



Camden Council

Business Paper

Ordinary Council Meeting

26 May 2020

Please note due to COVID-19 restrictions this meeting is being held as a teleconference. The public can view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DPIE	Department of Planning, Industry & Environment
TfNSW	Transport for NSW
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
LSPS	Local Strategic Planning Statement
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
S10.7 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
S603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
S73 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
VPA	Voluntary Planning Agreement

ORDINARY COUNCIL

ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer.....	6
Acknowledgement of Country	7
Webcasting of Council Meetings.....	8
Leaves of Absence	9
Declaration of Interest.....	10
Public Addresses	11
Confirmation of Minutes	12
Mayoral Minute	13
ORD01 Planning Proposal - 220 Macquarie Grove Road, Kirkham	14
ORD02 Planning Proposal - Housekeeping Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006	32
ORD03 Proposed Amendment to Camden Growth Centre Precincts Development Control Plan - Schedule 4 Catherine Field (Part) Precinct	41
ORD04 Addressing Land Use Conflict in Little Street, Camden.....	49
ORD05 Variations to Development Standards Approved under Staff Delegation (Quarterly Report).....	58
ORD06 Investment Monies - April 2020	60
ORD07 Community Sponsorship Program July - December 2020.....	61
ORD08 Asset Management Policy - Revised	64
ORD09 Acceptance of Grant Funding - Communities Environment Program	66
ORD10 Tender T022/2019 - Street Sweeping Waste Processing & Disposal.....	69
ORD11 Tender T005/2020 - Oran Park Leisure Centre - Design Services	72



ORDINARY COUNCIL

SUBJECT: PRAYER

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)

ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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: WEBCASTING OF COUNCIL MEETINGS

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

No other webcasting or recording by a video camera, still camera or any other electronic device capable of webcasting or recording speech, moving images or still images is permitted without the prior approval of Council. Council has not authorised any other webcasting or recording of this meeting.

I remind those that are participating in this meeting that your image and what you say will be broadcast live to the public and will also be recorded so please be mindful of your actions and comments. You should avoid making statements that might defame or offend and note that Council will not be responsible for your actions and comments.

ORDINARY COUNCIL

SUBJECT: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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 4.28-5.19).

Councillors should be familiar with the disclosure provisions contained in 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.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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 subject to necessary changes to accommodate remote access to the meeting. Speakers will be able to make their address by accessing Council's meeting remotely via the internet. Speakers must submit an application form, available on Council's website, 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. Speakers will be provided with instructions to allow them to access the meeting remotely online.

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.

Only the audio recording of the public address speakers will be heard on Council's video conference and webcast. Visual images of the speaker will not be captured.

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 April 2020.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 April 2020, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

SUBJECT: PLANNING PROPOSAL - 220 MACQUARIE GROVE ROAD, KIRKHAM
FROM: Director Planning and Environment
TRIM #: 20/25675

PROPERTY ADDRESS 220 Macquarie Grove Road, Kirkham
Lot 1 DP 776002

PROPONENT C C Weston & Associates

OWNER Mr Domenico Gimellaro

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for 220 Macquarie Grove Road, Kirkham. The report recommends that Council not support the draft Planning Proposal for the reasons outlined in the report.

The draft Planning Proposal is provided as an **attachment** to this report.

BACKGROUND

In February 2019, the draft Planning Proposal was lodged by C C Weston & Associates (the proponent) on behalf of the landowner. The draft Planning Proposal sought to amend Camden Local Environmental Plan (Camden LEP 2010) to rezone the site from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size from 40ha to 6,000m² to facilitate the creation of eight lots (including one lot for the existing dwellings).

On 20 August 2019, the Camden Local Planning Panel (Panel) reviewed the draft proposal and provided recommendations, which are discussed later in this report and provided as an **attachment** to this report.

Following the Panel's review, the proponent lodged a revised draft Planning Proposal, replacing the R5 zone with an E4 Environmental Living zone. There are no other changes to the initial proposal. The proponent also provided additional information in support of the draft Planning Proposal's planning merit and an additional Landscape and Visual Impact Assessment.

Locality

The subject site is located on the corner of Macquarie Grove Road and Kirkham Lane, Kirkham and forms part of the Macquarie Grove Ridgeline. There are currently two dwellings in the north west corner of the site. The site is irregular in shape as shown in **Figure 1** and has a total area of approximately 5.62ha.

Existing large lot residential areas known as Camelot Estate and Kirkham Meadows Estate are located immediately to the south, south east and north east of the site respectively. RU1 Primary Production zoned land is located to the north and north west of the site.

Heritage items of state and local significance are in the vicinity of the site, including Camelot, Kirkham Stables and Wivenhoe. There are views to St John’s Anglican Church Precinct and Studley Park from the site.

Camden Airport (Airport) is located to the south west of the site. The northern part of the site (near the Macquarie Grove Road boundary) falls within the Airport’s Australian Noise Exposure Forecast (ANEF) zone.

The site is located within the Metropolitan Rural Area (MRA) identified in the Greater Sydney Region Plan (Region Plan) and Western City District Plan (District Plan).

Most of the site has been cleared of vegetation. The south-west corner of the site and Macquarie Grove Road corridor has a mix of native and non-native vegetation that may include Shale Plain Woodland (an Endangered Ecological Community). This area of the site is identified as bushfire-prone on the Camden Bushfire Prone Land map.

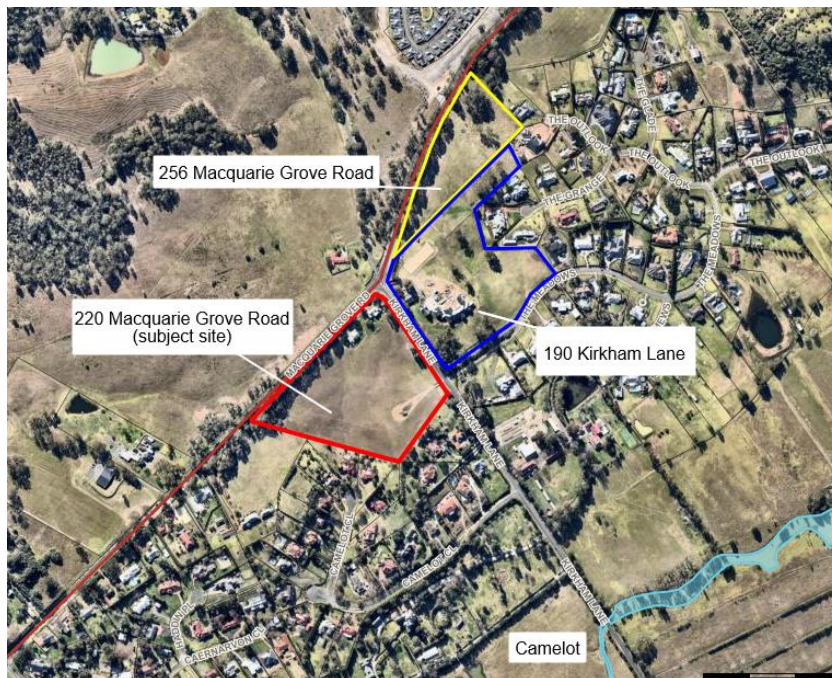


Figure 1: Site Context Map

Development History

Relevant Development Application History for 220 Macquarie Grove Road, Kirkham

In 2003, Council refused a DA for a five-lot rural-residential subdivision on the site. The reasons for Council’s refusal included its impact to the adjoining land and impacts to the scenic quality of the ridge (elevated land) where the development is located.

The applicant lodged an appeal in the NSW Land and Environment Court (LEC) against Council’s refusal of this application. The appeal resulted in Council and the applicant entering a mediation process, and agreeing to, a reduced three-lot rural-residential subdivision (Lot 1 – 3.18ha, Lot 2 – 1.21ha and Lot 3 – 1.21ha) resulting in two additional lots fronting Kirkham Lane. This outcome served to mitigate visual and drainage impacts to the adjoining properties in Camelot Close. The applicant then submitted an amended DA for a three-lot subdivision and Council issued development consent in July 2004. The approved three-lot subdivision is shown in **Figure 2**.



In December 2004, a request to modify two development consent conditions that restricted future subdivision of the three-lot subdivision was refused by Council. The reasons for the refusal included:

- The three-lot subdivision provided the maximum lot yield for the site while preserving its scenic and cultural significance.
- Agreement had been achieved during the mediation process with the applicant, State government agencies (Department of Planning and Environment and Office of Environment and Heritage) and local community groups that no further subdivision was to be considered by Council. Maintaining the three-lot subdivision reflects this agreed outcome.
- Restricting further subdivision will prevent increases in housing density and adverse visual impacts of development on, or above, the RL90 contour and on the visible slopes of the Macquarie Grove Ridgeline.

The proponent advises substantial physical commencement works for the three-lot subdivision have been undertaken.

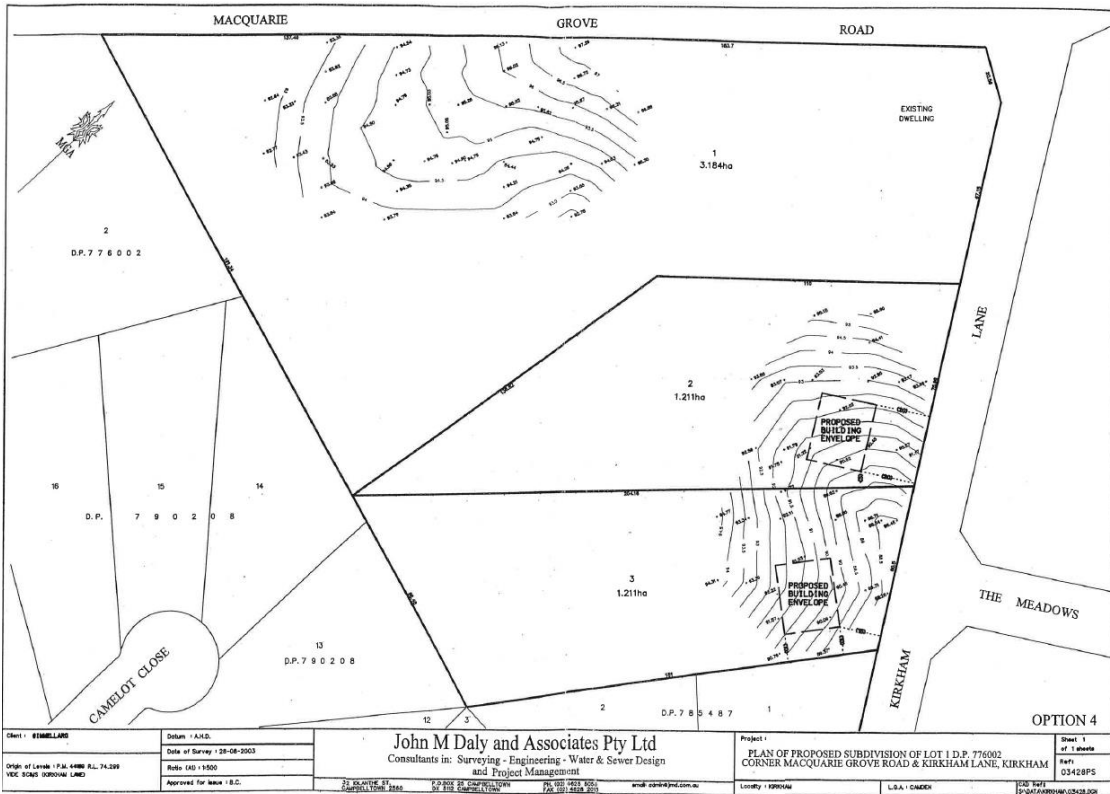


Figure 2: Approved three-lot subdivision

Relevant Development Application and Planning Proposal History for 190 Kirkham Lane, Kirkham

To the north east of the subject site lies 190 Kirkham Lane, Kirkham. **Figure 1** provides an aerial map of 190 Kirkham Lane (blue outline) and shows its proximity to the subject site. The parcel at 190 Kirkham Lane also forms part of the Macquarie Grove Ridgeline.

Previous DAs have sought to amend lot sizes at 190 Kirkham Lane (outlined in **Table 1**) and are relevant to the draft Planning Proposal under consideration.

Year of application	Development application	Outcome
2000	DA for a three-lot subdivision.	Refused by Council
2002	DA for a two-lot subdivision.	Refused by Council

Table 1: An outline of development applications to subdivide land at 190 Kirkham Lane, Kirkham

In 2010 and 2012, Council refused planning proposals to rezone land at 256 Macquarie Grove Road (yellow outline) and 190 Kirkham Lane, Kirkham (blue outline) identified in **Figure 1**. Consistently, Council has refused requests for rezoning and reduced lot sizes at these sites. In 2015, Council’s position was supported by the Joint Regional Planning Panel (JRPP) and the NSW Department of Planning and Environment.

The reasons previous applications to subdivide and rezone land at 190 Kirkham Lane and 256 Macquarie Grove Road, Kirkham have not been supported include:

- Council’s consistent and long-held position to not support further development of rural zoned land at these sites;
- The impact of the proposal on the surrounding area, and the precedent it would set by allowing buildings to be above the RL90 contour is too significant and contravenes the former Kirkham Development Control Plan No. 83 control to suppress building ridge heights to the RL90 contour to ensure the scenic rural landscape is preserved as highlighted by the *Camden Scenic and Cultural Landscape Study 1998*;
- Subdividing the land did not meet the development standard for a minimum lot size of 40ha;
- The current and increasing supply of large lot residential sites available in areas designated for residential development; and
- The inconsistency with Council’s Community Strategic Plan objectives for the retention of visual landscapes and management of rural land, specifically the rural and aesthetic outlook along the Macquarie Grove Ridgeline.

Council’s sustained objection to rezone and subdivide land at 190 Kirkham Lane and 256 Macquarie Grove Road reinforces Council’s long-standing position on development proposals of a similar nature along Macquarie Grove Road and on the Macquarie Grove Ridgeline.

Councillors were briefed on the initial draft Planning Proposal on 9 July 2019 and the revised proposal on 9 April 2020.

MAIN REPORT

Summary of Proposal

The draft Planning Proposal seeks to amend the Camden LEP 2010 to:

- Rezone the site from RU1 Primary Production to E4 Environmental Living; and
- Amend the minimum lot size from 40ha to 6,000m².

The proposal seeks to facilitate eight lots (including one lot for the existing dwellings).

A comparison of existing and proposed zoning and lot sizes under Camden LEP 2010 is provided in **Table 2**.

	Existing	Proposed
Zone	RU1 Primary Production	E4 Environmental Living
Minimum Lot Size	40ha	6,000m ²
Height of Buildings	9.5m	9.5m (No change)

Table 2: Comparison of existing and proposed provisions under Camden LEP 2010

Proposal's vision

The proponent's vision is to foster the evolution of a sense of place whilst facilitating a large lot, low density residential development that is sensitively integrated with the physical and social fabric of the existing neighbourhood. The proposed development aims to leverage off existing infrastructure and capitalise on the subject site's existing environmental attributes.

Proposal's Community Benefits

The draft Planning Proposal seeks to provide the following community benefits:

- Facilitate new housing development growth in the Camden LGA;
- Provide an alternate housing product for the housing market by offering rural-residential lifestyle living;
- Facilitate a mix of housing types available in the Camden housing market to encourage a greater social mix and housing choice options;
- Enhance the level of patronage of local commercial/retail infrastructure;
- Not compromise the broader rural and institutional and infrastructure setting; and
- Provide a long-term place-focused strategy for the subject site.

