of existing service delivery to the community.

You have also requested a detailed breakdown in relation to the financial viability of the Billabong. I would be happy to arrange a meeting and which we could discuss these matters further and provide information appropriate to your request.

Yours sincerely

*Signature has been removed*

Phu Nguyen  
**Acting General Manager**

## **7.2 Campbelltown Billabong Parklands Project**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

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A copy of the letter from Greg Warren MP in relation to the Campbelltown Billabong Parklands Project and a copy of Campbelltown City Council's reply.

### **Attachments**

- 7.2.1 A copy of the letter from Greg Warren MP (contained within this report)
- 7.2.2 A copy of Council's response to Greg Warren MP (contained within this report)



## Greg Warren MP

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

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06/07/2022

Dear staff and councillors of Campbelltown City Council,

I write to you regarding Campbelltown Council's resolution in relation to item 8.5 of the June 14, 2022 ordinary council meeting concerning the Campbelltown Billabong in my capacity as the state Member for Campbelltown, the Shadow Minister for Local Government, the Shadow Minister for Western Sydney, and of course a ratepayer of Campbelltown.

Firstly, I would like to acknowledge the concept of the Billabong and reinforce that I have always – and will always – welcome investment in our city.

We are a rapidly growing community and it is critical that we have the services and community infrastructure to meet the needs and demands of both existing and future residents.

That said, there are a number of aspects concerning the Billabong that are alarming.

The project was originally expected to cost just over \$18 million and was funded as part of the Western Sydney City Deal (WSCD).

With the cost of the Billabong expected to blow out to more than \$42 million and a yearly operational cost of about \$2 million forecast, the project has created a significant debt that must be paid off by the people of Campbelltown.

It is a financial imposition that simply, cannot be ignored or dismissed.

This budget blowout is a concern that has been raised with me by a large number of Campbelltown residents and this representation is also on their behalf.

I can count on one hand the number of local residents I have spoken to that are still pleased with the project due to the ever-increasing cost of construction.

Since being appointed Shadow Minister for Local Government in 2019, one of my main focuses has been on improving transparency between councils and their communities.

I note several councillors from all political persuasions – including Cr Darcy Lound, Cr Karen Hunt, Cr Josh Cotter, Cr Masud Khalil and Mayor George Greiss – raised concerns regarding the lack of information that has been made available to both councillors and ratepayers in relation to the project.

This is not the first time councillors had unsuccessfully pursued information regarding finer details of the project.

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## Greg Warren MP

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

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The lack of transparency regarding this project has been – and continues to be – one of the biggest issues raised with me by concerned Campbelltown ratepayers.

As a ratepayer, I certainly share those frustrations and I would encourage those at council with the authority to do so, to release that information to the councillors and the public as a matter of priority.

I also note, there are several concerns regarding potential admission fees to the Billabong in the future, as well as the inability to access the facility during hotter nights during the summer.

Unfortunately, it seems there are more questions than answers regarding this project currently.

As the state Member for Campbelltown, the Shadow Minister for Local Government, the Shadow Minister for Western Sydney, and a ratepayer of Campbelltown, I encourage those at council with the authority to do so, to remedy these issues as a matter of priority.

Furthermore, I request a detailed financial statement outlining all past, existing and forecasted costs associated with the construction of the Billabong including: ongoing operational costs; past and forecasted timelines including a completion date; the impact on surrounding facilities in the precinct; and councils intentions for the future of the Gordon Fetterplace Aquatic Centre.

I also understand that ratepayers' money and subsequent finances have been either removed or shifted from other projects or priorities within our community to subsidise the cost blowouts associated with the construction of the Billabong, with little to no consultation, transparency or disclosure with the community.

Given the above, I ask for your appropriate consideration and clarity with regards to this matter and I look forward to your response at your earliest convenience.

Yours sincerely,

*Signature has been removed*

Greg Warren MP  
Member for Campbelltown  
Shadow Minister for Local Government  
Shadow Minister for Veterans  
Shadow Minister for Western Sydney

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Office of the General Manager



18 July 2022

Mr Greg Warren MP  
Member for Campbelltown  
DEPARTMENT/ORGANISATION  
Shop 3, 72 Queen Street, Campbelltown NSW 2560  
E: [ElectorateOffice.Campbelltown@parliament.nsw.gov.au](mailto:ElectorateOffice.Campbelltown@parliament.nsw.gov.au)

Dear Mr Warren,

#### **Campbelltown Billabong Parklands Project**

I refer to your letter of the 6 July, 2022 and representations you have made on-behalf of the community in relation to the report presented to the Ordinary meeting of Council on the 14 June 2022 regarding the Campbelltown Billabong Parklands project, and advise as follows.

The initial project budget for the Billabong Parklands project was \$18,750,000, which was reflective of the Funding Deed, Council agreed through the Western Parkland City Liveability Program (WPCLP) in May 2019. This budget comprises of \$15,000,000 from WPCLP and Council's contribution of \$3,750,000.

At the Ordinary meeting of Council on the 8 December 2020, the Council resolved to increase the project budget to a total of \$31,000,000. As outlined in the report the additional funding will be used to enable the separation of the Children's pool, increase integrated artworks, improvements in landscape feature and upgrade utilities servicing the site to ensure that onsite facilities could be expanded in the future without disturbance of completed works.

Despite significant delays due to unprecedented wet weather, flood events and the ongoing effects of the COVID pandemic, which has resulted in an escalation of costs, Council is confident that it will deliver this project within the allocated budget of \$31,000,000, which Council has verified through advice from external Quantity Surveyors.

The report presented to Council on 14 June also noted the remnant sections of Apex Park adjacent to the Billabong Parklands site that is being embellished through funds allocated to Council through the NSW Government Public Spaces Legacy Program (PSLP).

The PSLP sought the acceleration of the assessment and determination of local Development Applications. The Council achieved the performance measures and subsequently was provided funding to assist Councils with improving public open space (parkland) to match the increased development activity.

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## Office of the General Manager



A total of \$3,656,000 of the \$4,000,000 received by Council through this grant fund was applied to the Apex Park site. The remnant \$344,000 was used to purchase land to increase open space at Hurley Park.

The PSLP was a targeted program to stimulate economic activity in response to the COVID pandemic. The Apex Park project was selected for this Program, as preliminary due diligence and design had sufficiently progressed to meet the delivery requirements prescribed by the Program. The program requirements were specific and limited the projects that could be funded, Apex Park was the best fit based on the funding requirements.

Whilst the Billabong Parklands project and the Apex Park projects are for all intents and purposes separate projects, Council is managing these as a single project for the purposes of ensuring integration of design, cost efficiencies and the management of contractors.

Discussion at the Council meeting of 14 June also covered the cost of other works that had been completed, and or are in progress, within the vicinity of the Billabong Parklands project. It was advised that in the order of \$7,000,000 had been spent on such works and that the majority of this cost was associated with storm water works.

The storm water works referenced at the meeting are related to recommendations within the Bow Bowing Bunbury Curran Creek Strategic Floodplain Risk Management Study and Plan adopted at the Ordinary meeting of Council on the 12 February 2019. Irrespective of the Billabong Parklands development these works were required to address existing broader flooding issues and to enable development in the Campbelltown CBD as identified in the Council's Corridor Strategy. These works were appropriately funded through Council's Storm water Reserve.

In your correspondence you note concerns that have been raised in relation to admission fees. Council is still proposing that entry to the Billabong will be free of charge for visitors and the community of Campbelltown. Therefore, Council will need to subsidise the annual operations of the Billabong Parklands to maintain free entry as is the case with many of its other facilities.

In relation to transparency, I can advise that Council provide regular progress and financial reports to the respective funding bodies in relation to these projects and project governance requires a monthly report to Council Executive. Further, Council has had 7 dedicated briefings on the Billabong project over the past 3.5 years and 3 additional briefings included as part of another topic or update. Formal reports to Council have occurred on five occasions in February 2018, August 2018, December 2020 and April 2021. Expenditure outside of the project is included within budget reviews presented to the Council on a quarterly basis. I have also given an undertaking to provide Councillors with a quarterly briefings on the project, in addition to site visits and formal reports requested by the Council.

You have also requested further financial information in relation to the project and the adjacent Gordon Fetterplace Aquatic Centre. I would be happy to arrange a meeting in which we could discuss these matters further and provide information appropriate to your request.

Office of the General Manager



Yours sincerely,

*Signature has been removed*

Phu Nguyen  
**Acting General Manager**

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## 8. REPORTS FROM OFFICERS

### 8.1 Planning Proposal - 80 O'Sullivan Road, Leumeah

#### Reporting Officer

Executive Manager Urban Centres  
City Development

#### Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.6 - Plan and invest in the revitalisation of Campbelltown-Macarthur CBD, Ingleburn and other town centres

#### Officer's Recommendation

1. That Council endorse the Planning Proposal at attachment 1 to this report.
2. That subject to recommendation 1, the applicant addresses all outstanding matters as detailed in Section 13 Outstanding Matters in this report including the preparation of a draft site specific Development Control Plan.
3. That subject to recommendation 1, the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination.
4. That subject to the receipt of a Gateway Approval, Council proceed to publicly exhibit the planning proposal and the draft site specific DCP.
5. That at the conclusion of the public exhibition, a report be presented to Council on the outcome of the public exhibition.

#### Executive Summary

- An owner-initiated Planning Proposal Request (PPR) was lodged with Council on 26 July 2021, seeking to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) for the purpose of increasing the current maximum height of building standard from 12m to variable maximum heights of 43 m and 55 m and to establish a Floor Space Ratio of 2:1 across the land subject of this report.
- The PPR relates to land legally described as Lot 201 in Deposited Plan 1052199, known as 80 O'Sullivan Road, Leumeah and also known as Club Hotel, 543 Pembroke Road, Leumeah (the Site).

- The site is currently zoned B2 Local Centre under CLEP 2015.
- The Site is irregular in shape with an area of 8117 m<sup>2</sup> and is located south of Leumeah Railway Station. The Site is currently occupied by 2 commercial uses being the Club Hotel and Liquor Stax.
- The PPR is accompanied by an urban design report providing a conceptual site layout and a building design for the Site. The report also includes a concept master plan for the wider area (surrounding properties) which shows indicative building envelopes and connective pedestrian linkages through the Site.
- The PPR has been assessed in accordance with all relevant state and local strategic planning instruments, including the Reimagining Campbelltown City Centre Master Plan, and generally, the PPR is considered to have sufficient strategic merit for it to be further progressed through the Planning Proposal process.
- As a consequence of the review and consideration of the various elements of the PPR, the maximum building heights proposed by the applicant under the PPR were considered not in keeping with or adequately reflecting Leumeah's place in the Reimagining Campbelltown City Centre Master Plan. Accordingly, the Planning Proposal before the Council proposes a reduced maximum building height below that proposed under the PPR and recommends that the proposal proceed with the maximum building heights set at 28 m and 38.5 m.
- Based on the initial assessment of the PPR, a formal Planning Proposal is now presented to the Council for its consideration and it is recommended that Council endorse the Planning Proposal and give approval for it to be forwarded to the Department of Planning for a Gateway Determination.

## Purpose

The purpose of this report is to inform the Council of the details of a Planning Proposal Request (PPR) that seeks to amend specific local planning rules that currently apply to the Site, to provide an assessment of the request, and to seek the Council's endorsement to amend those rules and to forward the endorsed PP to the NSW Department of Planning and Environment for a Gateway Determination.

<b>Property Description</b>	80 O'Sullivan Road, Leumeah also known as Club Hotel, 543 Pembroke Road, Leumeah
<b>Lot and DP:</b>	Lot 201 in DP 1052199
<b>Application No</b>	2272/2021/E-PP
<b>Applicant</b>	Urbis
<b>Owner</b>	MAHF Custodian Pty Ltd
<b>Date Received</b>	26 July 2021

## History

- The subject site was previously zoned 10(c) - Local Comprehensive Centre Zone under the Campbelltown (Urban Area) Local Environmental Plan 2002. The land use zoning of the site was changed to B2 Local Centre under CLEP 2015 and the current 12 m height limit applied to the site.
- A pre-lodgement meeting to discuss the proponent's proposal was held on 27 May 2021.
- The Council was provided a detailed briefing on the proposal on 20 July 2021.
- A Planning Proposal Request (PPR) was lodged by the proponent on 26 July 2021.
- The PPR was presented to the Local Planning Panel for comment on Wednesday 22 September 2021.
- The PPR was presented to the Campbelltown Design Excellence Panel (DEP) on 29 October 2021. Two further sessions were held with the DEP on 17 December 2021 and 10 February 2022.
- Councillors received a further briefing by the proponent of a more refined proposal, on 17 May 2022.
- A Planning Proposal has now been prepared by Council staff and is the subject of this report.

## Report

### 1. Introduction

In July 2021, Council received a PPR that sought approval to amend the CLEP 2015 to increase the current 12m maximum permissible height of building standard that applies to the Site, and to establish a Floor Space Ratio.

The intended outcome of the PPR is to permit high rise residential and mixed use development outcomes up to 55 m (18 storeys) and 43 m (14 storeys). The PPR also seeks to apply a Floor Space Ratio (FSR) of 2:1.

Notably, the PPR does not seek to amend the land uses currently permissible under the current zone - B2 Local Centre.

Council staff have reviewed the PPR and following a number of refinements made to the originally lodged PPR, council staff have now prepared a PP for the Site with amended building heights and FSR, compared to what was originally requested by the proponent.

This report:

- provides the details and outcome of the assessment of the PP, which has been prepared by Council staff in accordance with the relevant legislation and local and state polices.
- provides justification for an amended building height, and a varied approach to the proponents PPR.
- subject to Council endorsement of the PP, this report also:
  - identifies a number of matters that need to be further addressed prior to Council requesting a Gateway Determination from DPE.
  - recommends that a site specific development control plan be prepared prior to Council requesting a Gateway Determination.

## **2. Site Description**

The subject site is located on the eastern side of O' Sullivan Road and forms part of the wider business area located south of Leumeah Railway Station which contains a variety of commercial uses.

The site has an area of 8,117 m<sup>2</sup> with a 40 m frontage to O'Sullivan Road. The site is adjoined by 4 lots to the northern boundary including a Council owned parcel of land (Lot 100 DP 14782). The State Government owns 2 lots adjoining the southern boundary of the subject site, one from which vehicular access is currently obtained to and from Pembroke Road attachment 2.

The site consists of a single lot that has 2 existing commercial licenced premises which are the Club Hotel and Liquor Stax. The site has sporadic vegetation, with mature gum trees.

Smiths Creek is within close proximity to the site, part of which is a concrete lined channel that immediately adjoins the vacant parcel located to the east of the subject site.

The subject site is located in close proximity to Leumeah Railway Station and Campbelltown Stadium. The site also forms part of Leumeah Town Centre. The Town Centre has a range of land uses including, the Tennis Club, the West League Club, a mixed use residential apartment building, neighbourhood shops including an IGA store, post office, butcher, pharmacy, liquor shop, news agent, medical practice, dentist, the club hotel, coffee shop and a discount shop and car parking.

The majority of the buildings in the surrounding area are low rise comprising 1 - 2 story buildings with the exception of the mixed use residential building, which consists of 7 - 8 storeys, photos of which are shown in attachment 3.

## **3. Existing Zoning, development standards and local provisions under the CLEP 2015**

**Zoning:** B2 Local Centre (refer to Figure 3 of attachment 1)

**Maximum Building Height:** 12 m (refer to Figure 4 of attachment 1)

**Floor Space Ratio:** The site is not currently subject to a Floor Space Ratio (FSR) development standard

**Additional land Uses:** A Pub is permitted with development consent in the B2 zone (a pub is a type of food and drink premises which is a type of retail premises which is a type of commercial premises. The use of the site as a Pub is also listed in schedule 1 of the CLEP 2015 and therefore the use of the site as a Pub is also permissible with consent due to the operation of Clause 2.5 of the CLEP 2015.

**SP2 Classified Road Zone adjoining:** The adjoining two parcels to the south is zoned SP2 Classified Road and owned by the Corporate Sole EP&A Act and the Minister Administering the Environmental Planning.

The properties opposite O’Sullivan Road are zoned R3 medium density residential and the properties to the north and East of the site are consistent with the zoning of the subject site.

**4. Summary of the Applicant’s Planning Proposal Request**

The PPR seeks the following amendments to the CLEP 2015:

- a. An amendment to the Height of Building Maps to increase the building height across the site from 12 m to part 55 m and part 43 m ; and
- b. An Amendment to the Floor Space Ratio Map to introduce a maximum floor space ratio of 2:1.

The PPR included a redevelopment scenario of the site which is supported by an urban design analysis. The redevelopment scenario of the site comprises of 2 main components:

- A commercial component which includes a hotel and retail uses with gross leasable areas as detailed in the table below:

<b>Commercial component</b>	<b>Gross Leasable Area (m<sup>2</sup>)</b>
Hotel	12,948 m <sup>2</sup>
Retail	790 m <sup>2</sup>

- A Residential Component which includes:

The proposed residential component will conceptually enable 178 dwellings across 2 towers that will extend above the ground floor hotel and retail space. A range of dwelling types is proposed to provide flexibility in catering for population needs and growth. The breakdown of dwellings proposed is as follows:

- One-bedroom: 56 dwellings
- Two-bedroom: 100 dwellings
- Three-bedroom: 22 dwellings
- Total: 178 dwellings

The PPR is supported by a number of studies and reports as follows:

- Preliminary Site Investigation – Prepared by Hunter Civilab
- Arboricultural Impact Assessment – Prepared by Tree Management Strategies
- Survey Site Plan – Prepared by Mitch Ayres Surveying Pty Ltd
- View analysis Report – Prepared by Urbis
- Urban Design Analysis – Architectural Planning Study prepared by Integrated Design Group
- Traffic and Parking Assessment – Prepared by TRAFFIX
- Noise Impact Assessment – Prepared by WSP Australia Pty Ltd

The proposed numerical development standards for the maximum building height and the FSR are primarily based on the above anticipated development outcome/scenario of the site as per the above.

## **5. Council's Lead Planning Proposal**

Based on Council's review of the strategic merits of the PPR that was submitted by the proponent, Council officers moved to develop a formal PP for the Site, a copy of which is shown under attachment 1 of this report

The PP developed by Council's officers is not dissimilar to the original PPR lodged, with the exception of the development standards for the building height and FSR. The PP proposes reduced building heights for the site, and consequently a reduced FSR may result. The reduced FSR will limit the bulk of the buildings on site. At this stage, a reduced FSR has not been confirmed. Further analysis will be undertaken to determine an appropriate FSR that would work with the proposed reduced building height.

The PP proposes a building height of 38.5 m and 28 m for the site and a reduced FSR that is yet to be determined.

The building height recommended by the PP has been informed by a detailed and thorough assessment in relation to the following:

1. Assessment against Reimagining Campbelltown City Centre Master Plan including centre hierarchies.
2. Detailed analysis of the RLs within the Campbelltown CBD including the RLS from key points and sites.
3. Overshadowing on adjoining low density residential properties.

The above points are discussed in details in Section 10.1 Building Height of this report.

The PP is recommended for endorsement as it will provide urban renewal to Leumeah Centre, which is much needed. Increased density will enhance business within the centre.

## **6. Assessment – State Planning Policies, State Environmental Planning Policies and Ministerial Directions**

A comprehensive assessment of the PP has been undertaken in relation to consistency with the following regional and state planning strategies:

- Greater Sydney Region Plan 2018 – A Metropolis of Three Cities
- Western City District Plan
- Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Area
- State Infrastructure Strategy 2022-2042
- Glenfield to Macarthur Urban Renewal Corridor Strategy

The PP was also assessed against consistency with the relevant State Environmental Planning Policies (SEPPS). The PP was found to be generally consistent with the above strategic documents and the relevant SEPPs.

In addition the PP was assessed against its consistency with the Section 9.1 Local Planning Directions. The PP was found to be generally consistent with the relevant Planning Directions apart from Direction 4.1 Flooding.

The detailed assessment of the above mentioned strategies, SEPPS and Ministerial Directions is provided as part of the PP that is shown under attachment 2 to this report.

The inconsistency with Direction 4.1 Flooding is discussed in detail below:

The objectives of Direction 4.1 Flooding are:

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) to ensure that the provisions of a local environmental plan that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts on and off the subject land.

This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. While the PP is not proposing to alter the existing zone of B2 Local Centres, it is aiming to increase the residential yield of the site by increasing the current building height from 12 m to 38.5 m and 28 m.

The subject site is partially flood affected. The flood area is located on the eastern boundary. The PP is not supported by sufficient information justification in relation to the flood issue and additional information has been sought from the applicant. Further discussions on this matter are included in this report under Section 10 Key Issues and Concerns of this report.

Given that only a small portion of the site is flood affected, and subject to further analysis, it is envisaged that the inconsistency with this direction is of minor nature.

### **6.1 Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) establishes a high level strategic planning framework to guide future housing, employment opportunities and infrastructure delivery along the Campbelltown rail corridor, forming part of the Greater Macarthur Priority Growth Area.

The subject site is within the area covered by the Leumeah Precinct Plan, being one of the seven train station precincts identified under the Corridor Strategy. The Leumeah Precinct Plan provides the vision for the future development of the city centre having regard to the long term housing and employment needs for the area until 2036. As part of the desired future character and built form, the subject site is identified under the Precinct Plan for mixed use retail and residential as described below:

This area could accommodate a mix of retail and residential uses that would complement the character of the local area. Buildings would have ground floor retail that would provide local services for residents and commuters, with apartments above ranging from 7+ storeys in height. Detailed planning would be required to identify appropriate height and built form outcomes.

The PP is broadly consistent with this vision in that it proposes a mix of retail and residential uses and building heights above 7 storeys. The required detailed planning work referred to in the Precinct Plan has been undertaken by Council through the Reimagining Campbelltown City Centre Master Plan (which includes the central parts of Leumeah including the subject site). An assessment of the PP against the Master Plan can be found later in this report.

The Leumeah Precinct Plan identifies the need for regional cycle routes and pedestrian connections within the precinct, and the PP responds to this identified need via making provision for a through site link to facilitate pedestrian access to Leumeah Station. The urban design report also identifies a green pedestrian link over the existing concrete lined drainage channel for Smiths Creek, which is consistent with the Leumeah Precinct Plan.

The Leumeah Precinct Plan identifies a proposed 'green link' connection between the corner of O'Sullivan Road and Pembroke road headed in a diagonal direction, over the subject site, towards Leumeah Station. The proposed through site pedestrian link proposed within the urban design analysis is generally consistent with the connection path shown on the map. The through site link is required to be 'followed through' on adjoining properties to ensure connection to Leumeah Station.

While the site through link is not proposed to be supported by a zoning amendment to the CLEP 2015 it is proposed that it be included in a site specific DCP.

## **7. Assessment - Local Planning Policies**

The following Local Plans and Strategic Planning Policies are relevant to the consideration of the PP, and an assessment of the PP against these plans and strategies is outlined below.

### **7.1 Campbelltown Community Strategic Plan 2032**

Campbelltown Community Strategic Plan 2032 (CSP) is Council's highest level strategic plan, and outlines the strategic direction of Council for a 10 year period based on the feedback of the local community and research on successful and resilient communities.

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan an approach to achieve these goals. The CSP has been structured to address four key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and belonging
- Outcome 2: Places for people
- Outcome 3: Enriched natural environment
- Outcome 4: Economic prosperity
- Outcome 5: Strong leadership

These outcomes will be achieved through the implementation of strategies identified within the CSP. The following strategies are considered the most relevant in the consideration of this Planning Proposal:

- 2.1.1 – Provide public places and facilities that are accessible, safe, shaded and attractive.
- 2.2.1 – Ensure transport networks are integrated, safe and meet the needs of all people.
- 2.3.1 – Ensure all people in Campbelltown have access to safe, secure, and affordable housing.
- 3.1.2 – Ensure urban development is considerate of the natural environment.
- 4.1.1 – Provide high quality and diverse local job opportunities for all residents.
- 4.2.1 – Support the growth, productivity and diversity of the local economy.
- 5.1.1 – Increase opportunities for the community to engage and collaborate with Council and key delivery partners.

The PP is considered to be broadly consistent with the above strategies.

## 7.2 Campbelltown Community Participation Plan (CPP)

Community participation is an overarching term covering how Council engages the community in its work under the EP&A Act. The purpose of the Campbelltown Community Participation Plan (CPP) is to provide a single document that the community can access which sets out how they can participate in planning matters. This includes plan making, development assessment, strategy development and planning proposals that are required to be assessed and determined by Council, Local or Regional Planning Panels.

Under Council’s CCP, Planning Proposals are required to be publicly exhibited for a period of 28 days subject to Gateway determination. Should Council resolve to support the PP and submit a Planning Proposal to DPE, the Planning Proposal would be exhibited in accordance with the Gateway Determination.

Under the Department’s Local Environmental Plan Making Guidelines the proposal is considered to be a ‘standard’ plan. This guidelines set the minimum public exhibition period for a standard plan as 20 working days.

## 7.3 Campbelltown Local Strategic Planning Statement

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March, 2020. All Planning Proposals are now required to demonstrate consistency with the LSPS.

A number of actions within the LSPS are relevant to the proposal, and an assessment of the PP against these actions is contained in the table below:

<b>Action</b>	<b>Assessment of Proposal against action</b>
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas	The redevelopment scenario proposes a through-site link with landscaped public open space as well as a private open space area on Level 1 for the future residents of the dwelling.
1.17 Ensure open space is well connected via pedestrian and cycle links	As above
10.10 Investigate opportunities to enhance commercial amenity and ongoing economic viability through improvements to walking, cycling and public transport accessibility to create stronger centres	The PP is proposing commercial space on the ground floor including the retention of Leumeah Hotel which will contribute to economic growth and employment opportunities.
13.1 Plan and implement local infrastructure that enables our growing population to use alternative methods of transport, such as walking and cycling, to move quickly and easily around the city, to connect to public transport and assist in easing traffic congestion	The site is within close proximity to the train station which provides access to public transport as well as being located across the road from Smiths Creek Reserve.

<p>2.5 Contain urban development to existing urban areas and within identified growth and urban investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area</p>	<p>The PP seeks to increase residential density within urban land and would therefore help meet the dwelling targets, thus relieving development pressure on scenic lands, environmentally sensitive lands and the Metropolitan Rural Area and help protect their functions.</p>
<p>2.12 Promote housing diversity through local planning controls and initiatives</p>	<p>The proposal is generally consistent with this action, given that it proposes higher density housing.</p>
<p>2.15 Ensure that sufficient, quality and accessible open space is provided for new urban areas</p> <p>2.16 Ensure that quality embellishment for passive and active recreation is provided to new and existing open space to service new residential development and redevelopment of existing urban areas</p> <p>2.17 Ensure open space is provided where it will experience maximum usage by residents, with maximum frontage to public streets and minimal impediments</p> <p>6.25 Work towards residents being a maximum of 400 m from quality open space</p>	<p>There is a short supply of embellished public open space within Leumeah and there may be opportunity to upgrade and enhance the public open space and walkways within Smith Creek Open space, which is located within a walking distance from the site.</p>
<p>7.11 Identify appropriate building heights through design requirements to ensure that solar access is not restricted in open space areas adjoining multi-storey developments</p>	<p>There are no open space areas adjoining the subject site that would be affected by overshadowing.</p>
<p>9.8 Promote the development and intensification of Campbelltown's existing agglomerations to boost productivity and competitive edge</p>	<p>The subject site is located within a business zone that provides economic and employment opportunities. The PP will maintain this by providing a mix of commercial and residential areas in an accessible area.</p>

<p>10.5 Continue to recognise the dynamic and evolving nature of centres, their ability to become activated and integrated mixed use hubs which are highly productive and liveable places, and the potential of large and existing retail providers to offer local employment</p> <p>10.15 Continue to recognise and plan for a range of retail uses within centres, and enable appropriate retail growth in centres that have the capacity and demand to accommodate additional retail growth</p>	<p>Should the PP be progressed, it would result in the intensification of the precinct including the provision of additional retail uses within close proximity to public transport. This would increase activity in this location and would result in a more efficient and productive use of this land by intensifying economic activity on the site and introducing a large number of new residents to Leumeah.</p>
<p>10.22 Implement the Reimagining Campbelltown Phase 2 Master Plan and associated initiatives</p>	<p>An assessment of the PP against the Reimagining Campbelltown Phase 2 Master Plan is found later in this report (Section 7.2). The PP is considered to be generally consistent with the Master Plan, and the PP would assist in the achievement of the strategic growth pillars and commitments.</p>

**7.4 Reimagining Campbelltown City Centre Master Plan**

The Reimagining Campbelltown project commenced in late 2017. Phase 1 outlined the vision for the future of the Campbelltown, Macarthur and Leumeah stating that the economy and built form of these centres will need significant re-structuring to ensure that projected population growth can be accommodated across the Western Parkland City by 2036. This vision formed the basis of the Reimagining Campbelltown City Centre Master Plan.

At its meeting on 14 April 2020, Campbelltown City Council resolved to endorse and exhibit Reimagining (Phase 2) - Campbelltown City Centre Master Plan 2020. The Plan was publicly exhibited until July 2020. Council considered submissions made during exhibition at its meeting on 13 October, 2020 and adopted the master plan in the form it was exhibited with only minor changes.

The vision for the plan is to elevate the Campbelltown City Centre (which includes the parts of Leumeah near the Leumeah Railway Station) to the status of a Metropolitan CBD, a leading centre of health services, medical research and tech-related activity that will be achieved through ambition, innovation and opportunity.

The vision for Reimagining Campbelltown City Centre is underpinned by a Place Framework. Comprising 6 strategic growth pillars and 25 commitments, it is the enduring decision-making framework to guide growth and investment for a more prosperous future. The 6 strategic growth pillars comprise the following:

1. Confident and Self Driven
2. Connected Place
3. Centre of Opportunity

4. No Grey to be Seen
5. City and Bush
6. The Good Life

An assessment of the PP has been undertaken against the 6 strategic growth pillars and corresponding 25 commitments for growing the Campbelltown City Centre. Whilst the PP is broadly consistent with a number of pillars and commitments, the assessment below focuses on those that are of particular relevance to the PP.

A key component of the Master Plan is the development of a central precinct in Leumeah. The Master Plan provides a vision for Leumeah to be an integrated sports and entertainment precinct and will accommodate a significant amount of housing and employment opportunities for the Campbelltown LGA. The Master Plan describes the area as a 'city in a valley' and in this regard the building design will need to respect and respond to the natural landscape and maintain views from surrounding hills. In order to do this, varying building heights will provide a varied skyline.

The Master Plan has identified the site being suitable for high density mixed used development given its close proximity to the train station and sports and entertainment precinct. The key elements in the Master Plan for Leumeah include the following:

- Urban Village: A mixed use cluster that will include residential and commercial space and as such will be the heart of activity and services for the local community.
- Mixed Housing for All: Leumeah will provide a range of housing choice and affordability catering for the needs of the community and future population growth.
- Great Connectivity: Leumeah features 2 major green connections that hold cultural significance to the Dharawal people, provide the community with immediate access to major natural assets and parklands.
- Green Heart: the Bow Bowing creek and its surrounds is the green heart which offers open space for passive and active recreation activity.
- Leumeah Live: Leumeah Live is a vibrant sports and entertainment precinct anchored by Campbelltown Stadium and co-located with other regional sporting facilities and venues. As a major event precinct, it will include uses such as short-term accommodation, hotels, food and beverage options as well as some commercial space.
- People Place: A focus on reducing car dependency.

While the PP is not proposing to alter the existing zone of B2 Local Centres, it is aiming to increase the residential yield of the site by increasing the current building height from 12 m to 38.5 m and 28 m.

The PP, in principle, aligns with the above key elements in the Master plan as it would provide a mixed use high-density development within the Leumeah Centre that provides a connection to Leumeah Train Station and the sports and entertainment precinct and is considered to reflect the elements of a 'city in a valley' theme. It provides open space with the through-site link and landscaped public open space areas.

## **7.5 Campbelltown Strategic Review of Employment Land Strategy and the Employment Zones Reform Program**

The Campbelltown Strategic Review of Employment Lands 2020 seeks to ensure an adequate supply of appropriately zoned land is available to accommodate the future employment needs of the Campbelltown LGA. This Strategy has been endorsed by Council and is waiting on endorsement by DPE.

Of relevance to the PP, this Strategy highlights that introducing residential uses in business centres can facilitate supporting their viability, boost business vibrancy and increase associated revenue. The study notes that centres to the east of the rail line provide considerable opportunity for urban renewal and higher density development. These centres have the capacity to deliver more jobs and homes closer to public transport, enhancing accessibility, liveability and viability for businesses. The Review also recommends that further consideration be given to increasing building height in the city centre to further incentivise redevelopment.

The Review recommends that:

- Leumeah Centre continue to function as a specialised retail and urban service precinct serving the local catchment.
- Council consider rezoning the centres at the Minto and Leumeah rail stations to B4 Mixed Use to enhance the viability of the centres and increase residential density within their walkable catchment.

The NSW State Government is proposing to change the names and reduce the overall number of standardised industrial and business zones (employment zones) that are currently applicable to the industrial, neighbourhood and local centres within Campbelltown Local Government area and all other local government areas across NSW.

Accordingly, DPE is currently exhibiting the translation of existing Business and Industrial zones into the new employment zones by way of a proposed amendment to each councils' local environmental plan. For Campbelltown LGA, the reforms are proposed to be implemented by amending Campbelltown Local Environmental Plan 2015.

As part of the above reforms, it is proposed that Leumeah Centre be zoned from B2 Local Centre to MU1 Mixed Use zone, as per the recommendations of the Campbelltown Strategic Review of Employment Lands 2020.

Under the proposed MU1 zones a range of land uses would be permissible, including shop top housing, and residential flat building. The public exhibition will close on 12 July 2022, with an aim to have the amendments to the CLEP 2015 finalised and implemented by the end of this year.

## **7.6 Campbelltown Local Housing Strategy**

The Campbelltown Local Housing Strategy was endorsed by Council in September 2020 and has now been endorsed by DPE. This document seeks to ensure an adequate supply of appropriately zoned land is available to meets the future housing needs of the Campbelltown, noting that up to 36,000 additional dwellings will be required across the LGA by 2036.

The actions of the Strategy that are relevant to this PP are outlined in the table below together with an assessment of the PP against these actions.

<b>Action</b>	<b>Assessment</b>
Monitor the progress of housing delivery in the LGA to determine when Leumeah should be rezoned, likely beyond 2021	The PP is not proposing to rezone land within Leumeah Centre, however the progression of the PP would facilitate additional residential density within walking distance from the railway station and a stronger market/local customer base in which to support a wider and more robust commercial/retail/employment offerings across the Leumeah Centre.
Set clear expectations for unsolicited planning proposals and assess them on their individual merit, with respect to the broader strategic vision	The subject PP has been assessed on its individual merit against the applicable strategic planning framework, and is considered to have sufficient merit for progression, subject to refinement.
Prepare a planning proposal, when needed, to implement the NSW Government's Leumeah precinct plan.	Council may decide to prepare a Planning Proposal for the broader Leumeah precinct, which is an action that would not be incompatible with the progression of the subject PP.
Adopt a land use planning approach which broadly seeks to increase housing diversity by encouraging medium rise housing development near train stations in Glenfield, Ingleburn, Minto, Leumeah	The PP would advance the goals of increasing housing diversity and the provision of medium rise housing near Leumeah train station.

The table above shows that the PP is generally consistent with the most relevant actions of the Campbelltown Local Housing Strategy.

