



Camden Council

Attachments

Ordinary Council Meeting
13 July 2021

Camden Council
Administration Centre
70 Central Avenue
Oran Park



ORDINARY COUNCIL

ATTACHMENTS - ORDINARY COUNCIL

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THE PLANNINGHUB
by HARRISON & SIMMONS

Planning Proposal
Amend Camden Local Environmental Plan 2010
220, 300, 350 and 360 Chittick Lane, Cobbitty

ORD01

Attachment 1

Planning Proposal
220, 300, 350 & 360 Chittick Lane, Cobbitty

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Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

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Appendices

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The Planning Hub
- C Planning Proposal Consistency with Ministerial Directions
The Planning Hub
- D Constraints Mapping, Structure Plan, Zoning Plan and Minimum Lot Size Plan
Sitios Urban Design
- E Tidapa Greenway Project Strategy
McGregor Coxall
- F Site Survey
Total Surveying Solutions
- G Rural Lands Scoping Report
GHD
- H Ecological Constraints Analysis
Cumberland Ecology
- I Bushfire Report
ABPP
- J Aboriginal Due Diligence Assessment
Artefact
- K Heritage Impact Statement
Weir Phillips Heritage
- L Services and Infrastructure Delivery Strategy / Water Cycle Management Assessment
AT&L
- M Traffic and Transport Assessment
JMT Consulting
- N Housing Market Analysis
Hill PDA
- O Social and Community Infrastructure Assessment
Hill PDA

Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

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1.0 Introduction

This planning proposal has been prepared by The Planning Hub on behalf of the O’Grady Family and seeks to amend the Camden Local Environmental Plan (LEP) 2010 to rezone land to facilitate residential development at 220, 300, 350 and 360 Chittick Lane, Cobbitty.

The purpose of this planning proposal is to rezone the subject site and amend the minimum lot size control of the Camden LEP 2010 to facilitate future residential development. This planning proposal outlines the intended effects of the proposed LEP amendments to Camden LEP 2010 and provides justification for the proposed changes.

This planning proposal has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act);
- The Department of Planning, Industry and Environment – A Guide to Preparing Planning Proposals; and
- The recommendations of Camden Council’s Pre-Application Consultation.

It is the first stage of the planning proposal which seeks the initial Department of Planning, Industry and Environment, Industry and Environment gateway determination to:

- Support the justification for the proposal;
- Confirm the technical investigations and consultation required; and
- Outline the process for continuing the assessment of the proposal.

As outlined in a Guide to Preparing Planning Proposals, the planning proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The planning proposal forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-O**.

1.1 Project Context

The subject site is located on the northern end of Chittick Lane approximately 1.2km north of the intersection of Chittick Lane and Cobbitty Road. The site is located directly adjacent to the South West Growth Area, immediately adjoining the Oran Park Precinct to the east and the indicative location of the Outer Sydney Orbital to the west.

The Outer Sydney Orbital is currently a recommended corridor of land for a future motorway and freight rail line that would provide for a major transport link between the North West and South West Growth Areas, connecting with the planned Western Sydney Airport and future employment lands. The current indicative location for the orbital cuts through the south western corner of the subject site and continues in a north west direction.

At a public meeting held in Cobbitty on 10 April 2018 in relation to the Outer Sydney Orbital a representative from Trans[port for NSW detailed that the predominant reason that the Orbital alignment



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passes to the east of Cobbitty Village is that there will be access to/from the Orbital for Oran Park and it is likely this would be on Cobbitty Road.

The site has historically been used for broad acre agricultural purposes (cattle grazing) and includes a rural dwelling and associated agricultural outbuildings. The existing character of the surrounding area is undergoing dynamic and rapid change from a rural environment to relatively dense urban development as the South West Growth Area is located to the east of the site, the Badgerys Creek Airport and the Western Sydney Employment Area is located to the north and the Outer Sydney Orbital is to be constructed to the south and west.

Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.

Zoning and infrastructure decisions by the NSW Government are incompatible with the ongoing rural use of the subject site. Under current zonings, land can be subdivided for residential development down to 125m², immediately adjacent to the site, compared to the subject site's 40ha minimum lot size. This disposition of development can be expected to result in increasing conflict as small scale, dense residential development abuts broad acre agricultural usage. Such conflict would likely include negative impacts of agriculture on the residential community

A Rural Lands Scoping Report (**Appendix G**) has been prepared by GHD in support of the proposal which reviewed the subject site's opportunities for current or potential productive and sustainable agricultural activities. The report concluded that the existing farm use and agricultural land is not economically viable and does not positively contribute to Camden's rural economy.

The objective of the proposal is to relocate the defined urban boundary of the existing South West Growth Area to the Outer Sydney Orbital and provide a well-design residential neighbourhood that responds to the natural and cultural characteristics of the site, the surrounding urban development and provides a transition in density to rural lands located to the west of the site.

1.2 Pre-Lodgement Consultation

In accordance with the Department of Planning, Industry and Environment & Environment Guidelines for preparing planning proposals a pre-lodgment meeting was undertaken with Camden Council staff on 19 September 2019 to discuss the proposed rezoning of the site. Council provided written advice on 11 October 2019 which is detailed in the table below.

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Table 1: Response to Pre-Lodgement Advice		
Development Component	Pre-Lodgement Comment	Response
Protection of Camden's Rural Land (Outside the South West Growth Area)	<p>The principal policy issue relating to the proposal is the rezoning of rural zoned land to urban zone(s). As reiterated at the pre-lodgement meeting, Council has made several decisions that have reinforced the protection of Camden's remaining rural zoned land (outside of the South West Growth Area). Council continues to advocate for the protection of rural land, consistent with the Rural Lands Strategy 2018 (RLS).</p> <p>The RLS guiding criteria for the assessment of Planning Proposal's must be addressed in any Planning Proposal submitted to Council.</p> <p>In addition to the RLS, consideration of the Region Plan should also be given. An objective of the Region Plan is that environmental, social and economic values in rural areas are protected and enhanced. The District Plan actions include:</p> <ul style="list-style-type: none"> • Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes; and • Limit urban development to within the Urban Area, except for the specified investigation areas. <p>These matters must be addressed in any Planning Proposal submitted to Council.</p>	<p>An assessment against the Camden Rural Lands Strategy including the guiding criteria for the assessment of Planning Proposal's is provided in Section 6.2 of this report.</p> <p>Consideration of the Greater Sydney Region Plan and Western City District Plan is provided in Section 6.2 of this report.</p>

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Table 1: Response to Pre-Lodgement Advice		
Development Component	Pre-Lodgement Comment	Response
Heritage and Visual Impacts	The eastern boundary of the site adjoins the state heritage listed Denbigh estate. The proponent was advised to consider all potential impacts with this heritage item.	A Heritage Impact Statement and Views Analysis (Appendix K) has been prepared in support of the proposal by Weir Phillips Heritage.
Outer Sydney Orbital (OSO)	<p>The site lies between the proposed OSO and the existing South West Growth Area. The OSO currently remains proposed with an indicative corridor.</p> <p>It is premature to assume the final alignment of the OSO at this stage, which is understood to form the principal justification for the rezoning of the site. It is recommended that proponent liaises with Transport for NSW regarding the final alignment of the OSO.</p>	<p>The indicative location of the Outer Sydney Orbital has been considered as part of this application and provides a layout that can accommodate the dedication of land once the final location of orbital is confirmed.</p> <p>In initial correspondence Transport for NSW have advised that they have been working with applicant's on rezoning proposals and did not want the Outer Sydney Orbital to impact the progress of these applications.</p>
Initial Assessment	<p>The Planning Proposal should include commentary (without necessarily completing a supporting specialist study), for the following matters:</p> <ul style="list-style-type: none"> • Economic and retail assessment; • Commentary on air quality of adjoining land holders; and • Potential acoustic impacts. 	The Planning Proposal includes commentary on the air quality of adjoining land holders, potential acoustic impacts of the proposal and an economic and retail assessment in Section 6.3 of this report.
Specialist Studies	<p>The Planning Proposal should be submitted with the specialist studies listed below:</p> <ul style="list-style-type: none"> • Biodiversity Assessment; • Bushfire Assessment; • European and Indigenous Heritage Assessment; • Housing Analysis; • Land Use Conflict Risk Assessment; • Services and Infrastructure Delivery Strategy; • Site Survey; 	<p>The following specialist reports have been prepared in support of the planning proposal:</p> <ul style="list-style-type: none"> • Rural Lands Scoping Report (Appendix G) • Site Survey (Appendix F) • Ecological Constraints Analysis (Appendix H) • Bushfire Assessment (Appendix I) • Aboriginal Due Diligence Assessment (Appendix J) • Heritage Impact Statement (Appendix K)

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Table 1: Response to Pre-Lodgement Advice		
Development Component	Pre-Lodgement Comment	Response
	<ul style="list-style-type: none"> • Social and Community Infrastructure Assessment; • Traffic and Transport Assessment; • Water Cycle Management Assessment. 	<ul style="list-style-type: none"> • Services and Infrastructure Delivery Strategy / Water Cycle Management Assessment (Appendix L) • Traffic and Transport Assessment (Appendix M) • Housing Market Analysis (Appendix N) • Social and Community Infrastructure Assessment (Appendix O).

2.0 Strategic Merit and Project Vision

2.1 Strategic Merit

A key consideration for any planning proposal is its strategic merit. The proposal is considered to have a high level of strategic merit based on the following key areas:

- Sustainability of Agriculture – Use of the site for broad scale agriculture under its current zoning is no longer viable. The development enabled (and occurring) in the South West Growth Area located directly adjacent the site to the east is incompatible with continued agricultural use of the subject land and will lead to increasing land use conflict as development in the Growth Area proceeds. The location of the Outer Sydney Orbital on the site’s western edge severs the site from surrounding rural lands, meaning that the site can no longer be used for agricultural purposes in conjunction with other lands. On its own, the site is not able to sustain economically viable primary production that would not impact the surrounding locality;
- Implementing a logical location for the Urban Boundary in the locality - The proposal would eliminate existing rural land use conflicts imposed on the existing site by the adjoining residential development and facilitate the logical relocation of the urban boundary to the Outer Sydney Orbital, reflecting the approach adopted in relation to future land use in the Aerotropolis precinct ;
- Transition of development from the Growth Area – Rather than the hard urban/rural boundary imposed under current zonings, the proposal provides for a practical and sensitive transition from the development occurring in the South West Growth Area across the site to the rural areas to the west by providing appropriate zoning and minimum subdivision lot sizes that provide larger lots that allow for extensive landscaping and the retention of significant natural features of the site that will create a visual transitions as well as a transition in density across the site; and
- Greenway Link – The Proposal incorporates a Greenway Strategy that provides connectivity to key cultural and environmentally significant areas of the Camden LGA and wider regional context that are not currently accessible to the public. The Greenway Strategy will provide effective and sustainable

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active transport opportunities that will allow for a range of recreational and cultural experiences. The Greenway Link will contribute to the strategic corridor that will link the Camden Town Centre to the Western Sydney Employment Area and Western Sydney Aerotropolis. The proposed Greenway will provide a basis for surrounding development and the wider region to provide key active transport opportunities that allow for the community to access key recreational cultural activities and positively contribute and expand Camden’s Blue Green Grid in line with Camden’s Local Strategic Planning Statement.

A summary of the key areas of strategic merit of the project is provided in the Project Vision & Strategic Merit provided in **Appendix A**.

2.2 Project Vision

The objective of the proposal is to provide a well-designed residential neighbourhood that responds to the natural and cultural characteristics of the site and the surrounding urban development and provides a transition in density to rural lands located to the west of the site. This is to be achieved through the rezoning of the subject site to provide zoning and minimum lot size controls that will facilitate future residential development that is appropriate for the site’s context.

The objectives of the planning proposal have been informed by a range of specialist studies provided as attachments to this report. The specialist studies have ensured the proposal recognises and considers the significant aspects of the subject site and surrounding locality and ensures the proposal is an appropriate response to the site characteristics.

The key objectives of the planning proposal and resulting neighbourhood are as follows:

- Transition – Provision of a residential neighbourhood that provides a clear transition from urban development to the east of the site to rural lands to the west of the site;
- Natural and Cultural Environment – Provision of a residential neighbourhood that positively responds to the natural and cultural characteristics of the site; and
- Accessibility and Amenity - Provision of a well-designed and accessible residential neighbourhood that provides an appropriate connection to the surrounding locality. The accessibility will facilitate a healthy, liveable and well connected neighbourhood that has appropriate access to community facilities, services and various public open space areas.

A summary of the key objectives of the project is provided in the Project Vision & Strategic Merit provided in **Appendix A**.

3.0 Site Analysis

3.1 Site Location and Context

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The subject site is located on the northern end of Chittick Lane approximately 1.2km north of the intersection of Chittick Lane and Cobbitty Road.

The site is located directly adjacent to the South West Growth Area, immediately adjoining the Oran Park Precinct to the east and the Outer Sydney Orbital to the west. The Outer Sydney Orbital is currently a recommended corridor of land for a future motorway and freight rail line that would provide for a major transport link between the North West and South West Growth Areas, connecting with the planned Western Sydney Airport and future employment lands. The current indicative location for the orbital cuts through the south western corner of the subject site and continues in a north west direction.

Narellan is the closest Strategic Centre to the site, approximately 9km to the south-east. The closest employment precinct to the site is Campbelltown CBD which is approximately 20km to the southeast which is the major commercial centre in the South West region.

Oran Park is the closest Town Centre at approximately 3.4km to the east. On the same side of the Northern Road will be the future Local Centre of Lowes Creek, approximately 2.5km to the north and the Neighbourhood Centres of Oran Park (Southern NC and Northern NC) less than 1.5km from the site boundary.

The existing character of Cobbitty and the surrounding suburbs are changing dramatically from a rural environment to urban allowing for higher density development. West of site lies The University of Sydney, Camden – May and Mt Hunter Campus. The Aerotropolis Core will be 6.5km to the north of the site. The Aerotropolis will make a significant contribution to 200,000 new jobs for Western Sydney by establishing a new high-skill jobs hub across aerospace and defence, manufacturing, healthcare, freight and logistics, agribusiness, education and research industries.

The existing village of Cobbitty is located approximately 2.5km to south of the site and is characterised by a historical township developed along Cobbitty Road.

The site's locational context is demonstrated in **Figure 1** below.

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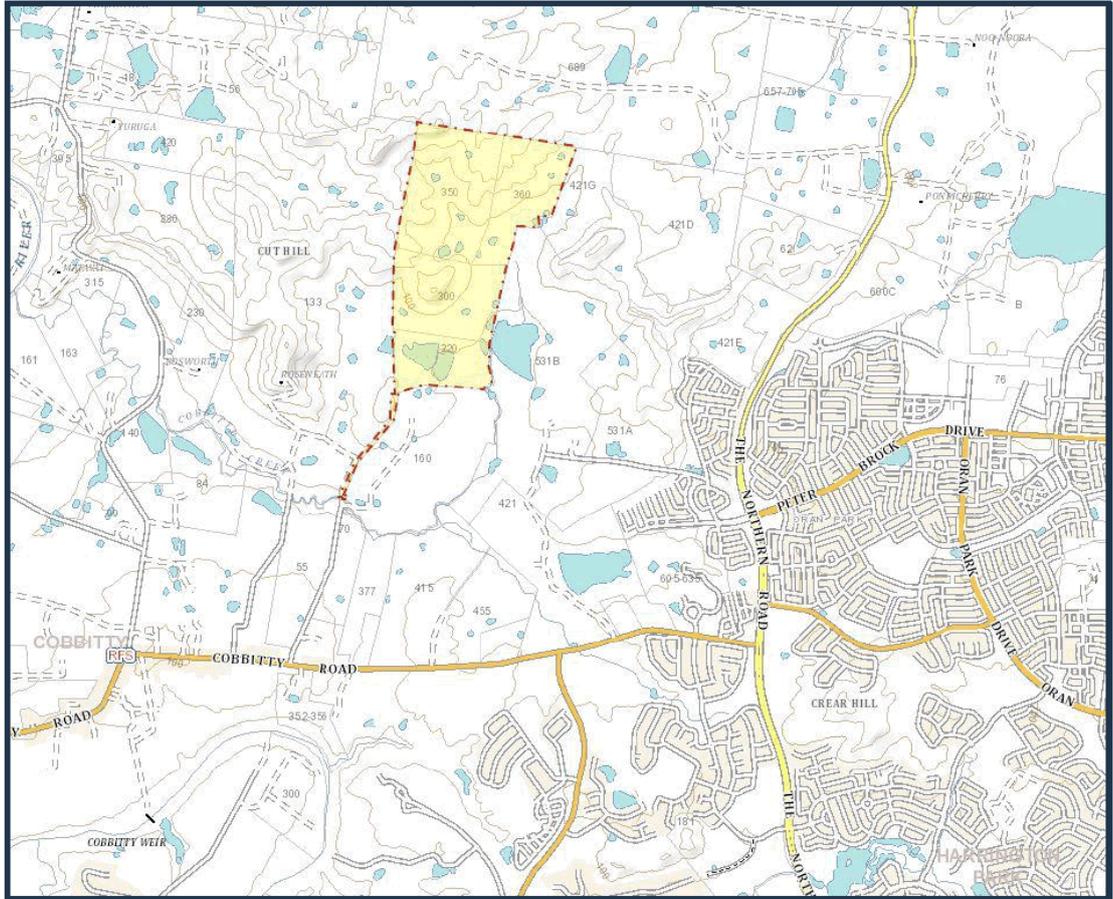


Figure 1: Location Plan demonstrating the Site’s Location and Context (Source: Six Maps)

3.2 Site Description

The site is commonly known as 220, 300, 350 and 360 Chittick Lane, Cobbitty and is legally described as Lots 2, 3, 4 and 5 DP 239612. The site has historically been used for broad acre agricultural purposes (cattle grazing) and includes a rural dwelling and associated agricultural outbuildings. The existing use of the property is a cattle farm known as ‘Tidapa’.

The site is irregular in shape with an access handle from Chittick Lane and comprises a total area of 1,465, 200m² (146.52ha). The land has been historically largely cleared for grazing and is generally free from significant vegetation. On the steeper gradients, the land is typically vegetated with native tree species and exotic shrub species.

A site aerial of the site is provided in Figure 2 below.



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Figure 2: Site aerial demonstrating the site in blue (Source: Nearmap)

3.3 Existing Site Conditions

Specific details on the site are provided below:

- Landform** The landform of the site is gently undulating with steeper gradients located on the northern end and middle of the site.
- Existing Structures** The site currently contains an existing rural dwelling and associated agricultural outbuildings.
- Access** Vehicular access is currently provided via an access handle off Chittick Lane to the south of the site.
- Vegetation** The site has historically been cleared for grazing with some significant vegetation located on the steeper gradients located on the north western corner and middle of the site.
- Easements** There are no known easements on site as detailed in the Survey Plan prepared by Total Surveying Solutions provided in **Appendix F**.

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4.0 Objectives or Intended Outcomes**4.1 Project Objectives and Intended Outcomes**

The primary purpose of this Planning Proposal is to amend the Camden Local Environmental Plan (LEP) 2010 to enable the redevelopment of the site for residential purposes, public open space and environmental conservation. The project objective is to be achieved through the following intended outcomes:

- Rezone the subject site to provide zoning that facilitates residential development, public open space, environmental conservation and the provision of community and commercial land uses to support the neighbourhood.
- Amend the minimum subdivision lot size map to adopt lot sizes to support residential development in a density that is appropriate to the transitional nature of the site and considers the environmental, cultural and scenic values of the site.

5.0 Explanation of Provisions

In summary the project objectives and intended outcomes will be achieved by:

- Amending the Camden LEP 2010 Land Zoning Map for the subject site (Sheet 007) to rezone the site to the following zones R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation.
- Amending the Camden LEP 2010 Minimum Subdivision Lot Size Map for the subject site (Sheet 007) to provide minimum lot sizes ranging from 600m² to 2,000m².

5.1 Zoning

The subject site is currently zoned RU1 Primary Production under the provisions of the Camden LEP 2010. The proposal seeks to amend the Camden LEP 2010 to rezone the site from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation to facilitate future residential development.

Further details on the proposed zoning are provided in **Figure 3 & 4** below.

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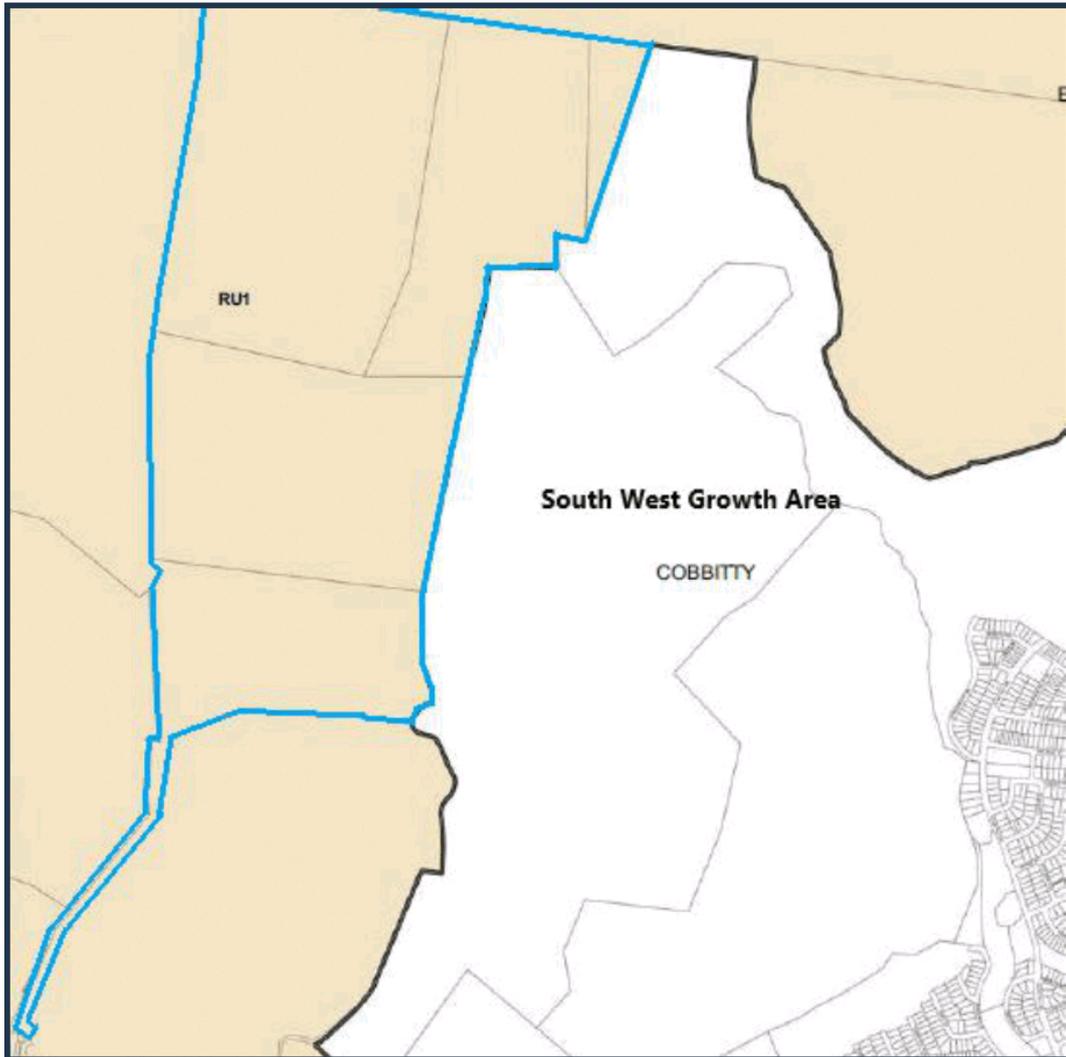


Figure 3: Existing Zoning with the Site outlined in Red (Source: NSW Legislation)

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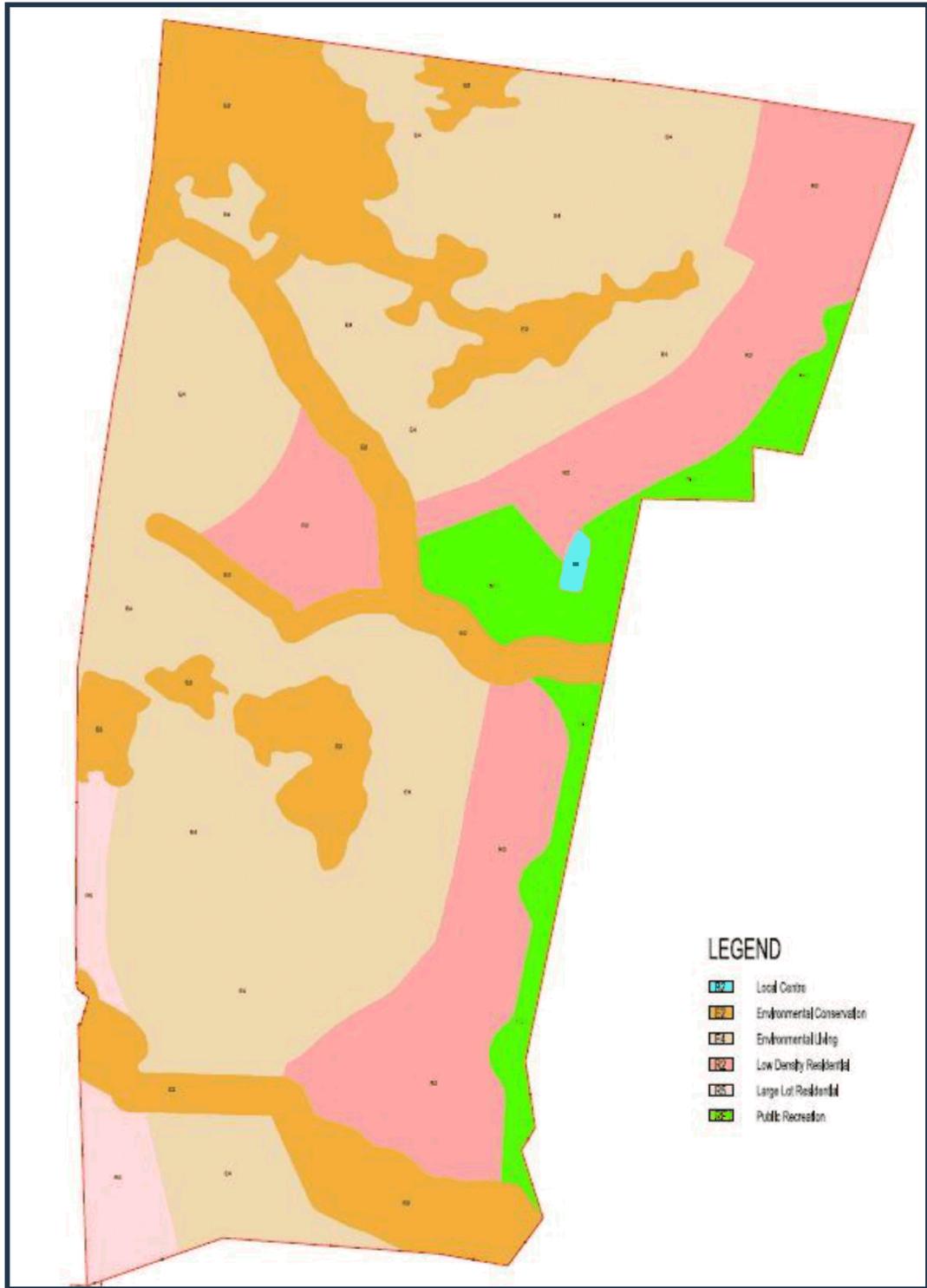


Figure 4: Proposed Zoning of Subject Site (Source: Sitios Urban Design)

As detailed in Figure 4 above the proposal will introduce the following zones R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation. Specific details of each proposed zone and its location is provided below.



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R2 Low Density Residential Zone

The R2 Low Density Residential Zoning is proposed in the low-lying areas of the subject site to reduce the visual impact of the proposal on the surrounding land uses. The R2 zoning will be paired with a minimum lot size of 600m².

The objectives of the R2 Low Density Residential zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for educational, recreational, community and religious activities that support the wellbeing of the community.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

The proposed R2 zoning has been provided in locations and associated with minimum lot sizes that will ensure the development will meet the objectives of the zone.

The permissible uses within the R2 zone in the Camden LEP 2010 are as follows:

Bed and breakfast accommodation, Boarding houses, Centre-based child care facilities, Dual occupancies, Dwelling houses, Educational Establishments, Group homes, Health consulting rooms; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Medical centres; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Seniors housing

The R2 zoned areas are envisaged to contain single dwellings with the ability to provide community facilities in the form of child care centres and schools in the areas close to the Local Centre in locations that are not visually prominent from adjoining properties.

R5 Large Lot Residential Zone

The R5 Large Lot Residential Zoning is proposed on the western edge of the subject site to create an appropriate transition to the adjoining rural lands. The R5 zoning will be paired with a minimum lot size of 1,500m².

The objectives of the R5 Large Lot Residential zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

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- *To minimise conflict between land uses within this zone and land uses within adjoining zones*

The proposed R5 zoning is provided in locations and associated with minimum lot sizes that will ensure the development will meet the objectives of the zone.

The permissible uses within the R5 zone in the Camden LEP 2010 are as follows:

Bed and breakfast accommodation; Dual occupancies (attached); Dwelling houses; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Roads; Tank-based aquaculture;

The R5 zoned areas are envisaged to contain single dwellings on large lots that provide an appropriate transition to the rural lands to the west. The large lots allow for the provision of extensive landscaping that will positively contribute to the proposal and the scenic quality of the site when viewed from the surrounding locality.

E4 Environmental Living Zone

The E4 Environmental Living Zoning is proposed across the majority of the site and includes some of the areas identified as ecologically significant to ensure the environmental values of the site are retained and an appropriate form of development is provided across the site. The E4 zoning will be paired with a minimum lot size range of 700m² to 2,000m².

The objectives of the E4 Environmental Living zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*

The proposed E4 zoning has been provided in locations and associated with minimum lot sizes that will ensure the development will meet the objectives of the zone.

The permissible uses within the E4 zone in the Camden LEP 2010 are as follows:

Bed and breakfast accommodation; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Secondary dwellings; Signage; Tank-based aquaculture; Water recycling facilities; Water supply systems

The E4 zoned areas are envisaged to contain single dwellings with the retention of existing vegetation and the provision of additional landscaping that will positively contribute to the proposal, the scenic quality and ecological value of the site.

E2 Environmental Conservation



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The E2 Environmental Conservation zoning is proposed in the ecological sensitive parts of the site comprising of the watercourse and associated riparian corridors and the existing significant vegetation communities.

The objectives of the E2 Environmental Conservation zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To protect and enhance the ecology, hydrology and scenic views of waterways, riparian land, groundwater resources and dependent ecosystems.*

The proposed E2 zoning has been provided in locations that will ensure the development will meet the objectives of the zone.

The permissible uses within the E2 zone in the Camden LEP 2010 are as follows:

Environmental facilities; Environmental protection works; Flood mitigation works; Oyster aquaculture; Recreation areas; Roads; Water reticulation systems

The E2 zoned areas will contain the ecologically sensitive areas of the site to ensure they appropriately maintained and protected.

B2 Local Centre Zone

The B2 Local Centre Zoning is proposed in the low-lying area of the subject site to reduce the visual impact of the proposal on the surrounding land uses and in an area that is accessible from all areas of the subject site.

The objectives of the B2 Local Centre zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.*

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The proposed B2 zoning has been provided in a location that is accessible for all future residents and can meet the objectives of the zone whilst minimising impacts on adjoining properties.

The permissible uses within the B2 zone in the Camden LEP 2010 are as follows:

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation

The B2 zoned area is envisaged to contain commercial uses that provides goods and services for the community to ensure the impact on adjoining centres is minimised and a liveable and sustainable community is provided.

RE1 Public Recreation Zone

The RE1 Public Recreation Zoning is proposed in key locations to provide public open space for the future residents and ensure areas are well vegetated to provide an appropriate interface to surrounding development.

The objectives of the RE1 zone in the Camden Local Environmental Plan (LEP) 2010 are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The proposed RE1 zoning has been provided in locations that are accessible for all future residents and can meet the objectives of the zone.

The permissible uses within the RE1 zone in the Camden LEP 2010 are as follows:

Aquaculture; Boat launching ramps; Camping grounds; Car parks; Caravan parks; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Forestry; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Signage; Water recycling facilities; Water supply systems

The RE1 zoned areas are envisaged to contain extensive landscaping that will enhance the natural environment and provide adequate space for a range of recreational purposes for future residents.

5.2 Minimum Subdivision Lot Size

The site is currently subject to a minimum subdivision lot size control of 40ha under the provisions of the Camden LEP 2010. The proposal seeks to amend the Minimum Subdivision Lot Size Map for the site in Camden LEP 2010 to provide the following lot sizes to facilitate residential development:

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- 600m² – To be provided in association with the proposed R2 Low Density Zoning;
- 700m² – To be provided in association with some of the proposed E4 Environmental Living Zoning;
- 900m² – To be provided in association with some of the proposed E4 Environmental Living Zoning;
- 1,500m² – To be provided in association with some of the proposed E4 Environmental Living and R5 Large Lot Residential;
- 2,000m² – To be provided in association with some of the proposed E4 Environmental Living and R5 Large Lot Residential.

The proposed minimum subdivision lot sizes have been selected to achieve an appropriate transition from the existing minimum lot sizes in the South West Growth Area.

As detailed the proposal will provide a minimum lot size range of 600m² to 2,000m² which will provide an appropriate transition from east to west across the site from the South West Growth Area to the future Outer Sydney Orbital and rural lands further west.

Further details on the proposed Minimum Subdivision Lot Sizes is provided in **Figure 5 & 6** below.

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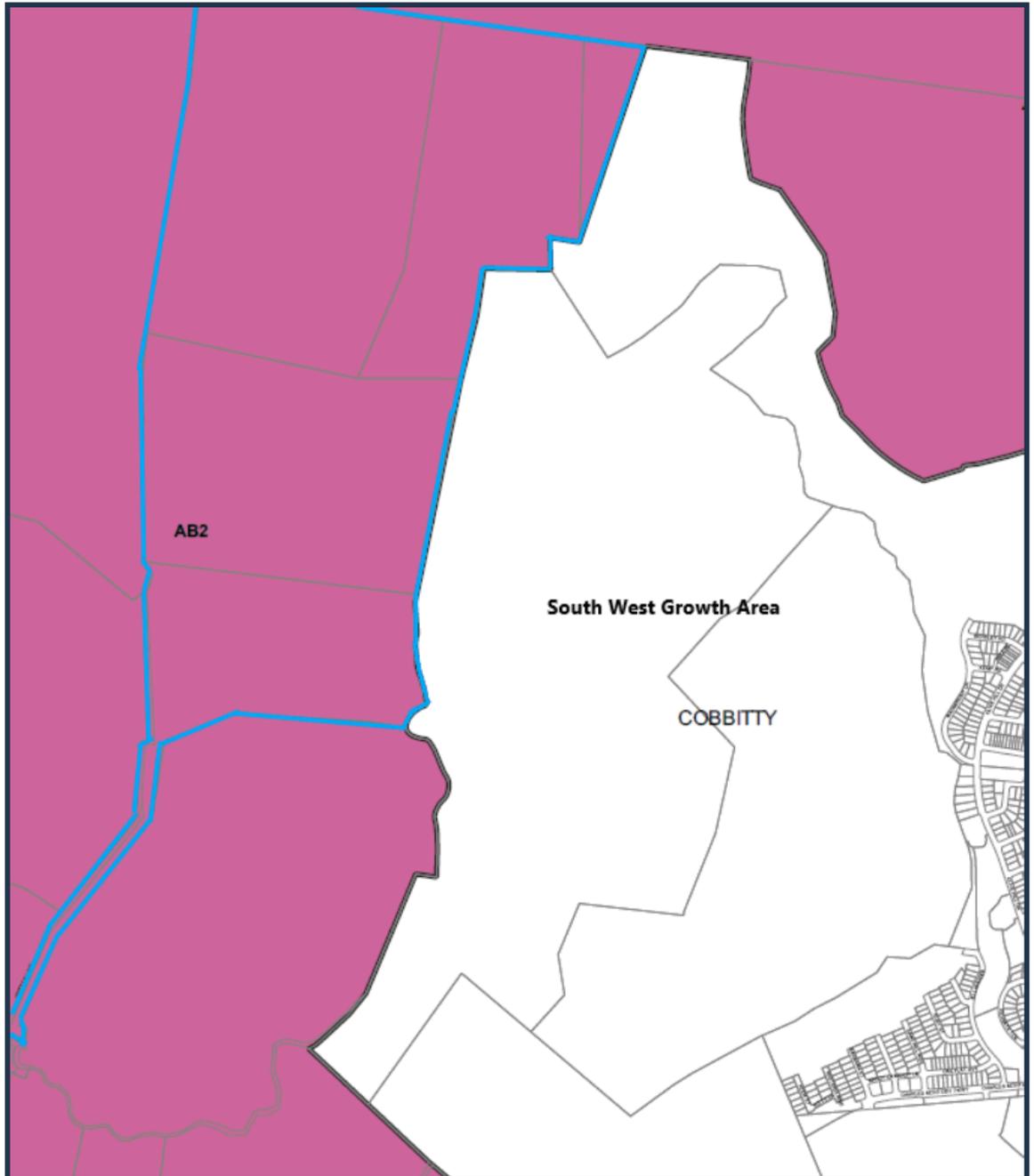


Figure 5: Existing Minimum Subdivision Lot Size Map with the site outlined in blue (Source: NSW Legislation)

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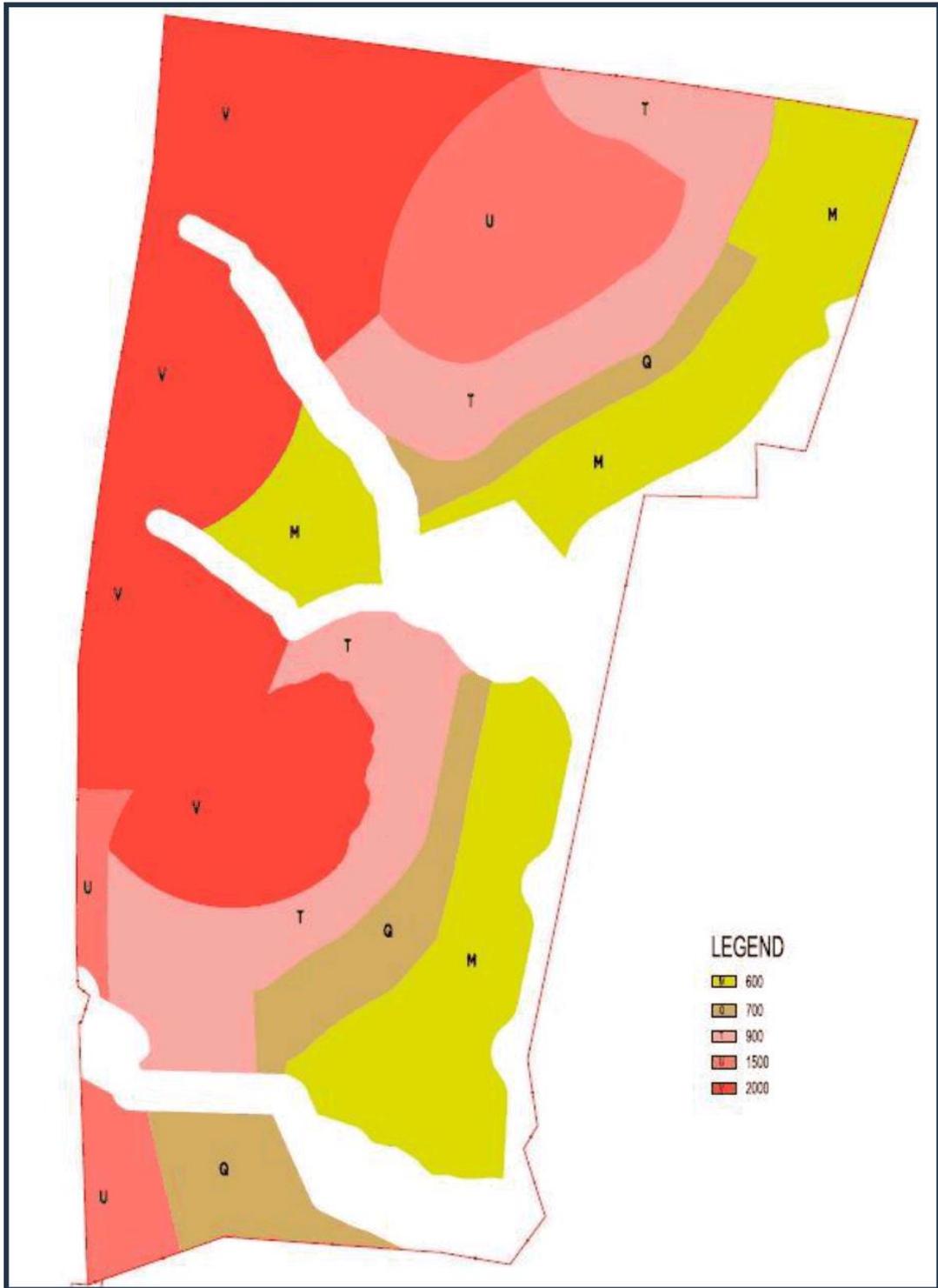


Figure 6: Proposed Minimum Subdivision Lot Size (Source: Sitios Urban Design)



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6.0 Justification

6.1 Need for Planning Proposal

The site has historically been used for broad acre agricultural purposes (cattle grazing) includes a rural dwelling and associated agricultural outbuildings. The existing character of the surrounding area is undergoing dynamic and rapid change from a rural environment to relatively dense urban development as the South West Growth Area is located to the east of the site, the Badgerys Creek Airport and the Western Sydney Employment Area is located to the north and the Outer Sydney Orbital is to be constructed to the west.

Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.

Zoning and infrastructure decisions by the NSW Government are incompatible with the ongoing rural use of the subject site. Under current zonings, land can be subdivided for residential development down to 125m², immediately adjacent to the site, compared to the subject site’s 40ha minimum lot size. This disposition of development can be expected to result in increasing conflict as small scale, dense residential development abuts broad acre agricultural usage. Such conflict would likely include negative impacts of agriculture on the residential community

A Rural Lands Scoping Report (**Appendix G**) has been prepared by GHD in support of the proposal which reviewed the subject site’s opportunities for current or potential productive and sustainable agricultural activities. The report concluded that the existing farm use and agricultural land is not economically viable and does not positively contribute to Camden’s rural economy. The land is currently zoned RU1 Primary Production under the Camden LEP 2010. The current land use does not meet the relevant objectives of the zone in that it does not encourage sustainable primary industry production, minimise rural land fragmentation or minimise land use conflicts.

The proposal would involve the logical relocation of the existing urban boundary and provide a well-designed neighbourhood that provides a transition to existing rural areas to the west.

Is the Planning Proposal as a result of any strategic study or report?

The planning proposal results from strategic decisions made by the NSW Government in relation to the South West Growth Area and the Outer Sydney Orbital which have removed the economic viability of the current uses and zoning. The Rural Lands Scoping Report (**Appendix G**) concludes that the existing farm use and agricultural land have been demonstrated to not be economically viable for the landowner for a number of years and the site is not deemed to be of a size or able to achieve a land size that would be economically viable for any form of primary production that would not impact the surrounding locality.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?



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Yes, the project objectives and intended outcomes can only be achieved through the amendment of the Camden Local Environmental Plan 2010.

6.2 Relationship to Strategic Planning Framework

The Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site. The relevant key strategic planning policies that relate to the area and the proposal are as follows:

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

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

6.2.1 Greater Sydney Region Plan

Greater Sydney Region Plan was finalised in March 2018 and replaces the former *A Plan for Growing Sydney (2014)*. This Plan sets the vision and the overarching planning framework to guide future transport, infrastructure and development in Greater Sydney in concurrence with Future Transport 2056 and State Infrastructure Strategy.

The Plan provides planning priorities that will direct Sydney's growth over the next 20 years. The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region. These directions have then been used to provide more specific detail to guide growth and land use decisions in each of the Districts through the relevant District Plans. As outlined below, the Planning Proposal is consistent with the relevant Directions and Actions in the District Plan and therefore is consistent with the Region Plan.

6.2.2 Western City District Plan

The Western City District Plan is a guide for the implementation of *A Metropolis of Three Cities* – the Greater Sydney Region Plan at a district level.

A Metropolis of Three Cities – the Greater Sydney Region Plan was implemented by the Greater Sydney Commission and is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

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Greater Sydney’s three cities reach across five districts: Western City District, Central City District, Eastern City District, North District and South District.

The Western City District consists of the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly Local Government Areas and contains the subject site.

The Western City District Plan is structured to implement the aim of the Greater Sydney Region Plan to provide cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is to be achieved through a number of planning priorities detailed in the plan. The proposed development is considered to be consistent with the plan and a number of planning priorities.

The table below details the relevant planning priorities of the Western City District Plan and the proposal’s consistency with those priorities.

Table 2: Consistency with the Western City District Plan	
Objective	Comment
<p>Planning Priority W1 – Planning for a city supported by infrastructure</p>	<p>The proposal has been designed to provide infrastructure that will support the proposed community to ensure the additional residential land does not increase pressure on existing infrastructure in the area.</p> <p>This has been achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre.</p> <p>In addition, a Services and Infrastructure Delivery Strategy / Water Cycle Management Assessment (Appendix L) has been prepared by AT&L that details the availability and work required to provide the development with essential services based on the existing infrastructure in the area.</p> <p>The subject site is located in the same catchment as Oran Park which was one of the first release precincts chosen for the South West Growth Area based on access to infrastructure. Service upgrades for the South West Growth Area adjacent to the property may provide opportunities for access and modification to allow the servicing of the site.</p>

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Table 2: Consistency with the Western City District Plan	
Objective	Comment
<p>Planning Priority W2 – Working through Collaboration</p>	<p>The applicant will work collaboratively with Council, the Department of Planning, Industry and Environment, Industry and Environment and other relevant state authorities to provide a proposal that ensures the appropriate delivery of infrastructure, housing and employment.</p>
<p>Planning Priority W3 – Providing services and social infrastructure to meet people’s changing needs</p> <p>Planning Priority W4 – Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>The proposal has been designed to provide adequate land in appropriate locations to support the provision of future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre as detailed on the proposed zoning plan and structure plan provided in Appendix D.</p> <p>The proposed development has been designed to incorporate the natural characteristics of the site through the retention and revitalization of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy and connectivity to the surrounding neighbourhoods through the design of an appropriate road network and cycleway and pedestrian greenway links that recognize the cultural and scenic qualities of the site and allow for its interpretation by the community.</p> <p>Development of the proposal has been focused on health, well-being and the quality of life of the local community. It is based on a healthy environment being a prerequisite for economic development. Green Infrastructure is essential infrastructure for liveability, biodiversity, walkability, attractiveness and urban resilience against urban heat island effect. Opportunities for bush care groups will foster community involvement.</p> <p>A range of open space and recreation offerings to foster a healthy lifestyle for all stages of life are being delivered across the proposal. Public access will be provided at a number of key lookouts connected via a network of walking and cycling trails. The proposal includes the dedication of</p>



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Table 2: Consistency with the Western City District Plan	
Objective	Comment
	31% of the total site to open space and environmental conservation areas.
Planning Priority W5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.	<p>The proposal will provide additional housing supply for the community in a range of zonings and lot sizes that provide a range of housing types and affordability. The proposal has been designed to provide connectivity to the surrounding area to ensure ease of access to employment, services and public transport.</p> <p>In addition, the proposal will provide adequate land in appropriate locations to support the provision of future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre.</p>
Planning Priority W6 – Creating and renewing great places and local centres, and respecting the District’s heritage	<p>The proposal has been designed with regard to the cultural and scenic significance of the site. An Aboriginal Due Diligence Assessment (Appendix J) has been prepared in support of the proposal. The findings and recommendations of that report have been considered and incorporated into the design of the proposal.</p> <p>A Heritage Impact Statement and View Analysis (Appendix K) has been prepared by Weir Phillips Heritage that assesses the proposal’s impact on the nearby heritage item Denbigh. The Heritage Impact Statement assesses the proposal’s impact on the existing views and vistas and curtilage of Denbigh to ensure the proposal does not adversely impact it and recognises and respects the district’s heritage.</p> <p>The proposal incorporates, restores and revitalises the significant environmental features of the site and provides public open space areas in and around these features to enable the interpretation of the scenic qualities of the site and surrounding area. A total of 31% of the site is proposed to be dedicated to open space and environmental conservation areas.</p>

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Table 2: Consistency with the Western City District Plan	
Objective	Comment
Planning Priority W7 - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The proposal provides an efficient and effective road network that provides connectivity within the subject site and to surrounding neighbourhoods to ensure the delivery of a well-planned, liveable, productive and sustainable neighbourhood. The proposed Structure Plan provides active transport to schools and shops within the development and adjoining areas.
<p>Planning Priority W8 - Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis.</p> <p>Planning Priority W9 - Growing and strengthening the metropolitan cluster</p> <p>Planning Priority W10 - Maximising freight and logistics opportunities and planning and managing industrial and urban services land</p> <p>Planning Priority W11 - Growing investment, business opportunities and jobs in strategic centres.</p>	The proposal will provide additional housing supply in close proximity to a number of existing centres and the Western Sydney Airport and Badgerys Creek Aerotropolis that will strengthen and support the continual growth and expansion of strategic centres.
Planning Priority W12 - Protecting and improving the health and enjoyment of the District's waterways	An Ecological Constraints Analysis (Appendix H) has been prepared by Cumberland Ecology in support of the proposal. The assessment identified the watercourses that traverse the site. The proposal has been designed to ensure the protection of the watercourses and the revitalization of the associated riparian corridors. The riparian corridors have been incorporated into the public open space areas to allow for the enjoyment of the waterways by the community.
Planning Priority W13 - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element.	The proposal incorporates the parkland city values and utilises the existing watercourse and natural features of the site as defining spatial elements that positively contribute to the neighborhood.
Planning Priority W14 - Protecting and enhancing bushland and biodiversity	The Ecological Constraints Analysis (Appendix H) also identifies areas containing significant vegetation and biodiversity value. The proposal has been designed to retain, enhance and connect these areas. This has been

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Table 2: Consistency with the Western City District Plan	
Objective	Comment
	<p>achieved through the use of appropriate zoning that will ensure the protection of the retained bushland and the incorporation of the significant vegetation into passive public open space areas that enable the community to experience and interpret the natural and environmental significance of the site. The revegetation of the riparian corridors will re-establish connectivity of natural areas. The proposal includes the dedication of 31% of the total site to open space and environmental conservation areas.</p>
<p>Planning Priority W15 - Increasing urban tree canopy cover and delivering Green Grid connections</p>	<p>The proposed development involves the retention of existing significant vegetation, the revitalization and revegetation of riparian corridors and the incorporation of extensive landscaping which will contribute to the urban tree canopy and enable green grid connections throughout the proposal and with surrounding development.</p> <p>In addition, the design of the proposal will accommodate larger lots and wider road verges to accommodate extensive landscaping and urban canopy.</p>
<p>Planning Priority W16 - Protecting and enhancing scenic and cultural landscapes</p>	<p>The proposal has been designed to provide a development that provides an appropriate transition from the South West Growth Area to the rural lands to the west. The zoning and minimum lot sizes have been selected to best retain the scenic and cultural landscapes of Camden and facilitate canopy enhancement and restoration of natural values.</p> <p>The following investigations have been undertaken onsite to identify the site’s environmental, cultural and scenic values:</p> <ul style="list-style-type: none"> • Ecological Constraints Analysis (Appendix H) • Aboriginal Due Diligence Assessment (Appendix J) • Heritage Impact Statement and View Analysis (Appendix K). <p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to ensure the site’s significant environmental, cultural and scenic values are retained. This has been achieved through the retention and revitalization</p>

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Table 2: Consistency with the Western City District Plan	
Objective	Comment
	of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting.
Planning Priority W17 - Better managing rural areas	<p>The existing farm use and agricultural land has been demonstrated to not be economically viable for the landowner for a number of years and therefore does not positively contribute to Camden’s rural economy.</p> <p>Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.</p> <p>Zoning and infrastructure decisions by the NSW Government are incompatible with the ongoing rural use of the subject site. Under current zonings, land can be subdivided for residential development down to 125m², immediately adjacent to the site, compared to the subject site’s 40ha minimum lot size. This disposition of development can be expected to result in increasing conflict as small scale, dense residential development abuts broad acre agricultural usage. Such conflict would likely include negative impacts of agriculture on the residential community.</p> <p>The proposal would provide appropriate zoning and lot sizes that relocates the urban boundary to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands further west.</p> <p>The proposal would eliminate existing rural land use conflicts with the surrounding residential development and</p>



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Table 2: Consistency with the Western City District Plan	
Objective	Comment
	would provide a logical local relocation of the urban boundary.
Planning Priority W18 - Delivering high quality open space	The proposal has been designed to provide high quality open space areas for the future community. This has been achieved through the provision of passive and active open space areas within the riparian corridors, bushland areas and on the hilltops, which provide stimulating open space areas that recognise the scenic and cultural values of the subject site and the wider area. Each future lot will be located within a 10 minute walk of quality green open space. The varied open spaces will appeal to all ages and abilities and have been located away from busy roads.
Planning Priority W19 - Reducing carbon emissions and managing energy, water and waste efficiently	The proposal has been designed to provide a sustainable neighbourhood that will manage energy, water and waste efficiently to ensure the functionality and viability of the development.
Planning Priority W20 - Adapting to the impacts of urban and natural hazards and climate change	<p>The following investigations have been undertaken to identify and respond to the natural hazards of the site:</p> <ul style="list-style-type: none"> • Bushfire Report (Appendix I) • Water Cycle Management Report (Appendix L) <p>The proposal has been designed in accordance with the findings and recommendations of the investigations to ensure the development responds to and can adapt to the natural hazards of the site.</p>

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

6.2.3 Camden Local Strategic Planning Statement

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

The LSPS implements the strategic direction of The Greater Sydney Region Plan and Western City District Plan at the local level by setting clear local priorities for the jobs, homes, services and parks that the

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Camden community will require over the next 20 years. The LSPS sets short, medium and long-term actions linked to the local priorities, to deliver on the community’s future vision.

The LSPS is structured around the following four key themes:

- Infrastructure and Collaboration;
- Liveability;
- Productivity; and
- Sustainability.

An assessment of the proposal against the key planning priorities of the LSPS is provided in the table below.

Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
Local Priority I1 - Aligning infrastructure delivery with growth	<p>The proposal has been designed to provide infrastructure that will support the proposed community to ensure the additional residential land does not increase pressure on existing infrastructure in the area.</p> <p>This has been achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre.</p> <p>In addition, a Services and Infrastructure Delivery Strategy / Water Cycle Management Assessment (Appendix L) has been prepared by AT&L that details the availability and work required to provide the development with essential services based on the existing infrastructure in the area.</p>
Local Priority I2 - Connecting Camden through integrated transport solutions	<p>The proposal provides an efficient and effective road network that provides connectivity within the subject site and to surrounding neighbourhoods to ensure the delivery of a well-planned, liveable, productive and sustainable neighbourhood. The proposal incorporates a Greenway Strategy that will provide links from the Mt Annan Botanic Gardens to the Western Sydney Aerotropolis, via old Camden Town Centre. It has significant heritage potential, connecting 15 historic homesteads along a safe and dedicated cycle path, whilst providing opportunities for cultural and recreational experiences. The proposed greenway along the eastern boundary of the site is integrated with the Government Architect’s Green Grid to</p>

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	<p>provide a key component the regional link that is currently on private land.</p> <p>The Greenway Strategy is to be formed off the following key principles:</p> <ul style="list-style-type: none"> • Enhanced connectivity; • Environment & sustainability; • Liveability & Wellbeing; • Infrastructure to support Growth. <p>The Greenway Strategy would enhance a number of key regional opportunities / anchors being the Western Sydney Airport to the north of the site, Oran Park to the east, significant vegetation and bio mapped areas to the west and Camden Town Centre to the south with each anchor having a unique character and contribution to liveability, connectivity, culture and environment.</p>
Local Priority I3 - Planning for the delivery of the North South Rail and South West Rail Link Extension	The proposal will provide the logical relocation of the urban boundary to the Outer Sydney Orbital and provide appropriate development in proximity to both the North South Rail and South West Rail Link Extensions.
Local Priority I4 - Working in partnership to deliver a more liveable, productive and sustainable Camden	<p>The proposal has been designed to provide adequate land in appropriate locations to support the provision of future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre as detailed on the proposed zoning plan and structure plan provided in Appendix D.</p> <p>The proposed development has been designed to incorporate the natural characteristics of the site through the retention and revitalization of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy and connectivity to the surrounding neighbourhoods through the design of an appropriate road network and cycleway and pedestrian greenway links that recognize the cultural and scenic qualities of the site and allow for its interpretation by the community.</p>

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
Local Priority L1 - Providing housing choice and affordability for Camden's growing and changing population	The proposal will provide additional housing supply for the community in a range of zonings and lot sizes that provide a range of housing types and affordability. The proposal has been designed to provide connectivity to the surrounding area to ensure ease of access to employment, services and public transport.
Local Priority L2 - Celebrating and respecting Camden's proud heritage	<p>The proposal has been designed with regard to the cultural and scenic significance of the site. An Aboriginal Due Diligence Assessment (Appendix J) has been prepared in support of the proposal. The findings and recommendations of that report have been considered and incorporated into the design of the proposal.</p> <p>A Heritage Impact Statement and View Analysis (Appendix K) has been prepared by Weir Phillips Heritage that assesses the proposal's impact on the nearby heritage item Denbigh. The Heritage Impact Statement assesses the proposals impact on the existing views and vistas and rural setting of Denbigh to ensure the proposal does not adversely impact it and recognises and respects the district's heritage.</p> <p>The proposal incorporates the significant environmental features of the site and provides public open space areas in and around these features to enable the interpretation of the scenic qualities of the site and surrounding area. The proposal includes the dedication of 31% of the total site to open space and environmental conservation areas.</p>

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
<p>Local Priority L3 - Providing services and facilities to foster a healthy and socially connected community</p>	<p>As detailed the proposal has been designed to provide infrastructure that will support the proposed community to ensure the additional residential land does not increase pressure on existing infrastructure in the area.</p> <p>This has been achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre community centre, sporting facilities and café.</p>
<p>Local Priority L4 - Encouraging vibrant and connected centres which reflect Camden’s evolving character</p> <p>Local Priority L5 - Supporting cultural infrastructure to promote cultural and creative spaces</p>	<p>A key objective of the proposal is to provide for community that recognises and appreciates the natural, cultural and scenic values of the site and surrounding area with a key focus on providing green infrastructure.</p> <p>The subject site provides a unique opportunity to provide a well-designed community in close proximity to the South West Growth Area that focuses on the cultural and environmental values of the site and integrates those values into the overall vision of the proposal. The following specialist studies have been prepared in support of the proposal to identify the environmental and cultural characteristics of the site:</p> <p>The subject site provides a unique opportunity to provide a well-designed community in close proximity to the South West Growth Area that focuses on the cultural and environmental significance of the site and integrates those significant values into the overall vision of the proposal. The following specialist studies have been prepared in support of the proposal to identify the environmental and cultural characteristics of the site:</p> <ul style="list-style-type: none"> • Ecological Constraints Analysis (Appendix H) • Aboriginal Due Diligence Assessment (Appendix J) • Heritage Impact Statement and View Analysis (Appendix K). <p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to ensure site’s significant</p>

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	<p>environmental, cultural and scenic values are retained and incorporated into the design of the proposal. This is to be achieved through the retention and revitalisation of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting.</p> <p>The proposal has been designed to provide infrastructure that will support the proposed community to ensure the additional residential land does not increase pressure on existing infrastructure in the area. This is to be achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre.</p> <p>The proposal has also been designed to provide connectivity to the surrounding neighbourhoods through the design of an appropriate road network and cycleway and pedestrian greenway links. This will ensure residents are provided with appropriate access to services and facilities.</p>
<p>Local Priority P1 - Increasing the quantity and diversity of local jobs, and improving access to jobs across the Western City District</p>	<p>The proposal will provide additional housing supply for the community in a range of zonings and lot sizes that provide a range of housing types and affordability. The proposal has been designed to provide connectivity to the surrounding area to ensure ease of access to employment, services and public transport.</p> <p>In addition, the proposal will provide adequate land in appropriate locations to support the provision of future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or child care centre.</p>



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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	The proposal provides an efficient and effective road network that provides connectivity within the subject site and to surrounding neighbourhoods to ensure the delivery of a well-planned, liveable, productive and sustainable neighbourhood.
Local Priority P2 - Creating a network of successful centres	The proposal provides an efficient and effective road network that provides connectivity within the subject site and to surrounding areas to provide suitable access to key regional centres.
Local Priority P3 - Strengthening the Strategic Centres of Narellan and Leppington	The proposed development aims to provide key support infrastructure and facilities to provide a liveable and sustainable community whilst also providing key connections to surrounding strategic centres to support the continual growth and expansion of strategic centres.
Local Priority P4 - Ensuring a suitable supply of industrial and urban services land Local Priority P5 - Leveraging industry opportunities created by Camden’s proximity to the Western Sydney Airport and Aerotropolis	The proposal will provide additional housing supply in close proximity to a number of existing centres and the Western Sydney Airport and Badgerys Creek Aerotropolis that provide a suitable supply of industrial and urban services land.
Local Priority P6 - Leveraging Camden’s natural and cultural assets to promote local agricultural production and increase tourism Local Priority S1 - Improving the accessibility and connectivity of Camden’s Green and Blue Grid and delivering high quality open space	<p>The proposal incorporates a Greenway Strategy that will provide links from Mt Annan Botanic Gardens to the Western Sydney Aerotropolis, via old Camden Town Centre. It has significant heritage potential, connecting 15 historic homesteads along a safe and dedicated cycle path, whilst providing opportunities for cultural and recreational experiences in significant areas not currently accessible to the public. It is also designed to follow the Green Grid and will activate the revegetation of the corridors.</p> <p>The Greenway Strategy is to be formed off the following key principles:</p> <ul style="list-style-type: none"> • Enhanced connectivity; • Environment & sustainability; • Liveability & Wellbeing; • Infrastructure to support Growth.



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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	<p>The Greenway Strategy would enhance a number of key regional opportunities / anchors being the Western Sydney Airport to the north of the site, Oran Park to the east, significant vegetation and bio mapped areas to the west and Camden Town Centre to the south with each anchor having a unique character and contribution to liveability, connectivity, culture and environment.</p> <p>The Greenway Link will contribute to the strategic corridor that will link the Camden Town Centre to the Western Sydney Employment Area and Western Sydney Aerotropolis. The proposed greenway will provide a basis for surrounding development and the wider region to provide key active transport opportunities that allow for the community to access key recreational cultural activities and positively contribute and expand Camden's Blue Green Grid.</p>
<p>Local Priority S2 - Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River</p> <p>Local Priority S3 - Protecting Camden's rural land</p> <p>Local Priority S4 - Protecting and restoring environmentally sensitive land and enhancing biodiversity</p>	<p>A key objective of the proposal is to provide for a community that recognises and appreciates the natural, cultural and scenic significance of the site and surrounding area with a key focus on providing green infrastructure.</p> <p>The subject site provides a unique opportunity to provide a well-designed community in close proximity to the South West Growth Area that focuses on the cultural and environmental significance of the site and integrates those significant values into the overall vision of the proposal. The following specialist studies have been prepared in support of the proposal to identify the environmental and cultural characteristics of the site:</p> <ul style="list-style-type: none"> • Ecological Constraints Analysis (Appendix H) • Aboriginal Due Diligence Assessment (Appendix J) • Heritage Impact Statement and View Analysis (Appendix K). <p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to ensure site's significant</p>

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	<p>environmental, cultural and scenic values are retained and incorporated into the design of the proposal. This is to be achieved through the retention and revitalisation of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping including canopy trees and a well-designed lot and road layout to protect and maintain those views and setting.</p> <p>The agricultural land production value and its contribution to the rural economy of Camden has been a key consideration of the proposal. The existing farm use and agricultural land has been demonstrated to not be economically viable for a number of years and therefore does not contribute to Camden’s rural economy.</p> <p>The proposal would provide appropriate zoning and lot sizes that relocates the urban boundary to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands further west.</p> <p>The proposal would eliminate existing rural land use conflicts with the existing site and the neighbouring residential development and would provide a logical relocation of the urban boundary.</p>
Local Priority S5 - Reducing emissions, managing waste and increasing energy efficiency	Appropriate waste management and energy efficiency targets will be implanted into the proposal during the detailed design phase of the proposal.
Local Priority S6 - Improving Camden’s resilience to hazards and extreme weather events	<p>The following investigations have been undertaken to identify and respond to the natural hazards of the site:</p> <ul style="list-style-type: none"> • Bushfire Report (Appendix I) • Water Cycle Management Report (Appendix L)

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Table 3: Consistency with the Camden Local Strategic Planning Statement	
Planning Priority	Comment
	The proposal has been designed in accordance with the findings and recommendations of the investigations to ensure the development responds to and can adapt to the natural hazards of the site. The proposal also includes the retention of water in the landscape and extensive canopy to manage urban heat in accordance with State Government objectives.

