



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**11 December 2018**

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**Camden Council**  
**Administration Centre**  
**70 Central Avenue**  
**Oran Park**



## COMMON ABBREVIATIONS

|                            |  |
|----------------------------|--|
| AEP                        | Annual Exceedence Probability  |
| AHD                        | Australian Height Datum  |
| BCA                        | Building Code of Australia   |
| CLEP                       | Camden Local Environmental Plan  |
| CP                         | Contributions Plan   |
| DA                         | Development Application  |
| DCP                        | Development Control Plan   |
| DDCP                       | Draft Development Control Plan   |
| DoPE                       | Department of Planning & Environment   |
| DoT                        | NSW Department of Transport  |
| EIS                        | Environmental Impact Statement   |
| EP&A Act                   | Environmental Planning & Assessment Act                                      |
| EPA                        | Environmental Protection Authority   |
| EPI                        | Environmental Planning Instrument  |
| FPL                        | Flood Planning Level   |
| GSC                        | Greater Sydney Commission  |
| LAP                        | Local Approvals Policy   |
| LEP                        | Local Environmental Plan   |
| LGA                        | Local Government Area  |
| MACROC                     | Macarthur Regional Organisation of Councils                                  |
| NSWH                       | NSW Housing  |
| OEH                        | Office of Environment & Heritage   |
| OLG                        | Office of Local Government, Department of Premier & Cabinet                  |
| OSD                        | Onsite Detention   |
| REP                        | Regional Environmental Plan  |
| PoM                        | Plan of Management   |
| RL                         | Reduced Levels   |
| RMS                        | Roads & Maritime Services (incorporating previous Roads & Traffic Authority) |
| SECTION 149<br>CERTIFICATE | Certificate as to zoning and planning restrictions on properties             |
| SECTION 603<br>CERTIFICATE | Certificate as to Rates and Charges outstanding on a property                |
| SECTION 73<br>CERTIFICATE  | Certificate from Sydney Water regarding Subdivision                          |
| SEPP                       | State Environmental Planning Policy  |
| SREP                       | Sydney Regional Environmental Plan   |
| STP                        | Sewerage Treatment Plant   |
| VMP                        | Vegetation Management Plan   |
| WSROC                      | Western Sydney Regional Organisation of Councils                             |

General Manager  
Ron Moore

Mayor  
Peter Sidgreaves

Acting Director Customer and  
Corporate Strategy  
Samantha Sharkey

Acting Director Sport  
Community and Recreation  
Tina Chappell

Chief Financial Officer  
Paul Rofe

Manager Governance and Risk  
Charles Weber

Director Planning and Environment  
Nicole Magurren

Director Community Assets  
Sandra Kubecka

# SEATING DIAGRAM

Camden Council Meeting

Councillor  
Rob Mills

Councillor  
Theresa Fedeli

Councillor  
Lara Symkowiak

Councillor  
Michael Morrison

Councillor  
Eva Campbell

Councillor  
Ashleigh Cagney

Councillor  
Paul Farrow

Councillor  
Cindy Cagney

Public Address

Public Seating

Media



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## ORDINARY COUNCIL

### ORDER OF BUSINESS - ORDINARY COUNCIL

|   |    |
|---|----|
| Prayer.....   | 6  |
| Acknowledgement of Country .....  | 7  |
| Recording of Council Meetings .....   | 8  |
| Apologies.....  | 9  |
| Declaration of Interest.....  | 10 |
| Public Addresses .....  | 11 |
| Confirmation of Minutes .....   | 12 |
| Mayoral Minute - Curry Reserve Water Play Space Opening.....  | 13 |
| <br>  |    |
| ORD01 Planning Proposal - Lot 81 Dp 656970, 1423 Camden Valley Way,<br>Leppington.....  | 15 |
| ORD02 Planning Proposal - Part Lot 41 Dp 270613, 181 The Northern<br>Road, Harrington Park .....  | 24 |
| ORD03 Proposed Amendment No. 21 To Camden LEP 2010 And Camden<br>DCP 2011 And Proposed Voluntary Planning Agreement - 190 Raby<br>Road, Gledswood Hills ..... | 34 |
| ORD04 Draft Camden Development Control Plan 2018 .....  | 56 |
| ORD05 Post-Exhibition Report - Gledswood Hills (The Crest) Voluntary<br>Planning Agreement .....  | 65 |
| ORD06 Camden Companion Animals Advisory Committee - Nominated<br>Representatives.....   | 71 |
| ORD07 Western Sydney City Deal Memorandum Of Understanding.....   | 74 |
| ORD08 Community Sponsorship Program January - July 2019 .....   | 77 |
| ORD09 Tender T020/2018 - Provision Of Fire Services For Camden Council<br>Buildings.....  | 80 |
| ORD10 Delegations To The Mayor - Christmas/New Year Period.....   | 83 |
| <br>  |    |
| <b><u>NOTICES OF MOTION</u></b>   |    |
| ORD11 Notice Of Motion - Camden Monopoly Edition .....  | 84 |



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## ORDINARY COUNCIL

**SUBJECT: PRAYER**

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### PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

### AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

*Either – “So help me God” or “I so affirm” (at the option of councillors)*

\*\*\*\*\*

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

*Either – “So help me God” or “I so affirm” (at the option of councillors)*

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## **ORDINARY COUNCIL**

**SUBJECT:       ACKNOWLEDGEMENT OF COUNTRY**

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I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the *Local Government Act 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.

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## **ORDINARY COUNCIL**

**SUBJECT: APOLOGIES**

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Leave of absence tendered on behalf of Councillors from this meeting.

### **RECOMMENDED**

**That leave of absence be granted.**



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## ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

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NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5-7.27).

Councillors should be familiar with the disclosure provisions contained in the *Local Government Act 1993*, *Environmental Planning and Assessment Act, 1979* and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

### **RECOMMENDED**

**That the declarations be noted.**

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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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The Public Address session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

The Public Address session will be conducted in accordance with the Public Address Guidelines. Speakers must submit an application form to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

Speakers are limited to one topic per Public Address session. Only seven speakers can be heard at any meeting. A limitation of one speaker for and one speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven at any given meeting.

Where a member of the public raises a question during the Public Address session, a response will be provided where Councillors or staff have the necessary information at hand; if not, a reply will be provided at a later time. There is a limit of one question per speaker per meeting.

Speakers should ensure that their statements, comments and questions comply with the Guidelines.

All speakers are limited to four minutes, with a one minute warning given to speakers prior to the four minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person, or make a point of order ruling if a speaker breaches the Guidelines.

### **RECOMMENDED**

**That the public addresses be noted.**

## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 27 November 2018.

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 27 November 2018, copies of which have been circulated, be confirmed and adopted.**

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## ORDINARY COUNCIL

### Mayoral Minute

**SUBJECT: MAYORAL MINUTE - CURRY RESERVE WATER PLAY SPACE  
OPENING**

**FROM:** Mayor

**TRIM #:** 18/397223

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Curry Reserve Water Play Space was officially opened on Saturday 1 December, with more than a thousand residents attending the celebration throughout the day.

It was fantastic to see so many smiling faces enjoying the new facility and celebrating the start of summer at Camden's very first water play park.

This new space, which will be open from September through to April each year, is an inclusive space for everyone to enjoy.

Once fully completed, the \$2.4 million project will consist of:

- A water play area of 410m<sup>2</sup>;
- Thirty-six play features including toddlers 'discovery stream';
- Shade sails and deck chairs;
- Additional car parking.
- Water heating, pump and filtration systems; as well as
- Waterproof wheelchairs and storage;
- Wheelchair accessible and change facilities, including an adult hoist; and
- New toilets and change rooms.

Unfortunately, the construction of the new toilets and change rooms has been delayed due to the unexpected find of historical artefacts unearthed at the site.

Council will postpone the start of works until autumn to reduce the potential impact of dust and noise on park users during the busy summer period. In the meantime, the current amenities will remain open for use throughout the summer season.

I would like to take this opportunity to thank all the staff and contractors who brought this project to fruition, including Council's Events and Open Space teams for organising such a spectacular opening event. As a Council this is certainly a facility that we can all be proud of.

I encourage all residents to visit and enjoy the water play park and our other three wonderful family and youth parks – Birriwa Outdoor Youth Space, Sedgewick Reserve Youth Play Space in Currans Hill and Harrington Park Lake Youth Play Space.

I look forward to the delivery of the Oran park Water Play Space in 2019, as we continue to expand the variety of facilities available for our growing community.



**RECOMMENDED**

**That Council note the information.**

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## ORDINARY COUNCIL

ORD01

**SUBJECT: PLANNING PROPOSAL - LOT 81 DP 656970, 1423 CAMDEN VALLEY WAY, LEPPINGTON**

**FROM:** Director Planning and Environment

**TRIM #:** 18/337199

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**PROPERTY ADDRESS:** Lot 81 DP 656970  
1423 Camden Valley Way, Leppington

**PROPONENT:** Milestone (Aust) Pty Limited

**OWNER:** Laundry Trading (Bristol Arms) Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for Lot 81 DP 656970 (1423 Camden Valley Way, Leppington) and to resolve to forward the draft Planning Proposal to the Department of Planning & Environment (DPE) for Gateway Determination.

The draft Planning Proposal seeks to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) to include motel accommodation, retail premises and pubs as Additional Permitted Uses on the site.

### BACKGROUND

In July 2018, a Planning Proposal was lodged by Milestone Planning on behalf of the landowner (Laundry Trading Pty Ltd). The draft Planning Proposal is provided as an **attachment** to this report.

The proposal seeks to amend Schedule 1 of Appendix 9 of the Growth Centres SEPP, by including hotel and motel accommodation, retail premises and pubs as Additional Permitted Uses on the site.

From 1 June 2018, Planning Proposals are referred to the Camden Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 20 November 2018. The Panel's recommendations are discussed later in this report and are provided as a **supporting document** to this report.

The draft Planning Proposal was notified for 14 days from 7 August to 21 August 2018. One submission was received which is discussed later in this report.

Councillors were briefed on this proposal on 11 September 2018.

### MAIN REPORT

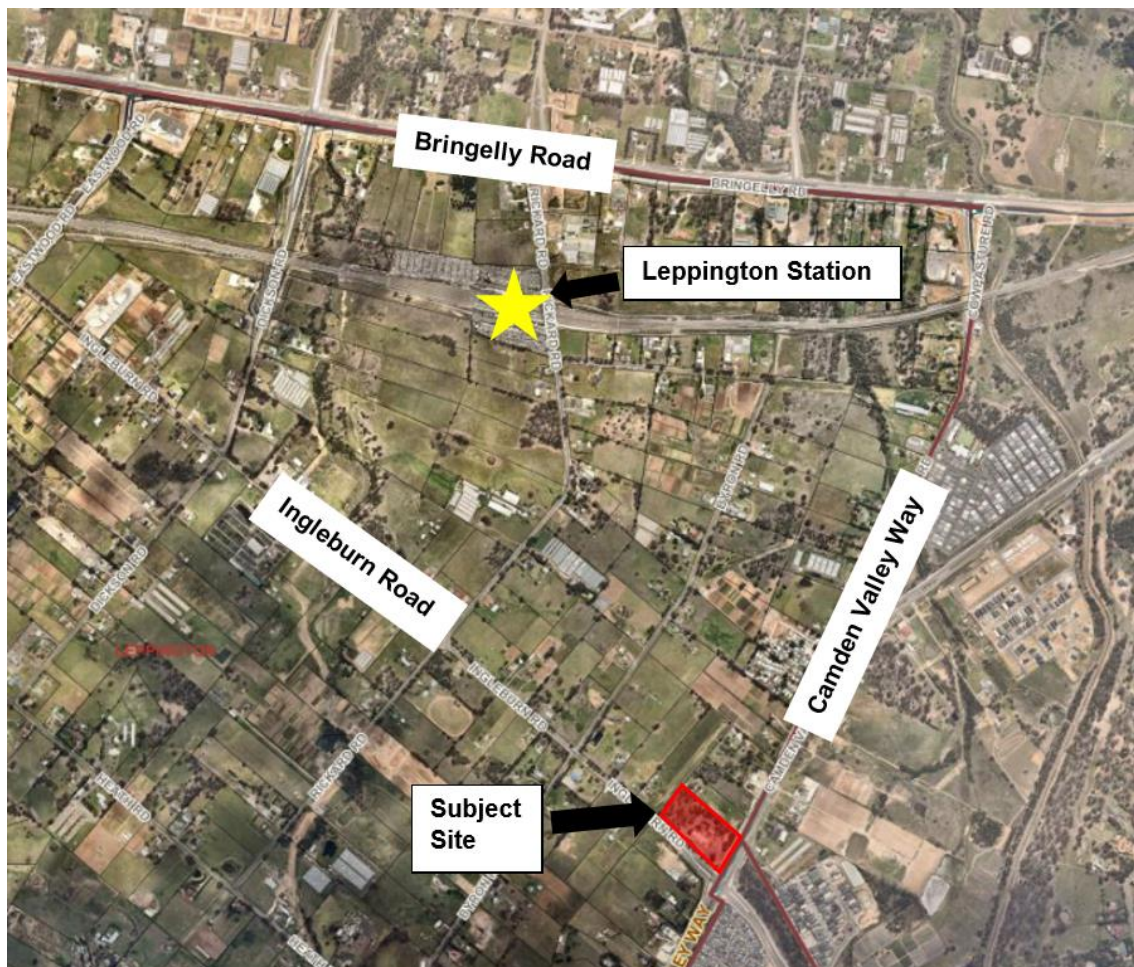
#### Locality

The site is located on the corner of Camden Valley Way and Ingleburn Road and is legally described as Lot 81 DP 656970. The site is rectangular and has a total site area of approximately 2.3ha.

The site currently accommodates a large single storey building operating as 'Lockies Hotel' including a BWS liquor outlet with at-grade car parking accessed from Ingleburn Road. Lockies has been operating on the site since the 1970s.

Development surrounding the site consists of predominantly semi-rural development to the north and west, with recent low to medium density residential development and subdivision works commencing within the East Leppington Precinct, east of Camden Valley Way.

**Figure 1** provides a site context map.



**Figure 1: Site and surrounds Leppington Planned Precinct**

The site is located on the south-eastern corner of the Leppington Planned Precinct Investigation Boundary, as identified in **Figure 2**.

The Department of Planning and Environment (DPE) is currently reviewing the land uses and development controls within the Leppington Town Centre.

Council officers have discussed the draft Planning Proposal with the DPE. The DPE has provided in-principle support for Council to proceed with the assessment of the draft Planning Proposal despite the broader precinct planning work being undertaken. The DPE has advised that the most appropriate way to consider the proposed amendment is through a Planning Proposal.

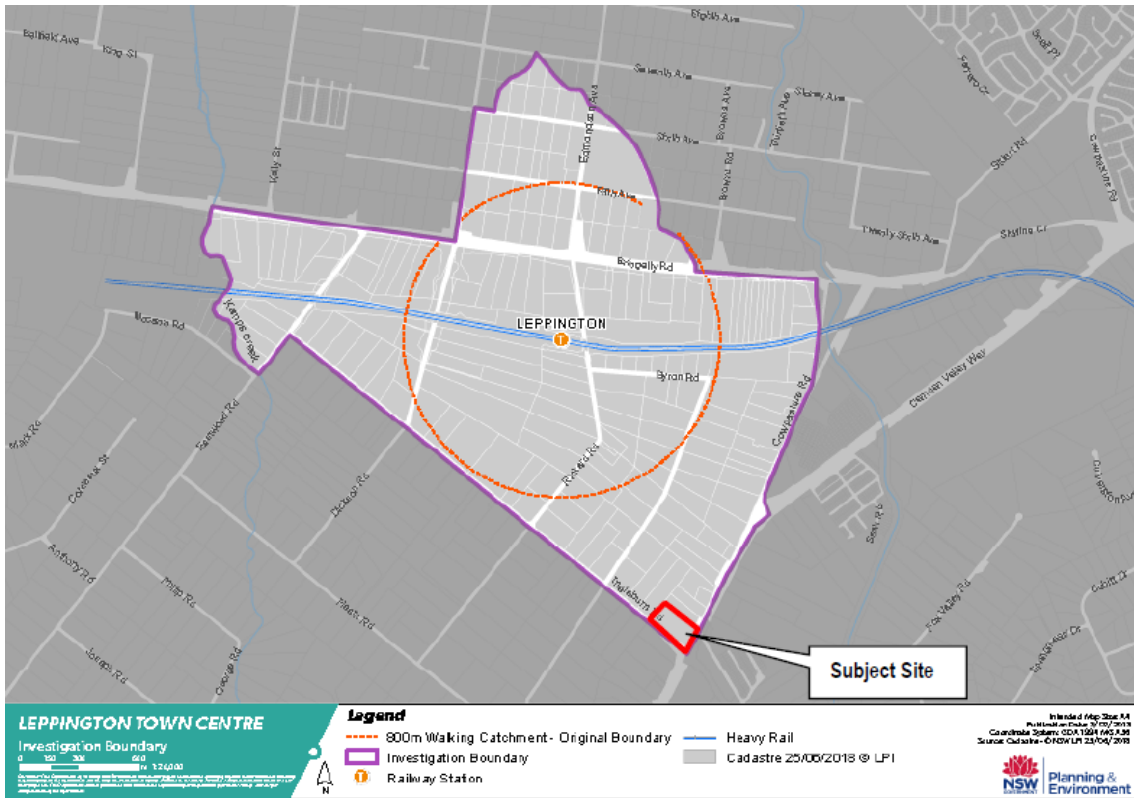


Figure 2: Leppington Town Centre Investigation Boundary

### Zoning and Permissibility

The site is located within the Leppington North Precinct of the South West Growth Area (SWGA) and is zoned R3 Medium Density Residential under the Growth Centres SEPP. Pubs, retail premises and motels are not permissible within the R3 Medium Density Residential zone.

The objective of the draft Planning Proposal is to facilitate the proposed development of a new pub/tavern, a new retail premise specifically to retail liquor and a new hotel or motel accommodation. The site benefits from existing use rights which enables the operation of the existing pub and liquor store.

The proposed development will include approximately 1,570 sqm of retail floor space, 2,790 sqm (approximately eighty rooms) of motel accommodation, and 3,115 sqm of pub/tavern floor space. The final details of the development will be subject to a future Development Application.

The draft Planning Proposal seeks to amend the Growth Centres SEPP (Schedule 1 of Appendix 9) to include pubs, hotel or motel accommodation, and retail premises as Additional Permitted Uses on the site.

No further amendments are proposed, and the site will retain the existing R3 Medium Density Residential zone and the existing maximum building height of 21 metres.





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## **Specialist Studies**

The draft Planning Proposal was accompanied by the following studies:

- Traffic report;
- Economic Impact Assessment; and
- Social Impact Assessment.

A summary of the studies is provided below. Copies of the studies are included as an **attachment to this report**.

### **Traffic and Transport Report**

The proponent has lodged a Traffic and Transport Report in support of the draft Planning Proposal. The Traffic and Transport Report concludes that the road network and intersection of Camden Valley Way and Ingleburn Road can cater for the additional traffic from the proposed development, with capacity to cater for future development in the area. The existing driveway to the site would be retained to provide access to the development from Ingleburn Road.

#### *Officer Comment*

The site has a high level of local and regional road accessibility in that it fronts both Camden Valley Way and Ingleburn Road, which are arterial and sub-arterial roads respectively. Detailed traffic and parking assessment will be undertaken through future Development Applications (DAs) or as required by the Gateway Determination.

### **Economic Impact Assessment**

The proponent has lodged an Economic Impact Assessment (EIA) in support of the draft Planning Proposal. The EIA outlines the various employment opportunities that the proposed development will provide and concludes that redevelopment of the site will not have any significant impacts on the surrounding centres due to the comparatively small size of the site in relation to the nearby business zones (B4 Mixed Use and B3 Commercial Core) located in the Leppington Major Centre.

#### *Officer Comment*

Council officers have reviewed the EIA and agree with its findings. The site is located approximately 1km from the Leppington Major Centre and is therefore expected to serve a local function and not detract from the commercial uses within the Leppington Major Centre.

### **Social Impact Assessment**

The proponent has lodged a Social Impact Assessment (SIA) in support of the draft Planning Proposal. The SIA notes that the proposed development will not pose any increased health or safety risks to the community and outlines the proposed management procedures that will be in place for both the pub and retail liquor outlet. The draft Planning Proposal proposes 1,570 sqm of retail liquor floor space.

*Officer Comment*

The proposal will facilitate the redevelopment of the existing pub and liquor store. The specific impacts of the proposed uses will be assessed and managed through future DAs for the site.

**Assessment against Key Strategic Documents**

**Greater Sydney Region Plan**

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage the growth and change for Greater Sydney in the context of economic, social and environmental matters.