## **7.7 Campbelltown-MacArthur Place Strategy**

Leumeah is identified as a metropolitan cluster within the Western City District Plan. Its location has been identified as providing the metropolitan functions within the Macarthur region including concentration of jobs, a wide range of goods and services, entertainment, leisure and recreational activities. Campbelltown-Macarthur has been identified as a Collaboration Area which is led by the Greater Sydney Commission to support growth and change, deliver improved outcomes and address complex issues that require cross stakeholder solutions. The Campbelltown-Macarthur Place Strategy is a key outcome of the Collaboration Area and has been prepared in alignment with the Reimagining Campbelltown City Centre Master Plan. As such the PP is considered to align with the Campbelltown Macarthur Place Strategy.

## 8. Referral to Local Planning Panel

The PPR was referred to the Local Planning Panel (LPP) on Wednesday 22 September 2021. The LPP generally agreed that the Planning Proposal request meets the strategic merit test having regards to the relevant strategic planning strategies and the site specific merit test having regard to these studies and the site opportunities and constraints. The Panel was mindful of the location of the site and its proximity to public transport. The LPP also considers that the site is suitable for urban growth and future development as it is part of the Leumeah town centre. However, the LPP raised a number of concerns and matters and recommended that the proposal not to further proceed for a Gateway determination until these matters have been satisfactorily addressed.

Table below provides a summary of these matters with officer's comments:

The LPP provided the following advice:

Matter raised	Comments
The proposed heights of 55 m and 43 m are significantly higher than that which would ordinarily be anticipated for an urban village	Council has undertaken an in depth analysis and as a result a reduced building height as part of Council's PP is proposed. The revised proposed building heights are 38.5m (12-13 stories) and 28 m (9-10 stories) and are considered acceptable within an urban village theme.
The height of the proposal having regard to the hierarchy of centres detailed in the Reimagining Campbelltown City Centre Master Plan and Leumeah's status as subservient to the main centre of Campbelltown;	The proposed revised building heights will ensure that Campbelltown CBD will maintain its status as the main CBD for Campbelltown LGA.
The need to transition the scale down towards the existing residential development on the opposite side of adjacent roads.	This matter will need to be further addressed as part of the preparation of the site specific DCP. The proposed layout, while has been substantially enhanced through revision by the Campbelltown Design Excellence Panel (DEP) more work is needed to address this matter.
Accordingly it is recommended that advice from the Design Excellence Panel should be obtained prior to Council making a decision on an appropriate height limit. It is also recommended that an appropriate Floor Space Ratio should be determined based on the agreed ultimate height control.	The proposal has been submitted to the DEP three times, however, the height issue was not a major matter that the DEP focused on, as they were more concerned with the proposed form as it relates to the street and its surrounding and also the delineation between private and public open space, and how the proposed linkages within the site are going to work.
The Panel further notes that Council will need to consider whether the B2 zone is the appropriate zone for the proposed development and for the Leumeah Town Centre more generally and satisfy itself in this regard.	As part of the State government employment zones reforms, it is proposed that Leumeah Centre be rezoned from B2 Local Centre to MU1 Mixed Use zone, as per the recommendations of The Campbelltown Strategic Review of Employment Lands 2020.
The Council should also carefully plan how other neighbouring properties are engaged with the process, particularly having regard to the proposed through site link that will rely upon redevelopment of neighbouring properties to be achieved.	This matter is still an outstanding matter and is proposed to be addressed while the proposal is on public exhibition.

Overshadowing impacts	The proposed reduced building height will reduce the overshadowing impacts on neighbouring residential properties.
Noise from the freight rail corridor	Development Controls in relation to noise are proposed to be included in the site specific DCP.
Traffic and transport impacts including road infrastructure for the broader precinct	A traffic report has been prepared. Prior to requesting a Gateway Determination, the traffic report will need to be updated to respond to comments provided by Council infrastructure engineers, the outcome of consultation with TfNSW, and the reduced dwelling yield as a result of proposed reduction in the building height.
Clarification as to whether direct vehicular access to Pembroke Road is acceptable	TfNSW has specifically indicated that no access to Pembroke Road will be allowed. It is proposed that a local clause be included in the CLEP amendment to limit access to and from Pembroke Road for future development of the site.
Consistency with the 9.1 Direction number 4.1 in regards to flooding	Only a small portion of the site is flood affected, as such the inconsistency with this direction is considered significant and minor in nature.
Mechanisms to ensure that the proposed publicly accessible open space and public facilities are delivered.	A local clause is proposed to be inserted to ensure the delivery of public open spaces and facilities.
Draft controls for a site specific development control plan.	It is recommended that a site specific DCP be prepared.

## 9. Referral to Campbelltown Design Excellence Panel

The urban design report prepared by Urbis on behalf of the applicant was referred to Campbelltown Design Excellence Panel (DEP) on 10 February 2022 to follow up from comments made at the initial meeting in October 2021. The DEP provided the following comments at the last follow up meeting:

### 9.1 Urban Design

- The Panel recognises that the design has come along substantially from the first submission and believes there is still an opportunity to further refine the proposed concept by developing a strong narrative that explains the story and character of this particular 'place' and what it offers that is unique.
- There needs to be a concentrated effort to create a highly active edge condition (internally and externally) that further breaks down the at grade built form experience, so it doesn't read as a solid linear mass.
- The number of shade/canopy trees (and relevant deep soil areas) needs to be increased as a structuring principle across the site.
- The concept plans need to demonstrate a stronger connection to the wider precinct.
- The plans should include a clear hierarchy of open spaces, types and programming, including those at either roof or podium.

- Guiding design and place principles must be provided and include supporting narrative and visualisations.
- Subsequent submissions need to explain the process of the design's evolution - breaking down building form, permeability, level connections at grade, etc.
- The Panel agrees that the 'softened and reshaped' landmark building does well to anchor the arrival experience.
- The proposed shared street that runs through the site should be indicated as one-way and include more greening and canopy trees. In addition, the design should explore a non-linear route and clearly demonstrate how pedestrians, cyclists, and vehicles will share the right of way.

### **9.2 Landscape strategy:**

- There does not yet seem to be a direct tie-in between the place narrative (as verbally described in the presentation), and the design as presented.
- The current concept contains several remnant spaces which need to be more strongly embedded in the design.
- The visuals indicate the provision of trees and landscaping as a defining feature of the central spine, but it is not clear if there is adequate consideration of deep soil requirements, particularly given that the landscape will be primarily on slab.
- There needs to be "patterning" of the public spaces into the broader precinct. The Panel strongly recommend that the proponent reviews the government policy on greening the city (the NSW Government Architect's guidelines and policy documents provide a guide to good and considered design).
- Evidence is required of acknowledgement and integration of the above policies and guidelines.
- The design should reflect an Acknowledgement of Country, even as a guiding principle.
- The Panel would like to see a more developed set of street typologies, open spaces and built form, including reference imagery used to inform the concept design.
- The Panel would like to see mapping/visualisations indicating how various movement modes are integrated (pedestrian, cycle, vehicle).
- A clear approach to parking, including ingress and egress points, should be provided in subsequent submissions.
- The Panel would like to see and review a formulated Table of Contents and Drawings Schedule the proponent intends to include in their DCP.

The applicant has responded to these issues insofar as they are able to as part of the PP process. It is noted that many of the issues raised above will be dealt with during the preparation of the site specific Development Control Plan and subsequent development applications for the site. Once a draft site specific DCP is prepared, it will be referred to the DEP for comments and submitted to Council seeking endorsement for public exhibition purposes.

## **10. Key Issues and Concerns**

### **10.1 Maximum Building Height**

The main purpose of the proponent PPR is to increase the maximum building height from the ground level of the site, from 12 m to part 55 m and part 43 m.

However, and as discussed earlier in this report, the LPP considered that:

- The proposed heights from ground level of 55 m and 43 m are significantly higher than that which would ordinarily be anticipated for an urban village.
- The height of the proposal having regard to the hierarchy of centres detailed in the Reimagining Campbelltown City Centre Master Plan which places Leumeah's status as subservient to the main centre of Campbelltown.
- The need to transition the scale down towards the existing residential development on the opposite side of adjacent roads.

The current maximum 12 m building height (3-4 storey) for the site is considered too low. Currently, the tallest building in Leumeah Centre is an 8 story mixed use development. This existing building has maintained the human scale and issues of traffic and overshadowing have readily been addressed.

To determine an appropriate and suitable maximum building height for this site, the following in-house detailed assessment has been undertaken:

1. Assessment against Reimagining Campbelltown City Centre Master Plan including centres' hierarchies.
2. Analysis of relative building heights across Campbelltown CBD from key points and sites.
3. Overshadowing on adjoining low density residential properties

#### **Assessment against Reimagining Campbelltown City Centre including centres' hierarchies**

The Campbelltown City Centre Master Plan 2020 in relation to Leumeah Centre states:

...the urban village will be the heart of activity and services for the local community. As a mixed-use cluster, the village will include retail convenience, day and night dining options, as well as health and wellbeing services.

The reference to Urban Village within the Reimagining Campbelltown City Centre Master Plan provides a strong indication of the sense of place that is desired to be created with Leumeah Centre. While the term Urban Village is not defined within the master plan documentation nor

within the legislative context of the NSW planning system, it is widely known that an urban village aims to create a sustainable community (similar to a village) while also has the required density of urban areas. Urban villages maintain human scale and have lots of emphasis on activation at ground levels. There is no clear set of rules on the maximum building heights that should occur within an Urban Village, however the proposed building heights of 55 m and 43 m, measured from ground level, are significantly higher than what is envisaged by an urban village theme.

The Reimagining Campbelltown City Centre Master Plan does not stipulate the desired maximum building heights within Leumeah Centre. It provides a context that includes hierarchy of building heights that shows where the greatest building height within Campbelltown and Leumeah Centres should occur. Within this context, the master plan clearly indicates that Campbelltown CBD should have the highest buildings to reflect its main CBD status attachment 4.

The maximum building height that has been endorsed by Council and is in effect within the Campbelltown CBD is for the former Factory Direct Outlet site (the DFO site) at 22-32 Queen Street and is at 52 m from ground level. Ideally, and according to the building height Map under the Campbelltown Master Plan, the DFO site should have had a building height that is lower than sites within Leumeah Centre. Importantly, the height for this site was endorsed by Council, prior to the adoption of Reimagining Campbelltown City Centre Master Plan, and the Plan clearly provides the following important note:

NOTE: all planning proposals that had progressed to Gateway Determination prior to the start of Reimagining Campbelltown City Centre were assessed on merit at the time, and cannot be used to determine height relativities of future proposals, or as a justification for the heights of future buildings.

It is anticipated that greater building heights will be endorsed closer to the Campbelltown Station and at the heart of the Campbelltown CBD, as shown in the attachment 4.

As an outcome of the above assessment, the 55 m maximum building height proposed by the PPR needs to be reduced to align with the urban village theme and the centres' hierarchy within the Campbelltown LGA.

### **Analysis of the relative height of buildings across the Campbelltown CBD and key viewing points and sites.**

Detailed analysis of the relativity of height across the Campbelltown and Leumeah Centres has been undertaken to investigate the potential impacts of the requested buildings on the skyline and the views.

The analysis shown that a 55 m tower on this site will have a relative height that intrudes across the local view line as outlined in the Reimagining Campbelltown City Centre Master Plan. Having regard to these important view lines, it is clear that any building on this site should have a maximum relative height of less than 100m AHD (Australian Height Datum).

To better understand the relative visual impact of the building heights proposed by the applicant, within the context of the Campbelltown LGA, a further comparison of some of the most prominent sites and buildings within Campbelltown LGA is presented in the table below:

Location	Height at ground level (metres)	Height at top of building (metres)	Building height (metres)	No of Storeys
Campbelltown Hospital	83.2	135.6	52.4	12
22-32 Queen street	68	120*	52*	17*
541 Pembroke Road, LEUMEAH NSW 2560 (Leumeah 7-8 storey mixed use retail/residential apartments) at the corner of Pembroke Road and Old Leumeah Road	60	81.3	21.3	8
Intersection of Campbelltown Road and Rose Payten Drive	62	-	-	-
Apartment building corner of Queen and Broughton streets	70.4	104.4	34	10
Roundabout Badgally Road and Glenroy Drive	98	-	-	-
Centenary Park and Lookout	126	-	-	-
95 Badgally Road (dwelling), BLAIRMOUNT NSW 2559	126	132	6	
Kanbyugal Reserve, Woodbine	100	-	-	-
Payten Reserve	87	-	-	-
Intersection of Campbelltown Road and Plough Inn Road	56	-	-	-
Applicant Proposal	58	<b>113</b>	55	18
Council's officer's PP	58	<b>96.5</b>	38.5	12
*Proposed and not built yet				

The top of Campbelltown Hospital has a maximum relative building height level of 135.6m AHD, and currently presents as the highest building across the Campbelltown skyline. Attachment 7 includes a chart of the above table that clearly shows the various difference in the relative heights of different areas, number of stories, and building heights of the sites included in the above table.

The applicant proposal of 55 m above ground level will result of a relative building height of 113m AHD, which would be 53 m higher than the intersection of Campbelltown Road and Plough Inn Road as you enter Campbelltown. As such a 55 m high building on the subject site would be highly visible when entering Campbelltown and would therefore potentially detract from Campbelltown as the main CBD for the LGA.

The above analysis indicates that a relative maximum building height of below 100m AHD would be more appropriate so as to ensure centre hierarchy is maintained and the skylines as you enter Campbelltown are not highly impacted by the redevelopment of this site.

### **Overshadowing on adjoining low density residential properties**

Council staff have used 3D software to analyse and understand the impacts of the proposed building heights on surrounding properties. A reduced building height of 38.5 m and 28 m will ensure that all adjoining properties will have solar access that is above the minimum industry standard of 3 hours solar access on 21 June.

The above analysis (points 1-3) has informed the proposed revised building height of 38.5 m and 28 m for the site. It is recommended that Council endorse the revised building height for the site as they would:

1. Ensure that Leumeah Town Centre evolves into an 'urban village' centre to maintain human scale and centre's hierarchy.
2. Have lesser impact on overshadowing on the low and medium density residential properties surrounding the site.
3. Still provide for higher densities within walking distance from the railway station.
4. Maintain views and provide for acceptable visual impacts on the surrounding landscape and reserves.
5. Not significantly intrude in the skyline of Campbelltown as people enter the city from Campbelltown Road.

## **10.2 Traffic and Access**

A Traffic Assessment Report prepared by Traffix, Traffic and Transport Planners has been submitted in support of the proposal. The Traffic Assessment Report provides an assessment on car parking requirements, traffic and transport impacts and access and internal design requirements.

The report concluded the number of parking spaces proposed (albeit in a conceptual way) would be sufficient to cater for the proposal however a further assessment would be required for the lodgement of a development application for any future redevelopment on the site.

Traffic generation was modelled in SIDRA which identified that all intersections would operate with spare capacity with minor increases in the average delay. The vehicular access and internal design would all be designed in accordance with the relevant Australian Standards and would be assessed at the development application stage.

The PPR was referred to Council's Traffic Engineers for an assessment of the proposal and the following comments were raised:

1. No access shall be allowed from Pembroke Road (state road) for the following reasons:
  - Flood water will enter the loading area and basement in 1 per cent AEP flood event which is not acceptable.
  - It's highly likely that TfNSW will not support direct access to/from Pembroke Road.
2. The adopted low values of peak hour trip generation (for hotel, retail and apartment) may be attributed due to the closeness to the train station however the low values need to be supported by evidence. The traffic report is silent about the source of the data.
3. Insufficient detail has been provided about the nature of the hotel being proposed as it affects the trip generation and parking rates.

4. The low PM peak hour trip generation of 111 vehicles per hour is at odds with the provision of 320 off-street parking as the peak hour trip is closely related with the number of vehicles parked on site.
5. The submitted traffic report states that the intersection of O'Sullivan Road and Pembroke operates at LOS of A and B in peak hour AM and PM respectively, however, items numbers 3 and 4 above may impact the actual LOS. In addition, future scenario modelling of the 10 year design horizon has not been provided.

The PPR was referred to TfNSW for review and the following comments were provided that are required to be addressed prior to the approval of the PP:

- All site access be provided from the local road network i.e. from O'Sullivan Road. Given that a safe and practicable access to the site is available from O'Sullivan Road, TfNSW reiterates that it is not supportive of maintaining access from Pembroke Road. TfNSW requires that the proposal be amended to enable all site access from O'Sullivan Road prior to the finalisation of the plan. It should be noted that TfNSW will require existing vehicular access on Pembroke Road to be closed off and road reserve reinstated to the satisfaction of TfNSW at full cost to developer/s as part of the future development application/s.
- TfNSW advises that strategic investigations for the duplication of Pembroke Road corridor have been undertaken, however there is currently no funding allocated to develop the proposal further. The duplication is anticipated to affect existing vehicular access, and associated deceleration lane, to the site.
- It is unclear whether there is any Easement for Access (Right of Carriageway) at existing vehicular access on Pembroke Road which benefits adjoining land parcels. If so, the proposed site access on O'Sullivan Road should include such easements benefitting adjoining land parcel/s in consultation with affected land owners. This is to ensure that any adjoining land parcel/s, especially Lot: 101 DP: 1126056 with a frontage on Pembroke Road, which may be a current beneficiary to any such easement do not rely on access from Pembroke Road in the future.
- TfNSW advises that there is a plan to upgrade the roundabout of Pembroke Road, Rudd Road and O'Sullivan Road into a signalised intersection. However, this investigation is strategic in nature and there is currently no funding allocated to develop the proposal further.
- The northern approach of O'Sullivan Road at the Pembroke Road/Rudd Road roundabout currently has a pedestrian refuge. The indicative reference scheme appears to replace the refuge with a marked pedestrian (zebra) crossing. TfNSW advises that installing a marked pedestrian (zebra) crossing in close proximity to the roundabout could adversely affect its operation and could lead to potential road safety issues. Furthermore, the TIA report does not provide information on whether warrants for a marked pedestrian (zebra) crossing are met at this location. Given the above, TfNSW is not supportive of a marked pedestrian (zebra) crossing at this location.

- The indicative reference scheme appears to propose a marked pedestrian (zebra) crossing along proposed Green Pedestrian Link across Pembroke Road at the Smiths Creek bridge. It is noted that guardrails are currently provided on both sides of the bridge to maintain road safety. Given that there is a plan to upgrade the Pembroke Road/ Rudd Road/O'Sullivan Road roundabout to a signalised intersection in the future, TfNSW is not supportive of a marked pedestrian (zebra) crossing or a midblock signalised crossing on Pembroke Road at the location due to close proximity.
- The indicative reference scheme appears to show a driveway crossover on Pembroke Road immediately west of the Smiths Creek bridge. The driveway crossover appears to provide access to the adjoining land parcel (Lot: 101 DP: 1126056). It is highlighted that there is currently no driveway crossover at this location. TfNSW is unlikely to support a new access to Lot: 101 DP: 1126056 from Pembroke Road should it be a beneficiary of an Easement for Access (Right of Carriageway) on adjoining land parcel/s which would enable access from the local road network i.e. O'Sullivan Road.
- TfNSW considers that traffic surveys conducted in June 2021 are unlikely to be a true reflection of typical traffic conditions at the three modelled intersections, due to a general reduction in commuter trips during peak hours associated with temporary COVID-19 work-from-home arrangements. TfNSW advises that the Traffic Impact Assessment report should utilise available historical traffic survey data, say from 2018/19, to update intersection modelling. The historical traffic survey data may be available with Council or private traffic survey companies (at cost).
- TfNSW considers that the Existing Scenario (Base) modelling results do not reflect typical traffic conditions observed on site. The Existing Scenario (Base) model should be calibrated to reflect existing traffic conditions, including queue lengths, prior to progressing with modelling the Future Scenario (with development).
- While TfNSW has not reviewed SIDRA modelling files (.sip), based on the review of the Traffic Impact Assessment report, it appears that the 3 affected intersections may have been modelled as isolated intersections. Given the proximity of 3 modelled intersections, and considering observed traffic queue lengths on Pembroke Road, these intersections should be modelled as 'Networked' intersections rather than 'Isolated' intersections, if not already undertaken.
- While TfNSW has not reviewed SIDRA modelling files (.sip), if not already undertaken, the two signalised intersections should be modelled using key operational features (cycle time, phasing, etc.) that can be obtained from SCATS data sourced from TfNSW (at cost).
- The Traffic Impact Assessment report does not confirm the assessment year of the Existing and Future (with development) intersection performance results provided. Given that the traffic surveys have been undertaken in 2021, it is likely that the assessment year would be 2021. TfNSW however requests clarification in this regard.

- TfNSW highlights that it is not appropriate to undertake intersection assessment assuming 100 per cent development will be implemented in 2021 given that the development is still at the planning proposal stage. TfNSW advises that a reasonable delivery timeframe for the 100 per cent development should be adopted and modelled. A +10 year horizon assessment/modelling should then be conducted based on the 100 per cent development delivery timeframe to demonstrate that the development will not utilise spare capacity at the intersections and therefore will not bring forward future upgrades.
- The TIA report, including SIDRA intersection modelling files (.sip), should be updated to address above comments and submitted to TfNSW for further review and comment prior to the finalisation of the plan.
- The indicative reference scheme proposes provision of 320 car parking spaces for the proposal. Given the site's good accessibility to public and active transport, TfNSW is supportive of measures to reduce private vehicle use including reduced maximum parking provision rates for the site within the LEP.
- DPE is currently undertaking employment zone reform, which proposes to fold the B1 Neighbourhood Centre zone in with the B2 Local Centre zone to create an E1 Local Centre zone, with a broader array of mandated permissible uses than currently occurs in the B1 zones. It is recommended that the impact of this reform is taken into account in terms of potential uses and transport impacts.
- The proposal should include a transport infrastructure schedule and implementation plan identifying infrastructure improvements including land components, cost, timing and delivery responsibilities, funding mechanisms (to ensure equitable developer contributions towards infrastructure are obtained) and travel demand management and monitoring measures.

The applicant will need to provide additional information in regards to traffic and access to address the above matters, prior to Council requesting a Gateway Determination. Delaying the update of the traffic study has ensured that the traffic study will be updated in relation to the endorsed building height determined by Council.

### 10.3 Flooding

The subject site is partially flood affected. The flood area is located on the eastern boundary of the site. The planning proposal justification report has not addressed flooding. The depth of flood waters in the 1:100 event are a maximum depth of approximately 500 mm. Council's Engineers have reviewed the proposal and the following is a summary of their comments:

1. The subject site is a Flood Control Lot with respect to 1 per cent Annual Exceedance Probability (AEP) flood due to flooding from Smith's Creek traversing the property.

A Flood Control Lot is defined in the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 - REG 1.5 as "a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing)".

Currently, floodwater from Smith's Creek breaks out from the channel bank due to the restriction of the culvert under Pembroke Road and enters lots 101 and 201 (refer to flood map below). It is possible; subject to future flood modelling by the applicant, to remove the whole flooding affectation from the subject site for the 1 per cent AEP event depending upon future design. In this regard, it is suggested that the applicant consult with the owners of the neighbouring lots to come up with a coordinated design approach.

Most of the subject site is outside of the flood planning area. It is possible to submit a development application for the site in a manner that does not increase the risk from, or impact of flooding. Flooding related development controls are able to be readily prepared for the subject site. The design of an appropriate barrier along or adjacent to the eastern boundary of the land to the north of the subject site (lot 101) to direct flows across Pembroke Road when the culvert capacity is exceeded appear to be able resolve the flooding issue and remove the flood affectation from the subject site. Refer to Figures 8 and 9 of attachment 1 for Flood Maps)

#### **10.4 Contamination**

The applicant has submitted a Preliminary Site Investigation (PSI) prepared by Hunter Civilab in support of the PPR which has been reviewed by Council's Senior Environmental Officer. The report states that potential contamination sources are limited and that there are no visible signs of gross contamination on the site. The PSI provided is satisfactory and satisfies clause 5 of the Ministerial Direction 2.6. It demonstrates that the site is suitable for a residential or mixed use zoning in terms of clause 4 of the Ministerial Direction. Therefore, it is considered that the PP can progress.

#### **10.5 Noise**

The applicant has submitted a Noise Impact Assessment prepared by WSP Australia Pty Ltd in support of the proposal. The Noise Impact Assessment establishes acoustic criteria for the proposal in relation to noise from mechanical plant, noise from road traffic generation, noise from traffic onto the subject site, acoustic separation and BCA criteria and entertainment noise limits from the hotel/pub.

The Noise Impact Assessment was referred to Council's Senior Environmental Officer and no concerns or objections were raised. Notwithstanding, any future development application lodged for the site will also take into consideration adverse noise impacts and apply measures to minimise any impact.

#### **10.6 Bushfire**

The subject site has a minor bushfire affection to the south-western boundary, which is categorised as 'vegetation buffer'. The bushfire affectation of the site is considered to be minor and would be able to be managed with reasonable building measures in the event of a development application, the bushfire risk to the site is not considered to be a significant impact to stop the progression of this PP attachment 9.

## 10.7 Environment

The applicant submitted a preliminary arboriculture assessment report prepared by Tree Management Solutions in support of the proposal. The site is predominantly clear of trees and vegetation and would not result in the removal of threatened species vegetation. The report assesses existing trees on the subject site and adjoining properties.

Ten trees are identified on the subject site and a number of trees are located on the property boundary or within close proximity to the boundary on the adjoining properties, which would also be impacted by the future re development on the site.

It is considered the actual number of trees able to be retained on the site is a matter for consideration at the development application stage.

## 10.8 Open space

The PP does not include a proposal to rezone any part of the site as open space due to the small size of the site. The urban design report does however demonstrate that the ground floor public domain area will provide opportunities for landscaping and public domain elements that would facilitate use of the site for walking and congregating. The typical floor plate plans also identify that the first floor of the development would potentially be created as a communal private open space area to service residents of the site in addition to a dedicated open space area at the ground floor level. This space is proposed to potentially contain amenities, 2 common rooms, children's play area, seating and landscaped area.

The immediate locale is not benefitted by the provision of an open space area which is provided with amenities and play facilities.

The nearest open space is Bellevue Park which is a 1.8 km walk from the subject site and Pembroke Park which is approximately 2.4 km from the subject site. The proposal seeks to compensate for the lack of open space by providing play facilities in the communal private open space area at the first floor level.

The site has pedestrian access to Smiths Creek Reserve which has a pedestrian walking path which may be utilised for recreational exercise. However Smith Creek reserve is in need of embellishment, and when upgraded it would provide a much needed passive recreation open space for the current and future residents of Leumeah Centre.

## 11. Further Studies

The applicant has prepared a number of technical studies as follows:

Preliminary Site Investigation – Prepared by

- Preliminary Site Investigation – Prepared by Hunter Civilab
- Arboricultural Impact Assessment – Prepared by Tree Management Strategies
- Survey Site Plan – Prepared by Mitch Ayres Surveying Pty Ltd
- View analysis Report – Prepared by Urbis

- Urban Design Analysis – Architectural Planning Study prepared by Integrated Design Group
- Traffic and Parking Assessment – Prepared by TRAFFIX
- Noise Impact Assessment – Prepared by WSP Australia Pty Ltd

In addition to the above it is recommended that the applicant undertake further investigation in relation to flood management, traffic/parking and open space as detailed in this report

The above studies will need to be finalised to the requirements of Council and may require revision to the PP.

## **12. Preparation of a Site Specific DCP**

The PP primarily seeks to increase the maximum building height under the CLEP 2015 from 12 m to 38.5 m and 28 m. As such the future redevelopment of the site, will only be realised once a development application is lodged with Council. It is therefore important that a site specific DCP be prepared for this site to include the proposed master plan, thus providing Council and the community with some certainty in relation to how the site is going to be redeveloped in the future.

Once a draft DCP is prepared, it will be submitted to the DEP for review and the matter raised by the DEP comments in their last session of 10 February 2022 will need to be addressed as a part of the preparation of the draft DCP.

The draft DCP will then be submitted to Council for endorsement, prior to seeking Gateway Determination from DPE.

## **13. Summary of Outstanding Matters**

Subject to Council endorsing the PP, the following matters will need to be addressed prior to Council requesting a Gateway Determination from DPE:

1. Determination of an appropriate FSR for the site.
2. Update of Traffic Study to respond to concerns raised by TfNSW and the reduced dwelling yields as a result of revised building height.
3. The preparation and endorsement for public exhibition of a draft site specific DCP for the site.
4. Resolve issues in relation to access for adjoining isolated lots by way of easement.
5. Undertake consultation with adjoining properties.
6. Further investigation in relation to flooding and stormwater management.
7. Further details in relation to the provision of open space.

8. A revised dwelling yield will need to be estimated as a result of the proposed reduced building height and the FSR that is yet to be determined.

#### **14. Public Participation**

Should the PP be supported by Council for a Gateway Determination, public consultation would take place in accordance with the conditions of any Gateway Determination and would also take place in accordance with the provisions of the CPP.

#### **15. Plan Making**

Council considers this Planning Proposal to be of local significance given the size of the site, In addition the issues are considered local matters. As such, and subject to Gateway conditions, Council request that the General Manager be provided with the Delegation to make the plan.

#### **16. Next step**

Should Council endorse the PP contained as attachment 1 to this report, the applicant will be required to address the outstanding matters. Once all the outstanding matters are addressed, Council will be able to proceed to request a gateway determination from DPE.

#### **Conclusion**

The Planning Proposal seeks the following amendments to Campbelltown Local Environmental Plan 2015 for 80 O'Sullivan Road, Leumeah:

- a. Amend the Height of Buildings Map to increase the building height from 12 m to 38.5 m and 28 m.
- b. Application of a floor space ratio (FSR) that yet to be determined.

The Planning Proposal has been assessed in accordance with the relevant state and local planning framework under the Greater Sydney Region Plan. A number of outstanding matters will need to be addressed prior to Council requesting Gateway Determination.

In conclusion, it is recommended that Council endorse the PP as it will eventually provide urban renewal opportunities within this site. Which is much needed. Under the current building height standards, no recent redevelopment within the centre has occurred. This is an indication that the current building height is an impediment to renewal and redevelopment.

It is also anticipated that more people in the centre will be welcomed by business owners.

## **Attachments**

- 8.1.1 Planning Proposal (contained within this report)
- 8.1.2 Aerial Photo of subject site (contained within this report)
- 8.1.3 Leumeah Centre (contained within this report)
- 8.1.4 Extract of zoning and building heights (contained within this report)
- 8.1.5 Extract of Building Height Map (contained within this report)
- 8.1.6 Section A profile of proposed 55m (contained within this report)
- 8.1.7 Chart of comparison key sites (contained within this report)
- 8.1.8 Flood depth (contained within this report)
- 8.1.9 Bushfire Map (contained within this report)



**Planning Proposal**

**80 O'Sullivan Road (543 Pembroke Road), Leumeah**

**June 2022**

(Council Meeting 9 August 2022)

## Executive Summary

- Council has received an owner-initiated Planning Proposal Request (PPR) seeking an amendment to Campbelltown Local Environmental Plan 2015 (CLEP 2015) for 80 O'Sullivan Road, Leumeah (also known as 543 Pembroke Road) to increase the maximum permissible height of building under the CLEP 2015 from 12 m to 55m and 43 m and establish a floor space ratio of 2:1 for the site.
- The subject land is an irregular lot that has a site area of 7875 m<sup>2</sup> and is located on the southern side of Leumeah Railway Station. The property is zoned B2 Local Centre. The site is currently occupied by 2 commercial uses being the Club Hotel and Liquor Stax.
- The PPR is accompanied by an urban design report providing a conceptual site layout and a building design for the site. The report also includes a concept master plan for the wider area which shows building envelopes and pedestrian linkages through the site.
- The PPR has been assessed in accordance with the state and local strategic planning framework, including the Reimagining Campbelltown City Centre Master Plan.
- Council has reviewed the PPR and prepared this Planning Proposal with lower building heights than requested which are considered more appropriate for Leumeah.

## Introduction

This Planning Proposal explains the intent of, and justification for, the proposed amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Maximum Height of Buildings and Floor Space Ratio maps for property known as No.543 Pembroke Road, Leumeah (Lot 201 DP 1052199).

The proposed amendment seeks to amend the maximum height of building map to provide height limits of 28m to part of the site and 38.5m to the rest of the site and to also amend the floor space ratio map to indicate a maximum floor space ratio of 2:1 for the site.

## The Site

The subject site is located on the eastern side of O'Sullivan Road and forms part of the business area located on the southern side of Leumeah Railway Station which contains a variety of commercial uses.

The site has an area of 8,117 m<sup>2</sup> with a 40 m frontage to O'Sullivan Road. The site also has vehicular access to Pembroke Road via a right of way over the adjoining lot which is currently vacant. The site is adjoined by 4 lots to the northern boundary including a Council owned parcel of land (Lot 100 DP 14782). The State Government owns 2 adjoining lots; one of which adjoins the eastern boundary and the other lot adjoins the southern boundary from which vehicular access is currently obtained (refer to Figure 1 below).



Figure 1: Aerial Photo of the Subject Site

The site consists of a single lot that has 2 existing commercial licenced premises which are the Club Hotel and Liquor Stax. The site has sporadic vegetation, with mature gum trees.

Smiths Creek is within close proximity to the site, part of which is a concrete lined channel that immediately adjoins the vacant parcel located to the east of the subject site.

The subject site is located in close proximity to Leumeah Railway Station and Campbelltown Stadium. The site is also in a neighbourhood with a range of land uses including, the Tennis Club, the West League Club, a mixed use residential apartment building, neighbourhood shops including an IGA store, post office, butcher, pharmacy, liquor shop, news agent, medical practice, dentist, the club hotel, coffee shop and a discount shop and car parking.

The majority of the buildings in the surrounding area are low rise comprising 1- 2 story buildings with the exception of the mixed use residential building, which consists of 7 - 8 storeys shown in the photo below.



Figure 2: Leumeah Centre - Photos showing the Wests Leagues Club, the mixed use apartment building and the shopping centre

**Background**

- The subject site was zoned 10(c) - Local Comprehensive Centre Zone under the Campbelltown (Urban Area) Local Environmental Plan 2002. The site is currently zoned B2 Local Centre under the Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- A meeting was held between the applicant and Council prior to the lodgement of the PPR on 27 May 2021.
- The Councillors were briefed on the PPR on 20 July 2021 and on 17 May 2022.
- The PPR was lodged with Council on 26 July 2021.

**Existing Zoning, development standards and local provisions under the CLEP 2015**

**Zoning:** B2 Local Centre

**Building Height:** 12 m

**Floor Space Ratio:** The site is not subject to a Floor Space Ratio (FSR) development standard

**Additional land Uses:** A Pub is permitted with development consent in the B2 zone (a pub is a type of food and drink premises which is a type of retail premises which is a type of commercial premises. The use of the site as a Pub is also listed in schedule 1 of the CLEP 2015 and therefore the use of the site as a Pub is also permissible with consent due to the operation of Clause 2.5 of the CLEP 2015.

Properties to the north of the site have the same zoning as the subject site. The adjoining property to the south is zoned SP2 Classified Road and property on the opposite side of O'Sullivan Road is zoned R3 medium density residential.



Figure 3: Extract of zoning and Maximum Height of Buildings Maps from CLEP 2015

The Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department of Planning and Environment's 'Local Environmental Plan Making Guideline' August 2021.

**Part 1 – Objectives or Intended Outcomes**

To increase dwelling and population densities within a walking distance from the Leumeah railway station and provide for a housing choice in Leumeah. The proposal will also facilitate additional retail space within the centre.