6.2.4 Camden Rural Lands Strategy

The Camden Rural Lands Strategy was implemented in November 2018 and outlines the challenges and opportunities expressed by the community including maximising the opportunities from growth and retaining the valued aspects of Camden’s rural and country heritage and landscape. The Plan identifies the need for Camden’s growth to be managed carefully and effectively to ensure the retention of the places, landscapes and characteristics of Camden’s rural and country heritage and backdrop.

The key planning principles of the Strategy are:

- Protect Camden’s remaining rural lands;
- Retain Camden’s valued scenic and cultural landscapes;
- Provide certainty and avoid rural land fragmentation;
- Minimise and manage rural land use conflict;
- Enhance Camden’s Rural Economy;
- Minimise unplanned non-agricultural development; and
- Maximise opportunities for relocation of rural enterprises.

An assessment of the proposal against the key planning principles of the Rural Lands Strategy is provided in the table below.

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Table 4: Consistency with the Key Planning Principles of the Rural Lands Strategy	
Planning Principle	Comment
P1. Protect Camden’s remaining rural lands	<p>The subject site is located directly adjacent to the South West Growth Area to the east and the indicative location of the Outer Sydney Orbital to the west. The proposal would provide appropriate zoning and lot sizes that would provide a logical relocation of the urban boundary to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands further west.</p> <p>The proposal would eliminate rural land use conflicts with the existing site and the surrounding residential development and would produce a clearly defined, logical urban boundary.</p> <p>The existing agricultural use has been demonstrated to not be economically viable for a number of years and therefore does not contribute to Camden’s rural economy.</p> <p>The land is currently zoned RU1 Primary Production under the Camden LEP 2010. The current land use does not meet the relevant objectives of the zone in that it does not encourage sustainable primary industry production, minimise rural land fragmentation or minimise land use conflicts.. Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.</p> <p>The rural setting of the surrounding area has been taken into consideration in the design of the proposal with the significant environmental and scenic features of the site retained and extensive landscaping and public open space proposed to provide an appropriate interface with the surrounding landscape and land uses.</p>
P2. Retain Camden’s valued scenic and cultural landscapes	<p>The current use of the site is not viable under the current zoning and unless the zoning changes the scenic and cultural value of the site will deteriorate. To address this concern, the proposal has been designed to provide for</p>



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Table 4: Consistency with the Key Planning Principles of the Rural Lands Strategy	
Planning Principle	Comment
	<p>development that provides an appropriate transition across the site from the South West Growth Area to the rural lands to the west. The zonings and minimum lot sizes have been selected to best retain the scenic and cultural landscapes of Camden.</p> <p>The following onsite investigations have been undertaken onsite to identify the site's significant environmental, cultural and scenic values:</p> <ul style="list-style-type: none"> • Ecological Constraints Analysis (Appendix H) • Aboriginal Due Diligence Assessment (Appendix J) • Heritage Impact Statement and View Analysis (Appendix K). <p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to ensure site's significant environmental, cultural and scenic values are retained. This has been achieved through the retention and revitalisation of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting.</p>
P3. Provide certainty and avoid rural land fragmentation	The current urban boundary of the South West Growth Area and the indicative location of the Outer Sydney Orbital have resulted in the isolation of the subject site from the broader rural area of Camden. The site is not economically viable for primary production and its future is uncertain under its current zoning. The proposal would facilitate the orderly and economic development of the site and provide a certain future for the land.
P4. Minimise and manage rural land use conflict	Zoning and infrastructure decisions by the NSW Government are incompatible with the ongoing rural use of the subject site. Under current zonings, land can be subdivided for residential development down to 125m ² ,

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Table 4: Consistency with the Key Planning Principles of the Rural Lands Strategy	
Planning Principle	Comment
	<p>immediately adjacent to the site, compared to the subject site’s 40ha minimum lot size. This disposition of development can be expected to result in increasing conflict as small scale, dense residential development abuts broad acre agricultural usage. Such conflict would likely include negative impacts of agriculture on the residential community. It is noted that the residential and agricultural lands form part of the same drainage catchment and urban runoff would be inappropriate for agricultural use such as stock watering.</p> <p>The proposal would provide appropriate zoning and lot sizes that relocates the urban boundary to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands further west.</p> <p>The proposal would eliminate existing rural land use conflicts with the existing site and the neighbouring residential development and would provide a logical relocation of the urban boundary.</p>
P5. Enhance Camden’s Rural Economy	<p>The existing farm agricultural use has been demonstrated to not be economically viable for the landowner for a number of years and therefore does not contribute to Camden’s rural economy.</p> <p>The land is currently zoned RU1 Primary Production under the Camden LEP 2010. The current land use does not meet the relevant objectives of the zone in that it does not encourage sustainable primary industry production, minimise rural land fragmentation or minimise land use conflicts. Based on the size of the subject site and the South West Growth Area located directly adjacent the site to the east and the Outer Sydney Orbital to the west the site is not deemed to be of a size or able to achieve a land size that would be economically viable for any form of primary production that would not impact the surrounding locality.</p>

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Table 4: Consistency with the Key Planning Principles of the Rural Lands Strategy	
Planning Principle	Comment
P6. Minimise unplanned nonagricultural development	The proposal would rezone the land to provide a well-designed and planned neighbourhood.
P7. Maximise opportunities for relocation of rural enterprises	<p>Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.</p> <p>As detailed the existing land use is not economically viable. The site by virtue of preceding Government decisions is not able to achieve a land size that would be economically viable for any form of primary production that would not impact the surrounding locality.</p>

In addition to the key planning principles the Rural Lands Strategy has guiding criteria and key considerations to assist in the assessment of planning proposals for rezoning's on rural land outside of the South West Growth Area. An assessment of the proposal against the criteria is detailed in the table below.

Table 4: Rural Lands Strategy for Rezoning Proposals		
Assessment Criteria	Key Considerations	Response
1. Proposals must be consistent with state and local strategic plans	<ul style="list-style-type: none"> Improvement / ongoing maintenance of biodiversity, ecological, scenic and productive values. Agricultural land production value. Rural economic benefit. Net community benefit. 	<p>The proposal is generally consistent with state and local strategic plans as detailed in section 5.2 of this report.</p> <p>The following investigations have been undertaken onsite to identify the site's significant environmental, cultural and scenic values:</p> <ul style="list-style-type: none"> Ecological Constraints Analysis (Appendix H) Aboriginal Due Diligence Assessment (Appendix J) Heritage Impact Statement and View Analysis (Appendix K).

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Table 4: Rural Lands Strategy for Rezoning Proposals		
Assessment Criteria	Key Considerations	Response
		<p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to ensure site’s significant environmental, cultural and scenic values are retained. This has been achieved through the retention and revitalization of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting.</p> <p>The agricultural land production value and its contribution to the rural economy of Camden has been a key consideration of the proposal. The existing farm use and agricultural land has been demonstrated to not be economically viable and therefore does not contribute to Camden’s rural economy.</p> <p>Land use planning and infrastructure decisions by the NSW Government have detrimentally affected the viability of the current agricultural use of the subject site such that financially viable relocation of the rural business is no longer possible.</p> <p>The community benefit of the proposal has also been a key consideration. A Social and Community Infrastructure Assessment (Appendix O) has been prepared by Hill PDA in support of the application and concludes that the proposal is not considered to result in adverse impacts on social and community infrastructure in the</p>

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Table 4: Rural Lands Strategy for Rezoning Proposals		
Assessment Criteria	Key Considerations	Response
		area and will have designated appropriate areas to facilitate future social and community infrastructure development.
2. Proposals must not adversely impact on the operation of existing rural enterprises	<ul style="list-style-type: none"> Existing intensive agricultural land uses. Land use conflict – utilisation of the Land Use Conflict Risk Assessment (LUCRA) tool developed by the NSW Department of Primary Industries. 	<p>The subject site is currently operated as a cattle farm. Surrounding development consists of the South West Growth Area to the east, Cobbitty to the south, and existing rural lands to the north and west with the future Outer Sydney Orbital planned to the south and west of the subject site.</p> <p>The operation of the existing rural enterprise has been severely impacted by previous Government decisions that its continued operation has already been rendered non-viable.</p> <p>The proposal would provide appropriate zoning and lot sizes that provide a logical relocation of the urban boundary to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands to the north and further west.</p> <p>The proposal would eliminate existing rural and use conflicts with the existing site and the surrounding residential development and would produce a clearly defined urban boundary.</p> <p>The proposal has been designed to minimise land use conflicts with surrounding land uses. A Heritage Impact Statement and View Analysis (Appendix K) has been prepared by Weir Phillips Heritage that assesses the proposal’s impact on Denbigh’s view and setting to ensure the proposal does not adversely</p>



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Table 4: Rural Lands Strategy for Rezoning Proposals		
Assessment Criteria	Key Considerations	Response
		impact it and ensures land use conflicts are minimised.
3. Proposals must be a logical extension to existing urban areas	<ul style="list-style-type: none"> Proximity to public transport and other community services. Essential services availability (including cost of extending services or upgrading roads and other infrastructure). 	<p>The proposal would provide appropriate zoning and lot sizes that provide for a logical local relocation of the urban boundary from the South West Growth Area to the Outer Sydney Orbital and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands to the north and further west.</p> <p>The proposal represents a unique case and will not result in an undesirable precedent for land further west as the Outer Sydney Orbital will create a defined urban boundary.</p> <p>The proposal has been designed to provide connectivity to the surrounding neighbourhoods through the design of an appropriate road network and cycleway and pedestrian greenway links. The proposal will be provided with accessibility to surrounding public transport and community services whilst also providing land to accommodate future community land uses such as a school and child care centre.</p> <p>A Services and Infrastructure Delivery Strategy / Water Cycle Management Assessment (Appendix L) has been prepared by AT&L that details the availability and work required to provide the development with essential services.</p>
4. Proposals must not reduce the	<ul style="list-style-type: none"> Siting and design impacts. 	The following investigations have been undertaken onsite to identify the site's

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Table 4: Rural Lands Strategy for Rezoning Proposals		
Assessment Criteria	Key Considerations	Response
quality of scenic landscapes, vistas, ridgelines, or heritage values	<ul style="list-style-type: none"> Natural and physical constraints and opportunity of rural land, including high value vegetation, bushfire and flooding. 	<p>significant environmental, cultural and scenic values and constraints:</p> <ul style="list-style-type: none"> Ecological Constraints Analysis (Appendix H) Bushfire Report (Appendix I) Aboriginal Due Diligence Assessment (Appendix J) Heritage Impact Statement and View Analysis (Appendix K) <p>The proposed development has been designed in accordance with the findings and recommendations of the above investigations to respect the site’s environmental, cultural and scenic values and constraints. This has been achieved through the retention and revitalization of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to interpret and enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting.</p> <p>In addition, the proposed layout has been designed with consideration of Bushfire and Flooding constraints to provide a safe and well-designed neighbourhood.</p>

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

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) that apply to the site. A detailed list of the SEPPs and commentary is provided at **Appendix B**.

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



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The Planning Proposal is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A statement of the consistency of this Planning Proposal with these directions is provided at **Appendix C**.

6.3 Environmental, Social and Economic Impact

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

6.3.1 Ecological Impacts

An Ecological Constraints Analysis (**Appendix H**) has been prepared by Cumberland Ecology in support of the proposal. The Ecological Constraints Analysis was prepared to document and describe the current biodiversity values of the subject site and to identify any impacts that may constrain future development as a result of the planning proposal. In particular, biodiversity values include threatened species, populations and communities that are listed under the New South Wales (NSW) Biodiversity Conservation Act 2016 (BC Act) and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

A flora survey was conducted over three days by a botanist and ecologist on 14 and 15 January, and 21 April 2020. Surveys included vegetation mapping, flora plots and targeted threatened flora searches. Fauna surveys were also conducted by an ecologist on 14 and 15 January 2020. Surveys consisted of a fauna habitat assessment and incidental observations. The surveys and subsequent analysis identified the following ecological constraints onsite:

- Presence of native vegetation, including two Threatened Ecological Communities (TEC);
- Known and potential habitat for threatened species;
- Areas located on the Biodiversity Values Map;
- Land within riparian corridors; and
- Serious and Irreversible Impact (SII) entities.

The ecological constraints of the subject site were mapped as detailed in **Figure 8** below.

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Figure 7: Ecological Constraints of Subject Site (source: Cumberland Ecology)

The Ecological Constraints Analysis identified the potential ecological impacts of future development on the subject site as follows:



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- Removal of native vegetation;
- Removal of fauna habitat features such as, hollow-bearing trees, coarse woody debris, and blossom producing trees and shrubs;
- Removal known habitat for threatened fauna species;
- Removal of potential habitat for threatened flora and fauna species;
- Modification of microhabitats through edge effects;
- Modification of habitat connectivity;
- Runoff, sedimentation and erosion;
- Weed invasion; and
- Injury or mortality to fauna species.

The proposal has been designed with consideration of the ecological constraints of the site and to minimise potential future ecological impacts. Such impacts are to be assessed as part of the development application process subsequent to the rezoning of the site.

The Analysis also included the review of the proposed Structure Plan, Zoning Map and Minimum Lot Size Map and concludes that the proposed rezoning has incorporated the recommendations outlined in the preliminary constraints assessment by mostly avoiding areas identified as 'High' and 'Moderate' constraints, instead proposing to rezone those areas as E2-Environmental Conservation, whilst also incorporating a large portion of the subject site as E4 – Environmental Living where impacts to biodiversity will be minimised.

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

6.3.2 European Heritage

A Heritage Impact Statement has been prepared in support of the proposal by Weir Phillips Heritage and Planning and is provided in **Appendix K**. The Heritage Impact Statement was prepared to assess the heritage impact of the proposed change to the planning controls on heritage items within the vicinity of the site.

The subject site is not listed as a heritage item but is located adjacent to 'Denbigh Estate' which is listed on the State Heritage Register under the NSW Heritage Act 1977 and in Schedule 5 of Appendix 1 of State Environmental Planning Policy (Sydney Regional Growth Centres) 2006.

The following is a brief overview of the Statement of Significance for Denbigh as detailed on The State Heritage Register:

Denbigh is of State significance as an intact example of a continuously functioning early farm complex (1817-1820s) on its original 1812 land grant. It contains a rare and remarkable group of homestead, early farm buildings and associated plantings with characteristics of the Loudon model of homestead siting within an intact rural landscape setting fundamental to its interpretation. The large collection of early farm buildings is perhaps the most extensive and intact within the Cumberland/Camden region.

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The place is of scientific significance for its potential to reveal, through archaeology, evidence of both early European farming practices and aboriginal occupation. The significance of Denbigh is considerably enhanced by the extent to which it has retained its form, character, fabric and rural setting (Heritage Office). The Denbigh estate is of exceptional cultural significance for its historical, aesthetic, social and technical values.

The proposal has been designed to recognise the importance of maintaining the historic rural setting of the homestead. The proposed site seeks to offer a 'green backdrop' to Denbigh by only developing the intermediate section between the valley and the ridges of the area to the north west of Denbigh. It is noted that both the visual and physical curtilage of Denbigh is significantly larger than similar historic homesteads in the immediate vicinity undergoing residential subdivision as part of the South Western Growth Corridor.

There is no physical impact which arises from the change to the controls proposed, and at DA stage, there will be a number of ways in which any visual impact can be addressed through the design of a future residential development.

The proposed rezoning and subsequent subdivision of the subject site offers a sympathetic solution to a context that is changing from a rural identity to residential as the outer fringes of Sydney become urbanised. Unlike many of the surrounding suburban developments, the proposal offers a large lot and low scale subdivision, which allows for increased opportunities for establishing vegetation on individual lots.

In addition to the large lot subdivisions, the proposal will also revegetate the riparian corridor between the two properties and of the ridges on the western side of the subject site. This offers an opportunity to preserve the setting of Denbigh and minimise any impact on it while facilitating the proposed use as a large lot subdivision.

The proposed rezoning is considered an appropriate response to the site without diminishing in the recognised historic setting of Denbigh. It is acceptable for the following reasons:

- The Structure Plan indicates the intermediate section between the valley and the ridges of the area to the north west of Denbigh is the only section on the site proposed to be developed. The majority of the visual impact can be screened through the revegetation of the riparian corridor adjacent to Regent Dam;
- The proposed revegetation of the riparian corridors will also assist in screening the future Outer Sydney Orbital; and
- The proposed rezoning and subsequent subdivision of the subject site offers a sympathetic solution to a context that is changing from a rural identity to residential as the outer fringes of Sydney.

The proposed rezoning of the site for future urban development and associated minimum lot sizes and offers the opportunity for a low density, well vegetated transition to the Outer Sydney Orbital which acts as the boundary of south western growth centre residential development area.

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6.3.3 Aboriginal Heritage

An Aboriginal Due Diligence Assessment (**Appendix J**) has been prepared by Artefact in support of the proposal. The Aboriginal heritage assessment has been completed in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010) (Due Diligence Code of Practice). The report also includes a high-level constraints assessment which indicates archaeologically sensitive landforms and identified Aboriginal sites to inform constraints mapping. This assessment has included a site visit, search of the AHIMS database and a review of previous archaeological assessments completed within the vicinity of the study area.

The study area is located within the Camden Council Local Government Area (Camden Council LGA) within the Parish of Cook and County of Cumberland. It is contained within the boundary of Tharawal Local Aboriginal Land Council (Tharawal LALC).

An inspection of the study area was completed by Ryan Taddeucci (Senior Heritage Consultant, Artefact Heritage), and Anna Darby (Heritage Consultant, Artefact Heritage) on 20 January 2020. The aim of the site inspection was to gain an overall impression of the intactness of the study area and identify the potential for archaeologically sensitive landforms. An additional inspection of the study area was completed by Ryan Taddeucci (Senior Heritage Consultant, Artefact Heritage), and Rebecca Chalker (Site Officer, Cubbitch Barta Native Title Claimants) on 4 May 2020. The aim of the site inspection was to provide Cubbitch Barta Native Title Claimants with an opportunity to assess the cultural significance of the study area to be incorporated into this assessment.

An overview of the findings of the assessment are as follows:

- No previously registered AHIMS sites were identified within the study area
- No previously unrecorded Aboriginal sites were identified within the study area during the site inspection
- Areas of high, medium, and low Aboriginal archaeological sensitivity were identified within the study area, as detailed in **Figure 8** below.

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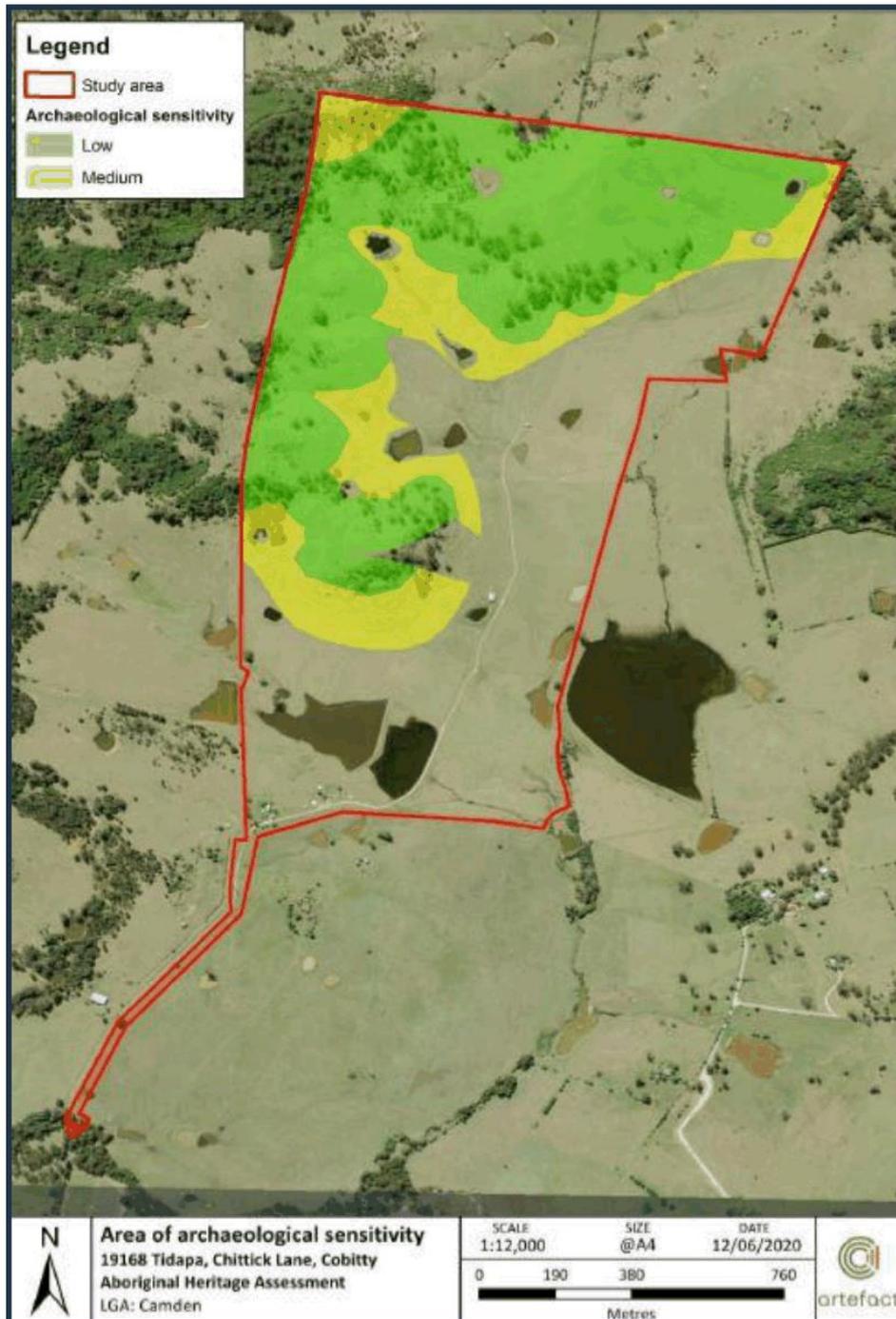


Figure 8: Areas of Archaeological Sensitivity (Source: Artefact)

The proposal has been designed to best respond to the findings and recommendations of the Aboriginal Due Diligence Assessment to minimize the impacts of the proposal on the any potential aboriginal heritage items or places onsite. The Aboriginal Due Diligence Assessment provides a number of recommendations that will be incorporated during the detailed design of the proposal.

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6.3.4 Flooding and Water Cycle Management

A Services and Infrastructure Delivery Strategy / Water Cycle Management Report has been prepared by AT&L in support of the proposal and is provided in **Appendix L**. The report undertook an assessment of the site and surrounding area to best determine how to manage stormwater across the site.

A small portion on the south eastern corner of the property is mapped as being flood prone land as identified in the Nepean River Flood Study prepared in 2015. The assessment details that the best way to treat the site from a flooding and stormwater drainage perspective is to construct two basins within the property at low points creating two catchments within the site with a riparian corridor in which the stormwater, from the external areas, is diverted through the site is to be created.

The basins will have controlled outlet pits/headwalls to ensure post developed stormwater flows do not exceed predeveloped flows for all storm events up to and including the 1% AEP in line with the Camden Council Stormwater guidelines.

The proposed riparian corridors and basins have been incorporated into the design of the proposal as detailed in the Structure Plan provided in **Appendix D**.

6.3.5 Bushfire

A Bushfire Hazard Assessment has been prepared by Australian Bushfire Protection Planners in support of the proposal and is provided in **Appendix I**.

The Bushfire Hazard Assessment was undertaken to determine the bushfire affectation of the site and determine the potential bushfire constraints for future development on the site. A site inspection was undertaken as part of the assessment to confirm the extent of bushfire prone vegetation onsite and adjoining properties.

The site inspection identified a number of watercourses and creek lines that form tributaries to Cobbitty Creek, located to the east of the site. For the purpose of determining the required Asset Protection Zones to future residential development within the site, it was assumed these streams will be rehabilitated with Cumberland Plain Shale Hills Woodland vegetation.

Asset Protection Zones (APZ) are determined using the methodology provided in Planning for Bushfire Protection 2019 which includes determination of predominant bushfire prone vegetation within 140 metres of a development site and the effective slope of the land within 100 metres of the development.

The Bushfire Hazard Assessment identified the applicable APZs for the proposal based on the site inspection, slope analysis and indicative layout of future development as detailed in **Figure 9** below.

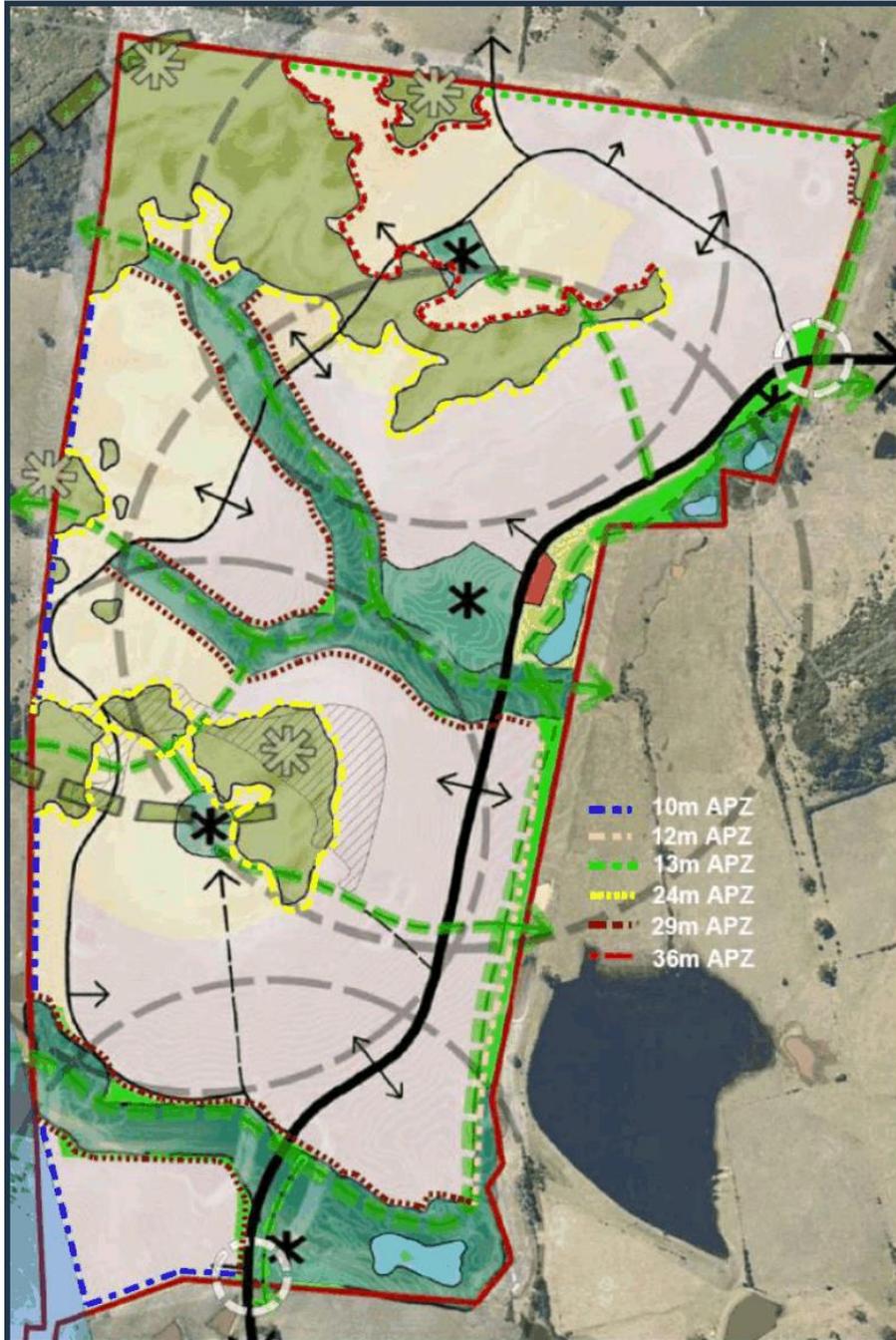


Figure 9: Structure Plan detailing the Asset Protection Zones (Source: ABPP)

The proposed Structure Plan has been designed with consideration of the bushfire constraints of the sited to ensure that once the site is rezoned a safe and well-designed residential neighbourhood is provided in accordance with Planning for Bushfire Protection 2019.

6.3.6 Acoustic and Air Quality Impacts



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The proposal is unlikely to result in acoustic or air quality impacts on surrounding properties as it will result in the logical local relocation of the urban boundary to the future location of the Outer Sydney Orbital.

The construction and the future occupation of the proposal is not considered to result in an increased impact on the air quality or acoustic privacy of adjoining properties than what is currently experienced through the construction of the South West Growth Area or the future construction of the Outer Sydney Orbital.

In addition, the proposal has been designed with regard to the acoustic privacy and air quality of existing development and incorporates measures to best minimise impacts. This will be achieved through the retention and revitalization of existing vegetated areas and riparian corridors, the use of extensive landscaping to integrate the proposal into the existing landscape and provide an appropriate interface to surrounding development and the incorporation of a well-design pedestrian and bicycle network to encourage non-vehicular transport.

6.3.7 Traffic and Transport

A Traffic and Transport Assessment has been prepared by JMT Consulting in support of the proposal and is provided in **Appendix M**. The report assesses the transport implications of the proposed rezoning and includes an assessment of the existing conditions including site context and the current and planned transport environment, road network assessment and traffic modelling.

As detailed in the Structure Plan the site will have an internal road network that will provide an external connection at the northern end of the site. This connection will ultimately link up with the future road network serving the broader area including the adjacent communities of South-West Creek and Lowes Creek Maryland. These future roads will provide multiple connection points through to the Northern Road as detailed in **Figure 10** below.



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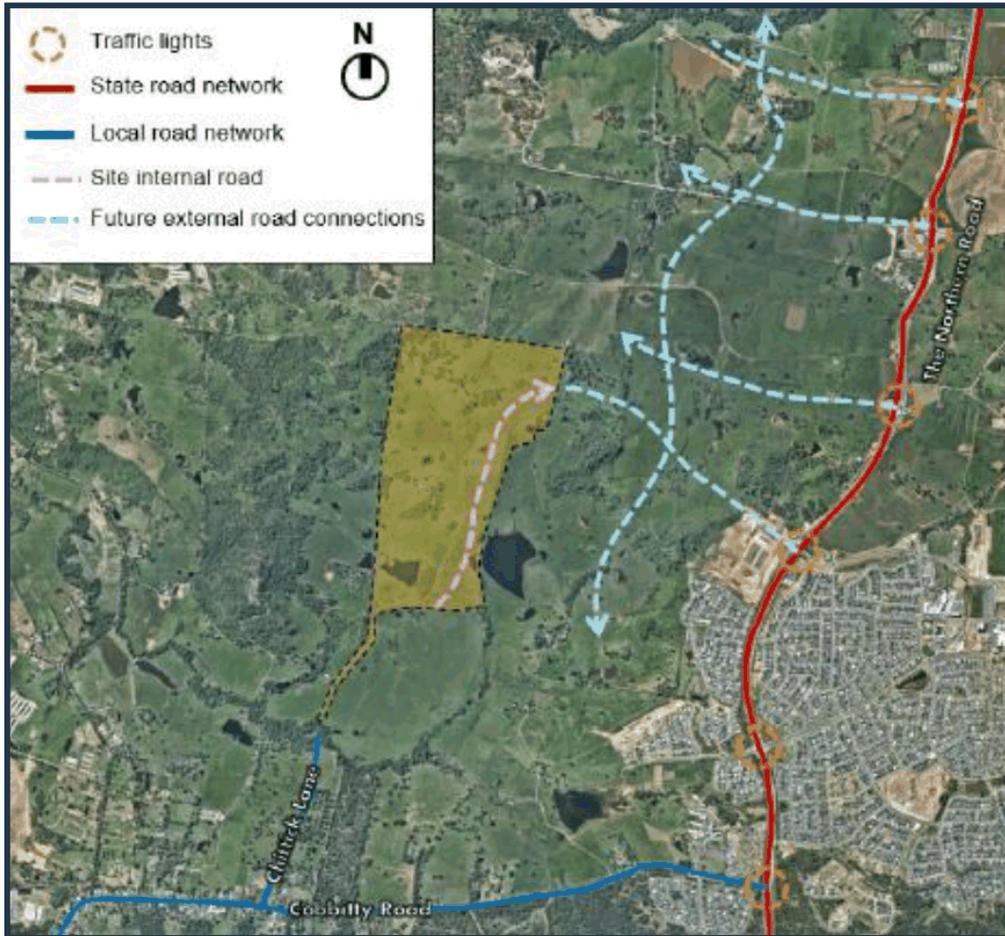


Figure 10: Access and Circulation (Source: JMT Consulting)

The proposal incorporates an internal road network that has been designed to best respond to the natural characteristics of the site and provides larger road cross sections to facilitate further planting within the road reserve to better integrate the proposal into the surrounding landscape. In addition, the internal street design will facilitate good quality connections for pedestrians and cyclists. All streets will include footpaths on at least one side and potentially provide the opportunity for the introduction of shared user paths (bicycles and pedestrians).

As detailed in the traffic modeling the closest intersection to the site along The Northern Road (at Dick Johnson Drive) continues to perform at acceptable levels with the additional traffic flows associated with the rezoning and Peak traffic demands along the internal collector road will be well below the operational capacity of up to 900 vehicles per hour. The proposal’s impact on the existing and future transport network is considered to be acceptable.

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

6.3.8 Social Infrastructure



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A Social and Community Infrastructure Assessment has been prepared by Hill PDA in support of the proposal and is provided in **Appendix O**. The Social and Community Infrastructure Assessment provides an assessment of the social and community infrastructure in the local area and projects the demand for such facilities that would be generated by the proposal. This assessment is facilitated by identifying and evaluating changes to existing demographic conditions, due to the proposed project, and the subsequent pressures placed on the existing social infrastructure of the region.

A summary of the findings of the assessment are as follows:

- The area is well serviced for childcare and out of school hours care facilities however the proposal will rezone land that will be able to facilitate child care development;
- The new Oran Park High School will assist meeting future demand of the population with opportunity to also provided for future school developments within the proposal;
- The proposed development will be well serviced for public open space within reasonable walking distances;
- The proposal is unlikely to generate sufficient demand for additional sporting facilities however the proposal will provide sufficient area and zoning to accommodate future active recreation areas; and
- The area is well serviced for health facilities.

The proposal is not considered to result in adverse impacts on social and community infrastructure in the area and will has designated appropriate areas to facilitate future social and community infrastructure development.

6.3.9 Economics and Retail

The proposal is unlikely to result in any adverse economic or retail impacts on surrounding properties as the retail zoning is only intended on servicing the needs of people who live in, work in and visit the local area.

The purpose of the B2 zoned land is to provide for those local services and needs and encourage and maximise walking and cycling within the local area. The location of this B2 zoned land is centrally located to encourage walking and cycling, located adjacent to public open space along with the Greenway proposed by McGregor Coxall.

Hill PDF has undertaken a Housing Market Analysis in support of the application and provided in **Appendix N**. A summary of their findings is provided below which indicates that from an economic perspective there will be demand for larger lots given the low supply of larger lots within the local area, albeit at a lower demand than smaller lots.

It is clear within the Camden LGA that from an economic perspective that the proposed rezoning will have positive impacts on the local area including:

- Increasing supply for larger lots and providing opportunities for those residents seeking larger lots to remain within the Camden area.
- Provision of local services within the local area and minimising longer trips to access services; and

Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

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- Provision of open space within the local area at no cost to Council.

6.3.10 Market Analysis

A Housing Market Analysis has been prepared by Hill PDA in support of the application and provided in **Appendix N**. The Housing Market Analysis undertakes a study of the current housing market and supply for the area to understand the demand for the product that would result from the proposal.

The Housing Market Analysis includes a review of the residential development pipeline in the area to analyze supply and a review of recent housing developments in similar locations and discussions with local agents to understand the level of demand to inform the analysis and market appraisal.

A summary of the findings of the analysis are as follows:

- All new supply comprises of either small lots (200 to 300 sqm) or more conventional sized lots (300sqm to 600sqm) and at present there are no recent large lot subdivisions (800sqm+) in the Camden LGA;
- At present larger lots are created in areas with development constraints – for example flood prone or environmental protection areas;
- Mostly likely buyer profile of large lots would be 3rd or 4th home buyers and owner occupiers with families;
- In the Q1 2020 the residential lot market experienced an uplift in sales; and
- Larger lots are attractive due to scarcity and they provide an alternative to the conventional sized lots offered in Oxley Ridge estate, Arcadian Hills/Grove estate and Oran Park. However, the market depth is shallower, and success depends on careful consideration of price points, levels of amenities provided and the careful staging of the marketing campaign.

6.3.11 Services and Utilities

A Services and Infrastructure Delivery Strategy has been prepared by AT&L in support of the proposal and is provided in **Appendix L**.

The report undertook a review of all the existing civil infrastructure on site and in the surrounding area to determine the ability of the site to be serviced if the rezoning progresses. The following details the findings of the report for each essential service.

Sewerage and Water

AT&L undertook discussions with a Water Services Coordinator and a review of Dial Before You Dig Records which determined that there are currently no suitable Sydney Water sewer or water assets within the subject site or within close proximity to service the development with no indication the existing assets are to be extended or upgraded in the near future.

If the rezoning of the site is progressed Sydney Water will need to plan the upgrade and extension of the infrastructure to provide service to the area. The upgrades and extensions will likely need to be carried out by developers and reimbursed by Sydney Water, under their procurement policy. Service upgrades for

Attachment 1

Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

the South West Growth Area adjacent to the property may provide opportunities for access and modification to allow the servicing of the site.

If the proposal is progressed a feasibility application will be lodged with Sydney Water as early as possible to identify any servicing strategies and to make Sydney Water aware of the intention to develop the area.

Electricity

Based on the investigations there will need to be an upgrade of the existing electricity service to accommodate the proposal. A new substation has been installed in Oran Park along The Northern Road which is approximately 5.5km South-East from the site. High level advice from an Electrical ASP Level 3 Designer, indicates that it is likely the proposal will need to be connected into this substation as well as providing additional substations within the development.

If the rezoning of the site is progressed further investigation will be undertaken in association with Endeavour Energy who will need to undertake an internal feasibility study to determine the site requirements.

Telecommunications

A desktop investigation indicates there are telecommunication towers located onsite, along Chittick Lane, South-West of the site as well as Telstra conduits located at the entrance of the site currently servicing the existing buildings onsite. Upgrades to the current connection will be required to service the proposal.

6.3.12 Land Use Conflict Assessment

The proposal has been prepared with consideration of the Department of Primary Industries' *Land Use Conflict Risk Assessment Guide* to ensure it does not result in land use conflicts with existing uses in the area.

The subject site is currently operated as a cattle farm. Surrounding development consists of the South West Growth Area to the east, Cobbitty to the south, and existing rural lands to the north and west with the future Outer Sydney Orbital planned to the west of the subject site.

A Rural Lands Scoping Report (**Appendix G**) has been prepared by GHD in support of the proposal which reviewed the subject site's opportunities for current or potential productive and sustainable agricultural activities. The report concluded that the existing farm use and agricultural land is not economically viable and does not contribute to Camden's rural economy.

The land is currently zoned RU1 Primary Production under the Camden LEP 2010. The current land use does not meet the relevant objectives of the zone in that it does not encourage sustainable primary industry production, minimise rural land fragmentation or minimise land use conflicts. Based on the size of the subject site and the South West Growth Area located directly adjacent the site to the east and the Outer Sydney Orbital to the west the site is not deemed to be of a size or able to achieve a land size that

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would be economically viable for any form of primary production that would not impact the surrounding locality.

Under current zonings, increased land use conflict (such as noise, odour and water quality) is likely given the small scale dense residential development permissible up to the eastern boundary of the subject site.

The proposal would provide appropriate zoning and lot sizes that provide a logical relocation of the urban boundary to the Outer Sydney Orbital and provide for a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands to the north and further west.

The proposal would eliminate the existing rural land use conflicts with the adjoining residential development and rural land isolation of the existing site and would produce a logical local relocation of the urban boundary.

In addition, the proposal has been designed to minimise land use conflicts with surrounding land uses. A Heritage Impact Statement and View Analysis (**Appendix K**) has been prepared by Weir Phillips Heritage that assesses the proposal's impact on Denbigh's views and setting to ensure the proposal does not adversely impact it and ensures land use conflicts are minimised.

6.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

As detailed above there is not currently sufficient public civil infrastructure to service the proposal. If the rezoning of the site is progressed to gateway determination further investigations will be undertaken in consultation with the relevant authorities to determine the servicing requirements and the means of providing those services.

In addition, the proposal has been designed to provide connectivity to the surrounding neighbourhoods through the design of an appropriate road network and cycleway and pedestrian greenway links. The proposal will be provided with accessibility to surrounding public transport and community services whilst also providing land to accommodate future community land uses such as a school and child care centre.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

- Transport for NSW
- NSW Roads and Maritime Services
- Endeavour Energy
- Sydney Water



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Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

- NSW Environment, Energy and Science
- NSW Rural Fire Service

7.0 Mapping

As discussed in Section 5 of this report the planning proposal seeks to amend the Camden LEP 2010 as follows:

- Amend the Land Zoning Map for the subject site (Sheet 007) to rezone the site to the following zones R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation.
- Amend the Minimum Subdivision Lot Size Map for the subject site (Sheet 007) to provide the following range of minimum lot sizes to facilitate residential development:
 - 600m²;
 - 700m²;
 - 900m²;
 - 1,500m²;
 - 2,000m².

The proposed mapping is provided in **Appendix D** of this report.

8.0 Community and Key Stakeholder Consultation

It is expected that direction as to the nature and extent of the public exhibition will be provided by Department of Planning, Industry and Environment as part of the Gateway Determination. No formal community consultation has been undertaken in relation to this Planning Proposal to date.

In accordance with the Department of Planning, Industry and Environment & Environment Guidelines for preparing planning proposals a pre-lodgment meeting was undertaken with Camden Council staff on 19 September 2019 to discuss the proposed rezoning of the site.

9.0 Project Timeline

The impacts of Government zoning and infrastructure decisions on the viability of the use of the site under its current zoning indicate that an early decision is desirable. However, the Relevant Planning Authority (RPA) has discretion to determine the relevant project timeframe for the determination of this planning proposal. The information detailed within this planning proposal has been provided to outline any potential impacts and provide justification to support and assist the RPA's determination.

10.0 Conclusion

Planning Proposal – Proposed Rezoning Chittick Lane, Cobbitty

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This planning proposal has been prepared by The Planning Hub on behalf of the O’Grady Family and seeks to amend the Camden Local Environmental Plan (LEP) 2010 to rezone land to facilitate residential development on Lots 2, 3, 4 and 5 DP 239612, Chittick Lane, Cobbitty.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including ‘A Guide to Preparing Local Environmental Plans’ and ‘A Guide to Preparing Planning Proposals’.

The Planning Proposal provides a comprehensive justification of the proposed amendment to the Camden LEP 2010, and significant planning merit in the following respects:

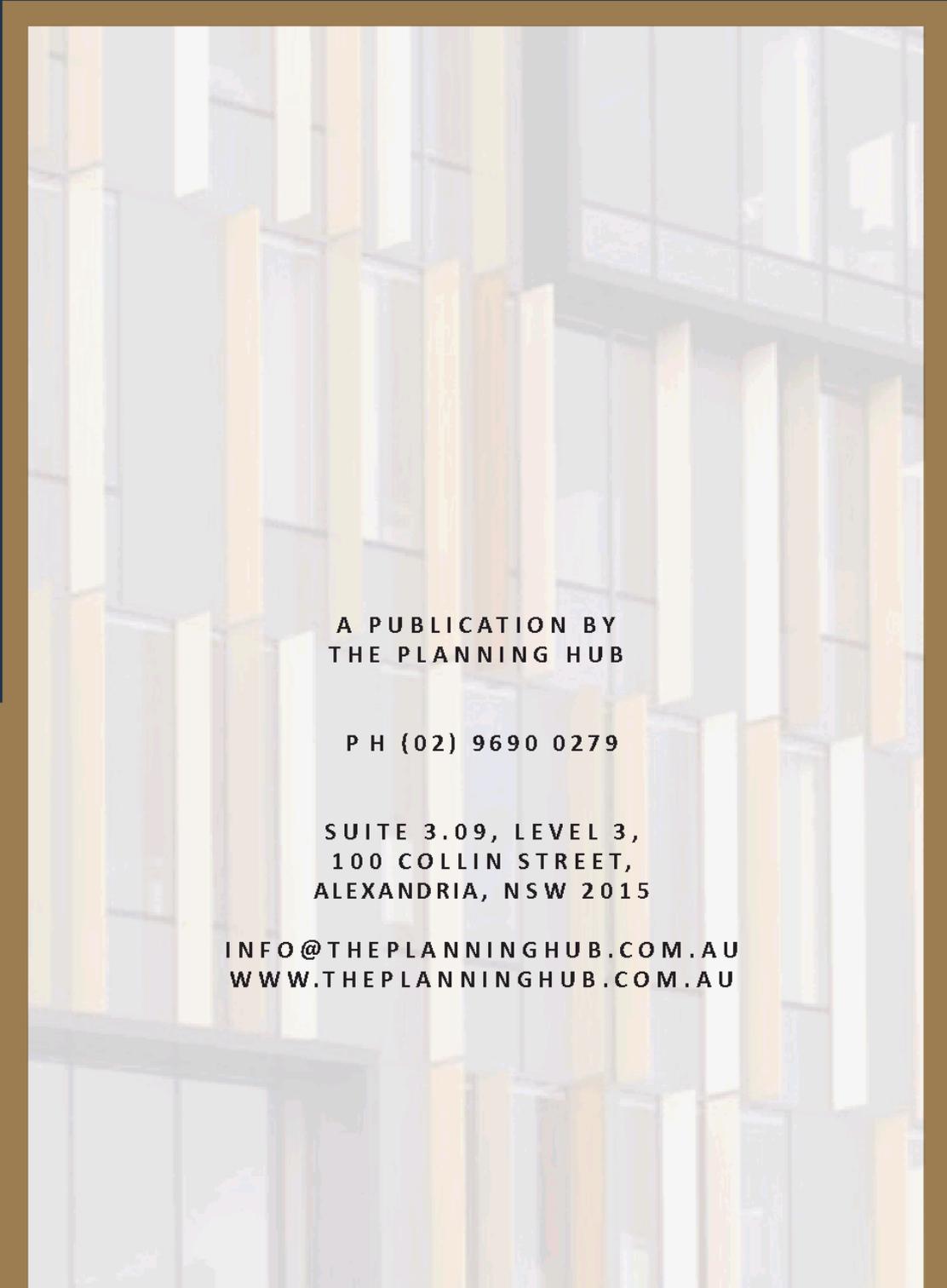
- The proposal would result in the logical local relocation of the existing urban boundary to the Outer Sydney Orbital;
- The proposal would reduce rural land fragmentation and land use conflicts in the area;
- The proposal would result in the orderly and economic development of the land;
- The proposal identifies and incorporates the significant environmental and cultural features of the site;
- The proposal would provide a well-designed community that would provide additional residential land to provide for the housing needs of the community;
- The proposal does not adversely impact adjoining properties.

Given the above significant planning merits and the absence of any adverse social, economic or environmental impacts, it is requested that the planning proposal be favorably considered by Council and that Council resolve to forward it to the Department of Planning, Industry and Environment & Environment to allow the Department to consider the Planning Proposal for Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act, 1979.

Attachment 1

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Attachment 1



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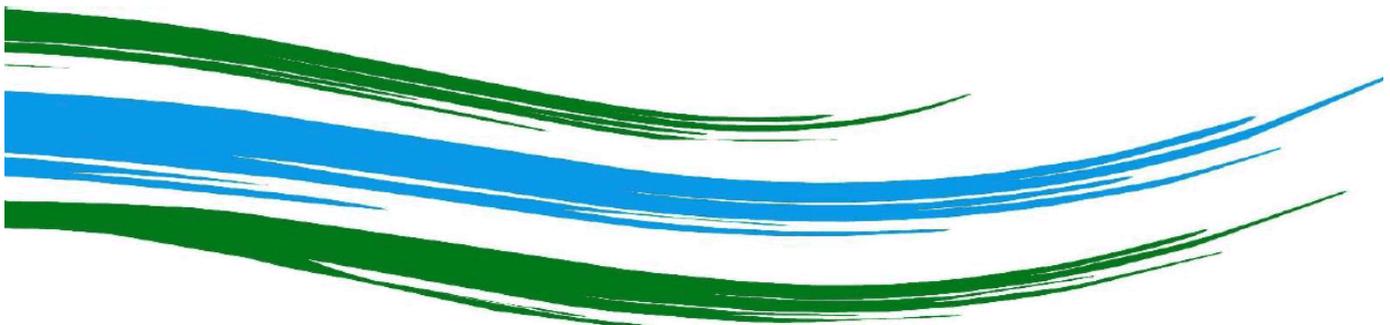
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Camden Local Planning Panel

Closed Meeting Minutes
16 March 2021

12PM
Meeting held via teleconference



ORD01

CLOSED CAMDEN LOCAL PLANNING PANEL MEETING

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MEETING COMMENCED AT 12.05 PM**PRESENT**

Stuart McDonald (Chairperson), Grant Christmas (Expert Panel Member), Rachel Harrison (Expert Panel Member), Debby Dewbery (Community Representative – South Ward).

ALSO IN ATTENDANCE

Manager Strategic Planning, Manager Statutory Planning, Principal Planner, Student Strategic Planner, Team Leader DA Assessment, Executive Planners, Strategic Planner, Senior Town Planner, Governance Officer, Governance Administration Officer.

DECLARATION OF INTEREST

There were no declarations to be noted.

ADDRESS

Mr Ian Reynolds noted that he is the Chair of the Campbelltown Local Planning Panel and that Stuart McDonald is the alternate chair.

Mr Ian Reynolds addressed the Panel in relation to CCLPP01 – Planning Proposal – 220, 300, 350, and 360 Chittick Lane, Cobbitty.

Mr Edward O’Grady addressed the Panel in relation to CCLPP01 – Planning Proposal – 220, 300, 350, and 360 Chittick Lane, Cobbitty.

CCLPP01 PLANNING PROPOSAL - 220, 300, 350 AND 360 CHITTICK LANE, COBBITTY**PANEL RECOMMENDATION**

The Camden Local Planning Panel has considered the draft Planning Proposal and supports the Council officer’s report.

It is considered that the Proposal does not demonstrate strategic planning merit or site-specific merit to proceed to Gateway Determination.

The Panel considers it would be unwise at this stage to allow further fragmentation of rural lands given that:

- i. the land the subject of the Planning Proposal lies outside the boundaries of the defined urban growth area and this growth area is capable of accommodating the housing required within the Camden local government area for the foreseeable future;
- ii. there is uncertainty regarding the future design and functionality of the proposed Outer Sydney Orbital, as it relates to the land; and
- iii. there is uncertainty regarding the provision of infrastructure and services to the land in order to accommodate urban development.

In addition, the Panel considers that the Planning Proposal has not demonstrated that the land is capable of achieving adequate connectivity to the established and planned urban area.

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VOTING NUMBERS

The Panel voted 4-0 in favour of the recommendation.

MEETING CLOSED AT 1.08PM

Attachment 2



Assessment of Specialist Studies for Tidapa Planning Proposal

The draft Planning Proposal has been submitted with specialist studies as listed in **Table 1**, which have been included under **separate cover** to this report:

Specialist Study	Author	Date
Greenway Strategy	McGregor Coxall	July 2020
Rural Lands Scoping Report	GHD	June 2020
Ecological Constraints Analysis	Cumberland Ecology	September 2020
Bushfire Constraints Report	ABPP	August 2020
Aboriginal Due Diligence Assessment	Artefact	July 2020
Heritage Impact Statement	Weir Phillips Heritage	August 2020
Services and Infrastructure Delivery Strategy	AT&L	July 2020
Traffic and Transport Assessment	JMT Consulting	September 2020
Housing Market Analysis	Hill PDA	August 2020
Social and Community Infrastructure Assessment	Hill PDA	August 2020

Table 1: Submitted Specialist Studies

The findings of the specialist studies submitted as part of the proposal along with Council officer comment, are summarised below.

Greenway Strategy

The Greenway Strategy (Strategy) has been prepared by McGregor Coxall Landscape Architects. It presents a "Tidapa Greenway" concept, a cycleway proposed to link The Australian Botanic Garden Mt Annan to the Western Sydney Aerotropolis, via Camden town centre. The Strategy notes the proposed route would be flood-free, traverse several areas rich in biodiversity and connect to 15 historic homesteads.

Officer comment

There is no detail on how the Strategy would be funded or delivered outside the subject site. The Greenway Strategy does not align with Council's strategic policies. The focus of Council's Local Strategic Planning Statement (LSPS) is on improving Camden's Green and Blue Grid in existing and emerging urban areas. A key related priority is to strengthen the role and prominence of the Nepean River. Council is currently preparing a draft Green and Blue Grid Analysis (an action of the LSPS) which will identify potential future connections.

Furthermore, the site's constraints limit transport behaviours to the use of private motor vehicles. Active and public transport modes are further impacted through a lack of proximity to established services to cater to the needs of future residents.



Rural Lands Scoping Report

A Rural Lands Scoping Report (Report) has been prepared by GHD. The Report found the subject site's current use for extensive beef cattle grazing income is considered unviable to sustain a standalone business in its present form. Climate change and the urbanisation of rural lands has significantly impacted cattle production in the Camden Local Government Area (LGA). The Report points out the property's size is too small to generate sufficient income, expansion is constrained by the South West Growth Area (SWGGA) to the east and the proposed OSO to the west. The Assessment also believes the proposed Outer Sydney orbital (OSO) could become a logical boundary for the Metropolitan Rural Area (to the west).

Officer comment

It is acknowledged that farming within the Sydney Basin has several challenges. Council's Rural Lands Study 2018 (RLS) does not specifically consider farming viability as one of the criteria for consideration of planning proposals.

The RLS contains a planning principle to 'Enhance Camden's Rural Economy'. Supporting this principle is an action to work with partners such as Department of Primary Industries and Wollondilly Shire Council to explore opportunities to increase farming viability through innovative farming practices and maximising potential opportunities created by key infrastructure such as the proposed OSO and Western Sydney Airport (WSA).

It is important that Council endeavours to protect Camden's rural land for a number of reasons. In particular, it is important to protect Camden's valued scenic and cultural landscapes that create a distinct setting for neighbouring urban communities.

In terms of potential land use conflict, the Denbigh heritage curtilage is considered to act as an appropriate buffer between SWGA lands in the east and rural lands in the west. As noted previously, the NSW Government is yet to commit to the proposed OSO's alignment, its acquisition and construction.

Ecological Constraints Analysis

An Ecological Constraints Analysis (Analysis) has been prepared by Cumberland Ecology. Approximately 114.21ha of the existing vegetation (77%) on the subject site would be impacted by the proposal, while 34.86ha of vegetation would be retained. The vegetation community most impacted is 111.18ha of Pasture Improved Grassland.

The site contains scattered areas of Cumberland Plain Woodland (CPW), both woodland and derived native grassland forms, and River-flat Eucalypt Forest (RFEF). Both communities are Threatened Ecological Communities (TECs) under the NSW Biodiversity Conservation Act 2016 (BC Act). CPW is also listed as an endangered community under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EBPC Act).

There is 20.5ha of CPW (*Shale Hills Woodland* and *Shale Plains Woodland*) on the site. Of this, 15.22ha is classified as *Shale Hills Woodland* in good condition, and 4.21ha of *Shale Hills Woodland* in poor condition. Under the proposal, 1.09ha would be impacted. There is 0.18ha of existing RFEF (*Alluvial Woodland*) on the site that is proposed to be retained.



Threatened fauna and flora species have been identified as potentially occurring within the site including woodland birds, microbats, Grey-headed Flying-fox, Swift Parrot and Cumberland Plain Land Snail. One species, the Dusky Woodswallow, has been recorded on the site. The main areas of habitat for these species occurs in the CPW and RFEF, which contain hollow-bearing trees and logs, riparian corridors and rocky outcrops, as well as the dams with good fringing vegetation. There have been records of Koala habitation in the locality, however the site is not classified as Important Koala Habitat under the draft Cumberland Plain Conservation SEPP (draft SEPP).

The site contains riparian corridors represented by multiple unnamed water courses and Cobbitty Creek, a 4th order stream under the Water Management Act, situated along the southern boundary. The unnamed water courses represent intermittent creek lines that drain into the dams and nearby Cobbitty Creek.

The Assessment finds 39.71ha of the site to be highly constrained, 12.20ha moderately constrained, and 98.16ha of low constraint. All riparian corridors and the majority of vegetated areas are proposed to be conserved with an E2 Environmental Conservation zone with other vegetation zoned E4 Environmental Living.

Officer comment

The proposal seeks to zone TECs and riparian corridors E2 Environmental Conservation, which is considered appropriate and may result in improved environmental outcomes compared to the existing rural zoning.

However, the proposal does not adequately conserve or enhance all of the site's ecologically significant areas. The Analysis does not indicate what amount of CPW is proposed to be conserved in the E2 zone. Should the proposal proceed, the amount of CPW to be conserved needs to be quantified for further assessment.

Land proposed to be zoned E2 should be contiguous in area (rather than in patches) to assist mitigating cumulative impacts such as 'edge effects' that may lead to a reduction in vegetation quality. It may also assist to maintain the scenic quality of the high point and associated ridge that runs from the centre of the site towards the west.

Smaller patches of high value vegetation are proposed to be zoned E4 Environmental Living. The application of this zone may lead to cumulative impacts on vegetation that results in a reduction in its quality over time. The E4 zone is not supported for the purpose of maintaining and enhancing high value vegetation.

Furthermore, there is no clarity regarding the exact boundaries of the riparian corridors. This is needed as the Analysis indicates potential encroachment into the vegetated riparian zone (VRZ) buffers. Preliminary concept plans are required that show road layouts, property boundaries, water and sewage facilities and their potential impacts on remnant vegetation and riparian corridors.

Based on the proposed structure plan, it is expected that native vegetation with high or moderate ecological value would be removed or modified. It is also possible that removal of this vegetation would result in a cumulative negative impact on the significant areas of CPW immediately to the west of the site. It is noted this external land is mapped by DPIE as a draft Strategic Conservation Area under the draft SEPP.

Council officers support the protection of the high and moderate ecological values of the



site at the planning proposal stage, rather than relying on the DA process. If the proposal proceeds, measures would need to be adopted at the future DA stage to ensure it is consistent with biodiversity legislation.

Should the proposal proceed, information on the long-term management / ownership of E2 land is required that addresses Council's Dedication of Constrained Lands Policy.

Bushfire Constraints Report

A Bushfire Constraints Report (Report) has been prepared by Australian Bushfire Protection Planners. The Report identifies parts of the site contains bushfire prone vegetation and is considered to be bushfire-prone land. The recommended bushfire management measures include:

- Asset Protection Zones (APZs) of varying widths between 10m and 36m;
- Compliant road widths and design for fire-fighting operations;
- Buildings that address the bushfire construction Australian Standard; and
- A reticulated water supply for firefighting purposes.

The Report notes a further detailed assessment would be required following resolution of the development layout.

Officer comment

Should the proposal proceed, it would rezone bushfire prone land for urban purposes. The Western City District Plan directs that exposure to natural hazards (such as bushfires) be reduced.

Should the proposal be supported, the Rural fire Service would be consulted to satisfy Ministerial Direction 4.4 Planning for Bushfire Protection.

Aboriginal Due Diligence Assessment

An Aboriginal Due Diligence Assessment (Assessment) has been produced by Artefact Heritage Services. A search of the Aboriginal Heritage Information Management System (AHIMS) found no registered Aboriginal archaeological sites within the subject site. No Aboriginal objects were identified on-site as a result of a site inspection. A search of the broader Cobbitty area in AHIMS found 13 archaeological sites, including an artefact that is located 70m east of the site.

The Assessment notes the site contains a number of creek lines and as a result, the majority of the subject site is considered to be an archaeologically sensitive landform as defined by Heritage NSW. The identified area of archaeological sensitivity is comprised of land within 200m of waterways which have not been subject to past disturbance that would have removed any Aboriginal objects. The predictive model indicates that artefacts are most likely to be present at the base of slopes.

Officer comment

The proposal does not identify strategies in which Aboriginal Cultural Heritage is to be preserved and enhanced. The Assessment identified areas of high, medium and low Aboriginal archaeological sensitivity. However, Figure 16 in the Assessment only shows



low and medium areas of archaeological sensitivity. The Assessment also does not adequately identify the site's existing scar trees and potential for unknown artefacts. Should the proposal proceed, additional information on Aboriginal heritage would be required to address these issues.

Heritage Impact Statement

A Heritage Impact Statement (HIS) has been prepared by Weir Phillips Heritage and Planning.

The HIS notes the site and Denbigh share a rural setting. The site was once historically associated with the Denbigh Estate, where it was part of Charles Hook's farm from 1811-1826. Since 1826, the site has come under separate ownership independent from Denbigh, where it has been utilised for farming and grazing purposes.

The HIS considers the proposed rezoning to be an appropriate response to the site without diminishing the recognised historic setting of Denbigh. The HIS notes the proposal is acceptable for the following reasons:

- Denbigh's existing 500m heritage listed curtilage is sufficient to protect both the visual and physical setting of the historic Denbigh homestead;
- The indicative concept plans indicate the intermediate section between the valley and the ridges of the area to the north west of Denbigh is the only section on the site proposed to be developed;
- The majority of the visual impact can be screened through the revegetation of the riparian corridor adjacent to Regent Dam. The proposed revegetation of the riparian corridors would also assist in screening the future OSO freight line; and
- The proposed rezoning and subsequent subdivision of the subject site offers a sympathetic solution to a context that is changing from a rural to residential identity on the outer fringes of Sydney.

Officer comment

The HIS does not include an assessment against the Denbigh Conservation Management Plan (CMP). Should the proposal proceed, this would be required.

The Denbigh CMP finds the site to be of exceptional aesthetic value to the significance of Denbigh. The site's views play an exceptional role in the setting of Denbigh. In terms of cultural significance to Denbigh, the CMP shows the subject site as being exceptionally significant. The CMP's findings are shown in **Figures 1-3** below.