The proponent contends that the introduction of a public road and maintenance of view corridors to state heritage items is a community benefit of the proposal compared to now and the approved three-lot subdivision, where the public does not have access to this vantage point on private property.

Zoning and Permissibility

A comparison between the existing and proposed zoning and lot sizes under Camden LEP 2010 is provided in **Figures 3 to 6**. Under the existing RU1 Primary Production zone, permissible uses include dwellings, attached dual occupancies and secondary dwellings.

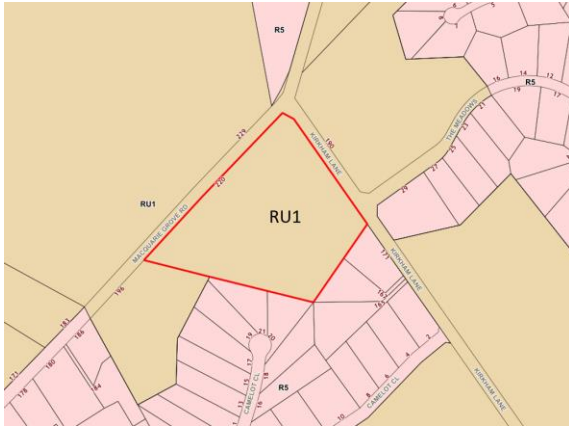


Figure 3: Existing Zone RU1 Primary Production

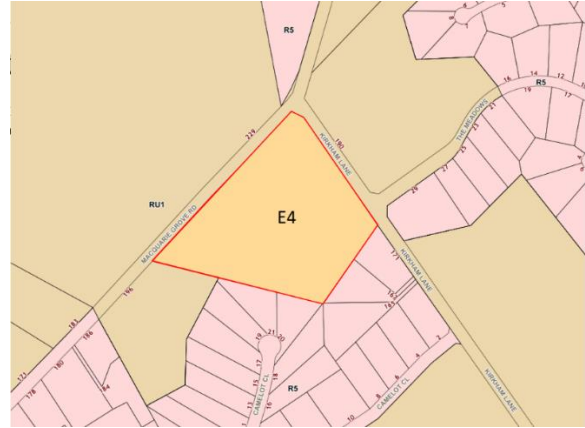


Figure 4: Proposed Zone E4 Environmental Living

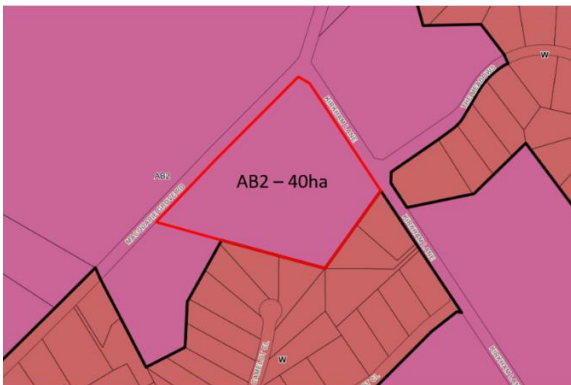


Figure 5: Existing lot size

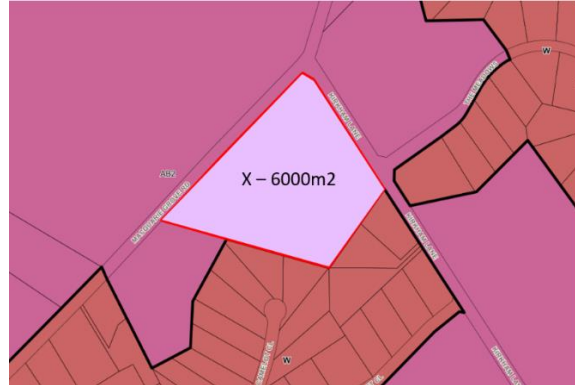


Figure 6: Proposed lot size

Proposed E4 Environmental Living Zone

The objectives of the E4 Environmental Living zone are to provide for low-impact residential development in areas with special aesthetic values and to ensure that residential development does not have an adverse effect on those values. Permissible uses within the E4 zone include dwellings, secondary dwellings, home businesses and home industries.

Under an E4 zone, a DA lodged with Council is the only approval pathway for a dwelling house. Complying Development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Housing Code) is not an option in the E4 zone.

Officer comment

The site has scenic and cultural landscape values. The draft Planning Proposal would have adverse impacts on these values and as a result is inconsistent with the objectives of the E4 zone.



Specialist Studies

The draft Planning Proposal has been submitted with the following specialist studies, provided as **attachments** to this report:

- Landscape and Visual Impact Assessment, prepared by Distinctive Living Design, dated December 2018;
- Additional Visual Impact Assessment, prepared by Distinctive Living Design, dated February 2020; and
- Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering, dated May 2018.

Should the draft Planning Proposal be supported by Council, the following additional specialist studies would be required:

- Revised Visual Impact Assessment;
- Heritage Impact Assessment;
- Stormwater Management Strategy;
- Flora and Fauna Assessment; and
- Bushfire Assessment.

The findings of the specialist studies submitted as part of the draft Planning Proposal and Council officer comment are summarised below.

Landscape and Visual Impact Assessment

A Landscape and Visual Impact Assessment (LVIA) was prepared by Distinct Living Design dated December 2018. An Additional Visual Impact Assessment (Additional LVIA) dated February 2020 has also been submitted.

The LVIA provides an assessment of the topography of the site including contours with the elevation ranging from RL87.5 to RL101, with most of the site being above RL90. The LVIA identifies the site has two ridgelines, one with a highpoint (**Figure 7**). The Macquarie Grove Road alignment follows a 'dominant' ridgeline. The LVIA includes an assessment of 16 viewpoints from surrounding areas and determined that from four viewpoints, the proposal has a moderate level of visual impact.

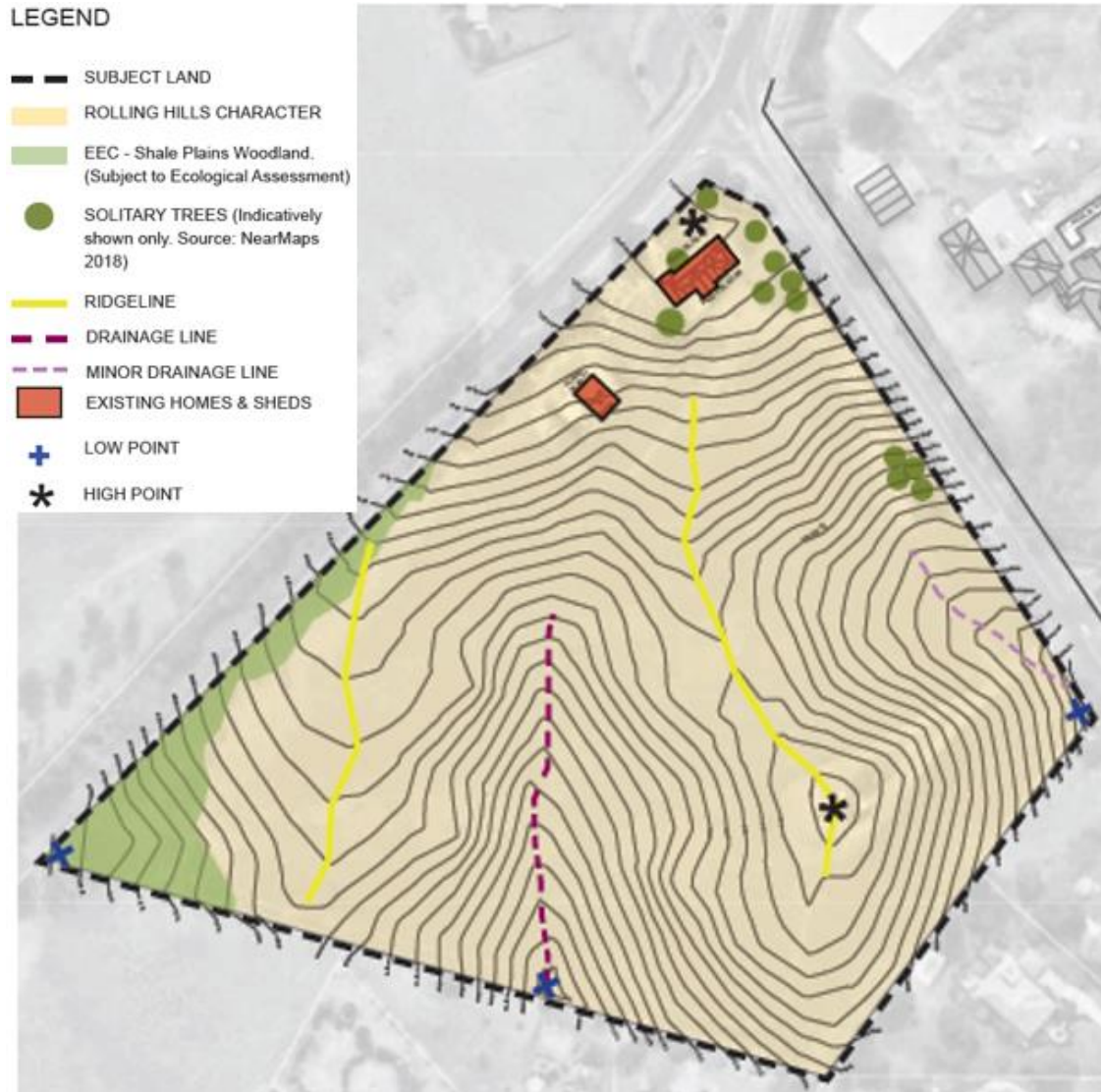


Figure 7: Landscape Character Analysis Diagram (Source: LVIA, December 2018)

The Additional LVIA (**attached**) assesses the visual impact of the draft proposal on state listed heritage items (St John’s Anglican Church Precinct and Studley Park) and adjoining properties (five additional viewpoints). The Additional LVIA considers the draft proposal to have a low visual impact on adjoining properties and no visual impact on the state listed heritage properties.

The Additional LVIA also assesses the visual impacts of the proposed eight-lot subdivision compared to the three-lot subdivision that was approved by Council in 2004 (**Figure 8**). The visual impacts of the proposed and approved developments have been assessed for the LVIA’s 16 viewpoints and the Additional LVIA’s five additional viewpoints. As noted earlier, the proposal is assessed as having a low visual impact. The approved development is assessed to have a moderately high visual impact from two viewpoints taken from the site’s frontage to Kirkham Lane (viewpoint 1 and 3).

LEGEND

-  SUBJECT LAND
-  EXISTING HOMES & SHEDS
-  PROPOSED LOT BOUNDARIES
-  PROPOSED BUILDING (EXAMPLES)
-  PROPOSED ACCESS ROAD
-  APPROVED DWELLINGS UNDER DA 300904/2003
-  VP VIEWPOINT

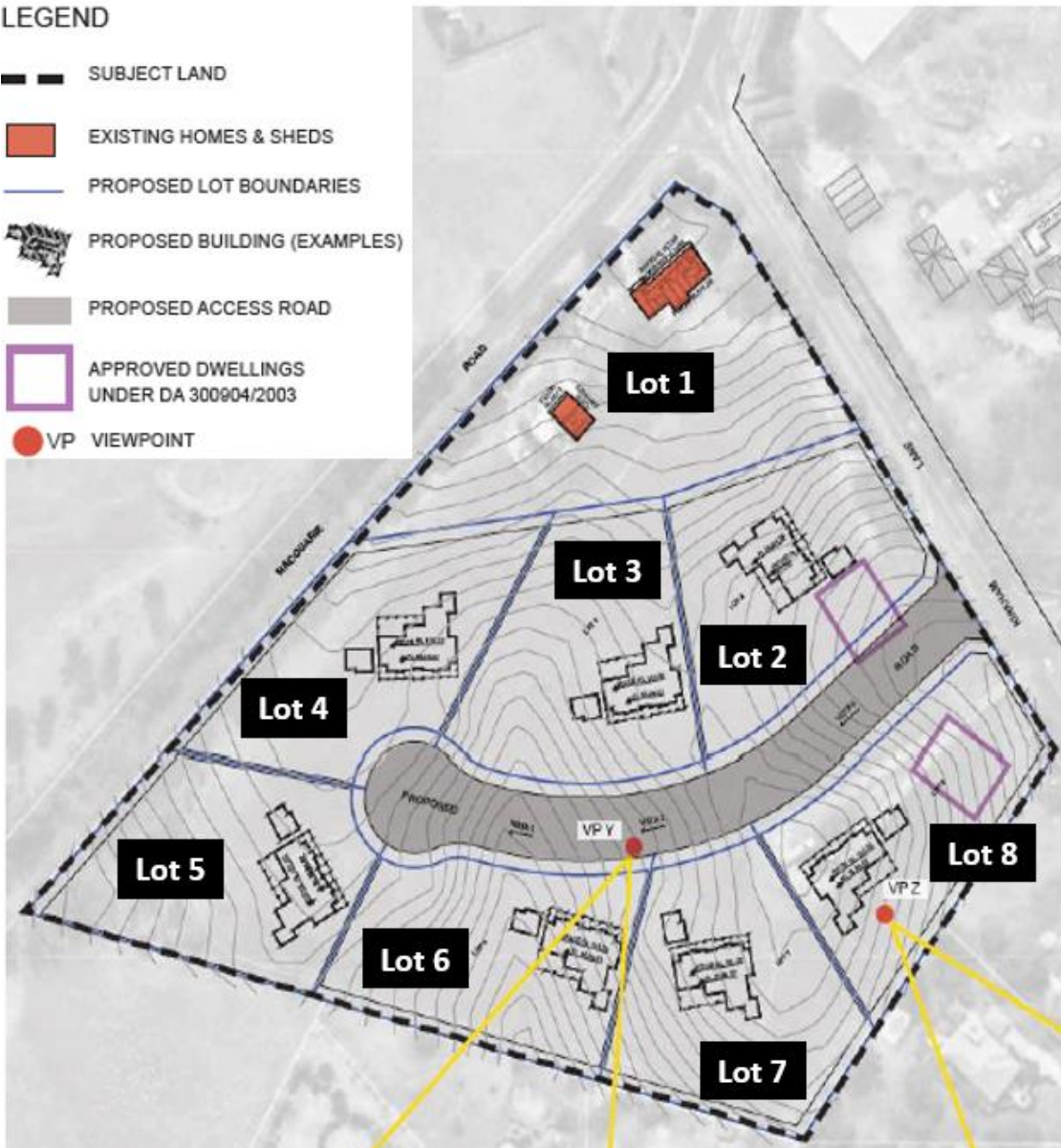


Figure 8: Approved versus proposed development (Source: Additional LVIA, February 2020)

For lots with frontage to Kirkham Lane, the Additional LVIA notes the proposed building envelopes are set back further from Kirkham Lane compared to the approved development. The Additional LVIA states the proposal would result in a decrease in ‘intensity’ of dwellings to Kirkham Lane and provide view corridors towards state heritage items.

The Additional LVIA provides three cross-sections to demonstrate the relationship between the approved and proposed development. The cross-sections are based on a single storey dwelling with a maximum height of 5.5 m above natural ground level.

The Additional LVIA concludes most of the site could be developed if mitigation measures are implemented. These include:

- Provision of a landscape buffer within the subject lands and the Macquarie Grove Road and Kirkham Lane road reserve on land owned by Council;

- Dwellings should have a ridge height that does not exceed 7 m above natural ground level with provision for a 1 m variation to allow for split level homes (designed to suit the topography of the site);
- Building materials and colours that are recessive; and
- Street lighting controls including hoods and low-intensity lighting.