**Part 2 – Explanation of provisions**

The objective or intended outcomes of the Planning Proposal are as follows:

- To amend the Height of Building Maps to increase the building height partially to 28 m and partially to 38.5 m ( Figure 4);

To amend the Floor Space Ratio Map to provide an FSR of 2:1. The objectives and intended outcomes of the planning proposal will be achieved by amending the Height of Building Map and Floor Space ratio Map (Figure 3).

A draft Height of Building and a draft Floor Space ratio map is identified below.



Figure 4: Proposed Height of buildings map

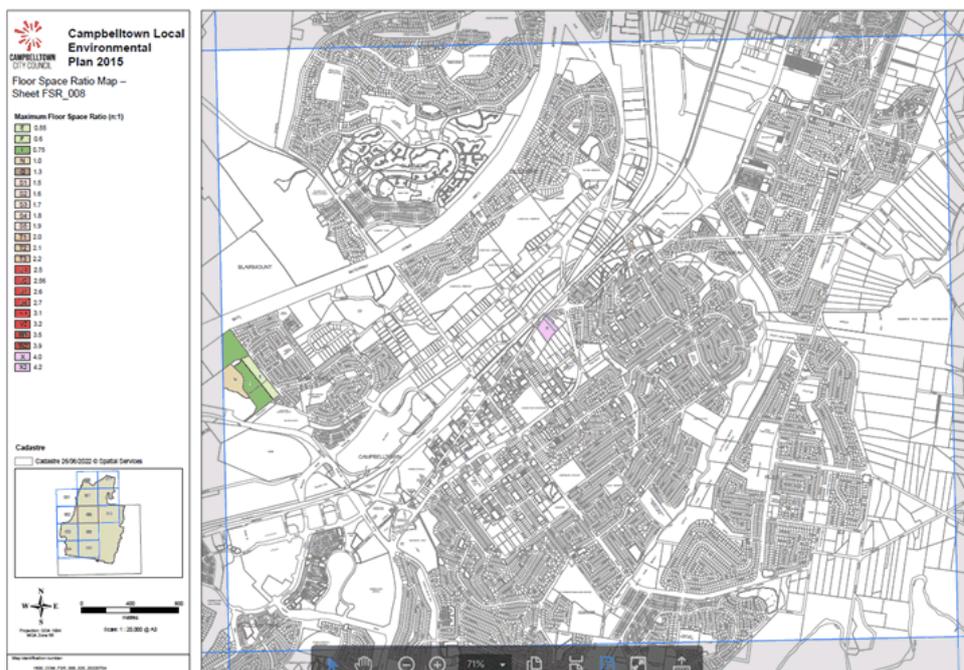


Figure 5: Floor space ratio map

**Part 3 – Justification**

**Section A – Need for the planning proposal**

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

The Planning Proposal is not a direct result of any strategic study or report, however is consistent with key strategies including the Greater Sydney Region Plan, Western City District Plan and the Glenfield to Macarthur Urban Renewal Corridor Strategy.

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

Yes.

The Planning Proposal is the best way to achieve the intended outcomes and objectives. Proceeding with a stand-alone planning proposal is considered appropriate in this instance and will assist in the delivery of the Leumeah Precinct Plan in the Glenfield to Macarthur Urban Renewal Corridor Strategy.

**Section B – Relationship to strategic planning framework****3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes.

The Planning Proposal is consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan.

**Greater Sydney Region Plan**

The Plan provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of three 30 minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

The Planning Proposal is considered to be consistent with the Greater Sydney Region Plan as it aims to provide a local centre with a mixed use centre comprising of retail and residential with a sports and entertainment precinct in the greater locality.

**Western City District Plan**

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan.

Leumeah is part of the Campbelltown-Macarthur metropolitan cluster identified within the Western City District Plan. Its location has been identified as providing the metropolitan functions within the Macarthur region including concentration of jobs, a wide range of goods and services, entertainment, leisure and recreational activities. Campbelltown-Macarthur has been identified as a Collaboration Area which is led by the Greater Sydney Commission to support growth and change, deliver improved outcomes and address complex issues that require cross stakeholder solutions. The Campbelltown-Macarthur Place Strategy is a key outcome of the Collaboration Area and has been prepared in alignment with the Reimagining Campbelltown City Centre Master Plan. As such the PP is considered to align with the Campbelltown Macarthur Place Strategy.

**Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) establishes a high level strategic planning framework to guide future housing, employment opportunities and infrastructure delivery along the Campbelltown rail corridor, forming part of the Greater Macarthur Priority Growth Area.

The subject site is within the area covered by the Leumeah Precinct Plan, being one of the seven train station precincts identified under the Corridor Strategy. The Leumeah Precinct Plan provides the vision for the future development of the city centre having regard to the long term housing and employment needs for the area until 2036. As part of the desired future character and built form, the subject site is identified under the Precinct Plan for mixed use retail and residential as described below:

“This area could accommodate a mix of retail and residential uses that would complement the character of the local area. Buildings would have ground floor retail that would provide local services for residents and commuters, with apartments above ranging from 7+ storeys in height. Detailed planning would be required to identify appropriate height and built form outcomes.”

The PP is broadly consistent with this vision in that it proposes a mix of retail and residential uses and building heights above seven storeys. The required detailed planning work referred to in the Precinct Plan has been undertaken by Council through the Reimagining Campbelltown City Centre Master Plan (which includes the central parts of Leumeah including the subject site). An assessment of the PP against the Master Plan can be found in the Report to Council dated 9 August 2022.

The Leumeah Precinct Plan identifies the need for regional cycle routes and pedestrian connections within the precinct, and the PP responds to this identified need via making provision for a through site link to facilitate pedestrian access to Leumeah Station. The urban design report also identifies a green pedestrian link over the existing concrete lined drainage channel for Smiths Creek, which is consistent with the Leumeah Precinct Plan.

The Leumeah Precinct Plan identifies a proposed ‘green link’ connection between the corner of O’Sullivan Road and Pembroke road headed in a diagonal direction, over the subject site, towards Leumeah Station. The proposed through site pedestrian link proposed within the urban design analysis is generally consistent with the connection path shown on the map. The through site link is required to be ‘followed through’ on adjoining properties to ensure connection to Leumeah Station, which do not form part of this PP. While the site through link is not proposed to be supported by a zoning amendment to the CLEP 2015 it is proposed that it be included in a site specific DCP.

#### **4. Is the planning proposal consistent with a council’s local strategy or other local strategic plan?**

##### **Campbelltown Community Strategic Plan 2032**

Campbelltown Community Strategic Plan 2032 (CSP) is Council’s highest level strategic plan, and outlines the strategic direction of Council for a 10 year period based on the feedback of the local community and research on successful and resilient communities.

The purpose of the CSP is to identify the community’s main priorities and aspirations for the future and to plan an approach to achieve these goals. The CSP has been structured to address key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and belonging
- Outcome 2: Places for people
- Outcome 3: Enriched natural environment
- Outcome 4: Economic prosperity
- Outcome 5: Strong leadership

These outcomes will be achieved through the implementation of strategies identified within the CSP. The following strategies are considered the most relevant in the consideration of this PP:

- 2.1.1 – Provide public places and facilities that are accessible, safe, shaded and attractive
- 2.2.1 – Ensure transport networks are integrated, safe and meet the needs of all people.
- 2.3.1 – Ensure all people in Campbelltown have access to safe, secure, and affordable housing
- 3.1.2 – Ensure urban development is considerate of the natural environment
- 4.1.1 – Provide high quality and diverse local job opportunities for all residents
- 4.2.1 – Support the growth, productivity and diversity of the local economy
- 5.1.1 – Increase opportunities for the community to engage and collaborate with Council and key delivery partners

The PP is considered to be broadly consistent with the above strategies.

**Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March, 2020. All planning proposals are now required to demonstrate consistency with the LSPS.

A number of actions within the LSPS are relevant to the proposal, and an assessment of the PPR against these actions is contained in the table below.

Action	Assessment of Proposal against action
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas	The redevelopment scenario proposes a through-site link with landscaped public open space as well as a private open space area on Level 1 for the future residents of the dwelling.
1.17 Ensure open space is well connected via pedestrian and cycle links	As above
10.10 Investigate opportunities to enhance commercial amenity and ongoing economic viability through improvements to walking, cycling and public transport accessibility to create stronger centres	The PP is proposing commercial space on the ground floor including the retention of Leumeah Hotel which will contribute to economic growth and employment opportunities.
13.1 Plan and implement local infrastructure that enables our growing population to use alternative methods of transport, such as walking and cycling, to move quickly and easily around the city, to connect to public transport and assist in easing traffic congestion	The site is within close proximity to the train station which provides access to public transport as well as being located across the road from Smiths Creek Reserve.

<p>2.5 Contain urban development to existing urban areas and within identified growth and urban investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area</p>	<p>The PP seeks to increase residential density within urban land and would therefore help meet the dwelling targets, thus relieving development pressure on scenic lands, environmentally sensitive lands and the Metropolitan Rural Area and help protect their functions.</p>
<p>2.12 Promote housing diversity through local planning controls and initiatives</p>	<p>The proposal is generally consistent with this action, given that it proposes higher density housing.</p>
<p>2.15 Ensure that sufficient, quality and accessible open space is provided for new urban areas</p> <p>2.16 Ensure that quality embellishment for passive and active recreation is provided to new and existing open space to service new residential development and redevelopment of existing urban areas</p> <p>2.17 Ensure open space is provided where it will experience maximum usage by residents, with maximum frontage to public streets and minimal impediments</p> <p>6.25 Work towards residents being a maximum of 400 m from quality open space</p>	<p>There is a short supply of embellished public open space within Leumeah and there may be opportunity to upgrade and enhance the public open space and walkways within Smith Creek Open space, which is located within a walking distance from the site.</p>
<p>7.11 Identify appropriate building heights through design requirements to ensure that solar access is not restricted in open space areas adjoining multi-storey developments</p>	<p>There are no open space areas adjoining the subject site that would be affected by overshadowing.</p>
<p>9.8 Promote the development and intensification of Campbelltown's existing agglomerations to boost productivity and competitive edge</p>	<p>The subject site is located within a business zone that provides economic and employment opportunities. The PP will maintain this by providing a mix of commercial and residential areas in an accessible area.</p>
<p>10.5 Continue to recognise the dynamic and evolving nature of centres, their ability to</p>	<p>Should the PP be progressed, it would result in the intensification of the precinct including</p>

<p>become activated and integrated mixed use hubs which are highly productive and liveable places, and the potential of large and existing retail providers to offer local employment</p> <p>10.15 Continue to recognise and plan for a range of retail uses within centres, and enable appropriate retail growth in centres that have the capacity and demand to accommodate additional retail growth</p>	<p>the provision of additional retail uses within close proximity to public transport. This would increase activity in this location and would result in a more efficient and productive use of this land by intensifying economic activity on the site and introducing a large number of new residents to Leumeah.</p>
<p>10.22 Implement the Reimagining Campbelltown Phase 2 Master Plan and associated initiatives</p>	<p>An assessment of the PP against the Reimagining Campbelltown Phase 2 Master Plan is found below. The PP is considered to be generally consistent with the Master Plan, and the PP would assist in the achievement of the strategic growth pillars and commitments.</p>

**Reimagining Campbelltown City Centre Master Plan**

The Reimagining Campbelltown project commenced in late 2017. Phase 1 outlined the vision for the future of the Campbelltown, Macarthur and Leumeah stating that the economy and built form of these centres will need significant re-structuring to ensure that projected population growth can be accommodated across the Western Parkland City by 2036. This vision formed the basis of the Reimagining Campbelltown City Centre Master Plan.

At its meeting on 14 April 2020, Campbelltown City Council resolved to endorse and exhibit Reimagining (Phase 2)- Campbelltown City Centre Master Plan 2020. The Plan was publicly exhibited until July 2020. Council considered submissions made during exhibition at its meeting on 13 October, 2020 and adopted the master plan in the form it was exhibited with only minor changes.

The vision for the plan is to elevate the Campbelltown City Centre (which includes the parts of Leumeah near the Leumeah Railway Station) to the status of a Metropolitan CBD, a leading centre of health services, medical research and tech-related activity that will be achieved through ambition, innovation and opportunity.

The vision for Reimagining Campbelltown City Centre is underpinned by a Place Framework. Comprising six strategic growth pillars and 25 commitments, it is the enduring decision-making framework to guide growth and investment for a more prosperous future. The 6 strategic growth pillars comprise the following:

1. Confident and Self Driven
2. Connected Place
3. Centre of Opportunity
4. No Grey to be Seen

5. City and Bush
6. The Good Life

An assessment of the PP has been undertaken against the 6 strategic growth pillars and corresponding 25 commitments for growing the Campbelltown City Centre. Whilst the PPR is broadly consistent with a number of pillars and commitments, the assessment below focuses on those that are of particular relevance to the PP.

A key component of the Master Plan is the development of a central precinct in Leumeah. The Master Plan provides a vision for Leumeah to be an integrated sports and entertainment precinct and will accommodate a significant amount of housing and employment opportunities for the Campbelltown LGA. The Master Plan describes the area as a 'city in a valley' and in this regard the building design will need to respect and respond to the natural landscape and maintain views from surrounding hills. In order to do this, varying building heights will provide a varied skyline.

The Master Plan has identified the site being suitable for high density mixed used development given its close proximity to the train station and sports and entertainment precinct. The key elements in the Master Plan for Leumeah include the following:

- Urban Village: A mixed use cluster that will include residential and commercial space and as such will be the heart of activity and services for the local community.
- Mixed Housing for All: Leumeah will provide a range of housing choice and affordability catering for the needs of the community and future population growth.
- Great Connectivity: Leumeah features 2 major green connections that hold cultural significance to the Dharawal people, provide the community with immediate access to major natural assets and parklands.
- Green Heart: the Bow Bowing creek and its surrounds is the green heart which offers open space for passive and active recreation activity.
- Leumeah Live: Leumeah Live is a vibrant sports and entertainment precinct anchored by Campbelltown Stadium and co-located with other regional sporting facilities and venues. As a major event precinct, it will include uses such as short-term accommodation, hotels, food and beverage options as well as some commercial space.
- People Place: A focus on reducing car dependency.

While the PP is not proposing to alter the existing zone of B2 Local Centres, it is aiming to increase the residential yield of the site by increasing the current building height from 12 m to 28 m and 38.5 m.

The PP, in principle, aligns with the above key elements in the Master plan as it would provide a mixed use high-density development within the Leumeah Centre that provides a connection to Leumeah Train Station and the sports and entertainment precinct and is considered to reflect the elements of a 'city in a valley' theme. It provides open space with the through-site link and landscaped public open space areas.

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

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.

<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP 65 – Design Quality of Residential Apartment Development	The planning proposal is not inconsistent with the SEPP. Residential apartment development is proposed as part of this Planning Proposal with a detailed assessment against the SEPP undertaken at the development application stage. The site is zoned B2 – Local Centre where shop top housing is permissible with development consent.
SEPP (Biodiversity and Conservation) 2021	The planning proposal is not inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal
SEPP (Housing) 2021	The proposal is consistent with the SEPP. Any future development on the site may incorporate housing types identified in the SEPP which would be considered in conjunction with the SEPP.
SEPP (Industry and Employment) 2021	Any future development for signage for the retail component of the proposal would be considered in future development applications.
SEPP (Planning Systems) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not propose any state significant infrastructure or development on Aboriginal land.
SEPP (Precincts – Eastern Harbour City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Western Parkland City) 2021	The planning proposal is consistent with the SEPP.
SEPP (Precincts – Central River City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Regional SEPP)	Not relevant to the Proposal.
SEPP (Primary Production) 2021	Not relevant to the Proposal.
SEPP (Resilience and Hazards) 2021	There is no history of contamination of the subject site. Notwithstanding, future development of the site would address the requirements of the SEPP.
SEPP (Resources and Energy) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not seek to undertake any extractive industries or mining.

SEPP (Transport and Infrastructure) 2021	The Planning Proposal was referred to TfNSW due to proposed access via Pembroke Road. A number of issues were raised by TfNSW including that no access would be allowed via Pembroke Road with all access to the site needing to be via O'Sullivan's Road.
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**6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table provides a brief assessment of consistency against each section 9.1 direction.

Consideration of s9.1 Directions	Comment
<b>Focus Area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	The planning proposal is not inconsistent with this Direction. The planning proposal would provide flexibility in the height of future buildings on the site and would provide a mixed use development comprising of a retail/hotel component and residential apartments.
1.2 Development of Aboriginal Land Council land	The planning proposal does not involve State or Regional development and is not on Aboriginal Land Council land.
1.3 Approval and Referral Requirements	The planning proposal was referred to TfNSW for comment given that it proposed access via Pembroke Road. Comments were received with most of the issues raised able to be dealt with when a future development application is lodged with Council.
1.4 Site Specific Provisions	The proposal requires a floor space ratio map and a height of buildings map for the subject site.
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not relevant to the Proposal.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not relevant to the Proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the Proposal.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the Proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The proposal is consistent with this Direction as the subject site is proposed to be a mixed use retail and residential zone with the proposed planning proposal consistent with

	this proposed zone. It also proposes active street frontages along O'Sullivan Road which will be accommodated for within the planning proposal as well as future development applications.
1.10 Implementation of Western Sydney Aerotropolis Plan	The proposal is not inconsistent with the Plan.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not relevant to the Proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not relevant to the Proposal
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant to the Proposal.
1.14 Implementation of Greater Macarthur 2040	The planning proposal is consistent with the Plan as it provides mixed use retail and residential in close proximity to the train station and does not impact on any future redevelopment of Campbelltown Sport Stadium as a sports and entertainment precinct.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not relevant to the Proposal.
1.16 North West Rail Link Corridor Strategy	Not relevant to the Proposal.
1.17 Implementation of the Bays West Place Strategy	Not relevant to the Proposal.
<b>Focus Area 2</b>	
Design and Place	Not relevant to the Proposal.
<b>Focus Area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zones	Not relevant to the Proposal.
3.2 Heritage Conservation	Not relevant to the Proposal.
3.3 Sydney Drinking Water Catchments	Not relevant to the Proposal.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	Not relevant to the Proposal.
3.5 Recreation Vehicle Areas	Not relevant to the Proposal.
<b>Focus Area 4: Resilience and Hazards</b>	
4.1 Flooding	<p>This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. While the PPR is not proposing to alter the existing zone of B2 Local Centres, it is aiming to increase the residential yield of the site by increasing the current building height from 12 m to 28 m and 38.5 m.</p> <p>The subject site is partially flood affected. The flood area is located on the eastern boundary.</p>

	<p>The PPR is not supported by sufficient information and justification in relation to the flood issue and additional information has been sought from the applicant.</p> <p>Given that only a very small portion of the site is flood affected, and subject to further analysis, it is envisaged that the inconsistency with this direction is of minor nature.</p>
4.2 Coastal Management	Not relevant to the Proposal.
4.3 Planning for Bushfire Protection	Not relevant to the Proposal.
4.4 Remediation of Contaminated Land	This has been addressed in the report.
4.5 Acid Sulfate Soils	Not relevant to the Proposal.
4.6 Mine Subsidence and Unstable Land	Not relevant to the Proposal.
<b>Focus Area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	<p>Consistent.</p> <p>The subject site is within 400 m of Leumeah Train Station and other forms of services such as buses which can provide access to jobs and amenities.</p>
5.2 Reserving Land for Public Purposes	Not relevant to the Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	Not relevant to the Proposal.
5.4 Shooting Ranges	Not relevant to the Proposal.
<b>Focus Area 6: Housing</b>	
6.1 Residential Zones	<p>Consistent.</p> <p>The subject site is not located within a residential zone, although shop-top housing is a form of housing which is permissible within the Local Centre zone. The proposal is consistent with this Direction as additional dwellings would be in close proximity to existing infrastructure and services and would provide for existing and future housing needs of the local area.</p>
6.2 Caravan Parks and Manufactured Home Estates	Not relevant to the Proposal.
<b>Focus Area 7: Industry and Employment</b>	
7.1 Business and Industrial Zones	<p>The proposal is consistent with this Direction as the proposal will incorporate the existing hotel and provide additional commercial/retail floor space.</p> <p>The proposed amendment would increase the potential uses for the site in accordance with the B2 – Local Centre zoning.</p>

7.2 Reduction in non-hosted short-term rental accommodation period	Not relevant to the Proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant to the Proposal.
<b>Focus Area 8: Resources and Energy</b>	
8.1 Mining, Petroleum and Extractive Industries	Not relevant to the Proposal.
<b>Focus Area 9: Primary Production</b>	
9.1 Rural Zones	Not relevant to the Proposal.
9.2 Rural Lands	Not relevant to the Proposal.
9.3 Oyster Aquaculture	Not relevant to the Proposal.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	Not relevant to the Proposal.

**Section C – Environmental, social and economic impact**

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

No.

There is no critical habitat or threatened species, populations’ or ecological communities or habitat located on the site.

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

No.

It is anticipated that there would be no environmental effects as a result of the planning proposal. The proposal does not seek to amend the zoning of the site. The planning proposal seeks to increase the maximum permissible height of buildings for the site and limit development by including a maximum floor space ratio.

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

Yes.

While the Planning Proposal has not been supported by a social or economic assessment, it is anticipated that the planning proposal will not result on any negative impacts on social and economic matters.

The proposal will have social benefits, as it will provide more housing within close proximity to the railway line. It will also increase population within Leumeah Centre which will help the businesses within the Centre.

The proposal will also kick start the revitalisation of Leumeah Centre by facilitating the redevelopment of the site and potentially facilitate the provision of high standard public open spaces to all residents and the general public.

**Section D – State and Commonwealth Interests**

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

No.

The planning proposal may result in a need for additional public infrastructure and may impose additional demands on local infrastructure, public or community services. The site is located in close proximity to existing bus and train services.

This matter will be further confirmed, once the revised traffic study is prepared as there may be a need to upgrade some of the roads within the locality, in particular the roundabout at Pembroke and O’Sullivan Road.

There may be some additional matters in relation to infrastructure upgrades that may be raised as a result of the public exhibition and consultation with public authorities.

In addition, there is also a need for additional passive open space as Leumeah Centre. Potentially Smith’s Creek open space area, which is adjacent to the site can be upgraded to provide for the need of the future residents.

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

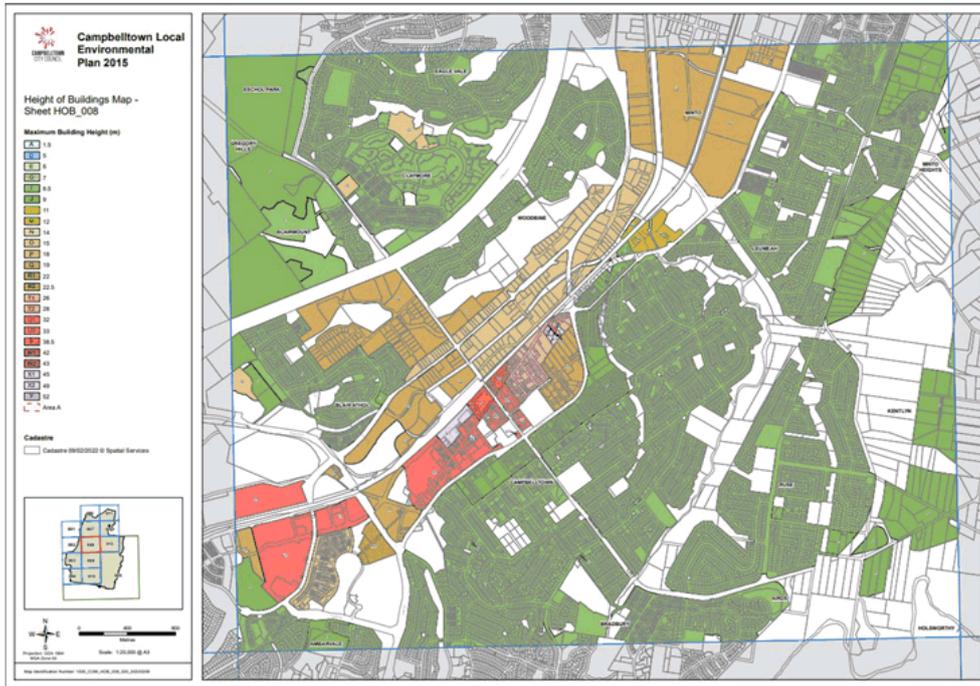
Consultation will occur with any public authorities identified in the Gateway Determination.

**Part 4 – Mapping**

The Planning Proposal seeks to amend the Floor Space Ratio map and the Maximum Height of Buildings map in CLEP 2015 as proposed below.

<b>Map</b>	<b>No</b>	<b>Requested Amendment</b>
Height of Buildings	HOB_008 Date 18 February 2022	Amend by providing a height limit of 28m and 38.5 m.
Floor Space Ratio	FSR_008 Date 30 June 2021	Amend by providing a floor space ratio of 2:1

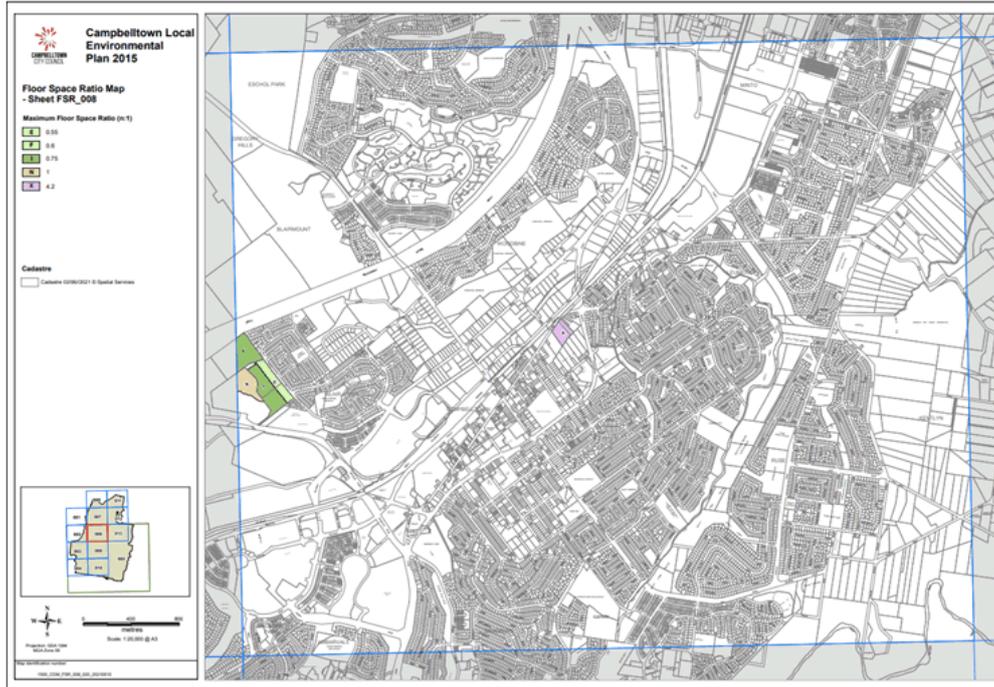
### Current Map Height of Building Map



### Proposed Height of Building Map



### Current Floor Space Ratio Map



### Proposed Floor Space Ratio Map



The current and proposed maps are attached to this proposal.

**Part 5 – Community consultation**

The LEP Making Guideline 2021 provides four categories for planning proposals.

This planning proposal is considered to be a standard planning proposal as it aligns with the standard criteria under the LEP Making Guideline as shown in the table below:

Criteria	Comments
To change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone	The PP does not include an amendment to the current B2 Local Centre Zone under the CLEP 2015
That relates to altering the principal development standards of the LEP	The PP includes an amendment to building height and introduces an FSR of 2:1
That relates to the addition of a permissible land use or uses and/or any conditional arrangements under Schedule 1 Additional Permitted Uses of the LEP	N/A
That is consistent with an endorsed District/Regional Strategic Plan and/or LSPS	The planning proposal is considered consistent with the LSPS and the regional and district plans – refer to the relevant section under this PP for more information
Relating to classification or reclassification of public land through the LEP	NA

In accordance with ‘the local environmental plan making guideline’ prepared by the Department of Planning and Environment (2021), the proposal is considered to be a standard local environmental plan and accordingly the proposal will be publicly exhibited for 20 working days including the following:

An advertisement placed in any local paper in publication at the time of exhibition (potentially including the Macarthur Chronicle and Campbelltown – Macarthur Advertiser) identifying the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

The Planning Proposal is to be exhibited on Council’s website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)). Council’s libraries also have access to the website.

The planning proposal will also be made available on the NSW Planning Portal website ([www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au)).

Letters will be sent to adjoining owners and all other owners within 100 m of the subject land.

**Part 6 – Key Issues**

**6.1 Building Height**

The main purpose of the proponents PPR is to increase the building height of the site from 12 m to part 55 m and part 43 m.

The Campbelltown Local Planning Panel considered that:

- The proposed heights of 55 m and 43 m are significantly higher than that which would ordinarily be anticipated for an urban village
- The height of the proposal having regard to the hierarchy of centres detailed in the Reimagining Campbelltown City Centre Master Plan which places Leumeah's status as subservient to the main centre of Campbelltown;
- The need to transition the scale down towards the existing residential development on the opposite side of adjacent roads.

The current maximum 12 m building height (3-4 storey) for the site is considered too low and not in keeping with the Leumeah Precinct Plan in the Glenfield to Macarthur Urban Renewal Corridor Strategy. Currently, the tallest building in Leumeah Centre is an 8 story mixed use development. This existing building has maintained the human scale and issues of traffic and overshadowing have readily been addressed.

To determine an appropriate and suitable building height for this site, the following in-house detailed assessment has been undertaken:

1. Assessment against Reimagining Campbelltown City Master Plan including centres' hierarchies
2. Analysis of the RLs within the Campbelltown CBD from key points and sites.
3. Overshadowing on adjoining low density residential properties

#### **Assessment against Reimagining Campbelltown City Centre including centres' hierarchies**

The Campbelltown City Centre Master Plan 2020 in relation to Leumeah Centre states:

...the urban village will be the heart of activity and services for the local community. As a mixed-use cluster, the village will include retail convenience, day and night dining options, as well as health and wellbeing services.

The reference to Urban Village within the Reimagining Campbelltown City Centre Master Plan provides a strong indication of the sense of place that is desired to be created at Leumeah. While the term Urban Village is not defined within the master plan documentation nor within the legislative context of the NSW planning system, it is widely known that an urban village aims to create a sustainable community (similar to a village) while also has the required density of urban areas. Urban villages maintain human scale and have lots of emphasis on activation at ground levels. There is no clear set of rules on the maximum building heights that should occur within an Urban Village, however the proposed building heights of 55 m and 43 m are significantly higher than what is envisaged by an urban village theme.

The Reimagining Campbelltown City Centre Master Plan does not stipulate the desired maximum building heights within Leumeah Centre. It provides a context that includes hierarchy of building heights that shows where the greatest building height within Campbelltown and Leumeah Centres should occur. Within this context, the master plan clearly indicates that Campbelltown CBD should have the highest buildings to reflect its main CBD status.

The maximum building height that has been endorsed by Council and is in effect within the Campbelltown CBD is for the former Factory Direct Outlet site (the DFO site) at 22-32 Queen Street and is at 52 m. Ideally, and according to the building height Map under the Reimagining Campbelltown City Centre Master Plan, the DFO site should have had a building height that is lower than sites within Leumeah Centre. Importantly, the height for this site was endorsed by Council, prior to the adoption of Reimagining Campbelltown City Centre Master Plan, and the Plan clearly provides the following important note:

NOTE: all planning proposals that had progressed to Gateway Determination prior to the start of Reimagining Campbelltown City Centre were assessed on merit at the time, and cannot be used to determine height relativities of future proposals, or as a justification for the heights of future buildings.

It is anticipated that greater building heights will be endorsed closer to the Campbelltown Station and at the heart of the Campbelltown CBD.

As an outcome of the above assessment, the 55 m proposed by the PPR need is proposed to be reduced to 38.5 m and the 43 m proposed by the PPR is proposed to be reduced to 28 m to better align with the urban village theme and the centres' hierarchy within the Campbelltown LGA.

**Analysis of the RLs within the Campbelltown CBD from key points and sites.**

Detailed analysis of the RLs within Campbelltown and Leumeah Centres has been undertaken by Council staff to investigate the potential impacts of the requested building height of 55 m on the skyline and the views as it relates to certain locations with the immediate surrounding of the site.

The site itself sits at RL of 58 m (in the part of the site fronting O'Sullivan Road) and at 55 RL (at the back east west corner of the site). The analysis shows that a 55 m tower on this site will excessively intrude into the skyline of Leumeah. It is clear that any building on this site should have a maximum RL of less than a 100.

To better understand the visual impact of the proposed building height by the applicant within the context of the Campbelltown LGA a further comparison of some of the most prominent sites and buildings within Campbelltown LGA is presented in the table below:

Location	Site RL at ground level	Top of Building RL /	Building height in metres /number	No of Storeys
Campbelltown Hospital	83.2	135.6	52.4 m	12
22-32 Queen street	68	120*	52*	17*
541 Pembroke Road, LEUMEAH NSW 2560 (Leumeah 7-8 storey mixed use retail/residential apartments) at the corner of Pembroke Road and Old Leumeah Road	60	81.3	20.3	8
Intersection of Campbelltown Road and Rose Payten Drive	62	-	-	-
Apartment building corner of Queen and Broughton streets		104.4	33.98	10

Roundabout Badgally Road and Glenroy Drive	98	-		
Centenary Park and Lookout	126	-	-	-
95 Badgally Road, BLAIRMOUNT NSW 2559	126	132		
Kanbyugal Reserve , Woodbine	100	-	-	-
Payten Reserve	87	-	-	-
Intersection of Campbelltown Road and Plough Inn Road	56			
Applicant's PPR	58	<b>113</b>	55	18
Council's PP	58	<b>96.5</b>	38.5	12
*Proposed and not built yet				

The top of Campbelltown Hospital sits at 135.6RL and currently, presents the highest RL within Campbelltown skyline.

The applicant's PPR of 55 m will result of an RL of 113, which would be 53 m higher than the RL of the intersection of Campbelltown Road and Plough Inn Road as you enter Campbelltown. As such the proposed 55 m Tower would be highly visible when entering Campbelltown and would therefore potentially detract from Campbelltown as the main CBD for the LGA.

The above analysis indicates that an RL for the top of any building should be lower than 100RL so as to ensure centre hierarchy is maintained and the skylines as you enter Campbelltown are not highly impacted by the redevelopment of this site.

**Overshadowing on adjoining low density residential properties**

Council staff have used 3D software to analyse and understand the impacts of the proposed building heights on surrounding properties. A reduced building height of 38.5 m and 28 m will ensure that all adjoining properties will have solar access that is above the minimum industry standard of 3 hours solar access on 21 June.

The above analysis (points 1-3) has informed the proposed revised building height of 38.5 m and 28 m for the site. It is considered this will:

1. Ensure that Leumeah Town Centre evolves into an 'urban village' centre to maintain human scale and centre's hierarchy
2. Have lesser impact on overshadowing on the low and medium density residential properties surrounding the site.
3. Still provide for higher densities within walking distance from the railway station
4. Maintain views and provide for acceptable visual impacts on the surrounding landscape and reserves
5. Not significantly intrude in the skyline of Campbelltown as people enter the city from Campbelltown Road.

**6.2 Traffic and Access**

A Traffic Assessment Report prepared by Traffix, Traffic and Transport Planners has been submitted in support of the proposal. The Traffic Assessment Report provides an assessment on

car parking requirements, traffic and transport impacts and access and internal design requirements.

The report concluded the number of parking spaces proposed (albeit in a conceptual way) would be sufficient to cater for the proposal however a further assessment would be required for the lodgement of a development application for any future redevelopment on the site.