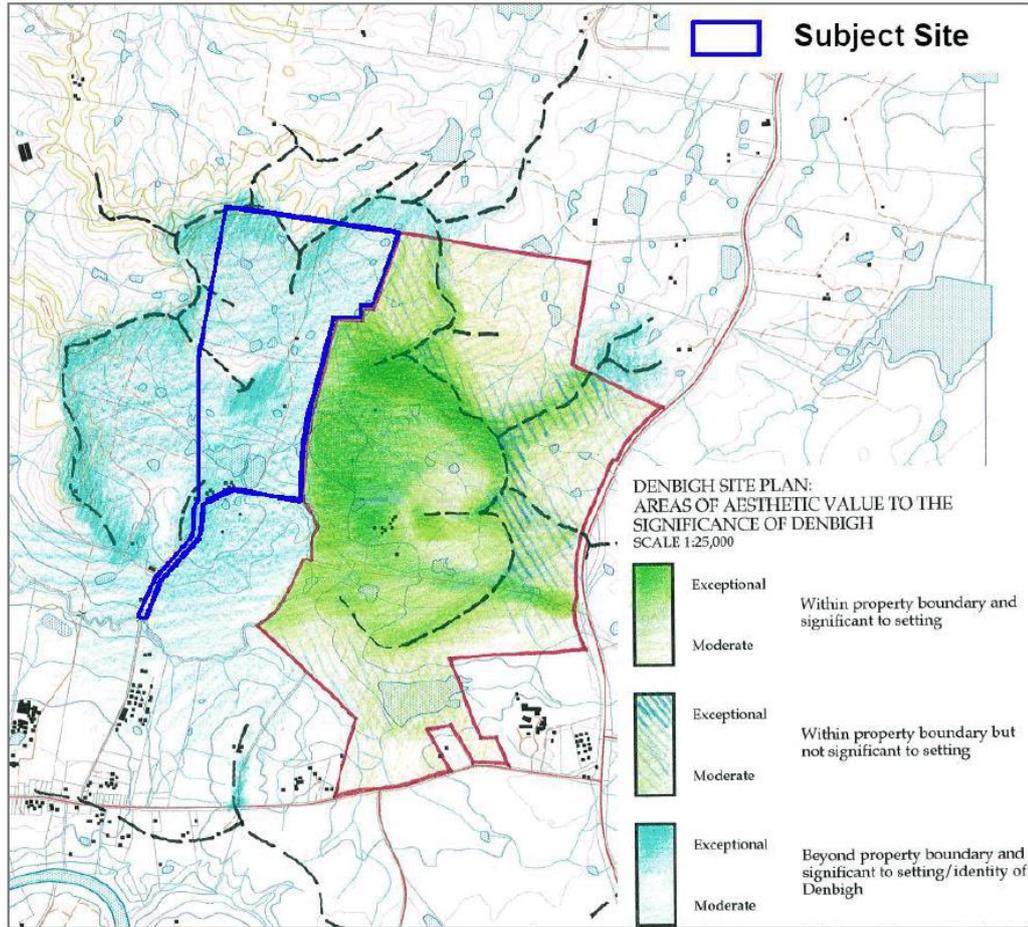


Figure 1: Areas of Aesthetic Value to the Significance of Denbigh (Source: Denbigh Conservation Management Plan)

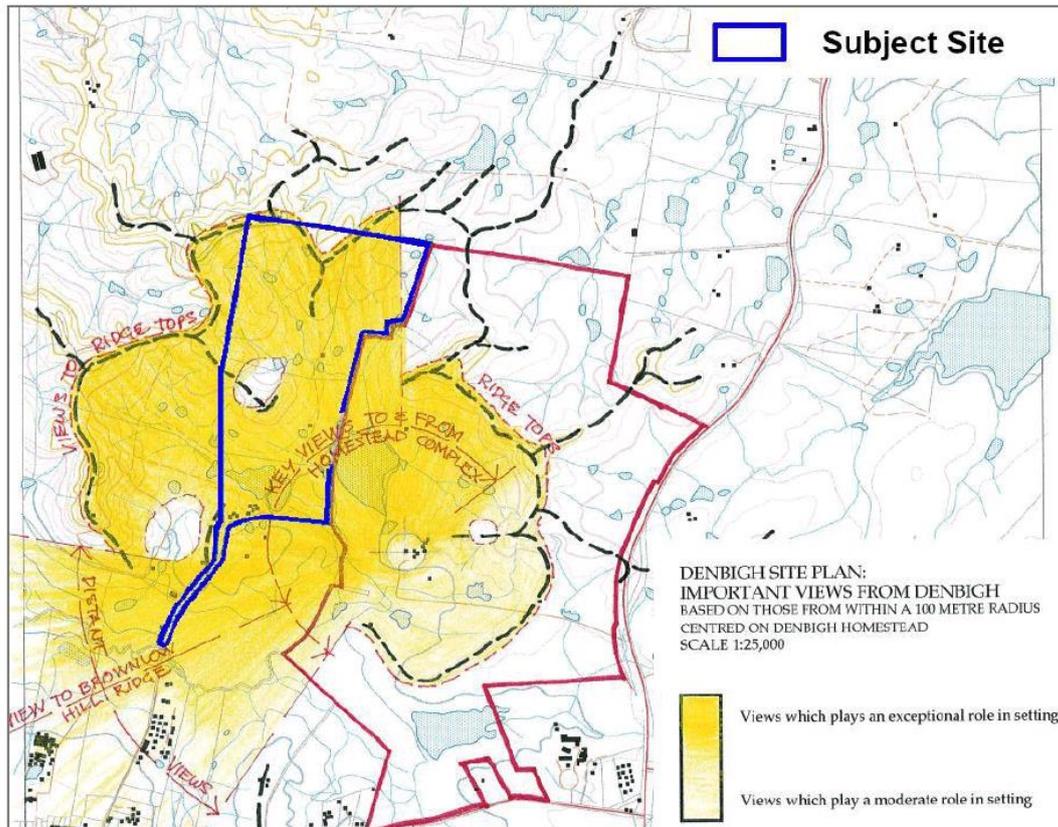


Figure 2: Important Views from Denbigh
(Source: Denbigh Conservation Management Plan)

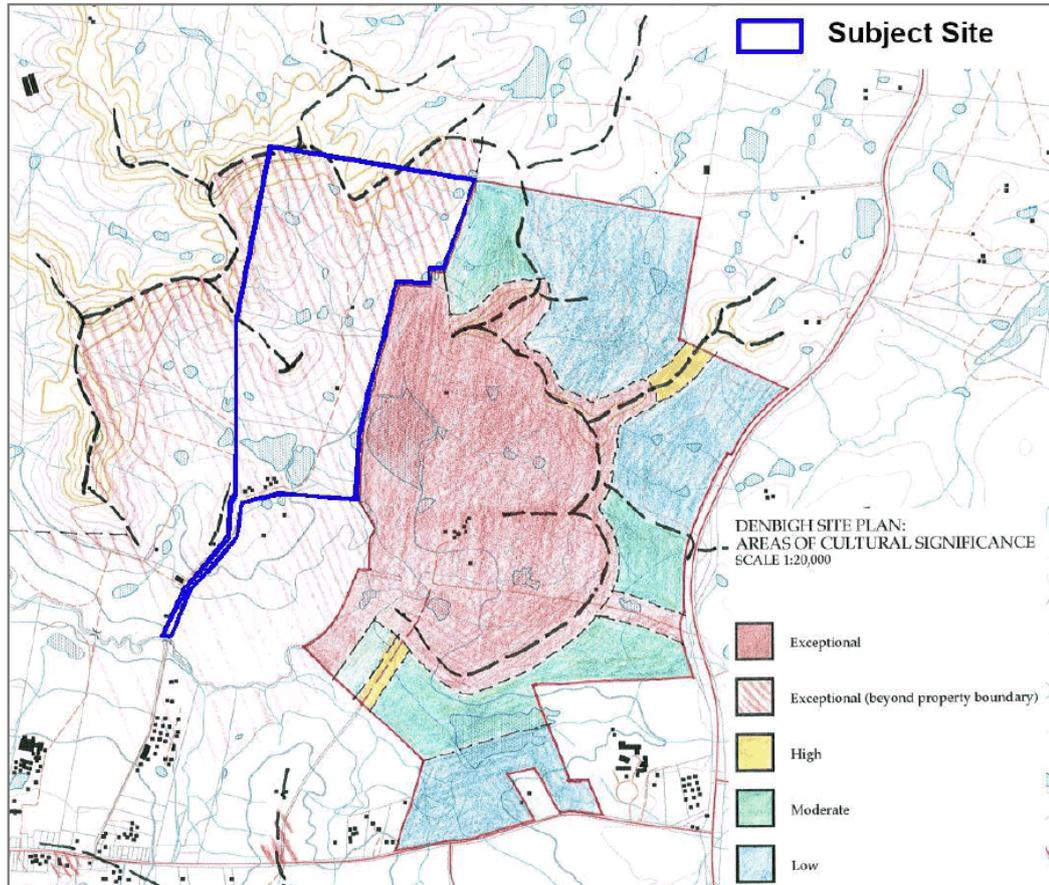


Figure 3: Areas of Cultural Significance to Denbigh (Source: Denbigh Conservation Management Plan)

Services and Infrastructure Delivery Strategy

A Services and Infrastructure Delivery Strategy (Strategy) has been prepared by AT&L. *Water*

The Strategy identifies there is limited capacity for existing water infrastructure to service the site. In the long-term, Sydney Water would be required to construct significant trunk infrastructure to service urban development on the site, but this is noted to be approximately 8 to 10 years away. In the interim, it is suggested an existing main could be extended into Chittick Lane to service part of the site, but importantly the Strategy suggests this may not achieve an adequate level of service (LOS). If this LOS is not delivered, a local reservoir would be required, which would only be feasible if Sydney Water agreed to fund it.

Sewerage

A sewer pumping station (SPS) is needed to service the site. This would also require the installation of a pressurised sewer line (rising main) to a receiving site, the closest of which is located 1.2km away. The Strategy acknowledges the receiving site may not have adequate capacity and require upgrades.



Detailed consultation would be required with Sydney Water to determine if the servicing strategy is feasible.

Electricity

Electricity capacity within the site is limited. The demand requirement would need to be serviced by the provision of a new feeder line from the Oran Park Zone Substation located 5.5km away. Discussions with Endeavour Energy would need to be undertaken to determine whether they are willing to upgrade their services for the site.

Gas

The nearest gas main is located 3.9km to the south-east of the site at the corner of Macquarie Grove Road and Cobbitty Road. Servicing the site would require upgrades to the main and discussions with Jemena Gas. Provision of gas to the site is dependent on commercial viability.

Telecommunications

Upgrades to the local NBN network are likely to be required to service the site.

Officer comment

The Strategy has highlighted that existing servicing capacity for the site is likely to be highly constrained.

Utility providers including Sydney Water have prepared Growth Servicing Plans that focus on servicing the SWGA. It is noted the Strategy contains multiple references to the East Leppington Infrastructure Delivery Plan, however East Leppington is located in the SWGA and its relevance to the servicing of the subject site is questioned.

It is noted that Council has focused on working with service providers to ensure servicing capacity for current and emerging developments in the SWGA (which itself faces several servicing challenges). Council officers are concerned the proposal would open an additional development “front” that may compete with or divert infrastructure resources otherwise earmarked for the SWGA.

A further concern is the potential cumulative environmental impact the proposal may present from a servicing perspective. For example, the Strategy has highlighted that a number of utility mains are required to service the site that could impact Cobbitty’s culturally significant landscapes.

Traffic and Transport Assessment

A Transport and Traffic Assessment (Assessment) has been prepared by JMT Consulting. An internal north-south collector road is proposed that would facilitate connections with the future road network servicing South Creek West. The Assessment also note the potential for an interchange at Cobbitty Road with the proposed Outer Sydney Orbital (OSO) which would improve accessibility to Tidapa.

The Assessment found the proposal’s impact on the transport network would be acceptable. The closest intersection to the site along The Northern Road (Dick Johnson Drive) would continue to perform at acceptable levels of service. The Assessment found peak traffic volumes along the internal collector road would be below the operational



capacity of up to 900 vehicles per hour.

Officer comment

Officer comments on the Assessment are grouped under three key issues, discussed below.

Reliance on external road network connections

Two proposed external road connections (as shown in **Figure 4**) are relied upon to provide direct access to the subject site:

- An external northern connection to the north east, which traverses through the future South Creek West precinct (currently rural land) connecting to an intersection on The Northern Road; and
- A southern external road connection to the south through adjoining rural land.

Neither of the adjacent land parcels form part of the proposal and no planning for these external road connections has been undertaken by Council.

The proposal assumes vehicle circulation from the subject site would be facilitated via future external road connections throughout the broader SWGA area, including the South Creek West and Lowes Creek Maryland Precincts. Importantly, their master planning and traffic impact modelling would not consider traffic generation beyond the SWGA boundary (including the subject site), as significant traffic generation is generally not expected from within the MRA.

The Oran Park ILP does not identify a road extension to the site's north-east boundary that would facilitate the northern connection to the proposed spine road. It appears the proposed connection would cross Oran Park's riparian corridor (zoned E2 Environmental Conservation). The Assessment also shows the potential for a "future external road connection" traversing Denbigh.

Overall, it is considered the proposal cannot rely on an unplanned external road network. Additionally, it is unclear if landowners on the adjacent properties have been consulted. Should the proposal proceed, consultation would need to be undertaken with these landowners.

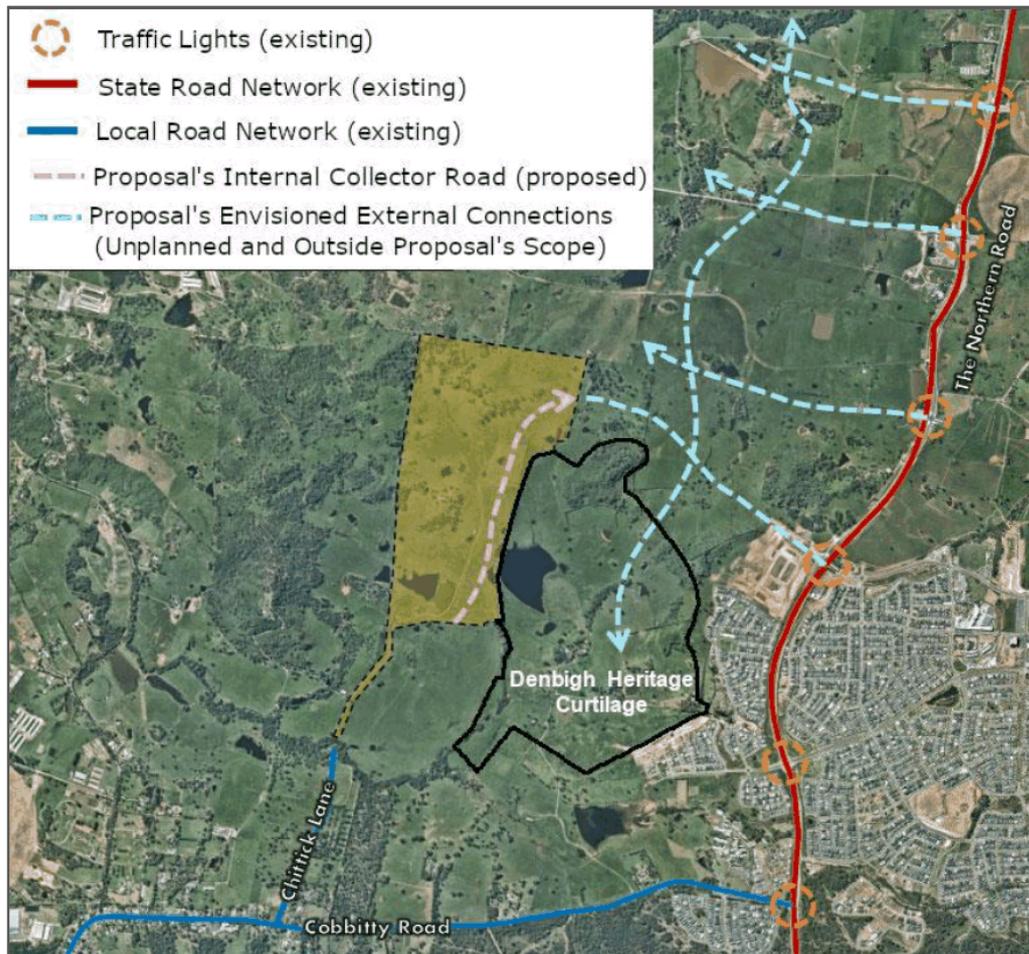


Figure 4: Proposal's Road Network
(Source: Proposal's Traffic and Transport Assessment)

Chittick Lane and OSO Interchange

Existing access via Chittick Lane is of a rural character and does not meet Council's collector road standards. This route is long, narrow and partially flood affected. It is also not possible to assess the impacts of the proposed OSO on the access route. Alternate means of access would need to be in place to support traffic flow and emergency services requirements, including a minimum of two separate external road connections in the early stages of development. It is unclear how the site can facilitate this.

The proposal states a potential interchange as part of the proposed OSO at Cobbitty Road would improve transport accessibility for future residents of the site. Council's submission to Transport for NSW (TfNSW) about the proposed OSO (May 2018) questioned the merit of potential connections to the OSO, including the proposed Cobbitty Road connection. Council's submission raises concern the increase in traffic associated with the interchange is likely to adversely affect the rural setting in Cobbitty and the potential for an adverse outcome upon Council's remaining agricultural lands.

In June 2018, the NSW Government announced the proposed OSO will be tunnelled from north of Cobbitty Road, Cobbitty to south east of Cawdor Road, Cawdor to minimise the



impacts of the OSO on communities, including Cobbitty. The status of proposed interchanges is uncertain.

The status of the proposed OSO corridor has been addressed earlier in this report.

Potential traffic impact to surrounding area

The Assessment does not identify the full extent of potential traffic impacts the proposal may have on the surrounding areas of Oran Park and Cobbitty, including its impact on residential amenity of existing and future residents.

Housing Market Analysis

A Housing Market Analysis (Analysis) has been prepared by Hill PDA. The Analysis found across the region, there is strong evidence indicating a changing preference for smaller dwelling blocks. Market research found limited examples of recent large lot subdivisions in the Camden LGA. The Analysis states that market appetite for large lots is low and indicates that demand is dependent on factors such as amenity, price and staging.

Officer comment

The LSPS and draft LHS identifies there will be a growing population of smaller and ageing households that will require higher density housing to meet their needs. In contrast, the Proposal would deliver large lot housing (600m² minimum lot size), and therefore does not adequately contribute to Council's goal of increasing housing diversity. Moreover, the existing controls in the SWGA already facilitate large lot housing.

Social and Community Infrastructure Assessment

A Social and Community Infrastructure Assessment (Assessment) has been undertaken by Hill PDA. The Assessment found that significant social infrastructure would be required to service the site given its large size and remote location. It is noted Cobbitty Public School is currently experiencing high enrolment demand that significantly exceeds its enrolment capacity. This means that Cobbitty School is unlikely to have capacity to cater for additional demand generated by the proposal. The proposal would provide demand for approximately half the capacity of a public primary school.

The Assessment considers a library and community centre providing limited services could be required due to the isolation of the site. This could possibly be delivered in the form of a multi-purpose space.

The Assessment considers the provision of active open space can be catered for offsite. However, a multi-sport court or playing field to facilitate active sport could also be required due to the site's isolation.

The Assessment noted the proposal would be well serviced by passive open space. However, some areas would be outside the 400m walking distance from proposed public open space. In such cases, the Assessment notes the proposed E2 zoned land could play a connective role to designated open space.

Officer comment

The site has poor connectivity to social infrastructure due to its isolated location. It is noted that social infrastructure in the SWGA has not been planned to accommodate development outside its catchment. Existing community facilities (a hall, community centre and library) are all located more than 2km from the site.

The proposal would place significant pressure on existing educational facilities. It is likely a new primary school would be required to support the proposal's population. There has been no planning for such an additional school as Schools Infrastructure NSW has assumed the MRA would have low population growth.

The proposed provision of off-site active open space is not supported. Should the proposal proceed, onsite active open space (such as a multisport court) would be required due to the site's isolation. Should the proposal proceed, the Camden Spaces & Places Strategy 2020 would need to be addressed.



Assessment Against Key Strategic Documents for Tidapa Planning Proposal

The draft Planning Proposal has been assessed against the Greater Sydney Region (Region Plan) and Western City District Plan (District Plan). The proposal was also assessed against the Camden Local Strategic Planning Statement, Council's Community Strategic Plan, Camden's Rural Lands Strategy and Camden's Draft Local Housing Strategy.

Greater Sydney Region Plan

The 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 in the context of economic, social and environmental matters.

The proposal did not provide an assessment against the Region Plan. Council officer's assessment against the directions and objectives of the Region Plan is summarised in **Table 1**.

Sydney Region Plan	Officer Comment
<i>Objective 10: Greater Housing Supply</i>	<p>The proposal seeks to provide up to 800 additional dwellings. This would contribute to Council's 6 – 10-year housing target.</p> <p>The Plan's objective includes more housing in the right locations. The Region Plan identifies that Sydney has sufficient land to deliver its housing needs within the current urban area, including existing Growth Areas. The site is outside the SWGA and is within the MRA.</p> <p>The proposal is inconsistent with this objective.</p>
<i>Objective 11: Housing is more diverse and affordable</i>	<p>The proposal would provide additional larger lot housing supply. However, the proposal's Housing Market Analysis found there is limited demand for larger lot housing.</p> <p>The LSPS and draft LHS forecasts there will be a growing population of smaller households and ageing households who will require higher density housing forms to meet their needs.</p> <p>Due to the subject site's isolated location, the proposal would provide poor access to jobs, services, and public transport.</p> <p>The proposal is inconsistent with this objective.</p>
<i>Objective 25: The coast and waterways are protected and healthier</i>	<p>Riparian corridors are proposed to be zoned E2 Environmental Conservation.</p> <p>The proposal is consistent with this objective.</p>
<i>Objective 27: Biodiversity is protected, urban bushland and remnant</i>	<p>The proposal involves the rezoning of rural land for urban development. Approximately 114.21ha of existing vegetation (mostly grassland) would be impacted by the proposal.</p> <p>Areas of high and medium ecological value are proposed to be zoned E2 Environmental Conversation and E4 Environmental</p>



Sydney Region Plan	Officer Comment
<i>vegetation is enhanced</i>	<p>Living.</p> <p>The proposed E2 zone is not contiguous in area, which would not mitigate cumulative impacts such as ‘edge effects’ that could lead to a reduction in vegetation quality.</p> <p>Smaller patches of high value vegetation are proposed to be zoned E4 Environmental Living. The application of this zone may lead to cumulative impacts on vegetation that results in a reduction in its quality over time.</p> <p>The E4 zone is not supported for the purpose of maintaining and enhancing high value vegetation.</p> <p>The proposal is inconsistent with this objective.</p>
<i>Objective 28: Scenic and cultural landscapes are protected</i>	<p>Council’s Scenic & Cultural Landscapes Study found the “Cut Hill” area was of regional cultural significance as the hill land is of landmark quality in the Camden area. Furthermore, the study encouraged the maintenance of agricultural uses in the locality.</p> <p>The proposal does not include a visual impact assessment. The proposal is considered to have an unacceptable impact on Denbigh’s heritage qualities and setting.</p> <p>The proposal is inconsistent with this objective.</p>
<i>Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced</i>	<p>The site is located within the MRA. Restricting urban development in the MRA will manage its environmental, social and economic values and reduce land speculation.</p> <p>The proposal is inconsistent with this objective.</p>

Table 1: Assessment against Greater Sydney Region Plan

Western City District Plan

The 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.

An assessment of the proposal against the District Plan is summarised in **Table 2**.

Western City District Plan	Proponent Comment	Officer Comment
<i>Planning Priority W1 - Planning for a city supported by infrastructure</i>	The proposal has been designed to not increase pressure on existing infrastructure. This has been achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre	Significant improvements to infrastructure are required to service the site. The proposal may take up infrastructure capacity that has been planned for the SWGA.



Western City District Plan	Proponent Comment	Officer Comment
	<p>and land to accommodate future community land uses such as a school.</p> <p>In addition, the subject site is located in the same catchment as Oran Park which was one of the first release precincts chosen for the SWGA based on access to infrastructure. Service upgrades for the SWGA adjacent to the property may provide opportunities to allow the servicing of the site</p>	<p>No planning for external road links has been undertaken by Council. There is currently no structure plan for the South Creek West Precinct, and its future planning will not factor in development outside the SWGA. The Proposal relies on an unplanned external road network.</p> <p>The proposal is inconsistent with this priority</p>
<i>Planning Priority W4 – Fostering healthy, creative, culturally rich and socially connected communities</i>	<p>The proposal would incorporate revitalised riparian corridors and significant vegetation into its open space network. Connectivity to surrounding Neighbourhoods is provided through the design of cycleway and pedestrian links that recognise the cultural and scenic qualities of the site and allow for its interpretation by the community</p>	<p>The subject site is isolated from other neighbourhoods. The Social and Community Infrastructure Assessment found the Proposal would require additional facilities as it is disconnected from surrounding suburbs.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Planning Priority W5 – Providing housing supply, choice and affordability with access to jobs, services and public transport</i>	<p>The proposal would provide additional housing supply for the community in a range of zonings and lot sizes. The proposal has been designed to provide connectivity to the surrounding area to ensure ease of access to employment, services and public transport.</p>	<p>The proposal would provide additional larger lot housing supply. However, the proposal's Housing Market Analysis found there is limited demand for larger lot housing.</p> <p>The LSPS and draft LHS forecasts there will be a growing population of smaller households and ageing households who will require higher density housing forms to meet their needs.</p> <p>Due to the subject site's isolated location, the proposal would provide poor access to jobs, services, and public transport.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Planning Priority W6 -</i>	<p>The proposal's Heritage Impact Statement assesses the</p>	<p>The proposal does not address the Denbigh CMP which notes</p>



Attachment – Assessment against Key Strategic Documents

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Western City District Plan	Proponent Comment	Officer Comment
<i>Creating and renewing great places and local centres, and respecting the District's heritage</i>	proposal's impact on the existing views and vistas and curtilage of Denbigh to ensure the proposal does not adversely impact it and recognises and respects the district's heritage	the subject site has "exceptional" aesthetic, visual, and cultural significance to the Denbigh Heritage item. The proposal is inconsistent with this priority.
<i>Planning Priority W7 – Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City</i>	The proposed road network would provide connectivity within the subject site and to surrounding neighbourhoods. The proposed Structure Plan provides active transport to schools and shops within the development and adjoining areas	The proposal relies on an unplanned external road network that appears to traverse the Denbigh Heritage Curtilage and E2 zoned land in Oran Park. Planning for the South Creek West precinct has not commenced, and there is no certainty around the proposal's multiple connection points. Furthermore, the site's constraints limit transport behaviours to the use of private motor vehicles. Active and public transport modes are further impacted through a lack of proximity to established services to cater to the needs of the future residents. The proposal is inconsistent with this priority.
<i>Planning Priority W12 - Protecting and improving the health and enjoyment of the District's waterways</i>	The proposal would revegetate the riparian corridors and would be incorporated into the subject site's open space network.	Riparian corridors are proposed to be zoned E2 Environmental Conservation. The proposal is consistent with this priority.
<i>Planning Priority W13 - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element.</i>	The proposal incorporates the parkland city values and utilises the existing watercourse and natural features of the site as defining spatial elements.	The subject site is in the MRA and outside the South Creek catchment. The Parkland City is to be contained within the existing urban area. The proposal is inconsistent with this priority.



Western City District Plan	Proponent Comment	Officer Comment
<i>Planning Priority W14 - Protecting and enhancing bushland and biodiversity</i>	Appropriate zoning would ensure the protection of the retained bushland and the incorporation of the significant vegetation into public open space. The proposal includes the dedication of 31% of the total site to open space and environmental conservation areas.	<p>The proposal involves the rezoning of rural land for urban development. Approximately 114.21ha of existing vegetation (mostly grassland) would be impacted by the proposal.</p> <p>Areas of high and medium ecological value are proposed to be zoned E2 Environmental Conversation and E4 Environmental Living.</p> <p>The proposed E2 zone is not contiguous in area, which would not mitigate cumulative impacts such as 'edge effects' that could lead to a reduction in vegetation quality.</p> <p>Smaller patches of high value vegetation are proposed to be zoned E4 Environmental Living. The application of this zone may lead to cumulative impacts on vegetation that results in a reduction in its quality over time.</p> <p>The E4 zone is not supported for the purpose of maintaining and enhancing high value vegetation.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Planning Priority W15 – Increasing urban tree canopy cover and delivering Green Grid connections</i>	The proposed development would involve the retention of existing significant vegetation, the revitalization and revegetation of riparian corridor. The proposal would also accommodate larger lots and wider road verges to accommodate extensive landscaping and urban canopy	<p>The proposal would diversely impact some Threatened Ecological Communities (such as Cumberland Plain Woodland) due to the urbanisation of rural land.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Planning Priority W16 - Protecting and enhancing scenic and cultural landscapes</i>	<p>The proposal has been designed to provide a development that provides an appropriate transition from the SWGA to the rural lands to the west.</p> <p>The zoning and minimum lot</p>	<p>The proposal would negatively impact the rural scenic and cultural landscapes that are integral to the heritage significance of Denbigh.</p> <p>The proposal is inconsistent with</p>



Western City District Plan	Proponent Comment	Officer Comment
	sizes have been selected to best retain the scenic and cultural landscapes of Camden and facilitate canopy enhancement and restoration of natural values.	this priority
<i>Priority W19 – Reducing carbon emissions and managing energy, water and waste efficiently</i>	The proposal has been designed to provide a sustainable neighbourhood that would manage energy, water and waste efficiently to ensure the functionality and viability of the development. The proposal responds to and can adapt to the natural hazards of the site.	The proposal does not identify any tangible sustainability initiatives. The proposal is inconsistent with this priority
<i>Planning Priority W20 - Adapting to the impacts of urban and natural hazards and climate change</i>	The proposal responds to and can adapt to the natural hazards of the site.	The proposal contains bushfire prone vegetation and is considered to be bushfire-prone land. The proposal is inconsistent with this priority.

Table 2: Assessment against Western City District Plan

Camden Local Strategic Planning Statement

The 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.

An assessment of the proposal against the relevant priorities and actions of the LSPS is summarised in **Table 3**.

LSPS	Proponent Comment	Officer Comment
<i>Local Priority 11: Aligning infrastructure delivery with growth</i>	The proposal aligns the delivery of a residential neighbourhood within proximity to existing and future transport infrastructure and access to jobs, services, and employment.	The proposal is outside the SWGA. Significant improvements to infrastructure are required to service the site. The proposal may take up infrastructure capacity that has been planned for the SWGA. The proposal assumes unplanned external northern and southern road connections would be built to service the site.

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Attachment 4



Attachment – Assessment against Key Strategic Documents

LSPS	Proponent Comment	Officer Comment
		<p>The NSW Government is yet to commit to the proposed OSO corridor alignment, its acquisition and construction. As a result, it is not possible to assess the impacts of the proposed OSO on the proposal.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Local Priority I2 – Connecting Camden through integrated transport solutions</i>	The proposal incorporates a Greenway Strategy that would provide links from the Mt Annan Botanic Gardens to the Western Sydney Aerotropolis, via Camden town centre.	<p>The Greenway Strategy does not align with Council's strategic policies. The focus of the LSPS is on improving Camden's Green and Blue Grid in existing and emerging urban areas.</p> <p>Council is currently preparing a draft Green and Grid Analysis which will identify potential future connections.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Local Priority L1 - Providing housing choice and affordability for Camden's growing and changing population</i>	The proposal would provide additional housing supply for the community in a range of zonings and lot sizes that provide a range of housing types and affordability.	<p>Greenfield housing should be accommodated within the Growth Area. Development of rural lands is incompatible with Council's longstanding advocacy of protecting the MRA.</p> <p>There will be a growing population of smaller and ageing households that will require higher density housing to meet their needs. In contrast, the proposal would deliver large lot residential development, and does not adequately contribute to Council's goal of increasing housing diversity.</p> <p>The proposal is inconsistent with this priority.</p>
<i>Local Priority L2: Celebrating and respecting Camden's proud heritage</i>	The proposal incorporates the significant environmental features of the site and provides public open space areas in and around these features to enable the	<p>The proposal would have unacceptable visual impacts on Denbigh and the Cobbitty cultural landscape.</p> <p>The proposal is inconsistent with this priority.</p>



LSPS	Proponent Comment	Officer Comment
	interpretation of the scenic qualities of the site and surrounding area	
<i>Local Priority L3 – Providing services and facilities to foster a healthy and socially connected community</i>	Local Priority L3 – Providing services and facilities to foster a healthy and socially connected community This has been achieved by providing land to accommodate future commercial uses in the form of a local or neighbourhood centre and land to accommodate future community land uses such as a school or childcare centre, community centre, sporting facilities and café.	The subject site's isolation would result in a disconnected community that would require significant social infrastructure investment. The proposal is inconsistent with this priority
<i>Local Priority S4 - Protecting and restoring environmentally sensitive land and enhancing biodiversity</i>	This is to be achieved through the retention and revitalisation of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space for the community to enjoy, the recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping including canopy trees and a well-designed lot and road layout to protect and maintain those views and setting.	Smaller patches of high value vegetation are proposed to be zoned E4 Environmental Living. The application of this zone may lead to cumulative impacts on vegetation that results in a reduction in its quality over time The E4 zone is not supported for the purpose of maintaining and enhancing high value vegetation The proposal is inconsistent with this priority
<i>Local Priority S5 – Reducing emissions, managing waste and increasing energy efficiency</i>	Appropriate waste management and energy efficiency targets would be implanted into the proposal during the detailed design phase of the proposal.	The proposal contains no tangible measures to reduce emissions. The proposal is inconsistent with this priority.

Table 3: Assessment against Local Strategic Planning Statement



Community Strategic Plan (CSP)

The 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 does not provide an assessment against the CSP. Council officer's assessment of the proposal against the relevant directions of the CSP is summarised in **Table 4**.

Community Strategic Plan	Officer Comment
<i>Key Direction 1: Actively Managing Camden LGA's Growth</i>	The CSP highlights the community's aspirations and values of retaining Camden LGA's rural land and character. This includes the protection of RU1 zoned land The proposal is inconsistent with this direction.
<i>Key Direction 2: Healthy Urban and Natural Environment</i>	The proposal replaces rural land with urban development. The proposal is inconsistent with this direction.

Table 4: Assessment against the Community Strategic Plan

Draft Local Housing Strategy

The draft Local Housing Strategy (LHS) sets out Council's vision for housing in the Camden Local Government Area (LGA) over the next 10 and 20 years. It draws on a body of evidence to create a set of Housing Priorities and Objectives specific to the Camden LGA, with associated implementation actions and timeframes.

The draft Planning Proposal does not provide an assessment against the draft LHS. Council officer's assessment of the proposal against the relevant objectives of the draft LHS is summarised in **Table 5**.

Draft LHS	Officer Comment
<i>Objective 1: There is sufficient planning capacity to meet forecast housing demand</i>	Any additional land required to meet housing demand is to be provided within the future land release in the SWGA. These precincts have significant capacity to meet future housing requirements. The rezoning of rural land within the Metropolitan Rural Area (MRA) to urban uses is therefore not required to meet housing targets. The proposal is inconsistent with this objective
<i>Objective 2: Precincts in the SWGA are planned and released to align with infrastructure</i>	The provision of utility services such as water, sewerage, gas and electricity are vital to ensuring the continued delivery of housing within the SWGA. Uncertainty over service provision can stall the delivery of housing in rezoned precincts and dampen development take-up.



Draft LHS	Officer Comment
<i>provision</i>	The proposal may take up infrastructure capacity that has been planned for the SWGA. The proposal is inconsistent with this objective
<i>Objective 4: Neighbourhood design supports healthy and connected communities that are better placed</i>	The built environment influences both individual and community health and wellbeing. Good access to safe, connected streets linked to services, green open spaces and shared community facilities promotes walking and cycling, and generates positive mental health outcomes through enabling social interaction and increasing exposure to nature. Due to the subject site's isolated location, the proposal would have poor access to services and community facilities. The proposal is inconsistent with this objective
<i>Objective 8: Protect Camden LGA's Rural Lands</i>	The LSPS and RLS confirm Council's policy position to protect existing rural land and contain residential development within urban areas. This is in line with the direction set in the Region and District Plans and Council's local strategies. The proposal is inconsistent with this objective.

Table 5: Assessment against draft Local Housing Strategy

Camden Rural Lands Strategy

Council adopted the RLS in November 2018, following an update. The RLS is intended to guide Council's decision making on rural land, with the broad intent to protect Camden's remaining rural lands outside the SWGA.

As the draft Planning Proposal seeks to rezone rural land for urban purposes, the RLS criteria for the assessment of proposals are applicable. An assessment of the proposal against the RLS is summarised in **Table 6**.

RLS	Proponent Comment	Officer Comment
<i>1: Proposals must be consistent with state and local strategic plans</i>	Retention and revitalisation of riparian corridors and significant vegetation, incorporation of the riparian corridors and significant vegetation into public open space.	The proposal is inconsistent with the Region and District Plans, Local Strategic Planning Statement, Rural Lands Strategy and Community Strategic Plan for the reasons set out in this report. The proposal is inconsistent with this criterion.
<i>2: Proposals must not adversely</i>	The subject site is currently operated as a cattle farm. Surrounding development	Most of the site is currently utilised for grazing. If the proposal proceeds it would result



RLS	Proponent Comment	Officer Comment
<i>impact on the operation of existing rural enterprises</i>	consists of the SWGA to the east, Cobbitty to the south, and existing rural lands to the north and west with the future OSO planned to the south and west of the subject site. The operation of the existing rural enterprise has been severely impacted by previous Government decisions and its continued operation has already been rendered non-viable	in this use ceasing. Due to the site's location and relationship to nearby properties the proposal may impact on existing rural enterprises in the vicinity
<i>3: Proposals must be a logical extension to existing urban areas</i>	The proposal would provide appropriate zoning and lot sizes that provide for a logical local relocation of the urban boundary from the SWGA to the OSO and provide a development that recognises and respects the existing cultural and scenic values of the land and provides an appropriate transition to the orbital and rural lands to the north and further west.	The site is outside (adjoining) the SWGA and is in the MRA. Key strategies have a 'line of site' directing future urban growth to be within the SWGA and to protect and enhance the environmental social and economic qualities of the MRA. The proposal lacks strategic and site-specific planning merit. There is no strategic justification for the proposal to proceed
<i>4: Proposals must not reduce the quality of scenic landscapes, vistas, ridgelines or heritage values</i>	The proposal has been designed in recognition of views and vistas from adjoining heritage items and incorporation of extensive landscaping and a well-designed lot and road layout to protect and maintain those views and setting	The proposal would have unacceptable visual impacts on Denbigh and the significant Cobbitty cultural landscape

Table 6: Assessment against Rural Lands Strategy

PLACEHOLDER

Proposed Planning Proposal – Tidapa – Chittick Lane Cobbitty.

Technical Studies – provided under separate cover.

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Draft Submission – Employment Zones Reform

July 2021



ORD02

Attachment 1



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Introduction

Camden Council thanks the Department of Planning, Industry and Environment (DPIE) for the opportunity to provide comment on the Employment Zones Reform.

Council broadly supports the intent of the reform to maximise productivity and address barriers within the planning system that limit the ability of businesses to establish, expand or adapt.

Council requests that further consideration be given to the:

- Potential for unintended consequences and land use conflict;
- Potential impacts on increasing the permissibility of complying development;
- Future impacts and consistency with the South West Growth Area;
- Need to ensure certainty for the community and retain the retail hierarchy;
- Preservation of existing Employment Lands;
- Need to ensure legibility and consistency; and
- Need to ensure local business and landowners are fully consulted.

Council would welcome the opportunity to work with DPIE to develop and implement this framework to ensure positive outcomes are achieved.

Local Context

Council's policies for employment lands include the Local Strategic Planning Statement (LSPS) and draft Centre's and Employment Land Strategy (CELS). These policies seek to provide certainty to the community and set out a twenty-year planning vision that is encapsulated in the 2040 Camden Structure Plan (see Figure 1).

Camden's Local Strategic Planning Statement (LSPS)

The LSPS planning vision emphasises land use, transport and sustainability objectives for Camden. The productivity component of the LSPS sets out the vision for diverse employment lands and includes the following local priorities:

- Increase the quantity and diversity of local jobs, and improving access to jobs across the Western City District;
- Create a network of successful centres;
- Strengthen the Strategic Centres of Narellan and Leppington;
- Ensure a suitable supply of industrial and urban services land; and
- Leverage industry opportunities created by Camden's proximity to the Western Sydney Airport and Aerotropolis.

Draft Camden's Centres and Employment Land Strategy (CELS)

The draft CELS sets the vision for Camden's retail centres and industrial and urban services land. The draft CELS is consistent with the LSPS and provides more detailed direction regarding employment lands.

The directions relevant to Employment Lands are "A network of successful and attractive retail centres" and a "A network of productive industrial and urban services land". Relevant principles of the draft CELS include:

- A defined centres hierarchy that provides certainty around the role of each centre,
- A planning framework that supports centres,



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- Industrial and urban services land is productive and functional; and
- A planning framework that supports industrial and urban services land.



Figure 1 Camden Council Structure Plan



Key Considerations

Address potential for unintended consequences and land use conflict

The expansion of the mandated uses within certain zones may lead to amenity impacts and land use conflicts. DPIE must ensure that the proposed reforms do not cause environmental degradation or social and economic disruption as a result of the proposed changes.

Collaboration with Council prior to implementation of any proposed changes is essential to avoid unintended consequences.

Recommendation:

- DPIE to collaborate with Council to identify potential land use conflicts and to mitigate unintended consequences.
- DPIE to ensure timeframes have a greater degree of flexibility included to allow for detailed collaboration with Council.
- Collaborate with Council to translate the reforms into the Camden LEP.

Address potential impacts on complying development

Council seeks clarification about the interrelationship between the proposed zoning reforms and the '*Building Business Back Better*' (BBBB) project, which includes changes to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The proposed inclusion of additional mandated uses as complying development would remove the community's opportunity to have a say about large scale local development that may have visual, acoustic, privacy, parking, and solar impacts.

There may be a need to re-exhibit both reform packages to ensure the implications are fully understood.

Recommendation:

- DPIE to clarify the relationship of the reform with the '*Building Business Back Better*' project and re-exhibit both proposals concurrently.

Provide clarity about growth area land

Camden has significant areas of Growth Centre land which has been recently rezoned or is proposed to be rezoned and will facilitate additional employment lands. This includes Leppington Town Centre, Leppington Stages 1 to 5, Lowes Creek Maryland, South Creek West, Oran Park, Catherine Field and Turner Road. This land will remain under the Growth Centres SEPP and has not been included within the reform package.

The proposed Employment Lands Reform will create two distinct zoning frameworks within the Camden LGA. For future investment and development confidence, Council would like to know if and how DPIE propose to expand these reforms into the growth areas.



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It is noted that greenfield areas require specific zonings to ensure that character, scale and function can be formed over time.

Recommendation:

- DPIE to provide Council with further information as to how these reforms may be expanded to apply to the Growth Centres SEPP, noting that greenfield areas require specific zonings to ensure that character, scale and function can be formed over time.

Provide clarity about changes to residential uses in employment zones

Robust measures are needed to contain excessive residential development from eroding employment lands. In this regard, clarification is needed regarding proposed changes to residential uses in employment zones.

Specifically, the FAQ provided mentions Build to Rent housing (BTR), however the reform package did not expand on the implications of BTR within the proposed employment lands framework.

Recommendation:

- Retain existing prohibited residential accommodation development types as part of the proposed zoning reforms.
- DPIE to provide clarity regarding how the BTR SEPP will be applied to the proposed employment lands.

Retain the retail hierarchy and provide for certainty

The Camden LGA includes a unique network of centres that range in size, scale and function. A retail hierarchy is contained within the LSPS and draft CELS which provides long term direction and certainty for the development industry and the community.

There is a risk that the reform may undermine Council's strategic planning framework and create uncertainty for the community and the development industry.

Recommendation:

- DPIE to apply the reforms consistently with the adopted retail hierarchy for the Camden LGA.
- DPIE to confirm if other existing controls, such as building heights, will remain unchanged as a result of these reforms.
- DPIE to ensure that the reform will not delay or defer planning proposals or development applications.



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Ensure legibility and consistency

The naming of the new zoning framework must be consistent and legible. There could be confusion between the naming of the existing Environmental zones and proposed Employment zones, particularly as both SEPP and LEP Environmental zones are currently referenced as E1-4.

There is also potential resource implications for Council to ensure the new naming is reflected in other planning documents (e.g. the Development Control Plan) and systems.

Recommendation:

- DPIE to ensure the new zoning framework is consistent and legible.
- DPIE to ensure that councils have adequate resourcing to update other planning documents and systems.

Ensure local businesses and landowners are adequately consulted

The proposed reforms are significant and will require extensive community consultation. Council advocates for ongoing communication with Camden businesses and landowners during the public exhibition period.

Recommendation:

- DPIE to ensure ongoing communication with Council as part of the implementation process.
- DPIE to ensure local businesses and landowners are adequately consulted during the public exhibition period.

Attachment 1



Conclusion

Council supports the broad intent of the proposed Employment Zones Reform to maximise productivity and address barriers within the planning system that limit the ability of businesses to establish, expand or adapt. We look forward to collaborating with DPIE to address the key issues outlined in this submission.

Summary of Recommendations

DPIE to:

1. Collaborate with Council to identify potential land use conflicts and to mitigate unintended consequences.
2. Ensure timeframes have a greater degree of flexibility included to allow for detailed collaboration with Council
3. Collaborate with Council to translate the reforms into the Camden LEP.
4. Clarify the relationship of the reform with the Building Business Back Better' project and re-exhibit both proposals concurrently.
5. Provide Council with further information as to how these reforms may be expanded to apply to the Sydney Region Growth Centres SEPP, noting that greenfield areas require specific zonings to ensure that character, scale and function can be formed over time.
6. Retain existing prohibited residential accommodation development types as part of the proposed zoning reforms.
7. Provide clarity regarding how the BTR SEPP will be applied to the proposed employment lands.
8. Apply the reforms consistently with the adopted retail hierarchy for the Camden LGA.
9. Confirm if other existing controls, such as building heights, will remain unchanged as a result of these reforms.
10. Ensure that the reform will not delay or defer planning proposals or development applications.
11. Ensure the new zoning framework is consistent and legible.
12. Ensure that councils have adequate resourcing to update other planning documents and systems.
13. Ensure ongoing communication with Council as part of the implementation process.
14. Ensure local businesses and landowners are adequately consulted during the public exhibition period.



Planning Reform

Proposed Employment Zones Framework

Position Paper

May 2021



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Introduction

This position paper and legislative outline propose a new employment zones framework for NSW that will:

- provide greater certainty for the community, councils and the development industry
- support councils' long-term strategic planning objectives
- support businesses, industry and society to grow, respond and adapt as necessary
- facilitate innovation and changes in business processes now and into the future.

The proposed framework responds to various trends, exacerbated by the COVID-19 pandemic, including the growth of online retail, reliance on freight and logistics, the importance of local centres, flexible working arrangements and the continued rise of multi-use businesses and the experience economy.

The proposed framework aims to better align to the way cities and regions are evolving. It includes:

- three jobs-focused zones and two industrial zones (down from 12 currently)
- three supporting zones that capture land uses and locations that have a focus beyond jobs (mixed uses, local enterprise and waterways)
- A clear strategic intent for each zone that builds on strategic work by the State and councils over the past five years
- Across the proposed employment zones framework an additional 97 mandated permitted uses from what is currently mandated.
- the retention of core retail uses in centres
- support for urban services uses by providing a dedicated zone
- three new land use terms and an update to six existing terms to meet contemporary needs.

Detail on the new framework as well as the rationale and evidence base are outlined in the following sections.

We welcome your feedback on the proposed framework as we seek to improve the NSW planning system for all.

Background

What is an employment zone?

An employment zone is a zone in which the primary objective is to promote employment-generating activities.

Other zones including the rural, special purpose and residential zones, may permit employment generating activities as secondary to their primary objectives. This position paper focuses on the current B and IN zones, as well as a review of the application of the RU5 Village zone in regional areas, as the RU5 often operates as an employment zone. No change is proposed to the RU5 zone.

The Department of Planning, Industry and Environment (the Department) is reforming the employment focused zones under *Standard Instrument Principal Local Environmental Plan (2006)* (SI LEP). The SI LEP currently includes eight business (B) zones and four industrial (IN) zones.

This reform was announced as part of the NSW Budget in November 2020, and builds on ongoing work by the Department, reviews by both the Australian and NSW productivity commissions and broader planning reforms to support economic growth and productivity.

Changes to cities and regions and businesses

Since the SI LEP was prepared 15 years ago, it has not been subject to significant review despite changes to planning processes, business operations, technology and how cities and regions function. Emerging businesses blur historically distinct land uses and technological improvements reduce traditional land use conflicts.

Online retailing, advanced and small-scale manufacturing and the growth of dense, mixed use centres have fundamentally reshaped the planning for centres and industrial precincts.

The need for flexibility

Within the context of changing employment functions and land uses, the framework for managing employment land uses must be flexible and able to respond to unexpected challenges – such as the COVID-19 pandemic and subsequent job losses and economic contraction.

The NSW planning system needs to be ready to support business adaptation, especially to support continued productivity, investment and community wellbeing in difficult times.

The proposed employment zones framework is one of several planning reforms – more information on these is available [here](#).

Inconsistent application of zone

The SI LEP was introduced with a practice note that gave some direction on the intended application of each zone. Since then, the rationale for how zones were applied and how they were adapted within individual LEPs is such that any clarity around the strategic intent of the zones has been lost. Upfront engagement with stakeholders and councils identified that inconsistent application of the zones across LEPs is an issue.

Differences between centres and precincts across NSW are recognised; this reform aims to continue the existing SI LEP requirements to achieve place-based needs however there are gains from having greater consistency in how and where a certain zone is applied. The proposed framework sets out clear strategic intent to support the interpretation of the strategic vision for a particular area.

This will bring consistency, making it easier for industry to navigate different LEPs, and providing a clear market signal to support short-and long-term investment and development. This should also help facilitate complying development, a faster assessment pathway.

Further, the proposed employment zones framework can support the direction set in State and local strategic planning, which sets the future vision for centres, precincts, cities and regions.

The new framework is expected to be introduced through an amendment to the SI Principal LEP Order by September 2021, which will then be incorporated into updated SI LEPs by mid-2022.

Developing the new framework

The proposed framework is informed by the best available evidence, data, knowledge and information.

We commenced with a **review of past policy** and previous employment lands initiatives in the retail and industrial sector, including:

- *Planning for the Future of Retail* – Discussion Paper (2018)
- Retail Expert Advisory Committee (REAC) – Independent Report (2016)
- *A New Planning System for New South Wales – Green Paper* (2012)
- *A New Planning System for New South Wales – White Paper* (2013)
- *White Paper Feedback Report* (2013)
- SI LEP establishment and subsequent evolution (2006 – present)
- thought leadership and research from the Greater Sydney Commission.

We commissioned **background analysis** to gain an insight on new and emerging industries. This work covered:

- the role, function and operation of the B6 Enterprise Corridor zone, including its intent, application, issues and potential inefficiencies
- the needs of workers in out-of-centre developments, including the policy context of complementary land uses, the type of land uses needed to support workers and any issues related to permitting additional worker support focused land uses
- how creative industries are accommodated in the NSW planning framework, where and how creative industries are located and any current inefficiencies
- the role, function and operation of the B4 Mixed Use zone
- how the current operation of the RU5 Village zone might inform whether rural zones should be captured as part of this reform (given the zone is working effectively no changes are proposed).

We **reviewed all local strategies** relating to business and industrial zoned land, including local strategic planning statements, employment land strategies and centres strategies. This captured the strategic direction set out by each council.

We also **audited all LEPs** established under the SI LEP to understand which business and industrial zones are used and the land uses permitted in the zones.

We commenced an **extensive consultation process in late 2020** that included a webinar to launch the reforms, as well as online surveys and workshops for councils and meetings with other stakeholders.

We received responses from 30 metropolitan and 67 regional councils to the survey, which sought an initial understanding how the employment zones work in each local government area and the status of local strategic planning and LEP reviews. These findings informed council workshops in early 2021. Appendix B details the findings of the workshops.

We provided a preliminary framework paper that detailed the likely policy direction and allowed council officers to provide input prior to public exhibition. 40 officers provided valuable feedback. We have incorporated aspects of that feedback into the proposed framework, other comments will be reviewed alongside broader submissions on this position paper.

We met with relevant State agencies, and key peak and industry groups to understand the specific issues of each group. Peak and industry groups included the Planning Institute of Australia, Urban Development Institute of Australia, Urban Taskforce, Shopping Centre Council of Australia, Local Government NSW, Large Format Retail Association, Australian Retailers Association, Advanced Manufacturing and Cement Concrete Aggregates Australia.

A full list of all groups is held at Appendix B.

An **Expert Advisory Group** gives us high-level independent advice and expertise on emerging trends in commercial, creative, retail and industrial business, employment lands (metropolitan and regional), domestic and global logistics, economics and land use planning.

Group members are:

- Alice Thompson, CEO, Committee for the Hunter
- Richard Pearson, Director, Pearson Planning Solutions
- Kate Murray, Director, Kingfisher & Co
- Marcus Spiller, Principal & Partner, SGS Economics and Planning
- Gary Mortimer, Professor, Queensland University of Technology Business School

This Group also contributes and advises on the evidence base and provides a sounding board to explore ideas and capture data and approaches.

Ongoing work

A cost benefit analysis is underway to examine zoning options and provide a baseline costing of our preferred approach. A social impact assessment is examining the social impacts of the proposed employment zones framework.

The final framework will be informed by this work.

Findings of the LEP review

A review of LEPs across NSW revealed the following finding:

- The restricted number of permissible land uses in the B1 zone inhibits the evolution of centres. Density controls will continue to manage the scale of development; however, businesses should be able to deliver business types to meet community expectations.
- Councils interchangeably use B3 and B4 in strategic and regional centres. The supremacy of a commercial centre and its importance for supporting jobs is not clear across LEPs.
- The B4 zone, while applied differently, predominantly operates as a residential rather than business zone. There is place-making and productivity value in providing a true mixed use zone in a contemporary zoning framework.
- B5 and B6 are largely applied uniformly. The purpose of B6 is unclear, lacking in strategic clarity. Land use activities commonly found in areas zoned B6 are generally classified as urban support or mixed use.
- There is no clear home for urban services land uses in the existing zones framework. Urban services are critical to a sustainable and well-functioning city. These uses typically cannot compete with higher value land uses commonly found in centres.
- Industrial lands have a critical value to cities and regions. Industrial land should be defined and separated from other higher value or sensitive land uses so industrial activities are not impacted operationally or available land eroded.
- Hazardous and offensive land uses need to be clearly delineated to adequately manage significant risks.
- The SI LEP does not generally accommodate precincts with strategic significance that undergo a detailed master planning process. These areas tend to sit within SEPPs which reduces the legibility of the planning system and diminishes opportunities available to councils to lead precinct planning work.

Utilisation of existing zones across NSW SI LEPs**Business**

- Only 5% of LEPs utilise all available business zones.
- 52% of LEPs use fewer than 3 business zones.
- 43% use between 4 – 6 business zones
- Only 39% of strategic or regional centres have a B3 zoning

Industrial

- 11% of LEPs have no industrial zones
- 33% use 1 industrial zone
- 44% use 2 industrial zones
- 11% use 3 industrial zones
- Only 2% of LEPs use all industrial zones

Proposed employment zones framework

The proposed framework is an entirely new employment zones framework rather than a collapsing or combining of current zones.

Five new employment zones are proposed:

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- E4 General Industrial
- E5 Heavy Industrial¹

The Local Centre and Commercial Centre zones represent zoning for centres; the General Industrial and Heavy Industrial are the key industrial zones; and Urban Support provides a transition between the centres and industrial zones.

To accommodate land uses in existing B or IN zones that are not primarily productivity related, **two further zones are proposed:**

- MU Mixed Use
- W4 Working Foreshore

The MU Mixed Use zone is generally used where a range of land uses are to be encouraged.

To introduce a flexible mechanism to allow for bespoke planning for unique precincts **a new Special Purpose zone is proposed:**

- SP4 Local Enterprise

Introducing the SP4 Local Enterprise zone recognises that certain precincts and their proposed land use activities are unique and cannot be accommodated in another proposed zone. The SP4 zone will allow a planning authority to set the land use table.

The W4 Working Foreshore zone is a direct translation of the IN4 Working Waterfront yet due to the alignment of land uses and land application, is better grouped with waterways zones.

Strategic intent

Local Centre zone

- Provides for a range of retail, business, entertainment and community uses that serve the needs of people who live, work or visit the local area.
- Supports a centre that is smaller than a Commercial Centre in the centre's hierarchy.
- Fundamentally replaces B1 Neighbourhood Centre and most B2 Local Centres.
- Supports a scale of development that will vary from small-scale neighbourhood centres containing a handful of shops to larger local centres.
- Residential uses will generally be in the form of shop-top housing and boarding houses.

Commercial Centre zone

- Provides for large-scale commercial, retail, business and compatible associated uses like community uses, recreational and health care services.

¹ There may be consequential amendments to the naming of other SI LEP zones that follows from this reform.

- Essentially replaces B3 Commercial Core, could extend to larger B2 Local Centres and some B4 Mixed Use where there is a focus on jobs, and may be appropriate for B7 Business Park areas.
- Emphasises a centre's business and employment focus.
- Supports council community facilities to create a central community hub (e.g. with main libraries, community and cultural facilities and council offices).
- Supports an area's night-time economy.
- Avoids mandating residential uses although higher density residential may be appropriate in some areas so long as the primary employment focus is preserved.

Productivity Support zone

- Allows for a mix of services, low impact industry, creative industry, manufacturing, warehousing, office and limited supporting retail.
- Essentially replaces B5 Business Development, B6 Enterprise Corridor, some B7 Business Parks and in exceptional circumstances limited areas of IN2 Light Industrial zones that no longer function as traditional industrial precincts.
- Suits locations near catalyst development (such as health and education) to support those uses through development such as a larger campus style business park.
- Suits emerging and new industries that need larger floorplates.
- Limits retail to uses requiring larger lots/floorplates (e.g. specialised retail premises), or that meets workers' or businesses' daily needs, or that sells products manufactured on site.
- Generally does not support residential uses.

General Industrial zone

- Primarily accommodates light and general industrial uses and warehousing uses.
- Allows for infrastructure and utilities.
- Generally replaces IN1 General Industrial and IN2 Light Industrial zones.
- Limits general retailing to meet workers' daily needs or to sell products manufactured on site.
- Does not support residential uses.

Heavy Industrial zone

- Primarily accommodates heavy industry (i.e. hazardous and offensive industry) and associated storage and depot.
- Allows for infrastructure and utilities.
- Replaces IN3 Heavy Industrial zone and potentially some IN1 General Industrial zones.
- Does not support residential or retail uses.
- Excludes incompatible development to ensure the efficient and productive use of the land and its long-term viability as heavy industrial land.

MU – Mixed Use zone

- Supports a mix of residential, retail, light industry and tourist accommodation.
- Supports genuine mixed use development rather than one dominant use.
- Replaces B4 Mixed Use, some B2 Local Centres and potentially B8 Metropolitan Centre.
- Promotes and encourages activities at ground floor and on street fronts.

- Considers the role and purpose of mixed use relative to other commercial and high density residential zones within the local government area.

W4 Working Foreshore zone

The W4 Working Foreshore zone is a direct translation of IN4 Working Waterfront. Land to which this zone applies has more in common with the zone grouping of waterways than it does to employment zones.

SP4 – Local Enterprise zone²

- Provides a future home for planned precinct processes, special activation precincts and regional jobs precincts should these areas and processes ever be brought across into the SI LEP.
- Recognises that these precincts and their proposed land use activities have a special purpose that cannot be accommodated in other zones. Investment in enterprise should be the core objective of the zone where the application of another zone is not appropriate.
- Application for limited existing developed or partially developed areas where development does not meet the strategic intent and/or objectives of any of the new zones (e.g. parts of the B8 Metropolitan Centre in the City of Sydney LGA or large planned commercial office parks).
- Offers flexibility for the planning authority to set uses within the land use table.
- Only applies in unique and predetermined circumstances subject to meeting strict established criteria and Department endorsement.
- Wide use not expected at the commencement of the new framework.

How will the SP4 Local Enterprise zone work

The proposed new Special Purpose zone is an endeavour to introduce a flexible mechanism within the SI LEP that will allow for a bespoke planning response for unique precincts.

Similar to the 'regional enterprise zone' in the Activation Precincts SEPP, the Local Enterprise zone is proposed to have investment in enterprise at the core of its objective however it could be broadened to allow additional focuses. It would be a flexible zone where the council/government could set all the uses within the land use table however it could only be applied in unique and predetermined circumstances in accordance with the objectives and criteria set through a potential direction applying to this zone (similar to the directions that currently exist within the SI LEP Order).

Where SP4 is proposed to be applied within an LEP, precinct-specific land use tables will be provided potentially through use of a new LEP schedule. The permitted land uses could be provided similar to how they are laid out currently within SEPPs i.e. within the Activation Precincts SEPP or the State Significant Precincts SEPP. SP4 zoned sites could be mapped as SP4 with an identifier that links to the land use table in the new SP4 LEP schedule similar to how Schedule 1 sites are currently identified within SI LEPS.

² Please note that the SP4 Local Enterprise zone has not been included within the Draft Amendment Order, we would appreciate feedback on the intent of this proposed zone.

New, updated or consolidated land use definitions

We propose **updated definitions** for

- Business premises
- Industrial retail outlet
- Kiosk
- Neighbourhood shop
- Shop top housing
- Crematorium.

We also propose **new definitions**:

- Circular economy facility
- Creative industries
- Data centre.

Local distribution premises will become a separate land use decoupled from the parent term 'warehouse or distribution centres'.

Updated and new definitions

Land Use	Intent	Rationale
Business premises Amends existing definition	Update the definition to remove reference to outdated land uses (internet access facilities) and make it clear that business premises do not include a 'shop'.	<p>'Business premises' and the uses that are captured under the definition are subject to technological evolution and changes to business practices. Accordingly</p> <p><i>Internet access facilities</i> are a redundant type of business that should not be included within the definition as it no longer provides clarity.</p> <p>We have received feedback that there is some misunderstanding as to whether a 'business premises' includes a <i>shop</i> and so to put this beyond doubt and to reduce the overlap with the existing land use term 'shop' we are seeking to specifically include shop within the list of land uses that a 'business premises' is not. This is an important distinction as business premises are included as a mandated permitted use within the Productivity Support zone.</p>

Land Use	Intent	Rationale
<p>Circular economy facility ('domestic goods repair and reuse facility')</p> <p>New definition</p> <p>Sub-term of 'light industry' or potentially 'business premises'</p>	<p>Insert a new definition that provides for a facility that allows for the collection, repair, refurbishment, dismantling, sharing and redistribution of goods found commonly in households.</p> <p>These facilities should not be confused with waste recovery facilities that have amenity impacts. These facilities are low in impact and suited to local neighbourhood collection of waste materials.</p>	<p>The 20-year waste strategy identifies the need for a new waste definition to support the circular economy.</p> <p>The definition intends to support the proposed amendments to the Codes SEPP.</p>
<p>Creative industry</p> <p>New definition</p> <p>Sub-term of 'light industry'</p>	<p>Insert a new definition that provides a catch all definition for the creative industries and their activities and outputs.</p> <p>The definition will capture occupations that commonly identify as creative including:</p> <ul style="list-style-type: none"> • traditional and digital media; • fine arts and crafts; • design; and • creative products <p>and extends to the activities carried out including production, workshops, display/performance and sale of items.</p>	<p>Creative industries are currently not defined under the SI LEP and therefore these uses are not captured clearly under the planning system. The intent of the new definition is to recognise the individual industries and activities that identify as creative.</p> <p>This definition builds on definitions in local creative industries strategies and plans. Please note creative industries may include an 'industrial retail outlet'</p>
<p>Crematorium</p> <p>Amend existing definition</p>	<p>Update the definition to include the additional process for inurnment known as aquamation.</p>	<p>Meets demand for new and emerging means of inurnment that do not involve burning (aquamation).</p>
<p>Data centre</p> <p>New definition</p> <p>Sub-term of 'High technology industry'</p>	<p>Insert a new definition to cover a building used for the collection, storage, process and distribution of electronic data,</p>	<p>Data centres are currently defined in part under the Infrastructure SEPP as 'data storage'. To make data centres complying development requires a broader definition to capture how data centres are planned and built.</p>

Proposed Employment Zones Framework

Land Use	Intent	Rationale
Industrial retail outlet Amend existing definition	Update the definition to allow industrial retail outlet to sell the outputs of a creative industry,	Amendments allow for a creative industry to display and sell goods manufactured on site. The retail floor area size will be controlled through Clause 5.4 <i>Controls relating to miscellaneous permissible uses</i> under the relevant LEP.
Kiosk Amend existing definition	Update the definition to remove reference to products that are no longer convenience items (camera film)	Kiosks currently reflect a land use activity that has limited application (e.g. selling film) rather than selling fruit and vegetables, phone chargers, stationery, batteries etc.
Local distribution premises Retain existing definition Remove from parent term 'warehouse or distribution premises'	Retain existing definition however make 'local distribution premises' a stand-alone definition so that it no longer falls under the parent term 'warehouse or distribution premises'.	'Local distribution premises' are appropriate on land where 'warehouse and distribution premises' are not otherwise permitted. Decoupling permits this land use in zones where the use is mandated as well as within open zones. This change will support the expansion of last mile freight and logistics including parcel lockers and click and collect.
Neighbourhood Shop Amend existing definition	Update the definition to make it less ambiguous regarding ancillary services. Remove reference to products that are no longer frequent convenience items (newspapers) and replace the concept of personal care products with day to day needs.	The current definition of 'neighbourhood shop' is outdated, ambiguous and unnecessarily limiting. This broader application relies on the test of meeting day-to-day needs.
Shop-top housing Amend existing definition	Update the definition to allow ground floor commercial premises and health services facility providing more opportunity for local services, viable uses on the ground floor and employment generation.	It is appropriate and desirable to allow additional uses on the ground floor of shop top housing. The definition expands the ground floor use to allow health service facilities e.g. medical centre or light industry. The Department would also welcome feedback on whether the existing definition needs updating to allow for more than just ground floor commercial use.