The draft Planning Proposal provides comment on the historic RL90 height restriction on development. It states RL90 was adopted in the early 1980s as a height above which reticulated water service pressure could not be maintained. The proponent considers the development limit for the site should be informed by the proposal's design-led solution to the site and not the RL90 contour.

Officer comment

Council officers have reviewed the LVIA and Additional LVIA and have concerns regarding the visual impact of the draft proposal on the site's scenic and cultural landscape values and some of the assumptions applied.

The draft Planning Proposal does not propose to amend the existing 9.5m maximum height of buildings, however the Additional LVIA's recommends a maximum building height of 7m. The cross-sections in the Additional LVIA are based on a dwelling height of 5.5m, which may not represent an appropriate built form outcome for the site. The cross-sections do not assess the potential visual impacts of its recommended maximum building height of 7m or consider retention of the existing 9.5m maximum height of buildings that applies to the site.

Furthermore, assessment of the proposed building envelope locations (**Figure 8**) show some of the proposed dwellings would be located on, or next to, the ridgelines and high point of the site. The proposed dwelling location on Lot 6 is located within the viewpoint to St John's Anglican Church Precinct and may obstruct this view. The proposed dwelling location on Lot 8 may also obstruct view lines to Studley Park from elevated positions within the site.

In relation to the Additional LVIA's low visual impact rating on adjoining properties to the south and south east in Camelot Estate, Council officers do not consider that adequate justification has been provided to support this rating.

In terms of RL90 contour, the former Kirkham DCP No. 83 and Camelot DCP No. 30 sought to restrict building height to be no higher than RL90 to protect the scenic qualities of the ridgeline. A 1996 development consent issued for a dwelling in Camelot Estate included a condition requiring the dwelling to be sited below the RL90 contour.

A condition of development consent for the approved three-lot subdivision requires the floor level of dwellings on the two additional lots to be restricted to an RL of 90.5 and the roof ridgeline restricted to RL96.5 (including structures such as antennae).

The approved building envelopes sought to reduce the visual impact of the dwellings by requiring them to be positioned below the ridgeline and high point (which results in a smaller setback to Kirkham Lane compared to the proposed development). A condition of development consent requires the provision of a hedge planting along the Kirkham Lane frontage of the two new lots. The location of the approved building envelopes also serves to direct drainage from the lots to the Kirkham Lane frontage (to reduce potential drainage impacts on adjoining properties).



The Camden DCP 2019 identifies the locality as a 'Culturally Significant Place – Cultural Landscape'. Camden DCP 2019 refers to the Camden Scenic and Cultural Landscapes Study (Study) prepared by Lambcon Associates for Council in 1998.

The Study identifies the intersection of Macquarie Grove Road and Kirkham Lane as having panoramic views in all directions and as a secondary visual gateway to Camden. The Study discourages development that would diminish the landscape's scenic and heritage values or result in view lines, panoramas and visual entries to Camden Town and Kirkham Lane being impeded. The draft proposal is considered to have an adverse impact on the scenic and cultural landscape values of the site.

Traffic Impact Assessment

A Traffic Impact Assessment (TIA) was prepared by McLaren Traffic Engineering dated May 2018 in support of the draft Planning Proposal.

The TIA proposes an intersection on Kirkham Lane facilitating entry into the site. The Assessment concludes traffic generated from the proposal will not have adverse impacts on the existing road network.

Officer comment

Council officers have reviewed the TIA and agree with its findings.

Key Issues

Inconsistent with Council's long-held position

Officer comment

This report details Council's consistent and long-held position to not support further development at the site. This position has been supported by local and Regional Planning Panels, DPIE and other government agencies.

The draft proposal is inconsistent with Council's position.

Supporting the proposal would set a precedent

The proponent contends that rezoning to E4 Environmental Living is unlikely to create a precedent within the locality. However, the proponent also requests that Council investigate additional rural-residential development opportunities for the broader Kirkham locality.

Officer comment

If the draft proposal was supported, it would set a precedent for further rezoning of rural land in Kirkham and may have a cumulative impact on the reduction in rural land over time.

Lacks Strategic Planning Merit

The proponent's assessment of the proposal against key strategic documents is outlined in the draft Planning Proposal (provided as an **attachment**). The proponent considers the proposal to be consistent with the Region and District Plans objectives to

enhance housing diversity and will not have an adverse impact on rural productivity. The proponent considers the proposal represents a design-led, place-based approach to the development of the site.

Officer comment

Council officer's assessment of the draft proposal against key strategic documents is provided as an **attachment** to this report. Key strategies including the Region and District Plans, Local Strategic Planning Statement (LSPS), Community Strategic Plan (CSP) and Rural Lands Strategy (RLS) have a 'line of sight' that seek to achieve common, consistent planning outcomes at the region, district and local levels.

The Region and District Plans restrict additional rural-residential development opportunity in the MRA. The Plans state that rural-residential development does not represent a valued economic use of the land. For additional rural-residential development to be considered, the Plans require development to provide incentives to maintain and enhance the social, economic and environmental values of the land and for the development not to have any adverse impacts.

The District Plan has an objective to protect scenic and cultural landscapes and notes ridgelines are highly valued elements of scenic landscapes and development should not diminish their scenic quality. The site has ridgelines and a high point and forms part of the Macquarie Grove Ridgeline. The site has scenic and cultural landscape values. The proposed development would have an adverse impact on the scenic and cultural landscape (social values) that are important to the community.

The proposal fails to demonstrate adequate incentives to maintain and enhance the values of the site.

Lacks Site-Specific Merit

The proponent's assessment of the proposal's site-specific merit is outlined in the draft Planning Proposal **attachment**. The proponent considers the proposal represents a design-led, place-based approach to the development of the site and will not result in adverse environmental impacts. Utility services can be made available to the site, including reticulated sewer and a stormwater drainage system. The proponent confirms there are no adverse traffic impacts from the proposal.

Officer comment

This report has identified the site has scenic and cultural landscape value. The proposal would have an adverse impact on these values. The proposal is not considered to represent a design-led, place-based approach to the development of the site.

Rural Lands Strategy – Proposal is inconsistent

The proponent points out the site has low agricultural production value and is not viable to be used for agriculture due to its small area and the potential for land use conflict to arise with neighbouring properties.

The proponent indicates overall support for the main objectives of the Rural Lands Strategy (RLS) and its reference document, the Rural Lands Study (Study). However, the proponent considers some of the Study's conclusions and RLS actions are



incorrect and encourages Council to review the RLS and Study and to focus its efforts on protecting 'truly productive' rural lands.

Officer comment

Council endeavours to protect Camden's rural land for several reasons, including valued scenic and cultural landscapes that create a distinct setting for neighbouring communities.

The RLS is intended to guide Council's decision making on rural land, with the broad intent being to protect Camden's remaining rural lands outside the SWGA. The RLS provides criteria to assist in the assessment of planning proposals for rezoning rural land outside of the SWGA.

Assessment criteria 1 is that proposal's must be consistent with state and local strategic plans. All local plans and strategies need to be consistent with the Region and District Plans to offer a 'line of sight' from all levels of strategic documents. This helps ensure consistency of planning outcomes.

This report has identified that the draft proposal is inconsistent with the Region and District Plans, and Council's adopted LSPS and CSP. The proponent has not provided an assessment against the RLS criteria for assessing planning proposals. Council officer's assessment of the draft proposal against the RLS criteria is provided as an **attachment** to this report.

Assessment criterion 4 is that rezoning proposals must not reduce the quality of scenic landscapes, vistas, ridgelines or heritage values. This report has identified the draft proposal is inconsistent with this criterion.

Housing Diversity

The proponent states the proposal would provide for a small increase in 'lifestyle' housing opportunities. The proponent considers there is a gap between zoned land and vacant land supply for lifestyle housing.

The proponent requests that Council investigate additional rural-residential opportunities in the Kirkham locality 'and the like' to provide for housing diversity and reduce the potential for land use conflict at the urban and rural interface. The proponent notes the proposal will not contribute towards more affordable housing.

Officer comment

The approved three-lot development provides for additional rural-residential living opportunity on the site.

The LSPS outlines the demographic change that is forecast for Camden. The number of smaller households and ageing households is forecast to increase. This would increase the demand for different, smaller households.

The District Plan identifies that Council must prepare a local housing strategy that outlines how and where Camden will support an increased population, ageing community and a change in housing structure. It is anticipated the draft local housing strategy will be on exhibition in 2020.

Heritage Impact

The state and locally significant heritage items of Kirkham Stables and Precinct, Camelot and Wivenhoe Homestead are in the vicinity of the subject site. The site also has distant views to the state heritage listed items of St John's Anglican Church Precinct and Studley Park.

The Additional LVIA states the proposed development does not impact on the immediate curtilages or visual catchments of Wivenhoe Homestead, Kirkham Stable and Precinct and Camelot or distant views to St John's Anglican Church Precinct and Studley Park, however, agree to undertaking a Heritage Impact Assessment (HIA) post-Gateway Determination.

The Additional LVIA states the development offers community benefit by enabling the public to access a new vantage point to St John's Anglican Church Precinct from the public road to be constructed.

Officer comment

In the absence of a Heritage Impact Assessment (HIA), the potential heritage impacts of this proposal cannot be fully assessed. Should the draft proposal be supported by Council, it is recommended that a HIA be undertaken by the proponent.

The proposed public road and maintenance of view corridors to state listed heritage items is unlikely to provide adequate incentive for the public to visit the site. The benefit is likely to be limited to residents and their visitors. As a result, the proposed public road and views to state listed heritage items does not represent an adequate incentive to protect and enhance the social values of the site.

In 2003, the Heritage Office provided comment on the five-lot subdivision proposal for the site (subsequently refused by Council) and the three-lot subdivision (approved by Council in 2004). The Heritage Office considered the five-lot proposal would have negative impacts on the area's scenic values and views. At that time, the Heritage Office considered it important that any development in this area continue the historic uses of, and heritage values of, Kirkham as farming land.

Drainage impact

The two ridgelines on the subject site are separated by a drainage line that drains south into properties that front Camelot Close. The existence of a minor watercourse on the site means that a Stormwater Management Strategy is required to ensure any post-development stormwater flows leaving the site do not exceed pre-development flows leaving the site, and neighbouring properties are not negatively impacted.

The proponent indicates a Stormwater Management Strategy would need to be prepared. Notwithstanding this, the proponent suggests that stormwater flows from the proposal are expected to be managed via on-site disposal on the proposed lots without the need for significant augmentation of existing infrastructure.

Officer Comment

The two ridgelines on the site are separated by a drainage line that drains south into properties that front Camelot Close (**Figure 7**). Submissions received during the initial notification period raised concerns the proposal may compound existing drainage and runoff issues impacting on properties within Camelot Close.



The approved three-lot subdivision (**Figure 2**) sought to mitigate drainage impacts on properties in Camelot Close by draining stormwater to the Kirkham Road frontage.

In the absence of a Stormwater Management Strategy, the potential drainage impacts of the proposal cannot be fully assessed. Should the draft proposal proceed, it is recommended that a Stormwater Management Strategy be undertaken by the proponent.

Assessment against Key Strategic Documents

The proponent's assessment of the proposal against key strategic documents is outlined in the draft Planning Proposal **attachment**. A summary of the proponent's conclusions, and Council officer's response, is outlined under the key issues of this report.

Council officer's assessment of the proposal against key strategic documents is provided as an **attachment** to this report. In summary, the draft proposal is inconsistent with the:

- Greater Sydney Region Plan;
- Western City District Plan;
- Local Strategic Planning Statement;
- Rural Lands Strategy; and
- Community Strategic Plan.

Camden Local Planning Panel

On 20 August 2019, the Camden Local Planning Panel inspected the subject site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were that the draft proposal did not demonstrate sufficient planning merit and should not proceed to Gateway for the following reasons:

- The draft Planning Proposal is inconsistent with Council and the State Government's long-term strategic planning. In particular, the *Camden Rural Lands Strategy*, *Camden Community Strategic Plan* and the draft *Camden Local Strategic Planning Statement*.

A copy of meeting minutes is provided as an **attachment** to this report.

Following the Panel's advice, the proponent requested the reporting of the draft proposal to Council be deferred to enable additional information to be provided. As previously noted, the proponent lodged a revised draft Planning Proposal in response to the Panel's advice, replacing the R5 zone with an E4 zone, providing further information in support of the proposal's planning merit and an additional LVIA.

Initial Notification

An initial notification was carried out based on the original version of the draft Planning Proposal for a period of 14 days from 21 May to 4 June 2019.

Letters were sent to adjoining properties, notices were placed in the local newspaper and on Council's website. A total of three submissions were received, including one in support of the draft proposal and two that raised concerns.

A table outlining the issues raised in the submissions and Council officer comment is provided as an **attachment** to this report. A copy of submissions is provided as a **supporting document** to this report.

A summary of the key issues and Council officer comment is provided below.

1. *Concerns about the erosion of the rural nature of Camden, and the cumulative impact of the removal of rural land on future generations.*

Officer comment

The draft proposal would have an impact on the rural character of the area. The intent of key strategic documents including the RLS is to protect rural land outside of the SWGA. Should the draft proposal be supported, it would create a precedent that may have a cumulative impact on the loss of rural land over time.

2. *The height of existing homes adjoining the site have been restricted to RL90 to protect scenic land. Under the proposal, buildings can be constructed to RL 101. This is inconsistent with the RL90 regulation.*

Officer comment

The LVIA indicates most of the site is located above RL90 contour. It is not possible to reduce buildings heights to RL90 on the proposed lots due to the topography of the site. The approved three-lot subdivision includes a condition of consent which restricts the floor level of buildings to RL90.5 and the building rise height (including all structures such as aerials and antennae) to not greater than RL96.5.

The draft proposal is considered to have an impact on the site's scenic and landscape values.

3. *Privacy and visual impact on properties to the south of the site. This viewpoint has not been considered.*

Officer comment

The Additional LVIA includes an assessment of the proposal's visual impact on adjoining properties to the south and south-east (viewpoints A and B). The Additional LVIA advises dwellings on two of the proposed lots would be visible from the adjoining properties and would impede views beyond those immediate dwellings. The Additional LVIA concludes that the visual impacts from these viewpoints would be moderate but reduces the impact to low because similar scale residential development is in the vicinity.

4. *Existing drainage and water runoff issues will be compounded due to the proposed development.*

Officer comment

Should the draft proposal be supported, a Stormwater Management Strategy is recommended to address potential drainage impacts and mitigation measures. In the absence of a Stormwater Management Strategy, the potential drainage impacts of the proposal cannot be fully assessed.



The approved three-lot subdivision addresses potential drainage impacts as the two-lots proposed to be created can drain to the Kirkham Lane frontage. Relative to the approved development, the proposed development may result in an increase in hard surfaces, stormwater runoff and drainage through neighbouring properties.

5. Concerns about the lack of supporting infrastructure for the development.

Officer comment

The proponent has advised that reticulated sewer will be provided to the site via an extension from the Kirkham Meadows Estate. Other utility services can be provided to the site. As mentioned above, a Stormwater Management Strategy would be required.

There are no unacceptable traffic impacts from the proposal.

6. No indication has been given on the land being available for a business in reference to cited home occupation in the draft Planning Proposal.

Officer comment

Under the existing RU1 Primary Production zone, permissible uses (with development consent) include home businesses and home industries. Under the proposed E4 Environmental Living zone, permissible uses (with development consent) include home businesses and home industries.