Leppington is identified as a Strategic Centre within the Region Plan. The expectations for Strategic Centres are:

- *High levels of private sector investment;*
- *Flexibility, so that the private sector can choose where and when to invest;*
- *Co-location of a wide mix of land uses, including residential;*
- *High levels of amenity and walkability and being cycle friendly;*
- *Areas identified for commercial uses, and where appropriate, commercial cores.*

The proposal is consistent with the relevant directions and objectives of the Plan as summarised below.

| <b>Objective</b>  | <b>Consistency</b>  |
|---|---|
| Objective 6: Services and infrastructure meet communities' changing needs   | The proposal will provide services in an accessible location to meet the needs of the community. The site is currently zoned R3 Medium Density Residential, however being located on a prominent street corner and considering the existing use as a pub, is well positioned to service the local area. |
| Objective 7: Communities are healthy, resilient and socially connected  | The proposal promotes a socially connected community by providing a meeting place for the community.  |
| Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City | The proposed connection of Leppington to the Western Sydney Airport by rail, and the current road connections present the opportunity for Leppington to develop into a Strategic Centre.  |
| Objective 22: Investment and business activity in centres   | The Leppington Precinct is identified as a Strategic Centre. The proposal will provide investment and business activity in Leppington.  |

**Table 1: Assessment against Region Plan Objectives**



## Western City District Plan

The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environment assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions as summarised below.

| Planning Priority  | Consistency   |
|--|---|
| Planning Priority W1: Planning for a city supported by Infrastructure  | The site is located approximately 1.5km from Leppington station. The proposal will result in a site that utilises existing road and planned rail infrastructure for access.                             |
| Planning Priority W2: Working through collaboration  | The proposal does not directly result in collaboration between government, community and business. However, the proposal contributes to providing investment, employment and liveability of Leppington. |
| Planning Priority W3: Providing services and social infrastructure to meet people's changing needs                 | The proposal will allow for new services and employment opportunities, including motel accommodation and the redevelopment of the existing pub.   |
| Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities              | The existing pub provides an opportunity for social connection in the community.  |
| Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage | The proposal will generate employment in hospitality, retail and tourism. The proposal provides certainty for an existing established business to continue and expand.                                  |

**Table 2: Assessment against District Plan Planning Priorities**

### Community Strategic Plan (CSP)

The Community Strategic Plan (CSP) seeks to actively manage growth by retaining Camden's heritage, scenic vistas and cultural landscapes, whilst providing well-managed development. The draft Planning Proposal's consistency with the relevant Directions of the CSP is outlined below.

#### *Key Direction 1: Actively Managing Camden LGA's Growth*

This Direction seeks to ensure the provision of appropriate urban development for sustainable growth in the Camden LGA.

The draft Planning Proposal is consistent with this Direction as it will facilitate the continued operation of an existing pub and liquor store and will allow the future development of a motel on the site. These uses are considered appropriate land uses in an urban environment and will serve the future community.

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### *Key Direction 3: A Prosperous Economy*

This Direction seeks to ensure employment and tourism opportunities are expanded across the LGA, and to strengthen and support business growth.

The draft Planning Proposal is consistent with this Direction as it will generate employment in hospitality, retail and tourism industries. The proposal would allow certainty for an existing business to continue operation into the future.

### **Assessment of Planning Merit**

The draft Planning Proposal has been assessed against key strategic documents, including the Region Plan, District Plan, and the Community Strategic Plan and is not inconsistent with these plans and their objectives. It is therefore considered that the proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The site is considered appropriate for the proposed uses; and
- The continued operation of the pub and liquor store, and the additional use of a motel, will benefit the broader community.

### **Initial Notification of the Draft Planning Proposal**

The draft Planning Proposal was notified for 14 days from 7 August to 21 August 2018. Adjoining and nearby properties were notified by letter, and notices were placed in the local newspaper. One submission was received objecting to the draft Planning Proposal.

The matters raised in the submission, and Council officer comment, are outlined below.

1. *“The Planning Proposal is premature having regard to the work being undertaken as part of the Leppington Town Centre Investigation Boundary”*

#### *Officer Comment*

The site is located on the periphery of the Leppington Town Centre Investigation Boundary, which is currently being reviewed by the DPE.

Proceeding with the draft Planning Proposal at this time will not hinder the outcomes of the DPE review. The proposal maintains the existing R3 Medium Density Residential zone and development standards applying to the site.

2. *“The proposed uses are inconsistent with the objectives of the R3 Medium Density zone”*

#### *Officer Comment*

The objectives of the R3 Medium Density zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*



- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment.*

The draft Planning Proposal is consistent with the third and fourth objectives. The proposed uses will provide facilities to meet the day-to-day needs of residents, and enable activities that, through appropriate assessment at DA stage, are able to be compatible with the amenity of a medium density residential environment.

The draft Planning Proposal does not seek to amend the building height for the site, and as such future development will not exceed the height of surrounding development.

3. *“The information submitted in support of the Planning Proposal does not satisfactorily address the potential impacts the envisaged uses would have on adjoining lands and the wider precinct”*

#### *Officer Comment*

The specialist studies submitted with the draft Planning Proposal have considered the potential economic, social and traffic impacts of the proposed uses to determine whether the uses are appropriate for the site. Additional detail, such as internal road layouts, are not required at the draft Planning Proposal stage.

Further detail including the layout of internal roads and the operation of the uses will be subject to future development assessment. Future DAs will also be required to demonstrate consistency with the Leppington North Indicative Layout Plan (ILP) as revised by the DPE as part of the current precinct planning work.

Further assessment of the potential urban design impacts will be undertaken post-Gateway (subject to Council endorsement) to determine if further site-specific controls or a DCP amendment are appropriate to control things such as the bulk and scale of future development.

A formal public exhibition period will occur at a later stage, subject to endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination by the DPE.

#### **Camden Local Planning Panel Recommendations**

On 20 November 2018, the Camden Local Planning Panel (Panel) inspected the site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were consistent with that of the Council officer's assessment of the proposal.

The Panel supported the draft Planning Proposal for forwarding to the DPE to seek a Gateway Determination subject to the retail premises being restricted to a retail liquor outlet. The Panel also noted that the draft Planning Proposal does not include the full list of SEPPs and Section 9.1 Ministerial Directions. A copy of the minutes is provided as a **supporting document** to this report.

### *Officer Comment*

The definition of retail premises encompasses a wide range of retail land uses. Further discussions with DPE has indicated that retail premises could be limited to a retail liquor outlet, subject to further legal drafting post-Gateway Determination. Council officers support this approach to limit retail uses to a liquor outlet on the subject site.

Subject to Council endorsement, the draft Planning Proposal will be updated to limit retail uses to a liquor outlet and include an assessment of the full list of SEPPs and Section 9.1 Ministerial Directions prior to being forwarded to the DPE.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for Council as a result of this report.

### **CONCLUSION**

The draft Planning Proposal seeks to amend the Growth Centres SEPP by allowing retail premises, pubs and motels as additional permitted uses at 1423 Camden Valley Way, Leppington. The continued operation of a pub and liquor store on the site is considered appropriate and the additional inclusion of a motel is considered complementary and appropriate land use in this location.

Council officers have assessed the draft Planning Proposal and consider the proposal has planning merit to proceed to Gateway Determination as outlined in this report.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the draft Planning Proposal (as amended) for land at 1423 Camden Valley Way, Leppington to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for Lot 81 DP 656970, 1423 Camden Valley Way, Leppington to the Department of Planning and Environment for the plan to be made; or**
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

#### **ATTACHMENTS**

1. Amended Planning Proposal Report- 1423 Camden Valley Way Leppington
2. Specialist Studies for 1423 Camden Valley Way, Leppington
3. Final Written Objection - SC5811 - 1423 Camden Valley Way, Leppington - *Supporting Document*
4. CLPP\_20 11 2018\_MIN\_CLOSED - *Supporting Document*



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## ORDINARY COUNCIL

**ORD02****SUBJECT: PLANNING PROPOSAL - PART LOT 41 DP 270613, 181 THE NORTHERN ROAD, HARRINGTON PARK****FROM:** Director Planning and Environment**TRIM #:** 18/376608

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**PROPERTY ADDRESS:** Pt Lot 41 DP 270613  
181 The Northern Road, Harrington Park**PROPONENT:** Urbanco Group**OWNER:** Dandaloo Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal to rezone land at 181 The Northern Road, Harrington Park to facilitate the development of one additional residential lot and to resolve to forward the draft Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

### BACKGROUND

In September 2018, a draft Planning Proposal was lodged by Urbanco Group on behalf of the landowner (Dandaloo Pty Ltd). The draft Planning Proposal is provided as an **attachment** to this report. The draft Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010) Land Zoning (LZN), Lot Size (LSZ) and Height of Building (HOB) Maps applying to a portion of the site to create one additional residential lot.

The subject site falls within the heritage curtilage of the Orielson Homestead (Orielson). Orielson is listed on the state heritage register, with the listing comprising the homestead, associated outbuildings and the landscape setting.

In October 2018, the proponent submitted a Development Application (DA/2018/1218) that seeks to enable the landowner's overall vision of an integrated equestrian park and residential development for the precinct. Prior to the DA being determined, the draft Planning Proposal requires Council endorsement and gazettal.

The DA also requires an amendment to the Harrington Grove Voluntary Planning Agreement (VPA). The VPA amendment request is currently being assessed by Council officers and will be the subject of a separate report to Council.

From 1 June 2018, Planning Proposals are referred to the Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 20 November 2018. The Panel's recommendations are discussed later in this report and are provided as a **supporting document** to this report.

Initial notification of the draft Planning Proposal was not undertaken as the Proposal is considered minor in relation to likely impacts on adjoining landowners.

Councillors were briefed on this Proposal on 13 November 2018.

**MAIN REPORT**

**Locality**

The site is part of the Harrington Grove development which was rezoned for residential development in 2007. **Figure 1** provides a site context map and **Figure 2** provides a locality map, identifying the subject site and highlighting the part of the site that is relevant to the draft Planning Proposal.

To the north-west, the site is bound by Governor Drive, which is adjacent to the Orielton homestead lot. A future road extending from Governor Drive is proposed to service the subject site.

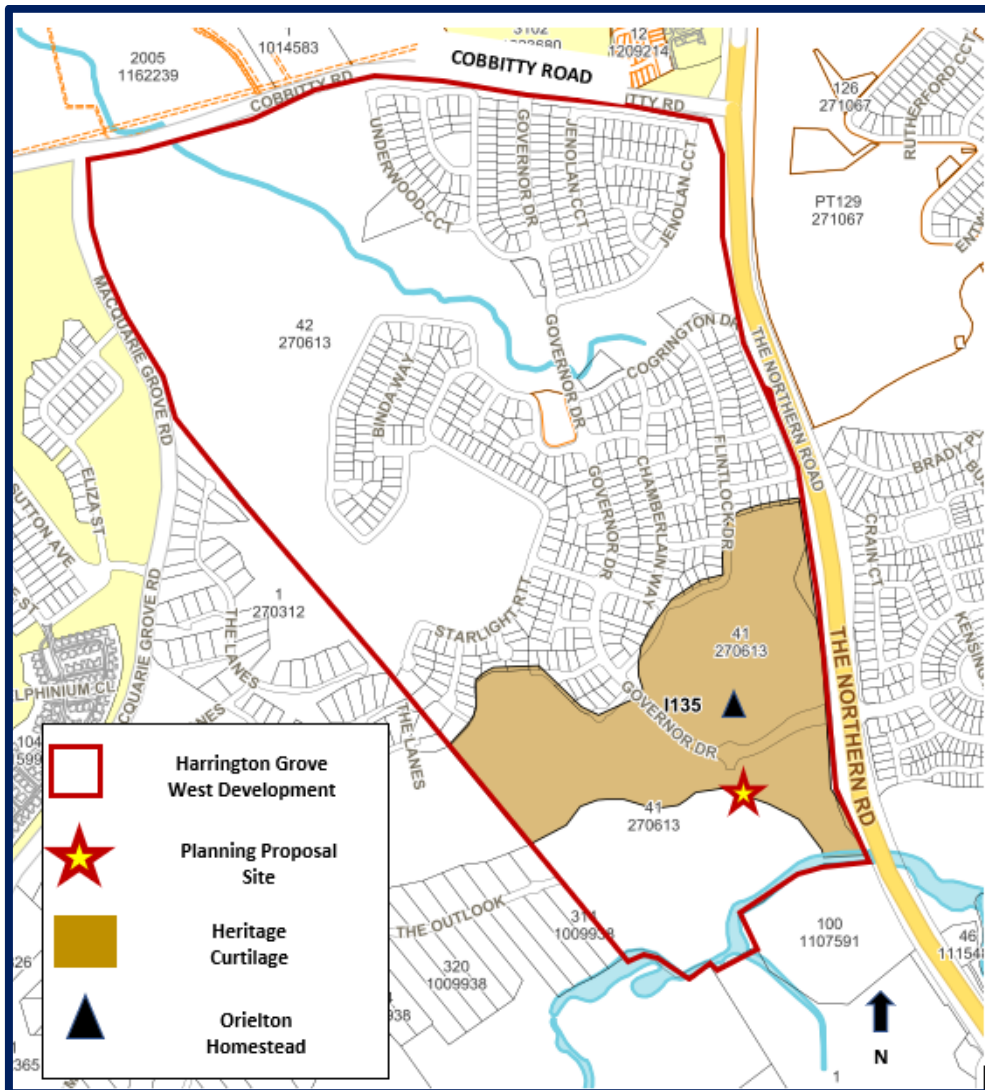


Figure 1: Site Context Map



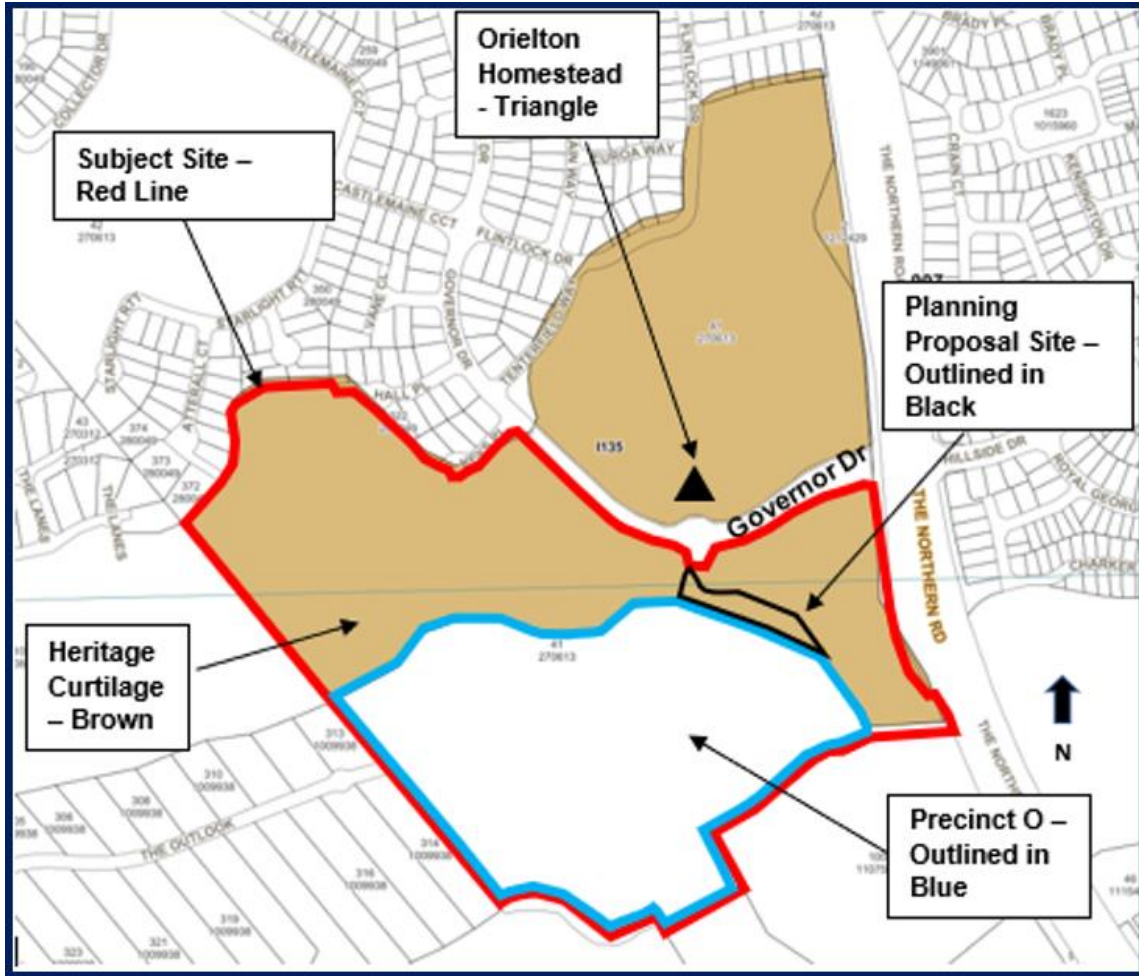


Figure 2: Locality Map

**Zoning and Permissibility**

Under the Camden LEP 2010, the subject lot is predominantly zoned R5 Large Lot Residential and part E2 Environmental Conservation. The draft Planning Proposal seeks to amend the LZN, LSZ and HOB Maps currently applying to the land as detailed in **Table 1**. The heritage curtilage of Orielton is proposed to remain the same, consistent with comments from the Office of Environment and Heritage (Heritage Division) (OEH) which are discussed later in this report.

|                            | Existing  | Proposed  |
|----------------------------|---|---|
| <b>Zone</b>                | E2 Environmental Conservation<br>11.56ha (approximately)<br><br>R5 Large Lot Residential<br>18.05ha (approximately) | E2 Environmental Conservation<br>11.37ha (approximately)<br><br>R5 Large Lot Residential<br>18.24ha (approximately) |
| <b>Height of Buildings</b> | Not applicable<br>(E2 zoned portion)  | J – 9.5m<br>(R5 zoned portion)  |

|                         |                                  |   |
|-------------------------|----------------------------------|---|
| <b>Minimum Lot Size</b> | 7ha<br>(E2 and R5 zoned portion) | 6,000m <sup>2</sup><br>(R5 zoned portion) |
|-------------------------|----------------------------------|---|

**Table 1: Comparison of existing and proposed provisions under Camden LEP 2010**

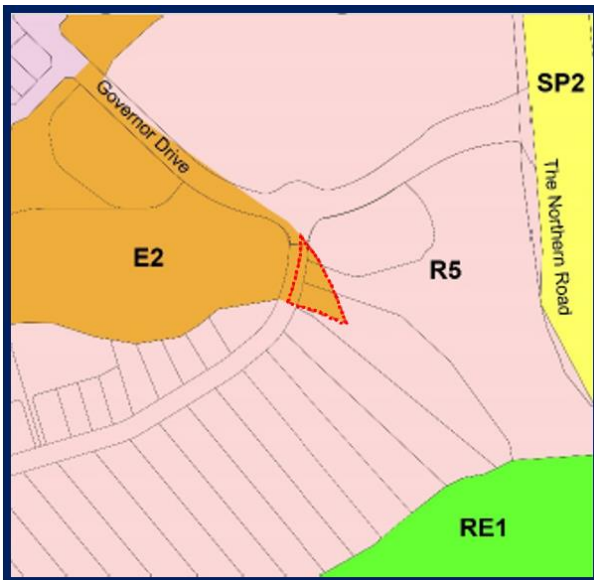
The draft Planning Proposal seeks to rezone approximately 1,900m<sup>2</sup> of land zoned E2 Environmental Conservation to R5 Large Lot Residential as shown in **Figures 3 and 4**. A building height of 9.5m is proposed for the R5 zoned area, as shown in **Figure 6**.

The draft Planning Proposal also seeks to amend the minimum lot size for approximately 2,800m<sup>2</sup> of land zoned E2 Environmental Conservation and R5 Large Lot Residential, from 7ha to 6,000m<sup>2</sup> to facilitate the additional residential lot, as identified in **Figures 7 and 8**.

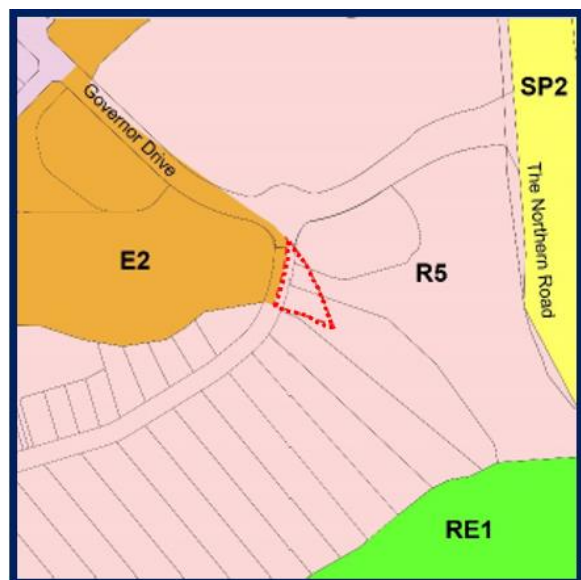
Whilst the proposed minimum lot size is 6,000m<sup>2</sup>, the proposed size of the additional residential lot is approximately 9,550m<sup>2</sup>. For clarity, the proposed zoning amendment is also shown in **Figures 7 and 8**.

Under the R5 Large Lot Residential zoning (Camden LEP 2010), the highest residential use will enable an attached dual occupancy.

As noted previously, the draft Planning Proposal forms part of the landowner’s vision to create an integrated equestrian park and residential development.