Land Use	Intent	Rationale
Warehouse or distribution centre Amend existing definition	Update the definition to remove inclusion of local distribution premises as part of a consequential amendment reflecting the decoupling of local distribution premises from the parent term.	Amend to acknowledge that local distribution centre has been decoupled from the parent term warehouse and distribution centre.

Potential consolidation of existing definitions

As part of this Position Paper we are seeking feedback on the potential consolidation of a number of existing land use terms. These land use terms have a shared or overlapping strategic intent with another land use term. These land uses have been recommended for consolidation as there are similarities in how these land uses operate and often the zones where they are permitted with consent. This consolidation allows for streamlining of definitions and reduces potential misinterpretation where a land use term could fall into multiple definitions and depending on interpretation, result in ambiguity as to permissibility.

The potential land use term consolidation was not discussed as part of upfront engagement and therefore are not included in *Draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021* as they have not been the subject of preliminary feedback. These potential land terms are not shown in the Land Uses Matrix. Input is specifically sought in any instances where the current land use terms have different permissibility within individual land use tables. Additionally, if there are any other land use terms that could be consolidated we would be interested in hearing those suggestions.

Potential consolidated definitions

Land Use	Intent	Rationale
Home improvement retail premises Potential definition Sub-term of 'commercial premises' The new land use term would be permitted with consent in E1-E4 and MU1 zones.	To provide a land use term that enables the retailing of materials that are used in home improvements. The definition would be formed by combining the existing definitions of 'hardware and building supplies' and 'garden centres' into a single 'home improvement retail premises' definition. 'Hardware and building supplies' and 'garden centres' would be deleted from the Dictionary, Direction 5 and land use tables.	'Hardware and building supplies' and 'garden centres' are similarly applied within land use tables and the business functions are comparable.

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Land Use	Intent	Rationale
<p>Trades retail premises</p> <p>Potential definition</p> <p>Sub-term of 'commercial premises'</p> <p>The new land use term would be permitted with consent in E1-E3 and MU1.</p>	<p>To provide a land use term that enables the retailing of trade materials that are used in construction, farming, primary production and landscaping.</p> <p>The definition would be formed by combining the existing definitions of 'landscaping material supplies', 'rural supplies' and 'timber yards' into a single 'Trades retail premises' definition.</p> <p>'Landscaping material supplies', 'rural supplies' and 'timber yards' would be deleted from the Dictionary, Direction 5 and land use tables.</p>	<p>'landscaping material supplies', 'rural supplies' and 'timber yards' are similarly applied within land use tables and the business functions are comparable.</p>
<p>Storage and distribution premises</p> <p>Potential definition.</p> <p>The new land use term would be permitted with consent in E3-E5.</p>	<p>To provide a land use term that facilitates freight and logistics. This definition groups storage, warehousing and distribution centres uses under the one land use activity.</p> <p>The definition would be formed by combining the existing definitions of 'storage premises' and 'warehouse or distribution centre'.</p> <p>'storage premises' and 'warehouse or distribution centre' would be deleted from the Dictionary, Direction 5 and land use tables.</p>	<p>Freight and logistics are an expanding sector. Providing a single, broad definition will allow greater flexibility and enable expansion of storage, warehousing and distribution centres within the one operation.</p>
<p>Self-storage units</p> <p>Retain existing definition</p> <p>Decouple 'self-storage units' from parent term 'storage premises'</p> <p>No change is proposed to where 'self-storage units' would be permitted with consent (see Land-Use Matrix).</p>	<p>To reflect that 'self-storage units' are not part of the freight and logistics network unlike 'storage premises'</p>	<p>Recognising that 'self-storage units' are not part of freight and logistics it is not an appropriate fit to have this land use fall under the parent term 'storage premises'. Additionally, decoupling the land use from the parent term will enable a council to individually list 'self-storage units' into any zone where the land use is deemed appropriate i.e. a local centre.</p>

Land use tables

The proposed land use tables identify mandated permissible and prohibited uses within each of the new zones. Councils will still be able to permit or prohibit other land uses as they see fit and in alignment with relevant strategic plans.

Mandated permissible uses are expanded to clearly delineate the intent of the zones and allow greater consistency in application. Increasing the range of permissible uses while also managing contemporary land use conflicts is a key productivity gain. Increasing the range of permitted uses should reduce the need for a planning proposal for a development that is appropriate within the zone, but not within the list of permitted uses currently set within the SI LEP.

Draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 details the draft land use tables of the proposed employment and supporting zones other than for SP4 Local Enterprise zone.

Variation in objectives

Proposed objectives are intended to reflect the strategic intent of the proposed zones to support councils in development assessment. We propose allowing variation on certain objectives to ensure they reflect strategic planning. This means objectives can vary when applied in metropolitan versus regional areas. A decision on which objective is to be applied will be made as land use tables are prepared and reviewed by councils. Other proposed objectives are outlined in the *Draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.

Proposed zone	Proposed optional objectives
Commercial centre	<ul style="list-style-type: none"> To encourage employment opportunities and business investment OR <ul style="list-style-type: none"> To encourage employment opportunities and business investment in the regional centre OR <ul style="list-style-type: none"> To encourage employment opportunities and business investment in the Strategic centre.
Mixed use	<ul style="list-style-type: none"> To provide a range of business, community, light industrial, retail and residential land uses. OR <ul style="list-style-type: none"> To provide a range of retail, business, and community uses; OR <ul style="list-style-type: none"> To provide a range of business, community, retail and residential land uses.

* SI LEPs will still be able to add additional local objectives.

Land uses permitted under State Environmental Planning Policies

In addition to the mandated land uses in the SI LEP, a number of State Environmental Planning Policies (SEPPs) also set land use permissibility. These land uses are generally not listed in LEPs. We do not propose a change to this approach.

If you refer to the Land Uses Matrix provided as part of the exhibition documents most of these SEPP-based land uses are identified.

Parent terms to identify land uses

Currently, if a parent term is identified as a mandated permitted use there is no need to identify child terms under this as a mandated permitted use. No change to this approach is proposed. The proposed land use tables therefore do not list child terms.

If you refer to the Land Uses Matrix provided as part of the exhibition documents all mandated permitted and prohibited land uses are identified.

Benefits of the proposed framework

Greater land uses within individual zones

The reduced number of zones provides clear delineation of the purpose of each zone within the SI LEP and provides greater diversity of mandated permissible uses.

The increase in mandated permissible provides greater consistency and opportunity for new uses. This makes it easier for new businesses to understand where they are permitted or prohibited, to

enter local markets and for existing businesses to expand. It also enables the planning system to respond more flexibly to changing business and household needs and external market forces.

The opportunity for complementary businesses to co-locate where appropriate, especially important for emerging industries, is supported through the new definitions, such as the new definition of 'circular economy facility'.

Consistency in strategic intent

The mismatch in zone application creates mixed signals for market, industry and community. The proposed framework embeds clarity, boosting certainty which then supports industry to invest or establish a pipeline of investment.

For communities, consistency in the application of zones contributes to a legible planning system – meaning people can anticipate future development based on an area's zoning.

Response to key policy questions

Planning for a centres hierarchy

Councils and community generally support a hierarchy of centres via either the setting of scale through height and floor space ratio controls or by limiting which land uses are permitted depending on the size of the centre. The changing nature of retail and the evolution of our centres to meet community needs means that flexibility around land uses can make for great places, relying on development controls to set the appropriate scale of development and to maintain existing and desired future character.

In the setting of additional permitted land uses within the land use table for the Productivity Support zone, councils should determine their approach to managing out of centre development. As part of implementation we will provide guidance within a toolkit on balancing worker convenience retail and out of centre development.

Planning for industrial land

The value placed on industrial lands shifts over time particularly where there are competing land uses and limited land supply within cities and regions. Every region needs a location to accommodate its uses that require more physical space or access to freight networks, have an amenity or environmental impact or are priced out of other markets. Cities where there is no place for these back-of-house or impacting uses close to the population centre are less sustainable as businesses and communities need to travel further to access supporting infrastructure and activities.

Within parts of Greater Sydney and particularly the Eastern Harbour City, there is limited industrial land and strong pressure to adapt this land to mixed uses to meet the supply demands of other higher order land uses. While there will always be transition of land between land use activities, once industrial land flips to commercial or residential, that land is unlikely to ever revert to an industrial use. From a productivity perspective, industrial areas often yield low job ratios, but these operations are often critical to a well-functioning city i.e warehousing.

Given the finite amount of industrial land in many districts and regions, it is appropriate to provide a range of zones that respond to the different priorities of these industrial precincts. In the review of which is the appropriate zone for industrial precincts, councils should be guided by their employment lands strategy and how that aligns to the strategic intent of the proposed zone. Councils should also be cognisant of the long-term operational value and supply of their industrial land. In the setting of permitted uses in land use tables, councils should determine their approach to out of centre development and worker amenity/needs.

The outlined strategic intent, objectives and mandated permissible uses of the proposed framework, as a baseline, preserve industrial land for the uses that need to locate in industrial locations. Councils can choose to open industrial land to additional uses based on a strategic plan.

Simpler and more flexible planning systems

The Federal Productivity Commission outlined in its report *Shifting the Dial: 5-year productivity review* three areas that remain priorities across jurisdictions to support the productivity potential of urban lands:

1. reducing the number and complexity of restrictions on land use created by prescriptive zoning systems
2. better planning and provision for growth
3. the need to continue moves towards a risk-based approach to assessing development proposals.

The Productivity Commission is preparing case studies to focus on the three priority areas. The first case study, relating to the first priority area, was of Victoria's 2013 reform of the Commercial Land Use zoning³. The findings of the case study informed the development of this proposed employment zones framework.

Victoria undertook a reform of its commercial zones reducing the number from five to two. A third commercial zone was reinstated in 2018. Distinct from this employment zones reform, Victoria limited its reform to 'commercial' zones meaning it did not capture industrial, special activation or township centre/capital city zones.

The NSW reforms take a wider scope and go further than Victoria, but also seeks to deliver a framework that is appropriate to the nuances of the NSW planning system.

The NSW and Victoria planning systems are very different. Victoria mandates all prohibited and permitted land uses (councils cannot choose to allow additional permitted uses) and has extensive reliance on overlays to achieve local strategic provisions. The Federal Productivity Commission in its case study acknowledged that the benefits of the reform arise from increased flexibility within zones (additional permitted uses) rather than a decrease in the overall number of zones. Accordingly, this employment zones framework seeks to provide a fit for purpose framework as well as allowing increased flexibility.

³ Productivity Commission 2020, *Victoria's Commercial Land Use Zoning, Productivity Reform Case Study*, Canberra.

NSW proposed employment zones compared to Victoria	
NSW proposed	Victoria current
E1 Local Centre	Commercial 1 (Mixed use commercial)
E2 Commercial Centre	Commercial 2 (Commercial offices)
E3 Productivity Support	Commercial 3 (Employment generating/urban services uses)
E4 General Industrial	Industrial 1 (Light industry)
	Industrial 2 (General industry)
E5 Heavy Industrial	Industrial 3 (Heavy industry)
W4 Working Foreshore	Port
SP4 Local Enterprise Zone	Activity Centre (support activity centres)
	Capital City (City of Melbourne zone)
MU1 Mixed Use	Mixed Use
8 zones	10 zones

Relationship to other planning reforms

The proposed employment zones framework is part of a substantial reform program relating to elements such as planning proposals, updates to regional plans, State planning principles and reviews of SEPPs.

Additionally, other projects underway are related to these proposals:

- The Greater Sydney Commission is reviewing the effect of the 'retain and manage'⁴ policy in the Greater Sydney Region Plan and district plans. This review will inform an update to the Greater Sydney Region Plan. The employment zones framework will align to the review work of the Greater Sydney Commission.
- The Department has exhibited an Explanation of Intended Effect Building Business Back Better for changes to the employment codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Employment zones reform and the proposed changes to complying development codes together will grow jobs and support productivity. The interrelationships between the two reforms, public exhibition comments and implications for implementation will inform the final policy position of both reforms. This is anticipated to include specific guidance and mechanisms that will ensure the intent of local strategic planning is reinforced.
- The proposed Design and Place State Environmental Planning Policy Explanation of Intended Effect has recently been on public exhibition. The employment zones reform does not intend to impact on the application of the proposed Design and Place SEPP.

⁴ The Greater Sydney Region Plan includes principles for managing industrial and urban services land. One of these principles is 'retain and manage'. Existing industrial and urban services land identified as 'retain and manage' should be safeguarded from competing pressures, especially residential and mixed-use zones. For more information see here: <https://www.greater.sydney/metropolis-of-three-cities/productivity/jobs-and-skills-city/industrial-and-urban-services-land>

Implementation

The NSW zoning system, while standardised, enables a level of tailoring to support strategic objectives. This non-conformity will make the implementation of the new framework more complex.

Implementation will require work to translate existing B and IN zoned areas into the new framework; while this process will draw from strategic planning, it should not require councils to review or undertake additional strategic planning. Councils that have not completed strategic planning may wish to flag future rezoning of areas if they anticipate a need to align with employment and centres strategies.

For the proposed new employment zone framework to take effect:

- an amendment to the SI Principal LEP Order will be required
- all SI LEPs will need to be updated
- any other environmental planning instrument that relies on the SI Principal LEP either through land use tables, model provisions or dictionary will need to be amended.

We will support councils by driving much of the upfront process, including:

- consolidating amendments to all SI LEPs through State-led self-repealing SEPPs (prepared and exhibited to clearly outline and communicate individual LEP amendments)
- preparing the first draft of zone application maps and land use tables
- providing policy guidance and support.

Councils will have sufficient time to review the proposed translation into the new framework and will be able to make changes to land use tables, mapping, local provisions and schedule 1 additional permitted uses.

Implementation will not require councils to prepare individual planning proposals. The self-repealing SEPPs will be prepared and exhibited with the level of detail necessary to clearly outline and communicate individual LEP amendments and to then make the legislative change to individual LEPs.

An implementation plan outlines key timing for the employment zones. This is available as part of public exhibition.

The implementation approach is informed by council consultation and we will continue to refine the approach. Resourcing capacity will be balanced against the need to complete the reforms quickly to support economic recovery and to minimise uncertainty for local land use planning as zones are a key gateway into the NSW planning system.

Support

We will develop a **toolkit** of detailed information on the following topics. This may be expanded based on continued feedback from local government and stakeholders.

- **Supporting local provisions:** A review of existing local provisions introduced by councils to deliver strategic objectives has been undertaken. The Department will look to prepare a set of model local provisions to assist councils who wish to add similar provisions within their LEPs.
- **Characterisation of zones:** A detailed explanation on the intent and characterisation of each zone will be provided to make it easier for councils, the community and industry to understand where the zone should be applied, the type of permissible land uses and the strategic objective it will deliver. This will also include illustrative case studies.

- Discussion on open zones: We will encourage open zones rather than a closed approach to foster flexibility and innovation in employment zones. We will provide further information on the benefits of open zones and how they can be applied.
- Guidance on amending local plans: We will provide guidance on how strategic planning aims can be achieved through the new framework including planning for a centres hierarchy, supporting business parks, managing out of centre development and planning for precincts under transition (e.g. increasing densities in industrial areas.)

We are investigating options to provide **tangible planning support**; however, there is limited capacity to give funding directly to councils. Utilising a flying squad of policy planners engaged by the State and deployed to councils to undertake the detailed review work is being considered. We are also considering options to provide communications and engagement assistance to support public exhibition and consultation with communities and recently elected local government officials.

We will utilise **ePlanning** to prepare new zone application maps delivered through the spatial viewer. Councils will no longer be required to prepare PDF maps for LEPs. We will prepare the first round of mapping based on the findings of our consultation and analysis – these will then be provided to councils for review. We can also prepare final zone application maps for councils with little or no GIS capabilities. For councils with better GIS capabilities the Department will assist to the degree that is required to support delivery of the maps within the spatial viewer.

We will prepare **draft land use tables** for all LEPs having regard for local circumstances. This will include permitted and prohibited land uses under the new employment zoning framework and any additional permitted uses currently incorporated into LEPs. Councils can then review and confirm these tables.

These initiatives will enable councils to focus on complex or contentious areas that require more detailed consideration to align with their strategic planning.

Next steps

A final framework will be introduced into the Principal Standard Instrument in September 2021, drawing from feedback to this position paper. It is intended that the new zones will sit alongside the existing land use tables until such time as the changes are introduced into all relevant LEPs.

Amendments to individual SI LEPs is planned to occur in two tranches and be facilitated by self-repealing SEPPs. All LEPs are intended to be updated by mid-2022. This timing aligns to milestones set by the NSW Government when this reform was established.

Councils are already progressing LEP reviews following preparation of local strategic planning statements. This work should continue while the employment zones framework is being finalised. We are working through savings and transitional arrangements for planning proposals currently underway and will provide information as the arrangements are finalised.

For councils that are yet to undertake the review or are in the preliminary stages of the review, consideration should be given to how that work could progress under the proposed employment zones framework.

A **comprehensive list of consequential amendments** is being prepared for environmental planning instruments that interact with the SI LEP zones and/or dictionary. Where an instrument – such as the Growth Centres SEPP – uses the SI LEP zones and dictionary in name only, there is no intention to translate it into the new framework.

Savings and transitional arrangements will also be prepared for the continuation of the existing zones during implementation.

Planning proposals already underway should be unimpeded by the proposed framework – they should continue to progress through the LEP plan-making process. We will work with individual councils and, where relevant, proponents to work through translation of existing B and IN zones into the new framework.

Savings and transitional arrangements will extend to undetermined development applications. Further information on these arrangements will be provided as the reforms progress.

Potential future reform

During engagement there was discussion around other mechanisms to support flexibility and reduce the need for a planning proposal for undefined land uses that were consistent with the objectives of the zone. We are continuing to look into this aspect of the planning system to improve agility and respond to emerging land uses in a time critical manner.

Have your say

We want to continue the discussions on this important reform and build on the issues and opportunities that were raised during early consultation.

When reviewing the proposed framework, we encourage councils and landowners to consider the strategic intent of each proposed zone and where that intent aligns with the strategic vision contained within strategic plans for centres, areas and precincts.

Consider that the framework intends to provide a 'home' for all types of land use activities and how they exist within a regional or urban environment.

As part of this public exhibition councils and landowners are encouraged to anticipate how the new framework could be applied to particular areas or sites.

How to get involved

The Department welcomes your feedback about the proposals outlined in this paper, the draft SI (LEP) Amendment (Land Use Zones) Order 2021 and the Implementation Plan. To make a submission on the reform proposed in these document please go to <https://www.planningportal.nsw.gov.au/employment-zones-review> and complete the submission form, alternatively please email employment.zones@planning.nsw.gov.au.

All submissions will be made public in line with our objective to promote an open and transparent planning system. If you do not want your name published, please state this clearly at the top of your submission. The Department will publish all individual submissions and an assessment report on all submissions shortly after the exhibition period has ended.

Appendices

- a) LEP Audit summary tables
- b) Upfront stakeholder and council engagement.

Appendix A - LEP audit

Table: Zone audit of business zones

Zone	Total Number of SI LEPs utilising the zone (160 SI LEP)	%	Metropolitan Councils (46 SI LEP)	%	Regional Councils (114 SI LEP)	%
B1						46%
B2	127	79%	38	83%	89	78%
B3	56	35%	20	43%	36	32%
B4	98	60%	39	85%	59	52%
B5	61	38%	23	50%	38	33%
B6	64	40%	25	54%	39	34%
B7	44	28%	20	43%	24	21%
B8	1	1%	1	50%*	n/a	n/a

*B8 Metropolitan Centre is only available to North Sydney and City of Sydney.

Table : Total number of SI LEP business zones and the quantum of zones utilised by council

Business Zones used within the LEP	Number of SI LEPs that utilise the specific number of zones	%	Metropolitan	% Metro Councils (46 SI LEP)	Regional	% Regional Councils (114 SI LEP)
8*						0%
7	6	4%	2	4%	4	4%
6	27	17%	14	31%	13	11%
5	20	13%	5	11%	15	13%
4	23	14%	12	26%	11	10%
3	23	14%	8	17%	15	13%
2	30	19%	2	4%	28	25%
1	13	8%	2	4%	11	10%

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*B8 Metropolitan Centre is only available to North Sydney and City of Sydney.

Table: Zone audit of industrial zones

Zone	Total Number of SI LEPs utilising the zone (160 SI LEP)	Percentage	Metropolitan Councils (46 SI LEP)	Percentage of Metro Councils that utilise the zone	Regional Councils (114 SI LEP)	Percentage of regional councils that utilise the zone
IN1	122	76%	25	54%	97	85%
IN2	94	59%	34	74%	60	53%
IN3	20	13%	4	9%	16	14%
IN4	22	14%	8	17%	14	12%

Total number of SI LEP industrial zones and the quantum of zones utilised by council

Industrial Zones used within the LEP	Number of SI LEPs	Percentage	Metropolitan Councils (46 SI LEP)	% Metro Councils	Regional Councils (114 SI LEP)	% Regional Councils
4	3	2%	1	2%	2	2%
3	18	11%	4	9%	14	12%
2	69	43%	22	48%	47	41%
1	54	34%	11	24%	43	38%
0	16	10%	8	17%	8	7%

B1 and B2

	SI LEPs utilising the zone or combination	Metro SI LEP	Regional SI LEP
B1 and B2	85 (53%)	37	48
B1 only	10 (6%)	6	4
B2 only	41 (26%)	0	41
None	23 (15%)	2	20

B3 and B4

Proposed Employment Zones Framework

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Zone	Numbers (%)
B3 only	7 (4%)
B4 only	47 (29%)
B3 and B4	52 (33%)
None	54 (34%)

B5, B6 and B7

			Number of SI LEPs utilising the zone or combination	Metro SI LEP	Regional SI LEP
B5	B6	B7	11	7	4
B5	B6		15	7	8
B5		B7	15	5	10
	B6	B7	11	4	7
B5			18	3	15
	B6		28	8	20
		B7	8	2	6
None			54	8	46

Attachment 2

Appendix B - Upfront stakeholder and council engagement

CONSULTED TO DATE	
Peaks & Industry groups	
Planning Institute of Australia	Retail Guild of Australia
UDIA	Australian Retailers Association
Urban Taskforce	Better Planning Network
Property Council of Australia	Advanced Manufacturing Growth Centre
Local Government NSW	The Australian Industry Group
Large Format Retail Association	Australian Logistics Council
Woolworths	Amazon (emerging retail)
Cement Concrete Aggregates Australia	Local government
Sydney Airport	118 NSW councils metro & regional councils across 28 workshops
Shopping Centre Council of Australia	

Key findings: consultation

The following themes and the issues/opportunities were consistent across all stakeholder groups.

- The reduction of zones is supported if it supports a strategic purpose and employment and economic uses can be prioritised and protected. Community representatives expressed concern that broadening permissible uses may be harder to regulate.
- Creating flexibility and adaptability for suitable uses in employment zones and being able to support new activities and innovation is a priority for councils and industry. How that flexibility could be delivered varies between industry, councils and the community.
- Supporting a strong centres hierarchy through the planning framework is important to councils, as is enabling fine gran retail and commercial uses within centres.
- Interpretation of zone purpose and alignment to local strategic direction are the key inconsistencies in application.
- The profile of and uses in industrial lands is changing, while land for urban services and industrial activities should be located near where people live.
- In regional and rural areas, economic success relies on adequate infrastructure servicing and a supportive planning framework. The key challenge in metropolitan areas is land availability.
- Within metro areas, the B4 Mixed Use Zone is problematic and has become a pseudo residential zone with ground floor shops. The effectiveness of the B4 zone as a centres zone is varied in regional areas, with most calling for a review of its intent and objectives.
- Zone objectives and development controls plans could be given greater statutory weight to strengthen controls for employment. Land use definitions in the planning system are not keeping pace with emerging uses.

Greater Sydney councils: Key themes

- Councils support retaining and managing industrial lands, due to a significant loss of urban services lands in urban centres and the pressure on land for residential uses.
- Most councils report that the B4 was problematic. Several councils have implemented local provisions such as minimum non-residential floor space to manage residential creep.
- The flexibility of the specialised retail premises is creating issues – the definition means that uses are not limited to bulky goods, which is leading to out-of-centre development.
- Future land uses in industrial zones will include data centres and automation. These uses could limit the productivity of industrial zones.
- The most important objectives when applying employment zones are:
 - enabling fine grain high street retail and commercial
 - providing small-scale warehouse uses, spaces and light industrial/urban services
 - providing for large scale industrial and logistics activities.

Regional NSW councils: Key themes

- The RU5 Rural Village zone is flexible and functions and supports productivity in rural villages and centres.
- Employment uses occur in rural zones, special infrastructure zones and residential zones and should be considered as part of the reform.
- Infrastructure limitations in rural areas inhibits productivity in employment zones.
- While there is demand for temporary worker accommodation across regional and rural NSW, that accommodation and housing is limited in most local government areas.

- The B4 Mixed Use zone supports commercial development in some town centres, but in others a dispersing employment uses out of main towns or centres limits economic development.
- The most important objectives when applying the employment zones are:
 - supporting agricultural activities and products
 - providing small scale warehouse uses, spaces and light industrial/urban services
 - providing for small businesses.

Industry stakeholders: Key themes

- While there is uncertainty, businesses will continue to evolve with technological advances such as click and collect. This will see the emergence of smaller distribution hubs.
- Mixed use should be more clearly defined. The future blending of land uses and business types will make mixed use an important part of the conversation. Stakeholders emphasised that the need to open up mixed use to be more creative and amenable to new uses.
- Activation on the street is an issue for mixed use given often high vacancy rates for ground floor commercial or retail shop fronts. It is important to understand the strategic intent of the mixed use zone and to look into how to achieve that strategic intent.
- The planning system needs to be more flexible and should recognise the need to protect industrial lands in Greater Sydney. While it is agreed that the system should have more flexibility to facilitate innovation, the extent to which flexibility should be introduced into the planning system is contested.
- Height controls for industrial lands need to increase to facilitate new and emerging uses such as robotics and automation.

Other feedback

- Several councils raised the idea of a precinct master planning approach to cater to transitioning and emerging industries.
- Others called for reforms to create 'flexible certainty' by providing clear statements of intent for each zone, objectives, permissible uses and definitions that do not create barriers.
- Several councils agreed to differentiation between regional and metropolitan objectives and to allow for more choice so that councils can tailor how they translate strategic directions within their LEP.



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Attachment 2

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Attachment 2

1 Introduction

The Department of Planning, Industry and Environment (the department) is reviewing and rationalising the employment zones, i.e. business (B1–B8) and industrial (IN1–IN4) zones, under the Standard Instrument - Principal Local Environmental Plan (SI LEP). The reform will better accommodate the changing needs of business, improve strategic alignment, boost productivity and strengthen the economy. The proposed changes to the business and industrial zones are outlined in the *Proposed Employment Zones Position Paper*.

This document outlines the broad implementation approach and detailed steps to deliver the proposed employment zones framework. The proposed framework will balance State-wide consistency with local tailoring. Councils will be actively supported throughout the employment zones reform, with delivery in two tranches.

State-wide consistency with local tailoring

The department will publish the new employment zones framework in an Amendment Order to the Principal SI LEP. The Order enables a council to include additional permitted uses, additional objectives and local provisions to further refine the strategic intent of their Local Environmental Plan (LEP). When the Amendment Order is Published (introducing the new employment zones framework into the SI LEP), the department will support each council by creating a first draft land use table (LUT), and mapping through the spatial viewer for each LEP. This will be informed by existing LEPs, existing local plans and conversations the department has and will continue to have with individual councils. Councils will be asked to review the draft LUTs and maps and provide any changes to LUTs, additional permitted uses, local objectives, or local provisions in accordance with an Implementation Toolkit that will be provided to guide the translation of existing zones into the new employment zones framework.

The SI LEP will deliver a consistent State-wide set of zones and land uses with additional land uses, objectives and local provisions within individual LEPs to respond to local strategic planning priorities.

The department will utilise self-repealing State Environmental Planning Policies (SEPPs) to make and publish the amendments of individual LEPs. This will remove the need for councils to prepare individual Planning Proposals, though still allow councils to review, edit and sign off on tailorable aspects of their LEP ahead of and following public exhibition.

Delivery in two tranches

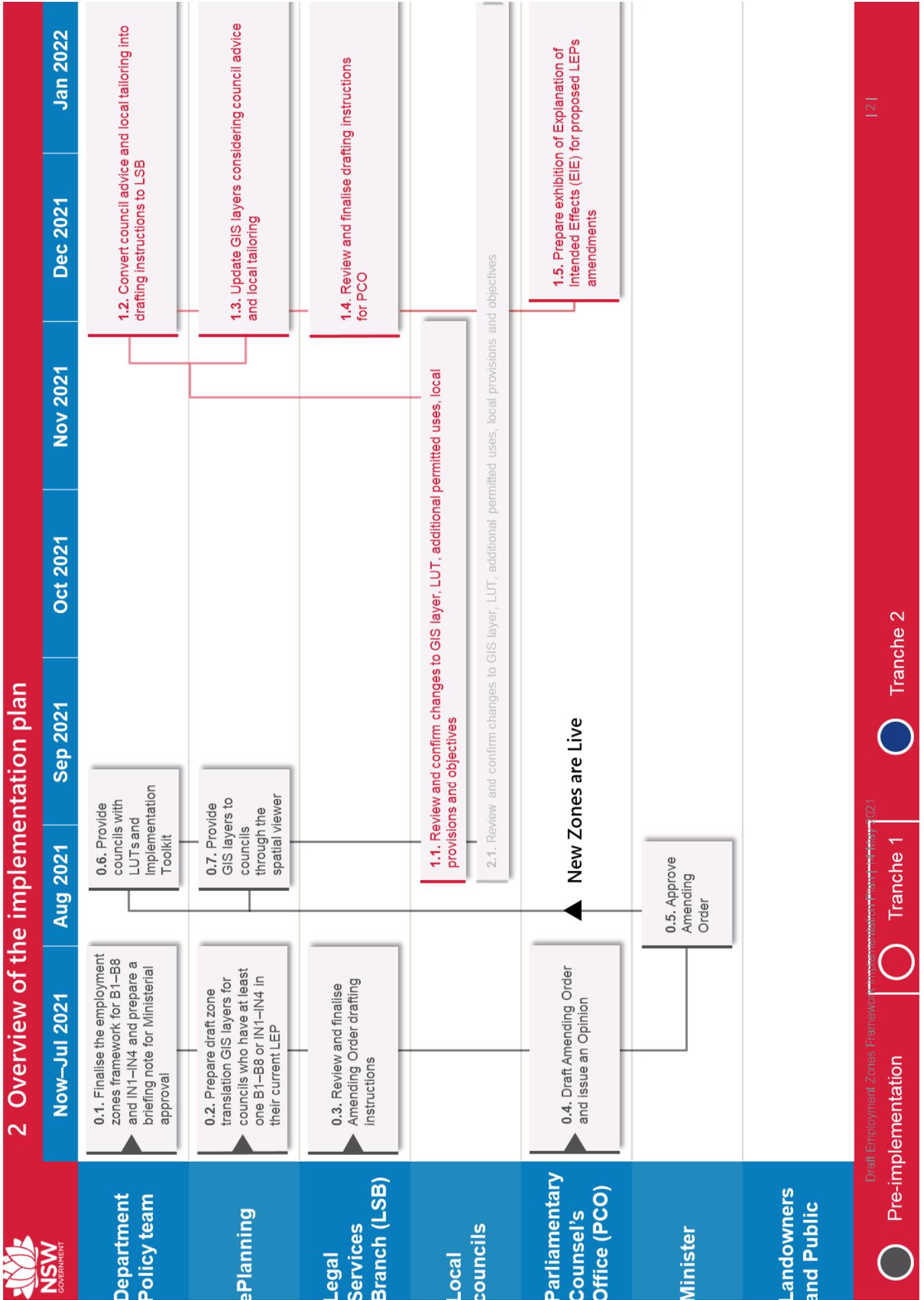
The implementation plan will be delivered through two tranches to best support councils during implementation. The zone translation self-repealing SEPPs will be utilised to publish the new zones in the following tranches:

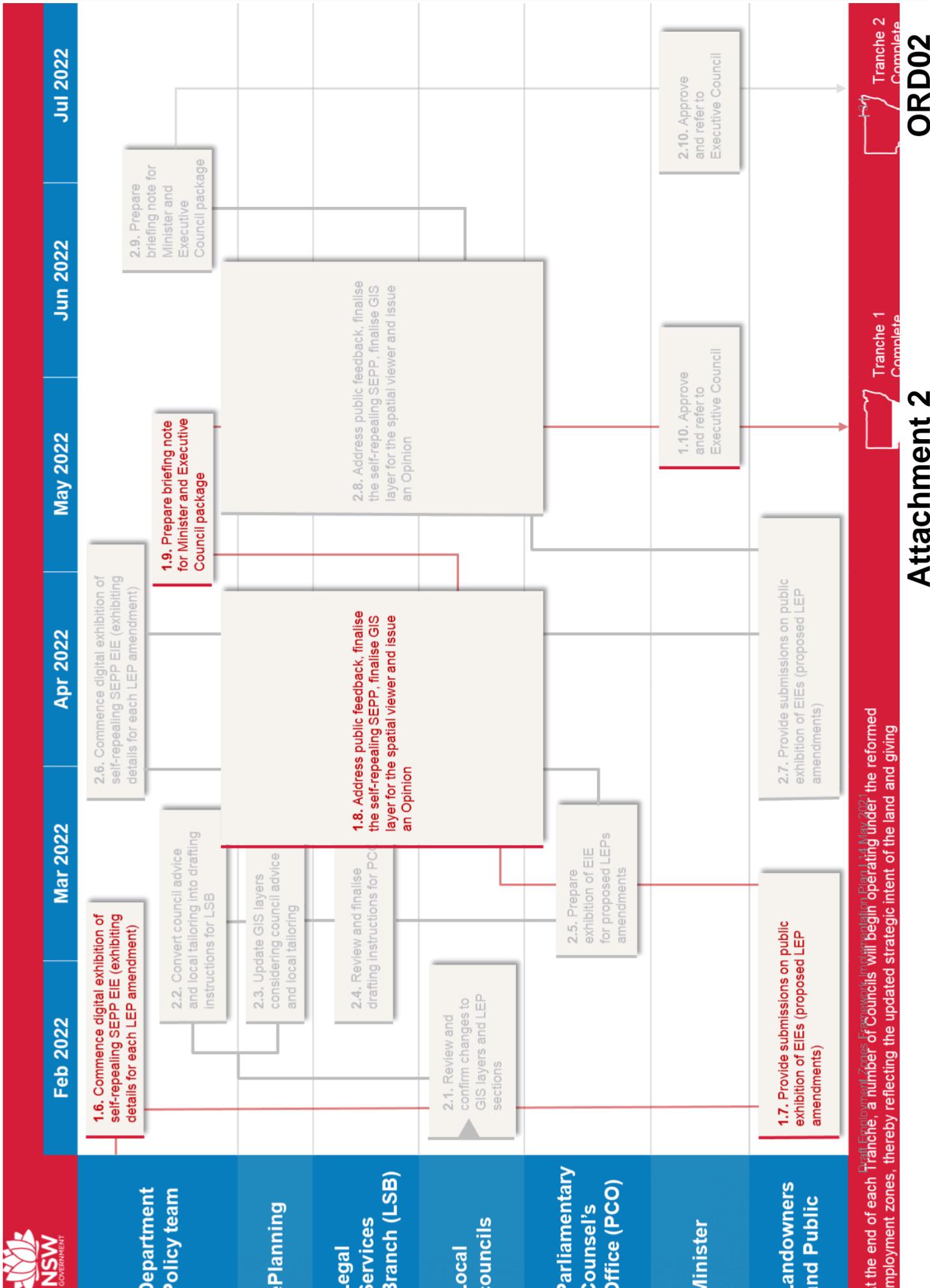
- Tranche 1 Councils who are able to review the provided translation content to meet the key dates in the project plan. These might include councils wanting to align the translation to an underway LEP review planning proposal or who have a relatively straight forward translation.
- Tranche 2 will be used to support remaining councils to transition. The commencement dates within the draft Amendment Order propose that all remnant B and IN zones will be omitted from the Order to coincide with the making of Tranche 2 self-repealing SEPP.

Support for councils

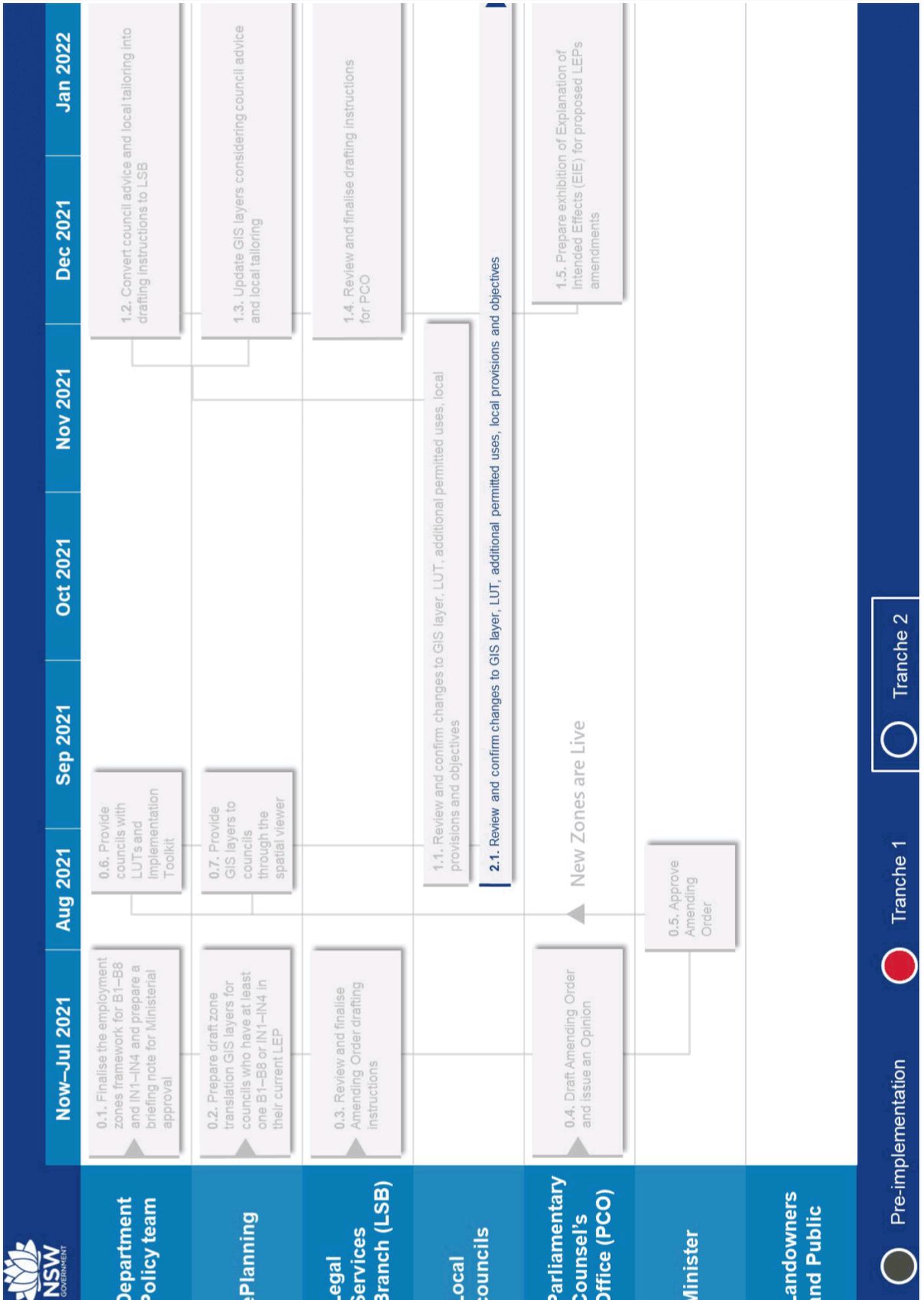
The department will support councils by:

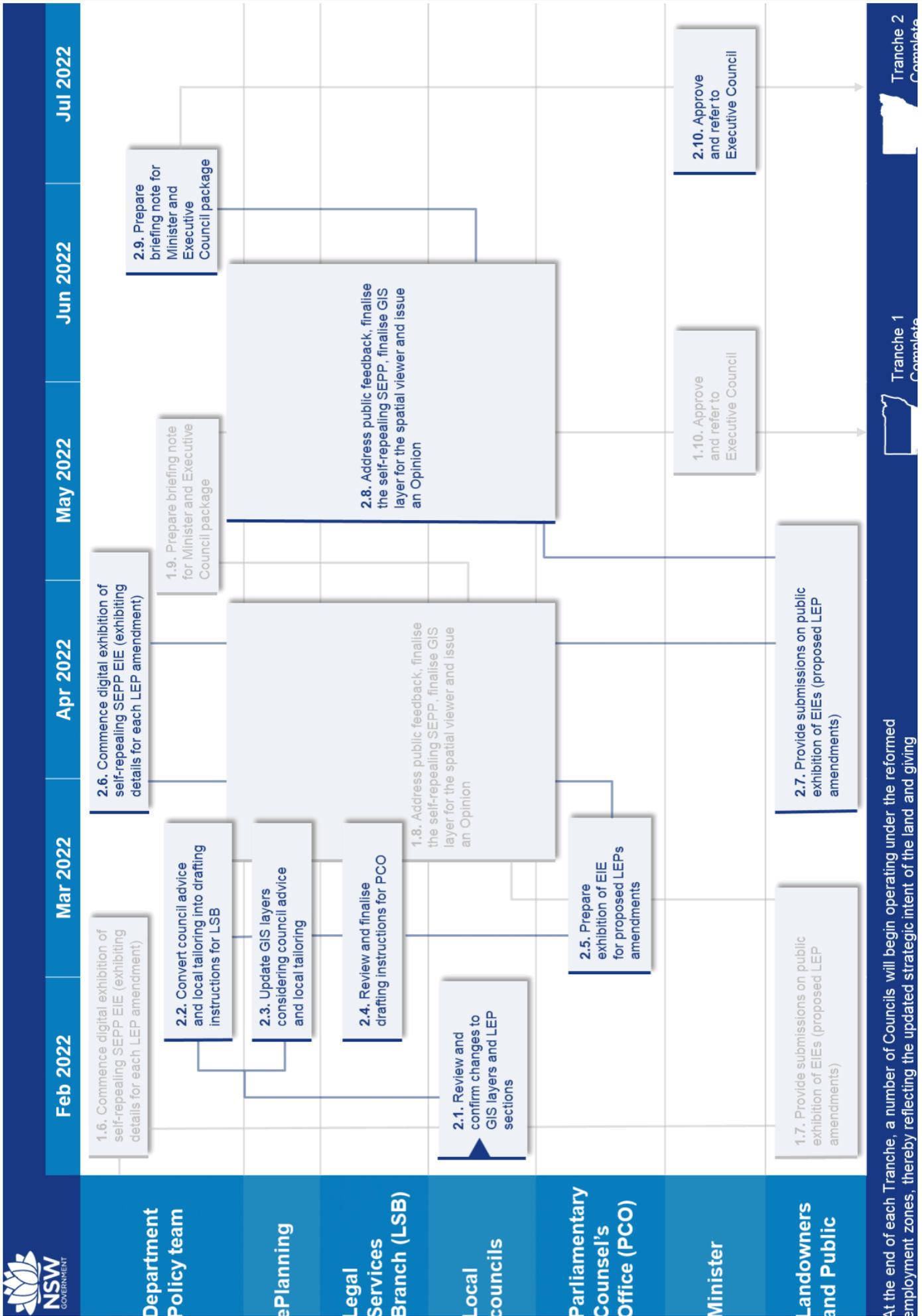
- Mapping anticipated zone translation (anticipated to capture, on average, 70% of zones) so councils will be able to focus on validating the translation, refining zone application, additional permitted uses, local objective and local provisions.
- Providing an Implementation Toolkit that councils can use to interpret the new zones and their strategic intent; effectively manage the implementation timeline; and update the spatial viewer maps and LUTs and craft local objectives, additional permitted uses and local provisions.
- Exhibiting the self-repealing SEPPs through a single central digital platform (where appropriate).
- Supporting councils with GIS capability and planning expertise (as required).





At the end of each Tranche, a number of Councils will begin operating under the reformed employment zones, thereby reflecting the updated strategic intent of the land and giving





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At the end of each Tranche, a number of Councils will begin operating under the reformed employment zones, thereby reflecting the updated strategic intent of the land and giving

3 Further detail on implementation plan actions

The following table provides further detail on the actions in the implementation plan.

Ref #	Action	Key outputs	Responsible	Timeline
0.1	<ul style="list-style-type: none"> ✓ Exhibit, seek feedback and finalise the draft employment zones framework for B1–B8 and IN1–IN4. ✓ Provide informal direction to councils on timelines, likely changes to zones and land uses. ✓ Prepare briefing note for the Ministerial approval of the Amending Order once the employment zone framework has been finalised. 	<ul style="list-style-type: none"> Draft employment zones framework Briefing note with final Amending Order and PCO Opinion 	Department Policy Team	Prior to 1 Aug 2021
0.2	<ul style="list-style-type: none"> ✓ Prepare draft zone translation GIS layers (for spatial viewer delivery) for all councils who have at least one B1–B8 or IN1–IN4 in their current LEP. 	<ul style="list-style-type: none"> Shapefiles with previous and draft zone conversion 	ePlanning	
0.3	<ul style="list-style-type: none"> ✓ Review and finalise Amending Order drafting instructions. 	<ul style="list-style-type: none"> Final drafting instructions for PCO 	LSB	
0.4	<ul style="list-style-type: none"> ✓ Draft the Amending Order and issue an Opinion. 	<ul style="list-style-type: none"> Draft Amending Order PCO Opinion 	PCO	
0.5	<ul style="list-style-type: none"> ✓ Review briefing note and PCO Opinion to approve final Amending Order and refer to Executive Council. 	<ul style="list-style-type: none"> Final Amending Order Updated Principal SI LEP 	Minister	1 Aug–15 Aug 2021
0.6	<ul style="list-style-type: none"> ✓ Formally share the new employment zones framework through updated SI Principal LEP. ✓ Provide an Implementation Toolkit for all councils who have at least one current B1–B8 or IN1–IN4 in their LEP and will go through the process. ✓ Obtain Ministerial approval for the two upcoming exhibitions. 	<ul style="list-style-type: none"> Employment zones framework Implementation Toolkit for councils Briefing note for Minister 	Department Policy Team	16 Aug
0.7	<ul style="list-style-type: none"> ✓ Provide GIS layers through the spatial viewer for all councils who have at least one B1–B8 or IN1–IN4 in their LEP. 	<ul style="list-style-type: none"> Shapefiles with previous and draft zone conversion 	ePlanning	16 Aug

Ref #	Action	Key outputs	Responsible	Timeline
1.1 2.1	<ul style="list-style-type: none"> ✓ Review changes to employment zone framework: <ul style="list-style-type: none"> • Tranche 1: Councils that have reviewed the translation. • Tranche 2: Remaining councils. ✓ Confirm and/or update GIS layers. ✓ Confirm and/or update LEP sections (LUTs, additional permitted uses and local provisions) with changes required for the council. ✓ Seek GIS support from ePlanning if additional capacity/capability required to update GIS layers. 	<p>Updated GIS layers/shapefiles</p> <p>Updated LEP sections (e.g., LUTs, Schedule 1, local provisions)</p>	Councils ePlanning, as required	
1.2 2.2	<ul style="list-style-type: none"> ✓ Review councils' updates to LEPs and convert their changes into policy drafting instructions. ✓ Seek further clarification, as required, to ensure State-wide consistency. Note that the drafting instructions will be developed and passed to the LSB and then the PCO in a staggered way, as they are received by the councils. ✓ Inform councils who have not been able to provide updates to their LEPs by this date that they will be required to use the translation provided by DPIE: ✓ Test changes and GIS maps with the department's regional teams. ✓ Develop EIE for exhibition. The EIE summarises the proposed amendments to the council SI LEPs. 	<p>Drafting instructions</p> <p>Drafted EIE</p>	Department Policy Team	<p><i>overlap between step 2.1 and 2.2</i></p> <p><i>department Policy Team may commence step 2.2 as early as</i></p> <p><i>send through their updates, which may be before cut-</i></p>
1.3 2.3	<ul style="list-style-type: none"> ✓ Update GIS layers considering council advice. ✓ Ensure State-wide consistency and alignment with the drafting instructions. 	Final GIS maps	ePlanning	<ul style="list-style-type: none"> ● Tranche 1: 29 Nov 2021–28 Jan 2022 ● Tranche 2: 14 Feb 2022–25 Mar 2022
	<ul style="list-style-type: none"> ✓ Review drafting instructions from the department Policy Team, advise on any changes needed, and finalise drafting instructions for PCO. 	<p>Drafting instructions summarising changes to LEPs for each council</p>	LSB	<ul style="list-style-type: none"> ● Tranche 1: 29 Nov 2021–28 Jan 2022 ● Tranche 2: 14 Feb 2022–25 Mar 2022

Ref #	Action	Key outputs	Responsible	Timeline
1.5 2.5	✓ Prepare exhibition of self-repealing SEPP EIE for proposed LEP amendments.	EIE	department Policy Team /PCO	● Tranche 1: 1 Dec 2021–28 Jan 2022 ● Tranche 2: 1 Mar–25 Mar 2022
1.6 2.6	✓ Commence centralised, digital public exhibition of the EIE for the self-repealing SEPP with details for each LEP amendment. As per the department's Community Participation Plan, the exhibition will be for six weeks. ✓ Review exhibition feedback as it is submitted and respond as appropriate and share with the relevant council.	Digital exhibition	department Policy Team	● Tranche 1: 31 Jan–13 Mar 2022 ● Tranche 2: 28 Mar–8 May 2022
1.7 2.7	✓ Provide submissions on the public exhibition of EIEs (proposed LEP amendments).	NA	Landowners/stakeholders and public	● Tranche 1: 31 Jan–13 Mar 2022 ● Tranche 2: 28 Mar–8 May 2022
1.8 2.8	✓ Address public feedback through an iterative process and finalise the self-repealing SEPP and GIS layers. ✓ Obtain PCO Opinion on the final self-repealing SEPP for Minister/ExCo approval.	Final SEPP PCO Opinion	Department Policy Team (accountable) LSB ePlanning PCO Councils	● Tranche 1: 14 Mar–22 Apr 2022 ● Tranche 2: 9 May–17 Jun 2022
1.9 2.9	✓ Prepare briefing note for the Minister including Executive Council minute.	Briefing note for the Minister comprising the minute for the Executive Council, final SEPP PCO Opinion	Department Policy Team	● Tranche 1: 25 Apr–6 May 2022 ● Tranche 2: 20 Jun–1 Jul 2022
1.10 2.10	✓ Review briefing note, PCO Opinion and ExCo minute to approve final SEPP. Forward the package to Executive Council.	NA	Minister	● Tranche 1: 9 May–20 May 2022 ● Tranche 2: 4 Jul–15 Jul 2022

The success of the implementation plan will require all activities to be completed on schedule as every step is dependent on the completion of the previous step. This means that councils will be asked to provide their required changes to their LEPs within allocated time frames.

4 Glossary

Term	Definition
Employment Zones Framework	The proposed zones that will replace the previous business and industrial zones known as the 'employment zones'. These new zones will be hosted in the Standard Instrument Principal Local Environmental Plan.
Environmental Planning Instrument (EPI)	EPI is the collective name for Local Environmental Plans, State Environmental Planning Policies and Regional Environmental Plans. The collective term also covers the <i>Environmental Planning and Assessment Act</i> and Environmental Planning and Assessment Regulation and their amendments. A full list of these is here .
Explanation of Intended Effect (EIE)	An EIE outlines the impact of proposed amendments to the NSW planning system. It summarises proposed amendments to Standard Instruments, Orders and State Environmental Planning Policies, and their intended effects.
Geographic Information System (GIS) maps and layers	A GIS map overlays many different layers of spatial location to show different data points in a single visualisation. This has the advantage of creating and sharing interactive maps of land zones through an online spatial viewer instead of offline pictures or PDF documents.
Land Use Table (LUT)	LUTs are part of a council's Local Environmental Plan and describe what land uses are: permitted without consent; permitted with consent; and prohibited for each zone. There are mandated land uses for each of these categories set under the Standard Instrument Principal Local Environmental Plan.
Local Environmental Plan (LEP)	LEPs guide planning decisions for local government areas. The zoning and development standards within the LEP provide a framework for the way land can be used. LEPs are the primary local planning legislation (an Environmental Planning Instrument) to shape the future of communities and ensure appropriate local development.
Parliamentary Counsel's Office (PCO)	The PCO is responsible for drafting most of the legislation for NSW. This includes all Bills for Acts required for introduction into Parliament. The PCO also draft a wide range of statutory instruments, including regulations, rules, proclamations, orders and Environmental Planning Instruments. The PCO also manage the NSW legislation website, which provides public access to legislation.
Self-repealing State Environmental Planning Policy (SEPP)	SEPPs are environmental planning instruments that deal with matters of state or regional environmental planning significance. SEPPs are also used as a tool by the Minister for Planning to make operational changes to lower order Environmental Planning Instruments such as Local Environmental Plans. A self-repealing SEPP can cover amendments to Local Environmental Plans and be removed from legislation (repealed) once this purpose is complete. This mechanism removes the need for a council to prepare a planning proposal to amend their Local Environmental Plan.
Standard Instrument Principal Local Environmental Plan (SI Principal LEP)	The SI Principal LEP prescribes the sections that are mandatory or optional to include in a council LEP and provides a standard response under each section. The SI Principal LEP Order establishes what aspects of the SI LEP are compulsory, optional or can be modified.

Employment zones reform

Frequently asked questions



May 2021

Frequently Asked Questions for Stakeholders & Local Government

This document answers frequently asked questions regarding the proposed employment zones reform.

How does this relate to other reforms?

The NSW Government is undertaking a significant reform program across the planning system to improve assessment time frames, reduce red tape, eliminate double-handling and fast-track projects that deliver great public benefits to the people of NSW. A number of these reforms are directly related to the employment zones reform, these include expanding complying development and the Greater Sydney Commission's review of the 'retain and manage' industrial lands policy. More information [can be found in the position paper here](#).

Having regard to the proposals included in *Building Business Back Better* Explanation of Intended Effect (EIE) for expanded complying development, that work will be looking at mechanisms to support employment lands. One such mechanism could be a calling up of *Cl. 5.4 Controls relating to miscellaneous permissible uses*. As part of the final harmonisation of these two reform programs Cl. 5.4 could capture 'shops' where they are added by councils as permissible with consent in the proposed E3 Productivity Support zone. This mechanism would support the viability and vibrancy of centres and protect the value of employment lands by encouraging shops to locate in existing centres. Accordingly, councils in any submission to the department are encouraged to nominate in instances where shops are permitted with consent in existing B5, B6 and B7 zones a potential maximum floor area.

How is build to rent housing being included in the new framework?

Build to rent (BTR) housing is large-scale, purpose-built rental housing that is held in single ownership and professionally managed. BTR is allowed anywhere where residential flat buildings are permitted, as well as in the current zones of B3 Commercial Core, B4 Mixed Use zones and B8 Metropolitan Centre zones. The provisions for BTR will also apply under the employment zones. More information about BTR is available [here](#).

How to manage existing planning proposals or DAs in the system?

The employment zones reform will not delay or defer planning proposals that are currently underway. Comprehensive Local Environmental Plan amendments or a site-specific rezoning will proceed unimpeded by the changes. The department will work with proponents and local government to facilitate translation into the new framework when it is introduced, building on the strategic work that has already been undertaken.

The department is working through savings and transitional arrangements for planning proposals that are currently underway.

For councils who are yet to undertake their comprehensive LEP review, or are in the preliminary stages of the review, consideration should be given to how that work could progress under the proposed employment zones framework.

Employment zones reform

Frequently asked questions



ORD02

Savings and transitional arrangements will extend to undetermined development applications. Further information on these arrangements will be provided as the reforms progress.

What do the upcoming local government elections mean for this reform?

The department has been working closely with councils to determine the timing of the reform to facilitate briefing of councillors and provide a formal council submission on the position paper prior to the commencement of the caretaker period for Local Government Elections in September.

After the elections, the department will work with local government to brief incoming councillors on the reforms to ensure they are brought up to speed quickly and the benefits of the reforms are not delayed.

My council does not have resources to implement this reform. What help is the department providing to implement this reform for councils?

The department recognises the impact the new employment zones framework will have on councils who have been actively participating in the development and implementation of other reform programs, and dealing with the impacts of natural disasters and the global pandemic.

The department will provide support to councils through measures designed to reduce the burden on council resources and provide for the best possible productivity and planning outcomes. These include:

- Toolkits providing detailed information on topics important to councils, community and industry such as:
 - Supporting local provisions
 - Characterisation of zones
 - Discussion on open zones, and
 - Guidance on amending local policies.
- Moving map delivery to the spatial viewer so that councils will no longer be required to prepare individual PDF maps.
- The department will prepare the first round of mapping and draft land use tables based on feedback we have received through workshops, survey results and local strategic plans. These plans and tables will be provided to councils for review. The department will help all councils to support delivery of the maps within the spatial viewer.

The department has heard that councils would appreciate more technical planning support in the zone translation process. The department is investigating options to provide meaningful planning support.

How has my previous comments/input informed this paper?

The team has considered all feedback provided by stakeholders and councils through the online survey, meetings, workshops and correspondence. This reform seeks to balance the interests of all stakeholders, generate productivity gains and deliver good planning outcomes.

Attachment 2

Employment zones reform

Frequently asked questions



Will we get to see a draft before it is finalised?

The department has engaged extensively with local government and stakeholders on the policy and substance of these reforms. The position paper outlines the intent of the zoning framework as well as the detailed changes required to the Standard Instrument - Principal LEP. Now is the opportunity to review the detail of the reforms and provide comment.

What happens if we want implementation to occur at a specific time?

The department is coordinating implementation so that councils will not be required to prepare individual planning proposals. Please contact the Employment zones reform team to discuss timing and any preferred approach for implementation.

All Local Environmental Plans are intended to be brought across to the new employment zones framework by mid-2022. This is to avoid uncertainty for businesses and communities created by having a dual zoning system.

What about non-SI LEPs i.e. previously deferred areas?

Non-standard LEPs will not be impacted by the amending order. If, however the instrument calls up the Standard Instrument Dictionary or land use zones, any required changes will be managed through consequential amendments in consultation with councils.

How to manage retail uses in areas that allow urban services and creative industries?

We recognise that in certain locations, where permitted, retail land uses may form the highest and best use and out-compete other businesses for land.

Councils will maintain the ability to control the permissibility, size and scale of specific retail uses in accordance with their strategic plans. In some instances, additional local provisions may be developed.

Why are some policy initiatives included in the position paper not reflected in the draft legislation, such as the consolidation of land use terms?

The employment zones framework is informed by a qualitative and quantitative evidence base including upfront stakeholder and local government engagement. The potential land use term consolidation was not discussed as part of upfront engagement therefore it is not as well developed as other aspects of the framework. Accordingly, it has not been included in *Draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.

We are continuing to receive comments from stakeholders which will inform the draft framework. Where the policy intent has been developed, it has been included in the exhibited position paper for public comment. If supported these changes will be included in the Amendment Order.

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public consultation draft



New South Wales

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021

under the

Environmental Planning and Assessment Act 1979

, Governor

I, the Honourable Margaret Beazley AC QC, Governor of New South Wales, with the advice of the Executive Council, make the following Order under the *Environmental Planning and Assessment Act 1979*, section 3.20.

Dated, this day of 2021.

By Her Excellency's Command,

Minister for Planning and Public Spaces

e2021-110.d08 14 May 2021

ORD02

Attachment 2

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]

**Standard Instrument (Local Environmental Plans) Amendment
(Land Use Zones) Order 2021**

under the

Environmental Planning and Assessment Act 1979

1 Name of Order

This Order is *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.

2 Commencement

- (1) This Order commences on [date to be inserted], except as provided by subclause (2), and is required to be published on the NSW legislation website.
- (2) Schedule 2 commences on [date that is 1 year after date in subclause (1) to be inserted].

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

ORD02

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

Consultation note— If the proposed Employment Zones are adopted, the names of the Environment Protection Zones (E1–E4) will be changed.

[1] Clause 2.1 Land use zones [compulsory]

Insert after the matter relating to **Residential Zones**—

Employment Zones

- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support
- E4 General Industrial
- E5 Heavy Industrial

Mixed Use Zones

- MU1 Mixed Use

[2] Clause 2.1

Insert at the end of the matter relating to **Waterway Zones**—

- W4 Working Foreshore

[3] Land Use Table

Insert “Creative industries;” “Data centres;” and “Domestic goods repair and reuse facilities;” in alphabetical order in Direction 5.

[4] Land Use Table, Direction 7

Insert after Direction 6—

Direction 7— At least 1 type of commercial premises or health services facilities must be permitted wherever shop top housing is permitted in the Land Use Table.

[5] Land Use Table

Insert after the matter relating to **Zone R5 Large Lot Residential**—

Zone E1 Local Centre

Direction— The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone—

Roads

1 Objectives of zone

- To provide a range of retail, business and community uses that meet the needs of people who live, work or visit the area.
- To encourage employment opportunities and business investment.
- To enable residential development if it will encourage a vibrant Local Centre.
- To ensure that development is compatible with the amenity, character and scale of surrounding neighbourhoods.

Attachment 2

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

2 Permitted without consent

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Domestic goods repair and reuse facilities; Entertainment facilities; Function centres; Home businesses; Home industries; Home occupations; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals

4 Prohibited

Pond-based aquaculture

Zone E2 Commercial Centre

Direction— The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone—

Roads

1 Objectives of zone

- To provide the principal commercial centre for surrounding areas.
- To provide a range of business, office, retail, community, entertainment and other land uses that meet the needs of the community.
- To encourage employment opportunities and business investment.
- To promote vibrant and active street frontages, including during evenings and weekends.

2 Permitted without consent

3 Permitted with consent

Amusement centres; Artisan food and drink industries; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Domestic goods repair and reuse facilities; Educational establishments; Entertainment facilities; Function centres; Home businesses; Home industries; Home occupations; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

ORD02

4 Prohibited

Pond-based aquaculture

Zone E3 Productivity Support

Direction—The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone—

Roads

1 Objectives of zone

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that meet the needs of the community, businesses and industries that are not suited to locations in other employment zones.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To encourage employment opportunities.
- To provide opportunities for new and emerging industries.
- To enable limited retail uses to meet the day to day needs of workers or to sell goods of a large size, weight or quantity or goods manufactured on-site.

2 Permitted without consent

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies

4 Prohibited

Pond-based aquaculture

Zone E4 General Industrial

Direction—The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone—

Roads

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public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- 1 Objectives of zone**
- To provide a range of industrial, warehouse and related land uses.
 - To support the efficient and viable use of land for industrial uses.
 - To minimise any adverse effect of industry on other land uses.
 - To encourage employment opportunities.
 - To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

2 Permitted without consent

3 Permitted with consent

Building identification signs; Business identification signs; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture

Zone E5 Heavy Industrial

Direction— The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone—

Roads

- 1 Objectives of zone**
- To provide areas for industries that need to be separated from other land uses.
 - To support the efficient and viable use of land for industrial uses.
 - To minimise any adverse effect of industry on other land uses.
 - To encourage employment opportunities.

2 Permitted without consent

3 Permitted with consent

Building identification signs; Business identification signs; Data centres; Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industries; Industrial training facilities; Offensive storage establishments; Oyster aquaculture; Tank-based aquaculture; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture

Zone MU1 Mixed Use

Direction— The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone—

Roads

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

ORD02

- 1 Objectives of zone**
- To provide a range of business, community, light industrial, retail and residential land uses.
 - To encourage vibrant, active and safe areas.
 - To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations

4 Prohibited

Pond-based aquaculture

[6] Land Use Table, Zone E2 Environmental Conservation, item 4

Insert “Local distribution premises;” in alphabetical order.

[7] Land Use Table, Zone E3 Environmental Management, item 4

Insert “Local distribution premises;” in alphabetical order.

[8] Land Use Table, Zone E4 Environmental Living, item 4

Insert “Local distribution premises;” in alphabetical order.

[9] Land Use Table, Zone W1 Natural Waterways, item 4

Insert “Local distribution premises;” in alphabetical order.

[10] Land Use Table, Zone W2 Recreational Waterways, item 4

Insert “Local distribution premises;” in alphabetical order.

[11] Land Use Table

Insert in appropriate order—

Zone W4 Working Foreshore

- 1 Objectives of zone**
- To retain and encourage industrial and maritime activities on foreshores.
 - To identify sites for maritime purposes and for activities requiring direct foreshore access.

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public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- To ensure that development does not have an adverse impact on the environment and visual qualities of the foreshore.
- To encourage employment opportunities.