Assessment of Planning Merit

The draft Planning Proposal has been assessed against the key strategic documents including the Greater Sydney Region Plan, the Western City District Plan, Community Strategic Plan, Local Strategic Planning Statement and the Rural Lands Strategy.

It is considered that the draft proposal lacks strategic and site-specific merit to proceed to Gateway Determination for the following reasons:

- Council's consistent and long-held position to not support further development at the subject site. The draft proposal is inconsistent with Council's position.
- The draft proposal would establish a precedent that may lead to a cumulative impact on the loss of rural land over time.
- The draft proposal has an adverse impact on the scenic and cultural landscape values of the subject site.
- The draft proposal does not adequately maintain and enhance the social values (scenic and cultural landscape values) of the subject site.
- The draft proposal is inconsistent with the objectives of the E4 Environmental Living zone which seek to provide for low-impact development in areas with special aesthetic values and ensuring residential development does not adversely affect those values.
- The potential heritage and drainage impacts have not been adequately addressed in the draft proposal.

Next steps

Should Council not support the draft Planning Proposal, the proponent and submitters will be notified of Council's decision.

Should the draft Planning Proposal be supported, the following specialist studies are recommended to be undertaken:

- Revised Visual Impact Assessment;
- Heritage Impact Assessment;
- Stormwater Management Strategy;
- Flora and Fauna Assessment; and
- Bushfire Assessment.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to amend the Camden LEP 2010 by rezoning approximately 5.62ha of RU1 Primary Production zoned land to E4 Environmental Living with a minimum lot size of 6,000m² to facilitate the delivery of eight large residential lots (including one lot for the existing dwellings).

Council officers have assessed the draft proposal and consider that it does not demonstrate strategic or site-specific merit to proceed to Gateway Determination, for the reasons outlined in the report.

RECOMMENDED

That Council:

- refuse the draft Planning Proposal for Lot 1 DP 776002, 220 Macquarie Grove Road, Kirkham, for the reasons outlined in the report; and**
- notify the proponent and submitters of Council's decision.**

ATTACHMENTS

1. Planning Proposal - Final Planning Proposal Report - February 2020 - 220 Macquarie Grove Road, Kirkham
2. Planning Proposal - Landscape & Visual Impact Assessment - 220 Macquarie Grove Road, Kirkham
3. Planning Proposal - Traffic & Parking Impact Assessment - 220 Macquarie Grove Road, Kirkham
4. Visual Impact Assessment Additional Study February 2020 - 220 Macquarie Grove Road, Kirkham
5. Closed LPP Minutes 20/08/2019 - Endorsed
6. Assessment against key strategic documents & Site Specific Merit Test 07/05/2020
7. Initial Notification Submission Response Table - 220 Macquarie Grove Road
8. Submissions - 220 Macquarie Grove Road - *Supporting Document*



ORDINARY COUNCIL

ORD02

SUBJECT: PLANNING PROPOSAL - HOUSEKEEPING AMENDMENT TO STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

FROM: Director Planning and Environment

TRIM #: 20/114690

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal to make housekeeping amendments to clauses and maps in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP), and to recommend the draft Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

The draft Planning Proposal is provided as an **attachment** to this report.

BACKGROUND

In 2006, the Growth Centres SEPP was made. The Growth Centres SEPP provides the statutory planning controls to facilitate development across the South West Growth Area (SWGA) and the North West Growth Area (NWGA).

Currently, two appendices of the Growth Centres SEPP apply to the Camden Local Government Area (LGA):

- *Appendix 1 – Oran Park and Turner Road Precinct* was inserted into the Growth Centres SEPP in 2007; the area to which Appendix 1 relates is shown in **Figure 1**; and
- *Appendix 9 – Camden Growth Centres* was inserted into the Growth Centres SEPP in 2013; the area to which Appendix 9 currently relates is shown in **Figure 1**.

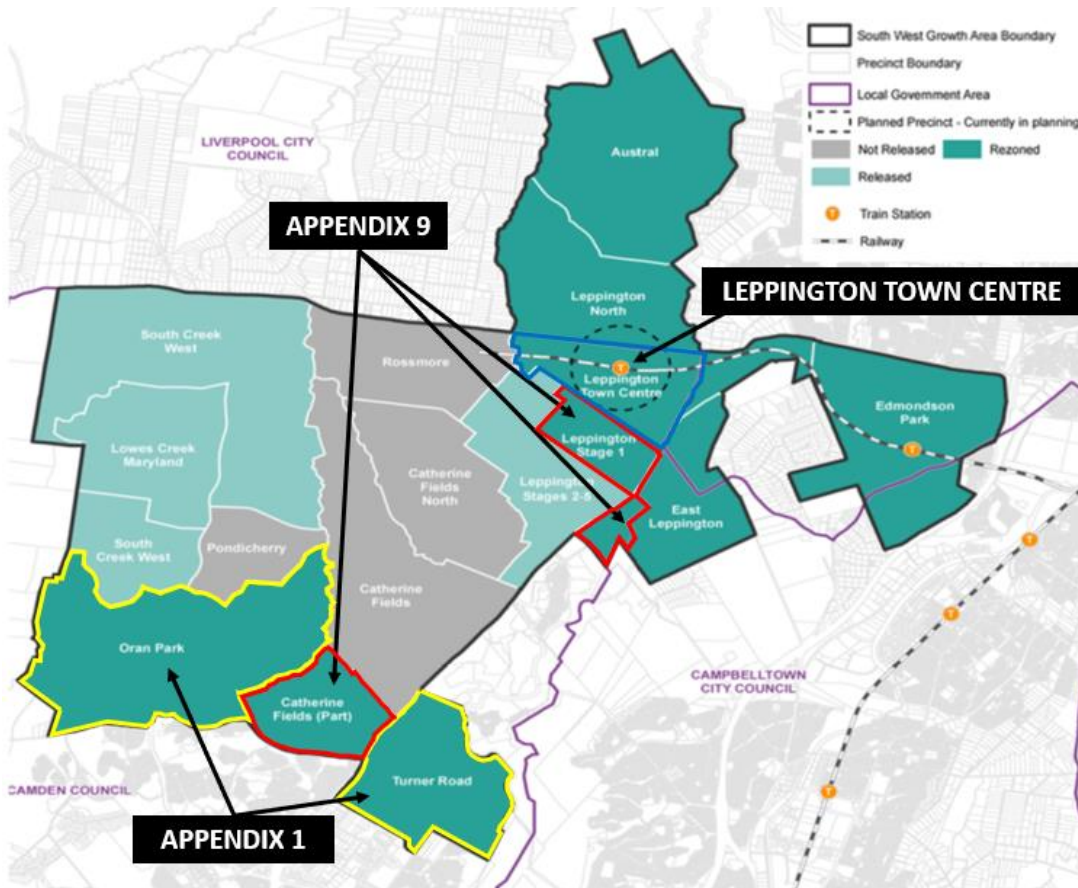


Figure 1: Camden’s South West Growth Areas

There have been a number of amendments to the clauses and maps pertaining to Appendix 1 and Appendix 9 since their inclusion in the Growth Centres SEPP. These have included:

- Correcting heritage-listed items;
- Inserting new controls for the size of secondary dwellings;
- Replacing the definition for ‘net development area’;
- Adding permissible land uses to the R2 Low Density Zone; and
- Various zone mapping amendments to facilitate development proposals.

A housekeeping review of these Appendices has been undertaken to address minor updates, anomalies and omissions. This review has identified a number of minor anomalies including:

- Incorrect street names being referenced;
- Zoning maps not reflecting existing land uses;
- The application of land zoning not aligning with lot or road boundaries; and
- The Camden and Campbelltown LGA boundaries not being accurately reflected in the Growth Centres SEPP.

Councillors were briefed on the draft Planning Proposal on 9 April 2020.



The Planning Proposal

This draft Planning Proposal was initiated by Council officers to resolve minor anomalies, improve the readability and clarity of clauses, and ensure consistency between Appendix 1 and Appendix 9 of the Growth Centres SEPP. Whilst Council officers are preparing the draft Planning Proposal to amend the SEPP, it has been undertaken with DPIE's knowledge and support.

Notably, this draft Planning Proposal does not seek to amend clauses and maps relating to the Leppington Town Centre Precinct as these will be captured under the Leppington Town Centre Review that is currently underway.

On Tuesday, 21 April 2020, the Camden Local Planning Panel (Panel) reviewed the draft Planning Proposal and provided advice, which is discussed later in this report and provided as an **attachment** to this report.

MAIN REPORT

Summary of the Proposal

The draft Planning Proposal includes a number of amendments to Appendix 1 and 9 of the Growth Centres SEPP, summarised as follows:

- Zoning of Water Infrastructure;
- Review of building height controls around the curtilage of Oran Park House (Catherine Field Part Precinct); and
- Miscellaneous administrative amendments to Appendix 1 and 9 Clauses and Mapping.

An analysis of the amendments sought by the draft proposal is provided in Appendix 5 of **attached** draft Planning Proposal. A summary of the proposed amendments is provided below.

Zoning for Water Infrastructure

Council has received correspondence from Sydney Water seeking to rezone several sites in their ownership to SP2 – Infrastructure. This request reflects the ongoing use of these sites as permanent infrastructure associated with the provision of water and sewer services.

The sites located across the Camden LGA are currently zoned in accordance with the adjoining zoning (R1 General Residential, B5 Business Development and RE2 Private Recreation). The existing zoning of these sites can cause confusion as to the ongoing use of the site as permanent water or sewer infrastructure. Rezoning the sites to SP2 - Infrastructure will provide clarity to the community for their intended use as permanent infrastructure.

Details of the proposed sites are outlined in **Table 1**.

Site Address	Suburb	Current zoning	Proposed zoning	Lot	DP	Site use
G The Northern Road	Oran Park	R1	SP2	9019	1178579	Sewer pump
14 Digitaria Drive	Gledswood Hills	B5	SP2	843	1203105	Water pump
668 Camden Valley Way	Gledswood Hills	B5 and RE2	SP2	700	1154772	Sewer pump
61A Cowpasture Road	Leppington	B5	SP2	1001	1197989	Sewer pump

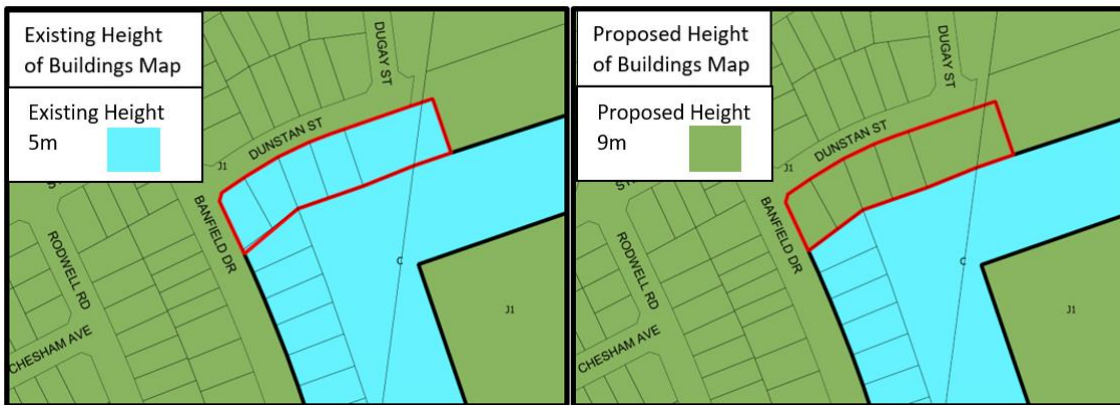
Table 1: Sydney Water sites to be amended within the Growth Centres SEPP Housekeeping Amendment

Review of Building Heights around the curtilage of Oran Park House

On 19 May 2019, the NSW Heritage Council (formerly the NSW Office of Environment and Heritage) endorsed a Heritage Conservation Management Plan (CMP) for the state heritage-listed Oran Park House (also referred to as Catherine Park House).

The current height of buildings map in the Growth Centres SEPP is inconsistent with the heritage view lines identified in the CMP and the curtilage of state heritage item. It is proposed to amend the Growth Centres SEPP to remove this anomaly by amending the building heights from 5 metres to 9 metres as shown in **Map 1** below.

The CMP is provided as Appendix 7 of the **attached** Planning Proposal.



Map 1: Current and proposed building heights Oran Park House Curtilage

Miscellaneous Administrative amendments to Instrument Clauses

The miscellaneous administrative amendments to the Growth Centres SEPP clauses fall within the following categories:

- Amendments to both Appendix 1 and Appendix 9;
- Amendments to Appendix 1 - Oran Park and Tuner Road; and
- Amendment to Appendix 9 – Camden Growth Centres Precinct.



Amendments to both Appendix 1 and Appendix 9

Review of Minimum Subdivision lot size

The draft proposal seeks to rectify an inconsistency between the Growth Centres SEPP and the Standard Instrument. In 2018, the Standard Instrument (Local Environmental Plans) Order 2006 (the Standard Instrument) was amended to clarify that the lots under a strata plan or community title scheme are not required to meet the minimum lot size shown on the applicable lot size of an LEP. The amendment to the Standard Instrument was not carried across to the Growth Centres SEPP. To correct this anomaly, clause 4.1(4) of the Growth Centres SEPP is proposed to be amended.

Studio Dwelling – Additional local provisions

The draft proposal seeks to strengthen the provisions for studio dwellings to make it clear that studio dwellings must be located at the rear of a lot. To achieve this objective, it is proposed to add an additional clause to Appendix 1 (newly proposed clause 6.7) and Appendix 9 (newly proposed clause 6.8).

Inconsistencies between Appendix 1 – Oran Park and Turner Road Precinct and Appendix 9 – Camden Growth Centre Precinct

The draft proposal seeks to resolve inconsistencies between clauses located within Appendix 1 and Appendix 9 of the Growth Centres SEPP. Resolution of these inconsistencies will provide clarity and consistency for provisions that apply across precincts within the SWGA. Part 1 and Part 2 of both Appendices are proposed to be updated to ensure consistency. The proposed amendments include updating the Aims of the Precinct Plans, adding notes to clauses, updating subdivision consent requirements and amending clause 2.8 temporary use of land.

Amendments to Appendix 1 – Oran Park and Turner Road

Corrections to clause 4.3 of Appendix 1

Clause 4.3 – Height of buildings in Appendix 1 of the Growth Centres SEPP identifies that height being calculated from finished ground level. This reference conflicts with the building height definition, which states that building height is to be taken from existing ground level. The draft proposal seeks to correct this anomaly.

Subclause 4.3(5) references Badgally Road and the East West Road (as shown in the Oran Park Precinct Development Control Plan and the Turner Road Precinct Development Control Plan). These local roads have since been named 'Gregory Hills Drive' and 'Dick Johnson Drive' respectively. The draft proposal seeks to update these road names in all relevant maps and clauses in the Growth Centres SEPP.

To ensure development is carried out in accordance with the intent of this subclause, the phrase 'to land fronting Zone RE1 Public Recreation or Zone RE2 Private Recreation' is proposed to be inserted in subclause 4.3(5).

Amendment to Appendix 9 – Camden Growth Centres Precinct

Exceptions to minimum lot sizes for dwelling house on small lots

The draft proposal seeks to amend *Appendix 9* - clause 4.1AF (1) to remove unnecessary words and improve the readability of this clause.

Miscellaneous Amendments to Appendix 1 and 9 maps

The miscellaneous amendments to the Growth Centres SEPP maps fall within the following categories:

- General zone mapping anomalies;
- Land application map amendment;
- SEPP Boundary adjustment;
- Rezone remnant land zoned SP2 - Infrastructure (part Lot 6 DP1235000); and
- Height restriction over Ingleburn Road, Leppington.