Traffic generation was modelled in SIDRA which identified that all intersections would operate with spare capacity with minor increases in the average delay. The vehicular access and internal design would all be designed in accordance with the relevant Australian Standards and would be assessed at the development application stage.

The PPR was referred to Council's Traffic Engineers for an assessment of the proposal and the following comments were raised:

1. No access shall be allowed from Pembroke Road (state road) for the following reasons:
  - Flood water will enter the loading area and basement in 1 per cent AEP flood event which is not acceptable.
  - It's highly likely that TfNSW will not support direct access to/from Pembroke Road.
2. The adopted low values of peak hour trip generation (for hotel, retail and apartment) may be attributed due to the closeness to the train station however the low values need to be supported by evidence. The traffic report is silent about the source of the data.
3. Insufficient detail has been provided about the nature of the hotel being proposed as it affects the trip generation and parking rates.
4. The low PM peak hour trip generation of 111 vehicles per hour is at odds with the provision of 320 off-street parking as the peak hour trip is closely related with the number of vehicles parked on site.
5. The submitted traffic report states that the intersection of O'Sullivan Road and Pembroke operates at LOS of A and B in peak hour AM and PM respectively, however, items numbers 3 and 4 above may impact the actual LOS. In addition, future scenario modelling of the 10 year design horizon has not been provided.

The PPR was referred to TfNSW for review and the following comments were provided that are required to be addressed prior to the approval of the PP:

- All site access be provided from the local road network i.e. from O'Sullivan Road. Given that a safe and practicable access to the site is available from O'Sullivan Road, TfNSW reiterates that it is not supportive of maintaining access from Pembroke Road. TfNSW requires that the proposal be amended to enable all site access from O'Sullivan Road prior to the finalisation of the plan. It should be noted that TfNSW will require existing vehicular access on Pembroke Road to be closed off and road reserve reinstated to the satisfaction of TfNSW at full cost to developer/s as part of the future development application/s.

- TfNSW advises that strategic investigations for the duplication of Pembroke Road corridor have been undertaken, however there is currently no funding allocated to develop the proposal further. The duplication is anticipated to affect existing vehicular access, and associated deceleration lane, to the site.
- It is unclear whether there is any Easement for Access (Right of Carriageway) at existing vehicular access on Pembroke Road which benefits adjoining land parcels. If so, the proposed site access on O'Sullivan Road should include such easements benefitting adjoining land parcel/s in consultation with affected land owners. This is to ensure that any adjoining land parcel/s, especially Lot: 101 DP: 1126056 with a frontage on Pembroke Road, which may be a current beneficiary to any such easement do not rely on access from Pembroke Road in the future.
- TfNSW advises that there is a plan to upgrade the roundabout of Pembroke Road, Rudd Road and O'Sullivan Road into a signalised intersection. However, this investigation is strategic in nature and there is currently no funding allocated to develop the proposal further.
- The northern approach of O'Sullivan Road at the Pembroke Road/Rudd Road roundabout currently has a pedestrian refuge. The indicative reference scheme appears to replace the refuge with a marked pedestrian (zebra) crossing. TfNSW advises that installing a marked pedestrian (zebra) crossing in close proximity to the roundabout could adversely affect its operation and could lead to potential road safety issues. Furthermore, the TIA report does not provide information on whether warrants for a marked pedestrian (zebra) crossing are met at this location. Given the above, TfNSW is not supportive of a marked pedestrian (zebra) crossing at this location.
- The indicative reference scheme appears to propose a marked pedestrian (zebra) crossing along proposed Green Pedestrian Link across Pembroke Road at the Smiths Creek bridge. It is noted that guardrails are currently provided on both sides of the bridge to maintain road safety. Given that there is a plan to upgrade the Pembroke Road/ Rudd Road/O'Sullivan Road roundabout to a signalised intersection in the future, TfNSW is not supportive of a marked pedestrian (zebra) crossing or a midblock signalised crossing on Pembroke Road at the location due to close proximity.
- The indicative reference scheme appears to show a driveway crossover on Pembroke Road immediately west of the Smiths Creek bridge. The driveway crossover appears to provide access to the adjoining land parcel (Lot: 101 DP: 1126056). It is highlighted that there is currently no driveway crossover at this location. TfNSW is unlikely to support a new access to Lot: 101 DP: 1126056 from Pembroke Road should it be a beneficiary of an Easement for Access (Right of Carriageway) on adjoining land parcel/s which would enable access from the local road network i.e. O'Sullivan Road.
- TfNSW considers that traffic surveys conducted in June 2021 are unlikely to be a true reflection of typical traffic conditions at the three modelled intersections, due to a general reduction in commuter trips during peak hours associated with temporary COVID-19 work-from-home arrangements. TfNSW advises that the Traffic Impact Assessment report should utilise available historical traffic survey data, say from 2018/19, to update intersection modelling. The historical traffic survey data may be available with Council or private traffic survey companies (at cost).
- TfNSW considers that the Existing Scenario (Base) modelling results do not reflect typical traffic conditions observed on site. The Existing Scenario (Base) model should be calibrated

to reflect existing traffic conditions, including queue lengths, prior to progressing with modelling the Future Scenario (with development).

- While TfNSW has not reviewed SIDRA modelling files (.sip), based on the review of the Traffic Impact Assessment report, it appears that the 3 affected intersections may have been modelled as isolated intersections. Given the proximity of 3 modelled intersections, and considering observed traffic queue lengths on Pembroke Road, these intersections should be modelled as 'Networked' intersections rather than 'Isolated' intersections, if not already undertaken.
- While TfNSW has not reviewed SIDRA modelling files (.sip), if not already undertaken, the two signalised intersections should be modelled using key operational features (cycle time, phasing, etc.) that can be obtained from SCATS data sourced from TfNSW (at cost).
- The Traffic Impact Assessment report does not confirm the assessment year of the Existing and Future (with development) intersection performance results provided. Given that the traffic surveys have been undertaken in 2021, it is likely that the assessment year would be 2021. TfNSW however requests clarification in this regard.
- TfNSW highlights that it is not appropriate to undertake intersection assessment assuming 100 per cent development will be implemented in 2021 given that the development is still at the planning proposal stage. TfNSW advises that a reasonable delivery timeframe for the 100 per cent development should be adopted and modelled. A +10 year horizon assessment/modelling should then be conducted based on the 100 per cent development delivery timeframe to demonstrate that the development will not utilise spare capacity at the intersections and therefore will not bring forward future upgrades.
- The TIA report, including SIDRA intersection modelling files (.sip), should be updated to address above comments and submitted to TfNSW for further review and comment prior to the finalisation of the plan.
- The indicative reference scheme proposes provision of 320 car parking spaces for the proposal. Given the site's good accessibility to public and active transport, TfNSW is supportive of measures to reduce private vehicle use including reduced maximum parking provision rates for the site within the LEP.
- DPIE is currently undertaking employment zone reform, which proposes to fold the B1 Neighbourhood Centre zone in with the B2 Local Centre zone to create an E1 Local Centre zone, with a broader array of mandated permissible uses than currently occurs in the B1 zones. It is recommended that the impact of this reform is taken into account in terms of potential uses and transport impacts.
- The proposal should include a transport infrastructure schedule and implementation plan identifying infrastructure improvements including land components, cost, timing and delivery responsibilities, funding mechanisms (to ensure equitable developer contributions towards infrastructure are obtained) and travel demand management and monitoring measures.

The applicant will need to provide additional information in regards to traffic and access to address the above matters, prior to Council requesting a Gateway Determination. Delaying the update of the traffic study has ensured that the traffic study will be updated in relation to the endorsed building height determined by Council.

### 6.3 Flooding

The subject site is partially flood affected. The flood area is located on the eastern boundary of the site. The planning proposal justification report has not addressed flooding. The depth of flood waters in the 1:100 event are a maximum depth of approximately 500 mm. Council's Engineers have reviewed the proposal and the following is a summary of their comments:

1. The subject site is a Flood Control Lot with respect to 1 per cent Annual Exceedance Probability (AEP) flood due to flooding from Smith's Creek traversing the property.

A Flood Control Lot is defined in the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 - REG 1.5 as "a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing)".

Currently, floodwater from Smith's Creek breaks out from the channel bank due to the restriction of the culvert under Pembroke Road and enters lots 101 and 201 (refer to flood map below). It is possible; subject to future flood modelling by the applicant, to remove the whole flooding affectation from the subject site for the 1 per cent AEP event depending upon future design. In this regard, it is suggested that the applicant consult with the owners of the neighbouring lots to come up with a coordinated design approach.

Most of the subject site is outside of the flood planning area. It is possible to submit a development application for the site in a manner that does not increase the risk from, or impact of flooding. Flooding related development controls are able to be readily prepared for the subject site. The design of an appropriate barrier along or adjacent to the eastern boundary of the land to the north of the subject site (lot 101) to direct flows across Pembroke Road when the culvert capacity is exceeded appear to be able resolve the flooding issue and remove the flood affectation from the subject site. Refer to Figures 8 and 9 of attachment 1 for Flood Maps)

### 6.4 Contamination

The applicant has submitted a Preliminary Site Investigation (PSI) prepared by Hunter Civilab in support of the PPR which has been reviewed by Council's Senior Environmental Officer. The report states that potential contamination sources are limited and that there are no visible signs of gross contamination on the site. The PSI provided is satisfactory and satisfies clause 5 of the Ministerial Direction 2.6. It demonstrates that the site is suitable for a residential or mixed use zoning in terms of clause 4 of the Ministerial Direction. Therefore, it is considered that the PP can progress.

### 6.5 Noise

The applicant has submitted a Noise Impact Assessment prepared by WSP Australia Pty Ltd in support of the proposal. The Noise Impact Assessment establishes acoustic criteria for the proposal in relation to noise from mechanical plant, noise from road traffic generation, noise from traffic onto the subject site, acoustic separation and BCA criteria and entertainment noise limits from the hotel/pub.

The Noise Impact Assessment was referred to Council's Senior Environmental Officer and no concerns or objections were raised. Notwithstanding, any future development application lodged for the site will also take into consideration adverse noise impacts and apply measures to minimise any impact.

#### **6.6 Bushfire**

The subject site has a minor bushfire affection to the south-western boundary, which is categorised as 'vegetation buffer'. The bushfire affectation of the site is considered to be minor and would be able to be managed with reasonable building measures in the event of a development application, the bushfire risk to the site is not considered to be a significant impact to stop the progression of this PP.

#### **6.7 Environment**

The applicant submitted a preliminary arboriculture assessment report prepared by Tree Management Solutions in support of the proposal. The site is predominantly clear of trees and vegetation and would not result in the removal of threatened species vegetation. The report assesses existing trees on the subject site and adjoining properties.

Ten trees are identified on the subject site and a number of trees are located on the property boundary or within close proximity to the boundary on the adjoining properties, which would also be impacted by the future re development on the site.

It is considered the actual number of trees able to be retained on the site is a matter for consideration at the development application stage.

#### **6.8 Open space**

The PP does not include a proposal to rezone any part of the site as open space due to the small size of the site. The urban design report does however demonstrate that the ground floor public domain area will provide opportunities for landscaping and public domain elements that would facilitate use of the site for walking and congregating. The typical floor plate plans also identify that the first floor of the development would potentially be created as a communal private open space area to service residents of the site in addition to a dedicated open space area at the ground floor level. This space is proposed to potentially contain amenities, 2 common rooms, children's play area, seating and landscaped area.

The immediate locale is not benefitted by the provision of an open space area which is provided with amenities and play facilities.

The nearest open space is Bellvue Park which is a 1.8 km walk from the subject site and Pembroke Park which is approximately 2.4 km from the subject site. The proposal seeks to compensate for the lack of open space by providing play facilities in the communal private open space area at the first floor level.

The site has pedestrian access to Smiths Creek Reserve which has a pedestrian walking path which may be utilised for recreational exercise. However Smith Creek reserve is in need of embellishment,

and when upgraded it would provide a much needed passive recreation open space for the current and future residents of Leumeah Centre.

**Part 7 -Consultation with public authorities**

It is recommended that while the planning proposal is on public exhibition, that Council undertakes consultation with the following public authorities/agencies:

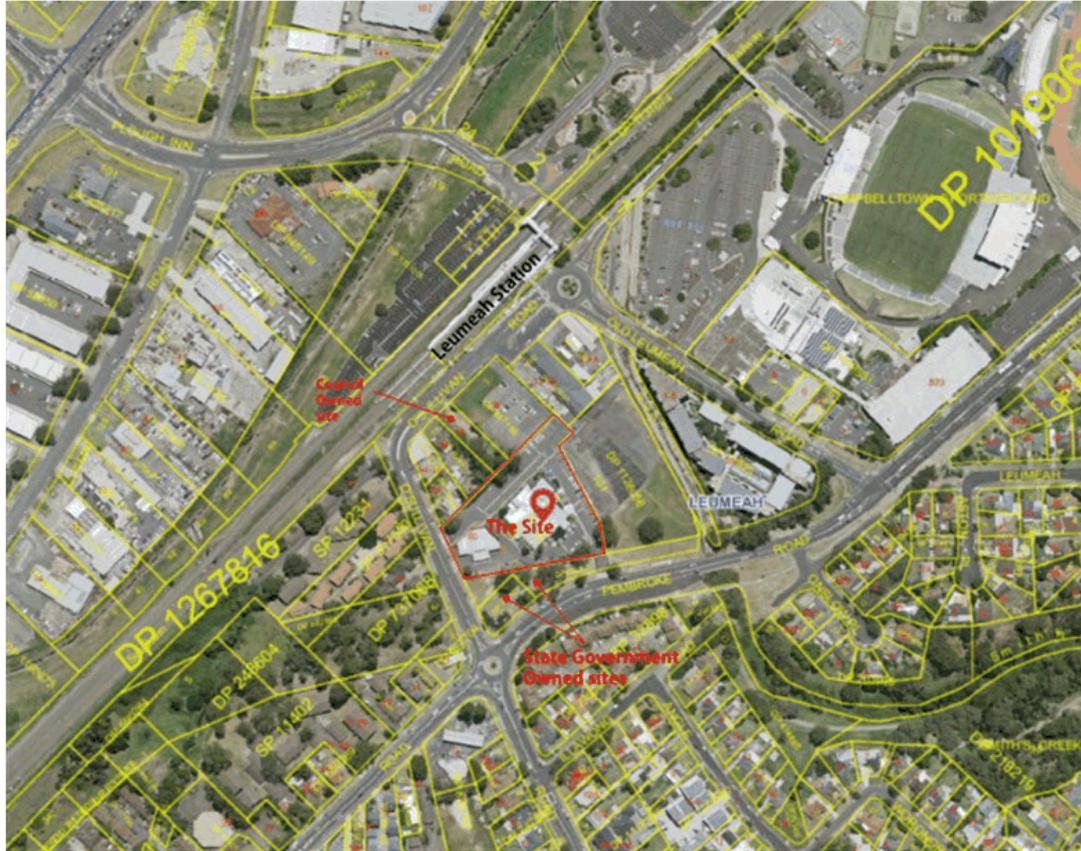
- 1- Transport for NSW
- 2- Sydney Water
- 3- Telstra
- 4- Endeavor Energy
- 5- Sydney Trains
- 6- SES
- 7- Police
- 8- Department of Planning and Environment (EES)
- 9- Corporate Sole

**Part 8 – Project Timeline**

<b>Dates</b>	<b>Item</b>
22 September 2021	Local Planning Panel advice
August 2022	Council endorsement to request Gateway Determination subject to the preparation of a site specific DCP
September-October 2022	Preparation of a site specific DCP
November 2022	Referral to DPIE for Gateway Determination
December 2022	Gateway Determination issues
January 2023	Prepare for Public exhibition
February 2023	Public exhibition of planning proposal and referral to any required public authorities
April 2023	A report to Council on Submissions received
May 2023	Send planning proposal to DPIE for finalisation
June 2023	Making of LEP Amendment

**Attachment 2**

**Aerial Photo of the Subject Site**



**Attachment 3**

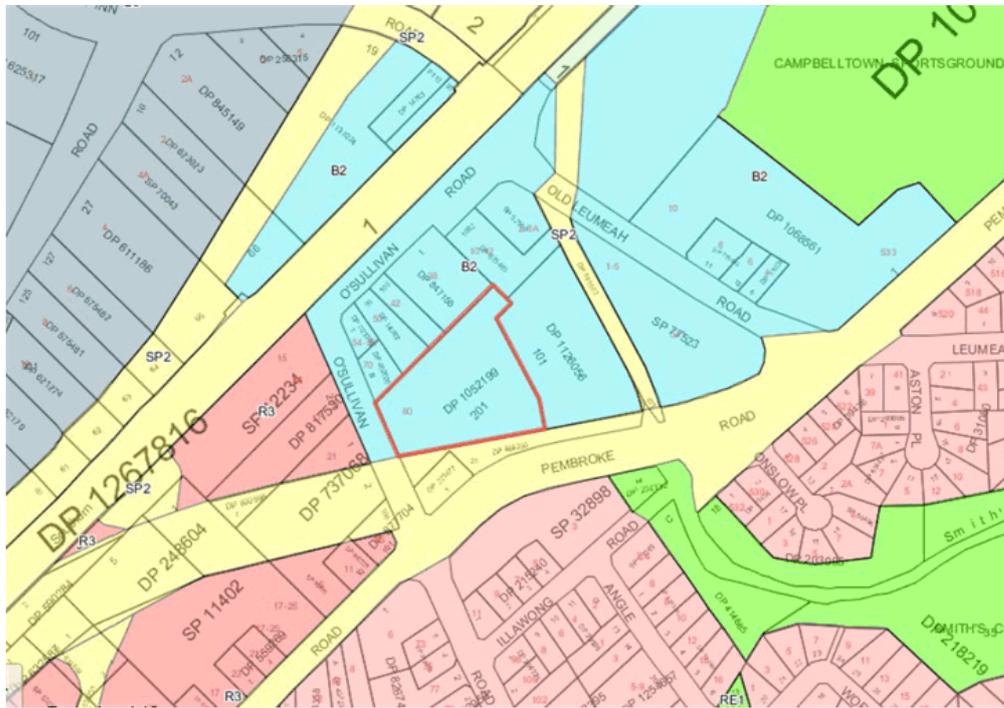
**Leumeah Centre**



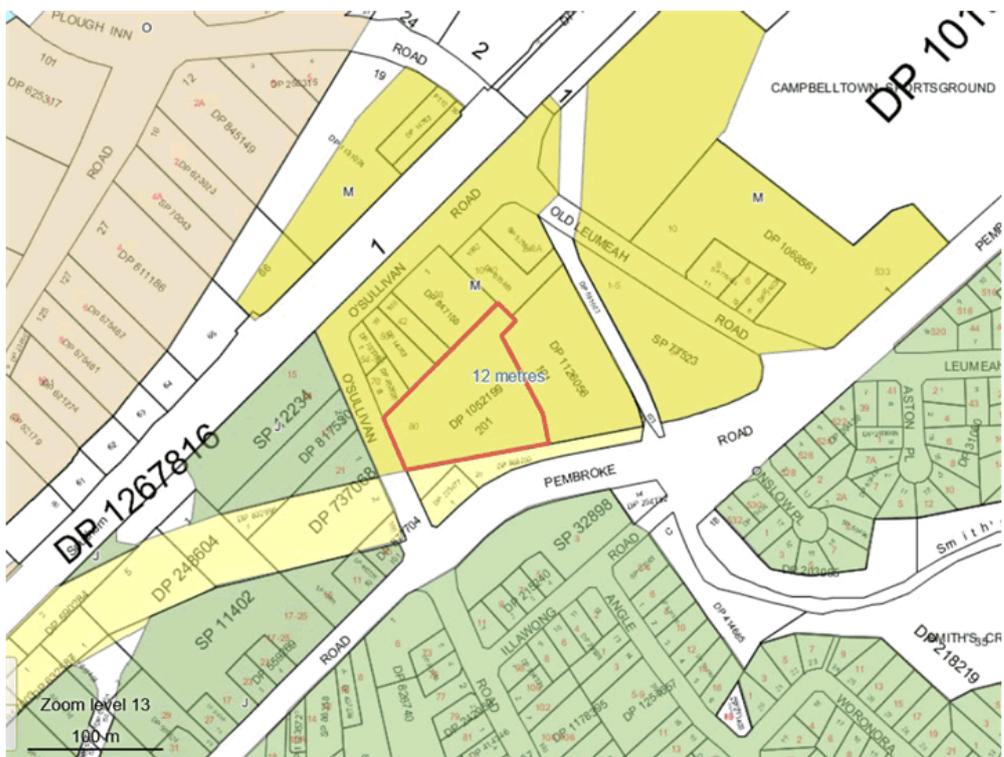
**Photo showing the West Club, the mixed use apartment building and the shopping centre**

**Attachment 4**

**Extract of zoning and building Height Maps from CLEP 2015**

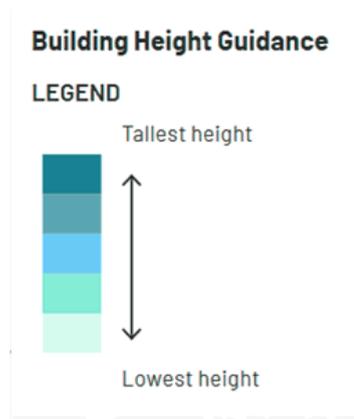
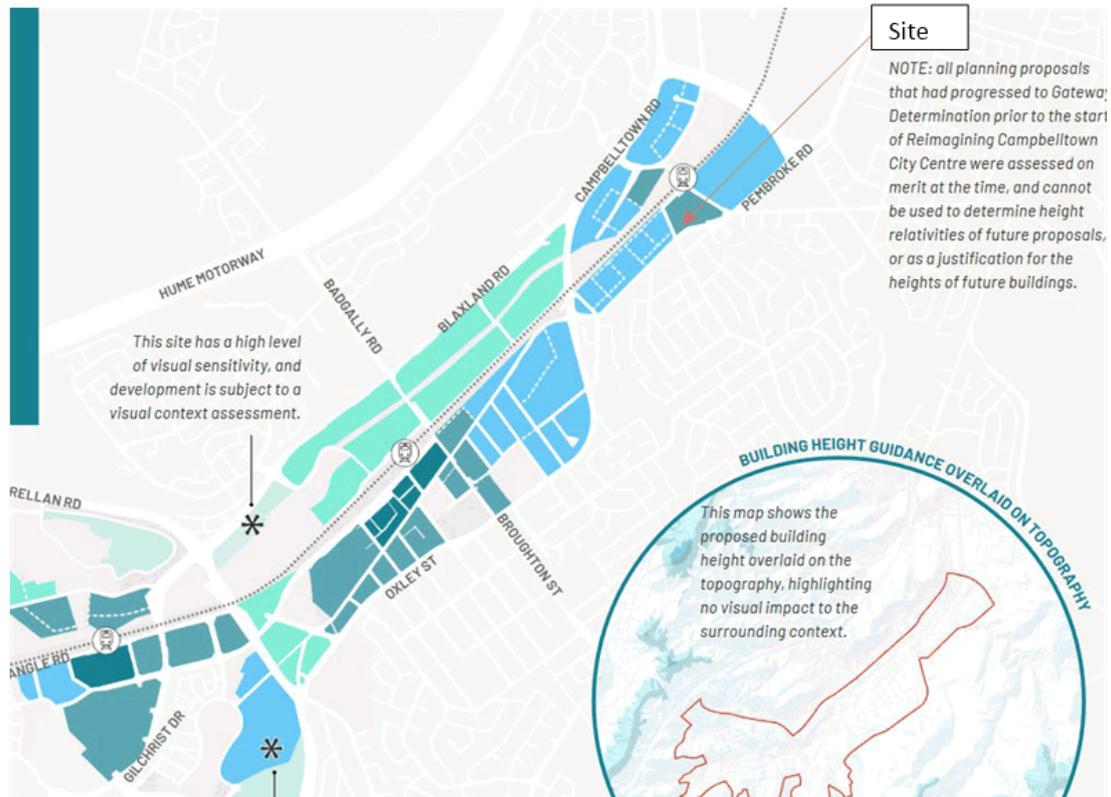


**Extract of building Height Maps from CLEP 2015**



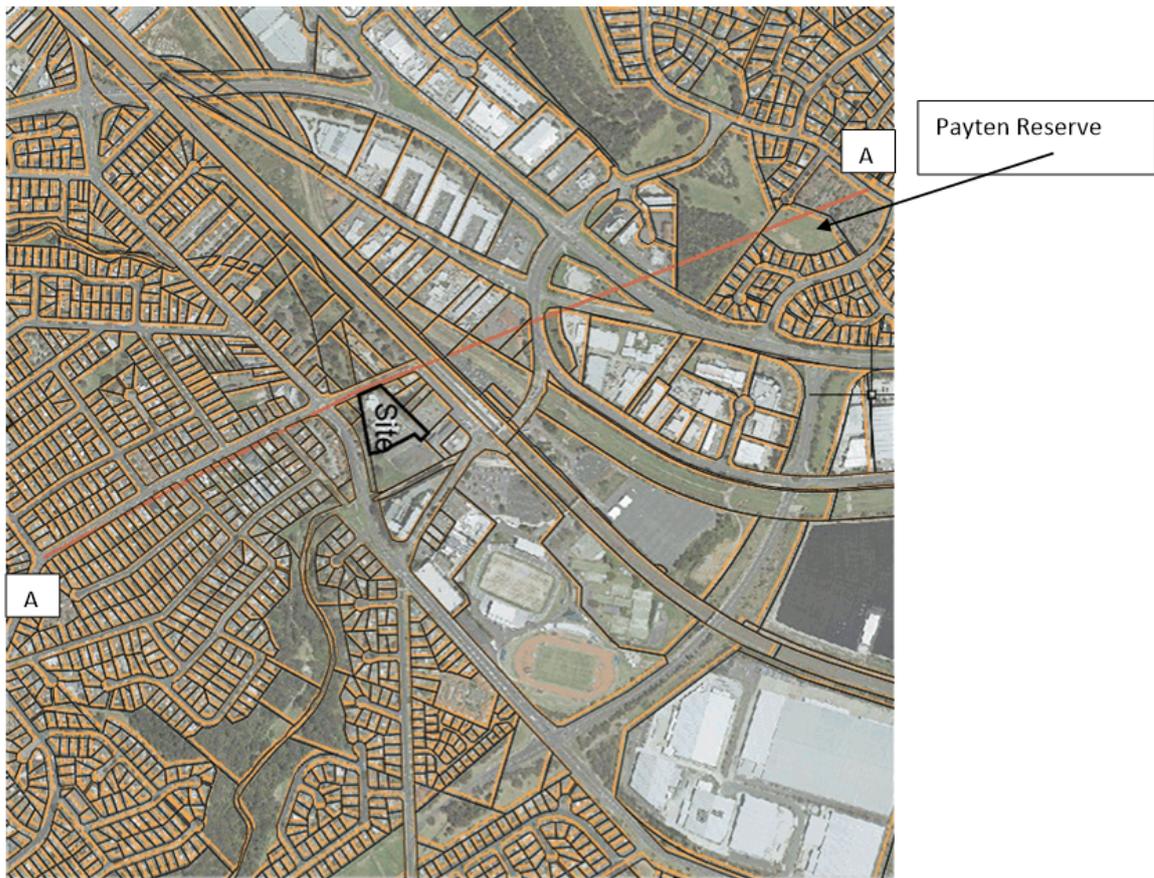
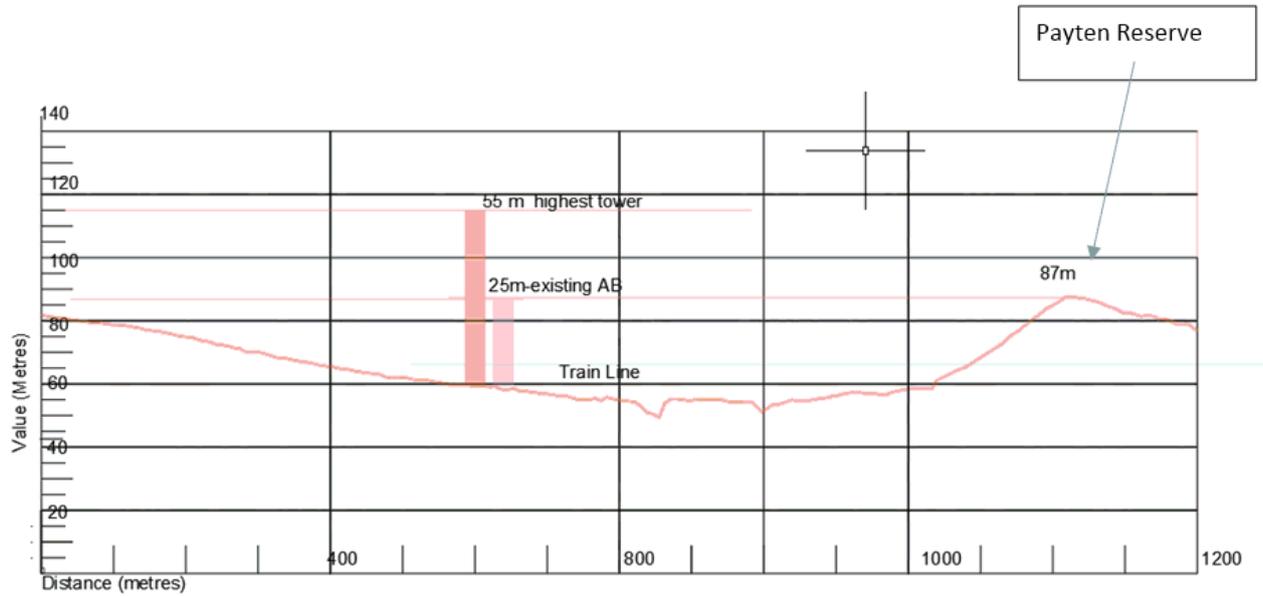
**Attachment 5**

**Extract from the Building Height Map - Reimagining Campbelltown City Centre Master Plan**



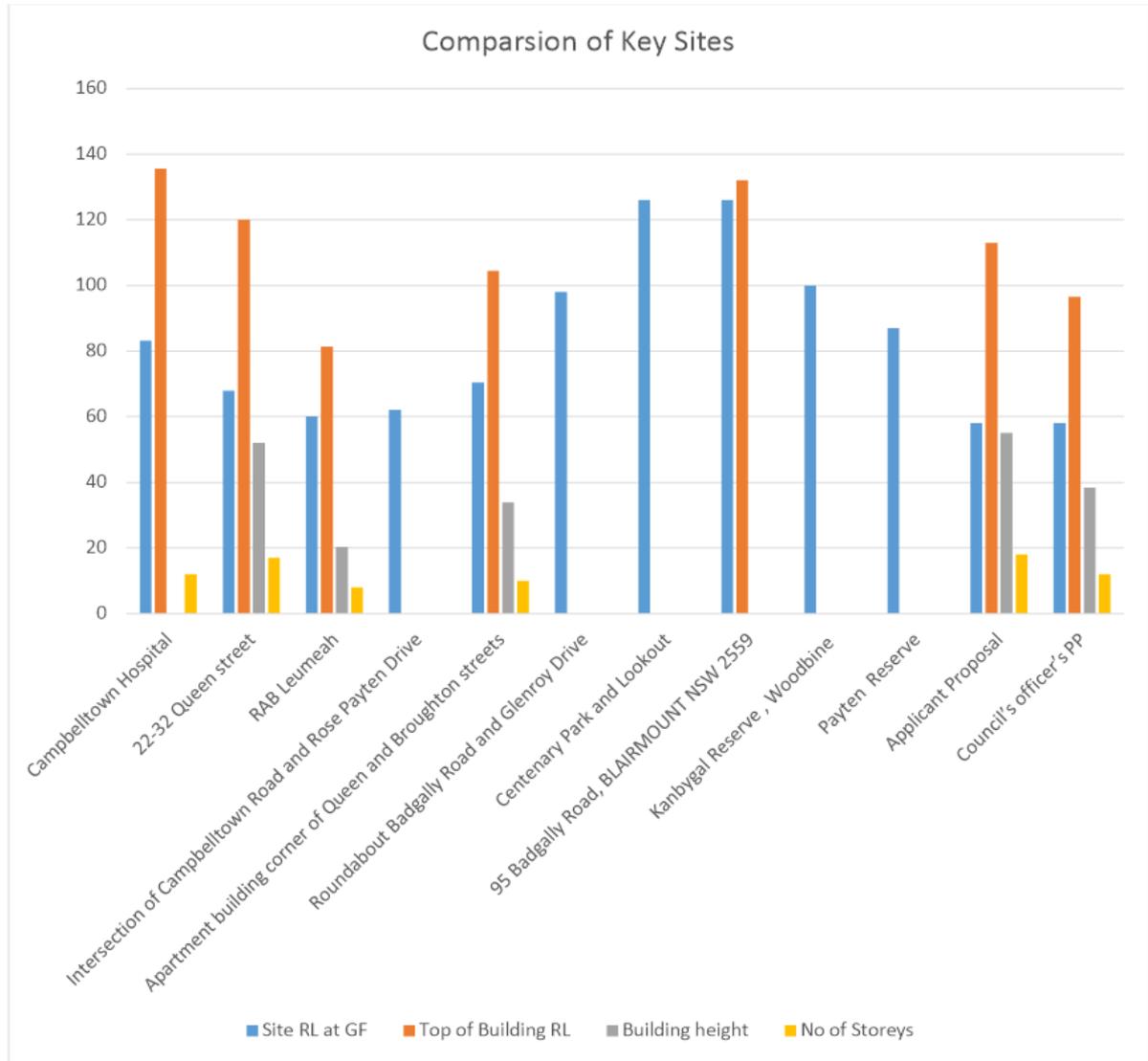
**Attachment 6 -**

**Section A- profile showing the proposed 55 m RI compared with the RL of Leumeah Mixed Use Apartment building (7-8 Storey) and adjoining areas**



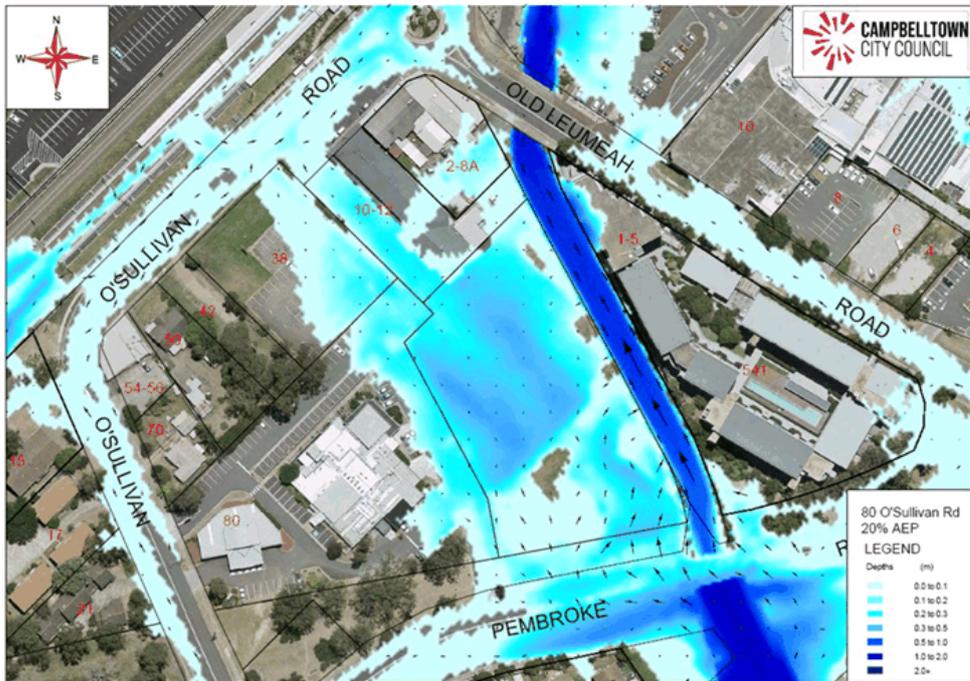
**Attachment 7**

**Chart showing a comparison of key sites within Campbelltown CBD, applicant’s proposal and Council’s staff recomended building height**