2 Permitted without consent

3 Permitted with consent

Aquaculture; Boat building and repair facilities; Boat launching ramps; Jetties; Light industries

4 Prohibited

[12] Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]

Insert “Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Foreshore or” after “Plan in” in clause 5.4(10).

[13] Dictionary

Insert “Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Foreshore or” after “controls in” in the note to the definition of *artisan food and drink industry*.

[14] Dictionary, definition of “business premises”

Omit “internet access facilities,”.

[15] Dictionary

Omit the definition of *crematorium*. Insert instead—

crematorium means a building or place in which deceased persons or pets are cremated or processed by alkaline hydrolysis, whether or not the building or place contains an associated building for conducting memorial services.

[16] Dictionary

Insert in alphabetical order—

creative industry means a building or place mainly used to produce arts, crafts, design, media or other creative products, and includes artists’ studios, recording studios, and set design and production facilities.

Note— Creative industries are a type of *light industry*—see the definition of that term in this Dictionary.

data centre means a building or place mainly used to collect, distribute, process or store electronic data using information technology.

Note— Data centres are a type of *high technology industry*—see the definition of that term in this Dictionary.

domestic goods repair and reuse facility means a building or place mainly used to collect, repair or refurbish domestic goods, including furniture and appliances, for the purposes of sale, lease or swap, but does not include a shop that is an op shop.

Note— Domestic goods repair and reuse facilities are a type of *light industry*—see the definition of that term in this Dictionary.

[17] Dictionary, definition of “high technology industry”

Insert “and includes a data centre,” before “but”.

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- [18] **Dictionary, definition of “kiosk”**
Omit “such as newspapers, films and the like”.
- [19] **Dictionary, definition of “light industry”**
Insert after paragraph (c)—
 (d) creative industry,
 (e) domestic goods repair and reuse facilities.
- [20] **Dictionary, definition of “local distribution premises”**
Omit the note.
- [21] **Dictionary, definition of “neighbourhood shop”**
Omit “and may include ancillary services such as a post office, bank or dry cleaning.”.
- [22] **Dictionary, definition of “shop top housing”**
Omit “retail premises or business premises”.
Insert instead “commercial premises or health services facilities”.
- [23] **Dictionary, definition of “storage premises”**
Insert “, local distribution premises” after “establishment”.
- [24] **Dictionary, definition of “warehouse or distribution centre”**
Omit “, and includes local distribution premises”.
Insert instead “, but does not include local distribution premises”.

ORD02

Attachment 2

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 [NSW]
 Schedule 2 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

Schedule 2 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- [1] **Clause 2.1 Land use zones [compulsory]**
 Omit the matter relating to **Business Zones** and **Industrial Zones**.
- [2] **Land Use Table**
 Omit the matters relating to Zones B1–B8 and IN1–IN4.
- [3] **Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]**
 Omit “an industrial or” from clause 5.4(10). Insert instead “a”.
- [4] **Clause 5.18 Intensive livestock agriculture [compulsory if intensive livestock agriculture permitted with consent]**
 Omit “Zone B4 Mixed Use, Zone B6 Enterprise Corridor,” from clause 5.18(7), definition of *residential zone*.
- [5] **Dictionary**
 Omit “industrial or” from the note to the definition of *artisan food and drink industry*.



**Investment Summary Report
May 2021**



Camden Council Executive Summary - May 2021

Investment Holdings

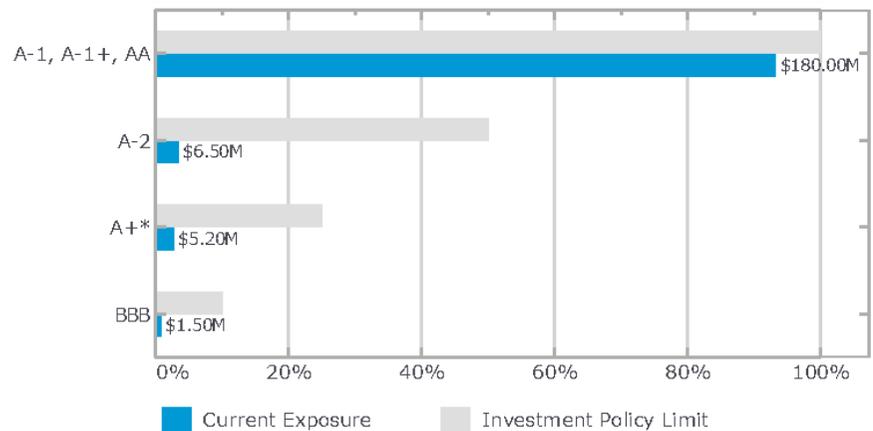
	Amount (\$)	Current Yield (%)
Cash	4,000,000.00	0.20
Term Deposit	189,200,000.00	0.94
193,200,000.00		

Term to Maturity

	Amount (\$)		Policy Max	
Between 0 and 1 Year	162,000,000	84%	100%	□
Between 1 and 3 Years	30,700,000	16%	60%	□
Between 3 and 5 Years	500,000	0%	30%	□
193,200,000				

Percentages in this report may not add up to 100% due to rounding

Total Credit Exposure



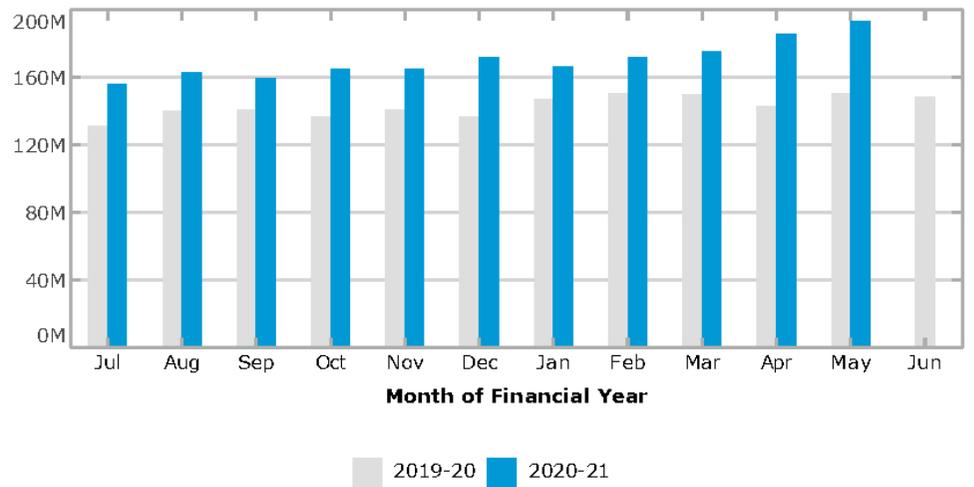
*Council's investment policy limits investments in foreign subsidiary banks which are monitored by APRA to a maximum 25% of the total portfolio

Sources of Funds

	Amount (\$)
Section 7.11 Developer Contributions	126,365,610
Restricted Grant Income	10,035,895
Externally Restricted Reserves	16,329,766
Internally Restricted Reserves	32,098,390
General Fund	8,370,339
Total Funds Invested	193,200,000

Council's investment portfolio has increased by \$7.5m since the April reporting period. The increase primarily relates to grant income and developer contributions received during the month.

Investment Portfolio Balance



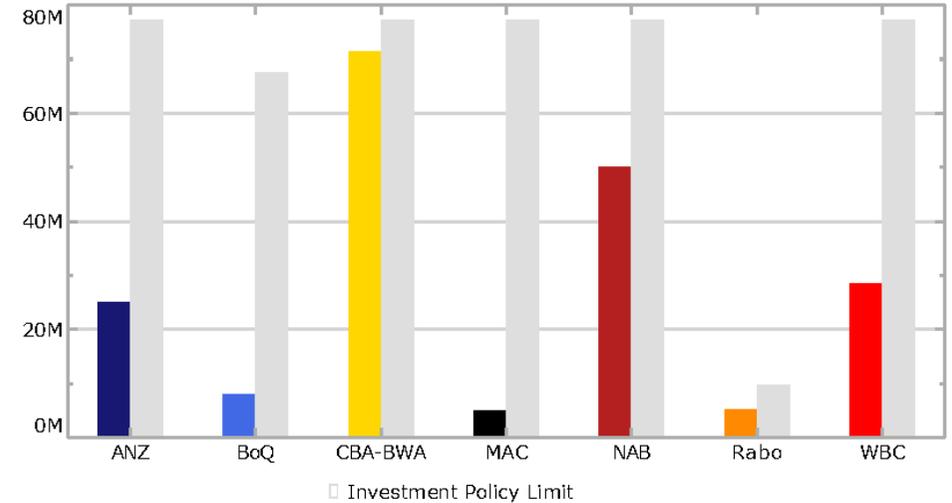
Camden Council
Individual Institutional Exposures Report - May 2021



Individual Institutional Exposures

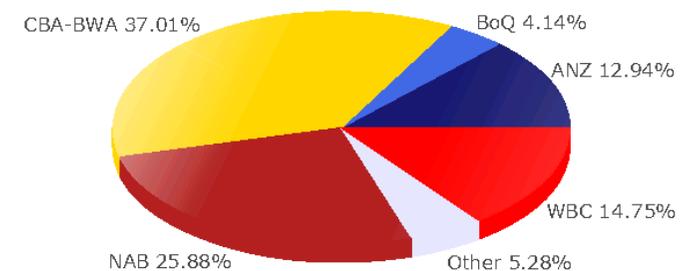
Parent Group	Exposure (\$M)	Credit Rating	Policy Limit	Actual	Capacity
ANZ Group	25.00M	A-1+, AA-	40.00%	12.94%	52.28M
Bank of Queensland	8.00M	A-2, BBB+	35.00%	4.14%	59.62M
Commonwealth Bank of Australia	71.50M	A-1+, AA-	40.00%	37.01%	5.78M
Macquarie Bank	5.00M	A-1, A+	40.00%	2.59%	72.28M
National Australia Bank	50.00M	A-1+, AA-	40.00%	25.88%	27.28M
Rabobank Aus (Foreign Sub)	5.20M	A-1*, A+*	5.00%	2.69%	4.46M
Westpac Group	28.50M	A-1+, AA-	40.00%	14.75%	48.78M
193.20M					

Individual Institutional Exposure Charts



*Council's investment policy limits investments in foreign subsidiary banks which are monitored by APRA to a maximum 5% of the total portfolio in any single entity

Council's portfolio is within its individual institutional investment policy limits.
 Council's portfolio is within its term to maturity investment policy limits.
 Council's portfolio complies with the NSW Ministerial Investment Order.



Camden Council
Performance Summary - May 2021



Interest Summary

Interest Summary as of May 2021

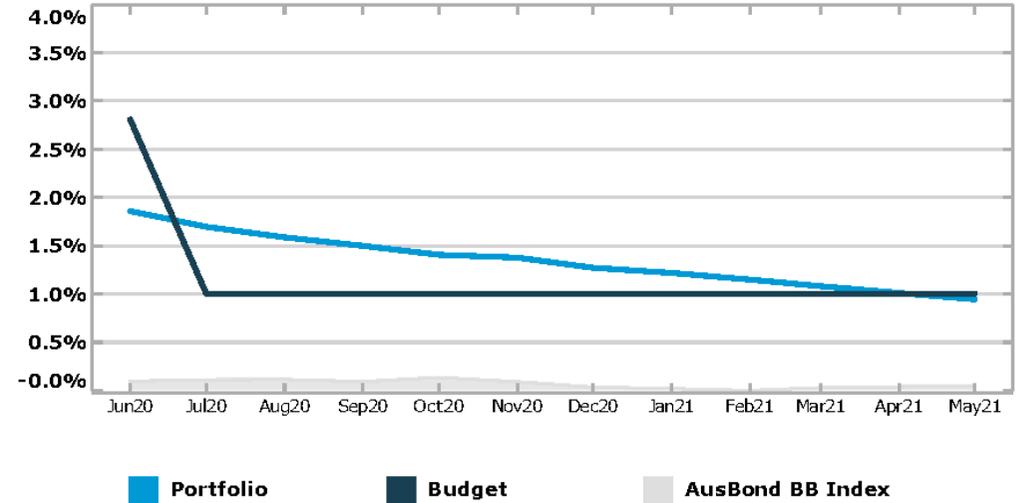
Number of Investments	136
Average Days to Maturity	250
Weighted Portfolio Yield	0.94%
CBA Call Account	0.20%
Highest Rate	3.80%
Lowest Rate	0.19%
Budget Rate	1.00%
Average BBSW (30 Day)	0.01%
Average BBSW (90 Day)	0.04%
Average BBSW (180 Day)	0.10%
Official Cash Rate	0.10%
AusBond Bank Bill Index	0.05%

Interest Received During the 2020/2021 Financial Year

	May	Cumulative	Original Budget	*Revised Budget
General Fund	\$49,274	\$579,839	\$600,000	\$600,000
Restricted	\$99,599	\$1,372,648	\$1,750,000	\$1,750,000
Total	\$148,873	\$1,952,487	\$2,350,000	\$2,350,000

*The Revised Budget is reviewed on a quarterly basis as part of the Budget Process

Investment Performance



Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
May 2021	0.94%	0.05%	0.89%
Last 3 Months	1.01%	0.04%	0.97%
Last 6 Months	1.11%	0.02%	1.09%
Financial Year to Date	1.29%	0.06%	1.23%
Last 12 months	1.34%	0.06%	1.28%

Investment Performance

Council's portfolio returned 0.94%pa on a weighted average yield basis during May. This compares favourably with the Ausbond Bank Bill Index's return of 0.05% pa for the month.

Camden Council
Investment Holdings Report - May 2021



Cash Accounts

Amount (\$)	Current Yield	Institution	Credit Rating	Amount (\$)	Deal No.	Reference
4,000,000.00	0.20%	Commonwealth Bank of Australia	A-1+	4,000,000.00	535548	
4,000,000.00				4,000,000.00		

Term Deposits

Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Jun-21	1,500,000.00	0.47%	National Australia Bank	A-1+	1-Dec-20	1,503,515.34	540630	3,515.34	At Maturity	3443
9-Jun-21	1,500,000.00	1.00%	Westpac Group	A-1+	9-Jun-20	1,514,671.23	539907	14,671.23	At Maturity	3365
15-Jun-21	1,500,000.00	0.47%	National Australia Bank	A-1+	1-Dec-20	1,503,515.34	540631	3,515.34	At Maturity	3444
15-Jun-21	1,000,000.00	0.42%	Commonwealth Bank of Australia	A-1+	11-Dec-20	1,001,979.18	540692	1,979.18	At Maturity	3450
16-Jun-21	1,500,000.00	0.47%	National Australia Bank	A-1+	4-Dec-20	1,503,457.40	540670	3,457.40	At Maturity	3445
17-Jun-21	1,000,000.00	0.42%	Commonwealth Bank of Australia	A-1+	11-Dec-20	1,001,979.18	540693	1,979.18	At Maturity	3451
21-Jun-21	1,500,000.00	0.47%	National Australia Bank	A-1+	4-Dec-20	1,503,457.40	540671	3,457.40	At Maturity	3446
21-Jun-21	1,000,000.00	0.48%	National Australia Bank	A-1+	10-Dec-20	1,002,275.07	540688	2,275.07	At Maturity	3449
23-Jun-21	1,500,000.00	2.05%	Bank of Queensland	A-2	26-Jun-19	1,528,643.84	538081	28,643.84	Annually	3241
23-Jun-21	1,000,000.00	0.42%	Commonwealth Bank of Australia	A-1+	11-Dec-20	1,001,979.18	540694	1,979.18	At Maturity	3452
28-Jun-21	2,000,000.00	0.43%	Commonwealth Bank of Australia	A-1+	11-Dec-20	2,004,052.60	540695	4,052.60	At Maturity	3453 Green
30-Jun-21	1,500,000.00	0.95%	National Australia Bank	A-1+	29-Jun-20	1,513,156.85	539969	13,156.85	At Maturity	3370
30-Jun-21	1,500,000.00	0.95%	National Australia Bank	A-1+	1-Jul-20	1,513,078.77	539981	13,078.77	At Maturity	3375
1-Jul-21	3,000,000.00	0.19%	ANZ Banking Group	A-1+	22-Apr-21	3,000,624.66	541275	624.66	At Maturity	3504
5-Jul-21	1,000,000.00	0.43%	Commonwealth Bank of Australia	A-1+	11-Dec-20	1,002,026.30	540696	2,026.30	At Maturity	3454 Green
7-Jul-21	1,500,000.00	0.95%	National Australia Bank	A-1+	6-Jul-20	1,512,883.56	540000	12,883.56	At Maturity	3381
12-Jul-21	1,500,000.00	0.93%	National Australia Bank	A-1+	13-Jul-20	1,512,344.79	540025	12,344.79	At Maturity	3383
14-Jul-21	1,000,000.00	0.42%	Commonwealth Bank of Australia	A-1+	17-Dec-20	1,001,910.14	540713	1,910.14	At Maturity	3456 Green
19-Jul-21	1,000,000.00	0.95%	National Australia Bank	A-1+	20-Jul-20	1,008,224.66	540039	8,224.66	At Maturity	3386
21-Jul-21	1,500,000.00	0.42%	Commonwealth Bank of Australia	A-1+	17-Dec-20	1,502,865.21	540714	2,865.21	At Maturity	3457
26-Jul-21	500,000.00	0.42%	National Australia Bank	A-1+	21-Dec-20	500,932.05	540717	932.05	At Maturity	3458

Camden Council
Investment Holdings Report - May 2021



Term Deposits											
Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference	
26-Jul-21	1,000,000.00	0.27%	ANZ Banking Group	A-1+	15-Mar-21	1,000,576.99	541167	576.99	At Maturity	3490	
28-Jul-21	2,000,000.00	0.37%	Commonwealth Bank of Australia	A-1+	5-Jan-21	2,002,980.27	540807	2,980.27	At Maturity	3459	
2-Aug-21	2,500,000.00	0.37%	Commonwealth Bank of Australia	A-1+	5-Jan-21	2,503,725.34	540808	3,725.34	At Maturity	3460	
3-Aug-21	1,000,000.00	1.90%	Bank of Queensland	A-2	2-Aug-19	1,015,668.49	538357	15,668.49	Annually	3252	
9-Aug-21	2,000,000.00	0.85%	National Australia Bank	A-1+	5-Aug-20	2,013,972.60	540085	13,972.60	At Maturity	3393	
11-Aug-21	1,500,000.00	0.85%	National Australia Bank	A-1+	10-Aug-20	1,510,304.79	540107	10,304.79	At Maturity	3395	
17-Aug-21	1,500,000.00	0.85%	National Australia Bank	A-1+	13-Aug-20	1,510,200.00	540114	10,200.00	At Maturity	3396	
18-Aug-21	1,500,000.00	0.81%	National Australia Bank	A-1+	17-Aug-20	1,509,586.85	540120	9,586.85	At Maturity	3399	
23-Aug-21	1,000,000.00	0.80%	National Australia Bank	A-1+	19-Aug-20	1,006,268.49	540127	6,268.49	At Maturity	3400	
25-Aug-21	1,000,000.00	0.82%	National Australia Bank	A-1+	24-Aug-20	1,006,312.88	540135	6,312.88	At Maturity	3401	
30-Aug-21	1,500,000.00	0.85%	National Australia Bank	A-1+	26-Aug-20	1,509,745.89	540146	9,745.89	At Maturity	3403	
1-Sep-21	1,000,000.00	0.51%	Commonwealth Bank of Australia	A-1+	27-Nov-20	1,002,598.90	540612	2,598.90	At Maturity	3439	
6-Sep-21	1,000,000.00	0.77%	National Australia Bank	A-1+	8-Sep-20	1,005,611.51	540213	5,611.51	At Maturity	3407	
6-Sep-21	3,000,000.00	0.37%	Commonwealth Bank of Australia	A-1+	29-Jan-21	3,003,740.55	540915	3,740.55	At Maturity	3467	
8-Sep-21	1,000,000.00	0.51%	Commonwealth Bank of Australia	A-1+	26-Nov-20	1,002,612.88	540607	2,612.88	At Maturity	3438	
13-Sep-21	1,000,000.00	0.65%	Macquarie Bank	A-1	16-Dec-20	1,002,973.97	540711	2,973.97	At Maturity	3455	
15-Sep-21	1,500,000.00	0.75%	Commonwealth Bank of Australia	A-1+	15-Sep-20	1,507,982.88	540246	7,982.88	At Maturity	3410	
20-Sep-21	1,000,000.00	0.73%	Commonwealth Bank of Australia	A-1+	16-Sep-20	1,005,160.00	540252	5,160.00	At Maturity	3411	
22-Sep-21	1,000,000.00	0.71%	Commonwealth Bank of Australia	A-1+	22-Sep-20	1,004,901.92	540272	4,901.92	At Maturity	3414	
27-Sep-21	500,000.00	0.68%	Commonwealth Bank of Australia	A-1+	24-Sep-20	502,328.77	540269	2,328.77	At Maturity	3416	
27-Sep-21	1,000,000.00	0.69%	Commonwealth Bank of Australia	A-1+	28-Sep-20	1,004,650.41	540363	4,650.41	At Maturity	3417 Green	
29-Sep-21	1,500,000.00	0.70%	Commonwealth Bank of Australia	A-1+	1-Oct-20	1,506,990.41	540356	6,990.41	At Maturity	3421 Green	
5-Oct-21	1,000,000.00	0.35%	National Australia Bank	A-1+	23-Apr-21	1,000,373.97	541283	373.97	At Maturity	3509	
6-Oct-21	3,000,000.00	0.66%	Commonwealth Bank of Australia	A-1+	7-Oct-20	3,012,856.44	540389	12,856.44	At Maturity	3423 Green	
11-Oct-21	2,000,000.00	0.40%	Commonwealth Bank of Australia	A-1+	6-Jan-21	2,003,200.00	540809	3,200.00	At Maturity	3461	
13-Oct-21	1,000,000.00	0.40%	Commonwealth Bank of Australia	A-1+	8-Jan-21	1,001,578.08	540816	1,578.08	At Maturity	3462	

Camden Council
Investment Holdings Report - May 2021



Term Deposits

Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
18-Oct-21	1,500,000.00	0.39%	Commonwealth Bank of Australia	A-1+	13-Jan-21	1,502,227.81	540820	2,227.81	At Maturity	3463
21-Oct-21	1,000,000.00	0.60%	Commonwealth Bank of Australia	A-1+	23-Oct-20	1,003,632.88	540467	3,632.88	At Maturity	3428
25-Oct-21	1,500,000.00	0.40%	Commonwealth Bank of Australia	A-1+	15-Jan-21	1,502,252.05	540826	2,252.05	At Maturity	3464
27-Oct-21	1,500,000.00	0.53%	Commonwealth Bank of Australia	A-1+	26-Nov-20	1,504,073.01	540606	4,073.01	At Maturity	3437
1-Nov-21	1,500,000.00	0.40%	Commonwealth Bank of Australia	A-1+	18-Jan-21	1,502,202.74	540830	2,202.74	At Maturity	3465
3-Nov-21	1,500,000.00	0.37%	Westpac Group	A-1+	3-Feb-21	1,501,794.25	540920	1,794.25	At Maturity	3468
8-Nov-21	1,000,000.00	0.40%	National Australia Bank	A-1+	3-Feb-21	1,001,293.15	540919	1,293.15	At Maturity	3469
8-Nov-21	500,000.00	0.38%	Commonwealth Bank of Australia	A-1+	5-Feb-21	500,603.84	540929	603.84	At Maturity	3471
10-Nov-21	2,000,000.00	0.38%	National Australia Bank	A-1+	8-Feb-21	2,002,352.88	540931	2,352.88	At Maturity	3472
15-Nov-21	1,500,000.00	0.37%	Westpac Group	A-1+	10-Feb-21	1,501,687.81	540939	1,687.81	At Maturity	3473
17-Nov-21	1,000,000.00	0.37%	Westpac Group	A-1+	15-Feb-21	1,001,074.52	540943	1,074.52	At Maturity	3474
22-Nov-21	1,000,000.00	0.37%	Westpac Group	A-1+	15-Feb-21	1,001,074.52	540944	1,074.52	At Maturity	3475
24-Nov-21	2,000,000.00	0.33%	ANZ Banking Group	A-1+	18-Feb-21	2,001,862.47	540952	1,862.47	At Maturity	3476
29-Nov-21	1,500,000.00	0.52%	Commonwealth Bank of Australia	A-1+	1-Dec-20	1,503,889.32	540633	3,889.32	At Maturity	3442 Green
1-Dec-21	500,000.00	0.32%	ANZ Banking Group	A-1+	19-Feb-21	500,447.12	540956	447.12	At Maturity	3478
1-Dec-21	1,000,000.00	0.33%	ANZ Banking Group	A-1+	22-Feb-21	1,000,895.07	540959	895.07	At Maturity	3479
1-Dec-21	3,000,000.00	0.31%	ANZ Banking Group	A-1+	22-Apr-21	3,001,019.18	541276	1,019.18	At Maturity	3505
6-Dec-21	1,500,000.00	0.31%	ANZ Banking Group	A-1+	24-Feb-21	1,501,235.75	540966	1,235.75	At Maturity	3480
8-Dec-21	1,000,000.00	0.48%	Commonwealth Bank of Australia	A-1+	8-Dec-20	1,002,301.37	540686	2,301.37	At Maturity	3448 Green
13-Dec-21	1,000,000.00	0.31%	ANZ Banking Group	A-1+	25-Feb-21	1,000,815.34	540974	815.34	At Maturity	3482
13-Dec-21	1,000,000.00	0.36%	ANZ Banking Group	A-1+	26-Feb-21	1,000,936.99	540975	936.99	At Maturity	3484
15-Dec-21	1,000,000.00	0.34%	ANZ Banking Group	A-1+	2-Mar-21	1,000,847.67	540999	847.67	At Maturity	3486
20-Dec-21	2,000,000.00	0.35%	ANZ Banking Group	A-1+	1-Mar-21	2,001,764.38	540990	1,764.38	At Maturity	3485
22-Dec-21	1,000,000.00	0.32%	ANZ Banking Group	A-1+	8-Mar-21	1,000,745.21	541091	745.21	At Maturity	3487
4-Jan-22	500,000.00	0.32%	ANZ Banking Group	A-1+	11-Mar-21	500,359.45	541159	359.45	At Maturity	3489
4-Jan-22	1,000,000.00	0.38%	Commonwealth Bank of Australia	A-1+	25-Mar-21	1,000,707.95	541223	707.95	At Maturity	3492

Camden Council
Investment Holdings Report - May 2021



Term Deposits

Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
5-Jan-22	1,000,000.00	0.38%	Commonwealth Bank of Australia	A-1+	26-Mar-21	1,000,697.53	541225	697.53	At Maturity	3493
10-Jan-22	3,000,000.00	0.45%	Commonwealth Bank of Australia	A-1+	26-Feb-21	3,003,513.70	540976	3,513.70	At Maturity	3483
10-Jan-22	500,000.00	0.31%	ANZ Banking Group	A-1+	30-Mar-21	500,267.53	541229	267.53	At Maturity	3494
10-Jan-22	1,500,000.00	0.36%	Commonwealth Bank of Australia	A-1+	7-Apr-21	1,500,813.70	541253	813.70	At Maturity	3498
12-Jan-22	1,000,000.00	0.38%	Commonwealth Bank of Australia	A-1+	24-Mar-21	1,000,718.36	541217	718.36	Annually	3491
17-Jan-22	1,000,000.00	0.40%	Commonwealth Bank of Australia	A-1+	31-Mar-21	1,000,679.45	541232	679.45	At Maturity	3495
19-Jan-22	2,000,000.00	0.37%	Commonwealth Bank of Australia	A-1+	6-Apr-21	2,001,135.34	541240	1,135.34	At Maturity	3497
24-Jan-22	1,500,000.00	0.37%	Commonwealth Bank of Australia	A-1+	7-Apr-21	1,500,836.30	541254	836.30	At Maturity	3499
31-Jan-22	1,500,000.00	0.38%	Commonwealth Bank of Australia	A-1+	8-Apr-21	1,500,843.29	541256	843.29	At Maturity	3500
1-Feb-22	1,000,000.00	3.60%	Westpac Group	A-1+	1-Feb-17	1,002,860.27	535538	2,860.27	Quarterly	2936
2-Feb-22	1,500,000.00	3.57%	Westpac Group	A-1+	2-Feb-17	1,504,254.66	535539	4,254.66	Quarterly	2937
7-Feb-22	500,000.00	0.38%	Westpac Group	A-1+	4-Feb-21	500,609.04	540927	609.04	At Maturity	3470
7-Feb-22	1,000,000.00	0.34%	ANZ Banking Group	A-1+	30-Apr-21	1,000,298.08	541297	298.08	At Maturity	3511
10-Feb-22	1,000,000.00	3.56%	Westpac Group	A-1+	10-Feb-17	1,002,145.75	535540	2,145.75	Quarterly	2938
14-Feb-22	1,500,000.00	0.37%	Commonwealth Bank of Australia	A-1+	4-May-21	1,500,425.75	541304	425.75	At Maturity	3512
15-Feb-22	1,500,000.00	3.75%	Bank of Queensland	A-2	15-Feb-17	1,516,335.62	535547	16,335.62	Annually	2939
21-Feb-22	1,000,000.00	0.32%	ANZ Banking Group	A-1+	5-May-21	1,000,236.71	541309	236.71	At Maturity	3514
22-Feb-22	2,000,000.00	3.64%	Westpac Group	A-1+	22-Feb-17	2,001,595.62	535541	1,595.62	Quarterly	2940
28-Feb-22	1,000,000.00	3.75%	Bank of Queensland	A-2	27-Feb-17	1,009,760.27	535483	9,760.27	Annually	2946
28-Feb-22	1,000,000.00	3.55%	Westpac Group	A-1+	28-Feb-17	1,000,389.04	535542	389.04	Quarterly	2950
1-Mar-22	1,000,000.00	3.58%	Westpac Group	A-1+	1-Mar-17	1,009,023.56	535543	9,023.56	Quarterly	2952
2-Mar-22	2,000,000.00	1.40%	Macquarie Bank	A-1	3-Mar-20	2,006,904.11	539519	6,904.11	Annually	3333
3-Mar-22	1,000,000.00	3.60%	Westpac Group	A-1+	3-Mar-17	1,008,876.71	535545	8,876.71	Quarterly	2954
7-Mar-22	2,000,000.00	0.35%	Macquarie Bank	A-1	18-Feb-21	2,001,975.34	540953	1,975.34	At Maturity	3477
9-Mar-22	1,000,000.00	3.61%	Westpac Group	A-1+	9-Mar-17	1,008,307.95	535546	8,307.95	Quarterly	2956
9-Mar-22	3,000,000.00	0.38%	Westpac Group	A-1+	8-Mar-21	3,002,654.79	541092	2,654.79	Quarterly	3488

Camden Council
Investment Holdings Report - May 2021



Term Deposits

Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
14-Mar-22	1,500,000.00	0.32%	ANZ Banking Group	A-1+	13-May-21	1,500,249.86	541328	249.86	At Maturity	3516
15-Mar-22	1,500,000.00	0.40%	Commonwealth Bank of Australia	A-1+	22-Apr-21	1,500,657.53	541279	657.53	At Maturity	3508
21-Mar-22	1,500,000.00	0.32%	ANZ Banking Group	A-1+	13-May-21	1,500,249.86	541329	249.86	At Maturity	3517
23-Mar-22	500,000.00	3.80%	Bank of Queensland	A-2	23-Mar-17	503,643.84	535485	3,643.84	Annually	2960
23-Mar-22	500,000.00	0.37%	Commonwealth Bank of Australia	A-1+	14-May-21	500,091.23	541333	91.23	At Maturity	3520
23-Mar-22	1,000,000.00	0.36%	Commonwealth Bank of Australia	A-1+	19-May-21	1,000,128.22	541352	128.22	At Maturity	3521
28-Mar-22	1,000,000.00	0.37%	Commonwealth Bank of Australia	A-1+	20-May-21	1,000,121.64	541355	121.64	At Maturity	3522
28-Mar-22	500,000.00	0.36%	Commonwealth Bank of Australia	A-1+	25-May-21	500,034.52	541365	34.52	At Maturity	3524
30-Mar-22	3,000,000.00	0.36%	Westpac Group	A-1+	31-Mar-21	3,001,834.52	541235	1,834.52	Quarterly	3496
30-Mar-22	1,000,000.00	0.36%	Commonwealth Bank of Australia	A-1+	26-May-21	1,000,059.18	541366	59.18	At Maturity	3525
4-Apr-22	500,000.00	0.36%	Commonwealth Bank of Australia	A-1+	27-May-21	500,024.66	541379	24.66	At Maturity	3526
11-Apr-22	1,500,000.00	0.40%	Commonwealth Bank of Australia	A-1+	12-Apr-21	1,500,821.92	541258	821.92	At Maturity	3502 Green
19-Apr-22	1,500,000.00	0.36%	National Australia Bank	A-1+	21-Apr-21	1,500,606.58	541274	606.58	At Maturity	3503
27-Apr-22	1,000,000.00	0.32%	ANZ Banking Group	A-1+	28-May-21	1,000,035.07	541416	35.07	At Maturity	3527
2-May-22	3,000,000.00	0.36%	Westpac Group	A-1+	22-Apr-21	3,001,183.56	541277	1,183.56	Quarterly	3506
4-May-22	1,000,000.00	3.60%	Bank of Queensland	A-2	8-May-17	1,002,169.86	535487	2,169.86	Annually	2971
23-May-22	500,000.00	0.35%	Westpac Group	A-1+	21-May-21	500,052.74	541357	52.74	Quarterly	3523
25-May-22	1,000,000.00	0.39%	Commonwealth Bank of Australia	A-1+	28-May-21	1,000,042.74	541424	42.74	At Maturity	3528
31-May-22	500,000.00	0.35%	Westpac Group	A-1+	31-May-21	500,004.79	541442	4.79	Quarterly	3531
20-Jun-22	3,000,000.00	0.40%	National Australia Bank	AA-	30-Apr-21	3,001,052.05	541293	1,052.05	Annually	3510
27-Jun-22	1,500,000.00	2.10%	Bank of Queensland	BBB+	26-Jun-19	1,529,342.47	538082	29,342.47	Annually	3242
4-Oct-22	3,500,000.00	0.46%	Commonwealth Bank of Australia	AA-	22-Apr-21	3,501,764.38	541278	1,764.38	SemiAnnually	3507
14-Nov-22	500,000.00	0.47%	National Australia Bank	AA-	13-May-21	500,122.33	541331	122.33	Annually	3519
30-Nov-22	2,000,000.00	0.50%	National Australia Bank	AA-	31-May-21	2,000,027.40	541441	27.40	Annually	3530
25-Jan-23	2,000,000.00	0.55%	National Australia Bank	AA-	27-Jan-21	2,003,767.12	540890	3,767.12	Annually	3466
6-Apr-23	1,500,000.00	0.47%	Westpac Group	AA-	8-Apr-21	1,501,043.01	541257	1,043.01	Quarterly	3501

Camden Council
Investment Holdings Report - May 2021



Term Deposits

Maturity Date	Amount (\$)	Rate	Institution	Credit Rating	Purchase Date	Amount plus Accrued Int (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
3-May-23	1,500,000.00	0.62%	National Australia Bank	AA-	5-May-21	1,500,687.95	541306	687.95	At Maturity	3513
8-May-23	1,500,000.00	0.60%	National Australia Bank	AA-	10-May-21	1,500,542.47	541311	542.47	Annually	3515
10-May-23	1,000,000.00	0.60%	National Australia Bank	AA-	13-May-21	1,000,312.33	541330	312.33	Annually	3518
29-May-23	1,000,000.00	0.60%	National Australia Bank	AA-	28-May-21	1,000,065.75	541423	65.75	Annually	3529
11-Dec-23	2,000,000.00	3.15%	National Australia Bank	AA-	19-Dec-18	2,027,961.64	537431	27,961.64	Annually	3070
18-Dec-23	4,500,000.00	3.15%	National Australia Bank	AA-	19-Dec-18	4,562,913.70	537432	62,913.70	Annually	3071
3-Jan-24	2,000,000.00	3.40%	Rabobank Australia	A+*	4-Jan-19	2,027,572.60	537443	27,572.60	Annually	3173
28-Feb-24	1,000,000.00	3.20%	Rabobank Australia	A+*	28-Feb-19	1,008,328.77	537586	8,328.77	Annually	3189
4-Mar-24	1,200,000.00	3.20%	Rabobank Australia	A+*	4-Mar-19	1,209,363.29	537601	9,363.29	Annually	3192
27-Mar-24	1,000,000.00	3.00%	Rabobank Australia	A+*	29-Mar-19	1,005,260.27	537765	5,260.27	Annually	3200
24-Feb-25	500,000.00	0.80%	Westpac Group	AA-	24-Feb-21	500,087.67	540967	87.67	Quarterly	3481
189,200,000.00						189,814,958.75		614,958.75		

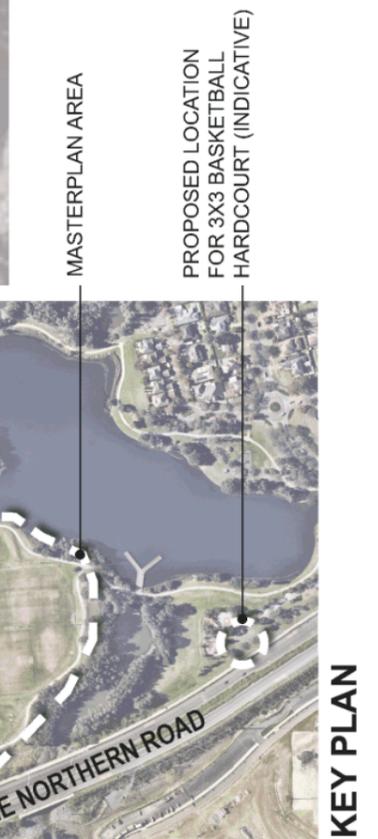
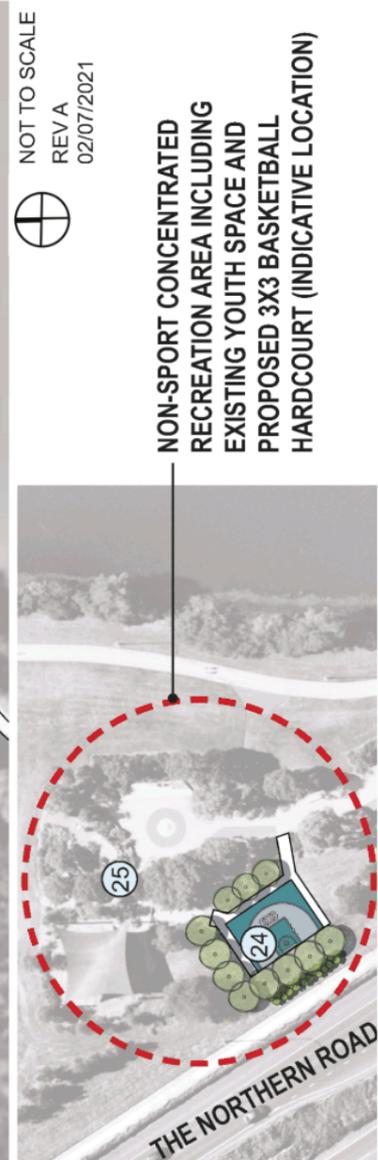
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HARRINGTON PARK RESERVE DRAFT MASTERPLAN

LEGEND

- 01 PROPOSED SPORTS FACILITY BUILDING
- 02 SOCCER FIELDS INCLUDING:
F1 - Min. NATIONAL / REGIONAL LEVEL (100 x 68m)
F2 - Min. LOCAL LEVEL (90 x 45m)
F3 - UNDER 8 AND 9 AGES (40 x 30m)
F4 - UNDER 6 AND 7 AGES (30 x 20m)
F5 - YOUNGER USER GROUP
- 03 EXISTING FLOODLIGHTS x 6. TWO FLOODLIGHTS TO BE RELOCATED
- 04 PROPOSED SHELTERS
- 05 PROPOSED WALKING - SEATING LAKESIDE DECKING PATH AND PLATFORM
- 06 PROPOSED OUTDOOR EXERCISE AREA/ SPORTS HUB AS SPATIAL INTERFACE BETWEEN SPORTS RELATED RECREATION AND LAKESIDE PASSIVE RECREATION
- 07 EXISTING OUTDOOR EXERCISE AREA
- 08 PROPOSED DESIGNED THRESHOLD AND ACCESS FROM SPORTS FACILITY BUILDING TO LAKESIDE PASSIVE RECREATION AREA
- 09 REDIRECTED EXISTING SHARED PATH
- 10 PROPOSED SHARED PATH INCLUDING SEATING AREAS AND LIGHTS FORM THE NORTHERN ROAD
- 11 PROPOSED BIKE RACKS
- 12 EXISTING SHARED PATH CONNECTION
- 13 EXISTING LIGHT POLES ALONG EXISTING SHARED PATH
- 14 EXISTING LAKESIDE SHARED PATH
- 15 EXISTING MOUNDS TO REMAIN
- 16 EXISTING AND EXTENDED CARPARKS
- 17 PROPOSED PLAYGROUND
- 18 PROPOSED SHELTERS AND BARBECUE AREA
- 19 PROPOSED TOILET BLOCK
- 20 EXISTING BUBBLER
- 21 PROPOSED SEATING AREA
- 22 PROPOSED TREES FOR AMENITY AND SHADE
- 23 EXISTING TREES TO REMAIN
- 24 PROPOSED 3X3 BASKETBALL HARD COURT (INDICATIVE LOCATION)
- 25 EXISTING YOUTH SPACE



NOT TO SCALE
REV A
02/07/2021

KEY PLAN

Attachment 1

ORD06

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planning • environment • local government

First Deed of Variation
Catherine Park Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Camden Council

Hixson Pty Limited

Dandaloo Pty Limited

Edgewater Homes Pty Limited

Date:

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**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



**First Deed of Variation
Catherine Park Planning Agreement**

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DRAFT

First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited



ORD08

Deed of Variation to Catherine Park Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Parties

The Council of Camden ABN 31 117 341 764 of 70 Central Avenue, Oran Park, NSW 2570 (**Council**)

and

Hixson Pty Limited ABN 85 156 636 770 of PO Box 42, Narellan, NSW 2567

and

Dandaloo Pty Limited ABN 77 002 338 543 of PO Box 42, Narellan, NSW 2567
and

Edgewater Homes Pty Limited ABN 36 141 446 102 of 395 Ferntree Gully Road, Mount Waverley, VIC 3149

(together, **Developer**)

Background

- A The Council and the Developer are Parties to the Planning Agreement entered into on 16 December 2016.
- B Pursuant to clause 51 of the Planning Agreement (as amended by this Deed), the Parties agree to amend the Planning Agreement to:
- amend the definition of the Land to which the Planning Agreement applies, namely by way of updating the Staging Plan in Schedule 3 to the Planning Agreement,
 - increase the lot yield of the Development to which the Planning Agreement applies,
 - provide for the provision of additional Development Contributions in connection with the increase in the lot yield of the Development,
 - amend the timing for Council's written certification of detailed design of a work,
 - update the timing of various items of Works, and
 - including a new clause regarding the Deferral of Works.

CAM_CAM21006_010

3

Attachment 1

First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited



Operative provisions

1 Interpretation

- 1.1 In this Deed the following definitions apply:
- Deed** means this First Deed of Variation and includes any schedules, annexures and appendices to this Deed.
- Planning Agreement** means the Catherine Park Planning Agreement pursuant to s7.4 (previously s93F) of the *Environmental Planning and Assessment Act 1979* entered into between the Council and the Developer on 16 December 2016.
- 1.2 All other capitalised words used in this Deed have the meanings given to those words in the Planning Agreement.
- 1.3 Clauses 1.2, 44, 45, 46, 47, 48, 49 and 50 of the Planning Agreement (as amended by this Deed) apply as if they form part of this Deed with any necessary changes.

2 Status of this Deed

- 2.1 This Deed is an amendment to the Planning Agreement within the meaning of clause 25C(3) of the Regulation.
- 2.2 This Deed is not a planning agreement within the meaning of s7.4(1) of the Act.

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Warranties

- 4.1 The Parties warrant to each other that they:
- 4.1.1 have full capacity to enter into this Deed, and
- 4.1.2 are able to fully comply with their obligations under this Deed.

5 Amendment to Planning Agreement

- 5.1 On and from the date this Deed takes effect the Planning Agreement is amended in accordance with the marking-up shown on the copy of the Planning Agreement contained in the Schedule.

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**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



ORD08

6 Costs

- 6.1 The Developer is to pay to the Council the Council's reasonable costs of preparing, negotiating, executing, registering and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.
- 6.2 This clause continues to apply after expiration or termination of this Deed.

7 Explanatory Note

- 7.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 7.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Deed.

Attachment 1

**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



Schedule

(Clause 5)

Amended Planning Agreement

Amended Planning Agreement on the following pages.

DRAFT

Deed

Catherine Park Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

Camden Council

Hixson Pty Limited

Dandaloo Pty Limited

Edgewater Homes Pty Limited

Date:

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Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Catherine Park Planning Agreement

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Hixson Pty Limited
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Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

ORD08

Catherine Park Planning Agreement

Summary Sheet

Council:

Name: The Council of Camden

Address: ~~37 John Street, CAMDEN~~ 70 Central Avenue, Oran Park, NSW 2570

Telephone: (02) 4654 7777

Facsimile: (02) 4654 7829

Email: mail@camden.nsw.gov.au

Representative: Mr Ron Moore – General Manager

Developer:

Name: Hixson Pty Limited

Address: PO Box 42, NARELLAN, NSW 2567

Telephone: (02) 4631 3200

Facsimile: (02) 4631 3299

Email: trevor@harrington.com.au

Representative: Trevor Jensen

and

Name: Dandaloo Pty Limited

Address: PO Box 42, NARELLAN NSW 2567

Telephone: (02) 4631 3200

Facsimile: (02) 4631 3299

Email: trevor@harrington.com.au

Representative: Trevor Jensen

and

Attachment 1

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Name: Edgewater Homes Pty Limited

Address: 395 Ferntree Gully Road, MOUNT WAVERLEY VIC 3149

Telephone: (03) 9574 5333

Facsimile: (03) 9574 5411

Email: cbetts@henley.com.au

Representative: Christopher Betts

Land:

See definition of *Land* in clause 1.1.

Development:

See definition of *Development* in clause 1.1.

Development Contributions:

See Clause 9 and Schedule 1.

Application of s94, s94A and s94EF of the Act:

See clause 8.

Security:

See Part 4.

Registration:

See clause 31.

Restriction on dealings:

See clause 32.

Dispute Resolution:

See Part 3.

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

ORD08

Catherine Park Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

Parties

The Council of Camden ABN 31 117 341 764 of ~~37 John Street, Camden~~ 70 Central Avenue, Oran Park, NSW 2570 (**Council**)

and

Hixson Pty Limited ABN 85 156 636 770 of PO Box 42, Narellan, NSW 2567 (**Hixson**)

and

Dandaloo Pty Limited ABN 77 002 338 543 of PO Box 42, Narellan, NSW 2567 (**Dandaloo**)

and

Edgewater Homes Pty Limited ABN 36 141 446 102 of 395 Ferntree Gully Road, Mount Waverley, VIC 3149 (**Edgewater**)

Background

- A The Developer owns the Land.
- B The Developer has lodged a Development Application to carry out the Development.
- C The Developer is prepared to make Development Contributions to the Council in accordance with the Deed in connection with the carrying out of the Development.

Attachment 1

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Operative provisions

Part 1 - Preliminary

1 Interpretation

1.1 In this Deed the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Approval includes approval, consent, licence, permission or the like.

Authority means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.

Bank Guarantee means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by:

- (a) one of the following trading banks:
 - (i) Australia and New Zealand Banking Group Limited,
 - (ii) Commonwealth Bank of Australia,
 - (iii) Macquarie Bank Limited,
 - (iv) National Australia Bank Limited,
 - (iv) St George Bank Limited,
 - (v) Westpac Banking Corporation, or
- (b) any other financial institution approved by the Council in its absolute discretion.

Certifying Authority means a certifying authority within the meaning of s109D of the Act.

Claim includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action.

Construction Certificate has the same meaning as in the Act.

Contributions Plan means the Catherine Fields (Part) Precinct Section 94 Contributions Plan being a plan referred to in s94EA of the Act and approved by the Council on 20 December 2013.

Contribution Value means the \$ amount agreed between the Parties as the value of a Development Contribution made under this Deed indexed from June 2013 in accordance with the *Consumer Price Index (All Groups – Sydney)* published by the Australia Bureau of Statistics.

Cost means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

ORD08

Attachment 1

Costs Budget means \$19,000.00 inclusive of GST.

Deed means this Deed and includes any schedules, annexures and appendices to this Deed.

Defect means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a Work or any part of a Work.

Defects Liability Period means the period of 1 year commencing on the day immediately after a Work is completed for the purposes of this Deed.

Developer means Hixson, Dandaloo and Edgewater jointly and severally unless the context or subject-matter otherwise indicates or requires.

Development means development, within the meaning of the Act, of the Land for urban purposes generally in accordance with the Staging Plan involving the Subdivision of the Land into not more than 4,8502,100 Final Lots, establishment of transport, utilities and stormwater management networks, provision of open space, recreation area embellishment, riparian corridor and transmission easement restoration and embellishment, and associated site works.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards a public purpose, but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party's obligations under this Deed for the purposes of s93F(3)(g) of the Act.

Development Contribution Item means an item of Development Contribution specified in Column 1 of Schedule 1.

Design Standards means the documents titled '*Design Standards for Urban Infrastructure 24 Sportsground Design*' Edition 1, Revision 2 contained in Schedule 4.

Dispute means a dispute or difference between the Parties under or in relation to this Deed.

Equipment means any equipment, apparatus, vehicle or other equipment or thing to be used by or on behalf of the Developer in connection with the performance of its obligations under this Deed.

Final Lot means a lot created in the Development for separate residential occupation and disposition or a lot of a kind or created for a purpose that is otherwise agreed by the Parties, not being a lot created by a subdivision of the Land:

- (a) that is to be dedicated or otherwise transferred to the Council, or
- (b) on which is situated a dwelling-house that was in existence on the date of this Deed.

Force Majeure means any event or circumstance not within the control of the party claiming Force Majeure, and which, by exercise of reasonable diligence, that party was and is not reasonably able to prevent or overcome, including:

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

- (a) an act of God including but not limited to any pandemic or epidemic;
- (b) a strike, lock out or other industrial disturbance;
- (c) an act of an enemy or terrorist, including war, blockade or insurrection;
- (d) an act of any third party, including any accidental or malicious act, or vandalism; or
- (e) a riot or civil disturbance.

GST has the same meaning as in the GST Law.

GST Law has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Just Terms Act means the *Land Acquisition (Just Terms Compensation) Act 1991*.

~~**Land** means Lot 27 in DP 213330, Lot 293 in DP 708154, Lots 2 and 5 in DP 4173813, and Lots 10 to 17 inclusive and Lots 24 to 26 inclusive in DP 31996, and any part of that land comprised in a lot created by a Subdivision of that land, being land shown bounded by a red dashed line on the Staging Plan.~~

Land means the land shown on the Staging Plan contained in Schedule 3.

LG Act means the *Local Government Act 1993*.

Maintain, in relation to a Work, means keep in a good state of repair and working order, and includes repair of any damage to the Work.

Neighbourhood Centre means development for the purposes of a neighbourhood centre on the land coloured dark blue and identified as 'Neighbourhood Centre' within the legend of the Staging Plan.

Occupation Certificate has the same meaning as in the Act.

Open Space and Recreation Strategy means the strategy referred to in clause ~~4415~~.

Party means a party to this Deed.

Permitted Encumbrances means the registered dealings on the following parcels of land:

- (a) Lot 27 DP 213330,
- (b) Lot 293 DP 708154,
- (c) Lots 2 DP 1173813,
- (d) Lot 10 DP 31996, and
- (e) Lot 11 DP 31996.

Plan of Management means a plan of management within the meaning of s36 of the LG Act.

Rectification Notice means a notice in writing:

- (a) identifying the nature and extent of a Defect,

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- (b) specifying the works or actions that are required to Rectify the Defect,
- (c) specifying the date by which or the period within which the Defect is to be rectified.

Rectify means rectify, remedy or correct.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Relevant Stage, in relation to a Development Contribution Item, means the Stage referred to in Column 2 of the table in Schedule 1 corresponding to the item.

Security means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council indexed annually in accordance with the annual movements in the Consumer Price Index (All Groups Sydney) published by the Australian Bureau of Statistics on and from the date of this Deed.

Stage means a stage of the Development approved by a Development Consent or otherwise approved in writing by the Council for the purposes of this Deed.

Staging Plan means the document titled 'VPA Plan with Updated Staging Boundary – Catherine Park Estate Plan' dated 25 August 2020 contained in Schedule 3.

Subdivision in relation to land has the meaning given to it in s4B of the Act.

Subdivision Certificate has the same meaning as in the Act.

Substage means a substage within a Relevant Stage of the Development approved by a Development Consent or otherwise approved in writing by the Council for the purposes of this Deed.

Vegetation Management Plan means a plan that contains provisions relating to the establishment and maintenance of land.

Work means the physical result of any building, engineering or construction work in, on, over or under land.

- 1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:
- 1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.
 - 1.2.2 A reference in this Deed to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
 - 1.2.3 If the day on which any act, matter or thing is to be done under this Deed is not a business day, the act, matter or thing must be done on the next business day.
 - 1.2.4 A reference in this Deed to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.
 - 1.2.5 A reference in this Deed to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
 - 1.2.6 A reference in this Deed to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and

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any subordinate legislation or regulations issued under that legislation or legislative provision.

- 1.2.7 A reference in this Deed to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- 1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.
- 1.2.9 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.12 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.13 A reference to this Deed includes the agreement recorded in this Deed.
- 1.2.14 A reference to a Party to this Deed includes a reference to the servants, agents and contractors of the Party, the Party's successors and assigns.
- 1.2.15 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.16 Any schedules, appendices and attachments form part of this Deed.
- 1.2.17 Notes appearing in this Deed are operative provisions of this Deed.

2 Status of this Deed

- 2.1 This Deed is a planning agreement within the meaning of s93F(1) of the Act.

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Application of this Deed

- 4.1 This Deed applies to the Land and to the Development.

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5 Warranties

- 5.1 The Parties warrant to each other that they:
- 5.1.1 have full capacity to enter into this Deed, and
 - 5.1.2 are able to fully comply with their obligations under this Deed.

6 Further agreements

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

7 Surrender of right of appeal, etc.

- 7.1 The Developer is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Deed, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Deed.

8 Application of s94, s94A and s94EF of the Act to the Development

- 8.1 This Deed excludes the application of s94 and s94A of the Act to the Development.
- 8.2 This Deed does not exclude the application of s94EF of the Act to the Development.

Part 2 – Development Contributions

9 Provision of Development Contributions

- 9.1 The Developer is to make Development Contributions to the Council in accordance with Schedule 1 and Schedule 2, any other provision of this Deed relating to the making of Development Contributions and otherwise to the satisfaction of the Council.
- 9.2 Any Contribution Value specified in this Deed in relation to a Development Contribution does not serve to define the extent of the Developer's obligation to make the Development Contribution.
- 9.3 The Council is to apply each Development Contribution made by the Developer under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.

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- 9.4 Despite clause 9.3, the Council may apply a Development Contribution made under this Deed towards a public purpose other than the public purpose specified in this Deed if the Council reasonably considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.

10 Payment of monetary Development Contributions

- 10.1 A monetary Development Contribution is made for the purposes of this Deed when the Council receives the full amount of the contribution payable under this Deed in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.

11 Dedication of land

- 11.1 A Development Contribution comprising the dedication of land is made for the purposes of this Deed when:
- 11.1.1 a deposited plan is registered in the register of plans held with the Registrar-General that dedicates land as a public road (including a temporary public road) under the *Roads Act 1993* or creates a public reserve or drainage reserve under the *Local Government Act 1993*, or
- 11.1.2 the Council is given:
- (a) an instrument in registrable form under the *Real Property Act 1900* duly executed by the Developer as transferor that is effective to transfer the title to the land to the Council when executed by the Council as transferee and registered,
 - (b) the written consent to the registration of the transfer of any person whose consent is required to that registration, and
 - (c) a written undertaking from any person holding the certificate of title to the production of the certificate of title for the purposes of registration of the transfer.
- 11.2 The Developer is to do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- 11.3 The Developer is to ensure that land dedicated to the Council under this Deed is free of all encumbrances and affectations (whether registered or unregistered and including without limitation any charge or liability for rates, taxes and charges) with the exception of the Permitted Encumbrances and as otherwise agreed in writing by the Council.
- 11.4 If, having used all reasonable endeavours, the Developer cannot ensure that land to be dedicated to the Council under this Deed is free from all encumbrances and affectations (except the Permitted Encumbrances), the Developer may request that Council agree to accept the land subject to those encumbrances and affectations, but the Council may withhold its agreement in its absolute discretion.

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- 11.5 Despite any other provision of this Deed, if the Developer is required to dedicate land to the Council on which the Developer is also required to carry out a Work under this Deed, the Developer is to comply with clause 11.1.2 not later than 28 days after the Work is completed for the purposes of this Deed.

12 Deferral of Work

- 12.1 Notwithstanding any other provision of this Deed, if the Developer forms the view at any time, that it is unable to make a Development Contribution comprising a Work by the time that Work is required to be completed under this Deed, then:
- 12.1.1 the Developer is to provide written notice to the Council to that effect;
- 12.1.2 the Developer is to provide the Council with a Security for 110% of the amount of Contribution Value that is equivalent to the proportion of the uncompleted part of the Work before the date on which the Work is required to be completed under this Deed;
- 12.1.3 the Developer is to provide to Council, for Council's approval, a revised completion date for the Work;
- 12.1.4 Council can approve, or not approve a revised completion date in its discretion, and if the Council does not approve the Developer's revised completion date for the Work, the Council and Developer are to negotiate in good faith and agree upon a revised completion date for the Work; and
- 12.1.1 the time for completion of the Work under this Deed will be taken to be the revised completion date approved by the Council under clause 12.1.4.
- 12.2 If the Developer complies with clause 12.1, then it will not be considered to be in breach of this Deed as a result of a failure to complete a Work by the time for completion of the Work specified in Column 6 of Schedule 1.
- 12.3 If the Work is not completed by the revised date for completion of the Work agreed under clause 12.1.4, then the Council may call on the Security to meet any of its costs incurred under this Deed in respect of the failure to complete the Work by the revised date for completion.
- 12.4 The Developer need not provide any additional Security under this clause if at the time the Security would be payable under this clause, Council holds Security under the other provisions of this Deed in an amount which covers the amount of Security required to be held under those other clauses, and the amount of Security required to be held under this clause.
- 12.5 If a party by reason of Force Majeure is delayed in performing or carrying out an obligation under this Deed and cannot perform or carry out the obligation by the time it is required to be performed or carried out, then that obligation is suspended for so long and to the extent that it is reasonably affected by the Force Majeure. In that case, the affected party must give notice to the other party with reasonable particulars including, so far as it is known, the probable extent to which the party will be reasonably delayed in performing or carrying out its obligations. A party is not liable for any reasonable delay in the performance of any of its obligations under this Deed to the extent that the delay is attributable to Force Majeure, regardless of the length of time for

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which the Force Majeure continues. For the avoidance of doubt, it is noted that a party to this Deed may still suffer damage which that party may seek to recover from a third party, due to a delay in the performance of an obligation under this Deed by a party to this document, attributable to circumstances amounting to Force Majeure which involve the third party.

12.6 If a party by reason of Force Majeure is unable to perform or carry out an obligation under this Deed then the parties are to meet and negotiate in good faith any reasonable amendments to this Deed.

12.7 Clauses 12.5 and 12.6 do not apply to any obligation to make a payment.

12.13 Carrying out of Work

12.13.1 Without limiting any other provision of this Deed, any Work that is required to be carried out by the Developer under this Deed is to be carried out in accordance with any design or specification specified or approved by the Council, any relevant Approval and any other applicable law.

12.13.2 The Developer, at its own cost, is to comply with any reasonable direction given to it by the Council to prepare or modify a design or specification relating to a Work that the Developer is required to carry out under this Deed.

13.14 Approval of design of Work

13.14.1 This clause ~~13.14~~ applies to a Development Contribution Item comprising a Work for which 'Yes' is specified in Column 3 of the table in Schedule 2 corresponding to the item.

13.14.2 If this clause requires Council to approve or certify something within a certain period of time, and the Council has not provided its approval or certification, nor advised the Developer that it will not provide its approval or certification within that period of time, then the Council is deemed to have provided its approval or waived the requirement for the certification.

13.14.3 Prior to lodging a Development Application seeking Development Consent for a Work, the Developer is to obtain the Council's approval under this clause for the design and specifications for the Work unless otherwise agreed in writing by the Council in relation to the Work.

13.14.4 Prior to commencing design of a Work, the Developer is to request that the Council provide the Developer with its requirements for the location (generally in accordance with the Staging Plan), design, materials and specifications for the provision of the Work.

13.14.5 When requesting Council's requirements under clause ~~14.4~~, the Developer may provide a proposal, including preliminary concept designs, to assist Council in preparing its requirements.

13.14.6 The Council is to provide the Developer with its requirements for the Work in writing within 1 month of receiving the request under clause ~~13.14.4~~.

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43.714.7 Once the Developer receives the Council's requirements for a Work under clause ~~43~~14.6, the Developer is to provide the initial design for the Work to Council for the Council's approval.

43.814.8 The initial design for a Work is to include, or be accompanied by, such information as is required for the making of a Development Application for the Work including:

~~43.8.4~~43.8.1 if 'Yes' is specified in Column 7 of the table in Schedule 2 corresponding to the Work - a draft Vegetation Management Plan for the land on which the Work is to be located; and

~~43.8.2~~43.8.2 if 'Yes' is specified in Column 5 of the table in Schedule 2 corresponding to the Work - a detailed maintenance regime for the Work, which provides for the Maintenance Period specified in Column 6 of Schedule 2 corresponding to the Work, and includes detailed costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.

43.914.9 The Council is to advise the Developer in writing whether it approves of the initial design of the Work within 2 months of receiving the initial design from the Developer.

~~43.10~~43.10 The Developer is to make any change to the initial design for the Work required by the Council.

~~43.11~~43.11 Once the initial design for a Work is approved, the Developer must submit a full copy of the Development Application for the Work to Council in draft and seek written certification from Council that the Development Application is consistent with the approved initial design of the Work, and the Council must either provide the written certification, or advise the Developer that it will not provide the written certification, within 14 days.

~~43.12~~43.12 The Developer is not to lodge any Development Application for a Work unless:

~~43.12.1~~43.12.1 the Council has first approved the initial design for the Work or is taken to have approved the initial design for the Work in accordance with this clause ~~43~~14; and

~~43.12.2~~43.12.2 Council has provided its written certification under clause ~~43~~14.11 for that Development Application or is taken to have waived the requirement for that certification.

~~43.13~~43.13 The Developer is to bear all Costs associated with obtaining the Council's approval or certification under this clause.

~~43.14~~43.14 Following Development Consent being issued for a Work, the Developer is to work with Council in the preparation of the detailed design for it and submit the detailed design to the Council for its approval.

~~43.15~~43.15 The Developer is not to lodge any application for a Construction Certificate for a Work, with any Certifying Authority, unless the Council has first approved the detailed design for the Work, and provided its written certification that the application for a Construction Certificate is consistent with the approved detailed design of the Work.

~~43.16~~43.16 The Council is to provide the written certification referred to in clause ~~43~~14.15, or notify the Developer that it will not provide

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the written certification, within ~~440~~ days of being provided with a copy of the application for a Construction Certificate by the Developer.

~~43.17~~43.14.17 Council's written certification specified in clause ~~43.14.15~~ shall specify any particular milestones of construction of a Work and if so, the Developer is to provide the Council with a minimum of 24 hours' notice prior to commencing a particular milestone and allow the Council access to the relevant land to inspect the Work.

~~43.18~~43.14.18 An application for a Construction Certificate for a Work is to be accompanied by the written certification referred to in clause ~~614.15~~ when lodged with the Certifying Authority, unless the Council is deemed to have waived the requirement for certification under this clause ~~4314~~.

~~43.19~~43.14.19 For the avoidance of doubt, nothing in this clause operates to fetter the Council's discretion, as consent authority, in determining any Development Application for the Work.

~~14~~15 Open Space and Recreation Strategy

~~44.1~~44.15.1 This clause applies to a Work comprising Development Contribution Items 1, 3, 4, 5 and 6.

~~44.2~~44.15.2 Prior to preparing the Open Space and Recreation Strategy, the Developer is to consult with the Council to enable Council to notify the Developer of its requirements for the Open Space and Recreation Strategy.

~~44.3~~44.15.3 The Developer is to prepare the Open Space and Recreation Strategy and submit it to Council for approval.