**Figure 3: Current Zoning**



**Figure 4: Proposed Zoning**

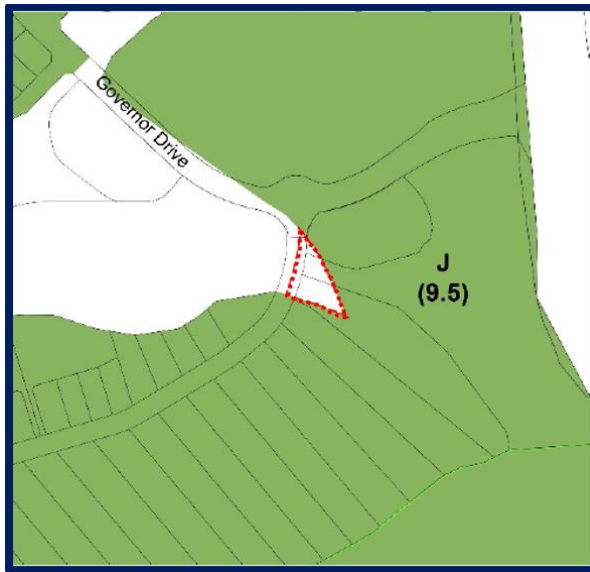


Figure 5: Current Building Height

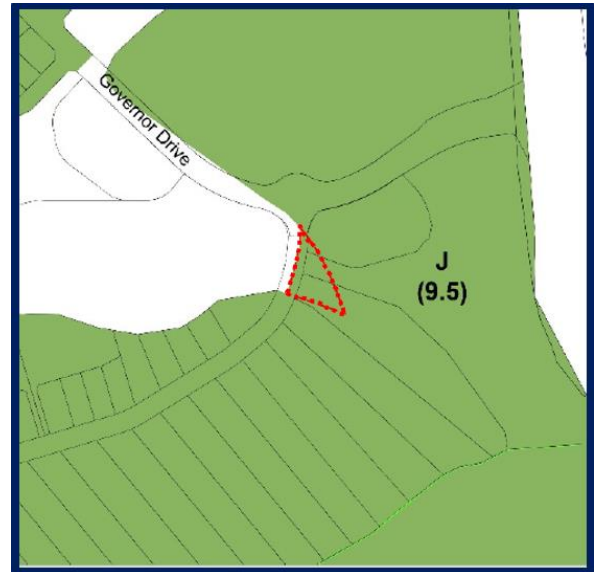


Figure 6: Proposed Building Height

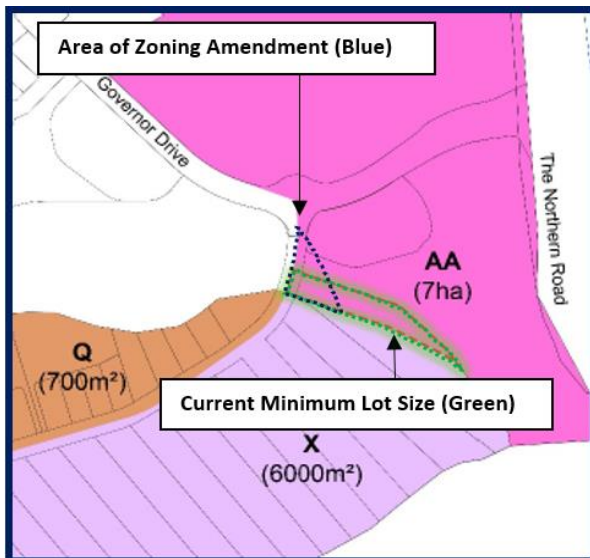


Figure 7: Current Minimum Lot Size

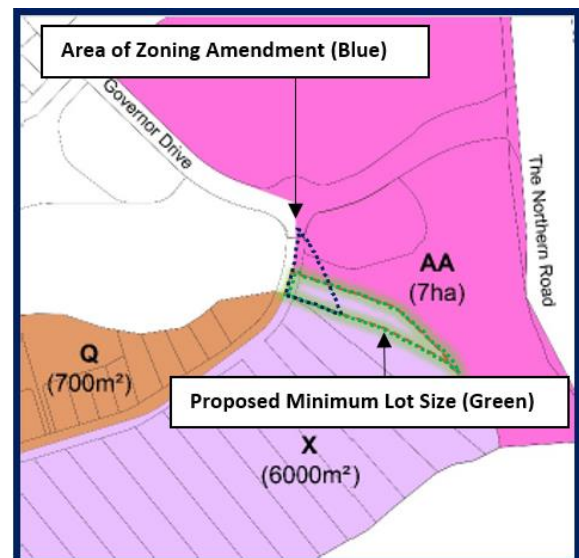


Figure 8: Proposed Minimum Lot Size

## Specialist Studies

### Heritage and Visual Impact Assessment

The draft Planning Proposal has been submitted with the following specialist studies:

- Orielton Conservation Management Plan (August 2006);
- Orielton Landscape Conservation Management Plan (September 2017); and
- Orielton Statement of Heritage Impact (September 2018).

The specialist studies are provided as an **attachment** to this report.

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## **Orielton Conservation Management Plan (2006) and Orielton Landscape Conservation Management Plan (2017)**

The Orielton Conservation Management Plan (Orielton CMP) establishes the cultural significance of Orielton and provides guidelines on the past restoration and future conservation of Orielton, to allow the significance of the heritage item to be retained in its future use and development.

The Orielton Landscape Conservation Management Plan (Landscape CMP) provides additional guidelines in the context of the proposed integrated equestrian park and residential development, to ensure that it will not impact on Orielton's heritage qualities.

### *Office of Environment and Heritage (OEH) Comment*

On 30 January 2018, the Heritage Council (part of OEH) endorsed the Landscape CMP, subject to conditions and minor amendments.

### **Orielton Statement of Heritage Impact (2018)**

The Orielton Statement of Heritage Impact (Statement) details the compliance of the proposed integrated equestrian park and residential development with the relevant conservation management guidelines.

The Statement assesses the proposed additional lot and concludes it will have minimal heritage and visual impacts. The Statement recommends any future dwelling on the proposed additional lot be positioned close to the new access road. This would result in minimal visual impact to the principal vista from Orielton to Narellan Creek and the secondary vista from Orielton to Studley Park.

The Statement includes other recommendations to minimise the impact of the overall development vision, including recommendations that relate to landscaping and fencing. These recommendations are relevant to the current DA, which will require the concurrence of OEH.

### *Heritage Council of NSW Comments*

On 7 June 2017, the Heritage Council considered the proposed integrated equestrian park and residential development for the site. The proposed additional lot subject to this draft Planning Proposal forms part of the future residential development. The minutes for the Heritage Council meeting held on 7 June 2017 and supporting letter are provided as appendices to the draft Planning Proposal.

The comments of the Heritage Council primarily relate to the orientation of the proposed equestrian centre stable block, landscaping and road pavement treatment. These matters can be addressed as part of the current DA.

### *Officer Comment*

Council officers have reviewed the specialist studies and consider the draft Planning Proposal will have minimal heritage and visual impacts in consideration of the following:

- recommended mitigation measures outlined in the specialist studies can be addressed in the current DA;



- the elevated position of the Orielton homestead compared to the lower elevation of the proposed development area will help to maintain important view associations;
- a future dwelling on the proposed additional lot will be required to be located outside the 1 in 100-year flood extent, which will prevent a dwelling being located within the principal view corridor;
- any future dwelling on the lot will require the submission of a DA to Council which will also require OEH concurrence;
- Orielton's heritage status prevents a future dwelling from being approved as complying development under the State Environment Planning Policy Exempt and Complying Development Codes 2008 (Codes SEPP 2008).

### **Assessment against Key Strategic Documents**

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

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters. The draft Planning Proposal is consistent with the relevant directions and objectives of the Region Plan as summarised in **Table 2**.

| <b>Greater Sydney Region Plan</b>                                    |  |   |
|--|--|---|
| <b>Direction</b>   | <b>Objective</b>   | <b>Officer Comment</b>  |
| <u>Direction 4</u><br>Liveability- A city of great places            | Objective 12: Great places that bring people together                      | The proposal contributes to future housing supply in a location to be serviced by suitable social infrastructure.   |
| <u>Direction 4</u><br>Liveability- A city of great places            | Objective 13: Environmental heritage is identified, conserved and enhanced | The proposal will have minimal impacts on the heritage value and character of Orielton.   |
| <u>Direction 6</u><br><u>Sustainability- A city in its landscape</u> | Objective 28: Scenic and cultural landscapes are protected                 | The proposal will have minimal visual impacts on Orielton Homestead. It maintains views of the scenic and cultural landscapes from the public realm, specifically distant views to Narellan Creek and Studley Park from Orielton Homestead. |

**Table 2: Assessment against Greater Sydney Region Plan**

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

The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions of the District Plan as summarised in **Table 3**.

| <b>Western City District Plan</b>  |   |
|--|---|
| <b>Planning Priority</b>   | <b>Officer Comment</b>  |
| <u>Planning Priority W4</u><br>Fostering healthy, creative, culturally rich and socially connected communities             | The proposal forms part of a broader development that will provide future residents with access to an equestrian facility. This will foster a culturally rich community in Harrington Grove.  |
| <u>Planning Priority W5</u><br>Providing housing supply, choice and affordability, with access to jobs and services        | The proposal will contribute to increased housing supply and choice with access to existing and proposed infrastructure, jobs and services.   |
| <u>Planning Priority W6</u><br>Creating and renewing great places and local centres and respecting the District's heritage | The proposal will have minimal visual impacts on Orierton Homestead as demonstrated in the Orierton Statement of Heritage Impact.   |
| <u>Planning Priority W15</u><br>Increasing urban tree canopy cover and delivering Green Grid connections                   | The proposal forms part of a broader development that will provide significant new plantings of trees, shrubs and grasses in accordance with the Orierton Landscape CMP.  |
| <u>Planning Priority W16</u><br>Protecting and enhancing scenic and cultural landscapes                                    | The proposal will not detract from the integrity of the scenic and cultural landscape of Orierton Homestead and its surrounds. A future dwelling on the lot will be located outside the principal view corridor, suitably orientated close to the new access road and above the flood planning level. |

**Table 3: Assessment against Western City District Plan**

### **Community Strategic Plan**

The Community Strategic Plan (CSP) seeks to actively manage Camden's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The draft Planning Proposal is consistent with the relevant directions of the CSP as summarised in **Table 4**.

| <b>Community Strategic Plan</b>  |   |
|--|---|
| <b>Strategy</b>  | <b>Officer Comment</b>  |
| <u>Strategy 1.1.1</u><br>Ensure the provision of appropriate urban development for sustainable growth in the Camden LGA          | The proposal forms part of a broader development that will provide for urban development and sustainable growth, ensuring compatibility with the heritage qualities of Orierton.  |
| <u>Strategy 1.1.2</u><br>Manage and plan for a balance between population growth, urban development and environmental protection | The proposal forms part of a broader development that maintains important view corridors from Orierton Homestead. This reflects a balanced consideration between population growth, urban development and environmental protection. |

**Table 4: Assessment against Community Strategic Plan**

### **Assessment of Planning Merit**

The draft Planning Proposal has been assessed against key strategic documents, including the Region Plan, District Plan and CSP and is consistent with these plans and



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their key objectives. The draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The draft Planning Proposal will have minimal heritage and visual impacts, subject to appropriate mitigation measures being implemented at the DA stage; and
- The draft Planning Proposal is not inconsistent with region, district and local plans and their relevant objectives.

### **Initial Notification of the Draft Planning Proposal**

Initial notification of the draft Planning Proposal was not undertaken as it was considered minor in relation to the likely impacts on adjoining landowners.

A formal public exhibition period will occur at a later stage, subject to Council endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination.

### **Panel Recommendations**

The Local Planning Panel (Panel) inspected the site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were consistent with that of the Council officer's assessment of the proposal. The Panel recommended that consideration be given to a mechanism that would limit the impact of a future dwelling on the additional lot on the secondary vista between Orierton Homestead and Studley Park. A copy of the minutes is provided as a **supporting document** to this report.

#### *Officer Comment*

The future dwelling on the additional lot is within the secondary vista between Orierton Homestead and Studley Park. The heritage specialist studies recommend plantings be provided on the equestrian park lot with a suitable mature height. This will screen the future dwelling from Orierton while maintaining the distant view association between Orierton and Studley Park. Orierton's higher elevation relative to the proposed lot's lower elevation will also help to maintain this view. Recommended mitigation measures relating to landscaping and fencing will be addressed as part of the DA. Additional assessment will also be undertaken by OEH which will need to provide concurrence to the DA.

### **LEP Delegation**

Council intends to use its delegation pursuant to the *Environmental Planning and Assessment Act 1979*. This will enable Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

### **Financial Implications**

There are no financial implications for Council as a result of this report.

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## **CONCLUSION**

The draft Planning Proposal seeks to rezone a portion of 181 The Northern Road, Harrington Park from E2 Environmental Conservation to R5 Large Lot Residential to facilitate one additional residential lot.

Council officers have assessed the draft Planning Proposal and consider the proposal has planning merit to proceed to Gateway Determination as outlined in the report.

Should Council resolve to endorse the Planning Proposal, it will be forwarded to DPE for Gateway Determination.

## **RECOMMENDED**

**That Council:**

- i. endorse the draft Planning Proposal for land at 181 The Northern Road, Harrington Park to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for Part Lot 41 DP 270613, 181 The Northern Road, Harrington Park to the Department of Planning and Environment for the plan to be made; or**
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

## **ATTACHMENTS**

1. Planning Proposal Orielton
2. Orielton CMP 2006
3. Orielton Landscape CMP 2018
4. Heritage Impact Statement Orielton
5. CLPP\_Minutes Orielton - *Supporting Document*





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## ORDINARY COUNCIL

### ORD03

**SUBJECT: PROPOSED AMENDMENT NO. 21 TO CAMDEN LEP 2010 AND CAMDEN DCP 2011 AND PROPOSED VOLUNTARY PLANNING AGREEMENT - 190 RABY ROAD, GLEDSDOOD HILLS**

**FROM:** Director Planning and Environment

**TRIM #:**18/182139

**PREVIOUS ITEMS:** ORD03 - Proposed Amendment No. 21 to Camden LEP 2010 and Camden DCP 2011 and a draft Voluntary Planning Agreement - 190 Raby Road, Gledswood Hills (Lot 4 DP 260703) - Ordinary Council - 28 Jun 2016 6.00pm

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**PROPERTY ADDRESS:** Lot 102 DP 1226899  
190 Raby Road, Gledswood Hills

**PROPONENT:** TN Consulting Pty Ltd

**OWNER:** Mr S Chambers

### PURPOSE OF REPORT

The purpose of this report is to request Council to consider submissions received during the public exhibition of the draft Planning Proposal to the Camden Local Environmental Plan 2010 (Camden LEP 2010), draft Camden Development Control Plan 2011 (Camden DCP 2011), and a draft Voluntary Planning Agreement (VPA), for 190 Raby Road, Gledswood Hills.

The report recommends Council endorse the draft Planning Proposal and the draft DCP (as amended post exhibition) and forward the Planning Proposal to the Department of Planning and Environment (DPE). The report also recommends the draft VPA be re-exhibited due to post-exhibition amendments.

The draft Planning Proposal, draft DCP and draft VPA (as amended) are provided as **attachments** to this report.

### BACKGROUND

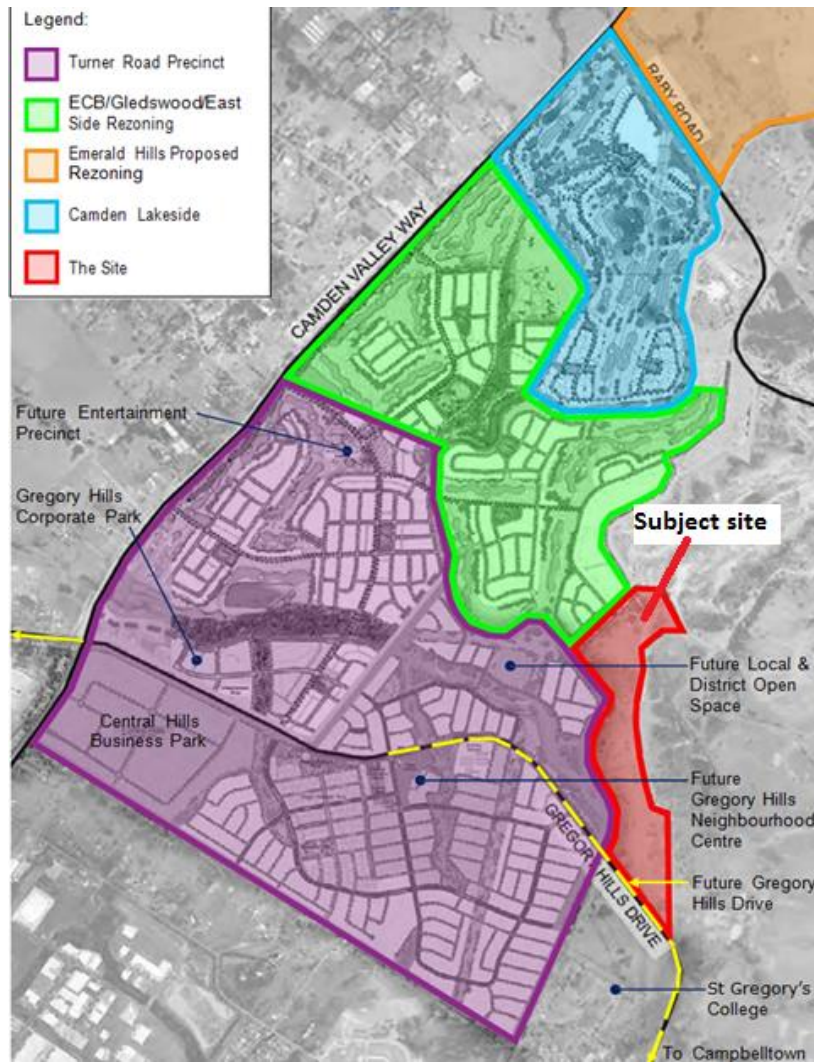
The draft Planning Proposal for 190 Raby Road, Gledswood Hills (Lot 102 DP 1226899 – previously Lot 4 DP 260703) was submitted to Council on 20 February 2013 by TN Consulting on behalf of the owner, Mr S Chambers. The exhibited proposal seeks to rezone the site from RU2 Rural Landscape to R2 Low Density Residential and R5 Large Lot Residential. The exhibited proposal also seeks to amend the minimum lot size from 40ha to a range of minimum lot sizes from 375m<sup>2</sup> to 20,000m<sup>2</sup>.

### **Location**

The site, which is approximately 40ha in area, is located to the south east of Mirvac's Crest development between Gregory Hills (Turner Road Precinct, South West Growth Area), and the western boundary of the Scenic Hills in the Campbelltown Local Government Area (LGA). Immediately to the west of the site is the Sydney Water canal. A location map is provided in **Figure 1**. The subject site is outside the South West Growth Area (SWGGA).

The site is currently accessed from Raby Road via a private road. Future access to the site will be from Gregory Hills Drive to the south and from Raby Road via Gledswood Hills Drive to the north.

At its meeting of 28 June 2016, Council resolved, in summary, to endorse the draft Planning Proposal for public exhibition and require a further report outlining the results of the public exhibition. Council also resolved to request a revised Gateway Determination from the Department of Planning and Environment (DPE).



**Figure 1: Subject Site**

The original Gateway Determination was issued by the DPE on 20 August 2013. A number of changes to the Planning Proposal and Gateway Determination occurred prior to the public exhibition of the proposal, including deletion of the R1 General Residential zone.

The proposed changes were endorsed by Council at its meeting of 28 June 2016. A revised Gateway Determination addressing the proposed changes was issued by DPE on 24 August 2018. The original and revised Gateway Determination are provided as **Appendix 3** of the Planning Proposal.



The Gateway Determination required preparation of a number of specialist studies and consultation with a number of public agencies prior to public exhibition. At the conclusion of the agency consultation, specialist studies were updated to reflect agency comment.

The draft Planning Proposal, revised specialist studies, draft DCP and draft VPA were publicly exhibited from 12 July to 19 August 2016.

Councillors were briefed on the draft Planning Proposal and public exhibition outcomes on 24 July 2018.

On 30 October 2018, a site visit was undertaken by Councillors and Council officers with the proponent.

## MAIN REPORT

### Summary of the exhibited Planning Proposal

The site is currently zoned RU2 Rural Landscape and has a minimum lot size of 40ha under the Camden LEP 2010. The exhibited draft Planning Proposal seeks to facilitate 260 residential lots and amend the zoning, minimum lot size and height of buildings as detailed in Table 1 below.

|                            | <b>Existing</b>     | <b>Proposed</b>   |
|----------------------------|---------------------|---|
| <b>Zone</b>                | RU2 Rural Landscape | R2 Low Density Residential<br>R5 Large Lot Residential  |
| <b>Minimum Lot Size</b>    | 40ha                | 375m <sup>2</sup> and 700m <sup>2</sup> for R2 zone<br>4,000m <sup>2</sup> and 20,000m <sup>2</sup> for R5 zone |
| <b>Height of Buildings</b> | N/A                 | 9.5m  |

**Table 1: Comparison of existing and proposed provisions under Camden LEP 2010.**

The site is long and narrow and extends along a north-south ridgeline on the western side of the Camden/Campbelltown LGA boundary. It is proposed (under the exhibited proposal) to be developed in accordance with the Indicative Layout Plan (ILP) as shown in **Figure 2**.

A bus capable road will run through the site from Gregory Hills Drive in the south to a bus capable road (Gledswood Hills Drive) in the Crest to the north. Smaller lots will be located west of this road, while larger lots will be located east of the road. Very large lots will be located in the northern part of the site and two of these will include critically endangered Cumberland Plain Woodland (CPW).

Linear open space is proposed to be located along a gas easement and will include a cycleway/pedestrian path ensuring connection to surrounding areas. Adjacent to this, further open space is proposed to be located and will include a playground.

Two drainage basins are proposed to be located west of the bus capable road and will provide additional passive open space (the basins are designed to be 'dry' outside of rain events).

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### Proposed Zones

The exhibited proposal is for an R2 Low Density Residential zone east and west of the proposed bus capable road.

The R5 Large Lot Residential zone is proposed (under the exhibited proposal) for lots in the north of the site.

The existing and exhibited zoning maps are shown in **Figure 3**.

### Proposed minimum lot sizes

A minimum lot size of 375m<sup>2</sup> is proposed for lots west of the bus capable road. A minimum lot size of 700m<sup>2</sup> is proposed for lots east of the bus capable road.

Minimum lot sizes of 4,000m<sup>2</sup> and 20,000m<sup>2</sup> are proposed for lots in the northern part of the site. This will ensure improved conservation outcomes for the area of bushland.

The existing and proposed minimum lot size maps are shown in **Figure 4**.

### Height of Buildings

A building height of 9.5m is proposed for the site to ensure the development is consistent with surrounding residential areas. Additionally, it will ensure there is minimal visual impact to the Scenic Hills to the east of the site.