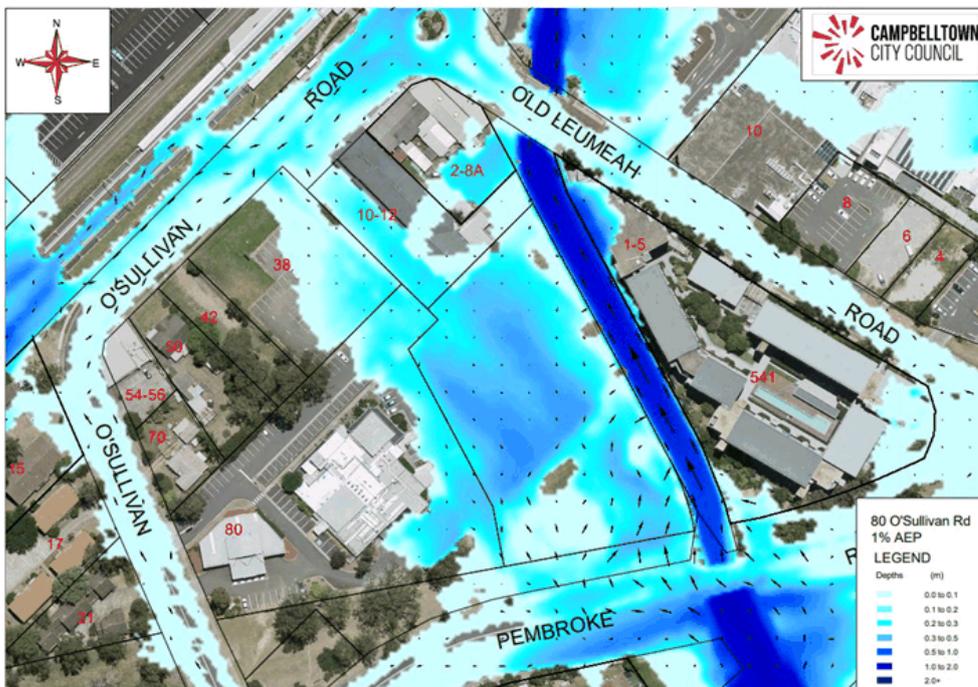
**Attachment 8**

**Flood depth in 5 year event**



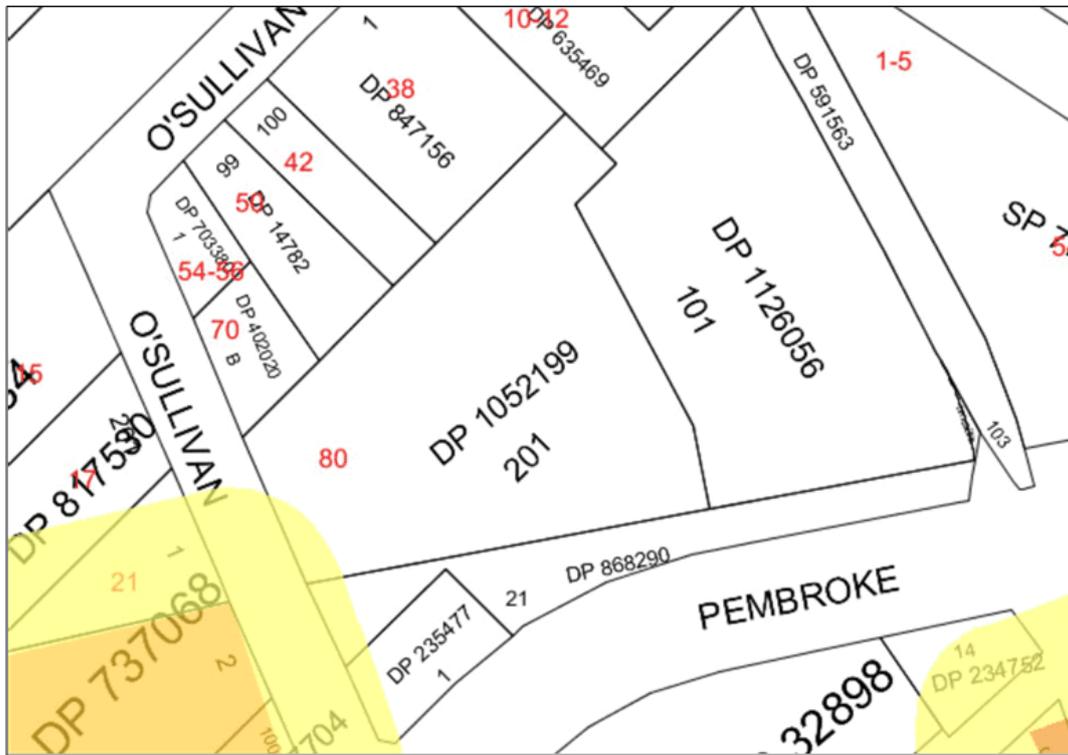
**Figure 9:**

**Flood depth in 100 year event.**



**Attachment 9**

**Bushfire Map**



## 8.2 Planning Proposal - Amendment to Land Reservation Acquisition Map - Camden Road, Kellicar Road, Tindall Street and Hurley Street, Campbelltown

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

### Officer's Recommendation

1. That Council endorse the Planning Proposal at attachment 1 which seeks to amend the Campbelltown Local Environmental Plan 2015 by removing the land acquisition reservation layer from properties at Lot 1 Camden Road, Lot 1 Kellicar Road, 1-5 Hurley Street and 4 Tindall Street, Campbelltown.
2. That subject to recommendation no. 1, the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination.
3. That subject to the receipt of a Gateway Approval, public exhibition be undertaken in accordance with the Gateway Determination.
4. That Council request the Minister delegate the authority for the making/finalising of the Planning Proposal to the General Manager.
5. That following the completion of public exhibition, a report be presented to Council on the outcomes of public exhibition.

### Exec Summary

- This report seeks Council's endorsement to forward the Planning Proposal (PP) to the Department of Planning and Environment for a Gateway Determination. The aim of the PP is to remove land in Campbelltown from the land acquisition reservation map under Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- In 2017 to 2018 Council (as land owner) advertised an expression of interest tender for the use of 3 of the subject lots in Hurley Street, Camden Road and Kellicar Road, Campbelltown. The campaign was unsuccessful.
- In April 2020, Council adopted the Reimagining Campbelltown City Centre Masterplan.

- In July 2020 Council re-conducted the expression of interest for use of the site and Genesis Care were successful and signed a partnership with Council for the use of three of the subject lots in Hurley Street, Camden Road and Kellicar Road, Campbelltown.
- On 2 July 2021, a Development Application (DA) (2036/2021/DA-C) was submitted for the construction of a 4 storey health care facility building and associated works on 2 of the lots (Lot 1 Camden Road and Lot 1 Kellicar Road). The proposed Genesis Care building would provide health and cancer care for future patients.
- The site currently includes a land reservation acquisition for the purposes of a bus corridor.
- On 11 October 2021, Council wrote to Transport for NSW (TfNSW) requesting removal and realignment of the land reservation as the existing location would impact on the proposed development.
- TfNSW wrote to Council on 19 October 2021 agreeing to abandon the corridor.
- This PP therefore seeks to amend the CLEP 2015 by removing the Land Reservation from Property Nos. 1-5 Hurley Street, Lot 1 Kellicar Road, Lot 1 Camden Road and No. 4 Tindall Street, Campbelltown.

## Purpose

The purpose of the report is to inform the Council of a Planning Proposal (PP) which seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Land Reservation Acquisition Map by removing the land reservation across four sites at Lot 1 Camden Road, Lot 1 Kellicar Road, 1-5 Hurley Street and 4 Tindall Street, Campbelltown. This report also seeks Council's endorsement to amend those rules and to forward the endorsed PP to the Department of Planning and Environment (DPE) for a Gateway Determination.

The PP is located at attachment 1 to this report.

## History

In 2017 to 2018 Council (as land owner) advertised an expression of interest tender for the use of 3 of the subject lots in Hurley Street, Camden Road and Kellicar Road, Campbelltown. The campaign was unsuccessful.

In April 2020, Council adopted the Reimagining Campbelltown City Centre Masterplan. In July 2020, Council re-conducted the expression of interest for use of the site and Genesis Care were successful and signed a partnership with Council for the use of 3 of the subject lots in Hurley Street, Camden Street and Kellicar Road, Campbelltown.

On 2 July 2021, a Development Application (DA) (2036/2021/DA-C) was submitted for the construction of a Genesis Care 4 storey health facility building and associated works on Lot 1 Camden Road (Lot 1 DP 1003625) and Lot 1 Kellicar Road, Campbelltown (Lot 1 DP 883417). The DA was approved by the Sydney Western City Planning Panel on 20 December 2021.

As part of the determination of the DA, discussions were held with Transport for NSW (TfNSW) in regards to land identified on the Land Reservation Acquisition Map for the purposes of a bus corridor under CLEP 2015 which crossed the land subject to the DA as well as affecting 2 other lots in its vicinity.

On 11 October 2021, Council wrote to TfNSW requesting removal and realignment of the land reservation as the existing location would impact on the proposed development. Council's representation to TfNSW is located at attachment 3.

TfNSW wrote to Council on 19 October 2021 agreeing to abandon the corridor that applies to Lot 1 Camden Road and Lot 1 Kellicar Road, Campbelltown. TfNSW's letter is located at attachment 4.

Attachment 2 to this report shows the current land reservation acquisition map for the 4 sites.

## Report

### 1. Summary of the Planning Proposal

The PP seeks to amend the CLEP 2015 Land Reservation Acquisition Map by removing the land reservation across four sites at Lot 1 Camden Road, Lot 1 Kellicar Road, 1-5 Hurley Street and 4 Tindall Street, Campbelltown.

The land is located within the Campbelltown City Centre as defined by the Reimagining Campbelltown City Centre Masterplan. A further summary is provided below.

<b>Site Details</b>				
<b>Address</b>	1-5 Hurley Street, Campbelltown	Lot 1 Kellicar Road, Campbelltown	Lot 1 Camden Road, Campbelltown	4 Tindall Street, Campbelltown
<b>Lot and DP</b>	Lot 1002 DP 873452	Lot 1 DP 1003625	Lot 1 DP 883417	Lot 2341 DP 830786
<b>Land Owner</b>	Campbelltown City Council	Campbelltown City Council	Campbelltown City Council	The Trust Company (Australia) Limited
<b>Zoning</b>	B4 - Mixed Use	B4 - Mixed Use	B4 - Mixed Use	B4 - Mixed Use
<b>Maximum Height of Building</b>	19 m	19 m	19 m	32 m
<b>TfNSW Status</b>	A request would be made in writing during the planning proposal process.	TfNSW agreed in writing to abandon the land reservation over the site.	TfNSW agreed in writing to abandon the land reservation over the site.	A request would be made in writing during the planning proposal process.
<b>Current Use</b>	HJ Daley Library	Vacant site	Vacant site	Market Fair Shopping Centre

The PP does not seek to amend the zoning or maximum permissible building height and only seeks to remove the land reservation from across the 4 properties. The removal of the land reservation would allow for the Genesis Care site to be constructed on Lot 1 Camden Road and Lot 1 Kellicar Road, Campbelltown and provide clarity about the reservation when consideration is being given to future uses of the land.

The PP also includes the removal of the land reservation from 1-5 Hurley Street, Campbelltown (Lot 1002 DP 873452) and 4 Tindall Street, Campbelltown (Lot 2341 DP 830786) as there is no purpose for the acquisition reservation shown on these lots if the acquisition reservation is removed from Lot 1 DP 1003625 and Lot 1 DP 883417.

## **2. Assessment of the draft Planning Proposal**

### **2.1 Justification**

The State Government's - Local Environmental Plan Making Guidelines (2021) issued under s3.33(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides guidance and information for preparing planning proposals. The preparation of the PP subject of this report has been undertaken in accordance with the latest version of the guide.

The guide states that planning proposals should contain enough information to identify relevant environmental, social, economic and other site specific considerations. The scope for investigating any key issues should be identified in the endorsed PP that is submitted for Gateway Determination.

The purpose of this Gateway Determination stage is to ensure there is sufficient justification in the process to proceed with the PP. It enables planning proposals that lack strategic merit to be stopped early in the process before time and significant human and financial resources are committed.

The Gateway Determination is expected to confirm if any further information is required before the endorsed PP can be placed on public exhibition. The endorsed PP may need to be updated/amended in minor ways in response to the Gateway Determination.

### **2.2 Ministerial Directions**

Section 9.1 (formerly Section 117) of the EP&A Act allows the Minister for Planning and Public Spaces to provide direction to Council in relation to the amendment or preparation of draft local environmental plans. The Section 9.1 Ministerial Directions are outlined in the PP located in attachment 1.

Overall the PP is considered to be consistent with the relevant section 9.1 directions as the proposal does not seek to rezone any land or alter the land uses permissible on the land under B4 zone. The PP is considered to be inconsistent with part 5.1 of the directions as it seeks to remove a land reservation for the extension of a transport corridor. TfNSW has provided advice to Council in writing supporting the removal of 2 parcels of land from the reservation. The PP also seeks to remove 2 additional properties from the reservation as the reservation on these sites would no purpose if it has been removed from the other sites.

### **2.3 Consideration of State Environmental Planning Policies**

An assessment of the PP against all State Environmental Planning Policies (SEPPs) has confirmed that the PP is not inconsistent with the SEPPs. Further detail in relation to the relevant SEPPs is outlined in the PP which is located at attachment 1.

### **2.4 Consideration of the Campbelltown Local Environmental Plan 2015**

The PP only seeks to remove the land reservation across 4 sites in the Land Reservation Acquisition Map under the CLEP 2015. No change is proposed to the land use zoning of the subject sites under this PP or to any other maps associated with CLEP 2015.

## **3. Strategic Context – Relationship to Local and State Policies**

### **3.1 Greater Sydney Region Plan**

The Greater Sydney Region Plan (the Plan) provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of 3 x 30 minute cities through 4 key themes, infrastructure and collaboration, liveability, sustainability and productivity.

The PP is consistent with the Plan as it aims to increase the flexibility of the four sites for a range of uses in an established city centre. The removal of the land reservation layer from across the 4 sites would remove a potential obstacle to the future utilisation of the respective sites.

### **3.2 Western City District Plan**

The Western City District Plan (WCDP) sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan. The PP is considered to be consistent with the Plan. By removing the land reservation acquisition layer from the 4 sites the PP will facilitate land being used for the purposes outlined in the District Plan, in this case including a health facility.

### **3.3 Campbelltown Community Strategic Plan 2027**

The overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The PP is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

- A vibrant, liveable city
- A respected and protected natural environment
- A thriving attractive city and
- A successful city.

### **3.4 Reimagining Campbelltown City Centre Master Plan**

The Reimagining Campbelltown City Centre Master Plan is a key strategic vision that provides a structured plan for the future growth of the Campbelltown City Centre. The subject site is within the boundary of the Reimagining Campbelltown City Centre Master Plan study area and is consistent with the master plan.

The current land reservation over the 4 sites would be considered restrictive to land that is located within the Campbelltown City Centre. Given that TfNSW have indicated that the Reservation is not required, the amendment would allow greater possibilities for the subject site and would promote opportunities to use the land in harmony with other potential uses on adjoining land.

### **3.5 Glenfield to Macarthur Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design.

The PP is consistent with the Strategy and is consistent with the Campbelltown and Macarthur Precinct Plans adopted as part of this Strategy.

### **3.6 Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020.

The LSPS is Campbelltown City Council's plan for our community's social, environmental and economic land use needs over the next 20 years.

The LSPS provides context and direction for land use decision making within the LGA.

Its purpose is to:

- Provide a 20 year land use vision for the 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
- Prioritise changes to planning rules in the CLEP 2015 and Council's Development Control Plan
- Implement the Region and District Plans as relevant to the LGA
- Identify whether further detailed strategic planning may be needed.

The PP would not be inconsistent with the LSPS as the PP only relates to a minor amendment to the CLEP 2015. The PP would assist in creating more jobs in the city centre by unlocking the land for the approved development.

### **3.7 Campbelltown Local Planning Panel advice**

On 22 June 2022 the Campbelltown Local Planning Panel (the Panel) considered a report on the subject PP. The Panel provided comments on the PP and recommended advancing the PP to Council for their consideration and also to the Department of Planning and Environment for Gateway consideration.

In summary, the Panel's considerations and advice to Council was that it:

- Noted the report and proposed removal of the land reservation shown on the Land Reservation Acquisition Map for 4 separate properties at Campbelltown.
- Were aware of an existing DA approval across 2 of the 4 sites and that it noted that TfNSW provided support insofar as the planning proposal relates to the DA site.
- Recommended that TfNSW be contacted during the public exhibition period of the proposal to seek further comments in relation to the remaining 2 lots that have been identified as part of the proposal.
- Noted that the PP has strategic and site specific merit and supports Council seeking a Gateway Determination.

This report and the attached PP are consistent with the advice from the Panel.

#### **Public Participation**

In the case that Council supports the progression of the PP, or otherwise amends it, the PP will be forwarded to the Department of Planning and Environment for a Gateway Determination.

Should a Gateway Determination be obtained then the PP would be publically exhibited at which time the public and anyone with an interest in the land would have the opportunity to comment.

The results of the public exhibition would be reported to Council at the completion of the public exhibition period.

#### **Conclusion**

The Planning Proposal seeks to amend the Land Reservation Acquisition Map under Campbelltown Local Environmental Plan 2015 by removing a land reservation acquisition layer from across 4 separate sites at Lot 1 Camden Road, Lot 1 Kellicar Road, 4 Tindall Street and 1 – 5 Hurley Street, Campbelltown. The removal of the land acquisition layer would assist in the development and long term use of an already approved 4 storey health building on Lot 1 Camden Road and Lot 1 Kellicar Road, Campbelltown. As a result of the removal of the layer from the 2 lots, the Planning Proposal also seeks to remove the reservation from 4 Tindall Street and 1-5 Hurley Street as it is unlikely that the reservation will be acted upon.

The amendment would remove the limitation on the potential land uses across the 4 sites and would enable the sites to be utilised, with consent, for uses in accordance with their respective zones under Campbelltown Local Environmental Plan 2015.

Given the above, it is recommended that Council endorse the Planning Proposal at attachment 1 which seeks to amend the Campbelltown Local Environmental Plan 2015 by removing the land reservation acquisition layer from across 4 separate sites as listed in the report, and forward the Planning Proposal for Gateway Determination.

### **Attachments**

- 8.2.1 Planning Proposal Camden Road Campbelltown (contained within this report)
- 8.2.2 Land Reservation Acquisition Map (contained within this report)
- 8.2.3 Hurley St Development Letter from Council to TfNSW (contained within this report)
- 8.2.4 Transport for NSW - Letter to Council regarding Genesis Care development (contained within this report)



**Planning Proposal**

**Lot 1 Camden Road, Lot 1 Kellicar Road, 4 Tindall Street &  
1 – 5 Hurley Street, Campbelltown**

**June 2022**

**Introduction**

This planning proposal explains the intent of, and justification for, the proposed amendment to the *Campbelltown Local Environmental Plan 2015* (CLEP 2015) Land Reservation Acquisition Map for four lots being Lot 1 Camden Road, Lot 1 Kellicar Road, 4 Tindall Street and 1 – 5 Hurley Street, Campbelltown.

This planning proposal seeks to amend the Land Reservation Acquisition Map by removing the land acquisition reservation from four lots, two of which (Lot 1 Camden Road and Lot 1 Kellicar Road) are the site of an approved development for a 4 storey health care facility. The planning proposal also seeks to remove the land acquisition reservation from 1-5 Hurley Street, Campbelltown (Lot 1002 DP 873452) and 4 Tindall Street, Campbelltown (Lot 2341 DP 830786) as there is no use for the land acquisition reservation across these sites if the reservation is removed from the site of the approved development.

**The Site**

The sites (see Figure 1 – Location Map) are currently owned by Campbelltown City Council and The Trust Company (Australia) Limited and located on the southern side of the railway line and within the Campbelltown City Centre as defined by the Reimagining Campbelltown City Centre Masterplan. A description of the site details are outlined below.

<b>Site Details</b>				
<b>Address</b>	1-5 Hurley Street, Campbelltown	Lot 1 Kellicar Road, Campbelltown	Lot 1 Camden Road, Campbelltown	4 Tindall Street, Campbelltown
<b>Lot and DP</b>	Lot 1002 DP 873452	Lot 1 DP 1003625	Lot 1 DP 883417	Lot 2341 DP 830786
<b>Area of Site</b>	22,100m <sup>2</sup>	3,596m <sup>2</sup>	4,744m <sup>2</sup>	23,400m <sup>2</sup>
<b>Land Owner</b>	Campbelltown City Council	Campbelltown City Council	Campbelltown City Council	The Trust Company (Australia) Limited
<b>Zoning</b>	B4 - Mixed Use	B4 - Mixed Use	B4 - Mixed Use	B4 - Mixed Use
<b>Height of Building</b>	19m	19m	19m	32m
<b>Subject to DA</b>	No	Yes	Yes	No
<b>TfNSW Status</b>	TfNSW have not approved and request to abandon the land reservation over the site. A request would be made in writing during the planning proposal process.	TfNSW approved in writing to abandon the land reservation over the site.	TfNSW approved in writing to abandon the land reservation over the site.	TfNSW have not approved and request to abandon the land reservation over the site. A request would be made in writing during the planning proposal process.
<b>Current Use</b>	HJ Daley Library	Vacant site	Vacant site	Market Fair Shopping Centre

The site forms part of the mixed use zone precinct of the Campbelltown City Centre. There is a current development consent on Lot 1 Kellicar Road and Lot 1 Camden Road, Campbelltown for the construction of a health care and cancer facility.

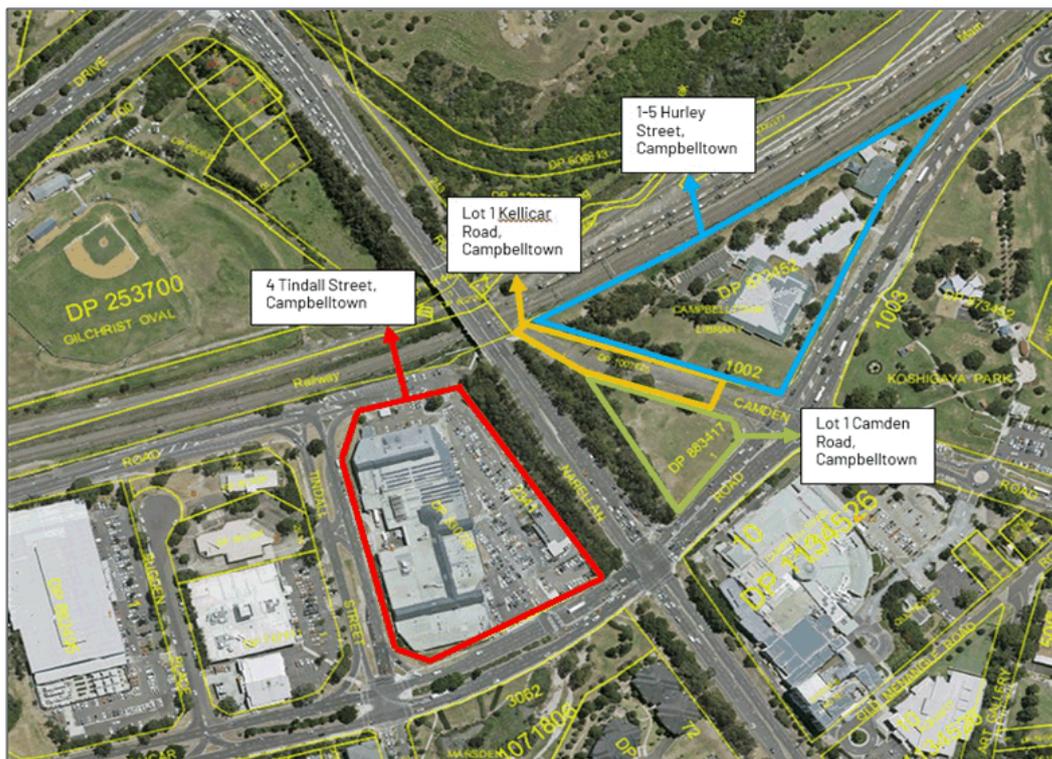


Figure 1 – Location Map

The sites are currently zoned B4 – Mixed Use. Three of the sites have a maximum permissible building height of 19m (Lot 1 Camden Road, Lot 1 Kellicar Road and 1-5 Hurley Street) and the other site (4 Tindall Street) occupied by the Marketfair Shopping Centre site has a maximum permissible building height of 32m under the Campbelltown Local Environmental Plan 2015. This planning proposal does not include any change to the zoning or maximum permissible height of building.

**Background**

On 2 July 2021, Development Application (DA) 2036/2021/DA-C was submitted for the construction of a four storey health facility building and associated works on Lot 1 Camden Road (Lot 1 DP 1003625) and Lot 1 Kellicar Road, Campbelltown (Lot 1 DP 883417). The DA was approved by the Sydney Western City Planning Panel on 20 December 2021.

The land reservation layer across four sites is shown below.

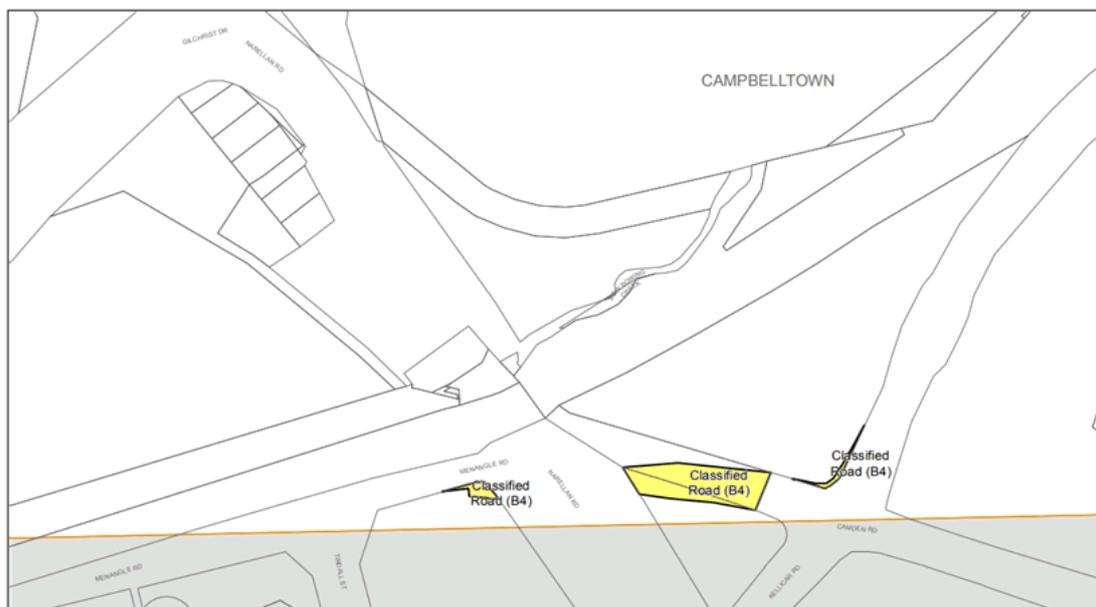


Figure 2 – Extract from Land Reservation Acquisition Map – Campbelltown Local Environmental Plan 2015

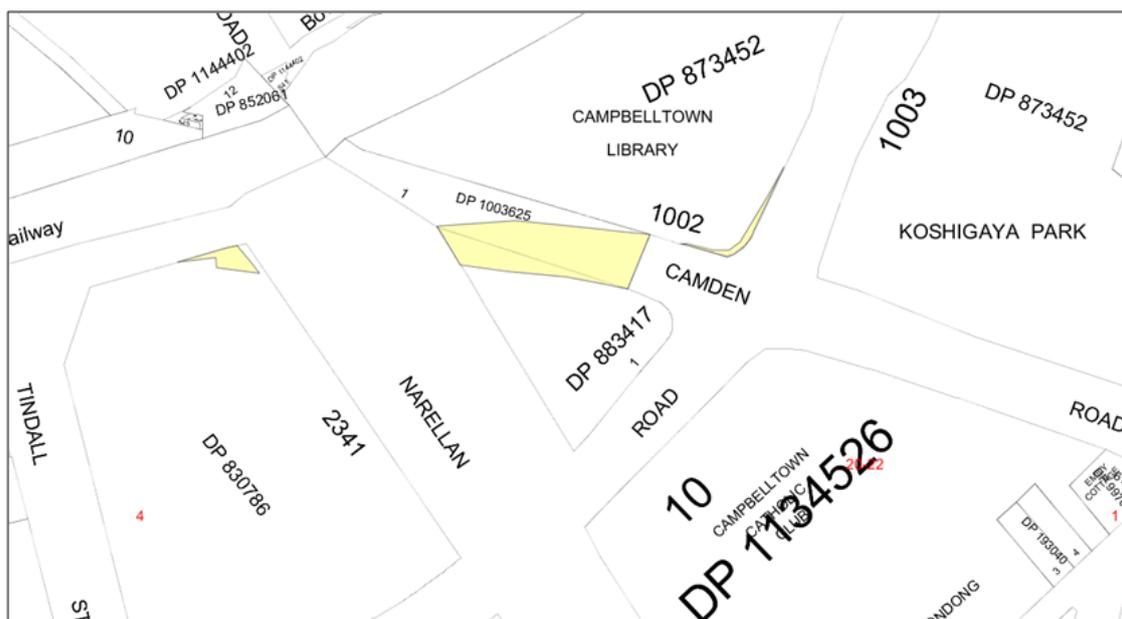


Figure 3 – Current outline of land reservation layer across four sites

The planning proposal seeks to remove the land acquisition reservation layer from the four sites.

On 11 October 2021, Council wrote to Transport for NSW (TfNSW) requesting support for the abandonment of the land reservation from two parcels of land being Lot 1 Camden Road and Lot 1 Kellicar Road, Campbelltown. TfNSW advised Council in writing on 19 October 2021 that support is given to abandon the land reservation.

**Existing Situation**

The subject site currently comprises four separate lots. The site is located in Campbelltown City Centre as outlined in the Reimagining Campbelltown City Centre Masterplan. The four sites comprise of various uses such retail premises within Marketfair Shopping Centre, HJ Daley Library and vacant lots where a health care and cancer facility is proposed to be constructed. A development consent was issued by the Sydney Western City Planning Panel on 20 December, 2021 for the construction of a four storey health facility with associated car parking to be located at Lot 1 Camden Road, Campbelltown. The development consent includes works on Lot 1 Kellicar Road, Campbelltown primarily for site access.

The planning proposal extends to include an additional two properties as outlined in Figure 1 and Figure 2 as the land reservation across 4 Tindall Street and 1-5 Hurley Street, Campbelltown would no longer be of use if the abandonment of the land acquisition reservation was to occur on the other two lots. It is recommended that as part of the planning proposal process, TfNSW is contacted to provide further commentary in relation to 4 Tindall and 1-5 Hurley Streets, Campbelltown.

The planning proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals'.

### **Part 1 – Objectives or Intended Outcomes**

The objective and intended outcomes of the planning proposal are to remove and abandon the land reservation from four sites as it is no longer needed.

The planning proposal would remove a hurdle from the construction of a health facility on Lot 1 Camden Road and Lot 1 Kellicar Road, Campbelltown and from future development on 4 Tindall Street and 1-5 Hurley Street.

### **Part 2 – Explanation of provisions**

The objectives and intended outcomes of the planning proposal will be achieved by amending the Land Reservation Acquisition Map in CLEP 2015 by removing the acquisition reservation from the four lots.

### **Part 3 – Justification**

#### **Section A – Need for the planning proposal**

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

No.

The planning proposal is not a result of any strategic study or report. However, the subject site is located and identified by a number of key strategies and report such as the Greater Sydney Region Plan, Western District Plan and the Glenfield to Macarthur Urban Renewal Corridor Strategy.

The current proposal to remove the various sites from the Land Reservation Acquisition Map would not be inconsistent with any of the strategies listed. The removal of the sites from the map would allow for a health facility to be constructed within the City Centre and would remove land acquisition layers that would be considered redundant on the remaining lots.

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

The planning proposal is the best way to achieve the intended outcomes and objectives as it is the simplest administrative way to achieve the aims of the planning proposal.

#### **Section B – Relationship to strategic planning framework**

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

Yes.

The planning proposal is consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan.

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

The Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of three 30 minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

The planning proposal is considered not inconsistent with the Greater Sydney Region Plan as it aims to increase the flexibility of the four sites for a range of uses in an established city centre.

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

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan.

By removing the land acquisition layer from the four sites, a healthy facility is able to be constructed in line with a development consent and the removal of the layer from the other two sites would be favoured as the reservation is no longer considered to be of use.

#### **Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Precinct was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design.

The four sites are located within the Campbelltown and Macarthur precinct areas of the plan.

The planning proposal is not inconsistent with the Strategy and is consistent with the Campbelltown and Macarthur Precinct Plans adopted as part of this Strategy.

#### **4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

##### **Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The proposal is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving attractive city; and
- A successful city.

The planning proposal is not inconsistent with the outcomes listed.

### **Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020.

The LSPS is Campbelltown City Council's plan for our community's social, environmental and economic land use needs over the next 20 years.

The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA).

Its purpose is 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
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans
- Implement the Region and District Plans as relevant to the Campbelltown LGA
- Identify where further detailed strategic planning may be needed.

The LSPS responds to region and district planning initiatives and information received from the Campbelltown community during the public exhibition period for the future of our city.

The planning proposal is not inconsistent with the outcomes listed. The planning proposal only relates to a minor amendment to the CLEP 2015.

### **Reimagining Campbelltown City Centre Master Plan**

The Reimagining Campbelltown City Centre Master Plan is a key strategic vision that provides a structured plan for the future growth of the Campbelltown City Centre which includes the suburbs of Leumeah, Campbelltown and Macarthur. The subject site is within the boundary of the Re-imagining Campbelltown City Centre study area and is consistent with the Master Plan.

The planning proposal is consistent with the four key growth principles outlined within the document:

- Centre of opportunity
- No grey to be seen
- City and bush
- The good life

The planning proposal is not inconsistent with the outcomes listed in the Reimagining Campbelltown City Centre Masterplan. The current land reservation over the four sites would be considered restrictive to land that is located within the Campbelltown City Centre. The

amendment would allow greater possibilities for the subject site and would promote opportunities to use the land in harmony with other potential uses on adjoining land. Transport for NSW has agreed to abandon two of the four lots. It is anticipated that further consultation with Transport for NSW will be undertaken regarding the two remaining lots.

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

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal.