~~44.4~~44.15.4 The Open Space and Recreation Strategy is to include:

~~44.4.1~~44.15.4.1 provisions to meet Council's requirements notified under clause ~~4415.2~~;

~~44.4.2~~44.15.4.2 design principles and concepts for the open space and recreation land to be dedicated under this Deed;

~~44.4.3~~44.15.4.3 diagrams identifying hierarchy, role and purpose of the open space and recreation land to be dedicated under this Deed; and

~~44.4.4~~44.15.4.4 details of any relevant standards or specifications which are intended to apply to the design of the open space and recreation land to be provided under this Deed.

~~44.5~~44.15.5 The Council is to notify the Developer in writing whether it approves of the Open Space and Recreation Strategy or whether it requires changes in order to approve it within 2 months of receiving the draft strategy from the Developer.

~~44.6~~44.15.6 The Developer is to make any change to the draft Open Space and Recreation Strategy notified by the Council.

~~44.7~~44.15.7 The Developer is not to lodge a Development Application for a Work unless the Council has first approved the Open Space and Recreation Strategy and provided its written certification that the Development Application is consistent with the Strategy so approved.

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15.16 Design and Construction of Community Facility

15.4.16.1 This clause applies to Development Contribution Item 42.

15.2.16.2 In this clause:

Authority Approval means an Approval from an Authority that is required for the construction of the Community Facility and Amenities Building,

Authority Approval Application means an application for an Authority Approval.

Community Facility and Amenities Building means the community facility and amenities building to which Development Contribution Item 42 is to be applied.

Construction Commencement Notice means notice by the Developer to the Council to commence the construction of the Community Facility and Amenities Building.

Contribution Amount means the monetary Development Contribution Amount specified in Development Contribution Item 42.

Design Commencement Notice means notice given by the Developer to the Council requiring the Council to commence the design of the Community Facility and Amenities Building.

First Contribution Instalment means payment by the Developer to the Council of 20% of the Contribution Amount.

Second Contribution Instalment means payment by the Developer to the Council of 40% of the Contribution Amount.

Third Contribution Instalment means payment by the Developer to the Council of 40% of the Contribution Amount.

LS2 means the land to which Development Contribution Item 6 relates, being the land on which the Community Facility and Amenities Building is to be constructed.

Sportsground Approval means a Development Consent authorising the embellishment of LS2.

Step-in Right means the right of the Developer to step-in and complete the design and/or construction of the Community Facility and Amenities Building instead of the Council..

15.3.16.3 The Developer may give the Council a Design Commencement Notice at any time after the Sportsground Approval has been granted.

15.4.16.4 The Developer may give the Council a Construction Commencement Notice at any time after all necessary Authority Approvals and a Construction Certificate have been obtained for the construction of the Community Facility and Amenities Building by the Council.

15.5.16.5 The Developer is to pay the Contribution Amount to the Council in instalments in accordance with this clause and otherwise in accordance with this Deed.

15.6.16.6 The Developer is to pay:

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~~45.6.4~~16.6.1 the First Contribution Instalment by not later than the date of the Design Commencement Notice,

~~45.6.2~~16.6.2 the Second Contribution Instalment by not later than the date of the Construction Commencement Notice, and

~~45.6.3~~16.6.3 the Third Contribution Instalment by not later than the date of completion of the ground floor concrete slab of the Community Facility and Amenities Building.

~~45.7~~16.7 At the time the Developer gives the Council the Design Commencement Notice, the Developer is to provide the Sportsground Approval and all available title and utility information to Council.

~~45.8~~16.8 The Council is to provide the Developer with a concept design and a preliminary costs estimate for the Community Facility and Amenities Building within 6 months of receiving the Design Commencement Notice, and the concept design must be sufficiently detailed to enable any necessary Authority Approval Applications to be made for the Community Facility and Amenities Building.

~~45.9~~16.9 The Developer is to provide the Council with any comments on the concept design for the Community Facility and Amenities Building within 1 month of receiving them from Council.

~~45.10~~16.10 The Council will consider the Developer's comments on the concept design for the Community Facility and Amenities Building and incorporate any changes requested by the Developer into the concept design of the Community Facility and Amenities Building as far as is reasonable and at Council's absolute discretion, and provided that in Council's opinion the changes will not cause the estimated costs of the Community Facility and Amenities Building to exceed the Contribution Amount, and before making any Authority Approval Applications.

~~45.11~~16.11 The Council is to commence the detailed design of the Community Facility and Amenities Building once it has received any Authority Approval for the Community Facility and Amenities Building.

~~45.12~~16.12 The Council is to provide the Developer with a detailed design of the Community Facility and Amenities Building and a third-party cost estimate for the work within 6 months of commencing the detailed design.

~~45.13~~16.13 The Developer is to provide the Council with any comments on the detailed design and third-party costs estimate for the Community Facility and Amenities Building within 1 month of receiving them from the Council.

~~45.14~~16.14 The Council will consider the Developer's comments on the detailed design and third party costs estimate and incorporate any changes requested by the Developer into the final design of the Community Facility and Amenities Building as far as is reasonable and at Council's absolute discretion, and provided that in Council's opinion the changes will not cause the estimated costs of the Community Facility and Amenities Building to exceed the Contribution Amount, and provided that the changes would not necessitate any modification to any Authority Approval.

~~45.15~~16.15 The Council is to lodge an application for a Construction Certificate for the Community Facility and Amenities Building within 1 month of receiving the Developer's comments under clause ~~45.16~~16.13, or if no comments are

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received, within 2 months of providing the Developer with the detailed design and third-party costs estimate under clause ~~4516~~.12.

- ~~45.16~~45.16.16 The Council is to commence the tendering process for the construction of the Community Facility and Amenities Building upon receipt of the Construction Commencement Notice. At the conclusion of the tendering process, Council is to notify the Developer in writing of the identity of the successful tenderer. Construction works on the Community Facility and Amenities Building are to commence on site 6 months after the Council receives the Construction Commencement Notice.
- ~~45.17~~45.16.17 The Developer may exercise its Step-in Right if the Council fails to meet any of its obligations in clauses ~~4516~~.8, ~~4516~~.12 and ~~4516~~.16 within the time period specified in those clauses by issuing Council with a Notice under Clause ~~4041~~ of this Deed
- ~~45.18~~45.16.18 If the Developer exercises its Step-in Right it must deliver the Community Facility and Amenities Building from the point at which the right is exercised until completion of the work.
- ~~45.19~~45.16.19 The Council is to obtain all Authority Approvals necessary to enable the construction of the Community Facility and Amenities Building unless the Developer has exercised its Step-In-Right prior to the Council having obtained the Authority Approvals, in which case the Developer is to obtain all Authority Approvals necessary to enable the construction of the Community Facility and Amenities Building
- ~~45.20~~45.16.20 The Council is not required to make an Authority Approval Application unless and until the part of LS2 on which the Community Facility and Amenities Building is proposed to be constructed (**Relevant Land**) is cleared, compacted and levelled to the satisfaction of the Council, and Council will not be in breach of any requirement in this clause ~~4516~~ that it do anything by a certain time if it cannot do so as a result of the Relevant Land not being cleared, compacted and levelled to its satisfaction.
- ~~45.24~~45.16.21 The Developer is to procure the Approval of any person whose Approval is necessary to the making of an Authority Approval Application by the Council.
- ~~45.22~~45.16.22 If LS2 is not owned by the Council when the Developer gives the Council the Construction Commencement Notice, the Developer is to:
- ~~45.22.1~~45.16.22.1 procure the Approval in writing on terms and conditions satisfactory to the Council of any person whose Approval is necessary to enable the Council to enter and occupy LS2 for the purposes of constructing the Community Facility and Amenities Building, and
- ~~45.22.2~~45.16.22.2 do all things necessary to ensure that the Council is not obstructed, impeded or interfered with while constructing the Community Facility and Amenities Building on LS2 while ever LS2 is not owned by the Council.
- ~~45.23~~45.16.23 The Council is to do all things necessary to ensure that the Developer is not obstructed, impeded or interfered with while designing and/or constructing the Community Facility and Amenities Building on LS2 pursuant to Step-in Rights exercised by the Developer.

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~~45.24~~16.24 Nothing in this clause obliges the Council to expend more than the Contribution Amount on the design and construction of the Community Facility and Amenities Building.

~~45.25~~16.25 If the Council is the owner of LS2 on the date when the Community Facility and Amenities Building is completed, the Council assumes responsibility for the Community Facility and Amenities Building upon that date, but if it is not the owner at that time, the Council assumes that responsibility when LS2 is dedicated to Council under this Deed.

~~16.17~~Variation to Work

~~46.4~~17.1 The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied by agreement in writing between the Parties, acting reasonably, without the necessity for an amendment to this Deed

~~46.2~~17.2 Without limiting clause ~~46.17.1~~, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.

~~46.3~~17.3 The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause ~~46.17.2~~.

~~46.4~~17.4 The Council, acting reasonably, may from time to time give a written direction to the Developer requiring it to vary the design or specification of a Work before the Work is carried out in a specified manner and submit the variation to the Council for approval.

~~46.5~~17.5 The Developer is to comply promptly with a direction referred to in clause ~~46.17.4~~.

~~46.6~~17.6 If the Council gives a direction under clause ~~46.17.4~~ for a Work before a Construction Certificate has been issued for the Work, the Developer is to comply with the direction at its own cost.

~~46.7~~17.7 If the Council gives a direction under clause ~~46.17.4~~ for a Work after a Construction Certificate has been issued for the Work, the Council is to reimburse the Developer an amount equal to the increase (if any) in the Costs of completing the Work as a result of the variation requested by the Council.

~~46.8~~17.8 The Council is to reimburse the Developer the amount referred to in clause ~~46.17.7~~ after the relevant Work is complete for the purposes of this Deed, and within 28 days of receipt of:

~~46.8.4~~17.8.1 a tax invoice for the amount claimed by the Developer; and

~~46.8.2~~17.8.2 documentation which demonstrates to the Council's satisfaction, the increase in the Costs of completing the Work as a result of the variation requested by the Council.

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1718 Access to land

17.118.1 The Developer is to permit the Council, upon receiving reasonable prior notice from the Council:

17.1.118.1.1 to enter any land on which Work is being carried out by the Developer under this Deed at any time, in order to inspect, examine or test the Work, or to remedy any breach by the Developer of its obligations under this Deed; and

17.1.218.1.2 to enter, occupy and use the land identified as 'LS2' on the Staging Plan in order to prepare for and carry out construction of the community facility and amenities building identified as 'CF1' on the Staging Plan.

17.218.2 The Council is to permit the Developer, upon receiving reasonable prior notice from the Developer, to enter, occupy and use any Council owned or controlled land in order to enable the Developer to properly perform its obligations under this Deed.

17.318.3 Nothing in this Deed creates or gives the Developer any estate or interest in any part of the land referred to in clause **1718.2**.

1819 Protection of people, property & utilities

18.119.1 The Developer is to ensure to the fullest extent reasonably practicable in relation to the performance of its obligations under this Deed that:

18.1.119.1.1 all necessary measures are taken to protect people and property,

18.1.219.1.2 unnecessary interference with the passage of people and vehicles is avoided, and

18.1.319.1.3 nuisances and unreasonable noise and disturbances are prevented.

18.219.2 Without limiting clause **1819.1**, the Developer is not to obstruct, interfere with, impair or damage any public road, public footpath, public cycleway or other public thoroughfare, or any pipe, conduit, drain, watercourse or other public utility or service on any land except as authorised in writing by the Council or any relevant Authority.

1920 Repair of damage

19.120.1 The Developer is to Maintain any Work required to be carried out by the Developer under this Deed until the Work is completed for the purposes of this Deed or such later time as agreed between the Parties.

19.220.2 The Developer is to carry out its obligation under clause **1920.1** at its own cost and to the satisfaction of the Council.

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20.21 Completion of Work

20.4.21.1 When the Developer believes that a Development Contribution Item comprising a Work is complete, it must give the Council a written notice (**Completion Notice**) which:

20.4.4.21.1.1 specifies the Development Contribution Item to which it applies; and

20.4.2.21.1.2 states that it has been issued under this clause ~~21.1.20.4~~.

20.2.21.2 The Council must, and the Developer must permit the Council to, inspect the Development Contribution Item the subject of the Completion Notice in the presence of a representative of the Developer within twenty one (21) days of the date that the notice is given to the Council.

20.3.21.3 Within seven (7) days of inspecting a Development Contribution Item that is the subject of a Completion Notice, the Council must give the Developer a notice:

20.3.4.21.3.1 confirming that the Development Contribution Item has been completed in accordance with this Deed; or

20.3.2.21.3.2 advising:

- (a) that the Council does not accept that the Development Contribution Item has been completed in accordance with this Deed; and
- (b) the reasons for that non-acceptance and directing the Developer to complete, rectify or repair any specified part of the Work.

20.4.21.4 For the avoidance of doubt, the Council may give more than one written notice under clause ~~20.21.3.2~~ if the Council reasonably considers that it is necessary to do so.

20.5.21.5 If the Developer does not accept the matters contained in a notice issued by the Council under clause ~~21.3.2~~~~20.3.2~~ then it must, within 14 days, serve notice on Council to that effect, in which case the Council is to appoint a suitably qualified expert at the Cost of the Developer to determine whether the Development Contribution Item has been completed in accordance with this Deed.

20.6.21.6 If a Party does not accept the determination of the expert in clause ~~20.21.5~~, then that Party may, within 14 days of the expert determination:

20.6.4.21.6.1 serve notice on the other Party to that effect, in which case the matter will be a Dispute; and

20.6.2.21.6.2 refer that Dispute immediately to the President of the Law Society and clauses ~~24.25.4~~ to ~~24.25.7~~ (inclusive) apply to that Dispute.

20.7.21.7 The Developer, at its Cost, is to promptly comply with:

20.7.4.21.7.1 a written notice under clause ~~20.21.3.2~~, if it does not serve notice on the Council under clause ~~20.21.5~~, or

20.7.2.21.7.2 the expert determination of the Council's appointed expert under clause ~~20.21.5~~, if no notice is served under clause ~~20.21.6~~, or

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~~20.7.3~~21.7.3 the expert determination of the expert appointed by the President of the NSW Law Society under clause ~~2425~~2425.4, if a Dispute has been referred under clause ~~2021~~2021.6.2.

~~20.8.2~~21.8 If:

~~20.8.4~~21.8.1 the Council gives a notice under clause ~~21.3.2~~21.3.2; and

~~20.8.2~~21.8.2 the Developer believes it has complied with that notice or an expert determination under clause ~~2021~~2021.5 or clause ~~2425~~2425, as the case may be, then

the Developer must issue a further Completion Notice with respect to that Development Contribution Item and clauses ~~2021~~2021.2 to ~~2021~~2021.7 inclusive reappplies.

~~20.9.2~~21.9 A Development Contribution Item comprising a Work will be complete for the purpose of this Deed:

~~20.9.4~~21.9.1 on the date the Council issues a notice under clause ~~21.3.1~~21.3.1~~20.3.4~~ confirming that the Development Contribution Item is complete; or

~~20.9.2~~21.9.2 if the Council fails to issue any notice under clause ~~21.3.2~~21.3.2, at the end of the period of 28 days from the date the Completion Notice is given to the Council, or

~~20.9.3~~21.9.3 if an expert has determined under clause ~~2021~~2021.5 or clause ~~2425~~2425 that the Work is complete for the purposes of this Deed, on the date of the expert determination .

~~20.10~~21.10 If the Council is the owner of the Land on which a Development Contribution Item has been completed, the Council assumes responsibility for the Work upon the date that Development Contribution Item was completed, but if it is not the owner at that time, it assumes that responsibility when the Development Contribution comprising the dedication of the Land upon which that Work is carried out is made to Council under this Deed.

~~20.11~~21.11 The Developer will Maintain any Development Contribution Item for which a Maintenance Period is specified in Column 6 of the table in Schedule 2 for the Development Contribution Item, during that Maintenance Period.

~~21.22~~21.22 Rectification of defects

~~21.4~~22.1 The Council may give the Developer a Rectification Notice during the Defects Liability Period.

~~21.2~~22.2 The Developer, at its own cost, is to comply with a Rectification Notice according to its terms and to the reasonable satisfaction of the Council.

~~21.3~~22.3 The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause ~~2422~~2422.1.

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22.23 Works-As-Executed-Plan

22.423.1 No later than 60 days after Work is completed for the purposes of this Deed, the Developer is to submit to the Council a full works-as-executed-plan in respect of the Work.

22.223.2 The Developer, being the copyright owner in the plan referred to in clause 22.23.1, gives the Council a non-exclusive licence to use the copyright in the plans for the purposes of this Deed.

23.24 Removal of Equipment

23.1.24.1 When Work on any Council owned or controlled land is completed for the purposes of this Deed, the Developer, without delay, is to:

23.1.1.24.1.1 remove any Equipment from Land and make good any damage or disturbance to the land as a result of that removal, and

23.1.24.1.2 leave the land in a neat and tidy state, clean and free of rubbish.

Part 3 – Dispute Resolution

24.25 Dispute resolution – expert determination

24.1.25.1 This clause applies to a Dispute between any of the Parties to this Deed concerning a matter arising in connection with this Deed that can be determined by an appropriately qualified expert if:

24.1.4.25.1.1 the Parties to the Dispute agree that it can be so determined,
 or

24.1.25.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.

24.225.2 A Dispute to which this clause applies is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

24.325.3 If a notice is given under clause 25.24.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.

24.425.4 If the Dispute is not resolved within a further 28 days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.

24.525.5 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.

24.625.6 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.

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24.725.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

25.26 Dispute Resolution - mediation

25.426.1 This clause applies to any Dispute arising in connection with this Deed other than a Dispute to which clause 24.25 applies.

25.226.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

25.326.3 If a notice is given under clause 25.26.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.

25.426.4 If the Dispute is not resolved within a further 28 days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.

25.526.5 If the Dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.

25.626.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.

25.726.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 4 - Enforcement

26.27 Security for performance of obligations

26.427.1 In this clause 26.27 the following definitions apply:

Number of Final Lots for the Stage means:

- (a) for Stage 1 - 1801 Final Lots.
- (b) for Stage 2 - 149 Final Lots.
- (c) for Stage 3 - 1450 Final Lots.
- (d) for Stage 4 - 2254 Final Lots.
- (e) for Stage 5 - 6290 Final Lots.
- (f) for Stage 6 - 488200 Final Lots.
- (g) for Stage 7 - 5983 Final Lots.
- (h) for Stage 8 - 499216 Final Lots.
- (i) for Stage 9 - 304395 Final Lots.

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- (j) ~~for Stage 10 – 32 Final Lots.~~
- (k) for Stage 11 – 37 Final Lots.
- (l) for Stage 20 – 257 Final Lots.

Final Lot Subdivision Certificate means a Subdivision Certificate that:

- (a) authorises the registration of a plan of subdivision or strata plan which, on registration, will create a Final Lot; and
- (b) is able to be issued because a Development Consent for the Development granted after the date of this Deed is in force with respect to the proposed subdivision.

Security Amount means:

- (a) Security in the amount of:
 - (i) \$TSCV divided by the Number of Final Lots for the Stage in respect of which a Final Lot Subdivision Certificate is being sought, then multiplied by the number of Final Lots in that Stage for which Final Lot Subdivision Certificates have been issued or are sought; or
 - (ii) Security to such other amount as the Developer and the Council agree in writing.

TSCV means the sum of the Contribution Values of all Development Contribution Items comprising Works (other than Development Contribution Item No. 14) which are to be located within a Stage in respect of which a Final Lot Subdivision Certificate is sought, other than those Items within the Stage that have been completed in accordance with this Deed and are the responsibility of the Council.

26.227.2 Prior to the issuing of a Final Lot Subdivision Certificate for a Stage, the Developer is to provide the Council with a Security for the difference between the value of Security Amount and the Security already held by Council (if any) in respect of that Stage.

26.327.3 The Council, in its absolute discretion and despite clause ~~4718~~, may refuse to allow the Developer to enter, occupy or use any land owned or controlled by the Council or refuse to provide the Developer with any plant, equipment, facilities or assistance relating to the carrying out the Development if the Developer has not provided the Security to the Council in accordance with this Deed.

26.427.4 The Council may call-up and apply the Security in accordance with clause ~~2930~~ to remedy any breach of this Deed notwithstanding any other remedy it may have under this Deed, under any Act or otherwise at law or in equity.

26.527.5 The Council is to release and return the Security provided in respect of a Stage, or any unused part of it to the Developer within 14 days of the Developer completing all of their obligations under this Deed in respect of that Stage.

26.627.6 The Developer may at any time provide the Council with a replacement Security.

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26.727.7 On receipt of a replacement Security, the Council is to release and return the Security that has been replaced to the Developer.

26.827.8 If the Council calls-up the Security or any portion of it, it may, by written notice to the Developer, require the Developer to provide a further or replacement Security to ensure that the amount of Security held by the Council equals the amount it is entitled to hold under this Deed.

26.927.9 The Developer is to ensure that the Security provided to the Council is at all times maintained to the full current indexed value.

2728 Restriction on application for Subdivision Certificates

27.428.1 The Parties acknowledge and agree that under s109J(1)(c1) of the Act, a Subdivision Certificate for the Development must not be issued unless and until all the requirements of this Deed that are to be complied with before the issuing of that Subdivision Certificate have been complied with.

2829 Acquisition of land required to be dedicated

28.429.1 If the Developer does not dedicate land required to be dedicated under this Deed at the time at which it is required to be dedicated, the Developer consents to the Council compulsorily acquiring the land for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedure under the Just Terms Act.

28.229.2 The Council is to only acquire land pursuant to clause 2829.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Developer to dedicate the land required to be dedicated under this Deed.

28.329.3 Clause 2829.1 constitutes an agreement for the purposes of s30 of the Just Terms Act.

28.429.4 If, as a result of the acquisition referred to in clause 2829.1, the Council is required to pay compensation to any person other than the Developer, the Developer is to reimburse the Council that amount, upon a written request being made by the Council, or the Council can call on any Security provided under clause 2627.

28.529.5 The Developer indemnifies and keeps indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land concerned except if, and to the extent that, the Claim arises because of the Council's negligence or default.

28.629.6 The Developer is to promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 2829, including without limitation:

28.6.429.6.1 signing any documents or forms,

28.6.229.6.2 giving land owner's consent for lodgement of any Development Application,

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~~28.6.3~~29.6.3 producing certificates of title to the Registrar-General under the *Real Property Act 1900*, and

~~28.6.4~~29.6.4 paying the Council's costs arising under this clause ~~28.29~~.

29.30Breach of obligations

~~29.1.30.1~~29.1.30.1 If the Council reasonably considers that the Developer is in breach of any obligation under this Deed, it may give a written notice to the Developer:

~~29.1.1.30.1.1~~29.1.1.30.1.1 specifying the nature and extent of the breach,

~~29.1.2.30.1.2~~29.1.2.30.1.2 requiring the Developer to:

- (a) rectify the breach if it reasonably considers it is capable of rectification, or
- (b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification,

~~29.1.3.30.1.3~~29.1.3.30.1.3 specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.

~~29.2.30.2~~29.2.30.2 If the Developer fails to fully comply with a notice referred to in clause 29.1, the Council may, without further notice to the Developer, call-up the Security provided by the Developer under this Deed and apply it to remedy the Developer's breach.

~~29.3.30.3~~29.3.30.3 If the Developer fails to comply with a notice given under clause ~~29.30.1~~29.30.1 relating to the carrying out of Work under this Deed, the Council may step-in and remedy the breach and may enter, occupy and use any land owned or controlled by the Developer and any Equipment on such land for that purpose.

~~29.4.30.4~~29.4.30.4 Any costs incurred by the Council in remedying a breach in accordance with clause ~~29.30.2~~29.30.2 or clause ~~29.30.3~~29.30.3 may be recovered by the Council by either or a combination of the following means:

~~29.4.1.30.4.1~~29.4.1.30.4.1 by calling-up and applying the Security provided by the Developer under this Deed, or

~~29.4.2.30.4.2~~29.4.2.30.4.2 as a debt due in a court of competent jurisdiction.

~~29.5.30.5~~29.5.30.5 For the purpose of clause ~~29.30.4~~29.30.4, the Council's costs of remedying a breach the subject of a notice given under clause ~~29.30.1~~29.30.1 include, but are not limited to:

~~29.5.1.30.5.1~~29.5.1.30.5.1 the costs of the Council's servants, agents and contractors reasonably incurred for that purpose,

~~29.5.2.30.5.2~~29.5.2.30.5.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and

~~29.5.3.30.5.3~~29.5.3.30.5.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.

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~~29.6~~30.6 Nothing in this clause ~~29~~30 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Deed by the Developer, including but not limited to seeking relief in an appropriate court.

~~30~~31 Enforcement in a court of competent jurisdiction

~~30.4~~31.1 Without limiting any other provision of this Deed, the Parties may enforce this Deed in any court of competent jurisdiction.

~~30.2~~31.2 For the avoidance of doubt, nothing in this Deed prevents:

~~30.2.4~~31.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates, or

~~30.2.2~~31.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

Part 5 – Registration & Restriction on Dealings

~~31~~32 Registration of this Deed

~~31.4~~32.1 The Parties agree to register this Deed for the purposes of s93H(1) of the Act.

~~31.2~~32.2 Before the Council executes this Deed, the Developer is to deliver to the Council in registrable form:

~~31.2.4~~32.2.1 an instrument requesting registration of this Deed on the title to the Land duly executed by the Developer, and

~~31.2.2~~32.2.2 the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.

~~31.4~~32.3 The Developer is to do such other things as are reasonably necessary to enable registration of this Deed to occur.

~~31.4~~32.4 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:

~~31.4.4~~32.4.1 in so far as the part of the Land concerned is a Final Lot,

~~31.4.2~~32.4.2 in relation to any other part of the Land, once the Developer has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.

~~31.5~~32.5 This clause ~~31~~32 takes effect and operates as a deed poll in favour of the Council on and from the date this Deed is executed by the Developer.

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32.233 Restriction on dealings

32.1.33.1 The Developer is not to:

32.1.433.1.1 sell or transfer the Land, other than a Final Lot, or

32.1.233.1.2 assign the Developer's rights or obligations under this Deed, or novate this Deed,

to any person unless:

32.1.333.1.3 the Developer has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred or the Developer's rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms reasonably satisfactory to the Council, and

32.1.433.1.4 the Council has given written notice to the Developer stating that it reasonably considers that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this Deed, and

32.1.533.1.5 the Developer is not in breach of this Deed, and

32.1.633.1.6 the Council otherwise consents to the transfer, assignment or novation, such consent not to be unreasonably withheld.

32.233.2 Clause 32.233.1 does not apply in relation to any sale or transfer of the Land if this Deed is registered on the title to the Land at the time of the sale.

Part 6 – Indemnities & Insurance

33.34 Risk

33.134.1 The Developer performs this Deed at its own risk and its own cost.

34.35 Release

34.135.1 The Developer releases the Council from any Claim it may have against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

35.36 Indemnity

35.136.1 The Developer indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

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3637 Insurance

36.437.1 The Developer is to take out and keep current to the satisfaction of the Council the following insurances in relation to Work required to be carried out by the Developer under this Deed up until the Work is taken to have been completed in accordance with this Deed:

36.1.437.1.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,

36.1.237.1.2 public liability insurance for at least \$20,000,000.00 for a single occurrence, which covers the Council, the Developer and any subcontractor of the Developer, for liability to any third party,

36.1.337.1.3 workers compensation insurance as required by law, and

36.1.437.1.4 any other insurance required by law.

36.237.2 If the Developer fails to comply with clause **3637.1**, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to the Council and may be recovered by the Council as it deems appropriate including:

36.2.437.2.1 by calling upon the Security provided by the Developer to the Council under this Deed, or

36.2.237.2.2 recovery as a debt due in a court of competent jurisdiction.

36.337.3 The Developer is not to commence to carry out any Work unless it has first provided to the Council satisfactory written evidence of all of the insurances specified in clause **3637.1**.

Part 7 – Other Provisions

3738 Development in excess of ~~1,8502,100~~ Final Lots

37.438.1 The Developer is not to apply for, or cause, suffer or permit an application to be made for, or procure the issuing of, an Approval for the Subdivision of the Land into more than ~~1,8502,100~~ Final Lots unless and until the Parties have agreed on and implemented suitable amendments to this Deed, or entered into other agreed arrangements, for the provision of Development Contributions for the Development of those lots.

3839 Reports by Developer

38.439.1 The Developer is to provide the Council with a report detailing the performance of its obligations under this Deed at each of the following times:

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~~38.1.4~~39.1.1 by not later than each anniversary of the date on which this Deed is entered into, and

~~38.1.2~~39.1.2 each time a Development Application is lodged for the Development,

~~38.1.3~~39.1.3 each time an application is made for a Subdivision Certificate that creates one or more Final Lot.

~~38.2~~39.2 The reports referred to in clause ~~38.3~~39.1 are to include sufficient detail to enable the Council to determine whether the Developer has complied with its obligations under this Deed at the relevant time and be in such a form and to address such matters as required by the Council from time to time.

39.4Review of Deed

~~39.140.1~~39.140.1 The Parties agree to review this Deed every year, and otherwise if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.

~~39.240.2~~39.240.2 For the purposes of clause ~~39.4~~39.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.

~~39.340.3~~39.340.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause ~~39.4~~39.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.

~~39.440.4~~39.440.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

~~39.540.5~~39.540.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause ~~39.4~~39.1 (but not ~~39.4~~39.4) is not a Dispute for the purposes of this Deed and is not a breach of this Deed.

40.4Notices

~~40.141.1~~40.141.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:

~~40.1.141.1.1~~40.1.141.1.1 delivered or posted to that Party at its address set out in the Summary Sheet,

~~40.1.241.1.2~~40.1.241.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or

~~40.1.341.1.3~~40.1.341.1.3 emailed to that Party at its email address set out in the Summary Sheet.

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40.241.2 If a Party gives the other Party 3 business days' notice of a change of its address, fax number or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted, faxed or emailed to the latest address or fax number.

40.341.3 Any notice, consent, information, application or request is to be treated as given or made if it is:

40.341.3.1 delivered, when it is left at the relevant address,

40.341.3.2 sent by post, 2 business days after it is posted,

40.341.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or

40.341.3.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.

40.441.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

41.42 Approvals and Consent

41.442.1 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party's absolute discretion and subject to any conditions determined by the Party.

41.442.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

42.43 Costs

42.443.1 Subject to clause 42.43.2, the Developer is to pay to the Council the Council's costs, not exceeding the Costs Budget, of preparing, negotiating, executing and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.

42.443.2 The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Deed within 7 days of a written demand by the Council for such payment.

43.44 Entire Deed

43.444.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.

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[43.244.2](#) No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

[4445](#) Further Acts

[44.145.1](#) Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

[4546](#) Governing Law and Jurisdiction

[45.146.1](#) This Deed is governed by the law of New South Wales.

[45.246.2](#) The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.

[45.346.3](#) The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

[4647](#) Joint and Individual Liability and Benefits

[46.147.1](#) Except as otherwise set out in this Deed:

[46.1.147.1.1](#) any agreement, covenant, representation or warranty under this Deed by 2 or more persons binds them jointly and each of them individually, and

[46.1.247.1.2](#) any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

[4748](#) No Fetter

[47.148.1](#) Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

[4849](#) Illegality

[48.149.1](#) If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

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49.50 Severability

49.450.1 If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

49.250.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Deed, but the rest of this Deed is not affected.

50.51 Amendment

50.451.1 No amendment of this Deed will be of any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25D of the Regulation.

51.52 Waiver

51.452.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.

51.252.2 A waiver by a Party is only effective if it is in writing.

51.352.3 A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

52.53 GST

52.453.1 In this clause:

Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.

GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

GST Law has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

52.253.2 Subject to clause 52.53.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party

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providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

~~52-353.3~~ Clause ~~5253.2~~ does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.

~~52-453.4~~ No additional amount shall be payable by the Council under clause 52.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

~~52-553.5~~ If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:

~~52-5-453.5.1~~ to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;

~~52-5-253.5.2~~ that any amounts payable by the Parties in accordance with clause 52.2 (as limited by clause ~~5253.4~~) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.

~~52-653.6~~ No payment of any amount pursuant to this clause ~~5253~~, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.

~~52-753.7~~ Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.

~~52-853.8~~ This clause continues to apply after expiration or termination of this Deed.

5354 Explanatory Note

~~53-454.1~~ The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.

~~53-254.2~~ Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Planning Deed.

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Schedule 1

(Clause 9)

Development Contributions

Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
Carrying Out of Work						
1	4	LP2	Passive open space and recreation	Embellishment of approximately 2.71 ha of passive open space at a location that is generally consistent with the area identified as 'LP2' on the Staging Plan and that is generally in accordance with the Open Space and Recreation Strategy prepared under this Deed.	Prior to the issue of an Occupation Certificate in the Neighbourhood Centre.	\$2,292,496.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
2	3	LP3	Passive open space and recreation	Embellishment of approximately 0.32 ha of passive open space at a location that is generally consistent with the areas identified as 'LP3' on the Staging Plan and that is generally in accordance with the Development Consent granted to DA 228/2014.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 4 6 of the Development.	\$412,184.00
3	7	LP5	Passive open space and recreation	Embellishment of approximately 0.43 ha of passive open space at a location that is generally consistent with the areas identified as 'LP5' on the Staging Plan and that is generally in accordance with the Open Space and Recreation Strategy prepared under this Deed.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development.	\$493,853.00
4	20	LP6	Passive open space and recreation	Embellishment of approximately 1.24 ha of passive open space at a location that is generally consistent with the areas identified as 'LP6' on the Staging Plan and that is generally in accordance with the Open Space and Recreation Strategy prepared under this Deed.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development.	\$1,130,863.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
5	9	LP7	Passive open space and recreation	Embellishment of approximately 0.37 ha of passive open space at a location that is generally consistent with the areas identified as 'LP7' on the Staging Plan and that is generally in accordance with the Open Space and Recreation Strategy prepared under this Deed.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 40 11 of the Development.	\$451,256.00
6	8	LS2	Active open space and recreation	Embellishment of a 4.7 hectare site including a double playing field consistent with the design requirements specified in the Design Standards, a 120 space car park, and a cleared, compacted and levelled site upon which a community facility and amenities building will be constructed by Council under Development Contribution Item No. 42 of this Deed, in a location generally consistent with that marked 'LS2' on the Staging Plan, and that is generally in accordance with the Open Space and Recreation Strategy prepared under this Deed.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development.	\$3,251,648.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
7	5	LR1	Transport Infrastructure	Local Road to the south of South Creek and adjacent to Catherine Park Drive at a location that is generally consistent with the areas identified as 'LR1' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 5 of the Development.	\$912,934.00
8	20	CC2	Transport Infrastructure	Harrington Creek crossing at a location that is generally consistent with the areas identified as 'CC2' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 20 of the Development.	\$190,103.00
9	N/A	PB2	Transport Infrastructure	Pedestrian Bridge South at a location that is generally consistent with the areas identified as 'PB2' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within the latter of of Stages 4 or 6 <u>of Stage 9</u> of the Development.	\$118,790.00
10	N/A	PB3	Transport Infrastructure	Pedestrian Bridge South 2 at a location that is generally consistent with the areas identified as 'PB3' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 4011 <u>11</u> of the Development.	\$65,304.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
11	4, 5, 6, 8, 9, 10 , 20	Shared Path along Water Management	Transport Infrastructure	Shared pedestrian and cycle paths of 2.5m width along water cycle management corridors approximately 2,500 metres long at a location that is generally consistent with the areas identified as 'SP Along Water Management' on the Staging Plan.	Prior <u>The part of the pedestrian and cycle path within a Relevant Stage or Substage is to be completed prior</u> to the issue of a Subdivision Certificate for the creation of the first Final Lot within the relevant stage <u>Relevant Stage, or Substage</u> of the Development.	\$777,777.00
12	6	Shared Path along Road	Transport Infrastructure	Shared pedestrian and cycle paths of 2.5m width along road approximately 110 metres long at a location that is generally consistent with the areas identified as 'SP Along Road' on the Staging Plan.	Prior <u>The part of the pedestrian and cycle path within the Relevant Stage or Substage is to be completed prior</u> to the issue of a Subdivision Certificate for the creation of the first Final Lot within the Relevant Stage <u>or Substage</u> of the Development.	\$36,955.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
13	1	Shared Path along Moore's Prospect	Transport Infrastructure	Shared pedestrian and cycle paths of 2.5m width along Moore's Prospect approximately 480 metres long at a location that is generally consistent with the areas identified as 'SP Along Moore's Prospect' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 3 of the Development.	\$148,205.00
14	ALL	R1, R2, R3, R4, TE1, TE2, TE3, TE4, TE5, TE6	Riparian Corridor and Transmission Easement	Embellishment of 20.45 hectares of Riparian Corridor and Transmission Easement land at the locations that are generally consistent with the areas identified as 'R1, R2, R3, R4, TE1, TE4, TE5 and TE6' on the Staging Plan.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 49 <u>11</u> of the Development.	\$2,550,000.00
15	6	B3	Water Management	Construction of basins at a location that is generally consistent with the areas identified as B3 on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 with such amendments as are approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 7 <u>9</u> of the Development	\$5,346,817.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
16	4	B4	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B4a' and 'B4b' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13. Strategy as updated and approved by the Council from time to time..	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 89 of the Development	\$1,399,226.00
17	10	B7	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B7' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 4011 of the Development	\$1,946,665.00
18	8	B8	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B8' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 89 of the Development	\$749,609.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
19	8	B9	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B9' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development	\$1,280,121.00
20	20	B10	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B10' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 20 of the Development	\$232,747.00
21	20	B11	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B11' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development	\$894,675.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
22	5	B12	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B12' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13 as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development	\$674,378.00
23	8	B15 & B16	Water Management	Construction of basins at a location that is generally consistent with the areas identified as 'B15' and 'B16' on the Staging Plan in accordance with <i>Water Cycle & Flooding – Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, August 13. Strategy as updated and approved by the Council from time to time.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development	\$1,002,556.00
24	ALL	N/A	Public Transport Infrastructure	The provision of four bus shelters at appropriate locations on the future internal bus route. The final location of the bus shelters will be determined in consultation with Council and the relevant bus service provider.	Prior to the commencement of internal bus services within the Development	\$106,400.00
Dedication of Land						

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
25	6	LP2	Passive open space and recreation	Dedication of approximately 2.71 ha of embellished open space at a location that is generally consistent with the area identified as 'LP2' on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 1 or at such later date as agreed between the Parties.	\$2,580,711.00
26	3	LP3	Passive open space and recreation	Dedication of approximately 0.32 ha of embellished open space at a location that is generally consistent with the areas identified as 'LP3' on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 2 or at such later date as agreed between the parties.	\$397,158.00
27	8	LP5	Passive open space and recreation	Dedication of approximately 0.43 ha of embellished open space at a location that is generally consistent with the areas identified as 'LP5' on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 3 or at such later date as agreed between the Parties.	\$524,965.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
28	20	LP6	Passive open space and recreation	Dedication of approximately 1.24 ha of embellished open space that is generally consistent with the areas identified as 'LP6' on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 4 or at such later date as agreed between the Parties.	\$1,038,483.00
29	9	LP7	Passive open space and recreation	Dedication of approximately 0.37 ha of embellished open space at a location that is generally consistent with the areas identified as 'LP7' on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 5 or at such later date as agreed between the Parties.	\$458,304.00
30	4	LS2 and CF1	Active open space and recreation	Dedication of an embellished 4.7 hectare site at a location generally consistent with that marked "LS2" on the Staging Plan.	Within 12 months of the completion of the Work comprising Development Contribution Items No. 6 and 7 or at such later date as agreed between the Parties.	\$5,154,125.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
31	5	LR1	Transport Infrastructure	Dedication of land upon which the local Road to the south of South Creek and adjacent to Catherine Park Drive required under Development Contribution Item No. 7 of this Deed is located.	Within 28 days of the completion of the Work comprising Development Contribution Item No.7 or at such later date as agreed between the Parties.	\$2,277,259.00
32	20	CC2	Transport Infrastructure	Dedication of land upon which the Harrington Creek crossing required under Development Contribution Item No. 8 of this Deed is located.	Within 28 days of the completion of the Work comprising Development Contribution Item No. 8 or at such later date as agreed between the Parties.	\$81,428.00
33	6	B3	Water Management	Dedication of land upon which the basin required under Development Contribution Item No. 15 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 15 or at such later date as agreed between the Parties	\$3,238,036.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
34	4	B4	Water Management	Dedication of land upon which the Basins required under Development Contribution Item No. 16 of this Deed are located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 16 or at such later date as agreed between the Parties.	\$449,800.00
35	4	B7	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 17 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 17 or at such later date as agreed between the Parties.	\$546,816.00
36	8	B8	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 18 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 18 or at such later date as agreed between the Parties.	\$238,395.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
37	8	B9	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 19 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 19 or at such later date as agreed between the Parties.	\$395,100.00
38	20	B10	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 20 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 20 or at such later date as agreed between the Parties.	\$626,350.00
39	20	B11	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 21 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 21 or at such later date as agreed between the Parties.	\$540,454.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
40	5	B12	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 22 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 22 or at such later date as agreed between the Parties.	\$227,885.00
41	8	B15 & B16	Water Management	Dedication of land upon which the Basin required under Development Contribution Item No. 23 of this Deed is located.	Within 12 months of the completion of the Work comprising Development Contribution Item No. 23 or at such later date as agreed between the Parties.	\$451,948.00
Monetary Contributions						
42	2	CF1	Community facilities	Payment of \$2,179,411.00 for the construction of a community facility and amenities building by Council within LS2.	Payable in instalments in accordance with clause 15.	\$2,179,411.00
43	N/A	N/A	Active Open Space and Recreation	Payment of \$212,000.00 for the construction of hard courts and lighting by Council within LS1 which is located elsewhere within the Catherine Fields (Part) Precinct.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot within Stage 9 of the Development.	\$212,000.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
44	N/A	N/A	Administration	Payment towards the administration of this Deed of \$170.41 per Final Lot, to a maximum of \$297,523.00, for the entire Development.	Prior to the issue of a Subdivision Certificate for the creation of a Final Lot.	\$297,523.00
45	N/A	N/A	Various	Payment of an amount determined by deducting the Contribution Value for all Development Contribution Items comprising Works and Monetary Contributions (other than Development Contribution Item No. 14) from the amount that would have otherwise been payable by the Developers in respect of the Development, under the Contributions Plan.	Payment of an amount per lot prior to the issuing of the Subdivision Certificate for each Final Lot created after the 1,600 th Final Lot. The amount payable per lot will be determined by dividing the value of Development Contribution Item 45 (minus any early cash contributions towards Development Contribution Item 45 made by the Developer before the issuing of the Subdivision Certificate for the 1,601 th Final Lot) by the number '200'	\$4,089,430.00
46	All	N/A	Active Open	Payment towards off-site district open space works and land acquisition of \$4,348.00 per	An amount of \$4,348 per Final Lot between Final Lot	\$334,796.00

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
			Space	Final Lot for the 1,774 th Final Lot to the 1,850 th Final Lot inclusive.	1,776 and 1,850 (inclusive) on a per lot basis prior to the issue of a Subdivision Certificate for the creation of each of those Final Lots	
47	All	N/A	Active and Passive Open Space and Recreation	Payment towards the preparation of a Plan of Management for each Development Contribution Item comprising a Work for which 'Yes' is specified in Column 4 of the table in Schedule 2 corresponding to the Item.	Prior to the Developer issuing a Completion Notice under clause 20.1 in respect of the Development Contribution Item.	\$66,666.00
<u>48</u>	<u>All</u>	<u>N/A</u>	<u>Active Open Space</u>	<u>Payment toward off-site district open space works and land acquisition of \$3,866 per Final Lot for the 1,851st Final Lot to the 2,100th Final Lot inclusive</u>	<u>An amount of \$3,866 per Final Lot between Final Lot 1,851 and 2,100 (inclusive) on a per lot basis prior to the issue of a Subdivision Certificate for the creation of each of those Final Lots</u>	<u>\$966,500</u>
<u>49</u>	<u>All</u>	<u>N/A</u>	<u>Active Open Space and Community Facilities Land Acquisition</u>	<u>Payment of \$11,412 per Final Lot for the 1,851st Final Lot to the 2,100th Final Lot inclusive, to be applied toward Council's provision of additional open space embellishment works on the Land.</u>	<u>An amount of \$11,412 per Final Lot between Final Lot 1,851 and 2,100 (inclusive) on a per lot basis prior to the issue of a Subdivision Certificate for the creation of</u>	<u>\$2,853,000.00</u>

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Column 1 Item No.	Column 2 Relevant Stage	Column 3 Identifier on Staging Plan	Column 4 Public Purpose	Column 5 Nature / Extent	Column 6 Timing	Column 7 Contribution Value
					<u>each of those Final Lots</u>	

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Schedule 2

(Clause 1.1)

Design Approval Requirements

Column 1 Item No.	Column 2 Identifier on Staging Plan	Column 3 Design Approval Required?	Column 4 Management Plan Required?	Column 5 Maintenance Regime Required?	Column 6 Maintenance Period (if applicable)	Column 7 Vegetation Management Plan Required?
1	LP2	Yes	Yes	Yes	12 months	No
2	LP3	Yes	Yes	Yes	12 months	No
3	LP5	Yes	Yes	Yes	12 months	No
4	LP6	Yes	Yes	Yes	12 months	No
5	LP7	Yes	Yes	Yes	12 months	No
6	LS2	Yes	Yes	Yes	12 months	No
7	LR1	No	No	No	12 months	No
8	CC2	No	No	No	12 months	No
9	PB2	No	No	No	12 months	No

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Column 1 Item No.	Column 2 Identifier on Staging Plan	Column 3 Design Approval Required?	Column 4 Management Plan Required?	Column 5 Maintenance Regime Required?	Column 6 Maintenance Period (if applicable)	Column 7 Vegetation Management Plan Required?
10	PB3	No	No	No	12 months	No
11	Shared Path along Water Management	No	No	No	12 months	No
12	Shared Path along Road	No	No	No	12 months	No
13	Shared Path along Moore's Prospect	No	No	No	12 months	No
14	R1, R2, R3, R4	No	Yes	Yes	5 years	No
14	TE1, TE2, TE3, TE4, TE5, TE6	Yes	Yes	Yes	5 years	Yes
15	B3	No	Yes	Yes	12 months	No
16	B4	No	Yes	Yes	12 months	No
17	B7	No	Yes	Yes	12 months	No
18	B8	No	Yes	Yes	12 months	No
19	B9	No	Yes	Yes	12 months	No

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Column 1 Item No.	Column 2 Identifier on Staging Plan	Column 3 Design Approval Required?	Column 4 Management Plan Required?	Column 5 Maintenance Regime Required?	Column 6 Maintenance Period (if applicable)	Column 7 Vegetation Management Plan Required?
20	B10	No	Yes	Yes	12 months	No
21	B11	No	Yes	Yes	12 months	No
22	B12	No	Yes	Yes	12 months	No
23	B15 & B16	No	Yes	Yes	12 months	No
24	N/A	No	No	No	12 months	No

ORD08

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Schedule 3

(Clause 1.1)

Staging Plan

The Staging Plan appears on the following page.

Attachment 1

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Attachments for the Ordinary Council Meeting held on 13 July 2021 - Page 249



Catherine Park Planning Agreement

Camden Council

Hixson Pty Limited

Dandaloo Pty Limited

Edgewater Homes Pty Limited

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ORD08

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Schedule 4

(Clause 1.1)

Design Standards

Attachment 1

DESIGN STANDARDS
for
URBAN INFRASTRUCTURE
24 SPORTSGROUND DESIGN



24 SPORTSGROUND DESIGN

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24.1 Introduction

These design standards form part of any project brief issued for sportsground design or for any sportsground developed by the private sector for ongoing management by Sport and Recreation Services.

Consultants are reminded of the necessity to comply with -

- Australian Standards
- Other Design Standards for Urban Infrastructure
- WSUD guidelines
- ACT Sport and Recreation Services irrigation controller requirements
- Design Acceptance Approvals
- Plumbing Approvals
- ACTEWAGL water supply and electrical supply guidelines
- Consolidation and Handover procedures of DUS QC for Gifted Assets
- Consolidation and Handover procedures of Procurement Solutions for Capital Works projects

Should a basic departure from the Design Standard for Urban Infrastructure 24 Sportsground Design be necessary, prior approval shall be sought through Sport and Recreation Services.

It should be noted that where the standards outlined within this document exceed Australian Standards, the Design Standard for Urban Infrastructure 24 Sportsground Design shall prevail.

24.2 Related codes of practice and guidelines

24.2.1 Industry Standards

AS 1141 Methods for sampling and testing aggregates, Standards Australia.

AS 1289 Methods of testing soils for engineering purposes, Standards Australia.

AS 1428 Design for access and mobility, Standards Australia.

AS/NZS 1477 PVC Pipes and Fittings for Pressure Applications, Standards Australia.

AS 2698.1 Plastics Pipes and Fittings for Irrigation and Rural Applications – Polyethylene Micro-irrigation Pipe, Standards Australia.

AS 2698.3 Plastics Pipes and Fittings for Irrigation and Rural Applications – Mechanical Joint Fittings for use with Polyethylene Micro-Irrigation Pipes, Standards Australia.

AS/NZS 2845.1 Water Supply - Backflow prevention devices - Materials, design and performance requirements, Standards Australia.

AS/NZS 3500.1.2 National Plumbing and Drainage Code, Standards Australia.

AS/NZS 4130 Polyethylene (PE) Pipes for Pressure Applications, Standards Australia.

24.2.2 Policy and standards

Standard Specification for Urban Infrastructure Works, Urban Services, Canberra, 2002.

Water Sensitive Urban Design, Guidelines for sustainable development in Canberra, Urban Services, Canberra, Draft 2005.

Design Standards for Urban Infrastructure

Overview – Plumbing and Drainage, Planning and Land Management, available online:
<http://www.palm.act.gov.au/bepcon/> and follow link to plumbing

Water and sewerage standards, ACTEW Corporation, Canberra, 2000.

Design Standards for Urban Infrastructure, 01 Stormwater, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 10 Parking Areas, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 11 Fences Guardrails and Barriers, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 12 Public Lighting, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 13 Pedestrian and Cycle Facilities, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 14 Urban Open Space, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 15 Playgrounds and Playground Equipment, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 18 Public Toilets, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 21 Irrigation, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 22 Landscape, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 23 Plant List, Urban Services, Canberra.

Design Standards for Urban Infrastructure, 25 Urban Park and Open Space Signage, Urban Services, Canberra.

24.3 Definitions

Definitions of terms used in this document include the following -

24.3.1 Sportsground

The term sportsground refers to the total area provided at any site or complex for organised sport. Sportsgrounds usually comprise an irrigated playing surface and surrounds that may or may not be irrigated. Their size allows multiple options for field layout.

24.3.2 Field

The term field refers to the marked out area for one sport. A field can accommodate one game of any sport including Rugby, Football, Hockey, Australian Rules or Cricket depending on the marking.

24.3.3 Neighbourhood Oval

The term neighbourhood oval refers to a sportsground that is generally located adjacent to both a suburban primary school and the local shopping centre. They are usually one basic sport unit in size. Together the three land uses generate a focus of activity for the neighbourhood. Usage is for both senior and junior match play and training as well as use by schools. Informal use by local residents is also significant. Sporting clubs have adopted neighbourhood playing fields and pressures of use have resulted in the need to provide both a toilet block and training lights to AS standard for Football.

24.3.4 Community Recreation Irrigated Park (CRIP)

In suburbs where there is no District Playing Field, District Park or School Oval, a Community Recreation Irrigated Park will be provided. Generally 0.75 to 1.0 hectare, this space will provide an irrigated low maintenance play space to support informal physical activity and recreation activities. Where possible, will be connected to a non potable water source for irrigation purposes and utilise a drought tolerant grass species (e.g. couch). The construction of the irrigated area will be same as that used for a Neighbourhood Oval or District Playing Field.

As a guide a Community Recreation Irrigated Park would generally include the provision of a toilet block, community barbeque and picnic shelter. Other facilities that could also be considered include the provision of a children's playground, basketball half court, tennis wall and cricket nets. A variety of low maintenance, drought tolerant tree species should also be provided from an aesthetic perspective and to provide shade.

It should be noted that the irrigated grass area does not need to be uniform in its shape or design, but it should be large enough to accommodate a range of informal recreation pursuits and activities. The alignment of a CRIP is not a critical factor as they involve informal sporting use and recreational pursuits.

24.3.5 District Playing Fields

The term district playing field refers to sporting facilities that serve several suburbs and comprise a number of fields with at least one pavilion. They are often associated with a high school and have a total area of at least eight hectares. District playing fields are heavily used for senior and junior competition and training and commonly they become associated with one particular sporting code, whereby several games can be played concurrently at the one venue, for ease of administration and organisation of voluntary officials.

These facilities are also heavily used for night time training under lights and appropriate lighting and other safety requirements are needed.

24.3.6 Enclosed Oval

The term, enclosed oval, refers to sporting facilities that are totally fenced to enable the collection of admission fees and to provide security. Enclosed Ovals will have larger pavilions with double changed rooms and with a grandstand above. Both covered and uncovered seating for approximately 1200 spectators will be provided. They should have floodlighting to match play standard at a minimum level of 300lux. The Enclosed ovals may be leased for 10 or more years to a sporting code. They attract a high intensity of competition use and finals and grand finals are usually staged there. Training is not permitted on enclosed ovals because of the likelihood of excessive wear on the turf surface and to ensure a quality sports turf surface that can cater for the higher levels of competition sport.

24.3.7 Turf Wicket

The term turf wicket refers to a number of wickets (usually a block of four or five) that are located on a District Playing Field or an Enclosed Oval. These wickets must be located between football fields to avoid play on them during the winter. They are constructed with a special clay wicket soil and grassed with a specified, couch grass variety.

24.3.8 Concrete Wicket

The term concrete wicket refers to a single cricket wicket constructed from concrete and in some cases covered with a synthetic grass. These wickets are located on both Neighbourhood Ovals and at some District Playing Fields-(cricket wickets are not placed on a basic unit if it is to be an AFL field). They must be located between sports fields. They should be covered with a synthetic sports turf suitable for cricket upon completion-this should not be done until the concrete has cured for at least 14 days.

24.3.9 Cricket Practice Nets

The term cricket practice nets refers to areas dedicated to structures that are usually fenced areas that have several concrete or synthetic turf practice cricket wickets within them. These facilities are associated with cricket wickets.

24.4 Performance Statement

The performance requirements for sportsgrounds will be outlined in the Brief or Deed Agreement documentation.

The primary objective is to provide an irrigated grass sports field surface within a playing field arrangement that provides acceptable levels of access, safety, amenity and convenience for all users. This is achieved by addressing the following -

- provide the type of sportsground appropriate to ACTPLA planning hierarchy,
- provide north/south orientation,
- provide appropriately sized sports fields,
- provide buffer distances to adjacent development,
- provide an adequate level of safety relative to risk assessment,
- allow for runoff and rainfall events within acceptable time limits,
- provide acceptable and durable grass cover,
- provide playing surfaces that are of acceptable hardness with the ability to be decompacted to safe user levels,
- comply with WSUD guidelines,
- provide appropriate lighting for sportsgrounds to the required Australian Design Standard,
- provide irrigation to maintain appropriate sportsground playing surface conditions,
- provide ancillary facilities appropriate to the standard of playing field,
- provide car parking appropriate to the demand generation,
- provide convenient and safe access to sportsground facilities for vehicles, cyclists, pedestrians and disabled persons,
- provide appropriate access for emergency and service vehicles,
- provide for shade, shelter and amenity landscaping that is appropriate to the use areas, and
- provide appropriate access for maintenance vehicles and legitimate users, whilst preventing (through fencing and/or bollarding) access to unauthorised people who may cause vandalism.

24.5 Standards

24.5.1 Siting

Siting of sportsgrounds shall have appropriate regard for climate, geology, topography and the environment.

The site for sportsgrounds should be relatively level in order to reduce earthworks. Multi-level configurations are to be avoided. Playing fields shall be orientated north-south along the direction of play. Cross falls are preferable to longitudinal grades.

The standard orientation is between North and 15 degrees east of North. Certain sports may, with the approval of Sport and Recreation Services, be orientated between 20 degrees west of North and 35 degrees east of North.

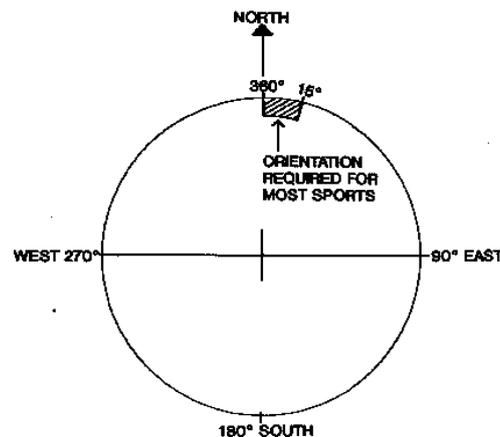


Figure 24.1 Orientation Diagram

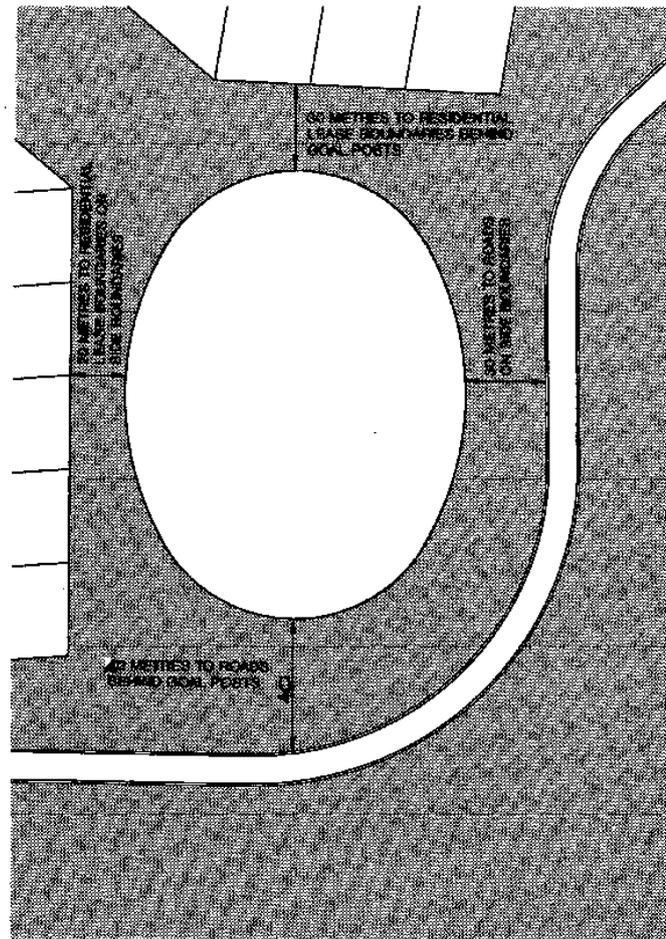
Minimum offsets from playing fields shall be established to adjacent uses such as -

- behind goal posts, 30 metres to residential lease boundaries and 40 metres to roads,
- side boundaries, 20 metres to residential lease boundaries and 30 metres to roads.

Separation distances between adjacent fields shall be not less than 10metres. Minimum separation distance from sportsground to general obstructions (e.g. light pole, fence, manhole cover, sump) shall be 5 metres.

Goal posts should not be located directly adjacent to roads, car parks, water bodies and drainage channels etc. Tree planting at an appropriate distance behind goal posts at both ends of the playing field is desirable. Tree roots must not encroach onto the playing surface. Trees with aggressive root systems such as white poplars are unacceptable. Deciduous trees are preferable. Trees with red foliage should not be planted in line with cricket wicket ends.

As far as possible, evergreen tree canopy shadows shall not encroach upon the playing field between the hours of 9.00am and 3.00pm. Mature height listed in Design Standard for Urban Infrastructure 23 Plant List and winter solstice sun angle shall determine shadow extents.

Design Standards for Urban Infrastructure**Figure 24.2 Separation Distances**

Siting of playing fields within flood prone areas is allowable with approval from Sport and Recreation Services. Maximum inundation period is 1 hour. Siting of playing fields on areas of deep fill is allowable under some circumstances, only with appropriate consolidation and consultation with Sport and Recreation Services. Siting of playing fields on remediated refuse tips or garbage dumps is not recommended.

24.5.2 Dimensions**24.5.2.1 Neighbourhood Ovals**

Neighbourhood ovals typically account for a total area of not less than 3.8 hectares. The sportsground area accounts for approximately 70% of the site area with the balance taken up with earthworks profiles, landscaped surrounds, setbacks from adjacent leases, roads and car parks.

There are three possible sportsground layouts, which provide design flexibility to suit almost any site. These layouts are -

1. Sports Combination Type 1A-this is the preferred layout and Sport and Recreations Services should be consulted prior to considering other options.
2. Sports Combination Type 1B

Design Standards for Urban Infrastructure

3. Sports Combination Type 2.

Common requirements of each sportsground layout for neighbourhood ovals include -

- continuation of the sportsground ground profile a minimum 5 metres beyond the marked extent of the sportsground,
- one North-South edge of the playing field shall allow for the marking of a rectangular sportsground 122 metres long.
- the extent of irrigation shall extend 6 metres beyond the sportsground marked extent,
- separation distances between adjacent sportsgrounds shall be not less than 10 metres.

Layout 1 is appropriate where a curved playing field boundary is desired. It allows for marking two Rugby or Soccer fields and an Australian Rules field. Figure 24.3

Layout 2 is appropriate where a more regular playing field boundary is desired. It allows for marking two Rugby or Soccer fields and an Australian Rules field and a cricket field. Figure 24.4

Layout 3 is appropriate where a fully rectangular layout conforms to the topography and the adjacent land uses. It allows for marking neither an Australian Rules field nor a Cricket field. Figure 24.5

NOTE: All sportsground designs must be approved in writing by Sport and Recreation Services, particularly the configuration to be used on each site.