General Zone Mapping Anomalies

The draft proposal seeks to rectify zoning anomalies in the Growth Centres SEPP by aligning the zoning to lot and road boundaries. This will remove unzoned land and lots that have been incorrectly dual zoned. Some examples of the anomalies include:

- The widening of the SP2 Infrastructure zone along Oran Park Drive;
- Updating the zoning of the RE1 public recreation on Skaife Drive, Oran Park;
- Correctly reflecting residential zonings within Oran Park; and
- Updated zoning within the B5 Zone in Gregory Hills to reflect the correct property boundaries.

Land Application Map Amendment

In 2017, Amendment No. 39 to Camden Local Environmental Plan 2010 (Camden LEP) was made. This amendment realigned the boundary between the Camden and Campbelltown LGAs to address a historic anomaly. The draft proposal seeks to amend the Growth Centres SEPP to reflect the current LGA boundary alignment.

Rezone remnant land zoned SP2 - Infrastructure (part Lot 6, DP1235000)

The draft proposal seeks to rezone a 260m² portion of land (part Lot 6 DP 1235000) in the Catherine Field (Part 1) Precinct from SP2 – Infrastructure (Classified road) to R3 Medium Density Residential. This land, located on the corner of Camden Valley Way and Oran Park Drive, was identified for intersection widening.

NSW Roads and Maritime Services (RMS) and Council officers have confirmed that this land is no longer required for this purpose. It is intended to consolidate this land as part of the planning and design of the adjoining residential development in Ascot Grove.

Height Restriction over Ingleburn Road, Leppington

The draft proposal seeks to remove a 12 metre height restriction from a portion of Ingleburn Road, Leppington. The subject land, formerly part of Lot 76, DP 1180577, now forms part of Ingleburn Road following the widening and upgrade of the Camden Valley Way and Ingleburn Road intersection. The draft proposal seeks to correct this anomaly.



Assessment against Key Strategic Documents

An assessment against the Key Strategic Documents is provided as an **attachment** to this report and are summarised below.

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 following relevant direction and objective of the Region Plan:

- Direction 3: A city for people – celebrating diversity and putting people at the heart of planning.
- Objective 11: Housing is more diverse and affordable.

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 following priorities of the District Plan:

- Planning Priority W1: Planning for a city supported by infrastructure.
- Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.
- Planning Priority W16: Protecting and enhancing scenic and cultural landscapes.

Camden Local Strategic Planning Statement (LSPS)

The Camden Local Strategic Planning Statement (LSPS) is a 20-year planning vision, emphasising land use, transport and sustainability objectives to demonstrate how Camden LGA will change to meet the community's needs over the next 20 years.

The draft Planning Proposal has been assessed against the relevant Local Priorities and Actions of the LSPS and is consistent with the following Local Priorities:

- Local Priority I1: Aligning infrastructure delivery with growth.
- Local Priority L1: Providing housing choice and affordability for Camden's growing and changing population.
- Local Priority L2: Celebrating and respecting Camden's proud heritage.

Camden Community Strategic Plan

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

The draft Planning Proposal is consistent with the following relevant Direction of the CSP:

- Key Direction 1: Actively Managing Camden LGA's Growth. Relevant objective 1.1 Urban development is managed effectively.

Camden Local Planning Panel

From 1 June 2018, Planning Proposals are required to be referred to the Camden Local Planning Panel (the Panel) for advice pursuant to the Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The draft Planning Proposal was reported to the Panel on 21 April 2020. The Panel voted in favour of supporting the Planning Proposal being forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination. No further recommendations were made by the Panel.

The Panel's recommendations are provided as an **attachment** to this report.

Assessment of Planning Merit

The draft Planning Proposal has been prepared with consideration of key strategic documents, including the Greater Sydney Region Plan, the Western City District Plan, the Community Strategic Plan, and the Camden Local Strategic Planning Statement.

It is considered that the proposal demonstrates sufficient planning merit to proceed to Gateway Determination as it:

- Aligns with the strategic directions and objectives of the Greater Sydney Region and Western City District Plans, the Camden Community Strategic Plan, and the Camden Local Strategic Planning Statement; and
- The proposed amendments seek to update superseded information and correct anomalies within the clauses and maps of the Growth Centres SEPP to deliver better urban design outcomes by ensuring the intent of controls are clear.

Next Steps

Subject to Council endorsement, the draft Planning Proposal will be submitted to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination. If a favourable Gateway Determination is received, the draft Planning Proposal will be placed on public exhibition in accordance with the conditions in the Gateway Determination.

A further report will be submitted to Council upon completion of the public exhibition if unresolved submissions are received.

FINANCIAL IMPLICATIONS

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



CONCLUSION

The draft Planning Proposal seeks to amend clauses and maps pertaining the Appendix 1 and Appendix 9 of the Growth Centres SEPP. The purpose of this draft Planning Proposal is to resolve minor anomalies, improve readability and clarity of clauses, ensure consistency between Appendix 1 and Appendix 9 and to deliver better urban design outcomes in line with the objectives of the Growth Centres SEPP.

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

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal for State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Housekeeping Amendment to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;**
- ii. subject to a favourable Gateway Determination from the Department of Planning, Industry and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination;**
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Housekeeping Amendment to the Department of Planning, Industry and Environment for the plan to be made; and**
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition.**

ATTACHMENTS

1. 2020 Housekeeping Amendment to the Growth Centres SEPP 2006 - Planning Proposal
2. Housekeeping Amendment to the Growth Centres SEPP 2006 - Strategic Documents Assessment
3. CLPP Resolution - SEPP

ORDINARY COUNCIL

ORD03

**SUBJECT: PROPOSED AMENDMENT TO CAMDEN GROWTH CENTRE
PRECINCTS DEVELOPMENT CONTROL PLAN - SCHEDULE 4
CATHERINE FIELD (PART) PRECINCT**

FROM: Director Planning and Environment

TRIM #: 20/98068

PREVIOUS ITEMS: ORD04 - PLANNING PROPOSAL TO AMEND THE SYDNEY
REGION GROWTH CENTRES SEPP AND CAMDEN
GROWTH CENTRES PRECINCTS DCP AMENDMENT -
CATHERINE FIELD PART PRECINCT - Ordinary Council - 26
Apr 2016 6.00pm
ORD07 - POST-EXHIBITION REPORT - PLANNING
PROPOSAL TO AMEND THE SYDNEY REGION GROWTH
CENTRES SEPP AND CAMDEN GROWTH CENTRES
PRECINCTS DCP AMENDMENTS - CATHERINE FIELD
PART PRECINCT - Ordinary Council - 13 Dec 2016 6.00pm

PURPOSE OF REPORT

The purpose of this report is for Council to consider an amendment to Schedule 4 of the Camden Growth Centre Precincts Development Control Plan – Catherine Field (Part) Precinct (draft DCP) to amend the controls applying to the Coach House Neighbourhood Centre and development surrounding Oran Park House.

It is recommended that Council endorse the draft DCP to be placed on public exhibition. The draft DCP is provided as an **attachment** to this report.

BACKGROUND

Site Location and Context

The Catherine Field (Part) Precinct is located on the western side of Camden Valley Way. It is bounded by the Oran Park Precinct to the north west, Catherine Field Precinct to the north east, Turner Road Precinct to the south east and Harrington Grove to the south and west. (see **Figures 1 and 2**).

The site is part of the Catherine Park Estate, which is located within the Catherine Field (Part) Precinct. The site contains the state heritage-listed Oran Park House (also referred to as Catherine Park House). The 4.5ha curtilage of this item includes Oran Park House and ancillary outbuildings, including the Coach House and Silo (see **Figure 2**).

An important feature of Oran Park House is the relationship of the homestead to the surrounding gardens and open pastures. As such, the curtilage of the house includes the significant landscape setting.

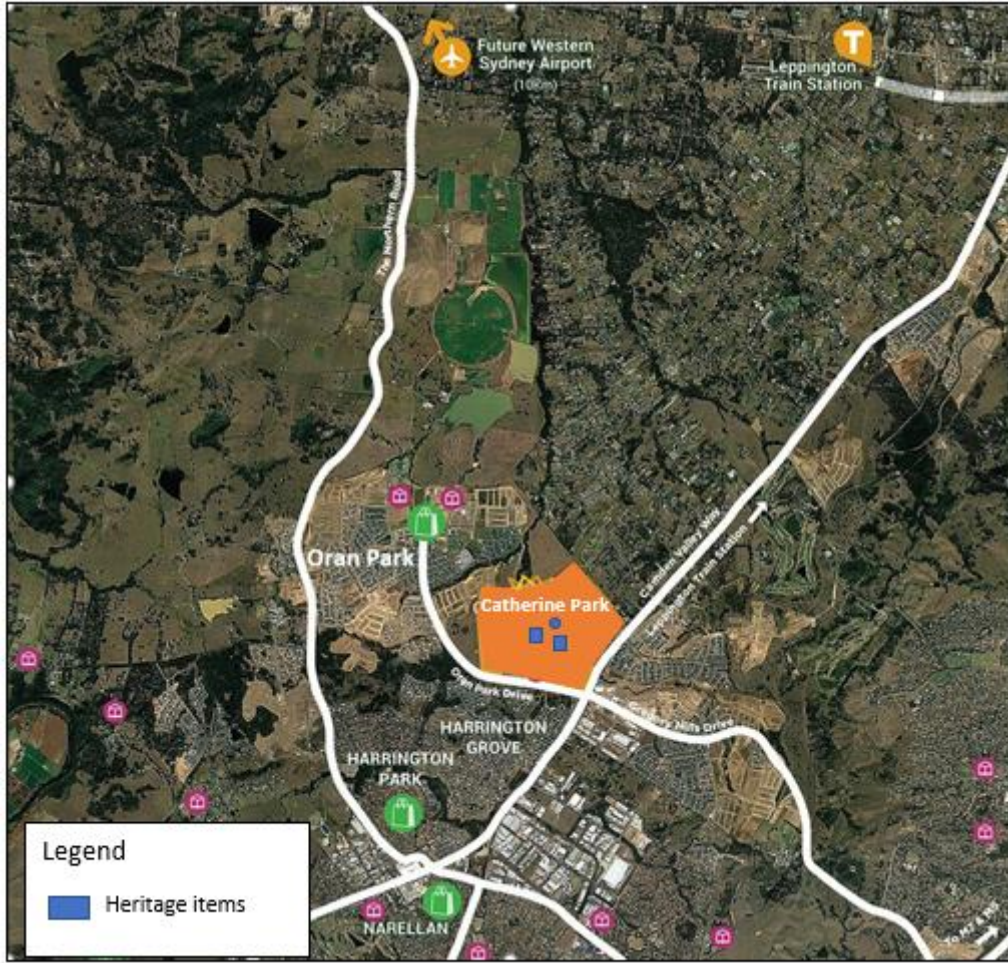


Figure 1: Regional context of Catherine Park Estate (source: Harrington Estates).

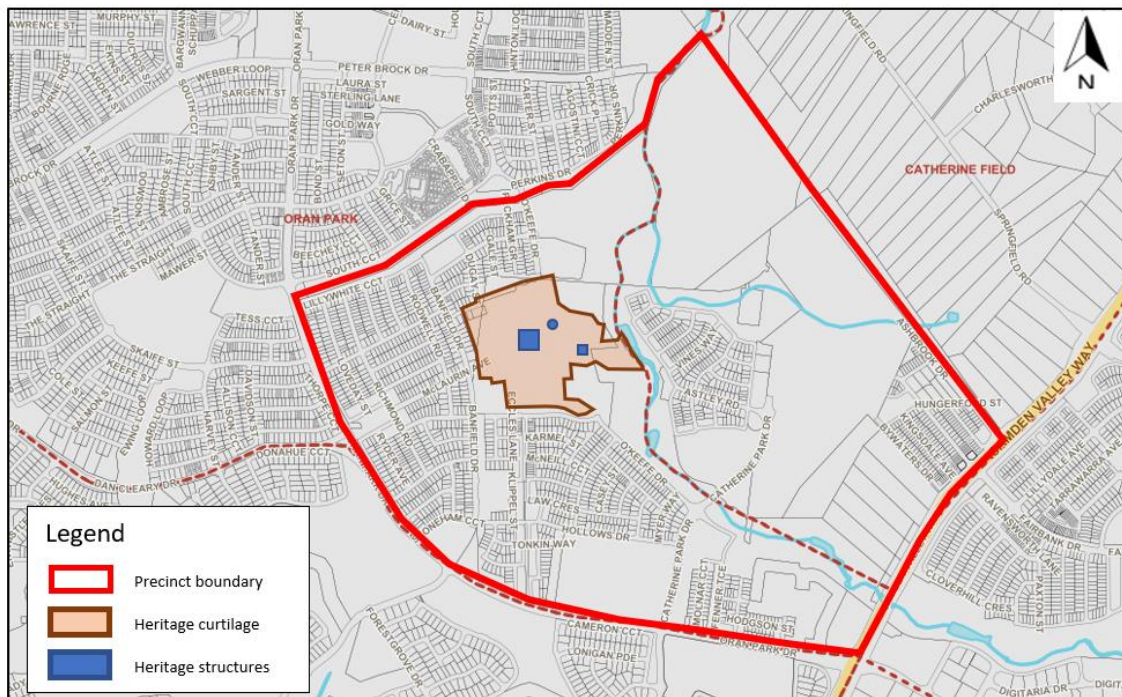


Figure 2: Location of the Precinct and Heritage Items

Previous Amendments

The draft DCP was previously exhibited between 27 September 2016 and 25 October 2016 as part of a Planning Proposal to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) and the Camden Growth Centre Precincts Development Control Plan (Growth Centres DCP), as applying to the Catherine Field (Part) Precinct.

The Planning Proposal sought to make mapping amendments and permit a sales office at Oran Park House. The amendment to the Growth Centres DCP sought to change the Indicative Layout Plan, include new controls and make changes to the parts of the DCP applying to the Coach House Neighbourhood Centre and development surrounding Oran Park House.

On 13 December 2016, Council considered a post-exhibition report and resolved to adopt the Planning Proposal and amendment to the Growth Centres DCP. In making its decision, some of the amendments to the DCP were deferred in response to a submission from the NSW Office of Environment and Heritage (OEH). OEH requested that Council not endorse the proposed DCP amendments until a revised Conservation Management Plan (CMP) for Oran Park House was endorsed by the Heritage Council.

Councillors were briefed on this proposal on 28 April 2020.

Conservation Management Plan

On 20 May 2019, the revised CMP for Oran Park House was endorsed by the Heritage Council. The revised CMP includes additional measures to conserve the significance of Oran Park House and its associated buildings, including options for adaptive reuse of key buildings within the curtilage.

The CMP recommends upgrade of Oran Park House to modern standards and allows for the long-term adaptive re-use of Oran Park House for uses including a rural retreat for families, sales office, bed and breakfast and restaurant. The CMP recommends the Coach House could be used for a convenience store, café, restaurant, or wine bar and recommends that new ancillary buildings can be added to the base of the Silo to make it viable for future use.

In addition to the above, the CMP includes a Public Domain Strategy and the Oran Park House Heritage Exemption Guidelines (Exemption Guidelines). The Exemption Guidelines (provided as an **attachment** to this report) have been assessed by Heritage NSW and allow development to be lodged to Council without prior approval from the Heritage Council. The controls in the guidelines are consistent with the draft DCP controls.