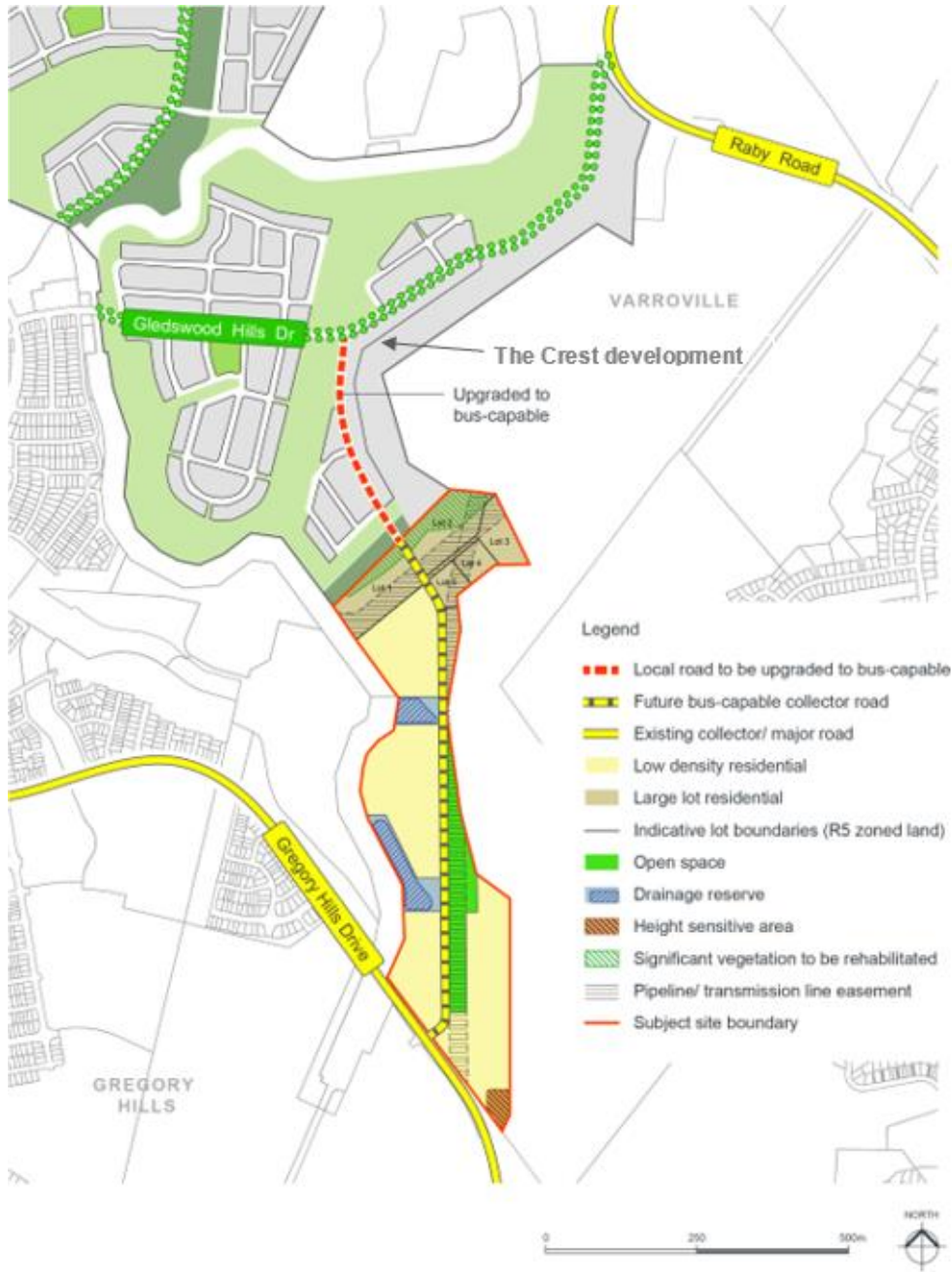


Figure 2: Location of the bus capable road

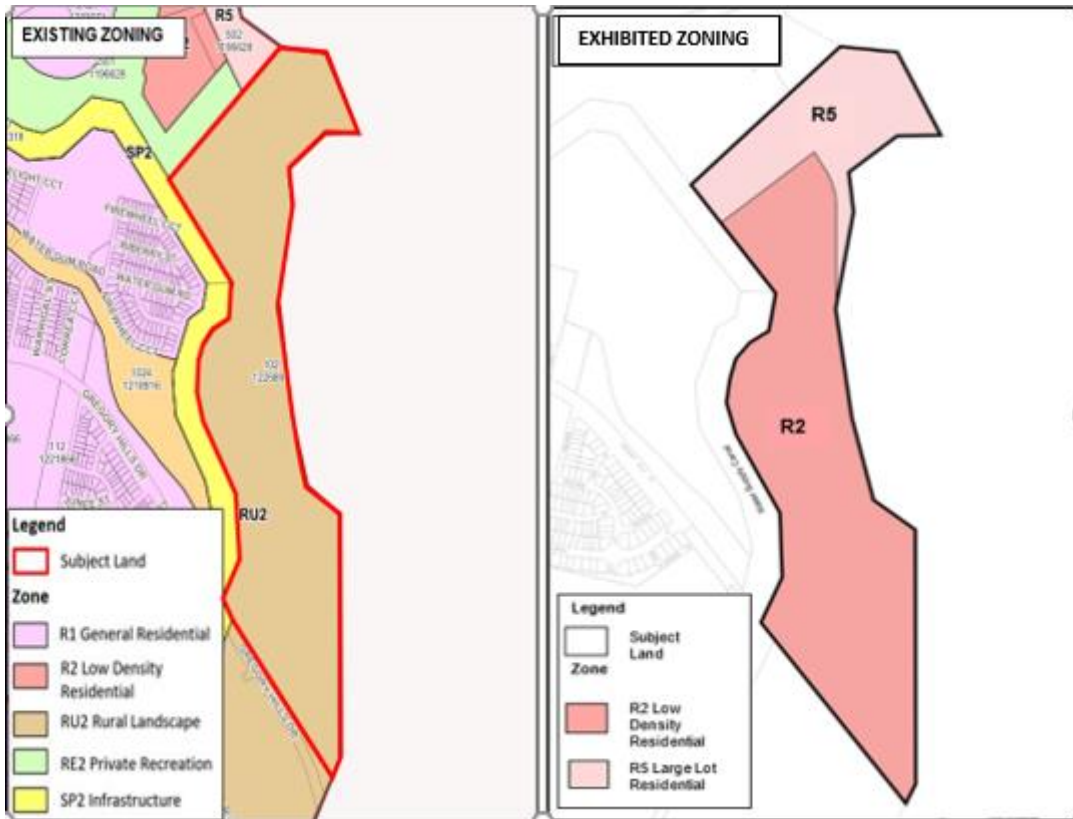


Figure 3: Existing and exhibited zoning maps

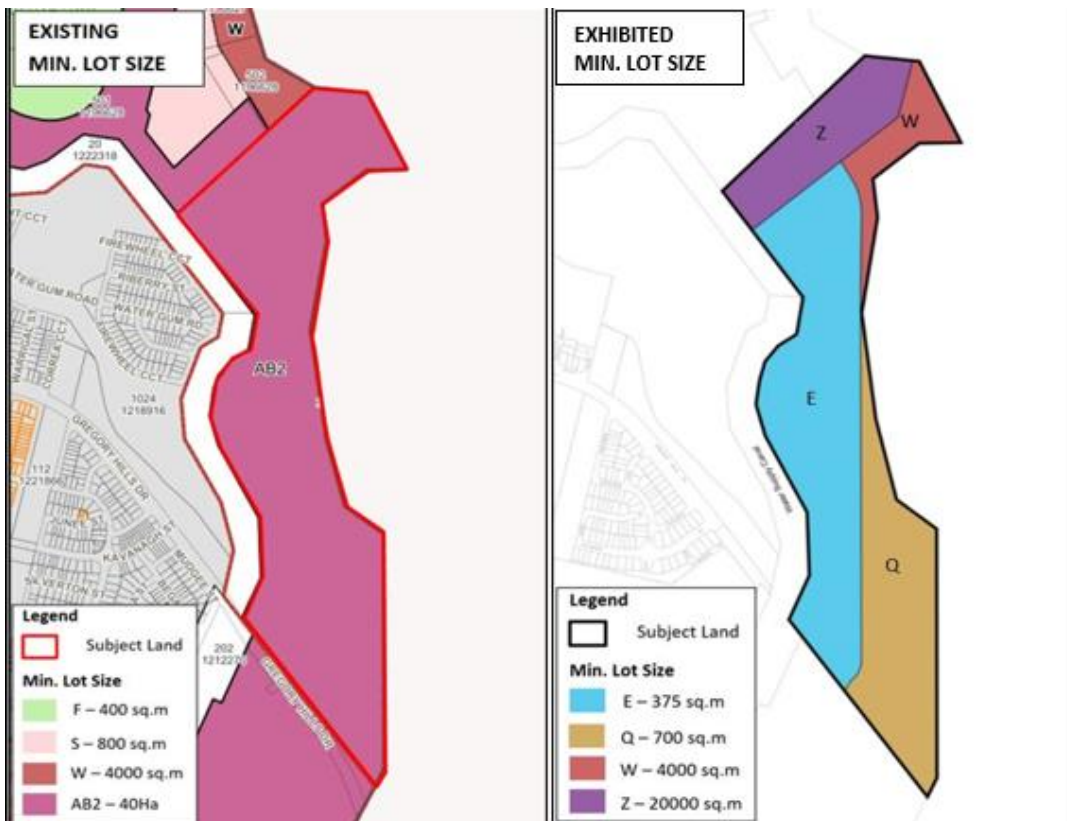


Figure 4: Existing and exhibited minimum lot size maps



## Specialist Studies

The Gateway Determination required a number of studies to be undertaken prior to public exhibition. The following studies were exhibited as part of the Planning Proposal:

- Landscape & Visual Analysis, Visual Impact Assessment Peer Review & Supplement;
- Flora and Fauna Assessment;
- Traffic Impact Assessment;
- Preliminary Aboriginal Archaeological and Cultural Assessment;
- Acoustic Assessment;
- Bushfire Constraints Assessment;
- Geotechnical Assessment;
- Open Space and Community Facilities Assessment;
- Salinity Assessment;
- Stormwater Management and Flood Assessment; and
- Preliminary Site Investigation (Contamination).

Due to their size, the specialist studies are provided under **separate cover**. **Table 2** outlines the key issues identified in the studies

| Study  | Key Findings   |
|--|--|
| Landscape & Visual Analysis and Peer Review    | <ul style="list-style-type: none"> <li>• The visual impact can be visually 'absorbed' within the Camden LGA and mitigated to ensure there is minimal visual impact to the Scenic Hills. 'Visual absorption' refers to the landscape's ability to 'absorb' development without creating a significant change in visual character or reduction in scenic quality of the area.</li> </ul> |
| Flora and Fauna Assessment                     | <ul style="list-style-type: none"> <li>• Northern stand of Cumberland Plain Woodland (CPW) should be retained in a minimal number of lots and actively managed to protect and restore the CPW.</li> </ul>  |
| Traffic Impact Assessment                      | <ul style="list-style-type: none"> <li>• The northern connection to Raby Road, via Gledswood Hills Drive, is important to provide potential bus connections.</li> </ul>  |
| Open Space and Community Facilities Assessment | <ul style="list-style-type: none"> <li>• Development will generate a demand for new and augmented open space and community facilities. These requirements are capable of being met through provision of some on-site facilities (e.g. open space) and monetary contributions towards the provision of off-site facilities (district level facilities).</li> </ul>                      |

**Table 2: Key issues identified in specialist studies**

## Public Agency Consultation

Following completion of the draft studies and as required by the Gateway Determination, consultation was undertaken with the following public agencies:

- Department of Education and Training (now Department of Education);
- Water NSW (previously Sydney Catchment Authority);

- Office of Environment and Heritage (Environment);
- Office of Environment and Heritage (Heritage);
- Department of Industry – Mineral Resources and Energy (previously Department of Trade and Investment);
- Fire and Rescue NSW;
- NSW Rural Fire Service;
- Roads and Maritime Services (RMS);
- Transport for NSW (TNSW);
- Endeavour Energy;
- Transgrid;
- Jemena;
- APA Group;
- Sydney Water;
- Liverpool Council;
- Wollondilly Council;
- Campbelltown City Council.

A submission response table detailing the public agency submissions and Council officer response is provided as an **attachment** to the report. The submissions are provided as a **supporting document**.

Key issues identified during the public agency consultation are outlined below.

#### The Office of Environment and Heritage (OEH) – Environment

Concerns regarding the impact on the Cumberland Plain Woodland (CPW). The OEH recommended the proposed R5 Large Lot Residential area be zoned E4 Environmental Living. However, OEH subsequently agreed that the R5 zone could be used. OEH also recommended the CPW vegetation be conserved in a single lot.

#### *Officer Comment*

An area of CPW vegetation was identified in the north of the site. As a result, the original Planning Proposal identified the north of the site to have a minimum lot size of 4,000m<sup>2</sup>.

Following consultation with OEH, the northern stand of CPW is proposed to be located in two lots with minimum lot sizes of 20,000m<sup>2</sup>. These larger lots are located either side of the proposed bus capable road.

The draft DCP also has a number of controls to ensure the conservation of the vegetation, including an 88B restriction on title requiring compliance with a Vegetation Management Plan (VMP).

If the R5 Large Lot Residential zone was adopted, a dwelling can be approved as Complying Development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Housing Code). The Housing Code may result in the 88B restriction that seeks to protect the CPW having no legal weight (by suspending it).

Under the E4 Environmental Living zone, a Development Application (DA) lodged with Council is the only approval pathway for a dwelling house. Complying Development under the Housing Code is not an option in the E4 Environmental Living zone.





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Adopting the E4 Environmental Living zone would provide Council with increased certainty and control over the dwelling assessment process. It will also ensure the 88B restriction on title requiring the protection of the CPW is considered.

It is noted that in the E4 Environmental Living zone, the highest permitted use is a dwelling house, whilst an attached dual occupancy is permitted in the R5 Large Lot Residential zone.

#### Recommended Post Exhibition Amendment

Council officers recommend replacing the exhibited R5 Large Lot Residential zone with an E4 Environmental Living zone (shown in Figures 5 and 6 and summarised in Table 4 of this report).

#### The Office of Environment and Heritage (OEH) – Heritage

Recommend the development layout maximise the ability for the community to view the Sydney Water Canal by positioning open space, public roads and footpaths adjoining the canal.

Also recommend the visual impact mitigation measures in the Landscape and Visual Assessment, especially those aimed at minimising the visual impact on the Scenic Hills be implemented.

#### *Officer Comment*

Public accessibility and improved views to the Sydney Water Canal can be achieved by requiring a perimeter road and open space adjacent to the canal to facilitate accessibility and improved views.

The draft DCP has a number of controls to ensure minimal visual impact on the Scenic Hills, including an 88B restriction on title requiring compliance with the RL141. The RL has been informed by line-of-sight cross sections that were undertaken as part of the visual assessment. RL 141.8 is the level above which a building could be seen.

In addition, an 88B restriction is recommended for lots that back onto the ridgeline of the Scenic Hills, requiring buildings to be single storey.

Street lighting controls (incorporating a shroud, hood or other appropriate design treatment to minimise light spill) are also included in the DCP.

If the R2 Low Density Residential zone was adopted for land east of the bus capable road, Council officers are concerned the Complying Development approval process may not pick up the 88B restriction on title (compliance with RL141 and single storey).

As previously discussed, adopting an E4 Environmental Living zone would provide Council with control over the dwelling assessment process via a DA. There is no proposed change to the exhibited minimum lot size for this land (700m<sup>2</sup>).

#### Recommended Post Exhibition Amendment

Council officers recommend replacing the exhibited R2 Low Density Residential zone east of the bus capable road with an E4 Environmental Living zone.

It is also recommended to include an additional DCP control for lots that back onto the ridgeline of the Scenic Hills, requiring buildings to be single storey.

### Transport NSW (TNSW)

Require the delivery of a bus capable road to connect Gregory Hills Drive and Raby Road.

#### *Officer Comment*

For the bus capable road to connect Gregory Hills Drive and Raby Road, an upgrade is required of an identified local road on land to the north, owned by Mirvac. This would result in planning, engineering and financial implications for Mirvac.

The proponent and Mirvac have come to an agreement and a DA for the portion of road to be upgraded to a bus capable road on Mirvac land has been submitted to Council and is being assessed. The proposed bus capable road providing connection from Gregory Hills Drive to Raby Road is shown in **Figure 2**.

The draft DCP requires the delivery of the bus capable road through the subject site and on the Mirvac land. The draft VPA also requires the delivery of the bus capable road within the subject site.

#### Recommended Post Exhibition Amendment

Council officers recommend the VPA require the delivery of the bus capable road within the subject site prior to the issuing of a Subdivision Certificate for the 150<sup>th</sup> Final Lot for stage 1 and the 201<sup>st</sup> Final Lot for stage 2.

### Campbelltown City Council

Campbelltown City Council has raised concern over the removal of the spatial barrier and transition between Camden and Campbelltown LGAs – and request a minimum lot size of 10,000m<sup>2</sup> across the site.

Residential development within the Scenic Hills is not supported.

The proposal is inconsistent with the Sydney Metropolitan Strategy (now Greater Sydney Region Plan).

#### *Officer Comment*

These issues have been addressed by the proposal requiring larger lots and open space along the eastern boundary of the site adjoining the Campbelltown LGA. For lots that back onto the Scenic Hills ridgeline, an additional DCP control is proposed requiring buildings to be single storey (88B restriction).

Under the proposed E4 Environmental Living zone, the highest permitted use is a dwelling whilst additional uses (such as dual occupancy) is permitted under the R2 Low Density Residential zone.

#### Recommended Post Exhibition Amendment

As previously discussed, Council officers recommend replacing the exhibited R2 Low Density Residential zone east of the bus collector road with an E4 Environmental Living



zone. Council officers also recommend an additional DCP control of an 88B restriction on title requiring a 20m rear setback for E4 zoned lots east of the bus capable road that back on to the Scenic Hills.

For lots that back onto the Scenic Hills ridgeline, an additional DCP control is recommended requiring buildings to be single storey (88B restriction).

Regarding the comment of inconsistency with the Sydney Metropolitan Strategy (now Greater Sydney Region Plan), it is noted the proposal was submitted to Council in 2013 and predates the Region Plan and the District Plan. It is also noted the locality is undergoing a significant transformation as rural uses are replaced by urban development. The increase in development in the area is supported by significant infrastructure upgrades, including Raby Road upgrade and the construction of Gregory Hills Drive.

### Draft Camden DCP

A draft site-specific amendment relating to Part C (Residential Subdivision) and Part D (Residential Development) of the Camden DCP 2011 was placed on public exhibition as part of the Planning Proposal package. A copy of the draft DCP, with post exhibition amendments is provided as an **attachment** to this report. A summary of the proposed DCP controls is provided in the table below.

| Proposed Control   | Justification  |
|--|--|
| Street, pedestrian and cycle network controls, including requirement of a: <ul style="list-style-type: none"> <li>• Bus capable road through the site as per the ILP.</li> <li>• A north/south pedestrian cycleway path through the site.</li> <li>• A requirement of a perimeter road to separate residential lots from the Upper Canal.</li> </ul>   | Will assist in providing access to public transport, pedestrian and cycleway networks with links to Gregory Hills Drive and Gledswood release areas.<br><br>The perimeter road provides views to the canal and access adjacent to the canal. |
| Parks and open space controls to ensure they are provided as per the ILP, including use of the Jemena easement to provide a linear open space area.  | Provides usable open space.  |
| Remnant vegetation in the E4 area controls, including: <ul style="list-style-type: none"> <li>• E4 lots that contain the remnant vegetation to have a minimum lot size of 20,000m<sup>2</sup>.</li> <li>• A Vegetation Management Plan (VMP) to be submitted with the first DA and to outline the necessary rehabilitation works, revegetation works and ongoing maintenance.</li> <li>• An 88b restriction on title to ensure compliance with the VMP.</li> </ul> | To ensure remnant vegetation is appropriately conserved and revegetated.   |
| Scenic amenity protection controls, including: <ul style="list-style-type: none"> <li>• An 88b restriction on title requiring development not encroach above the RL141m level.</li> <li>• An 88b restriction on title requiring lots backing on to the ridgeline to have 20-</li> </ul>  | Protects the landscape and visual character of the Scenic Hills  |

| Proposed Control   | Justification |
|--|---------------|
| metre rear building setback. <ul style="list-style-type: none"> <li>• Street lighting treatments to restrict light spill.</li> <li>• Materials and colours for buildings and ancillary structures to be recessive and non-reflective.</li> </ul> |               |

**Table 3: Proposed DCP controls and justification**

### **Draft Voluntary Planning Agreement (VPA)**

A draft VPA is proposed in lieu of applying the Camden Contribution Plan (CP) to the development. The draft VPA is for 260 residential lots and has a value per lot of \$41,798 (including land, works and monetary contribution). If the Camden CP were to be applied, the value per lot would be \$21,469. Any additional lots would pay contributions under the Camden CP.

The range of facilities offered under the draft VPA include:

- Open space to include a playground, paths, seating and landscaping;
- Linear open space along the gas easement to include a kick-about area, paths, seating and landscaping;
- North-south shared pedestrian pathway and cycleway;
- Bus capable road (collector road) through the site;
- Vehicular creek crossing from the subject site to Mirvac land to the north; and
- Monetary contributions towards off-site facilities (District level facilities).

### **Public Exhibition**

The draft Planning Proposal, specialist studies, draft DCP and draft VPA were publicly exhibited from 12 July to 19 August 2016. Public agencies were also notified of the public exhibition.