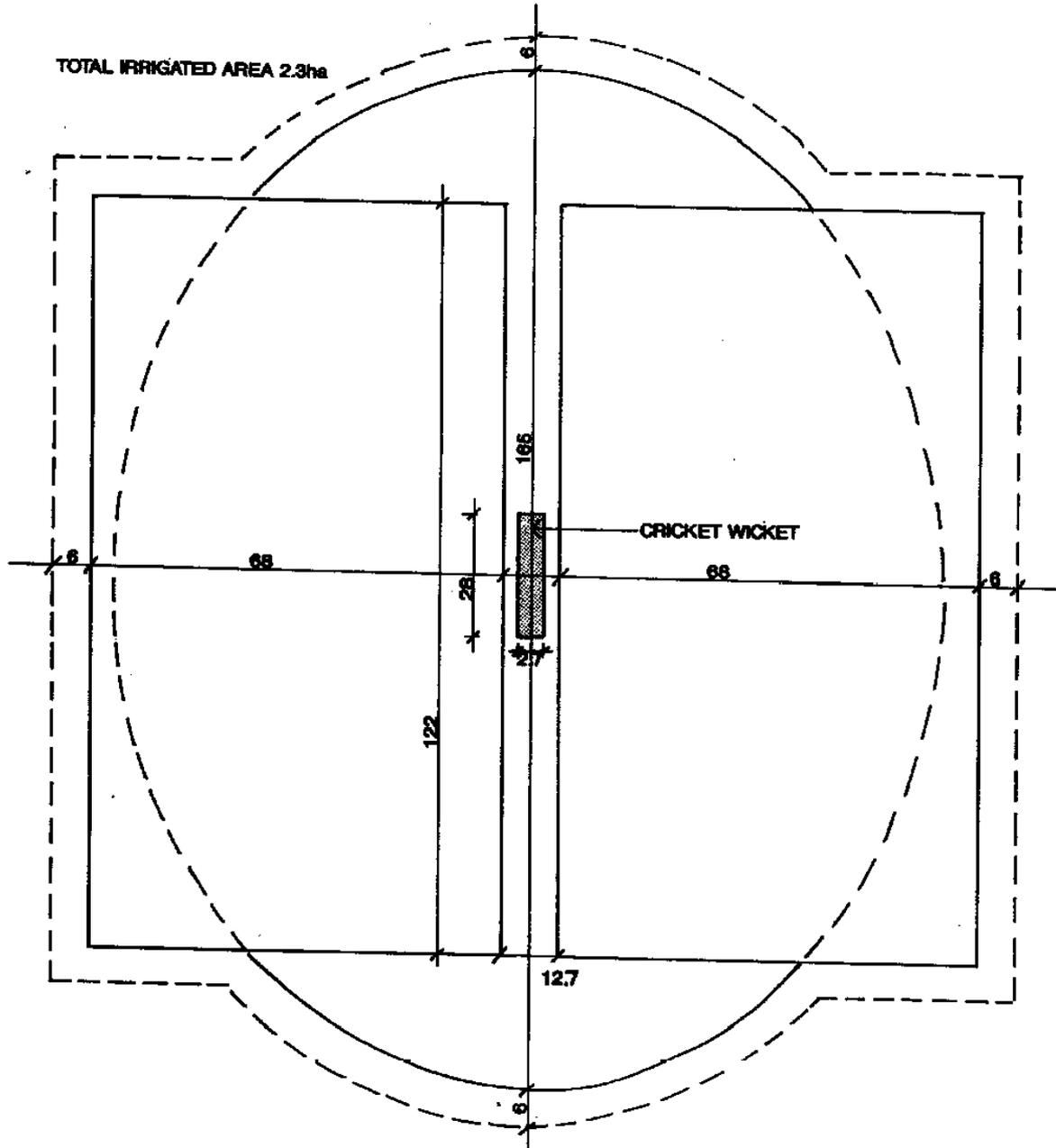
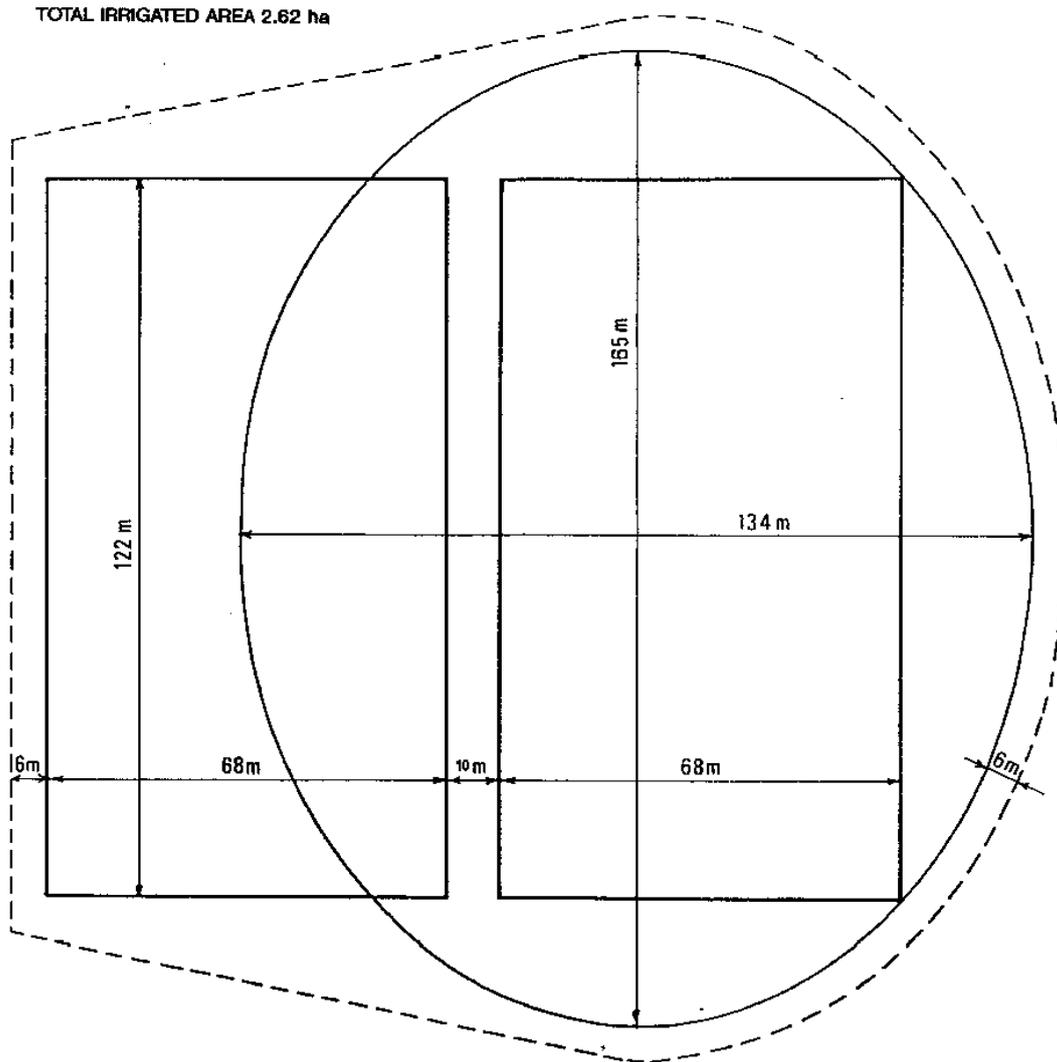
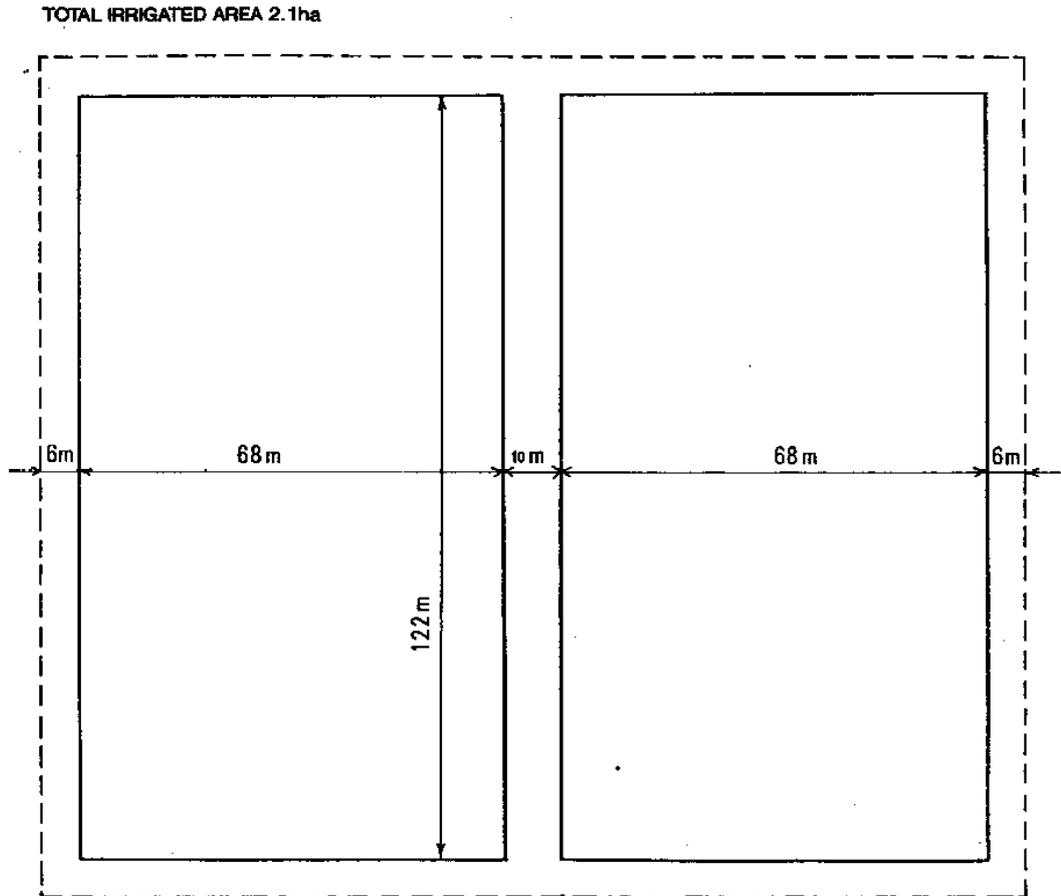


Figure 24.3 Sports Combination Type 1A



The rectangular fields are combination fields which serve Soccer and the Rugby codes. By placing them to one side the combination may better suit a curved site boundary. The disadvantage is that a cricket pitch in the middle of the oval falls within a football field.

Figure 24.4 Sports Combination Type 1B



Fields are combination fields which serve Soccer and Rugby codes.

Figure 24.5 Sports Combination Type 2

24.5.2.2 District Playing Fields

District playing fields occupy large areas of land, 8 to 12 hectares is normal.

District playing fields comprise of multiples of the selected Sports Combination layout. Most district playing fields consist of 2 or more Sports Combination layouts. Sports Combination Type 1A is the basic design module. Use of any other Sports Combination Layout shall occur only with written approval of Sport and Recreation Services.

Design Standards for Urban Infrastructure

be provided on quality irrigated grass surface with longitudinal and cross fall gradients that permit effective conduct of junior or senior athletics. Details of the design shall be approved by Sport and Recreation Services. Detailed track design data can be sourced from The International Amateur Athletic Federation Official handbook.

Space for access, car parking, pavilion, earthworks profiles, landscaped surrounds and setbacks from adjacent leases and roads is in addition to the Sports Combination layouts.

Common requirements of each sportsground layout for district playing fields include,

- continuation of the sportsground ground profile a minimum 5 metres beyond the marked extent of the sportsground,
- the area of irrigation shall extend 6 metres beyond the sportsground marked extent and further around pavilions and other areas as specified in the Brief or Deed Agreement documentation,
- separation distances between adjacent sportsgrounds shall be not less than 10 metres.

The imposition of a District Playing Field into a sites' topography may generate large changes in level and excessive cut and fill. It may be more appropriate to design the levels for individual sportsgrounds within the playing field, with consequent lesser changes in level between sports fields. In this case the overall dimensions of the playing field will increase due to the 5 metres continuation of the sportsground ground profile and the extent of earthworks at the level change.

24.5.3 Neighbourhood Ovals and District Playing Fields using Sportsground Topsoil

24.5.3.1 General

Neighbourhood ovals and district playing fields rely on surface drainage with a limited, but nonetheless very important amount of natural infiltration through the sportsground topsoil to the subsoil. Correct preparation of the subgrade and playing surface final grading is the most important design component affecting the performance of a sportsground. Less than satisfactory subgrade design is frequently attributed to long-term problems with drainage and sportsground performance. Remedial practices such as topdressing and other surface management practices are ineffectual in addressing poorly designed and constructed subgrades.

Several configurations for the subgrade are possible and each has advantages for particular sites. The sportsground may have one continuous fall or a longitudinal ridgeline or be domed.

The playing surface design concept is a fall of 1 in 70, with no slope longer than 70 metres. The maximum slope length of 70 metres is not negotiable.

This means that for the playing surface the maximum run to a water collection point is 70 metres. Depending on site conditions, the slope may be varied to a maximum of 1 in 50 once it is off the sportsground. Slopes of greater than 1 in 70 may be used to speed up the removal of water that has reached the edge of the sportsground provided the safety of the players and spectators is not compromised. These steeper slopes shall occur beyond the 5 metres edge of the sportsground.

24.5.3.2 Subgrade

The slope of the subgrade shall be continuous with no depressions or minor ridges. The subgrade shall be consolidated to no more than 95%MMDD and the use of rollers and heavy machinery is not encouraged. This subgrade **MUST** drain, therefore it **MUST NOT** be over compacted to achieve a stable and true bed for the subsequent addition of sportsground topsoil. Some differential settlement of the subgrade may occur and cause depressions and ponding at a later date. This is more preferable

than a base that will not drain and badly affects the playing fields performance. Depressions can be top dressed out of the playing field surface.

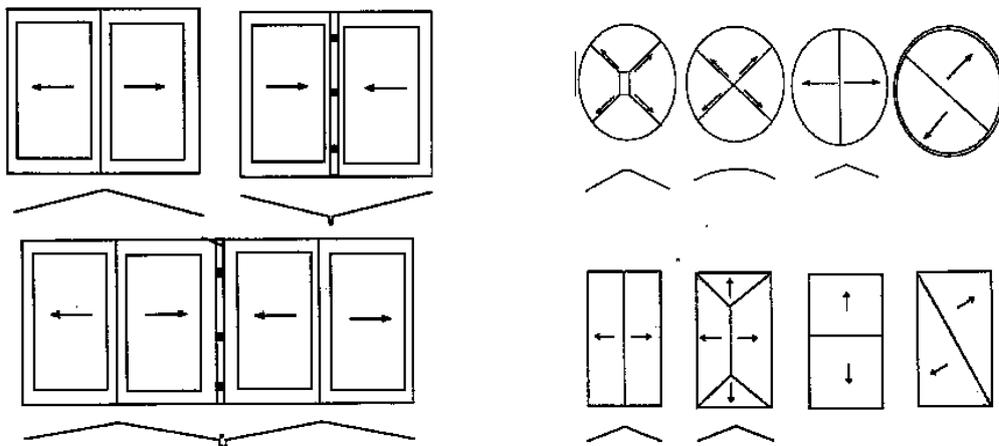


Figure 24.7 Subgrade Configuration Options

Once the subgrade levels are achieved, the subgrade shall be ripped to 350mm and lightly harrowed to break up large clods. Ripping and harrowing of the consolidated subgrade is necessary to ensure that the base will drain. If there have been areas where the base has been over compacted or glazed by the use of heavy machinery, these shall be broken up to allow drainage down through the profile to occur.

The subgrade SHALL NOT be worked when it is wet. This is of paramount importance and shall be written into the specifications and supervised to ensure compliance. Large machines such as large bulldozers and large scrapers shall not be used and this shall be included in the specification. It shall also be strictly supervised because if used it will compact the base and this has long term effects on drainage.

The limits on the size of the machines to be used shall be clearly stated in the tender documents and all tenderers should have this point drawn to their attention so the use of smaller machines can be appropriately included.

Ripping does not adversely affect the initial consolidation if done uniformly over the whole surface. Any minor inconsistencies in the resultant subgrade surface can be adjusted within the sportsground topsoil depth.

Once the subgrade has been ripped, gypsum shall be added at the rate of 500g per square metre– this applies to all subgrades.

Irrigation shall be installed after the subgrade has been ripped. The irrigation shall not be installed until the subgrade has been ripped as this seriously inhibits the proper ripping of the whole subgrade. This process may make it a little more difficult for the irrigation trenching however this sequence of works shall not be compromised.

24.5.3.3 Sportsground Topsoil

Neighbourhood ovals and district playing fields shall be finished with sportsground topsoil as defined below. Sportsground topsoil depth on neighbourhood ovals and district playing fields shall be **250mm**.

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Testing procedures shall be those outlined in Section 24.5.3.4A and should comply with laboratory Testing Procedures at Appendix 1 (page 46-56).

24.5.3.4 Sportsground Topsoil Specification

The sportsground topsoil for the playing fields shall be a sandy loam and the following procedures shall be followed to procure the correct soil.

Use the following Particle Size Distribution as a starting point. Once a soil meets this specification, or comes close to it, it shall be tested to meet the remaining criteria.

Fraction Size Name	Sportsground Guidelines specification		
	Diameter of Sieve (mm)	Allowable Range % Retained on Sieve	
Gravel	2.00	≤ 3%	No more than 10% including 3% fine gravel
Very Coarse	1.00	≤ 7% to 10%	
Coarse	0.50	At least 60% particles in this range	A Minimum of >60% in these combined sand fractions
Medium	0.25		
Fine	0.15		
Very Fine	0.05	5% Maximum	Combined Fractions No More than 10%
Silt	0.002	5% Maximum Allowable	
Clay	<0.002	3% Maximum Allowable	

* Gravel plus Very Coarse should not exceed 10% total.

The analysis shall be carried out using USA Department of Agriculture (USDA) sieves using the wet sieve analysis method.

Compacted Hydraulic Conductivity

The sportsground soil **shall** conform to the following hydraulic conductivity specifications:

Use the drop method outlined in McIntyre and Jakobsen (1998). The compacted hydraulic conductivity of the soil shall exceed:

150mm per hour at 16 drops; and

5mm per hour at 32 drops.

Bulk Density

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The bulk density of the soil, before the addition of any sphagnum peatmoss or cocoa fibre shall not exceed 1.58g/cm² at 16 drops. This test is carried out as part of the drop test for hydraulic conductivity.

Water Holding Capacity

The water holding capacity of the soil, measured at 1 metre suction, as described in McIntyre and Jakobsen (1998), shall be equal to or exceed 14% by weight, when Cool Season grass is being used, and 12% by weight when Couch grass is being used.

Note. Most soils that meet the compacted hydraulic conductivity criteria will not have a water holding capacity, at 1 metre suction, of 14%.

Addition of Sphagnum Peatmoss or Cocoa Fibre

If a soil is presented that meets all of the above criteria, but has a water holding capacity below the prescribed level (12% or 14%) this soil is acceptable if the prescribed water holding capacity is reached by the addition of either Sphagnum peatmoss or cocoa fibre. The amount of sphagnum peat or cocoa fibre needed to increase the water holding capacity shall not exceed 2.5% by volume.

Note. Under no circumstances should the water holding capacity be achieved by adding more silt and clay.

Total Dissolved Salts

Total dissolved salts shall not exceed 100ppm. in a 1:5 soil: distilled water suspension

pH

The pH range shall be between 6.0 and 7.0 (in 1:5) soil to deionised water, and if outside this range it should be amended before delivery to site.

Other selection Criteria (Blake GR 1980)

Parameter	Recommended Value
Gradation Index	Ideally 4-5; acceptable range 3-6. Lower levels indicate a higher potential for surface instability
Fineness of Modulus (Fm)	1.7 to 2.5
Uniformity Coefficient (CU)	CU=D ₆₀ /D ₁₀ , where an acceptable value is 2 to 4. A higher value indicates less particle uniformity. Optimum value is 2 to 3. A value < 2 is less likely to pack tightly but may indicate an unstable surface. Conversely a value >4 will have a tendency to pack tightly.

Design Standards for Urban Infrastructure

<p>Silt:Clay ratio</p>	<p>Silt contents > 2.5 times that of the clay fraction are rejected entirely if alternative soil sources can be found. Aim for silt/clay ratio of 2.0 or lower gives an even greater safety factor.</p>
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The Fineness of Modulus (Fm) and Uniformity Coefficient (Cu) are determined from a graph of the concentration of particles versus size. The grain size graph is a useful tool in comparing sands and also determining the Fm and Cu. Grain size graphs are used to design and select materials for drain systems. The Cu is a numeric estimate of how a sand is graded. The term graded relates to where the concentrations of sand particles are located.

Sand with all the particles in two size ranges would be termed narrowly graded and would have a low Cu value. Sand with near equal proportions in all the fractions would be termed widely graded sand and would have a high Cu value. The cu is a dimensionless number or in other words it has no units. For turf applications, the Cu values we are looking for range from 1.8 to 4.0.

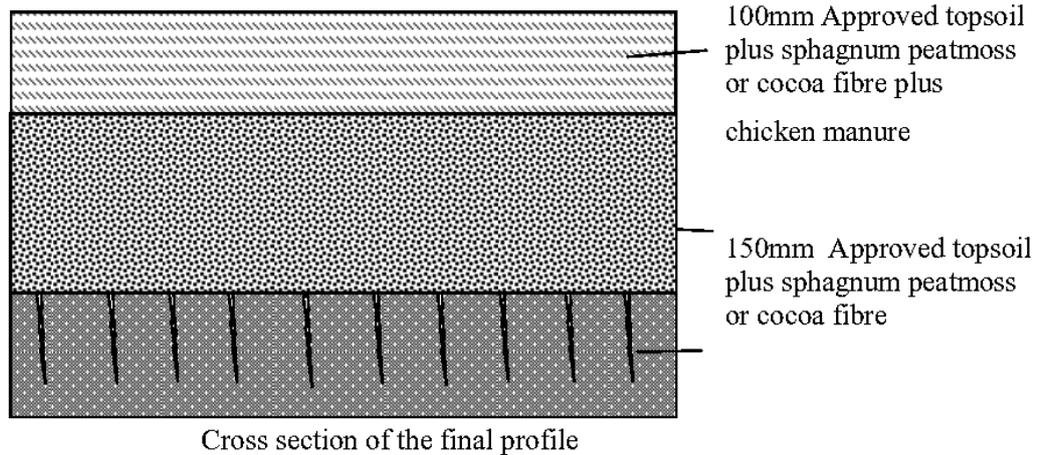
Widely graded materials usually offer firm turf surfaces and will be less prone to developing divots and ruts. Football pitches are firmer with higher Cu materials. The goal is to balance physical stability with the desired drainage characteristics. The materials with higher Cu values also have a more tortuous path for water to move through and will have lower infiltration rates or permeability. Usually the water retention is greater with sands that have a higher Cu.

Addition of Chicken Manure to the top 100mm of Topsoil

Once a suitable topsoil has been selected, and any addition of sphagnum peatmoss or cocoa fibre have been included to increase the water holding capacity to the approved level, composted chicken manure should be added to the topsoil to be used in the top 100mm of the profile. The chicken manure should be incorporated into the topsoil prior to placement and under no circumstances should in be incorporated using rotary hoeing. The preferred method is to lay the 150mm of topsoil and then apply the second layer of 100mm with the chicken manure pre-blended.

This material should be composted so there is no residual ammonia present. The total added material should not exceed 5% by volume. A suitable material is "Broiler Chicken Manure" which is a mixture of wood shavings and chicken manure from under caged birds.

This material should be well composted and dry. It should have no pieces greater than 6mm in size. It should be totally blended by drop mixing at the soil yard and approved before delivery to the site.



24. 5.3.4A COLLECTION OF SANDY LOAM SAMPLES FOR LABORATORY TESTING

Samples being collected to be sent for laboratory testing should be done in the following way:

- Take samples from the stockpile following AS 1289.1.1. 2-3kg is needed to carry out all of the appropriate tests.
- Double bag the samples in strong plastic bags and, attach clear labels to the samples. It is also good practice to place a label inside the bag as well.

24. 5.3.4B LABORATORY PROCEDURES FOR TESTING SPORTSGROUND SOIL

There are many different methods used for the measurement of hydraulic conductivity in soils, and these different methods can give different answers.

The test required for the testing of Sportsground Soils is the *Drop Test* as developed by Dr Bent Jakobsen for the ACT Government. This test determines the Compacted Hydraulic Conductivity and Bulk Density at several different compaction levels. The determination of the Water Holding Capacity at one metre suction (approximates field capacity) is also done in conjunction with this test.

These tests developed by Dr Jakobsen are simple and effective. The results of these tests can be used in the meaningful assessment of soils and sands for sports turf. This method requires no expensive laboratory equipment, and has proved to be highly repeatable.

*Design Standards for Urban Infrastructure***Note**

It is very important to ensure that the sample is at field capacity when the soil is placed in the tubes prior to the test. Failure to ensure this will result in the wrong result. It is also very important to ensure that the tube is dropped from the correct height every time and that it falls vertically. If the tube falls on an angle rather than flat on the bottom of the tube, it can de-compact the sample.

Treatment of Topsoil Samples on Arrival at the Laboratory.

It is **imperative** that soil samples are prepared properly when they arrive at the laboratory prior to testing. Because of the small sample size used in the following tests, it is crucial that the soil is homogeneous and uniformly moist when prepared for testing. Thus the special procedure for preparation of the soil sample before testing, as described below must be strictly followed.

2-3 kilos of soil usually arrives in (sometimes more) in a bag or container. Weigh the bag and its contents and record the weight. Pass the contents of the bag through a 6mm sieve and collect on a sheet of plastic. If there are any large pebbles that do not pass through the sieve, collect and weigh them. If they represent less than 0.5% of the total sample, they may be disregarded, even though 0% is specified. However if they represent more than 0.5% this must be reflected in the mechanical analysis figures.

If there are any lumps of soil, these should be broken up by hand and passed through the sieve – do not use force that would create dust in this process.

Mix the whole sample on the plastic sheet by lifting the sides and rolling the sample until there is a uniform mix. This is necessary because the moisture content can vary within the sample when it is taken from different parts of the stockpile. It is imperative to obtain a sample with a uniform moisture content. Do not just take a sample out of a bag and use this for the test.

Take about a 1Kg sample of this mixed material and place it into a 2 litre (approx) plastic container with a tight fitting lid. Take two samples from the plastic container to determine the moisture content of the soil in the container, and one to place on the Suction Plate. (Sections 1 and 2, Laboratory Procedures for Testing Sportsground Soil), and replace the lid immediately

Once the water content of soil in the container and the water content of the soil from the suction plate (field capacity) are determined, it is calculated how much water must be added to bring the remaining soil in the container up to field capacity. This amount is measured out in a measuring cylinder and spread carefully and slowly over the soil surface in the container. Leave the soil in the closed container to stand overnight, then gently mix it by rolling the closed container in all directions. The soil in the container is then ready to be used for the Saturated Hydraulic Conductivity and Bulk Density test (Sections 3, Laboratory Procedures for Testing Sportsground Soil).

These Laboratory procedures are extremely important and must only be carried out by Laboratories approved by the ACT Government.

Approved Laboratories

Ground Science Pty. Ltd.

Design Standards for Urban Infrastructure

Factory 11, 820 Brock Street

Thomas Town Vic 3074

Phone 03 9464 4617 Fax 03 9464 4618

Email ernie.gmehling@optusnet.com.au Website www.groundscience.com.au

Sydney Environmental & Soil Laboratory Pty. Ltd.

16 Chilvers Road

Thornleigh NSW 2120

PO Box 357 Pennant Hills NSW 1715

Phone 02 9980 6554 Fax 02 9484 2427

Email info@sesl.com.au Website www.sesl.com.au

24.5.3.5 Procuring the Sportsground Topsoil

The situation where Contractors tendering for the construction are required to source the topsoil has proved to be a major problem over the past twenty years. Typically when Contractors are tendering they approach soil yards with the soil specifications and are assured that they can supply for a particular price. Once the contract is awarded, often to the contractor with the cheapest soil, it is discovered that the soil supplier cannot supply the soil that meets the specification.

To avoid this occurring two possible approaches are;

A Separate Contract is Let for the Sportsground Topsoil

Let a separate contract to procure the sportsground topsoil, guaranteeing its quality and availability.

or,

Sportsground Soil Suppliers Nominated

The following procedures shall be used for selection of nominated suppliers:

- Call for Expressions of Interest for the supply of the sportsground topsoil using the specifications outlined above.
- The sportsground soil suppliers shall submit samples of the proposed sportsground soil to one of the two following specified laboratories (Ground Science, 56 Mercedes Drive Thomas Town Vic, Phone 03 9464 4617 Sydney Environmental and Soil Laboratory Pty Ltd. PO Box 357 Pennant Hills NSW 1715. Phone 02 9980 6554). Other laboratories may be used with written approval of Sport and Recreation Services.
- These laboratory procedures are complex and these two laboratories are the only two accredited to do the tests. This will ensure that the laboratory procedures are comparable when assessing the sportsground soil.
- The sportsground soil suppliers shall demonstrate that the sportsground topsoil offered for use in any mixture is from a large reliable deposit and there shall be at least ten samples from different parts of this deposit supplied and tested.
- Any manufactured soil shall meet all of the specifications outlined above.

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If there is more than one sportsground soil supplier with sufficient sportsground soil that meets the specification, both may be nominated as potential suppliers.

Relationship Between Sportsground Soil Supplier and the Contractor.

There are two options for the supply of the sportsground topsoil to the Contractor for the facility.

Option 1 - The ACT Government Purchase the Sportsground Topsoil

To ensure that the sportsground topsoil is sourced at a value for money price the sportsground topsoil shall be purchased by the ACT Government (either Sport and Recreation Services directly or another agency on Sport and Recreation Services behalf), who will become the supplier to the Contractor at the purchase price of the sportsground topsoil (or some such arrangement that complies with the procurement rules).

Option 2 - Sportsground Topsoil is Tested and Suppliers are Nominated

The second option is for the soil supplier(s) to be nominated by Sport and Recreation Services as the only source of the sportsground topsoil and the Contractor must use the nominated supplier(s). This leaves the Contractor to negotiate a price for the sportsground topsoil with the supplier(s).

24.5.3.6 Supply of the Sportsground Topsoil to the Job

The supply of sportsground topsoil to the construction site shall be strictly monitored. These procedures shall be followed:

- The soil supplier must prepare the sportsground topsoil in 500m³ stockpiles;
- Each stockpile must be tested using the Australian Standard AS 1289.1.2.1 for testing a stockpile. Samples shall be taken by the Superintendent (someone other than the Contractor or the soil supplier);
- The samples shall be tested by the nominated laboratory to ensure that the sportsground topsoil conforms to the specification;
- The sportsground topsoil from that stockpile may then be delivered to the site. **Soil that has not passed the tests shall not be delivered onto the site under any circumstances;**
- Sampling of the sportsground topsoil in-situ shall also be carried out to ensure that it has met the specifications.

The process of testing and approving every 500m³ stockpile is essential to ensure adequate quality control. In the past this has not always been adhered to and has led to problems in the future with parts of a sportsground under performing. The Superintendent shall employ a "Clerk of Works" to supervise the delivery of sportsground topsoil to the site and its compliance with the specifications.

24.5.3.7 Playing Surface Construction

After the addition of a uniform depth of sportsground topsoil, a final grading of 1 in 70, with maximum runs of 70 metres, shall be achieved. This facilitates the speedy collection and removal of surface water during and after rain.

Design grades, off the playing surface, as steep as 1 in 50 may, with approval, be acceptable where site conditions dictate.

Surface slope shall be parallel to the subsoil slope. The sportsground topsoil layer shall be of uniform depth.

PLACING TOPSOIL

The Consultant shall specify the following elements in the construction specification which shall be in the form of Technical Exception Clauses to the Standard Specification for Urban infrastructure Works (the "Specification").

The topsoil shall be placed over a subgrade prepared as follows:

- An initially prepared surface parallel to the proposed finished surface compacted to 90% of the Modified Maximum Dry Density and free of weeds.
- Following acceptance of the compliant tolerance survey (specify grid interval and level and straightness tolerance as Technical Exception Clauses of the Specification if other than specified in Section 3 of the Specification) by the Superintendent, the surface to be ripped to a depth of between 150 to 200 mm normal to the direction of the slope and lightly harrowed to break up large clods and Gypsum (specify rate) applied.
- The irrigation to be installed in the prepared surface.

The supplied topsoil must be spread over the prepared subgrade in a manner which meets the following criteria:

- The topsoil must be of a constant depth and have an even slope meeting the tolerances nominated in the construction Technical Exception Clauses of the Specification. The Consultant shall specify the tolerances in terms of design level, thickness and straightness.
- The topsoil must meet the characteristics of the supplied topsoil at all times during placing and at the completion of placing.
- The topsoil shall be placed in two layers, the unamended soil forming the initial layer and the amended soil forming the top layer.
- The soil must be placed in a manner which avoids repetitive passing over, and thus over-compacting, soil already placed.
- The dry bulk density of the placed topsoil must be in the range of 1.45 to 1.55 t/m³ at all times during the placing process. The topsoil **MUST NOT** be over-compacted at any stage during the placement process as this has the potential to alter the characteristics of the blended soil and any amendments. **ALL REWORKING OF OVER-COMPACTED PLACED MATERIAL IS STRICTLY PROHIBITED AND WILL NOT, UNDER ANY CIRCUMSTANCES, BE ACCEPTED BY THE SUPERINTENDENT OR TaMS SPORT AND RECREATION SERVICES.** The density of the placed soils must be continually checked using a nuclear surface moisture-density gauge calibrated for the moisture content of the topsoil material being placed.

The Consultant must specify in the construction Technical Exception Clauses of the Specification that any soils placed in compacted state exceeding the specified density tolerances will be rejected and required to be removed and replaced with a conforming soil and any incorporated amendments supplied by the Soil Supplier. The cost of removal, supply of new materials and their placement shall be specified as all being at the construction Contractor's expense.

- The construction Technical Exception Clauses must also specify the following contractual requirements to be met by the Contractor:

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- Nomination of the equipment proposed to be used by the Contractor to install the topsoil to achieve the requirements of the construction Technical Exception Clauses of the Specification.
- The provision of a Method of Work statement outlining the processes to be adopted by the Contractor to achieve the required quality of the installation using the nominated equipment.
 - Quality Assurance measures to be implemented contained within a Project Management Plan (PMP).
- HOLD and WITNESS points to be used to control the quality of the placement.
- The provision of a test strip measuring 10m x 100m demonstrating in the presence of the Superintendent the use of the nominated Method of Work procedures achieves all the requirements of the Technical Exception Clauses to the Specification. The installation and Quality Assurance testing of the materials in the test strip will constitute a HOLD POINT. A satisfactory disposition of the Hold Point will be: conformance to the Technical Exception Clauses of the Specification and acceptance by the Superintendent and TaMS Sports and Recreational Services. Should the test strip meet the specification requirements it may be incorporated into the final surface, however the test strip must be identified with stakes and recorded in x and y coordinates.
- The supplied topsoil shall not be placed if the moisture content exceeds the Water Holding Capacity of the material. The Contractor must supply details within its Method of Work statement of how it plans to achieve the required density and other tolerances of the material in place with a varying range of moisture content within the material.
- The Contractor must allow adequate time in its construction program to achieve a conforming product.
- Extensions of time due to non conforming product and time to achieve a conforming product will not be granted.
- Materials contaminated by spillage of petroleum products for construction equipment will be rejected and must be replaced at the contractor's expense
- The Principal will only supply and deliver to the site adequate material to achieve a density in place of 1.45 to 1.55 t/m³ plus an 8% allowance (measured by volume) for construction tolerances. It will be the Contractor's responsibility to check and verify the volume/tonnage of material supplied and advise the Superintendent of the adequacy of the material to meet its contractual obligations. The Contractor shall, as part of its PQP, nominate the methods to be used to monitor the volume/tonnage of material as it is placed.
- Insitu bulk density by nuclear surface-moisture density gauge, hydraulic conductivity and the rate of testing of the installed material are to be specified as part of the specification requirements.

Notwithstanding the requirements of the Technical Exception Clauses of the Specification, the Consultant shall assist ACT Procurement Solutions and TaMS Sports and Recreational Services in the preparation of a Procurement Plan for the project.

The Procurement Plan must include as part of the Tender Assessment Criteria the following:

- There must be a pre-tender meeting to inform the Tenderers of the specification requirements for the placing of the topsoil, the information to be supplied with the Tender to assist in the assessment of the Tender.

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- The Tenderer in its Tender must be able to adequately demonstrate that the requirements of the construction specification can be met.
- The Tenderer shall provide examples where the proposed construction equipment and methodologies proposed for this project have been successfully used in past projects to achieve similar results to those specified in the construction specification using similar topsoils and the nominated amendments.
- The Tenderer shall provide referees to the nominated past projects and their contact details.
- The program for the procurement of the project must consider the optimum time for the planting of the turf stolons or other turf forms.

24.5.4 “Premier” playing fields with subsurface drainage and sportsground sand**24.5.4.1 General**

This construction design is to be used only when specifically requested by Sport and Recreation Services.

At all other times the specification for topsoil at 24.5.3.4 is to be used.

This method of construction uses the technology of high draining, non compacting sand growing medium over a gravel layer with sub-soil drains. This structure, although expensive to construct, allows the surface to drain at a rate in excess of 100mm per hour, whilst still allowing excellent grass growth.

The construction of these types of playing fields shall be carried out to a very high degree of engineering expertise, as each layer shall have a tolerance of about 5mm. These very high standards of design, sportsground sand and gravel selection and construction precision shall be followed. Deviation from the prescribed standard will not achieve the desired sportsground surface. Under no circumstances shall there be compromises made on the quality of the sportsground sand. If the sportsground sand is too fine the drainage rate is drastically reduced and if it is too coarse, the top loses traction and becomes droughty in the summer. There is no compromise between this design and a conventional soil profile – it is either one or the other.

“Premier” playing fields with subsurface drainage and sportsground sand can be used when other grounds with conventional soil profiles would be unplayable in wet conditions.

24.5.4.2 Subgrade

Premier grounds are designed on a shaped impervious subgrade into which a system of subsoil drains is located. Examples of the range of impervious subgrade patterns include -

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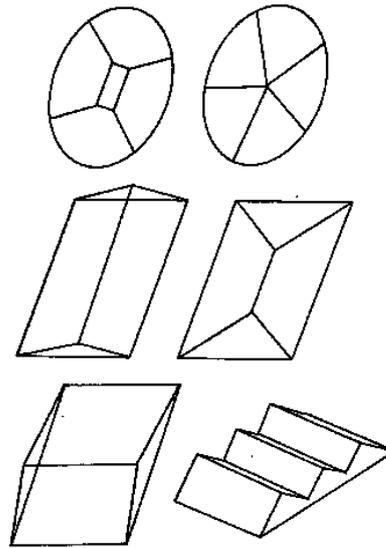


Figure 24.8 Impervious Subgrade Patterns

The subgrade shall be compacted to form an impermeable base, with subsoil drains located in trenches cut a minimum of 200mm deep and 200-300mm wide, depending on the pipe size in the trench. The pipes shall be surrounded on all sides by a minimum of 50mm of 3-5mm gravel. The overall slope of the subgrade shall be 1 in 100. There shall be a minimum slope on all pipes of 1:100.

The figure below illustrates in section the relationship between subgrade, subsoil drains, gravel drainage layer and the sportsground sand.

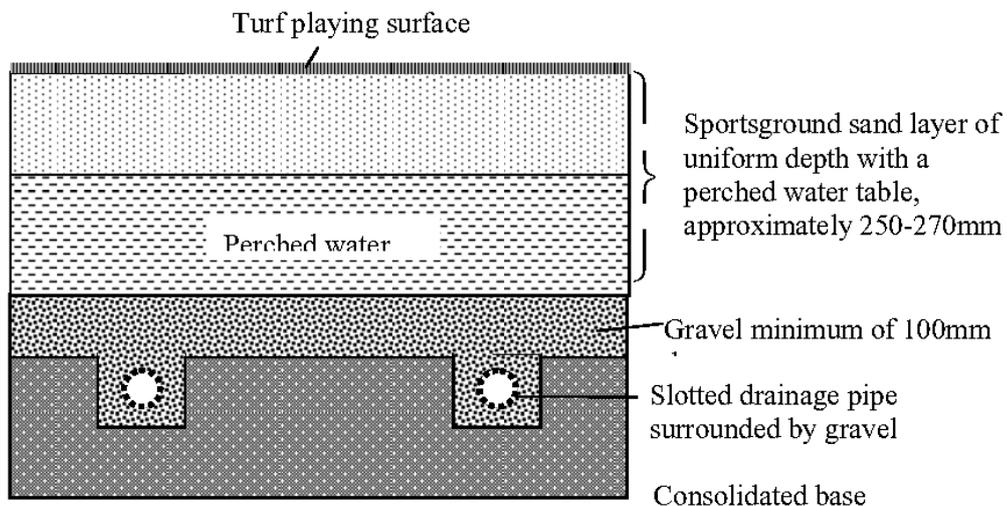


Figure 24.9 “Premier” Playing Field Section

24.5.4.3 Subsoil Drainage

Positive subsoil drainage is achieved through highly permeable sportsground sand with water being delivered to subsoil drainage pipes via a gravel drainage layer laid on an impermeable subgrade. The water is moved from the field by a system of lateral subsoil drainage pipes located at a maximum 7 metre spacing to stormwater sumps located at least 5 metres beyond the sportsground.

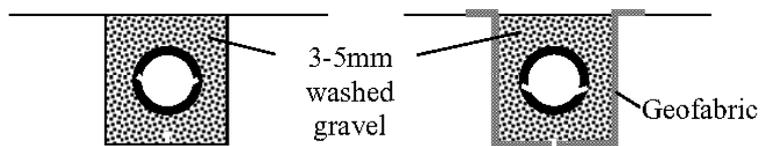
The subsoil drainage pipe shall be 100mm diameter corrugated high-density polythene tubing as specified in Clause 3.06.1 of the Standard Specification for Urban Infrastructure Works, 2002. The subsoil drainage pipe shall be laid on minimum 50mm of washed 3-5mm gravel.

The configuration of the subsoil drainage pipes is usually best served by a herringbone design, with laterals spaced no further apart than 7metres. The lateral subsoil drainage pipes shall be minimum 100mm diameter corrugated drainage pipe, (smooth slotted drainage pipe can be used, but this is more expensive). To accommodate a rainfall event of 100mm/hour, no 100mm corrugated drainage pipe lateral shall be longer than 37 metres.

The collector pipes into which the laterals feed shall be solvent welded uPVC stormwater drainage pipe. Cross-sectional diameter sizes of these collector pipes shall be designed to accept water at the rate of 100mm per hour, down stream pipe diameter shall increase as more laterals feed into them. It should be noted that one hectare of surface generates 1,000,000 litres (10,000m² x 100mm) of water per hour.

There shall be no socks on the drainage pipes, and no geofabric covering the pipes.

Geofabric can be used on the bottom and the sides of the trench.



A drainage layer of 3-5mm diameter sharp, washed gravel shall be placed between the subgrade and the sportsground sand. The depth of the gravel can vary, but shall have a minimum depth of 100mm. The top of the gravel layer shall be parallel to the finished surface.

24.5.4.4 Sportsground Sand

The “Premier” playing field growing medium shall be highly permeable uniform sand with only small amounts of fines (sportsground sand).

The top layer shall be a uniform depth of sportsground sand. The actual depth must be calculated from the moisture release curve of the sportsground sand and the suction of the gravel. Experience has shown that this will be between 250-270mm. It is therefore essential to determine which sportsground sand and gravel are to be used for the project before final levels are determined for the top of the profile. This depth will determine the volume of sportsground sand to be used.

Peat moss or coco peat shall be added to the top 100mm of the sportsground sand to increase the water holding capacity to approximately 15% at the surface as determined by the moisture release curve. The amount of peat moss or coco peat shall be determined by the laboratory test results.

The peat moss or coco peat amendment must be thoroughly mixed through the sportsground sand off site, and added as a separate layer to the top of the profile.

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24.5.4.5 Sportsground Sand Selection Criteria

It should be noted that these specifications follow the USGA specifications, but are much tighter in what they allow. The depth of the sportsground sand layer shall be determined by first selecting the sand, matching it with an appropriate gravel (as per the USGA), then testing its suction.

Sportsground Sand Specification and Supply

The sportsground sand used shall be selected using the following specifications:

Mechanical analysis

The following wet sieve mechanical analysis shall be used to select the sportsground sand but this is the least important of all the selection criteria. If the material supplied is slightly outside these very tight parameters but meet all of the other criteria, there may be a case to accept the material based on cost and availability, dependent on expert advice.

Accepting a material outside this specification shall not be done lightly.

USDA Sieves	% Retained by weight
> 2.00mm	0
1.0-2.0mm	0-10
0.5-1.0mm	0-20
0.25-0.5	55-90 *
0.1-0.25mm	< 20 } Maximum combined
< 0.1mm	0-10 } proportion of these
<0.002mm (clay)	0-4 } fractions shall not exceed 25%

* If sportsground sand has more than 90% in this range it shall have proven stability.

Compacted hydraulic conductivity

Compacted hydraulic conductivity at 16 drops shall exceed 700mm per hr

Bulk density

Bulk density at 16 drops shall not exceed 1.58

Acid soluble material

There shall be less than 5% of any material that will be dissolved in hydrochloric acid.

24.5.4.6 Moisture Release Curve of the Sportsground Sand

A Moisture Release Curve shall be made for the selected sportsground sand using the method developed by Dr Bent Jakobsen Chapter 19 McIntyre and Jakobsen (1998). This curve shall indicate the air entry point, the depth of the perched water table and the air filled porosity of the sand as well as the moisture content at the top of the profile.

24.5.4.7 Contract Specification for the Sportsground Sand

Once the sportsground sand has been selected based on the above selection criteria, the actual mechanical analysis, hydraulic conductivity and bulk density of this sportsground sand shall then become the contract specification with the following allowances:

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- The sportsground sand shall not differ from the selected and approved sample by more than 5% in the 0.25-0.5mm range; the value for the 0.105-0.25 range shall always be equal to, or lower than, the selected sample and the value for the 0.5-1mm range shall not rise by more than 3%, but may fall below that of the sportsground sand selected.
- The compacted hydraulic conductivity of the sportsground sand at 16 drops shall always exceed 700mm/hr.
- The bulk density of the sportsground sand shall not exceed 1.58 at 16 drops.

Stockpiling and testing of the stockpiles before delivery

The sportsground sand shall be stockpiled before delivery in stockpiles of 500 cubic metres. Each of these stockpiles shall be tested by an independent laboratory, using the sampling techniques set out in AS 1289.1.2.1, 1998.

All mechanical analyses shall be carried out using wet sieve analysis and all other tests shall use the methodology set out in the Chapter 19 McIntyre and Jakobsen (1998).

The sportsground sand shall meet the contract specification as outlined above.

24.5.4.8 Gravel

The gravel used for the drainage layer and to surround the sub-soil drainage pipes shall be a sharp washed crushed rock.

24.5.4.9 Gravel Selection Criteria

USGA Bridging and Uniformity Factors

The gravel shall be selected **after** the sportsground sand has been selected, as it shall have a relationship to this sportsground sand. The gravel shall meet the USGA Bridging and Uniformity Factors, which are:

Bridging Factor	$D_{15 (gravel)} \leq 5 \times D_{85 (sand)}$
Uniformity Factor	$D_{90 (gravel)} / D_{15 (gravel)} \leq 2.5$

Attachment 1

Mechanical Analysis

The following specification shall be used as a guide to select gravel that could meet the above criteria

Recommended gravel specification

Aust Standard Sieve Sizes in mm	% Passing by weight
9.5	100
6.7	75-100
4.75	20-55
2.36	0-15
1.18	0-5
0.6	0-2
0.3	0-2
0.15	0-2
0.075	0-2

The gravel must be washed.

Stockpiling and testing of the stockpiles before delivery

The gravel shall be stockpiled before delivery in stockpiles of 500 cubic metres. Each of these stockpiles shall be tested by an independent laboratory using the sampling techniques set out in AS 1141.3.1, 1996.

24.5.4.10 Determination of the Capillary Suction of the Gravel

Once suitable compatible gravel has been selected, its capillary suction shall be determined. The methodology to be used is that developed by Dr Bent Jakobsen in Chapter 19 McIntyre and Jakobsen (1998). This data is to be used in conjunction with the moisture release curve of the sand, and shall determine the depth of the profile.

24.5.4.11 Determination of the Depth of the Profile

The depth of the profile shall be determined by using the data from the sportsground sand moisture release curve, together with the capillary suction of the gravel. The value for the suction of the gravel (in mm) shall be subtracted from the depth of the perched water table and there shall be approximately 100mm of root zone available above the top of this new, perched water table. The soil moisture content at the top of the sportsground sand profile shall be close to 15% and if this does not occur there shall be a need to add peat moss or some other approved organic amendment to the top 100mm of the sportsground sand profile to ensure a manageable soil moisture content for the root zone in the first year.

These calculations shall determine the depth of the sportsground sand layer.

Organic amendments

As stated above, there is usually a need to add an organic amendment to the top 100mm of the profile for most sportsground sands to increase the water holding capacity in the top of the profile to about 15% at equilibrium, to make the top of the profile manageable. This amendment does not impede drainage.

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The amount of peat moss or other approved organic amendment required shall be determined by the shape of the moisture release curve and by the moisture content of the sportsground sand at the top of the profile.

The total amount of peat moss used shall not exceed 1.5% organic matter by weight, and shall only be incorporated into the top 100mm of the profile.

Type of organic amendment

A high-grade sphagnum peatmoss or coco peat shall be used. Chicken manure is not an acceptable equivalent. This material shall have dissolved salts less than 10ppm.

The total organic matter content, determined by loss following ignition at 700°C for four hours, shall exceed 95%.

pH Adjustment

When the sphagnum peatmoss or other organic amendment is added to the top 100mm of the profile the pH of this mixture shall be adjusted by the use of agricultural lime so as to achieve a pH for the mixture in the range of 6.3-6.8.

24.5.5 Stormwater Drainage adjacent to the Sportsground

The minimum slope required to remove water from the sportsground is 1 in 70 with a maximum run of 70 metres. Beyond the 5-metre edge to the sportsground, the slope may increase to 1 in 50 and the distance to a floodway or sump shall not exceed 50 metres.

In many situations, and particularly where the sportsground abuts a cut batter, a piped stormwater system that utilises grated sumps would normally be required in order to achieve the 1 in 50 / 50 metre run criteria.

The top of the sump shall be set to ensure that with settlement of the topsoil, fall to the sump is maintained.

A typical longitudinal section through a swale is illustrated below.

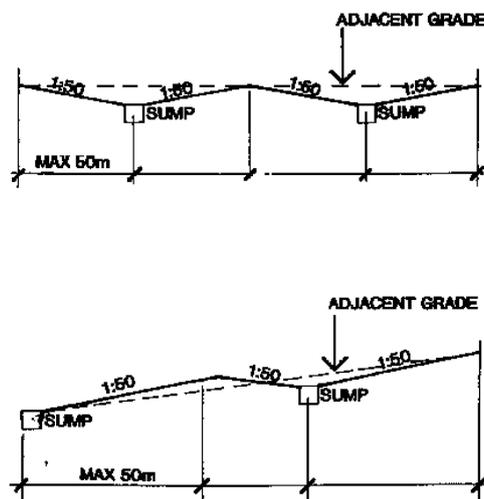


Figure 24.10 Swale Sections

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24.5.5.1 Mowable Drains

When water is to be collected around the perimeter of a field or in other cut-off situations, and this water is collected in grated sumps the cross section of the drains must be such that they are easily mown with large mowing machinery.

24.5.5.2 Mowable Drains and Swales.

Mowable drains or swales are cheap, effective and easy to maintain. They are essentially surface drains that collect water and transfer it to underground pipes, usually through grated sumps, then to other stormwater systems, dams or creeks.

The grass cover in the bottom of the mowable drain is usually the same as the surrounding surface and is mown with the same mowing equipment. A swale shall be constructed so that it can be mown by the large mowers that mow the adjacent surface. Changes of grade shall be designed to the requirements of specified mowing equipment. Mowing scalping shall be rectified by regrading and regrassing. Short run or steeper swales or swales that require a different mowing regime, technique or machinery shall be avoided.

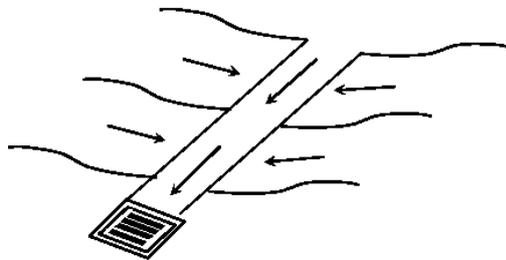


Figure 24.11 A typical mowable swale with water running into a grated sump.

Typical locations for mowable drains and swales for playing fields are around the perimeter of and in between sportsgrounds. These drains should be placed on the edges of playing fields, at changes of levels, and other locations to prevent surface water from flowing onto areas where it is not wanted.

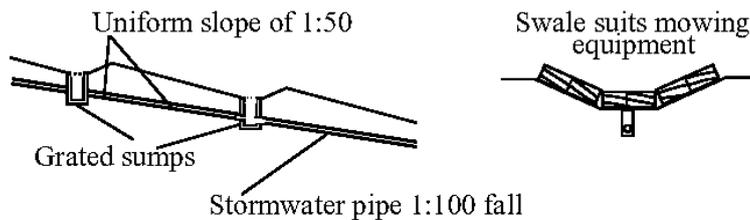


Figure. 24.12 Longitudinal section through a mowable drain, and a cross section showing how the swale should suit the mowing equipment.

The base of the mowable drains and swales shall have a uniform slope that ideally should be a minimum of 1:50. This is essential to allow the rapid removal of surface water. If there are even small depressions in the bottom of the swale water will lie there, machines will bog or cause indentations, grass will grow long, rubbish will accumulate and it will become un-maintainable and unserviceable. The length of the slopes running into the grated sumps shall not be more than 20m,

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otherwise the tops of the sumps will become too far below the surrounding area. Sumps may be spaced about 40m apart if the slope goes towards them in both directions.

An open concrete invert, about 400-600mm wide placed in the middle of a mowable drain works well and ensures an even slope on the bottom of the drain which in turn ensures the rapid delivery of water to sumps. It also gives those constructing it a reference line from which to grade the sides of the swale evenly.

A concrete drain does not suit all locations but where it can be used it is preferable to a grassed swale.

The water collected in these mowable drains (swales) shall be disposed of through sumps to solid stormwater pipes to an existing stormwater outlet.

24.5.6 Stormwater Approvals

For the purposes of Design Acceptance approvals, playing field stormwater drainage shall be treated in the same way as stormwater systems within private leases. Sport and Recreation Services shall be responsible for the ongoing maintenance of the system both above and below ground. Maintenance may be undertaken either by ACTEWAGL or a private contractor.

Department of Urban Services Asset Acceptance will accept Design Acceptance submissions for approval.

Design Standard for Urban Infrastructure 01 Stormwater shall apply to stormwater design.

Grated Sumps shall be used as the inlet structure for playing fields. Refer Design Standard for Urban Infrastructure 01 Stormwater Standard Drawing ST-0013 for details.

The stormwater system shall be designed to accommodate a discharge rate of 50mm/hr over the sportsground.

The stormwater system shall protect adjoining leases from overland flow from playing fields. Playing field designs shall incorporate overland flow paths that provide 1 in 100 AEP protection to adjoining leases in the event of a blockage to the grated sumps or stormwater system pipes.

24.5.7 Irrigation

All new playing fields in Canberra shall include fully automatic irrigation systems. The requirements for design and operation of irrigation systems shall comply with Design Standard for Urban Infrastructure 21 Irrigation.

The following points shall be addressed in the irrigation design,

- No irrigation mains shall cross a sportsground.
- Sportsground irrigation stations shall run from perimeter ring mains.
- Sprinkler stations shall be aligned with the direction of play.
- A sprinkler station shall be configured for the heaviest wear area at the centre of the sportsground.
- All valves shall be located not less than 5m from the marked extent of sportsgrounds.
- A Computer Irrigation Management System (COMTROL) shall be installed.

Where a turf wicket occurs on a playing field, the wicket table shall be free of sprinkler heads and other underground service lines. The wicket table shall be watered on a separate station controlled

Attachment 1

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by a separate irrigation controller to allow the curator of the wicket to water separately to the remainder of the sports field. Quick coupling valves shall be provided to allow hand watering in addition to the automatic sprinklers.

24.5.8 Turf –Grass Species**Turf Species-grass mixtures to be used.**

The grass mixture species and ratios for all enclosed ovals and district playing fields turf shall be as follows.

Grass Species	Percentage by weight
Kentucky Blue Grass (approved cultivar)	24%
Fine Leaf Perennial Ryegrass (approved cultivar)	76%

The grass mixture species and ratios for neighbourhood oval turf shall be as follows.

Grass Species	Percentage by weight
Kentucky Blue Grass (approved cultivar)	24%
Tall Fescue (approved cultivar)	76%

* The above tables are to demonstrate the required turf types. Seeding is not to be used for establishment of all new sportgrounds (including CRIP's) with turfing using maxi-rolls to be the method of establishment.

Couch grass may be specified with Legend and Conquest cultivars being the preferred varieties. Other varieties need to be approved by Sport and Recreation Services.

No variation from these turf blends shall be permitted without written approval from Sport and Recreation Services. Sport and Recreation Services shall provide details of the approved cultivars in the Brief or Deed Agreement documentation.

Mowing during Consolidation shall maintain the grass height at 38 to 40mm for cools season turf blends and 25mm or shorter for couch cultivars. Grass shall be mown to reflect a "field in full usage". Mowing frequency shall be twice a week during the October to March growing season and once a week at other times of the year.

24.5.9 Landscaping

Tree planting shall be arranged to provide shelter and shade. Tree planting between the car park area and the sports field shall be designed to allow an uninterrupted view of the sports field from the car park. Tree planting shall provide summer shade for cars.

Limited bench seats shall be provided for spectators on the exterior of pavilions at district playing fields. Consideration shall be given to a limited number of bench seats strategically located around the playing fields. Seating provision details shall be determined with Sport and Recreation Services

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during the design development. At neighbourhood ovals the provision of some limited seating for spectators shall be determined in conjunction with Sport and Recreation Services. The incorporation of playground equipment and barbecue facilities with appropriate seating near the pavilion site shall be considered for district playing fields. Provision shall be as specified in Brief or Deed Agreement documentation.

Pavilions and viewing areas shall be sited on the western side of the playing field to avoid spectators looking into the afternoon sun.

No evergreen tree shall be planted within 20 metres of the northern edge of the sports field. This is to prevent the potential problems of winter shading effects and moisture retention after rain on the performance of the grass within the sports field. Trees that sucker or have aggressive rooting habits shall not be planted closer than 40 metres from the sports field.

Trees, seating and other landscape elements shall be located no closer than 5m to allow for unimpeded access for maintenance and mowing equipment. Landscape elements that require spatial layout of less than 5m (e.g. bins, BBQ, tables etc) shall be connected with non-mowable ground surfacing (e.g. granite gravel or hard paving).

24.5.10 Cricket Wickets

The provision of cricket facilities shall be determined by Sport and Recreation Services and outlined in the Brief or Deed Agreement documentation for each playing field.

24.5.10.1 Concrete Wickets

The standard concrete cricket wicket detail is illustrated at Figure 24.13

24.5.10.2 Turf Wickets

The design for turf cricket wickets shall conform to the methodology and standards outlined in *Cricket Wickets – Science v Fiction*, McIntyre and McIntyre (2001).

Number of Wickets

The wicket table to be installed into most sportsgrounds shall be for four or five wickets, or as agreed with Sport and Recreation Services and shall be included in the Brief or Deed Documents.

Location of Wicket Table

The wicket table shall be located as close to the centre of the playing field in relation to the east/west and north/south axes of the field as possible.

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Concrete cricket wicket

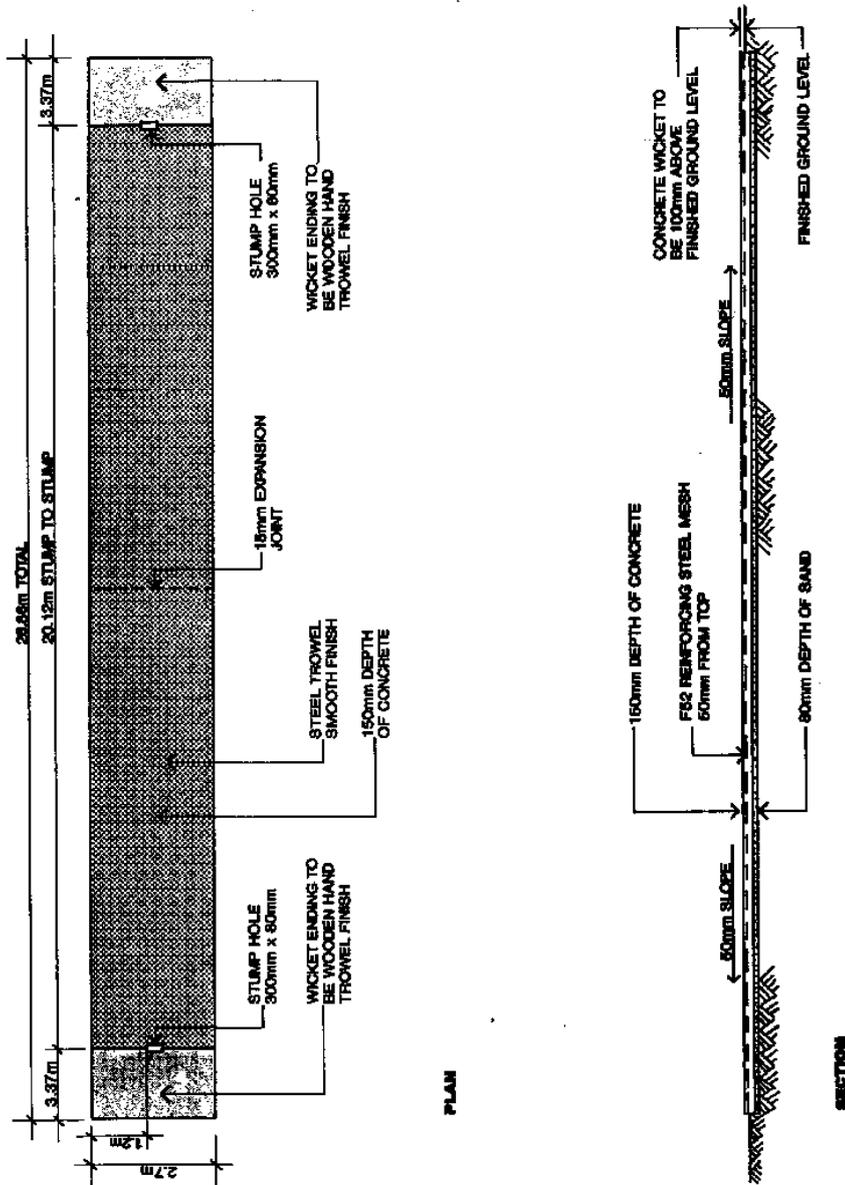


Figure 24.13 Standard Concrete Cricket Wicket Detail

Dimensions and Surface Slopes of Wicket Table

The wicket table shall be of the following dimensions,

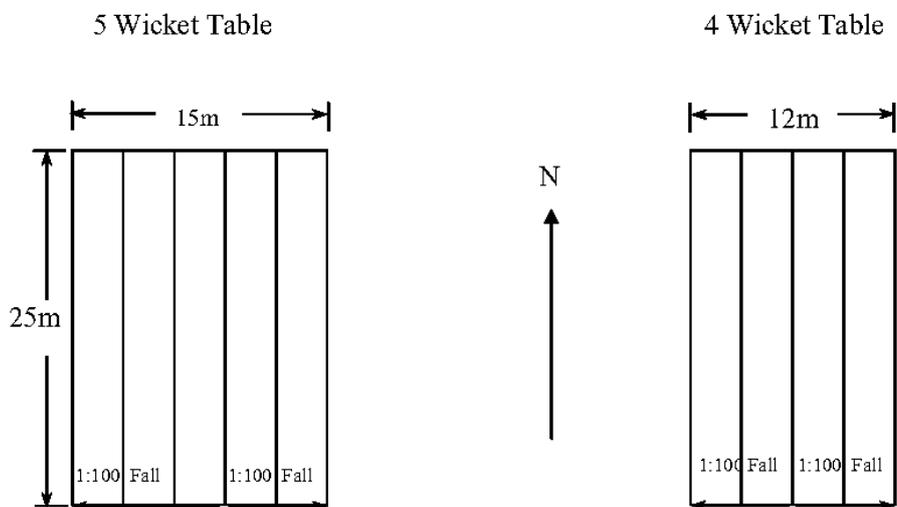


Figure 24.14 The wicket table will consist of either four or five x 3m wide wickets running in a north/south direction.

There shall be a fall from the centre to the outside of the table of 1:100. There shall be a fall across the wicket table from the centre to the outside of 1:100 on the four wicket table and from across three and two wickets respectively on the five wicket table. There is no fall on the wickets in a north/south direction.

Drain to link with swale drain or stormwater pipe

Install a 150mm solvent welded uPVC stormwater drainage pipe from the middle of the of the wicket table to be linked into a swale or stormwater drainage pipe on the edge of the playing field.

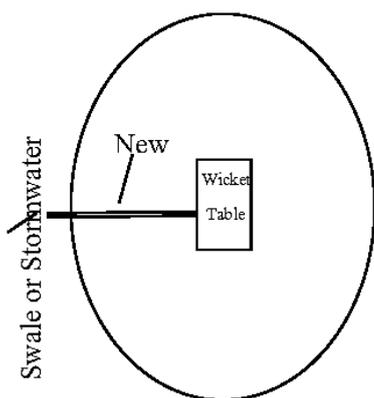


Figure 24.15 Shows a drain that shall run from the centre of the wicket table, connecting into a swale or stormwater pipe

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The drain shall be in a straight line from the wicket to the perimeter of the playing field. The trench shall have the following profile:

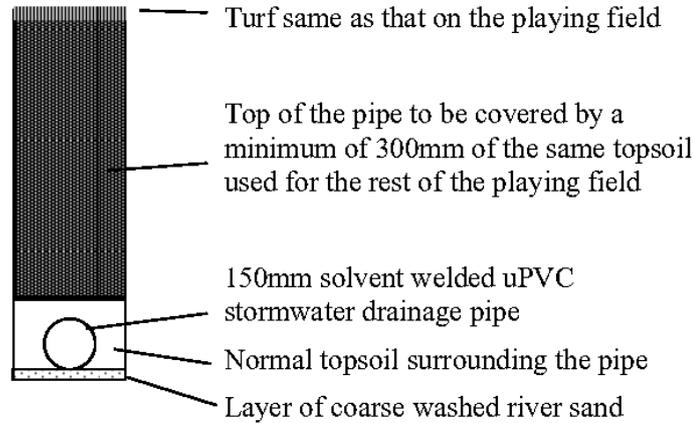


Figure 24.16 Cross section of the drain that runs from the wicket table to the swale or stormwater pipe on the edge of the playing field.