<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP 65 – Design Quality of Residential Apartment Development	The planning proposal is not inconsistent with the SEPP. Residential apartment development is not proposed as part of this planning proposal. The site is zoned B4 – Mixed Use which does include shop top housing under the CLEP 2015.
SEPP (Biodiversity and Conservation) 2021	The planning proposal is not inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the proposal
SEPP (Housing) 2021	The proposal is consistent with the SEPP. Any future development on the site may incorporate housing types identified in the SEPP which would be considered in conjunction with the SEPP.
SEPP (Industry and Employment) 2021	Not relevant to this proposal.
SEPP (Planning Systems) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not propose any state significant infrastructure or development on Aboriginal land.
SEPP (Precincts – Eastern Harbour City) 2021	Not relevant to the proposal.
SEPP (Precincts – Western Parkland City) 2021	The planning proposal is not inconsistent with the SEPP.
SEPP (Precincts – Central River City) 2021	Not relevant to the proposal.
SEPP (Precincts – Regional SEPP)	Not relevant to the proposal.
SEPP (Primary Production) 2021)	Not relevant to the proposal.
SEPP (Resilience and Hazards) 2021	The existing urban use of the land is unlikely to result in land contamination or hazardous types of development.  Future development of the site will need to address the requirements of the SEPP.
SEPP (Resources and Energy) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not seek to undertake any extractive industries or mining.

SEPP (Transport and Infrastructure) 2021	Future development of the site may constitute traffic generating development and trigger an assessment under this SEPP.
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Figure 4 - Consistency with State Environmental Planning Policies

**6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table provides a brief assessment of consistency against each section 9.1 direction relevant to the planning proposal.

Consideration of s9.1 Directions	Comment
<b>Focus Area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	The planning proposal is not inconsistent with this Direction. The planning proposal would provide more flexibility in developing the sites and would not be restricted by land reservation acquisitions that are no longer of use.
1.2 Development of Aboriginal Land Council land	Not relevant to the proposal.
1.3 Approval and Referral Requirements	The planning proposal would require consultation with Transport for NSW and any other State Agencies that DPE determines to be relevant as part of the Gateway assessment.
1.4 Site Specific Provisions	The proposal relates to the abandonment of a land reservation acquisition layer from four sites.
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not relevant to the proposal.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not relevant to the proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the proposal.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The proposal is consistent with this Direction as the proposal will remove a land reservation from four sites which would allow for permitted uses to revitalise and activate the mixed use zone within the Campbelltown City Centre.
1.10 Implementation of Western Sydney Aerotropolis Plan	The proposal is not inconsistent with the Plan.

1.11 Implementation of Bayside West Precincts 2036 Plan	Not relevant to the proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not relevant to the proposal
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant to the proposal.
1.14 Implementation of Greater Macarthur 2040	The planning proposal is consistent with the Plan. The proposal does not amend the business zoning for the site and seeks to remove a land reservation from four sites to allow for greater flexibility in the future development of the site. The removal is also proposed as the reservation is no longer considered to be of use on these sites.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not relevant to the proposal.
1.16 North West Rail Link Corridor Strategy	Not relevant to the proposal.
1.17 Implementation of the Bays West Place Strategy	Not relevant to the proposal.
<b>Focus Area 2</b>	
Design and Place	Not relevant to the proposal.
<b>Focus Area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zones	Not relevant to the proposal.
3.2 Heritage Conservation	The planning proposal subject site is not in close proximity to any heritage items.
3.3 Sydney Drinking Water Catchments	Not relevant to the proposal.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	Not relevant to the proposal.
3.5 Recreation Vehicle Areas	Not relevant to the proposal.
<b>Focus Area 4: Resilience and Hazards</b>	
4.1 Flooding	Not relevant to the proposal.
4.2 Coastal Management	Not relevant to the proposal.
4.3 Planning for Bushfire Protection	Not relevant to the proposal.
4.4 Remediation of Contaminated Land	The proposal does not alter the zoning of the land.
4.5 Acid Sulfate Soils	Not relevant to the proposal.
4.6 Mine Subsidence and Unstable Land	Not relevant to the proposal.
<b>Focus Area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	Inconsistent.  The planning proposal seeks to remove a land reservation for the extension of a transport corridor. The transport corridor is no longer support by TfNSW on two sites and further discussion will be required regarding two additional sites.
5.2 Reserving Land for Public Purposes	Not relevant to the proposal.

5.3 Development Near Regulated Airports and Defence Airfields	Not relevant to the proposal.
5.4 Shooting Ranges	Not relevant to the proposal.
<b>Focus Area 6: Housing</b>	
6.1 Residential Zones	Consistent. The subject site is not located within a residential zone, although shop-top housing is a form of housing which can be incorporated into business zones.
6.2 Caravan Parks and Manufactured Home Estates	Not relevant to the proposal.
<b>Focus Area 7: Industry and Employment</b>	
7.1 Business and Industrial Zones	The proposal is consistent with this Direction as the amendment to the Land Reservation Acquisition Map would not reduce the amount of commercial/retail floorspace within the Campbelltown City Centre.  The proposed amendment would increase the potential employment floorspace for the site in accordance with the B4 – Mixed Use zoning.
7.2 Reduction in non-hosted short-term rental accommodation period	Not relevant to the proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant to the proposal.
<b>Focus Area 8: Resources and Energy</b>	
8.1 Mining, Petroleum and Extractive Industries	Not relevant to the proposal.
<b>Focus Area 9: Primary Production</b>	
9.1 Rural Zones	Not relevant to the proposal.
9.2 Rural Lands	Not relevant to the proposal.
9.3 Oyster Aquaculture	Not relevant to the proposal.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	Not relevant to the proposal.

Figure 5 - Consistency with Section 9.1 Directions

**Section C – Environmental, social and economic impact**

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

No.

There is no critical habitat or threatened species, populations’ or ecological communities or habitat located on the site.

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

No.

It is anticipated that there would be no environmental effects as a result of the planning proposal. The proposal does not seek to amend the zoning of the site, nor any other controls like the maximum height of buildings. The proposal does not alter the permissible bulk and scale of any development that could be erected on the land. It only affects the potential land uses.

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

Yes.

The planning proposal is not supported by a social or economic assessment as these are not considered necessary given the small size of the land.

**Section D – State and Commonwealth Interests**

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

Yes.

The planning proposal is unlikely to result in a need for additional public infrastructure given the limited size of the subject sites it is not expected to impose any additional demands on local infrastructure, public or community services. Although the planning proposal relates to the removal of land reservation for the use of transport corridor extension it should be noted that Transport for NSW will be contacted to provide comments in relation to the proposal and have already agreed to the removal of the reservation for 2 of the sites.

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

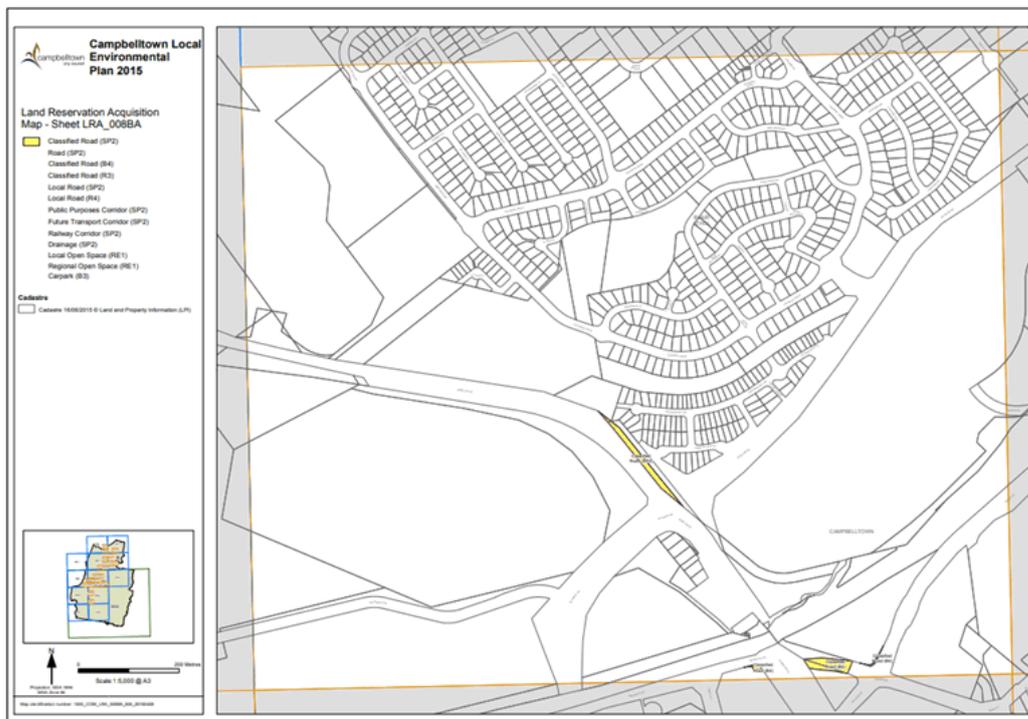
Consultation will occur with any public authorities identified in the Gateway Determination. Transport for NSW has already indicated in writing support to remove the reservation from two of the lots.

**Part 4 – Mapping**

The planning proposal seeks to amend the Clause Application Map within CLEP 2015 as proposed below.

Map	No	Requested Amendment
Land Reservation Acquisition Map	LRA_008BA Date 11 March 2016	Amend the Land Reservation Acquisition Map to remove the land reservation layer from properties Lot 1 Camden Road, Lot 1 Kellicar Road, 1-5 Hurley Street and 4 Tindall Street, Campbelltown..

**Current Map**



The current LEP map is at attached to this proposal.

**Part 5 – Community consultation**

In accordance with ‘Local Environmental Plan Making Guideline’ prepared by the Department of Planning and Environment (2021), the consultation strategy is:

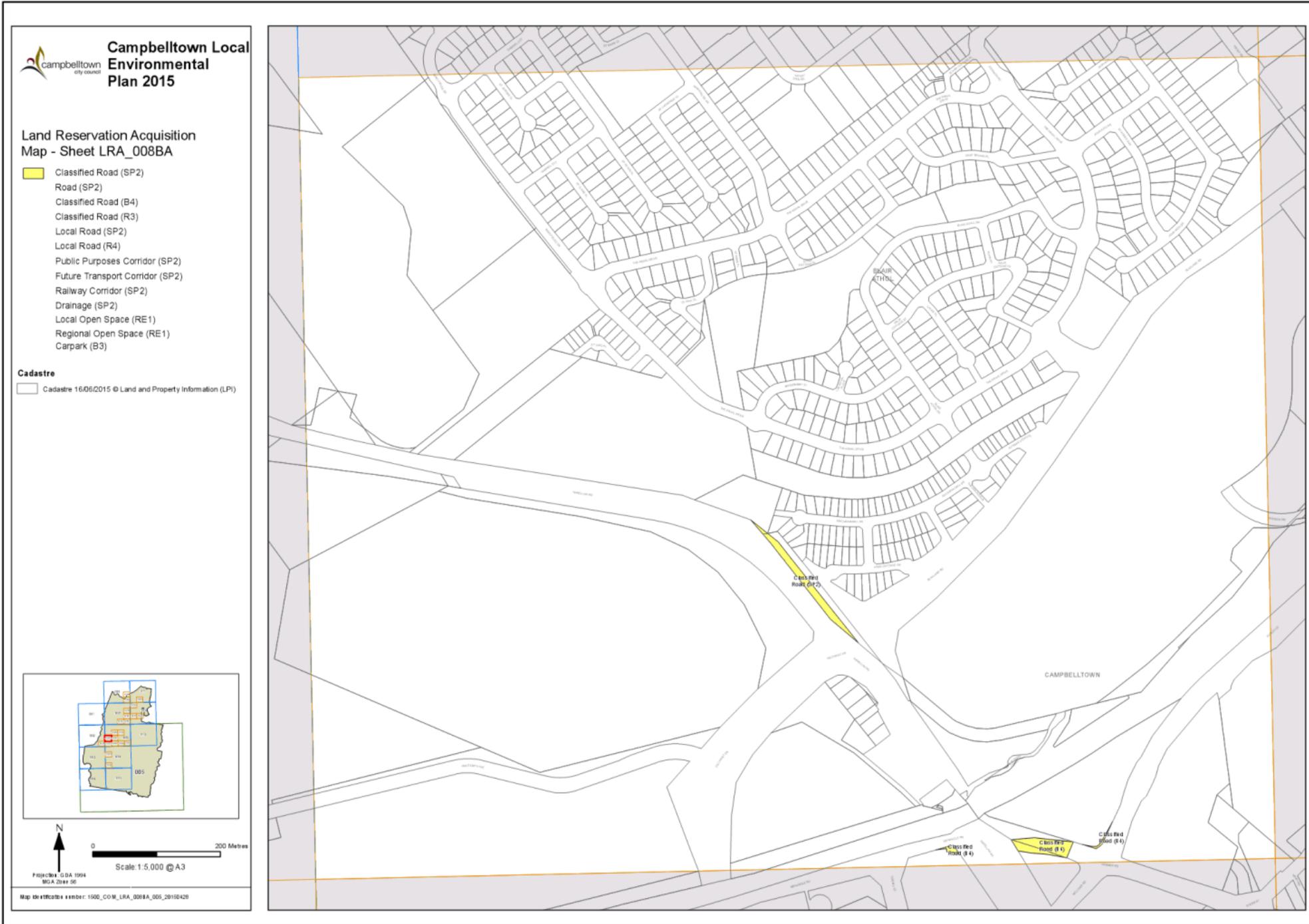
A letter to adjoining properties to the subject site identifying the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

The Planning Proposal and any associated documents to be exhibited on Council’s website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)). Council’s libraries also have access to the website.

The planning proposal will also be made available on the NSW Planning Portal website ([www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au)).

**Part 6 – Project Timeline**

<b>Dates</b>	<b>Item</b>
22 June 2022	Local Planning Panel advice
9 August 2022	Council endorsement
August 2022	Referral to DPE for Gateway Determination
September 2022	Gateway Determination
October 2022	Public exhibition and referral to any required public authorities
13 December 2022	Report to Council on Submissions received
December 2022	Send planning proposal to DPIE for finalisation
February 2023	Making of LEP Amendment





Justine Kinch,  
Western Parkland City Director  
Community & Place  
Transport for NSW

11 October 2021

TfNSW ref SYD21/00556/02  
Client ref CNR-25235 – 2036/2021/DA-C

Email: [justine.kinch@transport.nsw.gov.au](mailto:justine.kinch@transport.nsw.gov.au)

Dear Justine,

### **Proposed development at the intersection of Camden Road, Hurley Street and Kellicar Road at Campbelltown**

We write to you outlining our position in regards to land reserved by TfNSW for a future road and tunnel connecting old Camden Road with Menagle Road for the purposes of a future bus route. The land reservation impacts significantly on a cancer and health care cluster, currently the subject of a development application, known as the GenesisCare project.

It is our understanding that Council and TfNSW jointly explored the concept of a bus route under Narellan Road some eleven (11) years ago, and the project stalled soon after due to it being determined that the construction costs were excessive compared to the limited benefit. We are advised that TfNSW has never progressed the idea further.

In December 2020, Council adopted the community endorsed *Reimagining Campbelltown City Centre Master Plan* as the guiding urban renewal template for the City Centre. Legacy proposals such as the bus route and tunnel do not factor into the Master Plan. Rather, it identifies and advocates for a place-based approach to urban design and integrated transport planning.

To that end, TfNSW and Council are nearing the completion of a joint *Place-Based Transport Strategy* (PBTS), which sets out clearly articulated city-making aspirations and actions for an integrated transport and urban design solution. This strategy was one of the key actions of the *Reimagining Campbelltown City Centre Master Plan* as well as the *Collaboration Area Place Strategy*, through the development of which TfNSW was an active participant. The PBTS has progressed through departmental gateways and is awaiting final Ministerial approval.

### **Achieving a win-win for TfNSW and Council**

To ensure the transformation of our City Centre progresses, we invite TfNSW to consider the following;

1. Provide approval to the GenesisCare development application noting any conditions that may be pursuant to the sequence listed below.
2. Extinguish the reservation of land for the proposed bus route and road shown on the Land Reservation Acquisition Map under the *Campbelltown Local Environmental Plan 2015* (LEP) as 'Classified Road (B4)', and temporarily replace it with;

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



3. A new reservation of land for the proposed bus route and road, in the location shaded in red of the attached document, to temporarily secure any residual rights. The area shaded in red is owned by Council and can be appropriately set aside for this temporary reservation.
4. That Council and TfNSW continue to work together to implement key actions of the *Place-Based Transport Strategy* in which alternative movement and place solutions, which may include routes and service improvements, be identified to meet joint objectives.
5. Once item 4 is complete, TfNSW to extinguish the temporary road reservation outlined in item 3 above, leaving the site free of any proposed land acquisition reservations.

We believe the requirements of TfNSW can be implemented in a manner which will not compromise the effective development of the site for a health services facility by Council and GenesisCare, its proposed tenant/development partner. Our aim is to work collaboratively with TfNSW to ensure our City contributes to the economic, social and environmental resilience of the Western Parkland City and of Greater Sydney.

We invite TfNSW to consider this proposal favourably and to work with us to implement it. If you have any queries please do not hesitate to contact either myself or **Mr Andy Sharp, Executive Manager, Economic Investment and Growth** by mobile +61 439 420 018 or email [andy.sharp@campbelltown.nsw.gov.au](mailto:andy.sharp@campbelltown.nsw.gov.au)

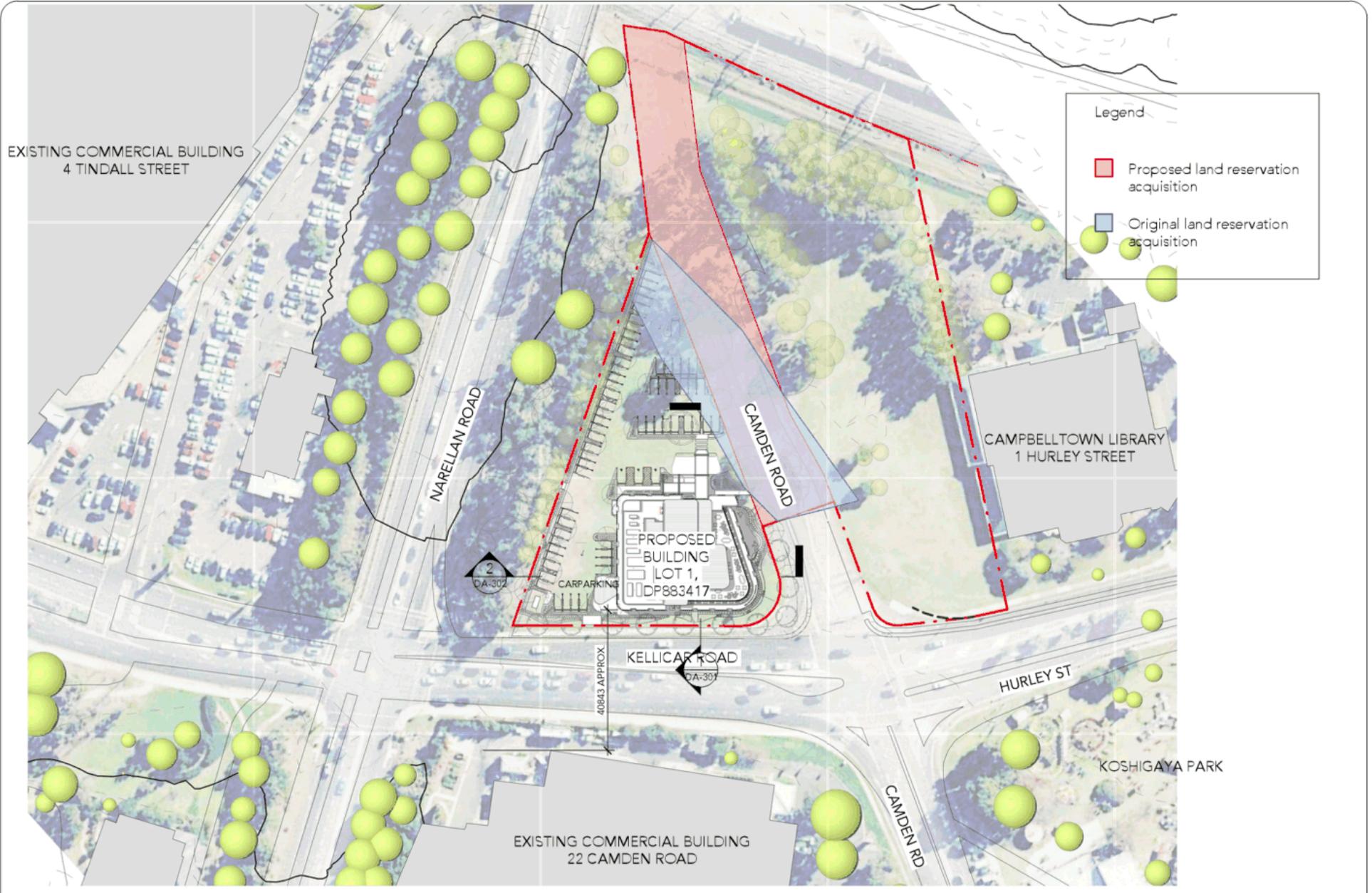
Thank you for initiating this discussion.

Yours faithfully  
**Campbelltown City Council**

**Lindy Dietz**  
**General Manager**

**CC:** Mr Pahee Rathan, A/Senior Manager Land Use Assessment, TfNSW via email:  
[Pahee.RATHAN@transport.nsw.gov.au](mailto:Pahee.RATHAN@transport.nsw.gov.au)

**Encl.** Plan showing land reserved for acquisition and proposed temporary re-alignment.



GenesisCare Campbelltown Land Reservation Acquisition Plan

Project No: 936 Drawing No: SK011

SCALE 1:1000 @A3

**TEAM 2 ARCHITECTS**



19 October 2021

TfNSW Reference: SYD21/00556/04

Council Reference: CNR-25235 – 2036/2021/DA-C

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

**PROPOSED GENESIS CARE DEVELOPMENT AT THE INTERSECTION OF CAMDEN ROAD, HURLEY STREET AND KELLCAR ROAD, CAMPBELLTOWN**

Dear Lindy,

Reference is made to your correspondence dated 11 October 2021, which was referred to Transport for NSW (TfNSW) for consideration.

As you stated in your letter, TfNSW and Council needs to work together to realise Council's vision for Campbelltown City Council and State government objective of providing safe and efficient public transport for Campbelltown Region as outlined in the Future Transport 2056. To that point and in recognition of the adoption of *Re-Imagining Campbelltown* and the current work we are collaborating on through the Place Based Strategy for Campbelltown we provide the following response to your proposal:

- To enable development of the site as proposed, TfNSW will need to abandon the existing road reserve on Camden Road. The alternate alignment presented on the Land Reservation Acquisition Plan (Project 936 SK011) would not meet requirements to construct a future bus connection under Narellen Road.
- TfNSW looks forward to continuing to work together to implement key actions of the Place-Based Transport Strategy.

Notwithstanding the above, TfNSW requires the applicant to address the traffic signal design requirements as part of the development application to ensure that the signalised intersection operates safely and efficiently. Details of the TfNSW requirements were outlined at the meeting on Friday 8 October 2021 with the applicant and Council. TfNSW will provide its requirements in writing to the applicant and Council shortly.

If you have any further questions please do not hesitate to contact either myself or Mrs Rachel Cumming, Director Land Use, on 02 8849 2077 or email [rachel.cumming@transport.nsw.gov.au](mailto:rachel.cumming@transport.nsw.gov.au).

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**Transport for NSW**

27 Argyle Street, Parramatta NSW 2150 | Locked Bag 5085, Parramatta NSW 2124  
P (02) 8849 2666 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602

I hope this has been of assistance.

Yours sincerely,

**Justine Kinch**  
Western Parkland City Director  
Community and Place

## 8.3 Illegal Rubbish Dumping

### Reporting Officer

Manager City Standards and Compliance  
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 received and note the information contained within this report.
2. That Council staff work with the Department of Housing to establish an Illegal Dumping Education Program specific to addressing illegal dumping of waste in the Department of Housing areas.
3. That Council write to the Minister for Environment and Heritage, the Honourable James Griffin MP, to convey Council's concerns as it relates to the illegal dumping of waste, and to request additional and restricted funding be provided to each Council for the purpose of employing a dedicated staff member, engaged to prevent and respond to illegally dumped waste.

### Purpose

This report is provided in response to a Council request to investigate ways to combat the increasing levels of illegal kerbside rubbish dumping across the city.

At its normal meeting of 8 March 2022, a Notice of Motion (NoM 050/2022) was moved by Councillor Oates and Seconded by Councillor Cotter relating to the issue of illegal kerbside rubbish dumping.

Following debate led by Councillor Oates, the Council ultimately resolved:

1. That Council investigate ways to combat the increasing levels of illegal kerbside rubbish dumping across the city.
2. That a report be presented as soon as possible on the outcome of the investigation.

In addition to the above, this report also informs the Council on measures being taken on the development of Council's Illegal Dumping Strategy and actions that are being employed to combat the problem of illegal kerbside waste dumping.

## Report

### Background

Council has traditionally managed illegal kerbside dumping across the LGA on a reactive/complaint response basis in accordance with its normal complaints management and illegal dumping procedures. Whilst these procedures are generally effective in Council owned streets, Council officers face some challenges with illegal dumping practices within areas owned by the Department of Housing (DoH).

Despite our best efforts and resourcing of the area of managing illegally dumped waste, it is an issue that is difficult to control and arguably impossible to achieve 100% compliance with.

Although most of our community are committed to disposing of their waste through approved methods and are very active in bringing illegally dumped waste to our attention, there are always going to be those in the community that put their own interests before that of our communities. The continued illegal dumping of domestic waste, is a very good example of that, despite our ongoing education programs and the various free programs to assist with the disposal of domestic waste.

### Illegal Dumping DoH Areas

Whilst the DoH is ultimately responsible for the maintenance of their residential housing areas, Council is often contacted by residents complaining about illegal kerbside dumping outside DoH premises. This is usually the result of abandoned tenancies or tenants illegally adding additional waste to authorised kerbside clean up piles.

This often leads to Council staff having to undertake investigations in relation to the illegal dumping. The investigations can be complex and can take time, and it is not unusual for other residents (and other people from other parts of the LGA) to add more waste to these piles while the investigation is under way. Despite our actions the processes we must follow in trying to determine who is responsible for the illegal waste, Council staff are then subject to further complaints that we are not responding to the original complaints.

Council staff regularly communicate with DoH staff in relation to the illegal kerbside dumping in DoH areas, and in collaboration, both parties are working through ways to address illegal dumping. While DoH staff are looking at ways of applying penalties from within, DoH staff support a firm regulatory approach by Council against illegal dumpers, in particular those tenants that blatantly disregard both DoH and Council rules in regards to Council regular clean ups and the disposal of waste at the end of their tenancy.

Whilst DOH and Council are committed to community education in relation to illegal dumping, there is a small percentage of the population that will continue to disregard the rules and disrespect their environment, no matter how effective our education programs are.

### Illegal Dumping LGA Wide

As part of the City Standards and Compliance 2022/26 Delivery Plan, Council has committed to undertake further community education in relation to illegal dumping and is committed to working with DoH and other community housing providers to reduce the amount of illegal kerbside dumping across the LGA.

Notwithstanding the above, illegal dumping is something that occurs across the whole of the LGA and is an issue that all Councils continue to battle with, and that regard, the our Council has recently lobbied the State Government and the EPA for funding to address illegal dumping across the South West Sydney region and will continue to be a lead in these discussions.

As a snap shot, Campbelltown City Council currently receives calls for and collects approximately 65,000-70,000 kerbside collection per annum. The quantities of the collections range from the allocated 1 m<sup>3</sup> as advertised, through to 2 m<sup>3</sup> where agreed to be collected by the contractor (Suez).

Often the materials collected exceed 2 m<sup>3</sup> and are taken to avoid illegal dumping issues.

Over the past 4 years, the Council has been running an Illegal Dumping Program, funded under the Environmental Protection Authority's (EPA) Better Waste and Recycling Fund Program (2017-21). Under this program, Council employed a dedicated Illegal Dumping Investigations Officer who assists with the increasing of recycling and responsible waste disposal practices, community engagement programs across the Local Government Area (LGA), as well as carrying the investigation and enforcement role in combating littering and illegal dumping.

During the period of the financial year (July 2021 - April 2022), Council's Illegal Dumping Program actioned in excess of 3,177 complaints of illegal dumping across the LGA. These incidents have resulted in 673 Notices being issued to alleged offenders, 87 formal warnings and 300 penalty notices being issued. The remaining investigations failed to find an offender or adequate prima facie evidence to proceed with regulatory action.

Unfortunately the EPA funding of this program ceased on 30 April 2022, however the success of this program over the past 4 year period has been evaluated as being a critically important to both Campbelltown City Council and on a broader regional basis. Under the recently approved City Standards and Compliance 2022/26 Delivery Plan, 2 dedicated Environmental Protection Officers have been appointed who will investigate the community's complaints as well as increase our engagement with builders and businesses in relation to environmental pollution and waste management issues.

Other matters which cause difficulty in the area of kerbside waste collection is delinquent tenants, and waste not being located in an area where it can be safely collected by Council staff or their contractors.

A number of Work Health and Safety operational issues arise when dealing with both authorised and illegal dumping, including waste being dumped/placed too close to intersections and waste that is left on private property. Council staff/contractors will not enter private property to collect waste as it exposes staff to injury within an uncontrolled environment and exposes the Council to unintended damages claims by owners who believe that the Council staff damaged part of their property.

Although in many of these cases the placement of the waste was in association with a kerbside clean-up request booked through Council, the resident has not followed the instruction of the Council and has placed the kerbside waste adjacent to an intersection or in another location not authorised by the Council.

The result can be that the waste is relocated to a safe spot as directed by the Council, or the waste is not relocated and others across the community add to the pile. Often commercial waste and contaminated waste is also added to the pile overnight. This can complicate any investigation that Council undertakes, and can often result in the Council having to remove the waste.

The management of illegally placed waste, by delinquent tenants who leave rental premises, is also an issue across the LGA. Council officers are often engaged with Real Estate Agents seeking information on where the tenant has moved to for the purposes of issuing fines. The information is usually not available, bonds have been repaid, and the Council/owner of the property is left to deal with the matter.

This can be further complicated in the circumstances of apartment buildings, where rubbish piles will contain waste from a number of properties, and to establish who is responsible, can be all but impossible.

### **Western Sydney Regional Illegal Dumping Squad Trial**

In January 2021, Campbelltown City Council entered into a 6 month trial of the EPA's Western Sydney Regional Illegal Dumping (WSRID) Squad Program which was run from January 2021 to June 2021 by way of a \$20,000 contribution to the EPA.

During this 6 month trial, WSRID investigated 317 complaints of illegal dumping totalling approximately 222 tonnes of waste. This resulted in 210 jobs being referred from WSRID to Council for action. The following is a breakdown of the actions undertaken as a result of the WSRID to Council referrals:

Clean-Up Notice issued	-	1
Official Cautions issued	-	4
Penalty Notices issued	-	30

The Penalty Notice Summary included:

Fail to comply with Notice	-	19
Deposit Litter	-	7
Unlawful transport of waste	-	4

In comparison, during the 2 month period of May – June 2021, Council's standalone Illegal Dumping Program investigated 524 complaints of illegal dumping totalling approx. 550 tonnes of waste. This resulted in 275 of jobs being referred from within Council for Clean-up, with 132 Regulatory Actions undertaken. The following is a breakdown of the actions undertaken as a result of the Council to Council referrals:

Clean-Up Notices issued	-	90
Official Cautions issued	-	16
Penalty Notices issued	-	36

The Penalty Notice Summary included:

Fail to comply with Notice	-	13
Deposit Litter	-	4

---

Deposit Litter from Vehicle	-	2
Unlawful transport of waste	-	17

Upon completion of the 6 month WSRID trial, an evaluation was undertaken of the WSRID Program against that of the Council run Illegal Dumping Program.

Whilst the evaluation found the WSRID program was of assistance and is a welcome and supported initiative of the EPA, the results of the WSRID squad were hampered by the resourcing and work access challenges that the Covid-19 pandemic containment rules presented us all with. Notwithstanding this, the results of the evaluation of the WSRID / Council review found that based on the results over the same periods, there was insufficient justification at this stage, for Campbelltown Council to join the WSRID Program as a full member Council and pay membership fees in the order of \$85,000 per annum (with additional annual increases).

In late October 2021, Council informed WSRID and the EPA of its decision not to become a full member Council and not to continue our involvement in the program. Regardless of this decision however, Campbelltown maintains its close working relationship with the EPA and continues to work actively and collaboratively in achieving our common goals in the areas of illegal dumping, environmental protection, waste management, and recycling and resource recovery programs.

### **2022/26 Operational and Delivery Plan**

City Standards and Compliance has recently put forward a transformational business plan to expand the monitoring of Environmental Compliance matters in a more holistic and customer centric approach which will expand on this success of the Illegal Dumping Program from the beginning of the 2022/23 financial year with an increase in the resourcing of the program to include a second officer on a full time basis to assist the program under the newly branded Environmental Protection Program.

In addition to this program in 2021/22 Campbelltown City Council secured \$70,000 in additional EPA Grant funding to undertake a Materials Study (\$40 k), Develop an Illegal Dumping Strategy (\$25 k) and Provide Illegal Dumping Training (\$5 k).

The work on the Materials Study is currently underway and at the completion of the study, Council will be have a more comprehensive understanding of the types and locations of the Illegal Dumping Activities which will then enable us to develop the Environmental Protection program further to target these areas with additional community education and where required compliance.

After the Materials Study is complete, we will then develop and finalise our Illegal Dumping Strategy.

With this it is critically important that Council consider the yet to be released NSW EPA Waste Strategy as well as the Macarthur Strategic Waste Alliance Regional Illegal Dumping Strategy to ensure there is clear synergies in addressing waste and illegal dumping in a holistic manner, be it at a State, Regional and/or at Local level.

Council's Resource, Recovery and Waste team has recently engaged Talis Consultants Pty Ltd to respond the scope of the Illegal Dumping Strategy with it expected to be finalised by late 2022.

The scope of the strategy will:

- Align with the new NSW Illegal Dumping Strategy due for release late 2022.
- Summary section on understanding illegal dumping (based on the NSW EPA research completed)
- Identify strategic vision and objectives moving forward for our LGA
- Current illegal dumping trends for our LGA (based on the completed material study)
- Action Plan to address illegal dumping issues identifying (but not limited to):
  - Stakeholder Engagement
  - Education
  - Enforcement
  - Monitoring and Evaluation

Funding of \$5,000 has also been provided for in-house Illegal Dumping training of staff which is set to be conducted in the coming months.

### **Illegal Kerbside dumping**

Whilst there has been an increase in the number of reported kerbside dumping over the past 12 months, this can be contributed to a number of factors which Council is currently working with our contractor (SUEZ) to address these factors include:

- The increase in people working from home and undertaking small renovations of their properties.
- The increase in damaged properties as a result of the recent inclement weather right across the eastern sea board.
- The limited capacity of landfill to handle the increase in not just domestic waste but also waste generated through the natural disasters (fire and flooding) ongoing over the past 3-4yrs.

Council has a well-developed "Council Kerbside Clean-Up Program" which allows residents to book in up to 4 clean-ups per annum of 1 m<sup>3</sup> (about one small box trailer) of domestic waste.

Council successfully removes in excess of 9,000 tonnes of domestic waste from our rateable properties through the kerbside collections per annum.

Kerbside collections from with Department of Housing (DoH) areas is one particular area of concern with the number of requests for Council to remove illegally dumped waste from these properties generally increasing.

In 2021-22 financial year approx. 50 per cent or \$225,000 per annum of the Waste Reserve budget was allocated to illegal dumping with over 2 per cent or approx. \$123,000 of illegal dumping incidents being contributed to DoH owned properties. With the onset of the second round of Covid the numbers of illegal dumping incidents in DoH areas reported to Council to investigate and / or clean-up has increased.