In total, 24 submissions were received:

- Six from the community, including four objections;
- Two from developers, including one objection;
- 16 public agency submissions, including Campbelltown City Council and Transport NSW.

One community submission, one developer submission and one public agency submission have subsequently been withdrawn, leaving four outstanding objections (three community objections and one public agency objection).

A submission response table, outlining the submissions and Council officer response is included as an **attachment** to this report. Submissions are included as a **supporting document**. Key outstanding issues arising from the submissions are outlined below.

### **Key Outstanding Issues**

#### **Community Submissions**

1. *Concern regarding development creep and loss of a transition zone between dense residential development and the Scenic Hills.*




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*Officer Comment*

There is a transition in lot sizes from west (375m<sup>2</sup>) to east (700m<sup>2</sup>) to ensure a gradual transition from denser development to the west of the site, to the Scenic Hills east of the site. The DCP also requires increased rear building setbacks and positioning of open space adjacent to the Scenic Hills.

The larger minimum lot sizes in the northern part of the site (now proposed to be zoned E4 Environmental Living) ensures there is a transition zone from denser development to the west of the site to the Scenic Hills.

For lots that back onto the Scenic Hills ridgeline, an additional DCP control is proposed requiring buildings to be single storey (88B restriction).

*Recommended Post Exhibition Amendments*

As previously discussed, Council officers recommend replacing the exhibited R2 Low Density zone east of the bus capable road and the R5 Large Lot zone in the northern part of the site with an E4 Environmental Living zone.

Council officers also recommend the DCP control requiring lots backing onto the ridgeline of Scenic Hills have a 20m rear building setback now be required under an 88B restriction on title.

For lots that back onto the Scenic Hills ridgeline, an additional DCP control is recommended requiring buildings to be single storey (88B restriction).

*2. Concern about cumulative impacts of spot rezonings outside the South West Growth Area (SWGA).*

*Officer Comment*

The site is bordered on three sides by residential development and a school complex and will provide an important connection between Gregory Hills Drive and Raby Road. Cumulative impact of other smaller rezonings and SWGA rezonings have been considered as part of this proposal.

*3. Concern for visual impacts on the Scenic Hills*

*Officer Comment*

A Landscape & Visual Assessment and Peer Review and Supplementary Assessment were undertaken with 19 viewpoints within the Campbelltown LGA assessed. The assessment focused on key points of residences and high points. The assessments concluded that there is minimal impact from one viewpoint and this can be mitigated through DCP controls of building setback, height and colour/material of buildings, and street lighting controls. The other viewpoints were within the Camden LGA, and these were assessed as having impact that would be visually absorbed (the development would not create a significant change in visual character or scenic quality in the area).

To ensure minimal visual impact on the Scenic Hills an 88B restriction on title requiring compliance with RL141 is within the DCP.

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Recommended Post Exhibition Amendment

As discussed previously Council officers recommend replacing the exhibited R2 Low Density Residential zone east of the bus capable road with an E4 Environmental Living zone. This will ensure compliance with the 88B restriction and therefore minimal visual impact on the Scenic Hills.

4. *Concern over the impact of the proposal on the Cumberland Plain Woodland vegetation.*

*Officer Comment*

The CPW vegetation will be conserved within large residential lots (20,000m<sup>2</sup>) and protected by a number of development controls, including the requirement for a Vegetation Management Plan (VMP) on title and an 88B restriction requiring compliance with the VMP.

Recommended Post Exhibition Amendments

As discussed previously, Council officers recommend replacing the exhibited R5 zone with an E4 Environmental Living zone.

**Mirvac Submission**

Mirvac submitted an objection regarding the proposed bus capable road and its impact on the already planned precinct in the Crest. The upgrade of the local road to a bus capable road would provide planning, engineering and financial constraints to Mirvac.

*Officer Comment*

Since consulting with Council and the proponent, Mirvac has withdrawn its objection subject to the DA approval of the upgrade of the local road on their land to a bus capable road. The DA for the construction of the bus capable road has been submitted to Council and is currently under assessment.

**Post Exhibition Submission**

Jemena (owner and operator of the gas pipeline and easement through the subject site) has provided a late submission to the proposal which is included as a **supporting document**. Details of the submission have been included in the submission response table that forms an **attachment** to the report.

The comments from Jemena recommend two options to mitigate impact on the gas easement. The first option is for all zoning along the easement to be an environmental living zoning or open space, along with a number of considerations for a future DA stage. The other option is to construct a concrete slab over the pipelines, no residential lots to have any part of a lot within the pipeline easement, and for no building to abut the easement.

*Officer Comment*

The Jemena submission was referred to the DPE Hazards team. Their response is that matters raised in the submission can be addressed at the DA stage and by DPE as part of its finalisation of the proposal.



The draft VPA itemises the gas easement as 2.68ha of open space that is to be embellished with pathways, seating and landscaping and to be dedicated to Council. Further discussions with Jemena were undertaken, regarding proposed facilities within the easement. Jemena has advised that further consultation will be required at the DA stage to ensure the facilities comply with their guidelines.

The proponent will be required to consult further with Jemena at a future DA stage.

### **Assessment against Local Strategic Plans**

#### **Rural Lands Strategy**

Council adopted the Rural Lands Strategy in September 2017. The Strategy was recently updated and adopted by Council at its meeting of 27 November 2018. The Strategy is intended to guide Council's decision making on rural land. The broad intent of the Strategy is to protect Camden's remaining rural lands (outside the SWGA).

The DPE Gateway Determination noted the Planning Proposal's inconsistency with the Minister for Planning's direction seeking the protection of rural lands is of 'minor significance and no further approval is required'. This means that the DPE considered that the RU2 Rural Landscape zoning of the site was not an impediment to rezoning for residential purposes.

The Planning Proposal predates the Strategy. While the Planning Proposal is not required to address the Strategy, Council officers have assessed the proposal against the Strategy's assessment criteria for rezoning rural land.

#### Proposals must be consistent with state and local strategic plans.

The Planning Proposal is consistent with relevant state and local strategic plans in that it is providing increased housing supply. The proposal will provide an additional 260 residential lots (approximately) with a range of lot sizes.

It is also consistent with state and local strategic plans in that remnant vegetation will be protected and enhanced. The Planning Proposal aims to conserve an area of critically endangered CPW vegetation within the larger lots (20,000m<sup>2</sup> minimum lot size) and an E4 Environmental Living zone.

A number of development controls within the draft DCP will ensure conservation of the vegetation by requiring a Vegetation Management Plan (VMP) that requires rehabilitation and revegetation of the CPW vegetation and an 88B restriction requiring compliance with the VMP.

#### Proposals must not adversely impact on the operation of existing rural enterprises.

The site is currently used for grazing. If the proposal proceeds it will result in this use ceasing. Due to the site's location and nearby existing residential development, the proposed development is unlikely to impact on existing rural enterprises in the vicinity.

#### Proposals must be a logical extension to existing urban areas.

The site adjoins urban development, including residential development and a private school complex and can be serviced by the required utilities.

The immediate locality is undergoing significant transformation as rural uses are replaced by urban development. The increase in development in the area is supported

by good access to the Gregory Hills town centre and is close to existing and proposed schools.

It is also supported by significant infrastructure upgrades, including Gregory Hills Drive, and the upgrade of Raby Road. The proposal would also improve public transport provision in the locality.

Proposals must not reduce the quality of scenic landscapes, vistas, ridgelines or heritage values.

Council officers have reviewed the Landscape Visual Assessment and Peer Review and agree that there will be minimal impact to one viewpoint and this can be managed through controls within the draft DCP. As previously discussed, Council officers recommend replacing the R5 zone and R2 zone east of the bus capable road with an E4 Environmental Living zone.

The Sydney Water Canal is immediately west of the subject site. The OEH recommended public access adjacent to and views of the canal be improved. This has been achieved with the requirement of large lots in the north, and a road and open space adjacent to the canal to facilitate accessibility adjacent to the canal and improved views of the canal.

### **Community Strategic Plan**

The Community Strategic Plan (CSP) seeks to actively manage Camden LGA's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes.

An assessment of the proposal against the CSP Directions is outlined below:

- Key Direction 1: Actively Managing Camden LGAs Growth – Strategy 1.1.1 Ensure provision of appropriate urban development for sustainable growth in the Camden LGA.

#### *Officer Comment*

The proposal aligns with this Direction and Strategy as it provides 260 residential lots that range from 375m<sup>2</sup> to 20,000m<sup>2</sup>. This will facilitate housing choice.

- Key Direction 2: Healthy Urban and Natural Environment - Strategy 2.1.2 Conserve native flora and fauna and their habitats and promote local involvement through community education programs.

#### *Officer Comment*

The Planning Proposal aligns with this Direction and Strategy by conserving critically endangered CPW vegetation within a recommended E4 Environmental Living zone. A number of DCP controls will also ensure the CPW vegetation is conserved. OEH agree with this method of protection for the CPW vegetation.

### **Summary of Post Exhibition Amendments**

It is recommended the exhibited R5 zone and the R2 zone east of the bus capable road be replaced with an E4 Environmental Living zone, to ensure protection of the



CPW and minimal visual impact on the Scenic Hills (shown in **Figures 5 and 6** and summarised in **Table 4**).

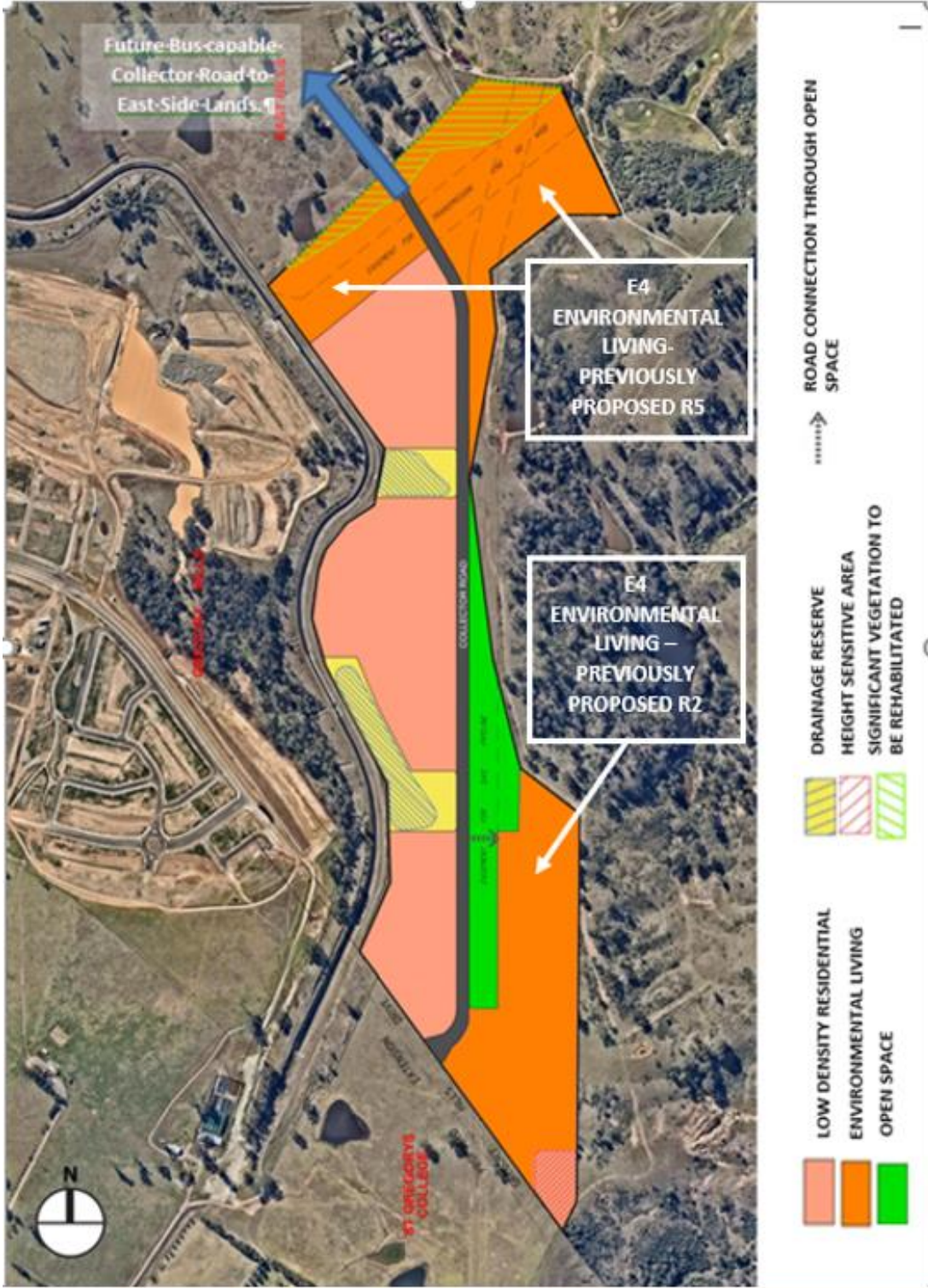


Figure 5: Recommended post exhibition ILP (change to zones)

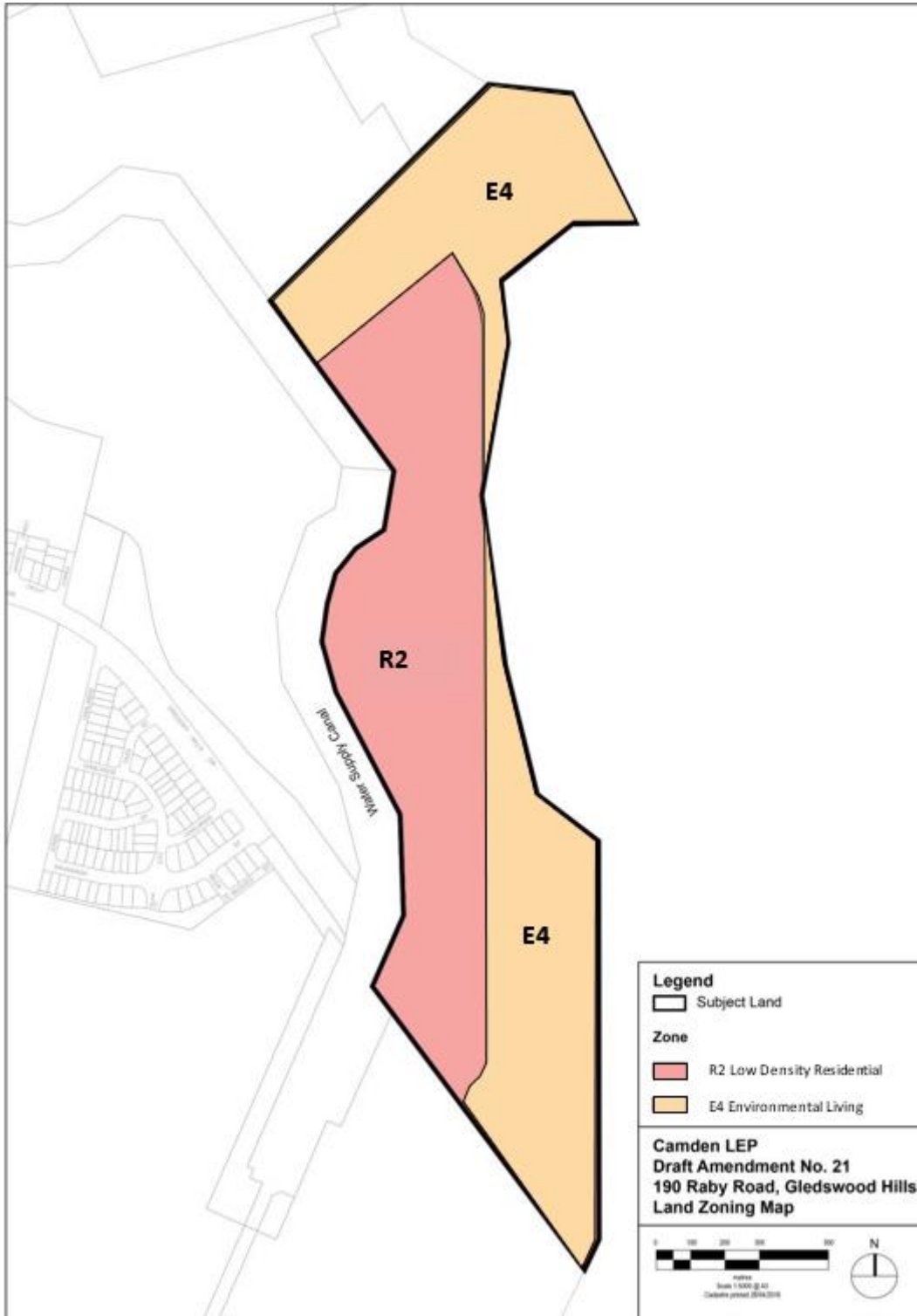


Figure 6: Recommended post exhibition LEP zoning map



|                            | <b>Existing</b>     | <b>Exhibited</b>  | <b>Recommended</b>   |
|----------------------------|---------------------|---|--|
| <b>Zone</b>                | RU2 Rural Landscape | R2 Low Density Residential<br><br>R5 Large Lot Residential  | R2 Low Density Residential<br>E4 Environmental Living  |
| <b>Minimum Lot Size</b>    | 40ha                | 375m <sup>2</sup> and 700m <sup>2</sup> for R2 zone<br><br>4,000m <sup>2</sup> and 20,000m <sup>2</sup> for R5 zone | 375m <sup>2</sup> for R2 zone<br><br>700m <sup>2</sup> for E4 zone east of bus capable road<br><br>4,000m <sup>2</sup> and 20,000m <sup>2</sup> for E4 in the northern part of the site. |
| <b>Height of Buildings</b> | N/A                 | 9.5m  | 9.5m   |

**Table 4: Comparison of Existing, Exhibited and Recommended provisions under Camden LEP 2010**

#### Summary of Post Exhibition Amendments

The draft Planning Proposal and the draft DCP have been amended and are provided as **attachments** to this report. Amendments address matters raised as part of the public exhibition process and will ensure development outcomes on the ground reflect the intent of the proposal. As there is no increase in development potential resulting from these amendments, it is not considered necessary to re-exhibit the proposed changes.

Post exhibition amendments are proposed to be made to the draft VPA following public exhibition. Amendments are to the level of works and timing of delivery of VPA items. Any change to the intent of a VPA means it is required to be exhibited. As a result, subject to Council endorsement of the Planning Proposal, this document is recommended to be re-exhibited.

A summary of the post exhibition changes is outlined below.

#### Draft Planning Proposal

- Amend the proposed R5 Large Lot Residential area to E4 Environmental Living to ensure greater protection of the CPW.
- Amend the proposed R2 Low Density Residential area east of the bus capable road to E4 Environmental Living to ensure minimal visual impact to the Scenic Hills.
- Update the legislative references following the amendments to the EP&A Act.
- Update of Section B – Relationship to Strategic Framework, following updated Strategic documents, including assessment against the Camden Rural Lands Strategy and the Camden Community Strategic Plan.
- Amend Sections 4.6 Community Consultation and 4.7 Project Timeline to reflect that the exhibition has taken place.
- Update Appendices 1 and 2 - Consistency with State Environmental Planning Policies and Ministerial Directions.

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## Draft DCP

- Amend the ILP to reflect the change in zones from R5 Large Lot Residential to E4 Environmental Living, and from part R2 Low Density Residential to E4 Environmental Living.
- Amend the wording in the DCP to reflect the change from R5 Large Lot Residential to E4 Environmental Living.
- Amend wording regarding Covenants on title – will read ‘an 88b restriction on title’.
- Amend to reflect that controls are inserted into D1.1 rather than D2.3 to reflect the change from R5 Large Lot Residential zone and part R2 Low Density Residential to E4 Environmental Living zone.
- Amend wording in D2 section Control 2 – change from ‘dwellings’ to ‘buildings’.
- Addition of an 88B restriction on title requiring lots backing on to the ridgeline to have a 20-metre rear building setback.
- Addition of an 88B restriction on title requiring lots backing on to the ridgeline be single storey construction.
- Update public agency names.
- Deletion of exhibited controls for D2 chapter due to the amendment from the R5 Large Lot Residential and part R2 Low Density Residential to an E4 Environmental Living zone (Camden DCP 2011 has existing controls that apply to the E4 Environmental Living zoned land).
- Addition of a control for land zoned E4 Environmental Living east of the bus capable road to have a minimum front setback of 4.5 metres and side boundary setback of 900 millimetres.

## Draft VPA

- Update to legislation references, including section numbers.
- Update all Schedule 1 (Development Contribution) values to reflect Consumer Price Index (CPI) changes.
- Amend wording of Item 2 – ‘Local Open Space 2’ to ‘Easement Land 1’ to reflect that open space is within an easement.
- Amend Schedule 2 – Works Map to reflect the name change of ‘Local Open Space 2’ to ‘Easement Land 1’ and shading on the bus capable road to show the two stages of delivery. Also, amendments to reflect the proposed R5 Large Lot Residential and part of R2 Low Density Residential to be changed to E4 Environmental Living.
- Amend Schedule 3 – Catchment Plan to reflect the proposed R5 Large Lot Residential and part of R2 Low Density Residential to be changed to E4 Environmental Living.
- Amend to reflect that the whole of the bus capable road (collector road) – including width and length is included.
- Amend to reflect that VPA Item 3 Vehicular creek crossing completion will be required prior to the issuing of the Subdivision Certificate for the 150<sup>th</sup> Final Lot in the development rather than the 250<sup>th</sup> Final Lot.

Post exhibition amendments reflecting the change in the exhibited R5 Large Lot Residential and part R2 Low Density Residential zones to E4 Environmental Living zone have been made to the Planning Proposal except for the final LEP maps.

Subject to Council endorsement, the LEP map amendments will be made prior to the Planning Proposal being forwarded to the DPE and prior to the VPA being re-exhibited. These will be in accordance with the maps shown in **Figures 5 and 6**.