MAIN REPORT

Minor Post Exhibition Changes

Following the endorsement of the CMP, the proposed amendments to the draft DCP were reviewed by Council officers and Heritage NSW to ensure the controls were consistent with Council's current policies and with the adopted CMP.

As a result of this review, the following changes are proposed:

- New layout to reflect the DPIE's template for development control plans;

- General housekeeping amendments to remove duplicate information, refine controls and objectives;
- Additional controls for the treatment and design of public spaces/pathways, for the use of heritage colours in Graham's Walk, for the orientation of new lots, and the design of front fencing; and
- A summary table of numerical controls provided for very low density residential in the heritage curtilage.

The main changes to the Growth Centres DCP are discussed in more detail below.

Proposed New DCP amendments

The proposed new amendments to the draft DCP relate to Sections 3.1 The Coach House Neighbourhood Centre and 4.1 Development Surrounding Oran Park House in Schedule 4 of the Growth Centres DCP. This relates to development within the state heritage curtilage of Oran Park.

The controls divide the curtilage into two sections. The core curtilage, known as the Homestead Lot, contains Oran Park House, the Silo and immediate gardens and grounds. This core curtilage is approximately 4.5ha in size (refer **Figures 3 and 4**).

The second section, the outer curtilage, contains future residential development, two public parks, and the Coach House Neighbourhood Centre (see **Figure 3**).

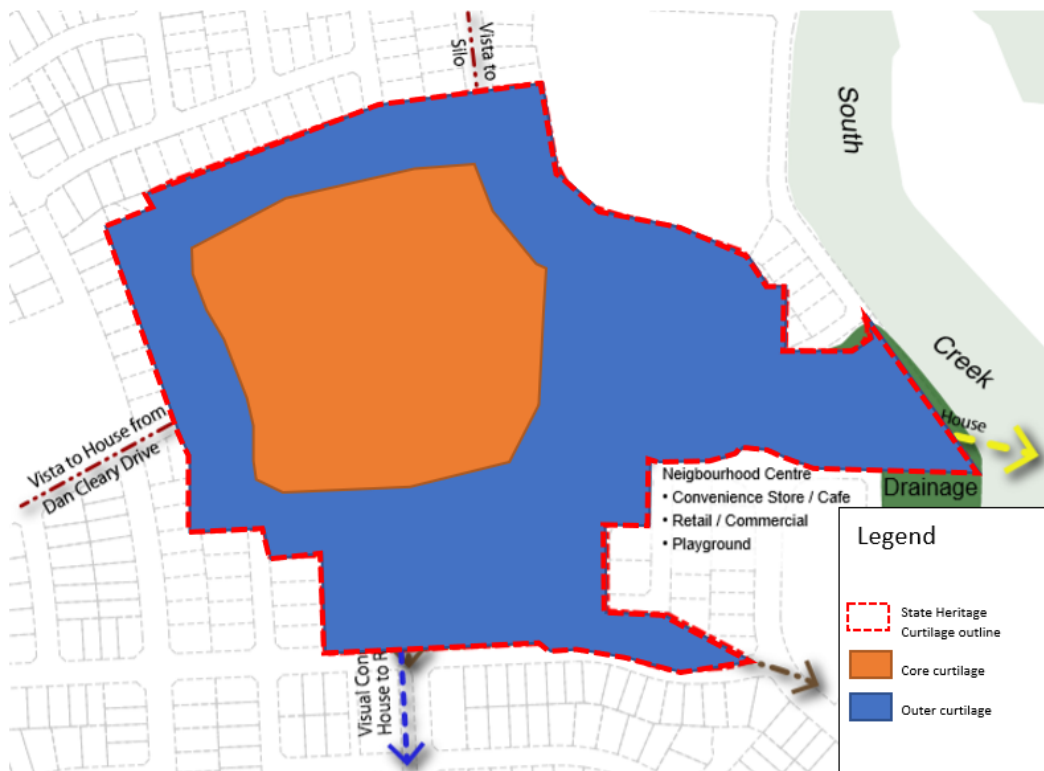


Figure 3: Diagram showing the location of the core and outer curtilages



Figure 4: Diagram indicating the main features within the Oran Park House curtilage

Section 3.1 - The Coach House Neighbourhood Centre

The proposed amendments to Section 3.1 seek to provide additional assessment criteria for future development in the Neighbourhood Centre, whilst ensuring that appropriate vistas are retained to and from significant buildings. Additional archaeological controls have been included if significant artefacts are found during the construction process.

Controls relating to parking, Ecologically Sustainable Development (ESD), maximum gross leasable floor space and setbacks are proposed to be deleted from this section. The removal of these controls has been supported by Heritage NSW.

Officer Comment

The proposed amendments provide additional assessment criteria to guide future works and uses to the Coach House and are considered a positive addition to the DCP.

The removal of specific Neighbourhood Centre controls such as parking, ESD, maximum gross leasable floor space and building setbacks provide greater flexibility in the design to enable the Neighbourhood Centre to sensitively address the heritage significance of the Coach House and Oran Park House.

Council officers will work closely with the applicant during the DA design stage, to ensure that all relevant matters are addressed.

Section 4.1 - Development Surrounding Oran Park House

The proposed amendments to Section 4.1 include consideration of the site-specific exemptions approved by the Heritage Council. The amended controls include additional assessment criteria for landscape and streetscape treatment, as well as ensuring vistas and the important pastures around Oran Park House are maintained.

This section also includes additional controls for the design of very low-density development in the heritage curtilage. Very low-density developments are dwellings along the perimeter of the core curtilage with a minimum lot size of 700 sqm.

These dwellings form a transition between Oran Park House and developments outside the heritage curtilage. An important feature of these dwellings will be their appearance along the streetscape. As such, façade design controls are proposed to ensure these developments complement the design and siting of Oran Park House.

Whilst there is no minimum density requirement for very low-density development, these dwellings will achieve a density of approximately 9.7 dwellings/ha. In **Figure 3** very low-density developments are located in the orange portions of the curtilage.

The design controls ensure that a streetscape design is undertaken in a cohesive manner by requiring a street block design and will provide guidance on the architectural form and design of dwellings inside the heritage curtilage.

The proposed amendments also include changes to some of the numerical controls for very low-density residential dwellings to be consistent with the site-specific exemptions. The proposed controls will facilitate a larger footprint than the existing controls (noting these dwellings will be single storey).

The proposed controls compared with the current controls and the general housing controls in the Growth Centres DCP are contained in **Table 1**.

Control	Current	New	Growth Centres DCP (General)
Front setback	5m	5m	4.5m (generally)
Lot Width	25m	20m (lot frontage only)	Varies
Side setback	4m	0.9 (2m on average)	0.9m
Rear setback	10m	5m	4m
Corner lot side boundary setback	5m	3m	2m
Height in storeys	1	1	2
Garage Width and Setback	3m (single) and 6m (double) 2m	50% dwelling 1m	3m (single) and 6m (double)
Fencing	1m 50%	1.2m 50%	1.2m Open style

Table 1: Comparison table of dwelling controls

Officer Comment

The proposed amendments are considered acceptable. The proposed controls reflect the Heritage Council's endorsed exemption guidelines and include site specific criteria to ensure the public domain and developments in the curtilage are sympathetic to the heritage item and surrounds.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The proposed amendments to the draft DCP seek to amend Sections 3.1 The Coach House Neighbourhood Centre and 4.1 Development Surrounding Oran Park House within the state heritage curtilage of Oran Park.

The draft DCP was previously exhibited in 2016 with a Planning Proposal to amend the Growth Centres SEPP, as it applies to the Catherine Field (Part) Precinct. Post-exhibition, Sections 3.1 and 4.1 of the draft DCP were deferred in response to a submission from OEH requesting changes to the CMP for Oran Park House.

Following adoption of the CMP by the Heritage Council, the draft DCP has been amended to provide consistency between the CMP and the Oran Park House Heritage Exemption Guidelines.

The proposed amendments seek to provide additional controls for future development in the Coach Neighbourhood Centre, whilst ensuring vistas are retained to and from significant buildings within the curtilage. Additional controls have been included to guide the appearance of the streetscape, as well as the orientation and design of dwellings in the heritage curtilage of Oran Park House. It is recommended that Council endorse the draft DCP for public exhibition.

RECOMMENDED

That Council:

- i. endorse the draft amendment to Camden Growth Centre Precincts Development Control Plan – Schedule 4 Catherine Field (Part) Precinct;**
- ii. exhibit the draft amendment to Camden Growth Centre Precincts Development Control Plan – Schedule 4 Catherine Field (Part) Precinct for an extended period of 42 days, generally in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations;**
- iii. notify the Department of Planning, Industry and Environment of the exhibition of Camden Growth Centre Precincts Development Control Plan – Schedule 4 Catherine Field (Part) Precinct in accordance with the amended delegations issued by the Secretary of the Department of Planning, Industry and Environment on 19 January 2015;**
- iv. at the conclusion of the public exhibition period:**



-
- a. if there are no unresolved submissions, grant delegation to the General Manager to adopt the DCP amendment in accordance with the amended delegations issued by the Secretary of the Department of Planning, Industry and Environment on 19 January 2015; and
 - b. publicly notify the adoption of the DCP in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the Regulations; or
 - c. if unresolved submissions are received, consider a further report to Council that outlines the results of the public exhibition for Council's consideration.

ATTACHMENTS

1. Oran Park House Site Specific Heritage Exemptions
2. Amendment to Schedule 4 – Catherine Field (Part) Precinct - Camden Growth Centre Precincts Development Control Plan

ORDINARY COUNCIL

ORD04

SUBJECT: ADDRESSING LAND USE CONFLICT IN LITTLE STREET, CAMDEN

FROM: Director Planning and Environment

TRIM #: 20/72961

PREVIOUS ITEMS: ORD06 - Options to reduce land use conflict at Little Street, Camden - Ordinary Council - 12 Sep 2017 6.00pm
ORD06 - Progress Report - Options to Reduce Land Use Conflict at Little Street, Camden - Ordinary Council - 11 Sep 2018 6.00pm

PURPOSE OF REPORT

The purpose of this report is to provide Council with an update on proposed measures to mitigate land use conflict in the Little Street precinct in Camden.

The report recommends that Council adopt the draft amendment to the Camden Development Control Plan 2019 (Camden DCP) - Little Street Precinct and endorse the draft Little Street Good Neighbour Initiative (draft Initiative) and proposed traffic management measures in Little Street.

BACKGROUND

The Little Street precinct is located approximately 500m south of the Camden Town Centre and approximately 60m north east of Camden Hospital. The precinct is located approximately 7km from Smeaton Grange, Camden's largest industrial area.

Under the Camden Local Environmental Plan 2010 (Camden LEP 2010), Little Street consists of several land use zones including IN2 Light Industrial, R2 Low Density Residential and R3 Medium Density Residential.

Figure 1 shows the land use zones that apply to the Little Street Precinct and key access roads that serve the Precinct.

The boundary of Little Street Precinct is defined by the area of Little Street zoned IN2 Light Industrial and the adjoining areas (**Figure 2**).

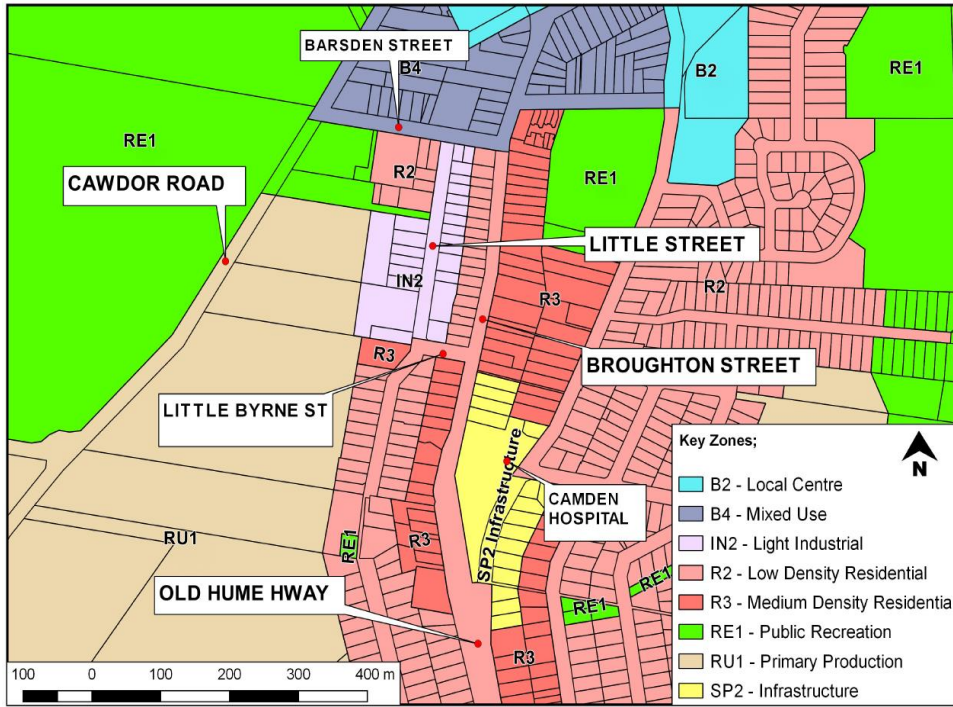


Figure 1: Little Street Precinct Zoning Map – Camden LEP 2010



Figure 2: Little Street Precinct Boundary Map

Previous Council Resolutions

On 12 September 2017, Council considered a report outlining options to reduce land use conflict at Little Street, Camden. At that time Council resolved to:

- i. *continue to work with local industry in Little Street, Camden to work through land use conflicts issues and to ensure conditions of development consent are being complied with;*
- ii. *investigate the preparation of a good neighbourhood charter for Little Street;*
- iii. *investigate the preparation of site specific DCP controls for Little Street as part of the comprehensive review of the Camden DCP 2011;*
- iv. *investigate the inclusion of a new LEP clause for industrial development adjacent to the residential uses as part of Phase 2 of the comprehensive review of Camden LEP 2010;*
- v. *investigate the zoning of Little Street as part of Phase 2 of the comprehensive review of Camden LEP 2010; and*
- vi. *provide a report on the progress on this item in 12 months.*

On 11 September 2018, Council considered a progress report on this matter and resolved as follows:

- i. *note the progress as outlined in the report;*
- ii. *endorse the proposed amendment to the Camden DCP 2011 (the draft Site Specific DCP for Little Street) to be publicly exhibited for 28 days in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000;*
- iii. *note that a further report will be provided outlining the results of the public exhibition of the draft DCP and the traffic and noise monitoring.*

Actions taken to comply with Council resolutions are discussed later in this report.

Little Street Precinct Stakeholder Workshop

On 1 August 2018, Council officers held a workshop with business owners, operators and residents to discuss concerns and possible solutions to current land use issues in Little Street. Approximately 25 people attended the workshop which was facilitated by an independent facilitator.

The key matters raised in that workshop included:

- Concern regarding vehicle movement by trucks;
- Concern regarding parking, pedestrian safety, and noise from trucks; and
- The need for businesses to continue to operate and grow.

Several short-term actions discussed at the workshop included:

- Traffic monitoring to report on truck movements;
- Noise monitoring; and
- Investigation of possible traffic calming measures.

Following the workshop, Council officers commissioned consultants to undertake traffic and noise monitoring for the Little Street Precinct. The purpose of the monitoring was to understand the traffic and noise environment of the precinct to inform the preparation of a draft Good Neighbour Initiative (draft Initiative) and proposed traffic management



measures. The outcome of the monitoring, the proposed draft Initiative and traffic management measures are discussed later in this report.