Council recently met with the Minister for Environment and Heritage Hon. James Griffin MP, where Council, through Mayor Greiss, had the opportunity to raise Council's concerns on a number of local environmental matters directly related to illegal dumping in the region. These matters included concerns of the future funding available to NSW Local Government under the EPA's Waste and Maintainable Material Strategy to manage illegal dumping over the next 5 years, as well as Council's concerns with iPART's recent recommendation that Council's will not be able to rely on using the waste reserve to fund illegal waste and dumping programs or employ officers to do the same.

In addition to the kerbside collection program, Council recently opened the Campbelltown Community Recycling Centre on Hopher Road, Campbelltown on the 22 March 2022. The opening of this facility in the Campbelltown region has seen a significant deviation of e-waste, paint, gas cylinders, oil, fluorescent lamps, batteries and smoke detectors from kerbside collections.

In the short time the CRC has been open 100's of tonnes of waste of these types have diverted from being dumped in household kerbside clean-ups across the Macarthur region.

## **Attachments**

Nil

## 8.4 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.

### 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 Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1 million, the attachment to this report provides this information as requested.

### Attachments

8.4.1 List showing Status of Development Applications (contained within this report)

## Development Application Register

<b>DAs to be considered by the Sydney Western City Planning Panel</b>							
<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>	<b>Link</b>
906/2020/DA-SW	Gidley Crescent, Claymore	Stage 4 Claymore Renewal - Subdivision to create 179 residential lots two residual lots including associated works	\$13,940,148	>\$5 million capital investment value Crown development	Waiting on information from applicant		<a href="#">906/2020/DA-SW</a>
4604/2020/DA-SW	Various Lots, Norman Crescent, Dobell Road and Arkley Avenue, Claymore	Stage 5 Claymore Renewal - Subdivision of land to create 86 residential lots 1 residue lot 1 lot for future park and associated road and drainage works	\$14,290,245	>\$5 million capital investment value Crown development	Waiting on information from applicant		<a href="#">4604/2020/DA-SW</a>
504/2021/DA-SW	Clarendon Place, Winbourne Place, Rawdon Place, Dalkeith Place, Greengate Road, Airds	Stage 8 Airds/Bradbury Renewal - Subdivision to create 82 lots comprising of 80 residential lots and 2 lots for parks and associated works	\$6,354,141	>\$5 million capital investment value Crown development	Waiting on information from applicant		<a href="#">504/2021/DA-SW</a>
535/2021/DA-SW	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airds	Stage 7 Airds/Bradbury Renewal - Subdivision of 71 existing lots to create 214 lots comprising of 207 residential lots, 2 lots for future development, 1 lot containing an existing senior housing development	\$13,914,412	>\$5 million capital investment value Crown development	Waiting on information from applicant		<a href="#">535/2021/DA-SW</a>
3944/2021/DA-CD	Goldsmith Avenue, Campbelltown	Concept master plan for a high density residential and mixed use development (to be known as Macarthur Gardens North), and construction of Stage 1 of the master plan, including roads, parks, civil works, landscaping and subdivision of the site	\$509,000,000	>\$5 million capital investment value Crown development	Under assessment		<a href="#">3944/2021/DA-CD</a>

<b>DAs to be considered by the Sydney Western City Planning Panel</b>							
<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>	<b>Link</b>
11/2021/DA-SW	Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore	Stage 5 Claymore Renewal - Subdivision of land to create 86 residential lots 1 residue lot 1 lot for future park and associated road and drainage works	\$8,621,292	>\$5 million capital investment value Crown development	Completed	Approved with conditions at Panel's June meeting	<a href="#">11/2021/DA-SW</a>
2510/2022/DA-I	395 Pembroke Road, Minto	Waste management facility (e-waste)	\$2,846,800	Designated development	Preparing for public exhibition		<a href="#">2510/2022/DA-I</a>
2020/2022/DA-CW	Farrow Road, Campbelltown	Construction of a 5 storey commuter car park and associated site and landscaping works	\$19,947,199	>\$5 million capital investment value Council development	Under assessment		<a href="#">2020/2022/DA-CW</a>
1990/2022/DA- C	'Hurlstone Agricultural High School', Roy Watts Road, Glenfield	Demolition of existing structures and construction of a farm hub facility and new boarding facilities, and car parking	\$48,000,000	>\$5 million capital investment value Crown development	Under assessment		<a href="#">1990/2022/DA-C</a>

<b>DAs to be considered by the Department of Planning</b>							
<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>	<b>Link</b>
SSD-7500-MOD2	5-9 Culverston Road, Minto	Modification of existing state significant development consent for a warehousing and distribution centre	N/A	State Environmental Planning Policy (Planning Systems) 2021	Response provided to Planning Department referral of application		<a href="#">SSD-7500-MOD2</a>

DAs to be considered by the Local Planning Panel							
DA No.	Address	Description	Value	Authority Criteria	Status	Determination	Link
2675/2008/DA-S	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Assessment in progress		<a href="#">2675/2008/DA-S</a>
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 - Residential Apartment	Assessment in progress		<a href="#">1786/2020/DA-C</a>
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	Assessment in progress		<a href="#">2687/2018/DA-SW</a>
681/2018/DA-SW	Menangle and Cummins Roads, Menangle Park	Subdivision of land and associated civil works into 90 residential lots and 3 residue lots	\$6,930,000	Planning agreement	Assessment in progress		<a href="#">681/2018/DA-SW</a>
3720/2020/DA-O	Macquarie Fields Park, Fourth Avenue, Macquarie Fields	Construction of a mobile telecommunications tower	\$250,000	Council owned land	Waiting on information from applicant		<a href="#">3720/2020/DA-O</a>
3/2022/DA-C	64 Harold Street, Macquarie Fields	Construction of alterations and additions to the existing restaurant	\$890,000	Council owned land	Assessment in progress		<a href="#">3/2022/DA-C</a>
3467/2021/DA-CW	Farrow Road, Campbelltown	Bulk earthworks and construction of retaining walls, drainage works and vehicular entry and exit points to Blaxland Road	\$643,500	Council owned land	Waiting on information from applicant		<a href="#">3467/2021/DA-CW</a>
3259/2020/DA-C	66 Kittyhawk Crescent, Raby	Alterations to an existing dwelling and construction of a 72 place child care centre	\$822,900	More than 10 unique objections	Waiting on information from applicant		<a href="#">3259/2020/DA-C</a>

<b>DAs to be considered by the Local Planning Panel</b>							
<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>	<b>Link</b>
3263/2021/DA-C	263 Queen Street, Campbelltown	Restoration of the existing heritage-listed building, demolition of the commercial building at the rear of the site and construction of an eight storey commercial building with basement car parking	\$32,978,000	>\$30 million capital investment value	Waiting on information from applicant		<a href="#">3263/2021/DA-C</a>
810/2021/DA-BH	103 Oxford Road, Ingleburn	Demolition of existing dwelling, removal of 7 trees and construction of a two storey 13 room boarding house with associated car parking	\$787,000	More than 10 unique objections	Waiting on information from applicant		<a href="#">810/2021/DA-BH</a>
680/2021/DA-BH	1 Jaclyn Street, Ingleburn	Demolition of existing dwelling and construction of a 12 room boarding house	\$950,000	More than 10 unique objections	Waiting on information from applicant		<a href="#">680/2021/DA-BH</a>

**DAs with a value of \$1 million or more approved under delegated authority since last Council meeting**

<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>	<b>Link</b>
NIL	NIL	NIL	NIL	NIL	NIL		

## 8.5 Multicultural Communities Advisory Committee - Terms of Reference

### Reporting Officer

Director City Lifestyles  
City Lifestyles

### 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 Multicultural Communities Advisory Committee Terms of Reference be adopted.

### Purpose

To seek Council's endorsement of the Terms of Reference (refer to Attachment 1: Draft Multicultural Communities Advisory Committee Terms of Reference) for the Multicultural Communities Advisory Group.

### History

The Multicultural Communities Advisory Committee was proposed by Councillors in 2022. Two meetings have informed the development of the Terms of Reference:

- 10 May 2022: Chaired by The Mayor Councillor Greiss among self-nominated Councillors to vision the advisory committee.
- 19 July 2022: Chaired by Councillor Khalil to discuss the circulated draft Terms of Reference.

### Report

#### About the Advisory Committee

The Campbelltown Multicultural Communities Advisory Committee is proposed as an advisory committee to Campbelltown City Council. The purpose of the Committee is to provide advice on matters pertaining to Multiculturalism and Social Cohesion related to cultural, linguistic and spiritual diversity so that Council can progress its work ensuring all residents can participate in local community life and that Council's plans, actions and strategies are inclusive and give voice to all residents of Campbelltown.

The Terms of Reference are drafted to:

1. Articulate the role and remit of the Advisory Committee.
2. Provide operational guidelines for how the committee intersects with the elected body of Council and Council Officers, as well as direction about membership, meeting commitments and administration.

## **Attachments**

8.5.1 Terms of Reference - Multicultural Communities Advisory Committee (contained within this report)

 <b>CAMPBELLTOWN CITY COUNCIL</b>	<b>City Lifestyles</b>
<b>Campbelltown Multicultural Communities Advisory Committee Terms of Reference</b>	

**Name:**

Campbelltown Multicultural Communities Advisory Committee.

**Interpretation:**

For the purposes of these guidelines;

"Member" means member of the Committee.

"Council" means the full body of elected representatives of the City of Campbelltown Council.

"Council Officers" means staff of Campbelltown City Council.

"Committee" means the Campbelltown Multicultural Communities Advisory Committee.

**The role of the Committee is to:**

1. Provide advice, input and feedback to Council on issues that fall within the parameters of its authority and relate to multiculturalism.
2. Advocate for and promote multiculturalism and social cohesion within the region.
3. Support the implementation of priority actions contained with Councils endorsed Plans and Strategies that relate to multiculturalism and community resilience.
4. Provide advice on and support partnerships with organisations and community leaders in the delivery of strategic priorities and activities that promote multiculturalism and social cohesion.
5. When requested, assist Campbelltown City Council to build its network of community leaders, groups and associations representing culturally and linguistically diverse communities.
6. Provide advice to support the development of Council strategies that promote multiculturalism and social cohesion.
7. In an oversight capacity, provide advice to Council on the development and adoption of a draft Social Cohesion framework provided by NSW Department of Communities and Justice.
8. Bring an awareness of community events and cultural celebrations with advice on Council's role in supporting these among various cultural groups across the LGA.

**Guidelines of Operation****1. Role within Council**

- 1.1 The Campbelltown Multicultural Communities Advisory Committee is an advisory committee to Campbelltown City Council.

1.2 The recommendations of the Committee shall be referred to Council for consideration.

1.3 Council may refer information to the Committee for comment or to be actioned.

## 2. Venue

2.1 Meetings will be held at Campbelltown a Campbelltown City Council premises or online.

## 3. Chairperson

3.1 The Chairperson of the Committee shall be one of the Councillors appointed to the Committee by Council and so nominated to be the Chairperson by the Council and will be appointed for the term of Council.

3.2 The Campbelltown City Council Mayor by virtue of that office is a member of each committee of Council. If the Mayor is in attendance at the meeting he/she may choose to assume the Chair for the duration of the meeting.

3.3 If the Chairperson is unable to attend the meeting an Acting Chairperson should be elected from within the Committee membership in attendance at that meeting.

## 4. Membership

4.1 Members of the Committee are appointed for the term of the Council.

4.2 Membership of the Committee is unpaid and voluntary

4.3 The Committee membership shall include a maximum of fifteen people comprised of Council representatives and Council Officers.

4.4 The Members of the Committee (listed as **Appendix 1**) shall include:

4.4.1 Councillors as nominated by Council on an annual basis

4.4.2 The General Manager of Council or nominee

4.4.3 Director of City Lifestyles

4.4.3 Executive Manager of Council's Community Life team

4.4.4 Committee Secretary

### 4.5 Role of the Members

4.5.1 Abide by Council's Code of Conduct and other related policies and protocols.

4.5.2 Attend and participate in meetings of the Advisory Committee (including planning sessions and relevant training)

4.5.3 Work co-operatively with other members in achieving the aims of the Committee

4.5.4 Contribute ideas and suggestions relating to items on the agenda

4.5.5 Provide advice and recommendations to Council on items relating to the agenda

4.5.6 Action and follow up tasks established by the Committee and resolved by Council

4.5.7 Report back to existing networks within the communities they represent on Council's role, responsibilities and its decisions relating to the Committee

4.5.8 Use existing networks to remain informed regarding the views and interests of the particular community they represent

4.5.9 All Members have voting rights on recommendations to Council if a consensus is not established.

### 4.6 Ex-officio Members

- 4.6.1 Appropriate Council Officers shall be ex-officio members of the Committee to provide professional guidance, current information and policy implication. The Council Officers do not form part of the quorum
- 4.6.2 Depending on the nature of issues raised, relevant Council staff and/or other stakeholders will be invited or co-opted to attend the meetings
- 4.6.3 Guest speakers may attend selected meetings as outlined and agreed by the Committee for particular reasons or as approved by the Council Officer convening the Committee
- 4.6.4 All of the above are non-voting positions.

## 5. Quorum

- 5.1 A quorum is half plus one of the membership of the Campbelltown Multicultural Communities Advisory Committee.
- 5.2 Should within half an hour of the time set down for a meeting of the Committee to commence a quorum not be present then the meeting shall be adjourned to a time within one month of the date of such meeting.

## 6. Meeting Frequency and Attendance

- 6.1 Meetings of the Committee shall be convened ad-hoc as the need arises with a minimum of two meetings each year. The Chairperson will give 6 weeks' notice of the meeting date.
- 6.2 Committee members other than Councillors cease to be a member of the Committee if the member:
  - 6.2.1 Has been absent from three consecutive meetings of the Committee without having given reasons acceptable to the committee for the members absence, or
  - 6.2.2 Has been absent from at least half of the meetings of the Committee held during the immediately preceding year ended 30 June without having given to the Committee acceptable reasons for the member's absence.

## 7. Committee Agenda

- 7.1 Written agenda items shall be forwarded to the Personal Assistant to the Director City Lifestyles by any member of the Committee or staff member no later than fourteen days prior to the next meeting. Agenda items may be mailed, emailed or faxed in. Late items will be subject to acceptance by the Committee.
- 7.2 The meeting agenda shall be forwarded to committee members no less than seven days prior to the next meeting date.

## 8. Committee Minutes

- 8.1 The minutes of all proceedings at the Committee meeting shall be documented.
- 8.2 A copy of the minutes shall be forwarded to all members of the committee within two weeks of the meeting. Committee members have two weeks to advise Council Officers of any errors or omissions from the minutes. The Minutes will then be presented to Council for consideration and endorsement.

## 9. Confidentiality and Conflict of Interest

- 9.1 Members are to declare a direct Conflict of Interest with issues on the agenda at the commencement of the meetings or as soon as the relevant issue is raised in General Business.
- 9.2 All Conflicts of Interest are to be declared and reported in the minutes, and if necessary, the parties involved will be asked to leave the room while the matter is discussed.

9.3 Where Committee meetings include confidential information relating to members or the business being discussed, members are required to respect principles of confidentiality.

9.4 All Members must abide by Council's Code of Conduct at all times.

9.5 No member of an Advisory Committee other than the Mayor or their specific delegate is able to make media or public comment on behalf of the Council or the Committee at any time.

#### **10. Changes to Terms of Reference**

10.1 The Terms of Reference may be altered, rescinded or added to by Campbelltown City Council.

#### **11. Issues not covered by the Terms of Reference**

11.1 The Committee cannot consider items outside the terms of reference.

#### **12. Dissolution of Committee**

12.1 The Council may by resolution dissolve the committee at any time without cause.

**END OF GUIDELINES**

**APPENDIX 1****2022 Committee Membership**

Councillor M Khalil (Chairperson)  
Councillor J Chew  
Councillor M Chowdhury  
Councillor J Cotter  
Councillor D Lound  
Councillor R Manoto  
Councillor W Morrison  
Councillor R Munro  
General Manager, L Deitz  
Director City Lifestyles, S Grant  
Executive Manager Community Life, T Soulos  
Committee Secretary, B Duncan

## 8.6 Campbelltown Sport and Health Centre of Excellence Update

### Reporting Officer

Project Director  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.5 - Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

### Officer's Recommendation

That the Council:

1. Endorse the relocation of the Campbelltown Sport and Health Centre of Excellence from its proposed Macarthur Heights location to the Campbelltown Sports Stadium precinct as the Cost Benefit Analysis indicates this provides a greater level of benefit to the community.
2. Notes that a number of funding options are being pursued and a further report will be brought back to Council prior to the commencement of any further development work.

### Purpose

To seek endorsement for the relocation of the Campbelltown Sport and Health Centre of Excellence from its proposed Macarthur Heights location to the Campbelltown Sports Stadium precinct.

### Background

On 25 January 2022, Councillors were briefed regarding the Campbelltown Sport and Health Centre of Excellence (CoE). The briefing provided an overview on the current status of the project, a funding opportunity through the NSW Office of Sport and the potential relocation of the CoE from Macarthur Heights to the Campbelltown Sports Stadium precinct.

Regarding the matter of the site for the CoE, if the CoE is located at the Campbelltown Sports Stadium precinct there is potentially a range of benefits such as the prospect of reducing operating and management costs, enabling greater community access to the site, and when combined with Western Sydney University's (WSU) presence at the site the concept would significantly assist in increasing activation of the precinct, and would act as the catalyst for realising Council's vision for Leumeah.

## Report

In January 2022 Councillors were advised of a NSW Office of Sport Centre of Excellence fund, which specifically targeted the development of Centre(s) of Excellence to improve talent pathways and community engagement for all sporting codes.

The funding application to the Office of Sport required the preparation of a detailed Business Case and Cost Benefit Analysis (CBA) in accordance with NSW Treasury's Cost Benefit Analysis model. The analysis includes the assessment of social, economic and environmental impacts.

The CBA quantifies the social benefit of a project through a calculation of Net Present Value (NPV) and Benefit Cost Ratio. On this basis the CBA demonstrated the relocation of the CoE to the Campbelltown Sports Stadium precinct would be the best social and economic outcome of the three options considered.

The table below provides a summary of this assessment:

OPTION	BENEFIT COST RATIO	NET PRESENT VALUE
BASE CASE	0.23	-\$9,855,743
OPTION 1 Establish Campbelltown Centre of Excellence at Campbelltown Stadium	1.22	\$9,948,747
OPTION 2 Establish Campbelltown Centre of Excellence at Macarthur Heights	0.75	-\$11,697,588

Council was recently advised that its application for funding through the NSW Office of Sport Centre of Excellence fund had been unsuccessful, however the Office of Sport have encouraged Council to seek funding through the second round of this program, which is expected to open in August 2022. In addition to this, Council continues to pursue alternative paths to progress the project including an application for funding through the NSW Government's WestInvest Program.

Irrespective of Council's decision regarding the relocation of the CoE, Council is obligated to provide sporting facilities at the Macarthur Heights site. Whilst the benefit of these facilities was not relevant to the CBA, the provision of 'community-level' facilities is considered to be more commensurate with the recent adjacent housing development.

A decision to relocate the CoE to the Campbelltown Sports Stadium precinct would remove uncertainty in relation to the facilities to be delivered at the Macarthur Heights site and enable Council to work with the developer to commence the delivery of these recreational facilities for the local community.

**Conclusion**

A Cost Benefit Analysis in relation to the location of the Campbelltown Centre for Sport and Health has been undertaken in accordance NSW Treasury's Cost Benefit Analysis model. The analysis which included a comparison of Macarthur Heights and Campbelltown Sports Stadium precinct sites demonstrated the relocation of the Centre of Excellence to the Campbelltown Sports Stadium precinct would produce the best social and economic outcome for the community.

In addition, the Campbelltown Sports Stadium precinct location supports Council's strategic direction for the Leumeah precinct as outlined in the City Masterplan and is supported by Western Sydney University<sup>1</sup>, who will be a major partner in the operation of the facility.

**Attachments**

Nil

<sup>1</sup>Note: WSU have changed their preference to an 'off campus' policy for the provision of allied health services as part of a CoE in Campbelltown, and prefer the Campbelltown Sports Stadium precinct location.

## 8.7 Reports and Letters Requested

### Reporting Officer

Director City Governance  
City Governance

### Community Strategic Plan

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

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### Officer's Recommendation

That the comments and updates to the reports and letters requested be noted.

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### Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 2 August 2022.

### Attachments

- 8.7.1 Reports requested (contained within this report)
- 8.7.2 Letters requested (contained within this report)

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
13.10.20 Lake	NM 11.1 - Charging for parking within the Campbelltown Local Government Area  That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.	A briefing was presented to Council in June 2021. The Integrated Movement and Place Strategy is currently in Development with Transport for NSW and Council is awaiting for the adoption of the document from Transport for NSW. A report will be presented in November 2022.	November 2022
2.11.21 Hunt	8.7 Grey Headed Flying Fox Residential Assistance Program  3. That a report be presented to Council detailing the success of the program and the approach undertaken at the end of the trial period or as soon as the funding has been exhausted.	It is envisaged that the GHFF Residential Assistance Program will be rolled out at the end February 2022. A report presented to Council upon completion of the trial which is expected to last 6 months (from application to acquittal).	November 2022
8.2.22 Hunt	NM 11.2 Koala Virtual Fencing 1. Investigate with priority the status and effectiveness of virtual fencing as a means of protecting animals along road ways. 2. Provide a report to the Council on the findings of the investigation including recommendations as to whether virtual fencing or any similar system would be a viable interim protection measure along Appin Road until permanent fauna crossing points have been installed.	Early stages of investigation and research into effectiveness of virtual fencing underway with further detailed analysis to be undertaken to produce recommendations and report.  Note that Appin Road is owned and managed by the NSW Government and Council does not own land parcels on either side of the road.	September 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
8.3.22 Khalil	<p>NM 11.5 - Simmos Beach, Macquarie Fields</p> <p>That a report be presented to Council outlining ways to increase visitation to Simmos Beach, Macquarie Fields. The report should include:</p> <p>a) identification of any future enhancement works planned or required to improve the location.</p> <p>b) marketing opportunities to increase visitation and tourism.</p> <p>c) any environmental factors to be taken into account because of increasing visitation.</p> <p>d) any future resourcing considerations to enable an ongoing program of works and marketing activity.</p>	<p>A review of previous work undertaken has commenced including:</p> <ul style="list-style-type: none"> <li>- 2016 study of bushwalking and associated recreational facilities</li> <li>- improvement works undertaken in 2018 and 2019 to upgrade Simmos beach including signage, trail upgrades, kayak ramp and picnic facilities</li> <li>- bushcare and bush explorers programs including the recently launched 'It's Our Backyard' program.</li> </ul> <p>Further investigations have also commenced.</p>	December 2022
12.4.22 Oates	<p>NM 11.2 - Scenic Hills Walking / Cycling Trail</p> <p>That Council officers provide a briefing to Councillors on the potential to create a Scenic Hills Walking / Cycling Trail to connect Campbelltown's Scenic Hills to the existing walking/ cycling networks in the adjacent Western Sydney Parklands.</p>	Briefing currently being prepared.	August 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
10.5.22 Stellino	<p>NM 11.2 - Reptile Protection</p> <p>1. That Council investigate the need and feasibility of reptile handling/catching services to be added to council capabilities.</p> <p>2. That a report be provided to the Council on the outcome of the investigation and include what opportunities are available for Council to increase public education on the existence of and response to snakes and other reptiles.</p>	Currently under investigation.	December 2022
<b>City Development</b>			
09.04.19 Thompson	<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 completed as part of the next housekeeping amendment to the Local Infrastructure Contributions Plan.	December 2022
8.12.20 Hunt	<p>ORD 8.2 - Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application</p> <p>3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.</p>	<p>Public exhibition closed on 14/2/2021 with issues and responses being investigated.</p> <p>Application requires updating to comply with NSW Chief Scientist and Engineer advice on the protection of the Campbelltown Koala Colony.</p>	September 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
8.6.21 Oates	<p>ORD 8.6 - Planning Proposal - "Glenlee Estate" Menangle Park</p> <p>3. That following the public exhibition: (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council</p>	<p>Gateway Determination altered by DPE as advised in Councillor Weekly Bulletin of 25 March 2022. Proponent is required to satisfy requirements of NSW Heritage prior to seeking the issuing of a new Gateway Determination.</p>	December 2022
3.8.21 Manoto	<p>ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan</p> <p>4. That a further report be presented to Council outlining options for developer contributions planning for the Ingleburn CBD.</p>	<p>Specialist studies are in progress for the Ingleburn Planning Proposal and these will guide the content of potential amendments to the Local Infrastructure Contributions Plan. Outcome will be reported to Council.</p>	December 2022
2.11.21 Brticevic	<p>ORD 8.1 - Planning Proposal (Mount Gilead Urban Release Area) - Outcome of Public Exhibition</p> <p>3. That a report be prepared for Council, that investigates rezoning of land identified by Condition 22A of DA2984/2020/DA-CW, to a land use zone suitable for a koala strategic linkage corridor, consistent with the recommendations of the NSW Chief Scientist and Engineer report – Advice on the protection of the Campbelltown Koala Population.</p>	<p>Report to be integrated with Stage 2 Biodiversity Certification Application which relates to most of Menangle Creek.</p>	October 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
8.3.22 Oates	<p>NM 11.3 - Illegal Rubbish Dumping</p> <p>1. That Council investigate ways to combat the increasing levels of illegal kerbside rubbish dumping across the city.</p> <p>2. That a report be presented as soon as possible on the outcome of the investigation.</p>	A report to be presented to Council at the August 2022 meeting as Item 8.3 on the agenda.	August 2022
10.5.22 Brticevic	<p>ORD 8.1 - Local Housing Strategy - Approval Conditions and Affordable Housing Initiatives</p> <p>4. That once the draft Campbelltown Affordable Housing Strategy has been prepared it be reported to Council for consideration prior to formal public exhibition.</p>	Procurement process commencing for preparation of the strategy which is anticipated to take 9 months.	February 2023
10.5.22 Brticevic	<p>NM 11.1 - No Smoking - Queen Street, Campbelltown</p> <p>That Council present a report on the feasibility of banning smoking/vaping in the public areas of Queen Street, Campbelltown and Ingleburn CBD. Considerations for the report:</p> <ul style="list-style-type: none"> <li>• Consulting with businesses, the community and other stakeholders.</li> <li>• The geographical boundaries of any ban such as other sections of the Campbelltown CBD.</li> <li>• Designated smoking areas.</li> </ul>	Investigation is underway with an expected reporting timeframe being November 2022, subject to the findings of the investigation.	November 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
14.6.22 Brticevic	<p>ORD 8.3 - Planning Proposal - 158 Queen Street, Campbelltown</p> <p>5. That following the completion of public exhibition, a report be presented to Council on the outcomes of public exhibition.</p>	It is expected that a positive gateway determination will be received in August, enabling the public exhibition to occur during September and October.	December 2022
14.6.22 Stellino	<p>NM 11.1 - Bin Lid Latches</p> <p>That a report be provided to Council investigating the feasibility for bin latches to be included with the 2024 Domestic Waste Collections Tender and/or provided as a separate and stand-alone solution.</p>	Currently in discussions with suppliers regarding pricing.	September 2022
<b>City Governance</b>			
13.7.21 Morrison	<p>ORD 8.3 - Menangle Park - Amendments to Development Control Plan</p> <p>3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.</p> <p>4. That a further report be presented to Council that includes street names, derived from Table 1.3 of the current Campbelltown (Sustainable City) Development Control Plan, Part 8 Menangle Park, for places of Non-Indigenous Heritage Significance for inclusion on the list of road names approved for Menangle Park.</p>	<p>3. A report was prepared and presented to Council at the November 2021 meeting as Item 8.2 on the agenda.</p> <p>4. Future report to be presented which includes additional street names relating to places of non-indigenous heritage for use on streets for future subdivisions in Menangle Park. Timing of report is linked to the timing of the development and the submission of relevant subdivision plans.</p>	December 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Governance</b>			
12.4.22 Brticevic	NM 11.3 - Cost of Living Assistance for Local Residents  1. That Council officers provide a briefing and a report to Councillors on the Rate Assistance and Hardship Policy. 2. That Council officers provide a briefing and a report to Councillors on the Resilience Hazard Assessment.	A report to be presented to Council at the August 2022 meeting as Item 8.8 on the agenda.	August 2022
12.7.22 Munro	NM 11.1 - Council Involvement in Apprenticeship and Traineeship Programs  1. That a report be presented to outline Council's involvement in any apprenticeship, traineeship programs, scholarships, school based work experience and any other similar programs, to include:  a. An overview of any existing programs in place; and b. An outline of the feasibility to extend the program to support the employment of local people in local jobs. c. An outline of the feasibility of introducing an identified indigenous scholarship program	A report is being prepared and will be considered by Council at the September Council meeting.	September 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
10.03.20 Morrison	<p>ORD 8.12 - Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	<p>Council continues to embed improvements as part of its commitment to reducing greenhouse gas emissions. These commitments include increasing the provision of solar systems and renewable electricity, investigating low emission fleet opportunities and working in partnership with developers to deliver low emission communities.</p> <p>In February 2022, Council engaged a consultancy to develop a plan that will provide suitable pathways for Council to transition its operations to Net Zero. The plan utilises information from Council's sustainability dashboard. The dashboard captures and presents consumption and cost information for the following activities - energy and water consumption, vehicle fleet and waste. It is anticipated that the plan will be completed in October 2022.</p>	October 2022

## Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
3.8.21 Manoto	<p>ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan</p> <p>3. That a further report be presented to Council outlining options for a design excellence process for the development of the future car park site for a mixed use building and a public park. This report is to consider the appropriateness of this site for a possible iconic building.</p>	<p>A Project Definition Plan (PDP) is in preparation. This will include an outline of costs required to undertake a feasibility study to determine the sites viability from a triple bottom line perspective (ie financial, social and environmental). The required funding will be considered as part of Council's annual budget planning process for 2022-23. The project feasibility will take approximately 3 months to complete once funding has been made available.</p>	March 2023
14.9.21 Oates	<p>NM 11.2 - Creative Arts Fund</p> <p>1. That a report be presented investigating the establishment/trial of a local creative arts fund with the purpose of providing opportunities to improve the wellbeing, resilience and social cohesion of our community through creative expression and social connection.</p> <p>2. That the report also include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council including the cost associated with these initiatives.</p>	<p>A report is currently being drafted that investigates the opportunity of a local creative arts fund to improve our community's well-being, resilience, and social cohesion through creative expression and social connection. The report will include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council. A report will be presented to Campbelltown Arts Centre Strategic Committee for consideration and then for recommendation to Council.</p>	September 2022

## Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
8.3.22 Lound	<p>NM 11.4 - Business Parking in the Campbelltown CBD</p> <ol style="list-style-type: none"> <li>1. That Council undertake further engagement with Campbelltown CBD Businesses to understand their concerns regarding parking.</li> <li>2. That a report be presented to Council for discussion and consideration of appropriate potential solutions.</li> <li>3. Develop an appropriate data strategy to ensure that recommendations regarding parking are based on evidence.</li> </ol>	<p>Council regularly engages with businesses in the Campbelltown CBD on a range of topics and has commenced a targeted discussion about car parking. Council has access to a number of data sources including a recent travel survey, Place Intelligence pedestrian movement data and anecdotal feedback from CBD businesses. TNSW have partnered with Council to deliver a kerbside data project. Camera's and sensors have been installed in and around Queens street. Data will be available in the coming months and will allow Council to make evidenced based assessment of vehicle and pedestrian movement in relation to car parking. In consultation with TNSW, a report will be presented to Council to consider options moving forward.</p>	September 2022
<b>City Lifestyles</b>			
12.10.21 Oates	<p>NM 11.2 - Local Community Fresh Produce Market</p> <p>That a report be presented on the opportunity for Council to facilitate the development of a Local Community Fresh Produce Market to support our local small businesses, community groups, small farmers and bakers, post COVID-19.</p>	<p>An outdoor fresh produce market 'Home Grown and Home Made' will be piloted as part of On Q activations in March - April 2022. Pilot will test community interest in a fresh produce market and inform a feasibility analysis of best site, size and frequency. Stallholder / vendor EOI is currently active.</p> <p>The markets are scheduled for 20 March, 10 April and 15 May and a report will produced after the last occurrence in May and anticipated to be presented at the September Ordinary Council Meeting.</p>	September 2022

### Reports requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Lifestyles</b>			
12.4.22 Oates	NM 11.1 - Women's Shed  That Council present a report on the feasibility of developing a Women's Shed Pilot Program to complement Council's focus on community resilience and sustainability.	Council will investigate options for introducing a "Women's Shed" or skill development program to the LGA. Informed by recommendations of the Resilience Hazard Assessment and looking at the economic sustainability of local households, Council will explore various models of delivery including grant options, fee-paying workshops and potential partner or host organisations. A report with options and a recommendation is anticipated to be presented at the November 2022 Council meeting.	November 2022
14.6.22 Brticevic	ORD 8.5 - Campbelltown Billabong Parklands - Project Update  4. That Councillors be provided with a quarterly report on the progress of the Billabong project and the opportunity to inspect the site when feasible.	Quarterly report dates have been scheduled as follows:  November 2022 - Aquatics December 2022 - Aquatics/Landscaping March 2023 - Aquatics / Landscaping / Buildings June 2023 - Aquatics / Landscaping / Buildings September 2023 - Completion	November 2022

Letters requested effective 2 August 2022

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Delivery</b>		
14.6.22 Hunt	ORD 7.1 - Koala Care and Treatment Facilities  2. That Council write to the new Federal Minister for the Environment and Water, the Hon. Tanya Pliibersek MP, seeking funding for koala protection.	2. Letter sent 4/07/2022 o the new Federal Minister for the Environment and Water, the Hon. Tanya Pliibersek MP.

## 8.8 Rate assistance and hardship support

### 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 Council with information on hardship support and the debt management process.

### History

At Council meeting of 12 April 2022 a Notice of Motion (079/2022) was raised regarding 'Cost of Living Assistance for Local Residents'. The Council resolution (item 11.3) included 3 items, this report addresses the first item following on from a briefing that was held on Tuesday 5 July 2022.

Resolution item 1: That Council officers provide a briefing and a report to Councillors on the Rate Assistance and Hardship Policy.

### Report

Land rates and charges intrinsically form the funding basis for local government. The responsibilities of local councils is recognised as one of the most diverse businesses in operation today and legislative framework supports the smooth running of our community through these levies. Land rates are levied to fund works, services, activities and facilities in accordance with the Integrated Planning and Reporting framework, essentially a tax to provide infrastructure and facilities for which pay-for-use charges would not be a viable option.

The *Local Government Act* (the Act) frames the legal basis for which land rates must be calculated and levied in each council area. The legislation does not provide many discretionary powers to council for hardship relief, it does allow penalty interest charges to be waived if 'payment of the accrued interest would cause the person hardship'. This option is available to our community and is actively encouraged.

Assisting our community with their payments is constantly being assessed and improvements made as needed. A recent change has been in the narrative, from debt recovery to debt management and forms part of the flexible approach to meeting both the needs of the organisation and those of our community. The current 'Rate Recovery Procedures Policy' and 'Hardship Policy' work in unison to help ratepayers manage their debts with Council, providing relief through the waiving of penalty interest if required.

Financial hardship is a subjective matter and extremely difficult to ring fence and apply uniformly in terms of assessment to all citizens. In the wake of the COVID-19 lockdowns, and the cost of living pressures, applying bespoke payment plans and arrangements continues to be considered the most suitable way forward in assisting our community. Council provides access to hardship application forms on our website with staff available to support the community through their debt management journey.