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## Conclusion

The draft Planning Proposal has four outstanding objections (three community objections and one public agency objection – Campbelltown City Council).

Council officers recommend an E4 Environmental Living zone be adopted in place of an R5 Large Lot Residential zone and part R2 Low Density Residential zone (land on the eastern side of the bus capable road).

The E4 Environmental Living zone requires a DA approval process for future dwellings and prevents complying development under the Housing Code. As a result, an E4 Environmental Living zone strengthens the protection of the critically endangered CPW and the visual quality of the Scenic Hills.

## Where to from here

The DPE's revised Gateway Determination confirms that Council does not have delegation to make the plan and a public agency objection remains outstanding.

It is recommended that the Planning Proposal with post exhibition amendments be referred to the DPE for finalisation.

## FINANCIAL IMPLICATIONS

There are no direct financial implications for Council as a result of this report.

## CONCLUSION

The draft Planning Proposal seeks to rezone the land at 190 Raby Road, Gledswood Hills to R2 Low Density Residential with minimum lot sizes of 375m<sup>2</sup>, E4 Environmental Living with minimum lot sizes of 700m<sup>2</sup>, and E4 Environmental Living with minimum lot sizes of 4,000m<sup>2</sup> and 20,000m<sup>2</sup>.

There are four outstanding objections (three community objections and one public agency objection from Campbelltown City Council).

The recommended post exhibition amendments to the draft Planning Proposal and draft DCP address these objections and will ensure development outcomes on the ground reflect the intent of the proposal. As there is no increase in development potential resulting from these amendments, it is not considered necessary to re-exhibit the proposed changes.

As a result of changes to the VPA it is recommended that it be re-exhibited.

## RECOMMENDED

### **That Council:**

- i. endorse the draft Planning Proposal (as amended);**
- ii. forward the draft Planning Proposal (Amendment 21 – 190 Raby Road, Gledswood Hills - Lot 102 DP 1226899) to the Department of Planning and**

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**Environment;**

- iii. **request the Department of Planning and Environment to make the plan subject to the Voluntary Planning Agreement (VPA) being executed;**
- iv. **endorse the draft DCP (as amended) for 190 Raby Road, Gledswood Hills:**
  - a. **upon gazettal of the LEP amendment, grant delegation to the General Manager to adopt the draft DCP (as amended) and publicly notify the adoption in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations;**
- v. **re-exhibit the draft VPA (as amended) and,**
  - a. **subject to no unresolved submissions being received, delegate authority to the General Manager to sign the VPA; or**
  - b. **if unresolved submissions are received, require a report to Council outlining the result of the re-exhibition.**

**ATTACHMENTS**

- 1. Amendment 21 - Gledswood Hills - Planning Proposal post exhibition
- 2. Amendment 21 - Post Exhibition Draft DCP
- 3. Amendment 21 - updated tracked changes VPA (post exhibition)
- 4. SEPARATE COVER Specialist Studies 18/397304
- 5. Submission Response Table
- 6. Submissions - 190 Raby Road 11/12/18 - *Supporting Document*



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## ORDINARY COUNCIL

**ORD04**

**SUBJECT: DRAFT CAMDEN DEVELOPMENT CONTROL PLAN 2018**  
**FROM:** Director Planning and Environment  
**TRIM #:** 18/205044

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the draft Camden Development Control Plan 2018 (draft DCP) for the purpose of public exhibition. The draft DCP is provided **under separate cover** due to the size of the document.

### BACKGROUND

Camden Development Control Plan 2011 (Camden DCP 2011) was adopted by Council on 8 February 2011. Since that time, amendments have been made to Camden DCP 2011 to update the document, correct anomalies, and insert new chapters and new controls.

Recent changes to the planning system and legislation have triggered the need for a comprehensive review of the Camden DCP 2011 and have led to the preparation of a draft DCP.

The draft DCP reflects current State Government policy, corrects anomalies, removes duplication, consolidates provisions for site-specific areas and provides a more user-friendly structure.

The draft DCP will apply to development applications (DAs) and does not form part of the assessment of complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Housing Code).

#### What is a Development Control Plan?

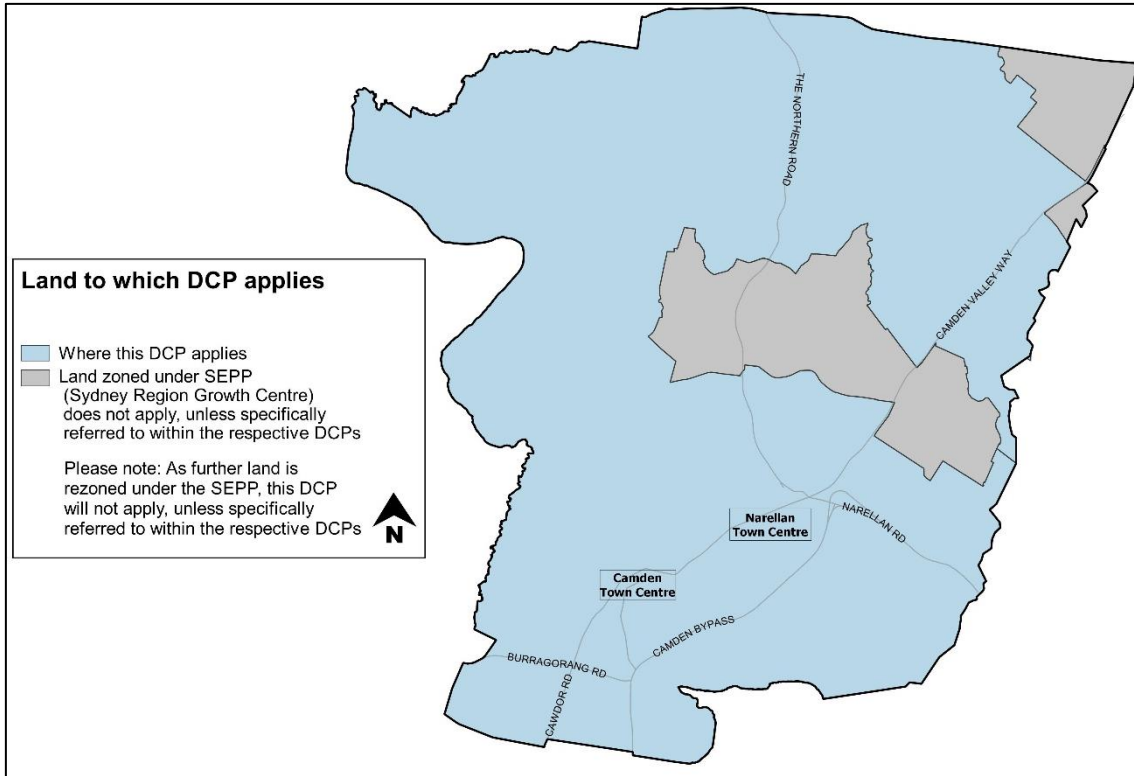
A DCP provides detailed planning and design guidelines to support the planning controls in Camden Local Environmental Plan 2010 (Camden LEP 2010). A DCP is prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and is used for the design, preparation, assessment and determination of DAs.

The provisions of a DCP are not statutory requirements. If a DCP is inconsistent with a planning instrument (State Environmental Planning Policy (SEPP) or Local Environmental Plan (LEP)), the controls in a SEPP or LEP override the DCP.

#### Where does the draft DCP apply?

The draft DCP applies to land within the Camden Local Government Area (LGA) that is zoned under the Camden LEP 2010 (areas shaded blue in **Figure 1**). The draft DCP does not apply to rezoned land within the South West Growth Area (SWGA).

As further land is rezoned in the SWGA, the provisions of the Camden LEP 2010 and the Camden DCP are 'switched off' and the Growth Centres SEPP and Camden Growth Centre Precincts DCP (Growth Centres DCP) will apply.



**Figure 1 – Land to which the draft DCP applies.**

**Number of DCPs**

There are currently four DCPs that apply to different parts of the Camden LGA:

- Camden DCP 2011;
- Turner Road DCP;
- Oran Park DCP; and
- Camden Growth Centre Precincts DCP.

The four DCPs adopt different structures, making them less user-friendly.

Councillors were briefed on the draft DCP on 25 September and 30 October 2018.

**MAIN REPORT**

**1. Introduction**

Council officers have undertaken a review of the Camden DCP 2011 with the main goals to provide a DCP document that is user-friendly and will facilitate quality development outcomes.

**1.1 Aim of the Review**

The aims of the review are to:

- update controls in line with State Government changes in policy and legislation;
- improve the user-friendliness of the DCP;





- use a familiar structure (based on Growth Centres DCP);
- improve quality of images and figures;
- remove duplication and redundant controls / information;
- retain existing controls that are working including setbacks, site coverage and landscaped area; and
- continue to achieve quality development outcomes.

### 1.2 Consultation and Road Testing of Draft DCP

The following consultation and tasks have been undertaken:

- internal stakeholder meetings;
- consultation with the development industry on specific issues including cut and fill controls (through Developer Forums and Home Builders Forums);
- review of best practice controls;
- benchmarking controls against industry and other council controls;
- referrals to State Government agencies including WaterNSW, Rural Fire Service and the Office of Environment and Heritage; and
- road testing of controls against existing development applications to ensure they are workable.

### 1.3 Analysis of Exempt and Complying Codes SEPP (Housing Code)

Development controls from the Housing Code have been considered in the formulation of the draft DCP. The front building setback control from the Housing Code is considered suitable for adoption in the draft DCP and this will promote consistency across the documents.

## 2. Changes to Improve User-Friendliness

Outlined below are the changes proposed to improve the user-friendliness of the draft DCP.

### 2.1 Proposed Structure

The draft DCP structure aligns with the Growth Centres DCP.

The draft DCP consists of six parts, plus 12 site-specific schedules. A summary of the draft DCP structure is outlined below:

#### **Part 1 – Introduction**

Sets out the aims and objectives of the DCP. Part 1 identifies the land to which the DCP applies, explains the structure of the document and the relationship of the DCP to other planning documents. Part 1 also provides guidance on notification requirements for development applications.

#### **Part 2 – General Planning Controls**

Sets out objectives and controls that apply to all development types in the Camden LGA, including environmental heritage, signage, traffic management and off-street car parking.

#### **Part 3 – Residential Subdivision**

Includes the objectives and controls that apply to development applications which involve residential subdivision.

**Part 4 – Residential Development**

Includes the objectives and controls that guide residential development, such as building setbacks and minimum landscaped area.

**Part 5 - Centres Development**

Includes objectives, controls and design principles for commercial development, including the Narellan and Camden town centres.

**Part 6 – Specific Land Use Controls**

Includes objectives and controls to guide the development of rural areas and industrial areas. This part also contains controls applying to specific land uses such as child care centres, exhibition homes and villages, home businesses, home industries and wood fired heaters.

**Appendices**

The Appendices provide reference information (Glossary and Landscape Design Principles.)

**Schedules**

Site specific schedules provide additional objectives and controls specific to a locality or release area, such as Elderslie and Spring Farm.

2.2 Figures and Images

Council officers engaged an urban designer to prepare updated imagery to improve the quality of figures and images in the draft DCP.

2.3 Inclusion of a Matrix

A Matrix has been included in the draft DCP (**Figure 2**) to refer the user to relevant parts of the DCP that apply to a development type.

| Relevant DCP Parts  | Residential Subdivision | Industrial Subdivision | Dwelling House | Dual Occupancy Secondary Dwellings | Attached Dwellings | Semi-Detached Dwellings | Multi-Dwelling Housing | Residential Flat Buildings | Non-Residential Development | Shop Top Housing | Retail / Commercial Development | Industrial Development |
|---------------------|-------------------------|------------------------|----------------|------------------------------------|--------------------|-------------------------|------------------------|----------------------------|-----------------------------|------------------|---------------------------------|------------------------|
| Part 1              | ✓                       | ✓                      | ✓              | ✓                                  | ✓                  | ✓                       | ✓                      | ✓                          | ✓                           | ✓                | ✓                               | ✓                      |
| Part 2              | ✓                       | ✓                      | ✓              | ✓                                  | ✓                  | ✓                       | ✓                      | ✓                          | ✓                           | ✓                | ✓                               | ✓                      |
| Part 3              | ✓                       |                        |                |                                    | ✓                  | ✓                       | ✓                      |                            |                             |                  |                                 |                        |
| Part 4              |                         |                        | ✓*             | ✓*                                 | ✓*                 | ✓*                      | ✓*                     | ✓*                         |                             | ✓*               |                                 |                        |
| Part 5              |                         |                        |                |                                    |                    |                         |                        |                            | ✓                           | ✓                | ✓                               |                        |
| Part 6              |                         | ✓                      |                |                                    |                    |                         |                        |                            | ✓                           |                  | ✓                               | ✓                      |
| Appendices          | ✓                       | ✓                      | ✓              | ✓                                  | ✓                  | ✓                       | ✓                      | ✓                          | ✓                           | ✓                | ✓                               | ✓                      |
| Specific Schedules* | ✓                       |                        | ✓              | ✓                                  | ✓                  | ✓                       | ✓                      | ✓                          | ✓                           | ✓                | ✓                               | ✓                      |

**Figure 2 – Extract of DCP Matrix**



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## 2.4 Links to Compliance Tables

A compliance table provides a snapshot of key development controls. Compliance tables will assist users by providing a 'quick reference' document for development assessment. Links to compliance tables have been included in the draft DCP.

## 2.5 Clickable Links

Clickable links to legislation and guidelines have been included in the draft DCP. The draft DCP also includes links to relevant technical reports and studies for site specific areas such as Elderslie and Spring Farm. This will provide the applicant with convenient access to information for the preparation of DAs.

Some links within the draft DCP may not be available during the public exhibition. Following public exhibition, the links will be completed in time for adoption of the final draft DCP.

## **Key Changes**

Key changes proposed in the draft DCP are discussed below.

## 2.6 Part 3 Residential Subdivision

### Introduction of Minimum Lot Widths for Lots greater than 300m<sup>2</sup> and less than 450m<sup>2</sup>

There is no minimum lot width control for lots under 450m<sup>2</sup> in Camden DCP 2011. The draft DCP proposes to introduce a minimum lot width of 9m for lots greater than 300m<sup>2</sup> and less than 450m<sup>2</sup>.

The introduction of a minimum 9 metre lot width is consistent with the Growth Centres DCP.

### Introduction of a Minimum Lot Width Control for Lots in the R5 Zone

A minimum lot width of 25m is proposed for lots within the R5 Large Lot Residential zone. This is to ensure new lots are consistent with the current subdivision pattern and can accommodate a dwelling that is compliant with the residential controls within the draft DCP.

## 2.7 Part 4 Residential Development

### Minimum Front Landscaped Area

It is proposed to introduce a minimum front landscaped area of 50% (for established areas) and 40% for urban release areas such as Elderslie, Spring Farm and Emerald Hills. This will enhance the quality of the development and streetscape by ensuring landscaping is provided within the front setback. The control also ensures there is sufficient area for off-street car parking.

There is no change proposed within Harrington Grove, which currently requires a minimum front landscaped area of 60%.

### Multi-Dwelling Housing and Attached Dwellings

Camden DCP 2011 has a limited number of controls for multi-dwelling housing and attached dwellings. New draft controls have been added to these chapters to provide additional guidance on design outcomes, including private open space, passive surveillance and internal driveways.

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The multi-dwelling housing section of the draft DCP includes a proposed new control requiring developments (with more than 10 dwellings) to provide 10% of the dwellings as adaptable housing. This control has also been included in the residential flat building section of the draft DCP and is consistent with the Growth Centres DCP.

Adaptable housing is a term used to describe that the internal layout of a dwelling can be easily modified to become, accessible to both occupants and visitors with disabilities or progressive disabilities.

No changes are proposed to existing controls such as setbacks and landscaped area.

### Residential Flat Buildings

Minor amendments are proposed to the residential flat building section. Proposed new controls align with the residential flat building controls in the Growth Centres DCP.

As previously discussed for multi-dwellings, a proposed new control requires developments (with more than 10 dwellings) to provide 10% of all new apartments as adaptable housing.

No changes are proposed to existing controls such as setbacks, landscaped area and minimum lot size.

### 2.8 Residential Apartment Development - Apartment Design Guide

Councils are required to take into consideration the Department of Planning and Environment's Apartment Design Guide (ADG) when formulating development controls for a DCP (Clause 21A of EP&A Regulation). Council officers have assessed the draft Camden DCP against Parts 1 and 2 of the ADG. It is considered that the draft controls are not inconsistent with the ADG.

### 2.9 Part 6 Specific Land Use Controls

#### Proposed Changes as a result of Previous Council Resolutions

The Rural Land Strategy (Strategy) includes an action to review existing development controls to provide additional guidance on land use conflict. Council officers have completed a review and draft controls have been included in the draft DCP.

The draft controls aim to minimise potential land use conflicts between rural uses and rural residential uses, by providing additional controls relating to:

- development needing take into consideration existing rural operations;
- the need for a buffer or other measure to separate residences from rural uses; and
- the need for a proposed rural use to provide odour and/or acoustic reports to support their application.

At its meeting of 26 September 2017, Council resolved (in summary) to investigate site specific controls for Smeaton Grange as part of the draft DCP. New controls are proposed to be included in the General Industrial section of the draft DCP (that will apply across the LGA).

The draft controls aim to minimise potential land use conflicts between industrial and residential uses, by providing additional controls relating to:



- protecting the amenity of nearby residential areas;
- noise emitting activities; and
- vehicle body repair workshops and vehicle repair stations.

Separate to this review, at its meeting of 11 September 2018, Council endorsed draft site-specific DCP controls relating to Little Street Camden for the purpose of public exhibition. A separate report will be provided to Council on this matter.

#### 2.10 Child Care Centre Controls

In September 2017, the NSW Government adopted legislation and guidelines for the development of child care centres. The legislation and new Child Care Planning Guideline (CCPG) override Council's controls, except for building heights and side and rear setbacks. The draft DCP has been amended to be consistent with this legislation and guideline.

#### 2.11 Schedule 7 – El Caballo Blanco and Gledswood (ECBG)

For ECBG residential land, a minimum lot size of 250m<sup>2</sup> is permitted in the Camden DCP 2011. Camden LEP 2010 permits a minimum lot size of 400m<sup>2</sup>. As previously discussed, the EP&A Act confirms that where there is an inconsistency, a LEP control overrides a DCP.

As a result, the draft DCP has deleted reference to minimum lot size provisions in ECBG. Subject to Council endorsement to proceed to public exhibition, it is recommended that Council officers consult directly with the affected landowners to provide them with information about the proposed change.

### 3. Other Changes

Other changes proposed in the draft DCP are outlined below and in the **attachment to this report**.

#### 3.1 Definition of Submissions

In 2017, the State Government introduced changes to make local planning panels (LPPs) mandatory for all councils in Sydney.

In this regard, it was considered necessary to clarify how a submission is to be made and how Council officers will consider submissions. New advisory information has been included within Part 1 of the draft DCP for clarification.

#### 3.2 Hours of Operation for Home Businesses

It is proposed to extend the hours of operation on Saturday from 8:30am - 12:30pm to 8:30am - 5:00pm and to simplify the control. The new control clarifies that Council can consider extending the hours of operation of a home business if it can be demonstrated there are no unacceptable impacts on the amenity of adjoining dwellings or the neighbourhood.

#### 3.3 Two-storey Dwellings with Double Garage on Narrow Lots

Home builders have requested the ability to construct two-storey dwellings with double garages on lots between 10m and 12.5m in width (not currently permitted under Camden DCP 2011). A benefit of allowing double garages on narrow lots is to ensure there is additional off-street car parking for these lots.

During the preparation of draft controls, Council officers undertook a review of sites in western Sydney and developed controls to ensure that dwellings were designed to provide casual surveillance to the street, while reducing the impact of garages on the streetscape.

The draft DCP includes controls to allow two-storey dwellings with double garages on narrow lots in:

- Schedule 1 – Elderslie;
- Schedule 2 – Spring Farm;
- Schedule 3 – Manooka Valley;
- Schedule 6 – Camden Lakeside;
- Schedule 7 – El Caballo Blanco and Gledswood; and
- Schedule 8 – Emerald Hills.

### 3.4 Site Specific Schedules

Site specific controls are currently located within different parts of the Camden DCP 2011. To improve the user-friendliness of the draft DCP, site specific controls have been relocated into schedules. Minor corrections or deletions of redundant information have been made to these schedules.

Currently, there are 12 Site Specific Schedules:

- Schedule 1 – Elderslie
- Schedule 2 – Spring Farm
- Schedule 3 – Manooka Valley
- Schedule 4 – Harrington Grove
- Schedule 5 – Mater Dei
- Schedule 6 – Camden Lakeside
- Schedule 7 – El Caballo Blanco and Gledswood
- Schedule 8 – Emerald Hills
- Schedule 9 – Catherine Field Village
- Schedule 10 - Yamba
- Schedule 11 - Grasmere
- Schedule 12 – 121 Raby Road, Leppington

Through the life of the DCP new schedules may be added, or existing schedules deleted (such as when a release area is fully developed).

## 4. Public Exhibition

The EP&A Regulation requires the draft DCP to be exhibited for a minimum of 28 days (four weeks). Considering the review is comprehensive, it is proposed that the exhibition period be increased to 42 days (six weeks).

Hard copies of the draft DCP will be made available for review at Council's Administration Centre at Oran Park and at Council's libraries. The draft DCP will also be available on Council's website and promoted on Council's Facebook page.

## 5. Next Steps

Subject to endorsement by Council, the draft DCP will be publicly exhibited for a six-week period, commencing early 2019. State government authorities will also be consulted during the exhibition period.