A series of Councillor briefings have been held to update Councillors on proposed measures to mitigate land use conflict in the Little Street precinct, the most recent on 5 May 2020.

MAIN REPORT

Action taken to comply with Council resolutions

Council officers have undertaken several measures to mitigate land use conflict in the Little Street precinct. This has included monitoring compliance with DA conditions, consultation with business operators and residents, and investigating complaints from residents in Little Street.

A summary of further measures undertaken is discussed below.

Development Control Plan

Council officers have implemented measures to address land use conflict in the Little Street precinct via amendments to the Camden DCP. This includes the draft site specific DCP for Little Street and general industrial land use controls included in Camden DCP 2019.

Site Specific DCP for Little Street

On 11 September 2018, Council endorsed the draft Little Street site-specific DCP (the draft DCP) for public exhibition. The draft DCP seeks to minimise the impact of new industrial developments on existing residential properties within Little Street and the surrounding areas.

The objectives of the draft DCP are as follows:

- To ensure the use and development of industrial land does not have an unacceptable detrimental impact on the amenity of the surrounding residential area;
- To ensure the bulk and scale of development is in keeping with the mixed use character of the area;
- To recognise the significance of light industry in this location and minimise any adverse impacts of industry on other land uses; and
- To ensure that land use conflicts are appropriately managed.

To minimise the impact of new industrial development on residential uses, the DCP includes controls on building design and setbacks, hours of operation, truck length, solar access and amenity for residential uses.

The draft DCP was placed on public exhibition from 2 to 30 October 2018 with no submissions received.

It is noted the DCP controls will apply to Development Applications (DAs) only and will not form part of the assessment of Complying Development Certificates under State Environmental Planning Policy (Exempt and Complying Development) 2008.

The draft DCP has been updated to reflect the format and structure of Camden DCP 2019. No change has been made to the content of the exhibited site-specific draft DCP.

A copy of the draft DCP is provided as an **attachment** to this report.

General Industrial Land Use Controls

On 16 September 2019, the Camden DCP 2019 took effect following a comprehensive review of Camden DCP 2011. As part of this review, Council officers investigated measures to mitigate land use conflict between industrial and residential areas.

Section 6.3.12 *Opposite, Adjacent or in the Vicinity of a Residential Area* controls were inserted into Part 6 of Camden DCP 2019. These additional controls were included to ensure that industrial land uses do not have unacceptable impacts on the amenity of surrounding residential uses and to ensure land use conflicts are appropriately managed in those areas.

Local Environmental Plan

On 8 Oct 2019, Council endorsed the Stage 1 Planning Proposal to amend Camden LEP 2010 as part of the LEP Review project. This proposal includes amendments to strengthen the IN2 Light Industrial zone objectives in relation to mitigating land use conflicts at the interface of residential and industrial uses.

Specifically, the proposal seeks to remove the current IN2 Light Industrial zone objective *“To minimise any adverse effects of industry on other land uses”* and replace with *“To minimise the impacts of development on surrounding residential or other sensitive land uses”*.

The intent of the proposal is to ensure that the impacts of industrial development on residential development and sensitive land uses are clear considerations for future DAs. The Stage 1 Planning Proposal has received Gateway Determination and will be placed on public exhibition soon.

It is noted that the zoning review of the Little Street precinct is being considered as part of the broader LEP Review project. Council officers are currently preparing a Centres and Employment Lands Strategy for the Camden LGA, which will set the planning direction for Camden’s employment lands, including industrial land. The Strategy, alongside other technical studies including a Local Housing Strategy, will inform a Stage 2 Planning Proposal to amend Camden LEP 2010.

Draft Little Street Good Neighbour Initiative

A draft Initiative has been prepared, informed by the outcomes of the noise and traffic monitoring. The objectives of the draft Initiative are to provide tips and guidance for all members of the Little Street community to work together towards a collaborative environment.

The draft Initiative could form the basis for conversations around potential issues and clarify how members of the Little Street Precinct may be empowered to solve problems, now and in the future.

Following the 1 August 2018 stakeholder workshop, the noise and traffic monitoring was completed by independent consultants. A summary of the key findings of the noise and traffic monitoring results is discussed below.



A copy of the draft Initiative is provided as an **attachment** to this report.

Traffic Monitoring

Traffic Monitoring was undertaken by Matrix Traffic and Transport Data with traffic counters installed in Little Street and Little Byrne Street to determine the speeds and volumes of vehicles and proportion of heavy vehicle movements.

In summary, the overall traffic volume was below the environmental goal of 200 vehicles per hour for local roads, with a higher proportion of heavy vehicles recorded compared to areas that do not have a mix of industrial and residential uses. The average vehicle speed recorded was consistent with the posted speed limit of 50km/h.

Noise Study

The noise study was undertaken by Marshall Day Acoustics with noise monitoring equipment installed in three locations within Little Street Precinct.

In summary, no noise outcome exceeds the noise criteria for industrial areas. The noise outcomes associated with vehicle use in Little Street are consistent with the noise criteria of Environment Protection Authority's (EPA) Road Noise Policy (RNP) and EPA's Noise Policy for Industry. The study advises typical residential noise amenity is unlikely to be achieved at the industrial / residential interface.

Proposed Traffic Management Measures

Informed by the outcomes of the traffic monitoring, the following traffic management measures are proposed to further assist in managing traffic movements in the precinct:

- Line marking along Little Street; and
- 'Give Way' controls at the intersection of Little Street and Little Byrne Street.

On 20 March 2020, the Camden Local Traffic Committee (LTC) considered the proposed traffic line marking and 'Give Way' signage and submissions received from the Little Street stakeholders. In summary, the LTC recommended that Council approve the proposed traffic line marking and signage.

It should be noted that Council is also progressing with a kerb extension at the intersection of Barsden Street and Broughton Street, which aims to improve the lines of sight. This has been approved under the NSW Government's Safer Road Program and adopted by Council on 26 March 2019.

A map showing the proposed traffic management measures and location of the kerb extension is provided as an **attachment** to this report.

Little Street Stakeholder Consultation

As a follow-up to the 1 August 2018 stakeholder workshop, consultation on the proposed draft Initiative and traffic management measures was undertaken from 27 November 2019 to 17 January 2020. Stakeholders were provided with a copy of the draft Good Neighbour Initiative, a map indicating the proposed traffic management measures and a summary of the outcomes of noise and traffic monitoring.

In response to the 144 letters sent, two submissions were received during this period. A request for an extension to lodge a submission was received and this was granted until 10 February 2020. A further extension to 3 April 2020 was provided however no further submissions were received.

A copy of the submissions is provided as a **supporting document** to this report.

The submissions raise some concerns with the proposed traffic management measures. No submissions on the draft Initiative were received. A summary of the key issues raised, and Council officer comment is provided below:

1. *Concerns regarding the proposed edge lines along Little Street are 'No Parking' lines.*

Officer Comment

The proposed edge lines along Little Street are not intended to prohibit parking. The edge lines serve to define the boundary of the parking lane and the traffic lane to provide a continuous guide to the driver and to encourage slow speed.

2. *Concerns regarding the proposed 'Give Way' sign is to be placed in Little St rather than Little Byrne St. As drivers on Little Byrne St will have the right of way and turn into Little St without slowing down. This will encourage drivers to use Little Street as a 'short cut' between Broughton St and Cawdor Road, which will result in an increase of traffic volume on Little Street.*

Officer Comment

The intersection of Little Street and Little Byrne Street is a three-way intersection.

The proposed 'Give Way' signage at this location will provide clarity on which street has traffic right-of way and as such will improve traffic safety. The proposed signage is informed by the traffic monitoring data which indicated that Little Byrne Street carries more traffic compared to Little Street.

It is considered that installing a 'Give Way' sign at the intersection of Little Street and Little Byrne will not generate an increase in traffic volume on Little Street.

3. *Support the traffic proposal and recommend a 'No Stopping' sign be installed on the north side of Little Byrne Street opposite to the Camden Ambulance Station. Concerns regarding the vehicles parked on the side of Little Byrne Street is blocking driver's sight when passing through the intersection.*

Officer Comment

An existing 'No Stopping' restriction is in place on the northern side of Little Byrne Street opposite the Ambulance Station. Additional 'No Stopping' restrictions are not considered to be warranted at this stage.

As mentioned above, the Camden LTC has considered the proposed traffic measures and recommend that Council approve the proposed traffic line marking and signage.



Next Steps

Subject to Council's endorsement of the draft site specific DCP, proposed traffic management measures and draft Initiative, letters will be sent to Little Street stakeholders advising of Council's decision and the information outlined below.

A notice will be placed on Council's website to advise of the date the draft DCP takes effect in accordance with the *Environmental Planning and Assessment Regulation 2000*.

The draft DCP and draft Initiative will be published on Council's website. It is also suggested to include the draft Initiative on Planning Certificates issued under Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*, so that owners and purchasers can be made aware of the initiative at the property conveyancing stage.

Councillors will be provided with an update as the proposed traffic management measures are installed.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. The proposed line marking and signage works can be funded from existing budgets.

CONCLUSION

This report has outlined options to mitigate land use conflict in the Little Street precinct that include DCP and LEP provisions, proposed traffic management measures and a draft Good Neighbour Initiative.

Draft site-specific DCP controls have been prepared to assist in managing the land use conflict in Little Street and ongoing concerns raised by residents. Subject to Council adoption, these draft controls will be incorporated into Camden DCP 2019. The report recommends that Council adopt the amendments to the DCP, endorse the draft Good Neighbour Initiative and proposed traffic management measures.

As part of the LEP review project, Council continues to investigate a long-term land use vision for the Little Street precinct.

RECOMMENDED

That Council:

- i. **adopt the proposed amendment to Camden Development Control Plan 2019 (draft DCP) in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000*;**
- ii. **publicly notify the date the draft DCP takes effect in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000*;**
- iii. **endorse the draft Little Street Good Neighbour Initiative;**
- iv. **subject to iii, publish the draft Little Street Good Neighbour Initiative on Council's website and include the initiative on Planning Certificates issued under Section 10.7(5) of the *Environmental Planning and Assessment Act 1979*;**

v. endorse the proposed traffic management measures (line marking and signage); and

vi. write to the Little Street stakeholders to advise of Council's decision.

ATTACHMENTS

1. Draft Little Street Site Specific DCP - 2019 format
2. Draft Little Street Good Neighbour Initiative
3. Final draft proposed Traffic management line marking - Little Street Precinct - Stakeholder Consultation 11/5/2020
4. Submissions Little Street - *Supporting Document*



ORDINARY COUNCIL

ORD05

SUBJECT: VARIATIONS TO DEVELOPMENT STANDARDS APPROVED UNDER STAFF DELEGATION (QUARTERLY REPORT)

FROM: Director Planning and Environment

TRIM #: 20/129748

PURPOSE OF REPORT

The purpose of this report is to advise Council of any development applications (DAs) that involved a development standard variation approved under staff delegation in the last quarter (January-March 2020).

BACKGROUND

In February 2018, the Department of Planning, Industry and Environment (DPIE) published *Planning Circular PS 18-003 Varying Development Standards* to advise consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed and to clarify requirements around reporting and record keeping where that concurrence has been assumed.

In accordance with the planning circular, councils are required to fulfil the following procedural and reporting requirements when development standards are being varied:

- Maintain a publicly available online register of all variations to development standards approved by the consent authority or its delegates;
- Report all variations approved by Council to the DPIE within four weeks of the end of each quarter; and
- Report all applications approved under staff delegation to a meeting of Council at least once each quarter.

Council maintains an online register of all variations to development standards and reports all variations approved by Council to the DPIE within four weeks of the end of each quarter.

The purpose of this report is to advise Council of any applications approved under staff delegation during the last quarter as per the procedural requirements outlined above.

Councillors were briefed on this matter on 5 May 2020.

MAIN REPORT

During the last quarter (January-March 2020), Council staff approved three DAs that varied a development standard. The details of the applications are outlined below:

DA/2018/1095/1 – Single Storey Commercial Building at 152-156 Argyle Street, Camden

- The development involves the construction of a single storey commercial building.
- The development varied from the maximum height limit prescribed under Clause 4.3 of Camden Local Environmental Plan (CLEP) 2010 having a maximum height

of 7.13m while the maximum height allowed under CLEP 2010 is 7m (13cm or 1.82% variation).

- The variation was considered reasonable given the development is consistent with the objectives of the zone and the standard; the building height compares favourably to adjoining and surrounding development; there are no unreasonable amenity impacts caused by the contravention; and the pitch and style of the roof is consistent with the area.

DA/2019/640/1 – Three Storey Commercial Building at 273 Camden Valley Way, Narellan

- The development involves site remediation and construction of a three storey commercial building (including lower level car park).
- The development varied from the maximum height limit prescribed under Clause 4.3 of Camden Local Environmental Plan (CLEP) 2010 having a maximum height of 9.545m while the maximum height under CLEP 2010 is 9.5m (45cm or 0.47% variation).
- The variation was considered reasonable given the development is consistent with the objectives of the zone and the standard; the contravention is caused by the slope of the land; the development meets the desired future character for the area; and the contravention is very minor and does not result in any amenity impacts.

DA/2019/848/1 – Torrens Title Subdivision to Create Two Lots at 7 Robinson Road, Bringelly

- The development involves lot consolidation and Torrens title subdivision to create two residential lots.
- One of the proposed lots varied from the minimum site area prescribed under Clause 4.1 of Camden Local Environmental Plan (CLEP) 2010, having a site area of 1.9Ha while the minimum site area under CLEP 2010 is 2Ha (0.1Ha or 5% variation).
- The variation was considered reasonable given the requirement for subdivision/consolidation arose through RMS acquisition; the development is consistent with the objectives of the zone and the standard; and the lot sizes compare favourably with adjoining / surround lots.

FINANCIAL IMPLICATIONS

This report has no financial implications for Council.

CONCLUSION

During the last quarter (Jan-March 2020), Council staff approved three DAs that varied a development standard. Those variations are reported to Council in accordance with the procedural requirements outlined in *Planning Circular PS 18-003 Varying Development Standards*.

RECOMMENDED

That Council note the information in this report.



ORDINARY COUNCIL

ORD06

SUBJECT: INVESTMENT MONIES - APRIL 2020
FROM: Director Customer & Corporate Strategy
TRIM #: 20/140694

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2005*, a list of investments held by Council as at 30 April 2020 is provided.

MAIN REPORT

The weighted average return on all investments was 2.03% p.a. for the month of April 2020. The industry benchmark for this period was 0.58% (Ausbond Bank Bill Index).

The Responsible Accounting Officer (the Chief Financial Officer) has certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

Council's Investment Report is provided as an **attachment** to this report.

RECOMMENDED

That Council:

- i. **note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. **note the list of investments for April 2020; and**
- iii. **note the weighted average interest rate return of 2.03% p.a. for the month of April 2020.**

ATTACHMENTS

1. Investment Report - April 2020

ORDINARY COUNCIL

ORD07

SUBJECT: COMMUNITY SPONSORSHIP PROGRAM JULY - DECEMBER 2020
FROM: Director Sport, Community & Activation
TRIM #: 20/83623

PURPOSE OF REPORT

This report seeks Council's endorsement of the recommended sponsorship allocations for the July-December 2020 Community Sponsorship round.

BACKGROUND

The Community Sponsorship Program is 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.