Helping ratepayers get back on track through payment plans and external support is the preferred outcome. To maintain the lines of communication, additional contact details are gathered and used to reach out to ratepayers with overdue arrears and support with early intervention being the desired outcome.

In extreme cases, ratepayers may be referred for additional assistance from external services provided by charities and government agencies with a view to helping those in significant need to access welfare services and schemes.

Council continues to support eligible pensioners within the community who own and reside at the property. Council currently reduces over 8,000 rate accounts for eligible pensioners by up to \$300 pa. Whilst the significant category of pensioner is aged, Council also supports jobseeker, disability and supporting parent pensioners.

Council has not experienced a significant increase in applications for Hardship, on average managing around a dozen accounts under this Policy. In recent years, Council has averaged overdue rates balances at around 4 per cent, compared to neighbouring and similar sized councils at around 5-6 per cent.

The Hardship Policy is due for review in November 2022 at this stage the policy is delivering on the expected outcomes and there have not been any changes made. Officers will continue to review these outcomes based on a standard set of metrics used in previous years and used by comparable councils to ascertain and report to Council of any recommended changes.

Council continues to keep land rates as low as possible whilst providing the best possible service to the community. Comparatively the average residential rate (including Infrastructure Special Rate) is \$1,319.80, which is ranked second lowest against our neighbouring councils, Camden, Liverpool, Penrith, Wollongong and Wollondilly.

## **Attachments**

8.8.1 Hardship Policy (contained within this report)

8.8.2 Rate Recovery Procedures Policy (contained within this report)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Hardship Policy	
Related Documentation	Rate Recovery Policy	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i>	
Responsible Officer	Executive Manager Corporate Services and Governance	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

To provide financial relief to customers of Council experiencing difficulties in meeting their commitments in Rates, Debtors and other Fees and Charges.

### Policy Statement

Assessment of financial hardship to be made internally following a set of guidelines and the completion of Council's 'Financial Hardship Relief Application Form'. Criteria for income and asset values shall be determined in accordance with the Australian Government Department of Human Services – Income test for pensions.

1. Rates

- Write off interest charges accrued over a period of twelve months from the date of debt, subject to the debt being paid through regular payments in the agreed period.
- Reduce penalty interest by one half over a period of eighteen months on ratepayer accounts where financial hardship has resulted due to significant changes in the rateable valuation of their land.
- Limited to the single property owned and occupied (jointly or not) by the applicant.

2. Debtors

- Write off interest or administration fees for debts paid within a structured payment plan geared to clear the debt within a maximum twelve-month period.

3. Fees and Charges

Waste collection charges

- Write off interest charges accrued over a period of twelve months from the date of debt, subject to the debt being paid in this period.
- Limited to the single property owned and occupied (jointly or not) by the applicant.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Financial Services <b>DocSet:</b> 2169806	<b>Adopted Date:</b> 1/08/2006 <b>Revised Date:</b> 08/10/2019 <b>Minute Number:</b> 205 <b>Review Date:</b> 18/11/2022	<b>Page:</b> 1 of 2

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**Other Fees and Charges**

- Due to the nature of the adopted fees and charges, any reduction or abandonment of a fee due to financial hardship being incurred shall be determined on an individual basis subject to Council resolution.

Council must be satisfied that the case falls within a category of hardship, alternatively fees and charges must not be reduced unless public notice given over a twenty-eight day exhibition period.

Administration Fees Standard flat fee as adopted by Council in annual Fees and Charges.

**Legislative Context**

The following Sections of the *Local Government Act 1993* are included and influence this Policy:

- Section 564
- Section 566
- Section 567
- Section 601
- Section 610E

**Principles**

The Executive Manager Governance and Corporate Services will be responsible for administering the principles and that appropriate steps are taken to maintain a level of confidentiality with data supplied for the purposes of conducting a fair and equitable assessment.

**Responsibility**

The Executive Manager Governance and Corporate Services may delegate their responsibility to the Senior Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council and relevant legislation.

**Effectiveness of this Policy**

Key Performance Indicators

- maintain or reduce the amount percentage of outstanding debts with Council through a formal customer assistance program.
- monitor the number of successfully completed applications within the scope of this Policy.

**END OF POLICY STATEMENT**

<b>DATA AND DOCUMENT CONTROL</b>		
<b>DocSet:</b> 2169806	<b>Page:</b> 2 of 2	

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Rate Recovery Procedures	
Related Documentation	Sundry Debtors Recovery Policy Hardship Policy	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Civil Procedure Act 2005</i> <i>Corporations Act 2001</i>	
Responsible Officer	Executive Manager Corporate Services and Governance	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

To ensure the efficient and prompt recovery of all outstanding rates and charges from ratepayers.

### Policy Statement

#### 1. Issue of Original Rate Notice

By virtue of the *Local Government Act 1993* rates are due in full on 31 August or as quarterly instalments. The due dates for each quarter are 31 August, 30 November, 28 February and 31 May each year. A ratepayer may approach Council and seek an arrangement to finalise the rate account. It must be stressed that recovery action will only apply to those ratepayers who have not made arrangements to finalise their rates, or who have defaulted on an existing arrangement.

#### 2. One Week After Instalment Due Date

- a) Issue missed instalment notices on assessments with the current quarter rates owing and/or arrears with a combined total not exceeding \$1000.
- b) Issue of a formal demand letter notifying the possible commencement of legal action where the arrears of rates and charges exceeds \$1000.
- c) In respect to (b) only, instructions to Council's agents be given to issue an intent to commence legal proceedings letter where two or more full instalments remain outstanding and the balance exceeds \$1000. A period of 14 days to be allowed between the posting date and the last date for payment or suitable payment arrangements to be made.

**Note:** Legal action will result in the issue of a Statement of Claim.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Financial Services <b>DocSet:</b> 1555268	<b>Adopted Date:</b> 15/03/1977 <b>Revised Date:</b> 10/12/2019 <b>Minute Number:</b> 268 <b>Review Date:</b> 30/12/2022	<b>Page:</b> 1 of 4

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**Campbelltown City Council**


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**3. Arrangements to Pay**

- a) All arrangements to pay outstanding rates are to be considered upon receipt of a request made in writing. Acceptable arrangements will be determined subject to all outstanding rates and charges being finalised within six months of the date of debt.
- b) Acknowledgment accepting the terms of arrangement be issued, confirming due dates and amounts agreed to be paid.

A default of payment arrangements shall be referred to legal recovery unless an alternative arrangement has been received prior to the date of payment as determined in point (b).

**4. Further Action**

- a) Contact points recorded by Council to be provided to external agent where a suitable payment arrangement has not yet been received. This step is to be taken within seven days of the notification in 2(c) being issued. Agents are to attempt contact with ratepayers using the supplied information and to include but not limited to (SMS, telephone call or send an email).
- b) 'Stop the clock' approach:
  - Where formal notification of pending legal recovery action mail has been returned to Council. Every effort to be made to locate the liable person before restarting the recovery process.
  - Where a 'Financial Hardship Relief Application' has been submitted formal recovery action to be suspended pending review by delegated officer.
- c) If ratepayers fail to respond to the letters of demand a Statement of Claim is registered and served. Defaulters have a period of 28 days to defend the Statement of Claim, if they are unsuccessful or fail to lodge a defence Judgement is entered and actioned in the form of either a Garnishee Order, Examination Order or Writ.
- d) When rates have been outstanding on a property for a period of five years, Council may take action under Section 713 of the *Local Government Act 1993* to offer the property for sale at public auction in order to recover the outstanding rates.

**5. Additional Action in Respect of Companies and Rented Premises**

- a) Where companies continue to default after judgment is entered, it is considered that action for the winding up of companies under Section 459 of the *Corporations Act 2001* should be contemplated. At this stage the matter be placed in the hands of Councils recovery agents.
- b) In appropriate circumstances, take action under Section 569 (2) of the *Local Government Act 1993* to serve notice upon a person in occupation of the land and demand that, as the rent falls due, it be paid to Council in liquidation of the amount of rate arrears. This is a valid discharge of the tenant's liability for rent.

**6. Dispute resolution and review**

- a) Disputes must be submitted to Council in writing and can be made at any time.
- b) Formal disputes shall be referred to the Manager Governance and Risk for investigation. Investigation findings are to be reported to the Executive Manager Corporate Services and Governance.

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**Campbelltown City Council**

**Scope**

This policy will be relevant to all ratepayers within the Local Government Area. It is anticipated to have a direct impact on less than 5,000 ratepayers

**Definitions**

Arrangement	An agreement accepted by Council or its agents to repay a debt within a specific period of time.
Court Instalment Order	Enforceable payment arrangement granted to the ratepayer by the court.
Examination Notice	Notice issued by recovery agent to ascertain ratepayer's financial affairs and negotiate a suitable payment arrangement.
Examination Order	Court issued order to have their financial affairs "examined" in the presence of a court official for the purposes of determining their capacity to make payments.
Garnishee	Court order to withhold funds from a ratepayer's wage or bank account.
Judgment	Court issued statement acknowledging the debt recorded against the debtor.
Liable person	The owner or occupier of rateable land.
Statement of Claim	Court issued document defining the amount due and the debt that is due to be paid. Ratepayers have 28 days from being served this document to lodge a defence.
Warrant	Enforceable arrest warrant issued by the court for Sheriffs' Office to arrest and present debtor to Registrar for examination.
Writ	Court issued document identifying goods to be sold in order to liquidate the judgement debt.

**Legislative Context**

The following Sections of the *Local Government Act 1993* are included and influenced by this policy:

Section 562, Section 564, Section 569, Section 712 and Section 713.

The following legislation is referred to during critical points of the recovery process:

*Civil Procedure Act 2005*, and  
*Corporations Act 2001*

**Principles**

The Executive Manager Corporate Services and Governance will be responsible for administering the principles and that appropriate steps are taken to maintain a level of confidentiality with data supplied for the purposes of conducting a fair and equitable assessment.

**Responsibility**

<b>DATA AND DOCUMENT CONTROL</b>		
<b>DocSet:</b> 1555268	<b>Page:</b> 3 of 4	<b>Print Date:</b>

**Campbelltown City Council**

The Executive Manager Corporate Services and Governance may delegate responsibility to the Senior Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council and relevant legislation.

**Effectiveness of this Policy**

Key performance Indicators

- maintain or reduce unpaid rates and charges at a level considered acceptable to Council, no greater than 5%
- Monitor and report on the trends that emerge in defaulting ratepayer patterns.

**END OF POLICY STATEMENT**

<b>DATA AND DOCUMENT CONTROL</b>		
<b>DocSet:</b> 1555268	<b>Page:</b> 4 of 4	<b>Print Date:</b>

## 8.9 Investments and Revenue Report - June 2022

### 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 June 2022.

### Report

Council's investment portfolio as at 30 June 2022 stood at approximately \$189 million. 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.

As at 30 June, Council's return exceeded the benchmark by some 89 basis points on an annualised basis which is a positive on an absolute basis. This return excludes funds held in at call account but includes the 30 day notice saver account.

The yield on the AusBond Bank Bill Index has been very low in recent years, however the monthly annualised return for June has improved at 0.096 per cent which reflects the commencement of improving interest rates. Council's investment performance has maintained an excellent return of around 90 basis points over the benchmark index in comparison with an annualised monthly return of 0.991 per cent as at 30 June 2022.

The portfolio is diversified with maturities ranging up to a 5 year period in accordance with Council's Investment Policy.

Council's investment advisor, Amicus Advisory have confirmed that Council's investment portfolio is being well managed and is compliant with current policy settings, with clear buffers between exposures to individual entities and credit limits.

Council's total liquidity to meet short to medium term cash flow needs remains strong with \$5 million held in an at call account and \$10 million in a 31 day notice saver account. The interest rate on the 31 day notice saver account remains attractive for short term deposits at 1.80 per cent.

The official cash rate is 1.35 per cent, an increase of 0.50 per cent announced at the July meeting of the Reserve Bank Board. This is a further step in the withdrawal of the extraordinary monetary support that has been in place to support the Australian economy. The Board expects to take further steps in the process of normalising monetary conditions to bring inflation back to within the target range of 2-3 per cent, in the coming months.

The ASX200 closed at 6,568.10 at the close of June with the monthly change being negative 8.92 per cent. Over the past several months, the share market has been subject to heightened volatility due to the war in Ukraine, supply chain disruptions, high inflation and the fears over a possible recession. This is however expected to rebound during 2022-23 with the share market clawing back losses as the economy strengthens and inflationary pressures ease. Investments that are subject to volatile market conditions should be assessed over longer time frames and whilst returns have been low over the past year, total returns have risen by around 8 per cent per annum over the past 5 years.

The market value of the Treasury Corporation Long Term Growth Fund which has a current asset allocation of around 50 per cent in domestic and international shares, also correlates to this downturn in global equity markets, with an annualised return of negative 1.59 per cent. Historically however, because of the broad diversification across asset classes, this fund tends to be less volatile than equity markets and as such the fund is expected to recover in future periods. This Treasury Corporation fund is a long term growth fund with high return potential over the long term that may experience occasional periods of negative returns. It is intended to be at least a 7 year investment with the expectation of a return of CPI plus 3.5 per cent over a rolling 10 year period.

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 30 June 2022 totalled \$131,091,400 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of June totalled \$125,101,675. In percentage terms, 97.4 per cent of all rates and charges due to be paid have been collected, compared to 97.2 per cent collected in the same period last year.

To mitigate the risk of debts becoming unmanageable Council staff have been actively assisting ratepayers with their quarterly instalments and provide advice on options available such as regular weekly payments. Special consideration is given to support all ratepayers that have been affected by the COVID pandemic with particular attention to the business community. Where the charging of penalty interest causes hardship the charges are waived in accordance with Councils Hardship Policy and an application being made. An on-line application form is available on Council's website to assist ratepayers to apply and complete their request at a convenient time.

Debt management action commenced with the issue of 880 personalised 'time to get back on track' letters to ratepayers with two or more instalments outstanding and a combined balance exceeding \$1000. These letters sought payment in full or suitable arrangements to clear their debt in a reasonable time affordable to the ratepayer. Our agents issued a second letter to all ratepayers that had not reduced their balance to less than \$1000 by the end of June 2022.

Debt recovery action during the month involved the issue of 3 Statements of Claim to ratepayers who were issued the abovementioned letters in previous months and had not made suitable arrangements to clear their debt or failed to maintain their agreed payments. Further recovery on accounts with previous action resulted in 11 Judgments and 4 Writs being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Positive feedback continues to be received from Pensioners that can now make an application for a Pension Rebate Concession over the phone and via the internet. During the month, 34 applications were made over the phone and 23 online. Given the level of success, implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process or by mail.

Ratepayers who purchased property since the annual rates and charges notices had been issued, are provided a 'Notice to new owner' letter. During the month, 15 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

### **Sundry Debtors**

Debts outstanding to Council as at 30 June 2022 are \$2,980,191 reflecting an increase of \$289,145 since May 2022. During the month 530 invoices were raised totalling \$4,426,654. 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.

Debts exceeding 90 days of age totalled \$361,868 as at 30 June 2022. The majority of this debt relates to City Standards for \$99,453 with the most significant amount of \$97,225 relating to health licence inspection fees – these fees are generated for various shop premises, household pool inspections, fire safety services and wastewater management systems for the local government area. Council staff continue to reach out to our customers experiencing difficulty in paying to offer suitable payment arrangements. Some of the debt is also due to shop closures and the licensee is no longer contactable. If the cost of recovery is uneconomical to recover the debt is then suggested for write-off.

Grants debt totalling \$95,201, the most significant amount of \$44,000 relates to the "Stronger Communities Programme" with Council receiving payment of this debt in early July 2022. The ongoing overdue amount of \$27,629 which relates to the NSW Environmental Trust Grant being the final payment of the 'Campbelltown Community Recycling Centre'. Council has submitted all reports and expects payment to be made imminently. Another amount for \$23,572 relates to "Community Building Partnership Grant" with the Department of Communities and Justice recently advising payment will be made by the end of the month.

Corporate Governance items totalling \$57,676 includes a combined amount of \$25,725 relating to various property related debts for clean-up orders issued and the recovery of costs associated with restoring private property to a suitably healthy status. In some cases, property owners are already in financial distress or are uncontactable. Council staff continue to reach out to the owners in the hope of a positive resolution however, debts are encumbered to the land and are often finalised with the sale of the property. Another significant amount of \$5,466 relates to bin services supplied for 'Eat, Shop, Love', Market events. The account was referred to our agents for recovery and the debtor has made contact with our agents and entered into a payment arrangement of \$300 per week. Also outstanding within this category is a combined amount of \$6,280 which relates to legal recovery of 3 accounts, one for hall hire and 2 for health licence inspection fees. In all cases the debt involved has proven to be unrecoverable and Councils agents have advised to cease legal action and recommend the accounts for write-off.

Community Life debts totalling \$53,473. The most significant portion of \$49,450 relates to a previous contractor for "catering sales commission" of various events at the Campbelltown Sports Stadium. Our external recovery agent has now issued a Statement of Liquidated Claim and we are now awaiting further advice as to the next steps of recovery.

Public hall hire fees of \$40,580 are a result of debts raised in advance, and in accordance with council policy, do not need to be finalised until 2 weeks prior to the function. This process also gives hirers an option to book in advance and then to make smaller regular payments leading up to their event. In this category however, there are a few accounts with the combined outstanding balance of \$23,267 where officers are working hard to obtain suitable payment arrangements.

Debts categorised within Community Businesses totalled \$9,366. The most significant amount of \$7,495 relates to the Bicycle Education Centre and are a result of debts raised in advance.

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, service or activity 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 7 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, 6 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 not required to issue any formal recovery for the month. Council officers are mindful of the ongoing impact of COVID on our community and 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**

- 8.9.1 Summary of Council's Investment Portfolio - June 2022 (contained within this report)
- 8.9.2 Rates and Charges Summary and Statistics - June 2022 (contained within this report)
- 8.9.3 Debtors Summary and Ageing Report - June 2022 (contained within this report)

## Summary of Council's Investment Portfolio

Portfolio as at 30 June 2022



Product Type	Face Value	% of Total
At Call Deposits	5,308,079	2.8%
Notice Account	10,029,583	5.3%
Term Deposits - Fixed Rate	91,271,013	48.2%
Term Deposits - Floating Rate	44,000,000	23.3%
Fixed Rate Bond	22,050,000	11.7%
FRN	16,550,000	8.7%
<b>Grand Total</b>	<b>189,208,675</b>	<b>100.0%</b>
Managed Funds - TCorp*	4,639,977	

\* Market Value as at month end

### Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	5.1%
AA-	101,371,013	74.9%
A+	1,000,000	0.7%
BBB+	14,000,000	10.3%
BBB	7,000,000	5.2%
Baa2	5,000,000	3.7%
<b>Total Term Deposits</b>	<b>135,271,013</b>	<b>100.0%</b>

### Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-22	0.90% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Dec-24	1.00% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Jun-25	0.90% Annually	\$2,500,000
AU3CB0289072	Royal Bank of Canada - Covered Bond	AAA	6-May-25	Fixed at 3.75% s.a.	\$1,000,000
AU3CB0282358	ING - Covered Bond	AAA	19-Aug-26	Fixed at 1.10% s.a.	\$1,800,000
AU3CB0286763	NAB	AA-	25-Feb-27	Fixed at 2.9545% s.a.	\$1,750,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000
AU3FN0063103	CBA - Green Bond	AA-	23-Dec-26	3m BBSW + 0.41%	\$5,000,000

Summary of Council's Investment Portfolio - June 2022 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio				
	Actual	Cumulative*	Minimum*	Maximum	Compliant
AAA	1.5%	<b>1.5%</b>	40%	100%	Yes
AA+, AA, AA- (or MTB*)	73.5%	<b>75.0%</b>		100%	Yes
A+, A, A-	3.7%	<b>78.7%</b>	60% (70%)^	100%	Yes
BBB+, BBB, BBB-	21.3%	<b>100.0%</b>	100%	100%	Yes
<i>TCorp LTGF</i>	<b>2.4%</b>	-	0%	20%	Yes

\*Policy limits are measured on a cumulative basis calculated from the respective rating category band on an **"and above"** basis

### Portfolio Return

Council's investment portfolio (excluding NSW TCorp LTGF and At Call Deposits but includes Notice Saver Account) provided a weighted average return (running yield) of:

30 June 2022	Monthly Return	Annual Return
<b>Campbelltown City Council - Investment Portfolio</b>	0.134%	0.991%
<b>Benchmark - Bloomberg Ausbond Bank Bill Index</b>	0.050%	0.096%
<b>Performance Relative to Benchmark</b>	0.084%	0.895%

## Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2021	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,592,824.67	71,807,343.42	1,407,822.80	544,451.15	74,536,796.44	70,908,078.28	3,628,718.16	259,160.34	3,887,878.50
Business	601,012.56	20,494,600.66		76,367.88	21,171,981.10	20,480,909.61	691,071.49		691,071.49
Farmland	15,521.60	517,292.78	495.05	2,469.05	534,788.38	491,421.73	43,366.65	212,813.35	256,180.00
Mining	0.00	29,200.08		0.00	29,200.08	29,200.08	0.00		0.00
SR - Loan	628.02	1.26		133.52	762.80	0.00	762.80	0.00	762.80
SR - Infrastructure	400,650.65	7,023,688.71		14,440.15	7,438,779.51	7,034,668.83	404,110.68	46,770.79	450,881.47
<b>Total</b>	<b>\$4,610,637.50</b>	<b>\$99,872,126.91</b>	<b>\$1,408,317.85</b>	<b>\$637,861.75</b>	<b>\$103,712,308.31</b>	<b>\$98,944,278.53</b>	<b>\$4,768,029.78</b>	<b>\$518,744.48</b>	<b>\$5,286,774.26</b>
Garbage	1,091,384.56	25,559,012.24	870,089.23	55,346.14	25,835,653.71	24,692,006.87	1,143,646.84		1,143,646.84
Stormwater	77,891.31	1,464,408.88		1,137.79	1,543,437.98	1,465,389.45	78,048.53		78,048.53
<b>Grand Total</b>	<b>\$5,779,913.37</b>	<b>\$126,895,548.03</b>	<b>\$2,278,407.08</b>	<b>\$694,345.68</b>	<b>\$131,091,400.00</b>	<b>\$125,101,674.85</b>	<b>\$5,989,725.15</b>	<b>\$518,744.48</b>	<b>\$6,508,469.63</b>

Total from Rates Financial Transaction Summary	3,970,346.13
Overpayments	-2,538,123.50
Difference	0.00

### Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	1,160,906
Rate accounts greater than 12 months less than 18 months in arrears	268,912
Rate accounts greater than 18 months in arrears	11,764
<b>TOTAL rates and charges under instruction with Council's agents</b>	<b>1,441,582</b>



### Rates Statistics

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Jun-21
Rate Notices	57,620	238	66	18	79								
Electronic - DoH	4,866												
Instalment Notices							43,256			43,247			
Electronic - DoH							4,353			4,301			
Missed Instalment Notices			10,084	43,662		8,951			8,684				
- Pensioners > \$15.00			1,074	4,691		987			691				
Notice to new owner	133	92	109	113	19	41	62	30	37	27	18	15	11
7-day Letters - Council issued						1,237			843			801	
- Pensioners > \$500.00						127			83			79	
7-day Letters - Agent Issued									453			492	
Statement of Claim							241	47	25	165	13	3	25
Judgments							39	21	39	52	50	11	
Writs							11	35	8	28	31	4	
Electronic - eRates & BPAYView	11,666	11,798	12,084	12,294	12,673	12,858	13,042	13,341	13,452	13,656	13,912	14,058	11,308
Pensioner applications	257	99	60	61	52	53	51	45	44	39	72	57	66
Arrangements	207	193	113	101	99	172	183	171	112	126	116	111	135

**DEBTORS SUMMARY 1 June 2022 to 30 June 2022**



DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/05/2022	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/06/2022	% DEBT RATIO
Corporate Governance	489,358	469,803	254,112	705,049	23.66%
City Delivery	46,328	18,842	18,483	44,688	1.50%
City Standards	162,535	53,519	43,604	172,450	5.79%
Community Businesses	54,773	30,615	29,476	55,911	1.88%
Community Life	285,445	202,536	179,289	308,691	10.36%
Grants	1,276,152	2,819,212	2,787,129	1,308,235	43.90%
Hall Hire	174,545	173,576	154,637	193,484	6.49%
Property Services	201,910	660,550	670,778	191,683	6.43%
	<b>2,691,046</b>	<b>4,426,654</b>	<b>4,137,508</b>	<b>2,980,191</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 June 2022**



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Governance	464,853	27,904	154,615	57,676	705,049	72,880
City Delivery	16,143	22,266	3,090	3,189	44,688	1,883
City Standards	45,700	19,860	7,438	99,453	172,450	91,746
Community Businesses	36,029	5,194	5,323	9,366	55,911	13,911
Community Life	201,981	24,652	28,585	53,473	308,691	55,025
Grants	1,198,134	14,900	0	95,201	1,308,235	440,164
Hall Hire	77,998	69,161	5,746	40,580	193,484	44,893
Property Services	162,616	24,212	1,725	2,930	191,683	35,474
	<b>2,203,654</b>	<b>208,149</b>	<b>206,521</b>	<b>361,868</b>	<b>2,980,191</b>	<b>756,077</b>

## 8.10 24 Hour Fight Against Cancer Macarthur

### Reporting Officer

Manager Governance and Risk  
City Governance

### Community Strategic Plan

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

### Officer's Recommendation

That Council determine the request for a 3 year sponsorship arrangement the 24 Hour Fight Against Cancer Macarthur 2022 to 2024 including coverage of the cost of Campbelltown Athletics Stadium hire, security and cleaning associated with the 24 Hour Fight Against Cancer Macarthur Annual Walk event as detailed in the report.

### Purpose

This report has been prepared for Council to consider the request for a 3 year sponsorship arrangement for the 24 Hour Fight Against Cancer Macarthur event, 2022 to 2024.

### History

The 24 Hour Fight Against Cancer Macarthur has been conducted since October 2005. Council has been a long term supporter of the 24 Hour Fight Against Cancer Macarthur and has sponsored the annual fundraising walk through venue hire and other associated costs also being provided by Council since the inaugural event.

### Report

A request has been received by the 24 Hour Fight Against Cancer Macarthur Inc to enter into a 3 year sponsorship arrangement to support the 24 Hour Fight Against Cancer Macarthur annual walk from 2022 to 2024 (inclusive). The in-kind support sought from Council under the arrangement includes:

- hire of the Campbelltown Athletics Stadium Leumeah for the 24 Hour Walk Against Cancer Macarthur event.
- security for the event
- cleaning services over the 24 hours of the event.

The value of the sponsorship arrangement sought is \$4,000 per year for a 3 year period subject to annual CPI increases in accordance with the Fees and Charges policy.

Use of the Campbelltown Athletics Stadium, Leumeah is sought on the second weekend of October for the term of the agreement. Should Council approve the request, it is recommended that the sponsorship arrangement provide for an appropriate weekend in October as agreed with Council.

In 2022, the event will take place on Saturday 8 October – Sunday 9 October. The date of future events will be subject to the availability of the venue and be determined in consultation with the stadium team.

The attached correspondence states that more than 1,500 local residents participate during the weekend and their efforts, combined with a number of other high profile fundraising events, raise much needed funds for the Macarthur Cancer Therapy Centre, the Oncology Ward and the Paediatric Ambulatory Care Unit located in Campbelltown Hospital and the Palliative Care Unit and its outreach services based at Camden Hospital. Since the inaugural event in 2005, in excess of \$4.9 million has been raised.

Under the Grants, Sponsorship and Donations Policy, the elected Council has authority to approve grants or other financial assistance. This request is referred to the Council for its consideration and determination as the in-kind value of this request over the 3 year term exceeds the delegation provided to the General Manager under the policy.

## **Attachments**

8.10.1 Request for Sponsorship 24hr Fight Against Cancer Macarthur (contained within this report)

Fight Against Cancer Macarthur Inc  
PO Box 233N  
Campbelltown North NSW 2560



Clr George Greiss  
Mayor  
Campbelltown City Council  
PO Box 57 CAMPBELLTOWN NSW 2560

Dear Mayor

I write to request that Campbelltown City Council continue their sponsorship of the 24 Fight Against Cancer Macarthur Inc. signature fundraising event, for the period 2022- 2024 inclusive by providing:

- use of the Campbelltown Athletics Stadium at no cost
- security for the event, and
- cleaning services over the 24 hours.

In 2022 the event will take place on Sat 8<sup>th</sup> October – Sunday 9<sup>h</sup> October.

More than 1500 local residents participate during the weekend and their efforts, combined with a number of other high profile fundraising events, raised much needed funds for the Macarthur Cancer Therapy Centre, the Oncology Ward and the Paediatric Ambulatory Care Unit located in Campbelltown Hospital and the Palliative Care Unit and its outreach services based at Camden Hospital.

It is my pleasure to inform you as our patron, that the total raised for local cancer care by the 24Hr Fight Against Cancer Macarthur to date totals more than \$4.9m. I am sure you agree that this is an outstanding achievement by residents and businesses across the Macarthur community. The charity is held in such high esteem by ratepayers that during the period of COVID lockdowns in 2020 and 2021 when no events were held, local people still raised \$274,000 by holding their own events and selling our raffle tickets.

The generous support of the Campbelltown City Council, as one of our valued Foundation sponsors, will be acknowledged on our publicity material which includes banners, signage, brochures, posters and team booklets and on the event T-shirts. The logo will also be displayed on the Macarthur Cancer Therapy Centre patient transport bus that was purchased through this fundraising.

I look forward to welcoming you on the day and announcing the details of the continued support of Campbelltown City Council.

Yours sincerely

*Signature has been removed*

Warren Morrison  
**Chairperson**  
27 June 2022

**FIGHT AGAINST CANCER MACARTHUR INC.**  
Fundraising Authority under the Charitable Fundraising Act 1991  
Registered Charity - Donations over \$2 are tax deductible

## 8.11 Gordon Darling Foundation - Travel Grant

### Reporting Officer

Executive Manager Creative Life  
City Growth

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.6 - Foster a creative community that celebrates arts and culture

### Officer's Recommendation

That Council authorise Council's Head of Curatorial and Curator Contemporary Visual Art to travel to South East Asia and Europe in 2022 for the purposes of research, relationships and content development.

### Purpose

To advise Council that Campbelltown Arts Centre has received financial assistance from the Gordon Darling Foundation to the value of \$12,470 to support the Head of Curatorial and Curator Contemporary Visual Art to conduct research, develop international networks and begin developing an exhibition they will co-curate at Campbelltown Arts Centre in 2023.

To seek the authorisation of Council for the Head of Curatorial and Curator Contemporary Visual Art to travel to Singapore, Kassel, Berlin and Venice.

### Report

In 2020 Campbelltown Arts Centre received financial assistance to the amount of \$12,470 from the Gordon Darling Foundation for Council's Head of Curatorial and Curator Contemporary Visual Art to travel to the Philippines, Vietnam, Indonesia, Singapore, Malaysia, Thailand and Hong Kong to conduct research and begin developing an exhibition they will co-curate at Campbelltown Arts Centre in 2021.

Due to the impact of COVID-19 and the closure of international borders travel was delayed. An amended travel proposal was submitted and approved by the Trustees of the Gordon Darling Foundation on 28 February 2022. The amended itinerary consisted of Council's Head of Curatorial and Curator Contemporary Visual Art travel to South East Asia and Europe in 2022 to conduct research, develop networks and seek partnerships that would consider the influence of South-East Asia and the Pacific region in the arts programming of Campbelltown Arts Centre and across Campbelltown City Council's cultural programs.

An exhibition is proposed at Campbelltown Arts Centre in exchange between Australian and South East Asian artists that reimagines conventional systems of artistic production with

regard to funding, sustainability and collaboration. The exhibition will explore how Australian institutions, curators and audiences can support alternative modes of artistic creation.

The Head of Curatorial and Curator Contemporary Visual Art will divide their travel between Singapore, Kassel, Berlin and Venice. Relationships have been established with the Gillman Barracks, Singapore Art Museum, National Museum of Singapore and Kadder Attia – Artistic Director of the Berlin Biennale. Travelling to Kassel will provide an opportunity to witness the work of Indonesian Collective, Ruangrupa; Artistic Directors of Documenta 15, then attend the Berlin and Venice Biennales. This focussed period will offer a contextual understanding of the region and make introductions to key partnership opportunities, collectives and individuals to complement the proposed exhibition at Campbelltown Arts Centre.

The travel and exhibition will focus on artist collectives working in South East Asia and create opportunities for local artists and communities who speak to the diverse cultural makeup of the Western Sydney region. For Campbelltown City Council, developing regional partnerships and maintaining opportunities for international artists to collaborate with local artists and communities in Western Sydney is key to the Arts Centre’s strategic planning – feeding into Council’s future vision.

The Gordon Darling Foundation is a perpetual public charitable trust, established in 1991 to ‘support Australia-wide, activities of importance in the Visual Arts’. The Foundation gives priority to exhibitions of Australian, Asian, Pacific or other international art, or those of significant local importance. The aim of the Darling Travel Grants – Global is to provide visual arts professionals in Australian public institutions with the opportunity to undertake international travel.

The Gordon Darling Foundation grant and the Create NSW Program fund cover the costs of travel. The Arts Centre Create NSW program funds will cover costs associated with allowances in accordance with the MEAA/NAVA award. Cost to Council will be salaries for the Head of Curatorial and Curator Contemporary Visual Art whilst they are undertaking work duties.

## **Attachments**

Nil

**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION****11.1 LED Street Lighting**

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**Notice of Motion**

Councillor George Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 August 2022.

1. That a report on the contribution of the street lighting network (both public and private) to Council's electricity consumption, and opportunities to work with the appropriate energy provider to reduce its impact..
-

## **11.2 Electric Vehicle Charging**

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### **Notice of Motion**

Councillor George Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 August 2022.

That Council present a report:

1. On the progress of electric vehicle infrastructure in public car parks across the LGA, including the Farrow Road car park.
  2. On how the provision of solar and/or the purchase of renewable energy can assist in making assets carbon neutral.
-

### **11.3 Use of 1080 Poison**

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#### **Notice of Motion**

Councillor Matt Stellino has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 August 2022.

1. That Council ban the use of 1080 poison (Sodium Fluoracetate) & Strychnine poison on all council owned and/or managed lands.
  2. That Council not recommend or encourage the use of 1080 or Strychnine to private landholders in any of council's messaging/info packs.
-

## **11.4 Grass Cutting**

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### **Notice of Motion**

Councillor Masood Chowdhury has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 August 2022.

That Council:

1. Present a briefing to Councillors:
    - a. on the grass cutting maintenance program undertaken throughout the LGA, including the frequency for the four seasons; and
    - b. what improvements can be made to the program to enhance the LGA.
  2. Present a report to Council with recommendations detailing the improvements to be implemented to the maintenance program to enhance and ensure a consistent tidy appearance of the LGA.
-

**11.5 District Park - Midlothian Reserve, St Andrews**

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**Notice of Motion**

Councillor Darcy Lound has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 August 2022.

That Council:

1. Notes that the 2016 State of Play Strategy recommended enhancing Midlothian Reserve in St Andrews to a district park within 3-5 years.
  2. Further notes that a district park in Midlothian Reserve is yet to be delivered.
  3. Investigates and reports to Council as soon as possible when delivery of Midlothian Reserve as a district park can be expected before the end of 2023.
-

**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Licence Agreement over 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.

### **14.2 Lease On Council Investment 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:

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information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