Subject to no unresolved submissions being received, it is recommended that Council grant delegation to the General Manager to adopt the draft DCP. An advertisement will then be placed in the local paper to advise the DCP commencement date.

Should there be unresolved submissions, a further report will be provided to Council detailing submissions received and Council officer response for Council's consideration.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for Council as a result of this report.

### **CONCLUSION**

The draft Camden DCP is the result of a comprehensive review of Camden DCP 2011 that aims to improve its user-friendliness and facilitate quality development outcomes. The draft DCP retains existing controls that are proven to be workable.

The review has resulted in proposed amendments that:

- reflect updated State Government policy;
- corrects anomalies;
- removes duplication;
- consolidates provisions for site-specific areas; and
- proposes new controls to help deliver quality development outcomes.

The draft DCP structure has been designed to be consistent with the existing Growth Centres DCP to promote consistency between the documents. Better quality figures and images have also been included in the draft DCP which improves the user-friendliness of the document.

It is recommended that Council endorse the draft DCP for the purposes of public exhibition.

### **RECOMMENDED**

**That Council:**

- i. endorse the draft Camden Development Control Plan 2018 for public exhibition;**
- ii. subject to no unresolved submissions being received:**
  - a. grant delegation to the General Manager to adopt the draft Camden Development Control Plan 2018; and**
  - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning Assessment Act 1979* and *Regulations*; or**
- iii. if unresolved submissions are received, receive a further report outlining the results of the public exhibition of the draft Camden Development Control Plan 2018 for Council's consideration.**

### **ATTACHMENTS**

1. Attachment Summary of Proposed Changes Draft Camden DCP 2018
2. Separate Cover Draft DCP 2018

## ORDINARY COUNCIL

**ORD05**

**SUBJECT: POST-EXHIBITION REPORT - GLEDSDOOD HILLS (THE CREST)  
VOLUNTARY PLANNING AGREEMENT**

**FROM:** Acting Director Customer & Corporate Strategy

**TRIM #:** 18/338833

### PURPOSE OF REPORT

This report seeks Council's consideration of a draft Voluntary Planning Agreement (VPA), which applies to the development known as "The Crest" in Gledswood Hills, after public exhibition.

### BACKGROUND

#### **Original El Caballo Blanco Gledswood VPA**

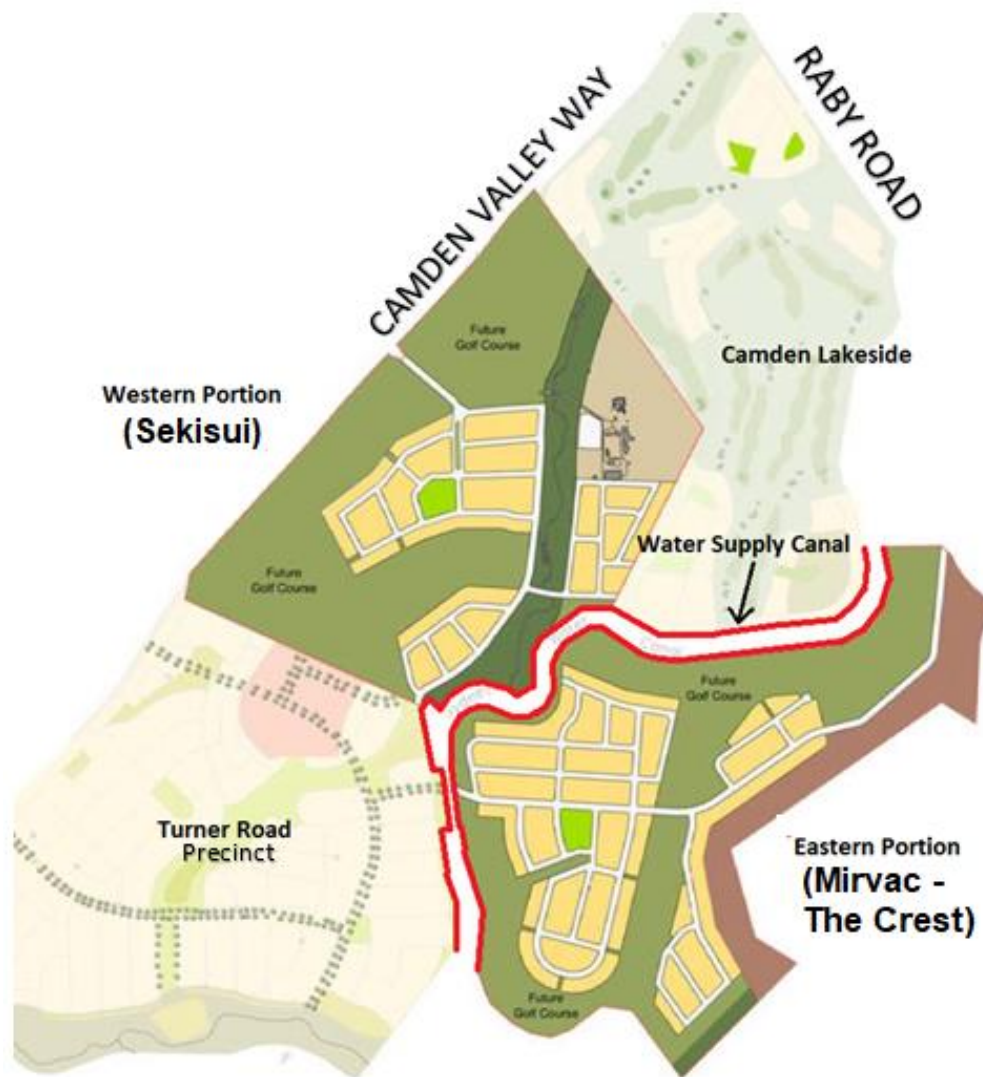
In 2012, Council entered into a VPA with 13 parties in conjunction with the rezoning of the El Caballo Blanco, Gledswood and East Side land (ECBG), as shown in **Figure 1**. The ECBG land adjoins the Turner Road Precinct to the south but it is not included within the South West Growth Area.



**Figure 1: Site context**

The ECBG land is divided approximately in half by Water NSW's Water Supply Canal as shown in **Figure 2**, creating the eastern portion and western portion. The original VPA requires the provision of one 9-hole golf course on the eastern portion, and the provision of another 9-hole golf course on the western portion.





**Figure 2: The subject site**

The provision of the golf courses was agreed to by Council as part of the rezoning of the ECBG site as it protected scenic land within the development precinct and facilitated vegetation conservation and water cycle management outcomes.

Since the original VPA was executed, the ownership of both portions of the site has changed, with the eastern portion now owned by Mirvac and the western portion now owned by Sekisui House.

The Camden Lakeside Country Club, located north of the subject site, features an existing 18-hole golf course. Sekisui has recently completed works on the additional 9-hole golf course within the western portion, which will ultimately be combined with Camden Lakeside to create a 27-hole course.

### **Mirvac golf course proposal**

Mirvac investigated the feasibility of constructing and operating the additional 9-hole golf course on the eastern portion but determined that this would be unsustainable due to the large number of nearby existing golf courses and the lack of suitable investors.

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## New Mirvac VPA proposal

In 2016, Mirvac submitted a new proposal to Council seeking to amend the original ECBG VPA by dedicating the proposed golf course lands to Council as public open space and making a monetary contribution to enable Council to embellish the lands. This was considered too complex due to the number of ECBG VPA parties.

The preferred option, on legal advice, was to prepare a new VPA including the original Mirvac ECBG obligations and the proposed dedication of the open space land to Council and the monetary contribution for embellishment. This proposal is detailed below.

### Councillor briefings

Councillors were briefed on the proposal on 12 June 2018 and 27 November 2018.

### MAIN REPORT

#### The Draft Gledswood Hills (The Crest) VPA

The draft Gledswood Hills (The Crest) VPA applies to all land within the eastern portion of the site owned by Mirvac.

The following works obligations have been carried across from the original ECBG VPA:

- Construction and dedication of one 0.48 ha local park containing the following components:
  - Playground;
  - Paths and seating; and
  - Kick about space *or* off-leash area *or* hard courts *or* BMX track *or* skate park;
- Existing intersection upgrade and connection of the Collector Road (now known as Gledswood Hills Drive) to Raby Road; and
- Construction of cycleways and pedestrian pathways.

The existing monetary contribution obligation of \$7,344.53 per lot has also been carried across from the existing VPA. However, as a result of the additional 41 lots proposed within the development (as outlined later in this report), the developer will need to pay an additional \$301,125 to Council under the draft VPA.

The following new items have been included in the draft VPA:

- Transfer of 41 ha of public reserve land (previously identified for the golf holes) to Council; and
- The payment of a separate monetary contribution by the developer to Council of \$6.5 million to fund the embellishment of the public reserve land, which will allow Council to construct recreation facilities, carry out open space embellishment and carry out the ongoing management of vegetation.

The scope of the recreation facilities and open space embellishment to be undertaken on the public reserve land will be subject to a future masterplan to be prepared by Council for the land, which will be reported to Council in future.

The draft VPA has been prepared and reviewed by Council's solicitor and is provided as an **attachment** to this report.



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## Cost-benefit analysis of proposal

In 2016, Council engaged consultants to complete an independent cost-benefit analysis of the original VPA offer. The analysis found that the dedication and embellishment of 41ha of public reserve land provided greater benefit to the community when compared to the delivery of an additional golf course under the existing VPA.

The key outcomes of the cost-benefit analysis were as follows:

- Unrestricted public access to the land creating additional benefits that would have been missed if the land was developed as a public golf course, as the land could be utilised by a wider cross-section of the local community;
- Enhanced health and wellbeing opportunities through provision of open space and social infrastructure, enhanced safety through increased passive surveillance, and improved access to facilities with uses available to a wider spectrum of the community;
- Enhanced community cohesion through incidental social interactions facilitated within public parks and recreation areas, and enhanced accessibility and connectivity to the surrounding residential development, achieved through the provision of shared pathways and dedicated cycle ways connected to the wider network;
- Health, social and community benefits arising from the embellishment of the public reserve land would increase over time, along with the growth of the local population and the frequency of use of the open space;
- Environmental outcomes delivered via an embellished public reserve exceeding that of a golf course due to the minimal disturbance on the site's biodiversity and natural habitats, higher standards of water management including both groundwater and surface water, and enhanced air quality within the local environment due to the retention of a higher proportion of native vegetation.
- The direct economic benefit of developing the site as a golf course exceeds the embellishment of the site as a public reserve, as the golf course would generate employment relating to the operation of the golf course and attract visitors to the area.
- However, it was not possible to quantify the indirect economic benefits resulting from the embellishment of the public reserve until the types of embellishment to occur on the public reserve land are known, as elements of the public reserve land are likely to attract local visitors and may potentially create local jobs.

The conclusion of the cost-benefit analysis was that the benefits of the proposal outweighed the negatives, and it is in the best interests of both Council and the community to accept the dedication of the Public Reserve Land and the monetary contribution towards the embellishment of the land under the draft VPA

## Proposed Residential Yield

The existing VPA assumes that the Mirvac lands will be developed to accommodate 580 dwellings. The new VPA proposes an additional 41 dwellings for a total of 621 dwellings.

The proposed increase in residential yield will result in a dwelling density of approximately 13 dwellings per hectare, which is lower than the dwelling densities in other urban release areas and growth area precincts, which typically range from 15 to 20 dwellings per hectare. The VPA will ensure that appropriate local infrastructure is provided for the future residents of the development, including the proposed public

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reserve embellishment, an appropriately sized transport and water cycle management network, and the remainder of the open space and riparian corridor network.

In addition to the provision of local infrastructure, the draft VPA also requires the payment of monetary contributions towards the provision of off-site community infrastructure. The additional dwelling yield proposed under the draft VPA will increase the monetary contribution to Council by \$301,125.

It is considered that the proposed increase in residential yield can be supported as the draft VPA will allow the provision of sufficient on-site and off-site infrastructure for the future residents of The Crest.

### **Exhibition of Proposed Amendments**

The draft VPA was exhibited from 9 October to 6 November 2018. Adjoining landowners were notified of the draft VPA and a notification was placed on Council's website and in the local newspaper. Council received two submissions which are provided as **supporting documents**. One submission raised no objection to the draft VPA and one submission supported the draft VPA.

### **Next Steps**

If Council endorses the draft VPA, the following will occur:

- The draft VPA will be executed under Council's Power of Attorney.
- The execution of the VPA will be publicly notified and a copy of the executed VPA will be forwarded to the Minister for Planning, in accordance with the *Environmental Planning and Assessment Act 1979*.

Should Council not resolve to support the draft VPAs, the proponents will be required to comply with the existing VPA obligations.

### **FINANCIAL IMPLICATIONS**

The additional 41 dwellings proposed under the VPA will result in an additional monetary contribution of \$301,125 to Council, which will allow funding of additional community resources.

The dedication of the public reserve land to Council will result in additional maintenance costs depending upon the nature of the embellishment and works undertaken on the land by Council. These costs will need to be considered in Council's future budgets.

### **CONCLUSION**

The draft VPA has been prepared to support the development of "The Crest" at Gledswood Hills for urban purposes, involving subdivision, associated non-residential development and infrastructure.

In addition to the provisions carried-over from the existing ECBG VPA, the dedication of 41ha of public reserve land and the payment of \$6.5m to embellish the land under the draft VPA represents an opportunity for Council to deliver additional recreation, open space and environmental facilities that are not currently envisaged in Council's s7.11 Contribution Plans for this area. The scope of the additional facilities will be



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determined via the preparation of a masterplan to be prepared by Council, which will be reported to Council in future.

Council will also receive an additional \$301,125 as a result of the additional dwellings to be delivered under the draft VPA, which will allow funding of additional community resources.

Entering into the draft VPA is considered to be in the public interest as it delivers positive recreational, social and environmental benefits to the future community of “The Crest” at Gledswood Hills compared to the delivery of a 9-hole golf course on the site. It also provides Council with a unique opportunity to masterplan a high quality open space and recreation outcome on the public reserve land.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the draft Gledswood Hills (The Crest) VPA and authorise the relevant VPA documentation to be completed under Council’s Power of Attorney;**
- ii. publicly notify the execution of the VPAs in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations;**
- iii. forward a copy of the executed VPA to the Minister for Planning and Environment in accordance with the provisions of the *Environmental Planning Act 1979* and Regulations; and**
- iv. advise submitters of the outcome of this report.**

#### **ATTACHMENTS**

1. Draft Gledswood Hills (The Crest) VPA
2. Submission - WaterNSW - *Supporting Document*
3. Submission - Small Landowners - *Supporting Document*

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## ORDINARY COUNCIL

ORD06

**SUBJECT: CAMDEN COMPANION ANIMALS ADVISORY COMMITTEE -  
NOMINATED REPRESENTATIVES**

**FROM:** Director Planning and Environment

**TRIM #:** 18/385815

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### PURPOSE OF REPORT

The purpose of this report is to request Council consider and endorse the membership of the Camden Companion Animals Advisory Committee (Committee) for a two-year period. The report recommends Council appoint three resident community members and reappoint five animal professional members.

### BACKGROUND

On 11 December 2012, Council resolved to establish the Camden Companion Animals Advisory Committee (Committee). On 26 November 2013, Council adopted the Terms of Reference (ToR) for the Committee.

The aim of the Committee is to provide a consultative forum on Council's strategic direction and advise on the development and implementation of companion animal services, facilities and programs that may impact the member organisations and the community.

The objectives of the Committee are:

1. To act as an advisory body to Council and in making recommendations to the Council;
2. To assist with the development of strategic policies, programs, services and plans for companion animals;
3. To provide strategic input and advice in relation to Council's Companion Animal events and educational programs to help raise awareness about companion animals and the *Companion Animals Act 1998* eg. Paws in the Park; and
4. To assist Council with the delivery of effective and responsible care and management of companion animals within the local government area.

### **Committee Membership**

The Committee comprises the following members.

#### Council Representatives (voting)

- Two Councillors appointed by Council.

#### Community Representatives (voting)

- Five animal professionals which may include, but are not limited to, a veterinarian, animal behaviourist, member of the NSW Animal League/RSPCA or the like;
- Three Camden Council residents.



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Attendee (non-voting)

- Camden Council Waste and Compliance Manager;
- Camden Council Team Leader of Ranger Services;
- Camden Council Companion Animals Officer;
- Camden Council Administration Officer.

Due to two vacant community resident positions, an expression of interest was advertised with the closing date of 28 July 2018.

Council received expressions of interest from six residents. Following an initial assessment, interviews were undertaken with Council's Manager Waste and Compliance and Team Leader of Ranger Services.

Since the interviews, a community animal professional, Michael Wallace from Caring Vets Narellan has resigned from the committee due to work commitments. A community animal professional position is also now vacant.

## **MAIN REPORT**

### **Council Representatives (voting)**

On 11 September 2018, Councillor Lara Symkowiak and Councillor Theresa Fedeli were appointed the Council representatives on the Committee.

### **Community Representatives - Resident (voting)**

The list of applicants who applied to join the Committee is provided in **Supporting Documents**.

All applicants expressed a desire to be a part of the Committee and had the welfare of companion animals within the community as the primary reason for applying.

With there now being a vacant animal professional position, it is recommended that one of the existing resident members (Joanne Lawrence) be appointed in the vacant animal professional position.

Ms Lawrence has moved outside the LGA however she is an active member of the Committee and holds the following qualifications, which meet the ToR requirements: -

- Statement of Attainment in Dog Training; and
- Statement of Attainment in Dog Grooming.

If endorsed, this allows Council to appoint three residents to the Committee. The three residents considered most suited to the position are:

1. Kerrie Elias of Oran Park
2. Nina Cleary of Oran Park
3. Anne Bell of Elderslie

### **Community Representatives - Animal Professional (voting)**

As the animal professionals two year term on the Committee expires in March 2019, it is also recommended that Council re-appoint the current professionals for a further two years to ensure all committee members are aligned.

The existing professional members bring knowledge and experience from within their field. It is recommended that the following five professionals be re-appointed onto the committee:

1. Dr Steven Ferguson – Macarthur Veterinary Group
2. Dr Edward Humphries – Rossmore Veterinary Hospital
3. Dr Simone Maher – Animal Welfare League Kemps Creek
4. Colleen Ritchard – Sydney University Veterinary Clinic
5. Joanne Lawrence – Dog Trainer

At the end of this two year term, expressions of interest will be sought for all community representative positions on the Committee.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council. Membership on the committee is voluntary and members are not paid to attend activities or meetings.

### **CONCLUSION**

The issue of companion animal management is an important matter and the Committee has implemented many successful initiatives that promote and support responsible pet ownership within our community.

It is recommended that Council endorse the membership of the Committee as detailed in the report.

### **RECOMMENDED**

**That Council:**

- i. appoint the following animal professionals as community representatives on the Companion Animals Advisory Committee for a two year period:**
  - 1. Dr Steven Ferguson – Macarthur Veterinary Group**
  - 2. Dr Edward Humphries – Rossmore Veterinary Hospital**
  - 3. Dr Simone Maher – Animal Welfare League Kemps Creek**
  - 4. Colleen Ritchard – Sydney University Veterinary Hospital**
  - 5. Joanne Lawrence – Dog Trainer and Dog Groomer**
- ii. appoint the following residents as community representatives on the Companion Animals Advisory Community for a two year period: Kerrie Elias, Nina Cleary and Anne Bell; and**
- iii. write to all applicants thanking them for their applications.**

### **ATTACHMENTS**

1. List of submitted applicants - *Supporting Document*





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## ORDINARY COUNCIL

**ORD07****SUBJECT: WESTERN SYDNEY CITY DEAL MEMORANDUM OF UNDERSTANDING****FROM:** Acting Director Customer & Corporate Strategy**TRIM #:** 18/387732

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### PURPOSE OF REPORT

To update Council on the progress made concerning the development of a regional collaboration framework between the eight councils of the Western Parkland City under the Western Sydney City Deal (the City Deal), as required by Council's resolutions on 12 June 2018 and 28 August 2018 (noted under "Background" below).

To advise Council of the draft Memorandum of Understanding, which is provided as an **attachment** to this report, and seek Council's endorsement of the regional collaboration framework outlined in the draft Memorandum of Understanding.

To seek Council's endorsement of a commitment of up to \$20,000 over the 2019 calendar year to fund administration resources for the proposed regional collaboration between the eight councils.

### BACKGROUND

#### **City Deal**

The City Deal was signed by the Prime Minister, the Premier of NSW and the Mayors of the eight Western City Councils on 4 March 2018.

#### **MACROC**

Following the signing of the City Deal, Council considered a report on the withdrawal from MACROC at its meeting on 12 June 2018 where it resolved as follows:

*That Council:*

- i. commence the process to withdraw from membership of the Macarthur Regional Organisation of Councils (MACROC);*
- ii. write to MACROC advising of this decision and acknowledging MACROC's commitment and contribution over many years;*
- iii. investigate alternative regional collaborative models and report back to Council for consideration; and*
- iv. write to Campbelltown and Wollondilly Councils advising of Council's decision.*

Both Campbelltown and Wollondilly Councils also resolved to withdraw from membership of MACROC and the organisation has been disbanded.

## City Deal Implementation Plan and Relationship Framework

Council considered a report on the City Deal at its meeting of 28 August 2018, which included an update on progress under the City Deal, the Implementation Plan and Relationship Framework. Council resolved as follows:

*That Council:*

- v. endorses the Interim Implementation Plan attached to this report; and*
- vi. endorses the finance and/or resourcing commitments noted in the report including the previously reported liveability fund projects; and*
- vii. adopts in principle the Relationship Framework for Councils of the Western Parkland Region; and*
- viii. writes to the Chief Coordinator Western Sydney City Deal, Mr Geoff Roberts, advising of Council's resolutions; and*
- ix. notes that further reports will be brought back to Council from time to time on matters arising under the City Deal and issues of regional collaboration.*

Councillors were briefed on this matter on 21 November 2018.