There are two funding rounds per year. Round 1 is conducted for events from July-December and Round 2 for events from January-June. Applications are assessed by the Council Sponsorship Allocation Committee using set guidelines and criteria to ensure probity and consistency in evaluating requests.

Councillors were briefed on this matter on 12 May 2020.

MAIN REPORT

All previous applicants and those organising external events were sent an application form, with application timeframes advertised in the local newspaper and on Council's website and social media platforms.

A total of 27 applications were received requesting both in-kind and monetary support to a total value of \$218,929. A table outlining all 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. Where a previous grant was unable to be acquitted due to restrictions on events, applicant must have received a formal extension from Council.



The following 13 applications have been recommended for funding under the sponsorship program:

Project Number	Name of Community Group	Event/Activity	Amount requested	Amount Recommended
1.	Greater Narellan Business Chamber	Christmas in Narellan	\$10,500	\$10,500
2.	Small Ford Car Club	Small Ford Car Club Concourse & Display Day	\$750	\$750
3.	Camden Country Quilters Guild Inc	2020 Camden Country Quilters' Exhibition	\$6,000	\$6,000
4.	Headspace	Headspace in Oran Park turns 2!	\$5,000	\$5,000
5.	Macarthur Sunrise Rotary	DISCOBILITY – Christmas event	\$300	\$300
6.	Camden Musical Society Inc	Camden Musical Theatre Production October 2020	\$17,054	\$5,000
7.	Damian Richards, Miriam, Deitcher, Suzzane Matthews, Stuart Kelly	Gregory Hills Community Days	\$8,500	\$1,500
8.	Wollondilly Polocrosse	Wollondilly Polocrosse Carnival	\$4000	\$1000
9.	C3 New Hope	Carols on the Lawn	\$2,000	\$1000
10.	Harrington Park Anglican Church	Harrington Park Community Carols and Fireworks Event	\$1,500	\$1,500
11.	Hope Anglican Church	Leppington Community Carols	\$3,300	\$1,000
12.	New Life Anglican Church	Oran Park Community Carols	\$3,000	\$1,500
13.	Camden Anglican Parish Council	Carols in Macarthur Park	\$2,000	\$1,500
TOTAL Projects Recommended to be Funded				\$36,550

A total of six applications were withdrawn due to restrictions stemming from the COVID-19 Pandemic.

Of the remaining applications not supported for funding, a number were deemed ineligible due to timing of the event or not satisfying funding criteria.

The committee also determined that a number of events did not provide sufficient benefit to the wider Camden community and were therefore not recommended for funding.

FINANCIAL IMPLICATIONS

The total budget allocation for Community Sponsorship, as per the 2020/2021 budget, is \$72,900 (GST exclusive). The recommendations as detailed in this report including both monetary and in-kind support total \$36,550 (GST exclusive). The remaining budget will be available for Round 2 funding for events undertaken from January – June 2021.

CONCLUSION

A total of 27 applications were received, requesting both in-kind and monetary support, to the total value of \$218,929. Following the assessment of all applications against the criteria, it is recommended that 13 applications be supported at a total value of \$36,550 (GST exclusive).

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 funding for the community events and activities totalling \$36,550 (GST exclusive) as outlined in this report; and**
- ii. write to each applicant advising them of the outcome of this report and thanking them for their participation in the program.**

ATTACHMENTS

1. Community Sponsorship 2020/2021- Round 1 - July to December



ORDINARY COUNCIL

ORD08

SUBJECT: ASSET MANAGEMENT POLICY - REVISED
FROM: Director Community Assets
TRIM #: 20/124341

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcomes of the public exhibition of the draft revised Asset Management Policy. It is recommended that Council adopt the draft revised Policy as exhibited.

BACKGROUND

The Asset Management Policy is a component of the State Government's Integrated Planning and Reporting Framework that all Councils are required to follow. The Policy identifies Council's obligations and responsibilities for the effective management of all assets to ensure that they meet the community's needs.

The draft revised Asset Management Policy (provided as an **attachment** to this report) is an update of a previously adopted Asset Management Policy.

Councillors were briefed on the draft revised Policy on 25 February 2020.

The draft revised Policy was placed on public exhibition, with comments accepted up to 17 April 2020, and no submissions were received.

MAIN REPORT

The purpose of the revised Policy is to:

- Set a framework for the effective management of current and future Assets to ensure that Council delivers safe, reliable and sustainable services to the community;
- Recognise Council's obligations under the Local Government Charter (section 8(1) of the *Local Government Act 1993*) as they pertain to Asset Management;
- Support and enable Council's Delivery Program and Community Strategic Plan; and
- Identify key responsibilities for all Council representatives, including Councillors, Senior Management and Staff.

The revised Policy identifies the key overarching responsibilities of Council to:

- Ensure the provision of sustainable services to the community for present and future generations through the provision of Assets;
- Act as the steward for Assets on behalf of the community; and

-
- Make decisions regarding Assets in accordance with Council's Asset Management Policy, Strategy and Plan.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft revised Asset Management Policy was placed on public exhibition with no comments received during the exhibition period.

It is therefore requested that Council adopt the revised Asset Management Policy to enable Camden Council to meet its statutory obligations under the *Local Government Act 1993* and to ensure the sustainable management of Council's assets on behalf of the community.

RECOMMENDED

That Council adopt the revised Asset Management Policy as attached to this report.

ATTACHMENTS

1. Draft Asset Management Policy



ORDINARY COUNCIL

ORD09

SUBJECT: ACCEPTANCE OF GRANT FUNDING - COMMUNITIES ENVIRONMENT PROGRAM

FROM: Director Community Assets

TRIM #: 20/137719

PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of grant funding from the Department of Industry, Science and Innovation's, Communities Environment Program to restore and enhance Cumberland Plain Woodland within Harrington Forest, Harrington Park.

BACKGROUND

The Communities Environment Program provides grant funding to support community-led environment projects that address local environmental priorities in each of the 151 federal electorates across Australia.

Funding of up to \$20,000 was made available, with applicants invited to apply through their local Member of Parliament. Projects under this grant program must be completed by 31 December 2020.

The intended outcomes of the program are to:

- Deliver positive environmental and social outcomes;
- Improve the management of native species, including threatened species and their habitat; and
- Increase community connection with the natural environment in their local area.

MAIN REPORT

Harrington Forest (**Figure 1**) is an important biodiversity corridor containing the critically endangered ecological community, Cumberland Plain Woodland.

Council has been successful in receiving \$20,000 in grant funding under the Australian Government's Communities Environment Program 2019/2020 to implement the *Harrington Forest Restoration* project.

The aim of the project is to restore, enhance and protect the Critically Endangered Ecological Community, Cumberland Plain Woodland, within Harrington Forest, Harrington Park. Restoration of the habitat will be achieved through primary and secondary weed treatment throughout five hectares of the site (**Figure 2**).

Figure 1: Location of Harrington Forest, Harrington Park



Figure 2: Location of project



The project will also foster a connection between local residents and their environment through citizen science and bush care activities including nest box installation to create a habitat for native birds and mammals.

The works will be undertaken from June 2020 to December 2020 and include:

- Destroying and chipping the woody weeds throughout the five-hectare project site;
- Citizen science activities with the Bushcare group to install 10 nest boxes for native birds and mammals within the restored site.



Programming of the project will consider COVID-19 restrictions and an alternative delivery model should the current restrictions remain in place during the project delivery timeframe.

FINANCIAL IMPLICATIONS

Grant funds will cover the costs associated with the primary weed control and other materials. Funds required for project administration and community education are available from within the existing Council budget.

CONCLUSION

Council has been successful in securing \$20,000 in grant funding from the Australian Government's Communities Environment Program for the *Harrington Forest Restoration* project.

This project will result in the removal of approximately five hectares of woody weeds to restore the Critically Endangered Ecological Community, Cumberland Plain Woodland.

It is recommended that Council write to Hon. Sussan Ley, Minister for the Environment, thanking her for the funding, and to Dr Mike Freelander MP, Member for Macarthur, thanking him for his support.

RECOMMENDED

That Council:

- i. accept the grant funding for \$20,000 under the Communities Environment Program for the restoration of Cumberland Plain Woodland at Harrington Forest, Harrington Park;**
- ii. write to the Hon. Sussan Ley, Minister for the Environment thanking her for the funding; and**
- iii. write to Dr Mike Freelander MP, Member for Macarthur thanking him for his support.**

ORDINARY COUNCIL

ORD10

SUBJECT: TENDER T022/2019 - STREET SWEEPING WASTE PROCESSING & DISPOSAL

FROM: Director Planning and Environment

TRIM #: 20/138791

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T022/2019 Street Sweeping Waste Processing and Disposal and recommend that Council accept the tender submitted by Total Drain Cleaning.

BACKGROUND

Council's current street sweeping operations generate in excess of 350 tonnes of waste annually, which are currently disposed of at landfill.

There is an opportunity to process and recycle some of this waste for reuse in civil construction. This proposal will have a positive environmental outcome as it diverts this material from landfill.

The purpose of this tender is to engage a specialist contractor to collect the waste material from Council's depot and process the material to achieve a minimum 50% waste diversion from landfill.

MAIN REPORT

A tender for street sweeping waste processing and disposal was advertised in the Sydney Morning Herald, local newspapers and the NSW e-tendering website on 25 February 2020 for a period of 30 days.

Council received six tenders from the following organisations. There was one non-conforming tender received which was not considered.

Tender	Suburb
Cleanaway	Melbourne
Express Waste	Camellia
Remondis	St. Marys
Suez	Wetherill Park
Total Drain Cleaning	Wetherill Park
Bulk Recovery Solutions	Ingleburn

Tender Evaluation

A tender evaluation panel was established and submissions were assessed on price and non-price factors as agreed by the evaluation panel. The weighting given to the evaluation criteria is shown below:



-
- Compliance with Specification – 30%;
 - Environmental Outcomes – 35%;
 - Price – 35%.

Non-price factors considered for this tender with a pass or fail weighting included:

- Workplace Health and Safety (WHS);
- Conformance to the Conditions.

The selected tender meets all WHS and insurance requirements for the contract.

The tender evaluation panel were unanimous in recommending Total Drain Cleaning based on their price, environmental outcomes achieved and compliance with the specification. The tender process was reviewed and endorsed by the tender compliance panel.

A summary of the tender evaluation is provided as a **supporting document** and is commercial-in-confidence.

Relevant Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Guidelines.

Contract Term

The term of this contract is three years with an optional two-year extension.

FINANCIAL IMPLICATIONS

Funding is available from the existing City Presentation operating budget. The current annual cost associated with the disposal of street sweeping waste is approximately \$157,800. Depending on the amount of waste collected, it is estimated that acceptance of this tender could result in a 35% saving in these disposal costs.

CONCLUSION

Total Drain Cleaning provided a submission that demonstrated a thorough understanding of the service, offered improved environmental outcomes, provided evidence of relevant experience in street sweeping, waste processing and disposal and competitive pricing. It is recommended that Council accept the tender provided by Total Drain Cleaning.

RECOMMENDED

That Council accept the tender and schedule of rates from Total Drain Cleaning as per the terms and conditions of tender T022/2019 for a three-year term with an option of one extension of two years.

ATTACHMENTS

1. T022/2019 - Tender Evaluation - *Supporting Document*



ORDINARY COUNCIL

ORD11

SUBJECT: TENDER T005/2020 - ORAN PARK LEISURE CENTRE - DESIGN SERVICES

FROM: Director Community Assets

TRIM #: 20/140076

PURPOSE OF REPORT

The purpose of this report is to provide details of the tenders received for contract T005/2020 – Oran Park Leisure Centre – Design Services, and to recommend that Council accept the tender offered by Warren and Mahoney Architects Australia Pty Limited.

BACKGROUND

Council has undertaken a selective tender process for design services required for the Oran Park Leisure Centre to ensure high-quality submissions were received.

The first stage was to issue an open Expression of Interest (EOI) with no restrictions as to those organisations that may respond. The EOI was for the purpose of establishing a selected list of consultants who were considered best suited to be invited to tender.

The second stage was a request for tenders from the firms selected via the EOI process. Details of the tender submissions and the evaluation of the tenders is the subject of this report.

The tendered scope of design services includes a concept design through to construction stage for the building, carparking and its surrounds. The successful tenderer will engage and manage all sub-consultants and direct, coordinate and integrate their output at all stages. Some of the key sub-consultants include:

- Building Services Engineers – Mechanical, Electrical, Fire and Hydraulic;
- Pool Services Engineer;
- Structural/Civil Engineers;
- Planner/BCA/Access/PCA consultants.

Council will directly engage the Quantity Surveyor to provide cost management services.

MAIN REPORT

Expression of Interest

The invitation to submit an EOI was advertised in the Sydney Morning Herald, local newspapers and the NSW e-tendering website on 19 November 2019. The EOI closed on 11 December 2019 with 25 submissions received.

An evaluation panel was established and the submissions were assessed on non-price factors as agreed by the evaluation panel.

Non-price factors considered included:

- Company capacity and ability;
- Key personnel's experience and performance on contracts of a similar size, type and complexity;
- Proposed sub-consultants;
- Approach to design and methodology provided; and
- References.

The evaluation panel recommended that the following companies be selected to tender:

Company	Location
Allen Jack+Cottier Architects	Chippendale, Sydney
Andrew Burgess Architects and Create	Surry Hills, Sydney
BVN Architecture	Pitt Street, Sydney
Peter Hunt Architect	Waverton, Sydney
Warren & Mahoney Architects Australia	Pitt Street, Sydney
Williams Ross Architects	Fitzroy, Melbourne

Request for Tender

Following the EOI, a request for tender was issued via the NSW e-tendering website on 3 March 2020 and closed on 8 April 2020. All six of the selected tenderers returned conforming submissions.

The intention of the tender process is to appoint a consultant with experience in similar scale projects as well as providing best 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 40%. Companies were assessed against the non-price factors, with the two best value offers invited to attend an interview (information provided in **supporting documentation** to this report).

Non-price factors considered for this project included:

- Nominated personnel and sub-consultants;
- Program;
- Work, health & safety;
- Approach to design;
- Tender conditions and qualifications;
- Quality management; and
- Interviews with the two best value tenderers.

Warren and Mahoney Architects Australia Pty Ltd (Warren and Mahoney) provided a competitive tender in terms of cost and meeting the requirements of Council's tender documentation. The company has a proven track record with design of a similar nature and scale.

The panel was unanimous in recommending that the tender by Warren and Mahoney represented the best value to Council.

The tender process was also reviewed and signed off by the Tender Compliance Panel.



A summary of the tender evaluation is provided as a **supporting document** to this report. Please note this information is commercial-in-confidence.

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 and Guidelines.

Critical Dates / Time Frames

Warren and Mahoney has submitted a program to complete the works in a timeframe that meets the requirements of Council.

Council will be provided with opportunities for consultation as part of the design development process.

FINANCIAL IMPLICATIONS

Funding has been allocated as part of Oran Park VPA amendment for the proposed works.

CONCLUSION

Warren and Mahoney has provided a conforming tender. The tender assessment concludes that the offer from Warren and Mahoney represents the best value to Council and the company has a proven track record of performance on projects of a similar nature. It is therefore recommended that Council accept the tender provided by Warren and Mahoney.

RECOMMENDED

That Council accept the tender provided by Warren and Mahoney Architects Australia Pty Limited as per the terms and conditions of tender T005/2020 – Oran Park Leisure Centre – Design Services for the lump sum of \$2,045,941 (excluding GST).

ATTACHMENTS

1. T005-2020 Leisure Centre Design - *Supporting Document*