### MAIN REPORT

The Mayors, General Managers, Lead Officers and various working parties from the eight Councils of the Western Parkland City have been continuing to implement initiatives from the City Deal and to collaborate on issues of regional significance.

As contemplated in the earlier reports referred to above, the Councils are now proposing to establish a regional collaboration framework by entering into a non-binding Memorandum of Understanding, a draft of which is included as an **attachment** to this report.

### **Memorandum of Understanding**

The draft Memorandum of Understanding establishes a regional collaboration framework, which formalises the arrangements for Councils to cooperate with each other and act jointly to deliver:

1. An integrated and connected Western Parkland City through smart rail, bus, road and digital infrastructure;
2. Growth of the regional economy, increasing the supply and diversity of local jobs as well as opportunities for new investment and enterprise development;
3. Existing and future workers' access to the education and skills they need to secure jobs of the future;
4. A liveable and resilient Western Parkland City that delivers affordable housing choice with access to essential services and opportunities that promote lifestyle diversity and choice, good health and well-being;
5. Conservation and celebration of open space, the natural environment and the region's unique cultural attributes;
6. Strategic city partnerships that align with and facilitate these objectives; and
7. The implementation of an enduring City Deal and other programs that address the objectives of the Partnership.

The draft Memorandum of Understanding has been co-developed by all eight City Deal councils. All eight councils are receiving a report on the draft Memorandum of Understanding for consideration in December 2018.

### **Funding and Resourcing**

The Commonwealth and State Governments have committed to provide \$100,000 each (\$200,000 total) to enable the councils to appoint an Executive Officer and Administrative Officer for an initial period of 12 months.



These positions will assist the councils in the administration and governance of the City Deal, with the aim of delivering the seven outcomes listed above and set out in the Memorandum of Understanding, and the facilitation of regional collaboration. Functions would include:

- Administering meetings and the decisions of those meetings;
- Driving improvements in the way the councils work together on regional issues;
- Providing a Local Government interface with the Western Sydney City Deal Delivery Office, including working closely with the City Deal Delivery Office to develop a business case for recurrent, longer-term funding for these positions.

The eight Councils are asked to contribute up to \$20,000 each to fund the required resources, in addition to the Commonwealth and State Government contribution.

### **Next steps**

Should Camden Council and the other seven City Deal councils provide in-principle support for the regional collaboration framework outlined in the draft Memorandum of Understanding and the contribution of up to \$20,000 for the 2019 calendar year as outlined in this report, the draft Memorandum of Understanding will be finalised and issued for signing by the Mayors of the eight City Deal councils.

### **FINANCIAL IMPLICATIONS**

The proposed contribution of up to \$20,000 by Camden Council towards the resourcing outlined in this report can be reallocated from the remaining MACROC budget for the 2018/2019 financial year and will be reflected in a future quarterly budget review.

Any additional requests for resources for the City Deal will be reported to Council for consideration.

### **CONCLUSION**

The draft Memorandum of Understanding builds on the momentum established following the signing of the City Deal and supports an ongoing relationship between the councils built on cooperation, innovation and trust.

The appointment of an Executive Officer and Administrative Officer to assist in the governance and administration of the City Deal, supported by Federal, State and Local Government funding, will support the implementation of the regional collaboration framework between the eight City Deal councils and the delivery of the seven objectives identified in the draft Memorandum of Understanding.

### **RECOMMENDED**

#### **That Council:**

- i. notes the proposed Memorandum of Understanding between the eight Western Sydney City Deal Councils;**
- ii. adopts, in principle, the regional collaboration framework described in the Memorandum of Understanding; and**
- iii. commits the contribution of up to \$20,000 from the remaining MACROC budget to fund the resources required to administer the regional collaboration function over the 2019 calendar year.**

#### **ATTACHMENTS**

1. Draft City Deal MOU

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## ORDINARY COUNCIL

ORD08

**SUBJECT: COMMUNITY SPONSORSHIP PROGRAM JANUARY - JULY 2019**  
**FROM:** Acting Director Sport, Community & Recreation  
**TRIM #:** 18/348673

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### PURPOSE OF REPORT

This report seeks Council's endorsement of the recommended sponsorship allocations for the January – July 2019 Community Sponsorship round.

### BACKGROUND

The Community Sponsorship Program was adopted by Council as a component of the Community Financial Assistance Policy. It sets out how Council will administer incoming sponsorship requests from community groups and organisations.

The program is intended to provide encouragement and support to community organisations, based on the needs of groups, by supplementing funds raised for their events/activities.

Applications can be made twice per year and are assessed by the Sponsorship Allocation Committee using set guidelines and criteria to ensure probity and consistency in evaluating requests.

Councillors were provided a briefing on the matter on 13 November 2018. Additional information was provided to Councillors following the briefing.

### MAIN REPORT

All previous applicants for sponsorship and those organising external events were sent an application form and application timeframes were also advertised in the local newspaper and on Council's website.

A total of 9 applications were received with both in-kind and monetary contributions combined totaling \$63,618. A detailed spreadsheet outlining applications received is provided as an **attachment** to this report.

Each application was assessed against the program guidelines and criteria with consideration given to:

- the social and economic benefit for the local community;
- appeal of the event; and
- demonstrated need for funding.

To be eligible applicants must have fully acquitted grants from previous rounds and have adhered to the conditions of sponsorship.

Following the assessment against the guidelines and criteria, eight applications are recommended to be supported under the sponsorship program.

The following eight events/activities are recommended for funding:



|   | Event  | Comments   | Total Monetary  | Total In-Kind   | TOTAL           |
|---|--|--|-----------------|-----------------|-----------------|
| 1   | Camden District Netball Association Senior State Titles - Narellan Sports Hub    | Held every year through Netball NSW bringing together over 20 different associations through the state to compete.   | \$0             | \$9,208         | \$9,208         |
| 2   | Equestriad (Late Application) CIC One Day Event - Bicentennial Equestrian Park   | Gold sponsorship for the event. One of the premier Equestrian events in Australia.   | \$7,500         | \$0             | \$7,500         |
| 3   | Macarthur BMX NSW Titles   | Second round of the BMX NSW State Series.  | \$1,000         | \$0             | \$1,000         |
| 4   | Camden Show Society  | An Agricultural Show, the biggest 2-day community event in the Macarthur Region.   | \$9,000         | \$6,000         | \$15,000        |
| 5   | The Australian Botanic Garden Mount Annan AnnanRoma Food, Beer and Wine Festival | An event showcasing food stalls from the local region and talent from the area on the entertainment stage.   | \$5,000         | \$0             | \$5,000         |
| 6   | Camden Rugby Union Club NSW Junior Rugby Union U/12 State Championships          | Three day Rugby Union Carnival for 18 Sydney, Country and ACT District teams.  | \$3,000         | \$2,127         | \$5,127         |
| 7   | St Paul's Catholic School Fete   | Annual school fete to raise money for the school.  | \$0             | \$968           | \$968           |
| 8   | Meals on Wheels Seniors Festival - Information Day                               | An event in Seniors Festival week for all seniors, soon to be seniors and family members to form connections in the local community as well as guest speakers. | \$2,200         | \$0             | \$2,200         |
| <b>Total</b>                              |  |  | <b>\$27,700</b> | <b>\$18,303</b> |                 |
| <b>Total of both In-Kind and Monetary</b> |  |  |                 |                 | <b>\$46,003</b> |

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A detailed spreadsheet outlining the Community Sponsorship Program requests and recommended allocations is provided as an **attachment** to this report.

### **FINANCIAL IMPLICATIONS**

The total recommended sponsorship, including both monetary and in-kind, is \$46,003 (GST exclusive).

The total budget allocation for Community Sponsorship, as per the 2018/19 budget, is \$69,800. This budget covers two funding rounds each year.

The balance (after funding events in round one, including four late applications and the return of funds from Relay for Life) of the Community Sponsorship budget is \$25,553.

Based on officer recommendations included within this report an additional \$18,250 is required. It is recommended that the shortfall in funding be allocated as part of the December quarterly review process.

### **CONCLUSION**

The number of events/activities being undertaken by a range of community organisations continues to grow in both number and quality, contributing to improved community well-being within the Camden LGA. This has been demonstrated by the quality and range of events and activities seeking sponsorship assistance from Council.

Applications have been assessed against the criteria contained in the Program guidelines and recommendations reflect this assessment.

Projects recommended for funding will complement existing events and/or activities within the community and provide improved opportunities for the community to access and attend events and/or activities within the Camden LGA.

### **RECOMMENDED**

**That Council:**

- i. approve sponsorship for the events and activities totalling \$46,003 (GST exclusive) (comprising \$27,700 cash and \$18,303 in-kind) as recommended in this report by the Sponsorship Allocation Committee, funded from the 2018/2019 Community Sponsorship budget allocation;**
- ii. allocate \$18,250 from the December quarterly review to provide additional sponsorship funding; and**
- iii. write to each applicant advising them of the outcome and thanking them for their participation in the program.**

### **ATTACHMENTS**

1. 2019 January to June events - Sponsorship Spreadsheet



## ORDINARY COUNCIL

ORD09

**SUBJECT: TENDER T020/2018 - PROVISION OF FIRE SERVICES FOR CAMDEN COUNCIL BUILDINGS**

**FROM:** Director Community Assets

**TRIM #:** 18/386430

### PURPOSE OF REPORT

The purpose of this report is to provide details of the tenders received for contract T020/2018 - Provision of Fire Services for Camden Council Buildings, and to recommend that Council accept the tender submitted by Newsound Fire Services Pty Ltd.

### BACKGROUND

The existing fire service contracts for Camden Council buildings is due for renewal. The tender scope is for fire service maintenance, compliance testing, and Annual Fire Safety Statements (AFSS) for all Council buildings.

A detailed scope was developed to incorporate performance measures for each nominated Council building and sent out as a Request for Tender to the market.

### MAIN REPORT

#### **Invitation to Tender**

The tender was advertised in the Sydney Morning Herald, local newspapers, and the NSW e-tendering website. The tender closed on 12 October 2018 and a total of 14 submissions were received. Of the 14 submissions received, 13 were found to be conforming with the tender scope.

This tender is for one year with an additional two, one-year options at Council's discretion and subject to the approval of the Director Community Assets.

#### **Tender Submission**

Tenders were received from the following companies listed in alphabetical order:

| <b>Name of Tenderer</b>         | <b>Location</b>    |
|---------------------------------|--------------------|
| Advance Fire Tech               | Five Dock NSW      |
| All Aussie Fire Pty Ltd         | Moorebank NSW      |
| Alliance Fire System            | Smithfield NSW     |
| Avanti Fire Protection Services | Baulkham Hills NSW |
| Betta Fire Protection           | Frenchs Forest NSW |
| Celsius Fire Services           | Chatswood NSW      |
| Chubb Fire & Security Pty Ltd   | Silverwater NSW    |
| Extreme Fire Solutions          | Castle Hill NSW    |

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## Name of Tenderer

## Location

Infinity Fire Protection  
MDL Asset Services  
Newsound Fire Services  
Synergy Fire & Security  
Wollondilly Electrical  
Wormald

Botany NSW  
Smithfield NSW  
Revesby NSW  
Rosebery NSW  
Picton NSW  
Silverwater NSW

## Tender Evaluation

The intention of the tender process was to appoint a quality contractor with proven capacity and extensive experience in similar scale projects with the ability to provide good value and quality services to Council.

A tender evaluation panel was established, and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given a weighting of 60% and non-price factors a weighting of 40%.

Non-price factors considered for this project included:

- Accredited Quality Assurance Systems;
- Understanding of the building demand and scope;
- Experience with detailed commercial services of similar nature;
- Customer service and ongoing training;
- Direct labour;
- Proposed company capability, capacity, systems; and
- Work Health and Safety (WH&S).

Newsound Fire Services Pty Ltd provided the most competitive tender in terms of cost and meeting all requirements of Council's tender documentation. Newsound Fire Services Pty Ltd has extensive experience delivering detailed fire maintenance services to local councils across Australia, including compliance, WH&S, and environmental tasks for this type of contract.

The panel members were unanimous in determining that the tender by Newsound Fire Services Pty Ltd represented the best value to Council. Newsound Fire Services Pty Ltd has provided a conforming tender.

Council's tender compliance panel has reviewed the tender evaluation process undertaken.

A summary of this assessment is provided in the **Supporting Documents**.

## Relevant Legislation

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Purchasing and Procurement Policy.

## FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. There are sufficient funds allocated for this project within in the 2018/2019 budget and identified within Councils 4-year delivery program, to proceed with the proposed contract.





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## **CONCLUSION**

The tender assessment concludes that the offer by Newsound Fire Services Pty Ltd represents the best value to Council and the company has a proven track record of fire service maintenance of a similar nature.

It is therefore recommended that Council accept the tender provided by Newsound Fire Services Pty Ltd for the Provision of Fire Services for Camden Council Buildings.

## **RECOMMENDED**

**That Council accept the tender provided by Newsound Fire Services Pty Ltd as per the terms and conditions of Tender T020/2018 – Provision of Fire Services for Camden Council Buildings, in the sum of \$25,353 (GST exclusive) for one year with an additional two, one-year options at Council’s discretion, subject to the approval of the Director Community Assets.**

## ATTACHMENTS

1. Tender T020/2018 - Fire Services Camden Council Buildings - *Supporting Document*

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## ORDINARY COUNCIL

ORD10

**SUBJECT: DELEGATIONS TO THE MAYOR - CHRISTMAS/NEW YEAR PERIOD**  
**FROM:** Acting Director Customer & Corporate Strategy  
**TRIM #:** 18/331746

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### PURPOSE OF REPORT

The purpose of this report is to request that Council delegate authority to the Mayor (and the Deputy Mayor in the absence of the Mayor) during the Christmas/New Year period.

### BACKGROUND

In line with past practice, it is proposed to grant a delegation to the Mayor (and the Deputy Mayor in the absence of the Mayor) to make decisions during the recess period.

### MAIN REPORT

Council will be in recess from 12 December 2018 until 12 February 2019 (the recess period). During the recess period, it may be necessary to make decisions on urgent matters that may not fall within the delegations of staff.

The *Local Government Act 1993* (the Act) allows Council to delegate functions under section 377 of the Act and authority is also provided to the Mayor under section 226 of the Act to exercise functions between meetings. It is Council's normal practice to delegate authority to the Mayor (and the Deputy Mayor in the absence of the Mayor) during the recess period to make decisions on urgent matters.

This delegation would only be exercised in matters of urgency. In the event of an issue of significant magnitude and impact arising, a special Council meeting will be convened. Should the need arise to exercise this delegation, a report will be provided to the Ordinary Council Meeting of 12 February 2019.

### FINANCIAL IMPLICATIONS

There are no financial implications.

### CONCLUSION

Council is requested to delegate authority to the Mayor (and Deputy Mayor in the absence of the Mayor) to make decisions on urgent matters during the recess period of 12 December 2018 to 12 February 2019 as provided under sections 226 and 377 of the Act.

### RECOMMENDED

#### **That Council:**

- i. delegate authority to the Mayor (and Deputy Mayor in the absence of the Mayor) to make decisions on urgent matters during the recess period of 12 December 2018 to 12 February 2019 as provided under sections 226 and 377 of the *Local Government Act 1993*; and**
- ii. receive a report to the Ordinary Council Meeting of 12 February 2019, if this delegated authority is exercised.**



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## ORDINARY COUNCIL

ORD11

### NOTICE OF MOTION

**SUBJECT: NOTICE OF MOTION - CAMDEN MONOPOLY EDITION**  
**FROM: Cr Symkowiak**  
**TRIM #: 18/397915**

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"I, Councillor Lara Symkowiak, hereby give notice of my intention to move the following at the Council Meeting of 11 December 2018:

That Council:

- i. organise the production of a Camden Monopoly edition;
- ii. provide all profits from sales of the game to a local charity (or charities);
- iii. seek sponsorships from local businesses who want to appear in the board game;
- iv. endeavour to have an equitable representation of business types and landmarks from across our LGA;
- v. be one of the major sponsors, with funds paid for from ward funds; and
- vi. seek community input for the important landmarks to be included on the board game.

#### Background

On 15 November 2018, Nicholas Ryan posted on his Facebook page a picture of the Ku-Ring-Gai Monopoly game. The next day, on 16 November, Nicholas sent me an email with his ideas about doing a Camden version and rang me to discuss them.

Since this date, Nicholas has been communicating with Winning Moves, the company who produces the individualised Monopoly editions. Nicholas has received some quotes on production costs and timing, which are variable depending on the number of units ordered. Generally, production will take around four months.

Since mid-November, Nicholas and I have also been speaking with local businesses to determine the level of sponsorship support, of which there is strong interest.

With other monopoly editions, there appears to be three levels of sponsorship:

Gold - business gets a token, space on board and appears in Chance/Community Chest cards.

Silver – business gets a space on board and appears in Chance/Community Chest cards.

Bronze – business appears in Chance/Community Chest cards.

There are eight paid/branded spaces on each board game with 22 public locations.

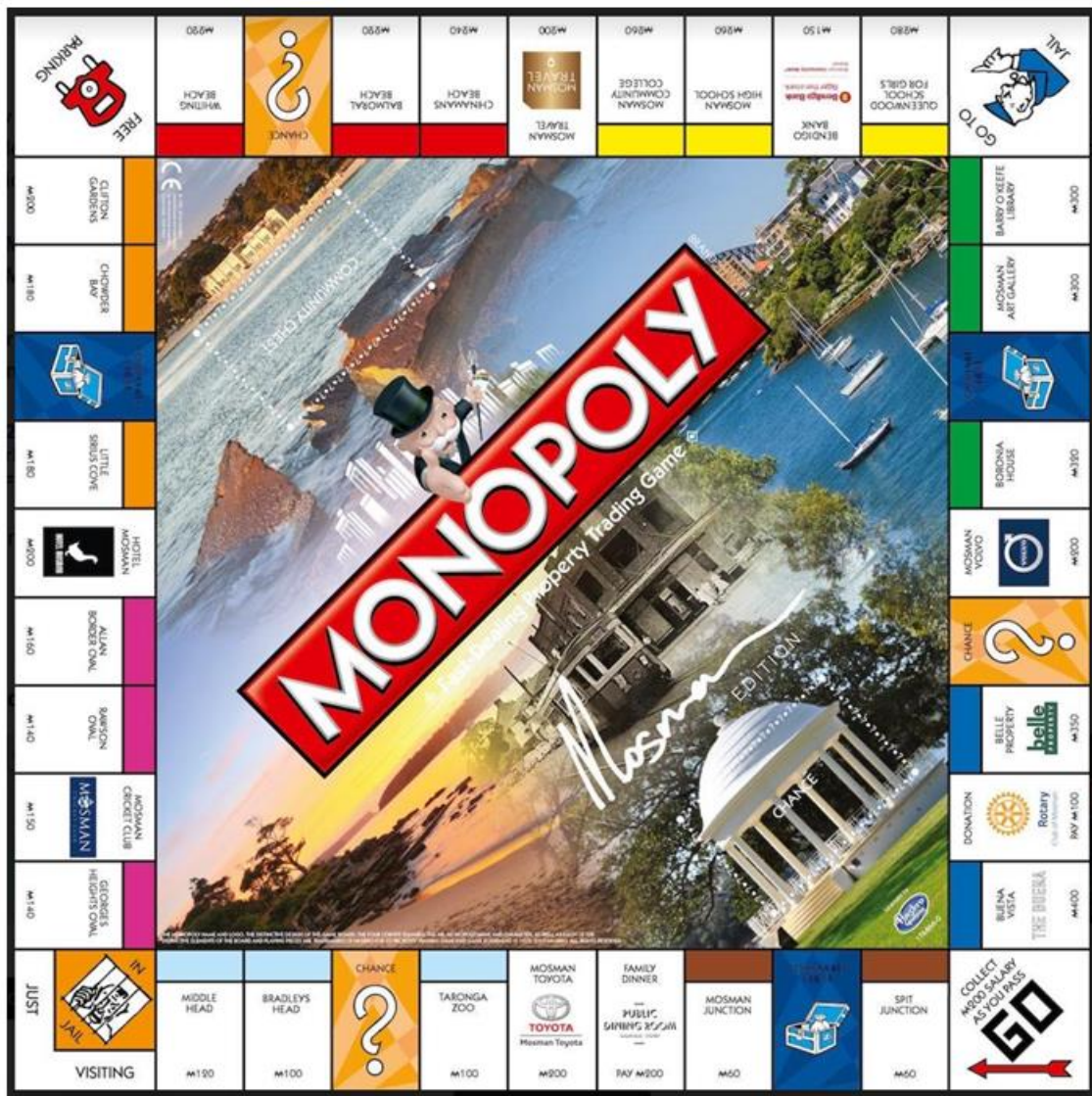
There are also sponsorship opportunities for businesses in the Chance or Community Chest cards which make up the Bronze level of sponsorship.

The price attributed to each sponsorship will depend on the number of games produced and their associated production cost per unit. Final sales price can be determined by Council taking into consideration affordability and desired charity donation.

I would like *Lifeline Macarthur* and *Camden Wollondilly Domestic Violence Committee* to be considered as charities who will receive profits from sales of this board game.

Major sponsors could sell the board game from their offices/shopfronts. For example, Camden Council could sell it from our administration centre or libraries.

Below are the Ku-Ring-Gai and Mosman versions of the game for Councillors reference.





**RECOMMENDED**

**That Council:**

- i. organise the production of a Camden Monopoly edition;**
- ii. provide all profits from sales of the game to a local charity (or charities);**
- iii. seek sponsorships from local businesses who want to appear in the board game;**
- iv. endeavour to have an equitable representation of business types and landmarks from across our LGA;**
- v. be one of the major sponsors, with funds paid for from ward funds; and**
- vi. seek community input for the important landmarks to be included on the board game.**