The drain shall be a minimum of 450mm deep and shall have a layer of coarse washed river sand in the base to ensure that the bottom of the trench is smooth and with an even grade. A 150mm smooth stormwater drainage pipe shall be used and this shall be covered with topsoil the same as that used on the rest of the playing field. The pipe should have a uniform minimum fall of 1:100 from the wicket.

The completed trench shall be turfed with a turf of the same grass mixture to the rest of the playing field, or sown with the same grass mixture.

Sump at Eastern/Western Side of the Wicket Table

A sump with an artificial turf cover shall be constructed about one metre to the east of the centre of the eastern side of the wicket table so the wicket manager can discharge excess water from the covers into this sump.

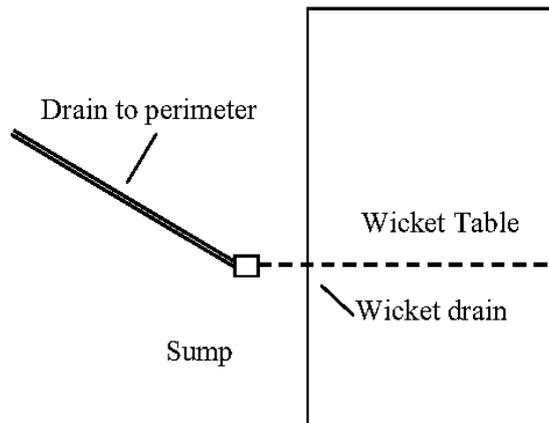


Figure 24.17 Sump to be located on the side of the wicket table to connect the wicket drainage to the stormwater pipe.

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The sump will collect all of the water from under the wicket and discharge it into the drainage pipe that runs to the perimeter of the oval.

The sump lid will be covered by 150mm of topsoil. This is to prevent damage to turf maintenance equipment in the future.

Base and Sub-surface Drain

The base shall slope from the northern and southern ends of the wicket table to the centre where a 100mm diameter sub-soil drain shall be cut into the base. The base shall be consolidated to ensure a firm base for the wicket and there shall be no wet spots. If a wet spot occurs it shall be dug out, dry material placed in the hole, re-compacted and covered with geofabric before the sand layer is placed.

Great care must be taken during the excavation of the wicket hole to ensure that no sub-soil is spread over the existing ground surface. If the wicket is being built after the oval has been completed and grassed then boards from the perimeter to the wicket shall be used for any trucks and machines to drive on. Only small trucks shall be used to take soil off the site and to bring the sand and wicket soil onto the field. No materials shall be stockpiled on the playing surface. Great care shall be taken not to contaminate the drainage sand or the wicket soil with other materials.

A sub-soil drain is to be cut into the centre of the base in an east west direction. The drainpipe shall be a 100mm corrugated pipe with a fall of 1:100. The pipe shall be surrounded by a minimum of 50mm of clean coarse washed river sand.

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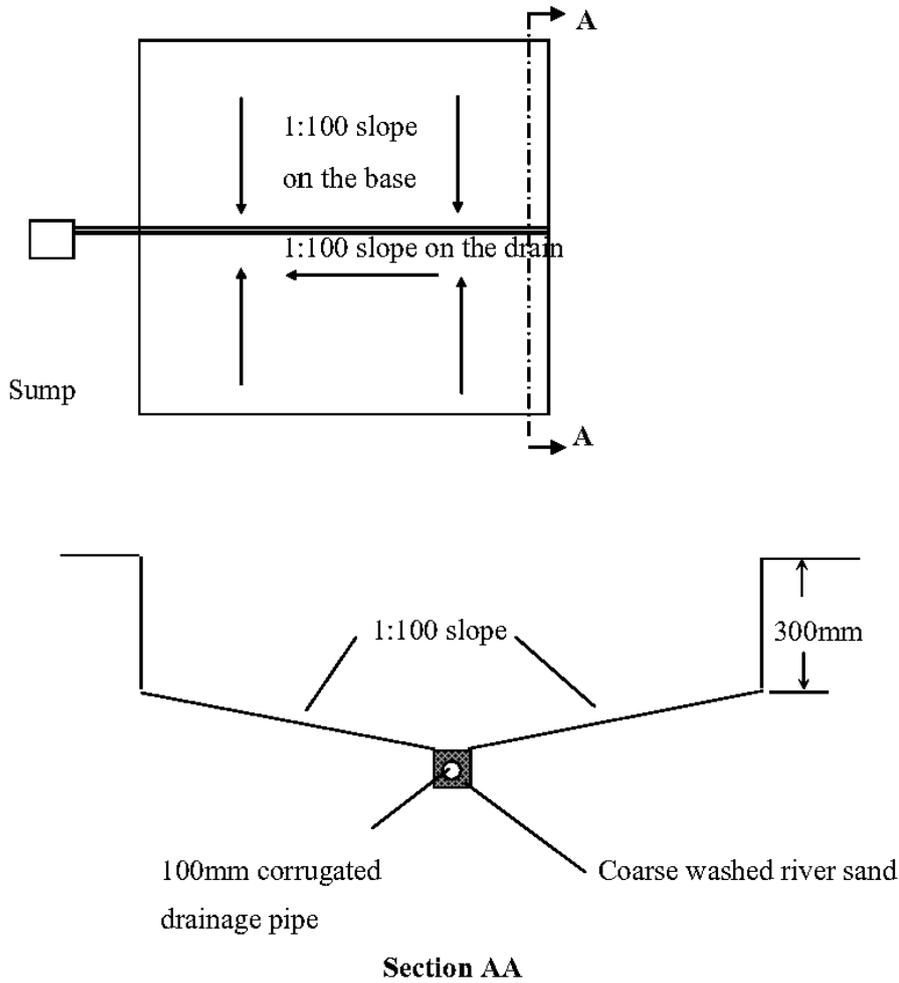


Figure 24.18 Shows the location of the central drain, and the slope on the base of 1:100 to the centre. Section AA shows the depth of the excavation and the base.

The coarse washed river sand that surrounds the corrugated drainage pipe shall meet the following specifications.

USDA Sieves	% Retained by weight
2.8-4.0mm	0-20
2.0-2.8mm	0-20
0.5-2.0mm	55-100
0.1-0.5mm	0-10
<0.1mm	0

Wicket Profile

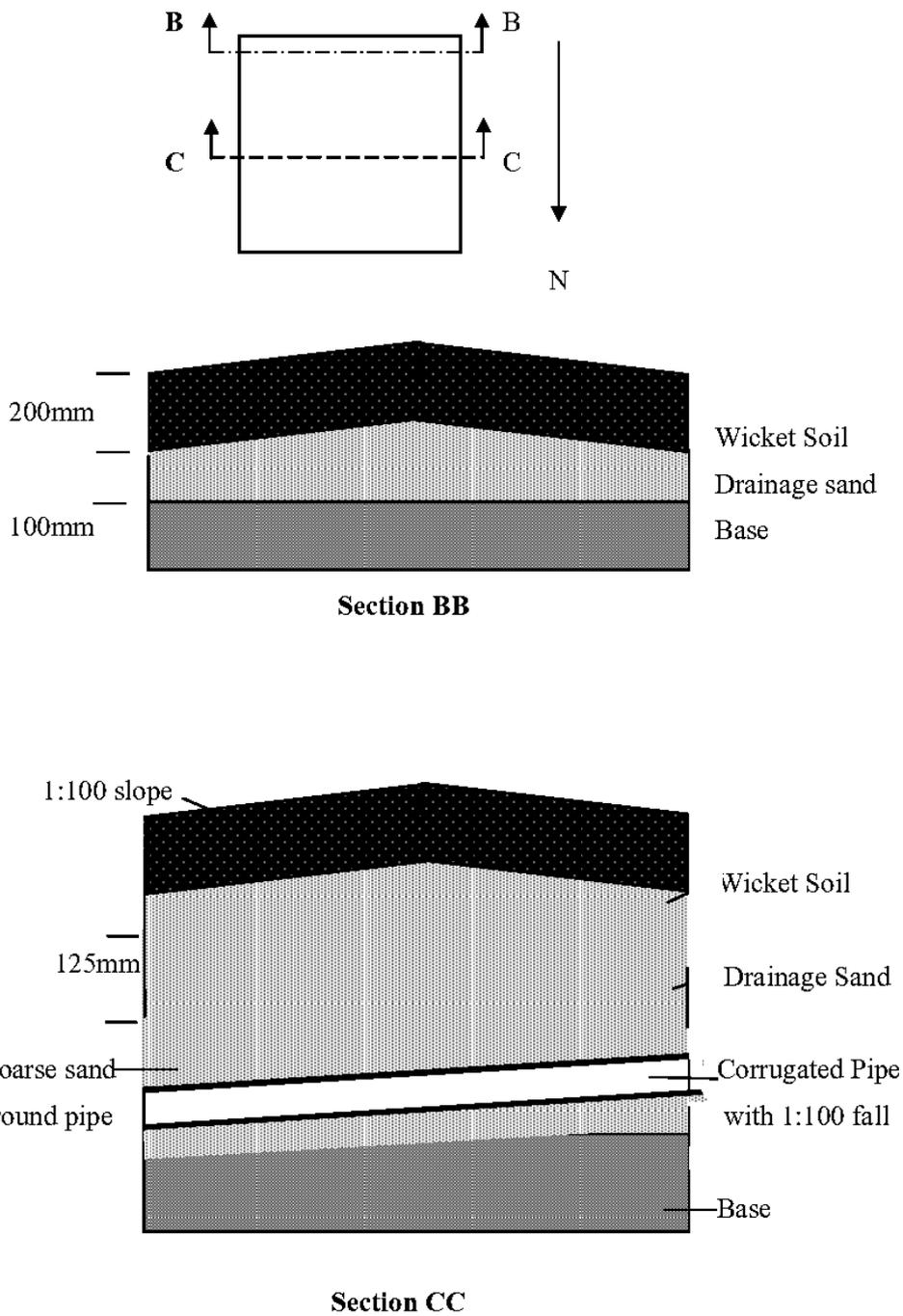


Figure 24.19 Shows the cross sections through the profile at the southern end of the table and through the centre drain.

Sand Drainage Layer

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There shall be a sand drainage layer of a minimum of 100mm in depth placed over the base. The surface of the sand shall be parallel to the finished surface of the wicket.

The sand in the drainage layer shall meet the following specifications:

USDA Sieves	% Retained by weight
> 2.00mm	0
1.0-2.0mm	0-10
0.25-1.0mm	70-90
0.1-0.25mm	< 20
< 0.1mm	0-10
<0.002mm(clay)	0-4

The sand shall be clean and have only very low amounts of silt and clay. It should have a significant majority of its particles between 0.25 and 1.0mm, preferably with most in the 0.25-0.5mm range.

Cricket Wicket Soil

There shall be a uniform 200mm layer of wicket soil placed above the sand drainage layer in at least two layers.

There shall be a 1:100 slope on the surface of the wicket soil sloping from the centre to the outside of the table as shown in Figure 24.19.

The wicket soil shall have the following characteristics. The clay content shall be between 50% and 70% to provide a sufficiently hard pitch. A higher clay content may cause excessive cracking or cracks that are too wide. There shall be less than 10% of coarse sand as it can cause ball damage if present in excess.

The crushing strength of the soil should be between 0.8 and 1.6MPa, and the clay must have enough cohesion to withstand ball impact hundreds of times. A clay with a low crushing strength may turn into dust after lengthy periods of continued impact.

Organic matter improves structural stability and hydraulic conductivity however any more than 5% will produce a soft pitch and poor ball bounce.

Cracking is essential for good grass growth, however if cracks become too wide ball bounce becomes erratic and if cracks are too far apart grass growth will be poor or uneven. The cracking is measured on 100mm diameter petri dishes. Upon drying the soil should break into pieces, two to five pieces per dish is preferable. Excessive cracking will produce a crumbly wicket.

Shrinkage from field capacity to air dry measured on small prepared cores shall be no more than 15% (0.15), preferably 10% (0.10). If the shrinkage is within this range the soil will crack properly and will also have good strength and cohesion.

Wicket Soil Specifications

The wicket soil shall meet the following specifications when tested in the laboratory using the testing methodology outlined in Chapter 14 of McIntyre and McIntyre (2001).

Mechanical Analysis

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Mechanical analysis shall be carried out using wet sieve analysis and the clay content measured using a hydrometer.

Specification for particle size distribution for a cracking clay soil suitable for cricket wickets.

Fraction	Particle sizes	% by Weight
Clay	< 0.002mm	50-70
Silt	0.002-0.02mm	5-20
Fine Sand	0.02-0.25mm	10-30
Medium Sand	0.25-1.0mm	0-10
Coarse Sand	1.0-2.0mm	1-2
Shrinkage	0.08 - 0.15	
Crushing Strength	0.8 - 1.6 MPa	
Cracking	2 - 14 pieces	
pH	6.0 - 7.5 in H ₂ O or 5.0 - 6.5 in CaCl ₂	
Total Dissolved Salts	<200ppm	
Organic Matter	<5%	

The above specifications shall be met by having the soil tested in either of the following laboratories that have the appropriate equipment and proven ability to carry out these tests. Other laboratories may be considered for the conduct of these tests with the written approval of Sport and Recreation Services.

Ground Science, 56 Mercedes Drive Thomas Town Vic, Phone 03 9464 4617

Sydney Environmental and Soil Laboratory Pty Ltd. PO Box 357 Pennant Hills NSW 1715. Phone 02 9980 6554

Cricket Wicket Order of Construction**Construction of Sump**

The construction of the sump on the side of the wicket and the installation of the drain to the perimeter sump shall be completed first.

Excavation for the wicket

The hole shall be excavated and the sub-soil drain installed and connected to the sump as quickly as possible to guard against the possibility of damage by rain.

Sand Drainage Layer

The sand drainage layer shall be installed as quickly as possible to ensure that the hole does not fill up with water if there is rain. Care shall be taken that the final levels of the sand layer are parallel to the proposed final surface levels.

Placement of the Wicket Soil

The wicket soil shall be placed carefully so as to ensure the integrity of the sand layer. The wicket soil shall be placed in at least two layers using dry soil that has been crushed to 10-15mm diameter pieces. Each layer shall be lightly compacted. The use of a small tracked machine such as a Bobcat shall be used for this purpose.

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Completion of Wicket Surface

The final levels shall be obtained using a laser level and the soil lightly compacted as dry material using the tracks of the Bobcat. The final levels of the finished surface shall be between 30-40mm above the final levels, to allow for levels to settle once rolling commences

Under no circumstances shall the wicket be rolled at this stage.

Consolidation and Turfing

The finished wicket shall be thoroughly watered and allowed to stand for about one month to allow for natural consolidation.

The wicket shall be allowed to dry out then final levels checked and any depressions top dressed out with wicket soil.

The surface shall be lightly watered prior to the laying of the turf. Washed Legend (or other approved cultivar) Couch turf shall then be carefully laid making sure that there are no footmarks left on the surface. Once the turf is laid, the whole wicket shall be thoroughly watered using the irrigation system

The surface of the turf shall be kept moist to ensure that it does not dry out. As the turf produces roots, the frequency of watering shall be reduced to allow for deep rooting to occur.

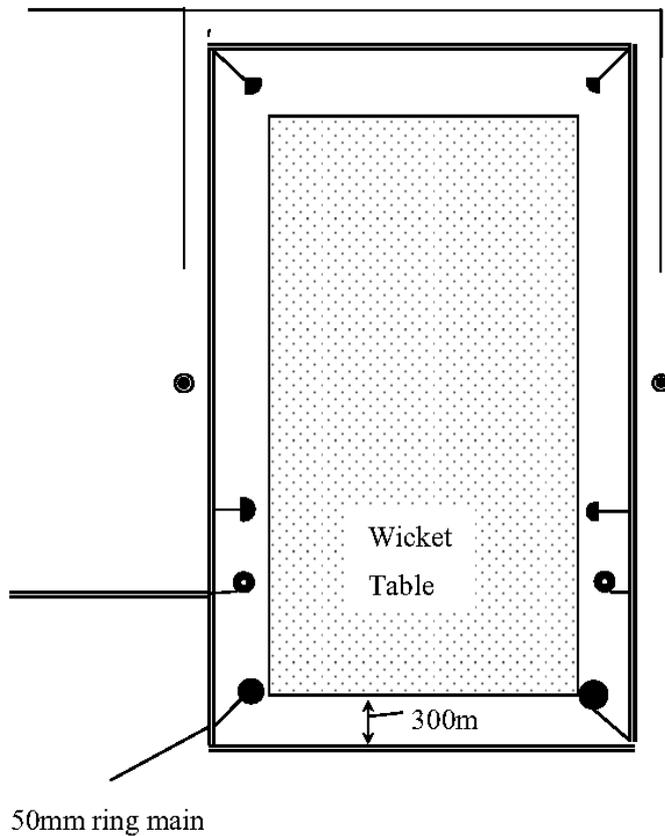
Once the roots have developed to at least 150mm depth, **and only then**, shall the wicket be rolled. The first rolling shall be with a light roller so as to allow mowing equipment to be used without causing depressions in the surface of the wicket.

A heavy roller shall not be used until the wicket is being prepared for use. At this point it shall be necessary to top dress out small depressions with fine wicket soil.

Installation of Wicket Irrigation

After the wicket is complete the perimeter irrigation shall be installed. Care shall be taken for the wicket ring-main to be installed far enough away from the edge of the wicket so as not to jeopardise the integrity of the edge of the wicket table. This trench shall be 300-400mm out from the finished wicket table.

Irrigation Layout



Legend

-  Quarter circle gear driven sprinkler
-  Half circle gear driven sprinkler
- Sprinklers shall have a 15m throw for a five wicket table, and a 13metre throw for a four wicket table
-  QCV with valve under head
-  QCV on a live line

Figure 24.20 Wicket Irrigation Layout

The layout is basically the same for a four or five wicket table, the only difference being the nozzle size.

*Design Standards for Urban Infrastructure***Ring Main**

The wicket shall be watered from a 50mm ring main that is connected to the playing field irrigation system. This main shall be about 300mm from the edge of the wicket table to ensure that the trench for the pipe does not affect the edge of the wicket.

Care shall be taken, with the installation of this main, not to interfere with the drainage of the wicket.

Sprinklers

The sprinklers shall be gear driven with stainless steel turrets and rubber caps. These sprinklers shall throw 13m at 344kpa on a four-wicket table and 15m on a five-wicket table.

The contractor shall supply a full circle Hunter I21 sprinkler on an stand to a design approved by Sport and Recreation Services which shall be attached to a 25mm hose with a bayonet fitting to connect to a quick coupling valve.

Quick Coupling Valves (QCVs) with Valves under the Head

There shall be two QCVs installed with valves under head, one on either side of the wicket table. These QCVs shall be capable of taking a bayonet to supply a 25mm hose and shall operate at 344kpa.

QCVs on a Live Line

There shall be two QCVs (similar to above) without valves under the head, one on either side of the wicket table. These QCVs shall be 'live' and served by a dedicated line from a point in the metre pit before the master valve to enable the wicket to be watered if the rest of the irrigation for the field has been turned off.

Wiring

Each sprinkler and QCV with valve under head shall be separately wired back to a dedicated 12-station controller. Each sprinkler and QCV shall be able to be operated independently.

Controller and Location of Controller

The controller shall be a 12 station electronic controller and the type is to be approved by Sport and Recreation Services.

The locked controller box shall be located in a position where the cricket wicket users can have access without being able to have access to the irrigation for the rest of the field. Sport and Recreation Services shall determine the location of this controller.

24.5.11 Pavilions

Where pavilions are required by the Brief or Deed Agreement documentation the following points shall be addressed in the design,

- The siting of the pavilion shall consider shelter from the wind and sun and shall be co-located with the car park. Pavilions shall have a good address to the sportsgrounds, preferably mid way along the sideline and perpendicular to the centre line of the sportsground. The front of the pavilion shall be not less than 20 metres from the sportsground edge.
- A 4 metre wide paved vehicle access strip shall be provided around the perimeter of the pavilion and shall link to the car park.
- Provision shall be made for the storage of goal posts and other large equipment during non-use periods. Equipment storage in a fenced compound or in lockable racks adjacent to the pavilion shall be considered.

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- Where space allows, it is preferable to use excess fill to construct viewing banks rather than elevate the sportsground. Slopes of viewing banks shall be no steeper than 1 in 6 and the bank shall tie in with the existing landform to create a unified and pleasing landscape effect. Long straight lengths of mounding that are out of scale with the surrounding landscape are not acceptable. The effect of mounding on the views of adjacent leases shall be considered.
- The inclusion of a canteen shall be considered. Canteen location shall provide a good view of sportsgrounds.

24.5.12 Car parks

Where car parks are required by the Brief or Deed Agreement documentation the following points shall be addressed in the design,

- The layout and physical geometry of a car park shall be designed in accordance with AS 2890.
- The number of car park spaces provided shall be in accordance with the ACT Parking and Vehicular Access Guidelines unless stipulated otherwise.
- The car park layout shall be designed to be sympathetic to the landform and surrounding landscape.
- Off street car parking shall be provided at the rate of not less than 20 car parks for neighbourhood playing fields and not less than 60 car parks for each 2 BSU equivalent for district playing fields.
- Off street car parking for Enclosed Ovals shall be provided in accordance with the ACT Parking and Vehicular Access Guidelines.
- The provision for car parking shall allow for the use of shared facilities (e.g. schools) in close proximity to the playing field.
- Car parking facilities shall be elevated above the sportsground. This provides the opportunity to view the sportsground from within the car.
- Bollards shall be used around car parks and vehicular access to prevent unauthorised vehicle access. Bollards shall be designed with non-maintainable surfaces adjacent (e.g. granite gravel, concrete, asphalt).
- Fencing, bollards and gates provision shall be determined by Sport and Recreation Services and included in Brief or Deed Agreement documentation.
- Ambulance access to playing fields shall be provided through a dedicated entry point from the car park through locked ranger gates. Ambulance access routes shall provide smooth travel from sportsground to adjacent urban road system. Ambulance access routes shall not jump kerbs, follow steep inclines and declines or cross open concrete inverts or mowable swales.

24.5.13 Lighting

Where lighting is required by the Brief or Deed Agreement documentation the following points shall be addressed in the design,

- compliance with appropriate Australian Standards
- compliance with Design Standard for Urban Infrastructure 12 Public Lighting
- siting of light standards to comply with separation distances from sportsgrounds

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- siting of light standards to enable free movement of specified mowing equipment

24.5.14 Water sensitive urban design

Sportsground design projects shall incorporate the principles of WSUD. Design Acceptance approvals shall be subject to the satisfactory inclusion of appropriate WSUD measures. The measures to be incorporated will depend on both the nature and the location of the works involved and Brief or Deed Agreement documentation. Options for water supply shall be specified in the Brief or Deed Agreement documentation. Collected and reused water may be an approved water supply for sportsground irrigation. Sport and Recreation Services shall approve details of the collection and reuse water system for sportsground irrigation. Systems that rely on pumps shall be avoided.

Design Acceptance approval submissions for sportsgrounds shall include details of water sensitive urban design measures, including:

- targets and criteria applicable to the proposed development,
- WSUD measures proposed for the development, including location and design details
- description of assessments – the details of the tools used to assess the performance of the selected WSUD measures, including a summary of inputs and adopted parameters, and
- a statement confirming that the applicable targets and criteria will be met by the proposed measures.

24.5.15 Signage

Where signage is required by the Brief or Deed Agreement documentation the signage shall comply with Design Standards for Urban Infrastructure, 25 Urban Park and Open Space Signage, Urban Services, Canberra.

APPENDIX I**LABORATORY PROCEDURES FOR TESTING SPORTSGROUND SOIL****METHODOLOGY FOR DETERMINING SOIL HYDRAULIC CONDUCTIVITY**

***If the soil testing does not follow these procedures it should be deemed to be invalid.**

Introduction

In this document the *Drop Test* has been referred to several situations as a measure of saturated hydraulic conductivity. There are many different methods used for the measurement of hydraulic conductivity in soils, and these different methods can give different answer.

Dr Jakobsen has developed a very simple and effective test for saturated hydraulic conductivity which can be used in the meaningful assessment of soils and sands for sports turf and horticulture. This method requires no expensive laboratory equipment, and has proved to be highly repeatable.

Many of the traditional methods for determining hydraulic conductivity involve dropping a hammer or some sort of weight onto the soil sample, which is held in a steel container. There is one major problem with this method of applying compaction, and that is the friction loss of the impact with the soil which is very close to the edge of the container.

This causes a deceleration of the energy being applied close to the edge. This means that the soil close to the edge of the container is not compacted to the same density as that soil near the centre of the container. When water flows down this column, it passes through the less dense edges of the soil in the container more quickly than the adjacent soil.

There is also a variation in the compaction, or bulk density of the sample, from the top to the bottom. It also means that the compaction needed by the hammer or dropping weight method has to be high to achieve good compaction of the whole sample.

If the whole container, including the soil inside it, (Handreck and Black, 1984) is dropped onto a flat hard surface, then much less energy has to be applied to achieve the same compaction of the sample. The soil and the edge of the container decelerate at the same rate, so there is a minimum of edge effect in this method, and the soil compacts more uniformly through the whole sample than the drop hammer method.

The apparatus used for this procedure is ordinary laboratory equipment, including a drying oven, suction plate, vernier callipers, distilled water, and a balance. There is no complex machine required to apply compaction, and there is no special apparatus required to keep a constant head of water for special stainless steel tubes.

A four-litre ice-cream container, or large beaker, is ideal to place the tubes of soil in for wetting up from the bottom.

25mm diameter PVC water pipe can be used for the tubes. Cut into 150mm lengths, ensuring that the ends are cut off exactly at right angles and the edges smoothed so they are even. Each tube has a piece of gauze glued to the bottom to prevent soil from falling out, while still allowing water to freely flow through it.

Note

It is critically important to ensure that the sample is at field capacity when the soil is placed in the tubes prior to the test. Failure to ensure this will result in the wrong result. It is also very important also to ensure that the tube is dropped from the correct height every time and that it falls vertically. If the tube falls on an angle rather than flat on the bottom of the tube, it can decompact the sample.

With practice and care, the method is very reliable and staff can be trained to carry it out with a high degree of reputability.

The methods have been written in the format of an Australian Standard and are as follows:

Design Standards for Urban Infrastructure**1. METHOD FOR DETERMINING SOIL WATER CONTENT****General**

Before any soil is used for testing, the whole sample received must be made homogeneous.

Pre treatment of soil samples before physical testing can affect the results, in particular for hydraulic conductivity, but also to a lesser degree for compaction and water holding capacity. Thus, the screening and mixing of samples, as needed to obtain representative sub samples for different tests, must be carried out with a minimum impact on the soil. Otherwise the pre treatment may easily incur effects on the soil that will not occur in the field operations.

Many soils are destabilised and slake easily after being worked while wet, and after drying the soil may regain its former stability. If such a soil is stored moist in a stockpile to be used for an irrigated turf area then drying of the soil is unlikely to occur in the field, and it should be avoided in the laboratory prior to testing.

Dry and lumpy clay soil should be moistened first, so it crumbles easily and can be passed through the screen with a minimum of effort. Crushing dry lumps with a hammer will produce a lot of dust, which is not characteristic of the soil in nature.

Dry soil or gravel is difficult to sample representatively, because fine particles fall to the bottom between larger ones. Moistening the sample to a water content just below its field capacity will make all dust cling to larger particles. Such a sample can be mixed well and representative sub samples taken out. If the water content is below the lower plastic limit, mixing will not destabilise the soil and cause it to slake.

If the soil is dry then add water to what is judged to be near field capacity, e.g. for a gravel 1-1.5%, a sand ~5-8%, a pug soil ~20-30%. Give clay soil time to absorb the water so no muddy lumps are formed during screening and mixing.

Scope

This standard follows the procedures outlined in Australian Standard 1289.1 and 1289.2.1.1

Apparatus

- a. A drying oven
- b. A heat-resistant and corrosion-resistant container
- c. Analytical balance
- d. 12mm screen
- e. Desiccator containing anhydrous silica gel

Procedure

Crush any big lumps by hand so that the soil can be passed through a 12mm screen.

Mix the sample well and store in a plastic storage container(a) with an airtight lid.

1. Weigh a clean and dry container(b) in grams, to 2 decimal places, **I**.
2. Take a representative sub-sample of soil from the storage container(a) and place in the drying container(b).
Weigh container(b) with wet soil, **TSW**.
3. Place sample in drying oven at 105°C for at least 12 hours, or until its weight becomes constant.
4. Allow sample to cool in a desiccator for 10-20 minutes and weigh again, **TS**.

Design Standards for Urban Infrastructure**Calculations**

Calculate the gravimetric water content from:

$$W\% = \frac{TSW - TS}{TS - T} \quad (1)$$

The relation between the gravimetric water content and the volumetric water content of a soil at a given bulk density is:

$$\text{water vol.\%} = w\% \times \text{bulk density (g/cm}^3\text{)} \quad (2)$$

For tests made on wet soil, but where the amount of dry soil must be known, e.g. hydraulic conductivity, a conversion factor, C, may be useful:

$$C = \frac{TS - T}{TSW - T} \quad (3)$$

Now use:

$$\text{Dry soil, g} = C \times \text{Wet soil, g} \quad (4)$$

If the moist soil is kept in a closed plastic container, then the measured water content and the value of C may be valid for a week or more.

2. PROCEDURE FOR PREPARING SAMPLES TO BE AT FIELD CAPACITY FOR TESTING (Canberra Landscape Guidelines 1993)

Scope

This standard sets out a method for the laboratory determination of the field capacity of a soil.

Apparatus

- a. Ceramic suction plate, adjusted to 1m suction (-10kPa).*
- b. Plastic rings, approximately 30mm high and 50mm in diameter.
- c. Heat-resistant and corrosion resistant containers.
- d. Vernier callipers.
- e. Analytical balance.
- f. Drying oven complying with AS 1289.0.
- g. Wash bottle.

Procedure

1. Wet the suction plate and make sure there are no air bubbles in the drain tubes.
2. Place the empty plastic rings on the suction plate and fill the rings with soil. Pack the soil samples to ensure good contact with the suction plate.

Design Standards for Urban Infrastructure

Wet the samples thoroughly using a wash bottle.

Cover the suction plate and leave the samples to drain for at least 16 hours.

3. Weigh the empty drying containers, **Tg**.

Using vernier callipers measure the depth of soil, **Hmm**.

Transfer the samples from the rings to the heat-resistant containers and record the wet weight, **TSWg**.

Record the dry weight, **TSg** after drying at 105°C for at least 12 hours.

Calculations

Soil bulk density (Db):

$$Db = \frac{TS - T}{\text{volume}} \quad \text{g/cm}^3 \quad (1)$$

Gravimetric water content (w):

$$W = \frac{TSW - TS \times 100}{TS - T} \quad \% \quad (2)$$

*Notes: 1. Flexible tubing is used to join the suction plate to a water reservoir. The porous plate is saturated with water, and air removed from the cavity behind the plate and from the flexible tubing. By adjusting the free water surface in the reservoir to 1m below the upper plate surface, 1m suction is achieved. This system is usually referred to as a hanging water column.

This description is taken from Loveday, (1974):

2. For sand materials the suction is set at 30cm

3. PROCEDURE FOR THE DETERMINATION OF SATURATED HYDRAULIC CONDUCTIVITY IN SOILS AND SANDS

General

The saturated hydraulic conductivity, **K**, of a soil refers to the movement of water through the soil profile when it is saturated (completely filled with water). It is the coefficient, **K**, in Darcy's equation:

$$\text{Rate of Flow} = K \frac{dh}{dx} \quad \text{mm/hr} \quad (1)$$

where (**dh/dx**) is the driving force, i.e. change in water pressure with distance.

In the following test **K** (saturated) is measured under conditions of a falling head of water, **H**. At the time when the surface of the ponded water reaches the soil surface, it falls at a rate equal to **K**.

The samples used for testing are compacted to a range of soil densities, which are expected to cover the range occurring in the field after several years of use. A very light level of compaction is applied as well, because some soils will slump during wetting and then become very slow draining.

Design Standards for Urban Infrastructure**Scope**

This standard sets out a method for laboratory determination of the hydraulic conductivity of a soil.

Apparatus

The following apparatus is required:

- a. A drying oven
- b. 6 Plastic tubes, 150mm long, 30mm diameter, with nylon gauze fitted on one end. The gauze should allow free drainage of water, but not of soil.
- c. Plunger, comprised of a plastic tube with a rubber stopper on one end and fitting neatly inside the plastic tubes.
- d. Analytical balance.
- e. Vernier callipers.
- f. Large plastic container, deeper than 150mm to fit the 6 plastic tubes.
- g. Free draining surface.
- h. Heat resistant container.
- i. Hard flat surface eg. steel base of retort stand.
- j. Stop watch.
- k. Wash bottle.

Procedure**Sample preparation**

1. The soil should have a water content near to Field Capacity prior to testing, i.e. the water content held against a suction of 10kPa or 1m hanging water column or 0.3m for sands
2. Mix the moist soil sample well to make sure that the moisture content is uniform and no wet lumps exist. Keep the soil in a closed container to avoid water loss during the test. Take out a sample for determination of the exact water content (See method 1).
3. Prior to filling each tube with the moist soil, place the tube on the balance and tare the balance.
4. Fill the tube with soil. Whilst filling stand the tube on a flat surface to ensure that the soil does not bulge out at the bottom.
Compact the soil in the first tube by dropping it once from a height of 150mm onto a hard, flat surface. Ensure the tube is kept upright and is not allowed to fall over.
Lightly firm the soil surface down to the same level of compaction as the rest of the soil in the tube using a plunger. Do not use excessive force.
5. Weigh the tube immediately after filling and compaction to prevent weight loss due to evaporation. Record the weight of wet soil in the tube, **SW**.
Using vernier callipers, measure and record the distance from the rim of the tube to the compacted soil surface, **h**.
6. Repeat steps 4 to 6 on the remaining tubes, applying increasing levels of soil compaction for each tube by doubling the number of times, **N**, the tubes are dropped, i.e. 2, 4, 8, 16 and 32.
Record the values of **SW**, **h** and **N** for each sample.
7. Place the tubes in the plastic container, and slowly fill this container with water until the level approaches the outside rim of the tubes. Allow the water to rise up through the soil to displace most of the soil air.
Only fill the tubes from the top after the water surface inside them is close to the rim, or at least the soil surface is under water. This should be done carefully with a wash bottle so as to minimise disturbance of the soil surface.

Design Standards for Urban Infrastructure

Testing procedure

1. Lift the tubes out of the plastic container and place them on a free draining surface.

For fast draining sands lift one tube at a time and use a stopwatch to record the time, **t**, for the water to fall from the rim of the tube to the soil surface. For a coarse sand this time may be as little as 5 seconds.

For slow draining samples, when **t** is likely to exceed 10-20 minutes, it becomes difficult and too time consuming to get the exact time when water disappears from the soil surface. In these instances lift all the samples out and record their starting time. Measure the distance from the rim to the water surface at intervals (eg. 10, 20 and 30 minutes; these intervals should be varied according to the rate of drainage): **h1, t1; h2, t2; h3, t3**; etc.

Take three readings or more of each sample.

2. When each sample is fully drained, measure with vernier callipers the distance from the rim to the soil surface, **h**, again as the soil may have slumped after wetting.

Calculations

The conductivity, **K**, and the bulk density, **Db**, for the soil of each tube is calculated by use of equations (2), (3) and (4).

The measurements were made under a decreasing head of water, **H1=150 - h1, H2=150 - h2, H3=150 - h3**, where **h1, h3** is the distance from the rim to the water surface and 150 is the tube height, all in mm.

The decreasing head causes a decreasing rate of flow, which is compensated for in the equation for calculation of the hydraulic conductivity (**K**):

$$K = \frac{l}{t} \times \ln [H_1/H_2] \quad \text{mm/hr} \quad (2)$$

where **l** = 150 - **h**, height of soil column in mm; and **t** is the time in hours between the measurements, **H1** and **H2**. Repeat the calculation with **H2** and **H3** and the corresponding value of **t**.

The weight of dry soil, **S**, in a tube is calculated by :

$$S = \frac{SW \div 1.0 + W\%}{100} \text{ g.} \quad (3)$$

The bulk density is:

$$Db = \frac{S}{0.1 \times l \times A} \quad (4)$$

where **l** is the height of soil in mm (150 - **h**), and **A** is the cross sectional area of the tube (7.07cm² for a 30mm diameter tube).

If no additional compaction test is made, then the sample compacted by 16 drops of 150mm is used as a standard level of compaction for irrigated turf, and 8 drops for shrub beds and non-traffic areas. Generally 32 drops is adopted for sand profiles in sportsgrounds.

All values of **K** for tubes of compaction by 16 drops and less, should be more than 5mm/hr.

PARTICLE SIZE DISTRIBUTION HYDROMETER AND WET SIEVE ANALYSIS

Design Standards for Urban Infrastructure

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1.0 GENERAL

The particle size distribution is measured by a wet sieve analysis for particles larger than 0.053mm, and by hydrometer measurements for particles smaller than 0.053mm diameter.

Oven dried soil is used for the analysis. The soil should be allowed to cool for 10-20 minutes before weighing out a sample. If the soil is allowed to stand for longer it may absorb moisture from the air. This is especially true for clay soils, and the amount of dry soil weighed out could, in such cases, be too small.

A sample size of about 60-70g dry matter is used for clay soils.

Soils with a high content of fine sand and silt may clog the finer sieves and only pass through these very slowly, which can cause erroneous results. For such soils the amount of particles up to 0.106mm can be more reliably measured with the hydrometer.

The sample used for the hydrometer test is then used for the sieve analysis to get the distribution of larger particles.

2.0 SCOPE

This standard sets out a method for the laboratory determination of the particle size analysis of a soil. For most areas tap water contains too much calcium and distilled water must be for use in the hydrometer test.

3.0 REFERENCED DOCUMENTS

The following document is referred to in this standard:

AS1289 Methods of testing soil for engineering purposes.

4.0 APPARATUS

The following apparatus is required:

- (a) Hydrometer
- (b) Set of sieves - with hole diameters of 2.8mm, 2.0mm, 1.0mm, 0.5mm, 0.25mm, 0.106mm and 0.053mm (these sieves are those used by the USDA).
- (c) Drying oven complying with AS 1289.0
- (d) Plastic container with a nominal capacity of 2 litres
- (e) Desiccator containing anhydrous silica gel
- (f) Calgon (water softener), 5% solution
- (g) Piston
- (h) Mechanical stirrer
- (i) Two 1 litre glass measuring cylinders
- (j) Spray bottle
- (k) Thermometer
- (l) Plunger

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Design Standards for Urban Infrastructure

- (m) Stop watch
- (n) Analytical balance with accuracy as per Table 1 AS1289 2.1.1
- (o) Heat-resistant and corrosion-resistant container
- (p) Distilled water

5.0 CALIBRATION

- (a) Refer to AS 1289 3.6.3 for calibration of the hydrometer.

6.0 PROCEDURE**6.1 SAMPLE PREPARATION**

- (a) Take a sample of soil that is estimated to give the amount of dry matter needed in the test and place in a drying container. Oven dry the soil for at least 12 hours.
- (b) Cool the sample for 10-20 minutes in a desiccator with silica gel. Weigh all of the dried sample in a plastic container (S), in grams to 2 decimal places. All the soil from the drying container should be used.
- (c) Add 100ml of Calgon (5% solution), stir well to wet the sample thoroughly and allow the soil to soak overnight. Pounding with a piston for dispersion of aggregates may be also required.
- (e) Disperse the sample, using a mechanical stirrer, for at least 30 minutes
- (d) Add water to make the sample up to 600ml.

6.2 TESTING PROCEDURE**6.3 HYDROMETER MEASUREMENTS**

- (a) Transfer the sample to a large glass cylinder by using a spray bottle to get all the soil into the cylinder. Fill the cylinder up to 1000ml. Be careful not to use more than 400mls of water to wash the soil into the cylinder.
- (b) Add 100ml of Calgon solution into another 1000ml glass cylinder and add water to make up to 1000ml. This is used for a **blank** reading, to make a correction for the effect of the Calgon on the hydrometer reading.
- (c) Stir the sample thoroughly with a plunger for at least 30 seconds.
Start stopwatch when the stirring finishes.
After 30 seconds lower the hydrometer into the suspension and take a reading R, at 1minute.
- (d) Stir the sample again and take a hydrometer reading after 30 seconds; knowing that the reading will be somewhat higher than the first makes it easier to place the hydrometer at the right depth.

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- (e) Take a hydrometer reading after 1, 2 and 10 minutes standing; one after 2 to 5 hours; and a reading next day, after 12 to 16 hours standing.

Note the exact time of standing since last stirring, **T**, when each hydrometer reading is taken.

Take a blank reading in the Calgon/water solutions, **B**, at the same time as readings of the soil sample.

6.4 SIEVE ANALYSIS

- (a) Place the nest of sieves in the sink with the finest sieves at the bottom.
- (b) Transfer the soil sample to the nest of sieves by using a spray bottle or a fine jet on a hose from the water tap to ensure all the soil is transferred.
Turn on tap water and wash soil through sieves.
- (c) Watch that the outflow from the bottom sieve is running freely. If it is blocked, turn the water off and shake sieves, to make the soil move on the bottom sieve.
- (d) When the sample has been washed through, pull the sieves apart, washing the soil on each sieve to make sure all the smaller particles have passed through on to the finer sieve below.
- (e) Stack the sieves with the finest in the bottom, wipe off excessive water and dry in an oven for 2 to 3 hours.
- (f) When the sample is dry remove the sieves from the oven and allow to cool. Shake the stack of sieves thoroughly. Record the mass of material retained on each sieve ($m_{2.8}$, $m_{2.0}$, $m_{1.0}$, $m_{0.053}$).

7.0 CALCULATIONS**7.1 SIEVE ANALYSIS**

- (a) Add the weights from all sieves together:

$$M = m^{5.8} + m^5 + m^1 + m^{0.2} + m^{0.52} + m^{0.106} + m^{0.023}, \text{ g}$$

- (b) Calculate the weight of particles smaller than 0.053mm, lost in the drain:

$$m_{<0.053} = S - m, \text{ g}$$

- (c) Calculate the different size fractions as a percentage of the total sample:

Example: Percentage retained on a 2.8mm sieve

$$= \frac{m_{2.8}}{S} \times 100, \%$$

Design Standards for Urban Infrastructure

7.2 HYDROMETER MEASUREMENTS

(a) Use a computer programme to find the maximum particle diameter included in each hydrometer reading, as depending on the reading value, R, the time elapsed, T (minutes), and the temperature.

(b) Find concentration of soil in suspension, C, at each reading, by subtraction of the blank reading:

$$C = R - B, \text{ g/litre}$$

As the amount of soil used is not exactly 100.0g in a one litre suspension, then convert the values of concentrations to percentage of soil sample by dividing the concentration by grams of soil, S, and multiplying by 100.

Use computer programme for interpolation of the percentages of the soil sample smaller than 53µm, 20µm and 2µm.

(c) When taking a hydrometer reading the resulting particle diameter is found by calculation. To get the percentage values for 2, 20, 53 and 106µm, interpolations are needed.

The cumulative percentage, P, smaller than a given particle diameter, D, can be described by the function:

$$P\% = 100 \times (1 - \exp(-K \times D^N)),$$

Where the parameters K and N are determined from two pairs of percentage – diameter values. Extrapolations outside the range of measured values are best avoided.

Using the values, $P_1 = \frac{P_1\%}{100}$ smaller than the diameter D_1 and $P_2 = \frac{P_2\%}{100}$ smaller than the

diameter D_2 ,

$$\text{we get: } N = \frac{[\ln(-\ln(1 - P_1)) - \ln(-\ln(1 - P_2))]}{[\ln(D_1) - \ln(D_2)]}$$

$$\text{and, } K = \exp[\ln(-\ln(1 - P_1)) - N \times \ln(D_1)]$$

<u>Hole diameter, (mm)</u>	<u>Soil fraction retained</u>	<u>Maximum to be retained on sieve, (g)</u>
2.80	gravel	150
2.00	fine gravel	150
1.00	very coarse sand	100
0.50	coarse sand	70
0.25	medium sand	45
0.106	fine sand	20
0.053	very fine sand	10
Material passing through silt and clay		

Design Standards for Urban Infrastructure

Table 19.1. The diameter of the pores of the sieves used, and the soil fraction retained; as well as the recommended maximum mass of material to be retained on each sieve at the completion of sieving:

References:

Handreck, K. and Black, N. 1994. *Growing Media for Ornamental Plants and Turf*. New South Wales University Press Kensington Aust.

Department Urban Services, ACT Government 1993. *Canberra Landscape Guidelines, Soil Testing Procedure LG B22*. Canberra.

Standards Australia 1999; *Methods of Testing Soils for Engineering Purposes, Australian Standard 1289*.

24.6 Further reading

Belconnen's Urban Parks, Sportsgrounds and Lake Ginninderra Plan of Management, Canberra Urban Sport and Recreation Services, Canberra, 1990.

Inner Canberra's Urban Parks and Sportsgrounds Plan of Management, Canberra Urban Sport and Recreation Services, Canberra, 2000.

Irrigation Policy, Department of Territory and Municipal Services-Sport and Recreation Services, available online

http://www.tams.act.gov.au/data/assets/pdf_file/0012/40035/21_Irrigation_Edition_1_Revision_1.pdf

"Drainage for Sportsturf and Horticulture". Horticultural Engineering Consultancy Canberra 162pp McIntyre, Keith., and Jakobsen, Bent. 1998.

"Problem Solving in Golf courses, Sportsgrounds, the Landscape, and racecourses" Horticultural Engineering Consultancy Canberra 429pp McIntyre, Keith. 2004

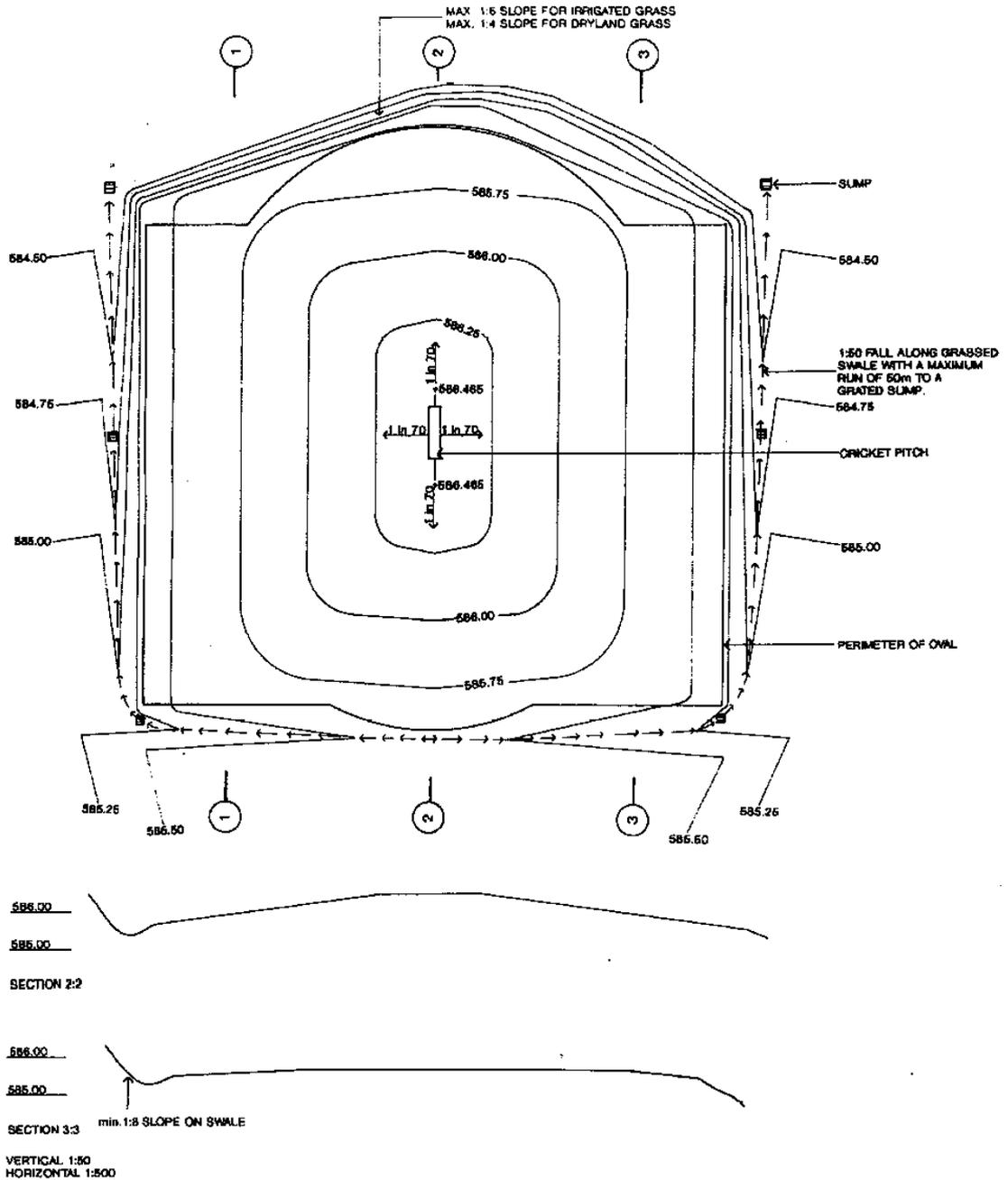
"Cricket Wickets - science v fiction". Horticultural Engineering Consultancy Canberra 282pp McIntyre, Keith, and McIntyre, Don 2001.

Tuggeranong's Urban Parks and Sportsgrounds Plan of Management, Canberra Urban Sport and Recreation Services, Canberra, 2000.

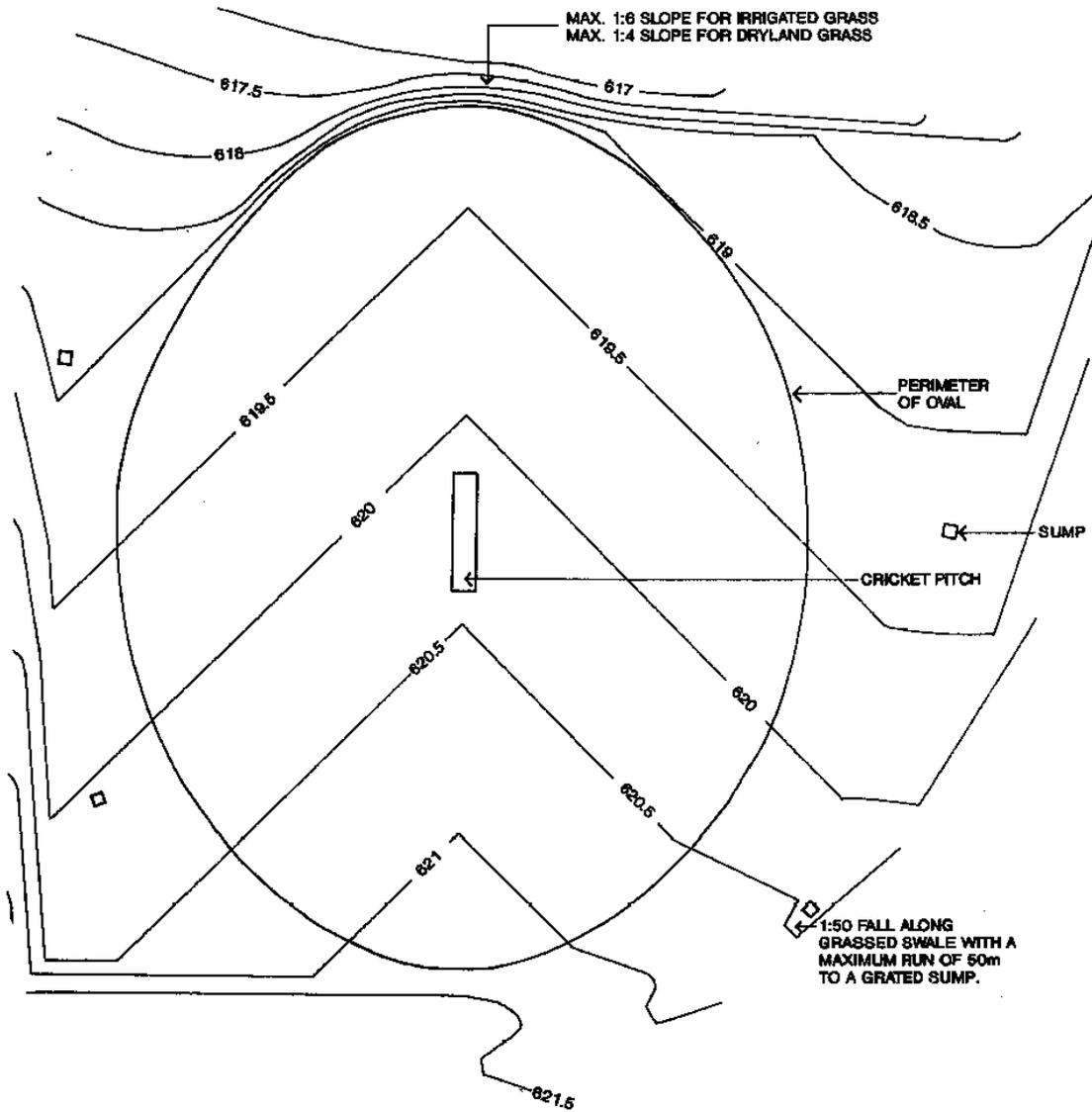
Woden and Weston Creek's Urban Parks and Sportsgrounds Plan of Management, Canberra Urban Sport and Recreation Services, Canberra, 1998.

Standard drawings

Indicative grading plan - domed formation



Indicative grading plan - two way crossfall



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Design Standards for Urban Infrastructure

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Attachment 1

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council

General Manager

Witness

Mayor

Witness

Executed on behalf of Hixson Pty Limited in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

ORD08

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Executed on behalf of Dandaloo Pty Limited in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

Executed on behalf of Edgewater Homes Pty Limited in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

Attachment 1

Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

ORD08

Appendix

(Clause 53)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Draft Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

Parties

Camden Council ABN 31 117 341 764 of 37 John Street, Camden, NSW 2570 (**Council**)

Hixson Pty Limited ABN 85 156 636 770 of PO Box 42, Narellan, NSW 2567
(**Developer**)

Dandaloo Pty Limited ABN 77 002 338 543 of PO Box 42, Narellan NSW 2567
(**Developer**)

Edgewater Homes Pty Limited ABN 36 141 446 102 of 395 Ferntree Gully Road,
Mount Waverley, VIC 3149 (**Developer**)

Description of the Land to which the Draft Planning Agreement Applies

The Draft Planning Agreement applies to the Land located within Lot 27 in DP 213330, Lot 293 in DP 708154, Lots 2 and 5 in DP 1173813, and Lots 10 to 17 inclusive and Lots 24 to 26 inclusive in DP 31996, and any part of that land comprised in a lot created by a Subdivision of that land, being land shown bounded by a red dashed line on the Staging Plan in Schedule 3.

Attachment 1

Catherine Park Planning Agreement**Camden Council****Hixson Pty Limited****Dandaloo Pty Limited****Edgewater Homes Pty Limited****Description of Proposed Development**

The development of the Land for urban purposes generally in accordance with the Staging Plan involving the subdivision of the Land into a maximum of ~~4,850~~2,100 Final Lots, establishment of transport, utilities and stormwater management networks, provision of open space, recreation area embellishment, riparian corridor and transmission easement restoration and embellishment, and associated site works.

Summary of Objectives, Nature and Effect of the Draft Planning Agreement**Objectives of Draft Planning Agreement**

The Draft Planning Agreement requires the Developer to provide Development Contributions to the Council in connection with the carrying out of the Development.

The object of the Draft Planning Agreement is to facilitate the provision of monetary contributions, the carrying out of works and the dedication of land by the Developer to the Council.

Nature of Draft Planning Agreement

The Draft Planning Agreement is a planning agreement under s93F of the *Environmental Planning and Assessment Act 1979* (Act). The Draft Planning Agreement is a voluntary agreement under which Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) are made by the Developer for various public purposes (as defined in s93F(3) of the Act).

Effect of the Draft Planning Agreement

The Draft Planning Agreement:

- relates to the carrying out by the Developer of Development on the Land,
- excludes the application of S94, S94A of the Act to the Development, but does not exclude S94EF,
- requires the carrying out of work, dedication of land and payment of monetary contributions,
- is to be registered on the title of the Land,
- imposes restrictions on the Developer transferring the Land or part of the Land or assigning an interest under the agreement,
- provides two dispute resolution methods for a Dispute under the agreement, being expert determination and mediation,
- provides that the agreement is governed by the law of New South Wales, and
- provides that the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) applies to the agreement.

Assessment of the Merits of the Draft Planning Agreement**The Planning Purposes Served by the Draft Planning Agreement**

The Draft Planning Agreement:

Catherine Park Planning Agreement**Camden Council****Hixson Pty Limited****Dandaloo Pty Limited****Edgewater Homes Pty Limited**

-
- promotes and co-ordinates the orderly and economic use and development of the Land to which the agreement applies,
 - provides and co-ordinates community services and facilities in connection with the Development, and
 - provides increased opportunity for public involvement and participation in environmental planning and assessment of the Development.

How the Draft Planning Agreement Promotes the Public Interest

The Draft Planning Agreement promotes the public interest by promoting the objects of the Act as set out in s5(a)(ii), (iv), (v) and 5(c) of the Act.

For Planning Authorities:***Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities***

N/A

Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils – How the Draft Planning Agreement Promotes the Elements of the Council's Charter

The Draft Planning Agreement promotes the following two elements of the Council's Charter under s8(1) of the *Local Government Act 1993*:

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.

These elements of the Council's charter are promoted through the provision or improvement of various public facilities, the need for which is created by the Development, including roads, roundabouts, bridges/crossings, a cycleway network, water management infrastructure, the embellishment of riparian land and open space, the dedication of land, and the payment of monetary contributions to the Council.

All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority's Capital Works Program

No. However, the Draft Planning Agreement facilitates the completion of all of the works required by the Catherine Park development in a more timely and efficient fashion than if Council was required to deliver those works via the Catherine

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Catherine Park Planning Agreement
Camden Council
Hixson Pty Limited
Dandaloo Pty Limited
Edgewater Homes Pty Limited

Fields (Part) Precinct Section 94 Contributions Plan and via Council's Works Program.

All Planning Authorities – Whether the Draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

This Draft Planning Agreement contains the requirements that must be complied with before subdivision certificates are issued in respect of Development.

Attachment 1

**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



ORD08

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council

General Manager

Witness

Mayor

Witness

Executed on behalf of Hixson Pty Limited in accordance with s127(1) of the
Corporations Act (Cth) 2001

Name/Position

Name/Position

CAM_CAM21006_010

Attachment 1

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First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited



Executed on behalf of Dandaloo Pty Limited in accordance with s127(1) of the Corporations Act (Cth) 2001

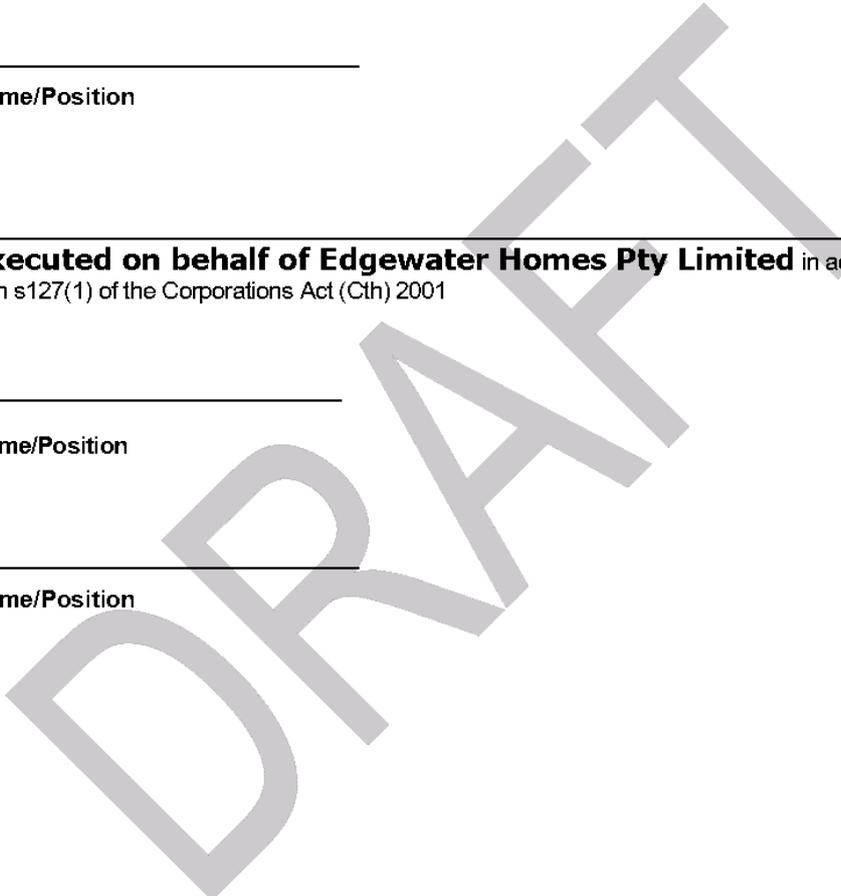
Name/Position

Name/Position

Executed on behalf of Edgewater Homes Pty Limited in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position



CAM_CAM21006_010

Attachment 1

**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



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Appendix

(Clause 7)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Draft First Deed of Variation to Catherine Park Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Parties

Camden Council ABN 31 117 341 764 of 70 Central Avenue, Oran Park, NSW 2570
(Council)

and

Hixson Pty Limited ABN 85 156 636 770 of PO Box 42, Narellan, NSW 2567

and

Dandaloo Pty Limited ABN 77 002 338 543 of PO Box 42, Narellan NSW 2567

and

Edgewater Homes Pty Limited ABN 36 141 446 102 of 395 Ferntree Gully Road,
Mount Waverley, VIC 3149

(together, **Developer**)

Description of the Land to which the Draft Deed Applies

The Draft Deed amends the land to which the Planning Agreement applies such that the Planning Agreements applies to the following land shown bounded by a red dashed line in the Council's local government area.

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Attachment 1

First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited



ORD08

The Draft Deed also amends the Planning Agreement to amend the timing of works, to allow flexibility in the provision of additional facilities as the development is completed. These amendments are shown in Schedule 1 of the Planning Agreement.

Summary of Objectives, Nature and Effect of the First Deed of Variation

Objective, Nature and Effect of Draft Deed

The Draft Deed is a deed of variation to the Planning Agreement under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*.

The objective and effect of the Draft Deed is to amend the Planning Agreement to:

- amend the definition of the Land to which the Planning Agreement applies, namely by way of updating the Staging Plan in Schedule 3 to the Planning Agreement,
- increase the lot yield of the Development to which the Planning Agreement applies,
- provide for the provision of additional Development Contributions in connection with the increase in the lot yield of the Development,
- amend the timing for Council's written certification of detailed design of a work,
- update the timing of various items of Works, and
- include a new clause regarding the Deferral of Works.

Assessment of the Merits of the Draft Deed

How Draft Deed Promotes the Public Interest

The Draft Deed requires the Developer to provide additional monetary contributions for the provision of off-site district open space works and land acquisition, and open space on-site open space works, land acquisition and community facilities land acquisition in connection with an increased maximum lot yield from 1,850 to 2,100 Final Lots. These development contributions will allow for the provision of open on-site and off-site open space that will serve the Developer's development and the wider community.

The Draft Deed:

- facilitates the orderly and economic use and development of land by ensuring that open space that serves the development and the wider community is provided,
- promotes good design and amenity of the built environment by requiring the provision of open space areas,
- provides increased opportunity for public involvement and participation in the form of public notification of the draft Deed.

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Attachment 1

**First Deed of Variation to Catherine Park Planning Agreement
Camden Council, Hixson Pty Limited, Dandaloo Pty Limited,
Edgewater Homes Pty Limited**



The Draft Deed promotes the objects of the Act as set out in s1.3(c), (g) and (j) of the EPA Act.

The Draft Deed also promotes the following guiding principles for local councils as set out in s8A of the *Local Government Act 1993*:

- the Draft Deed facilitates the Council's management of assets so that current and future local community needs can be met in an affordable way by requiring the Developer to provide open space areas that will benefit the wider community,
- the Draft Deed is an example of Council working with others, being the Developer, to secure appropriate services and facilities for local community needs,
- the Draft Deed promotes active engagement with local communities by being required to be publicly notified in accordance with the *Environmental Planning and Assessment Regulation 2000*.

Whether the Draft Deed Conforms with the Authority's Capital Works Program

The Planning Agreement as amended by the Draft Deed conforms with the Council's capital works program.

Whether the Draft Deed specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

Yes, the Planning Agreement as amended by the Draft Deed specifies that some of the development contributions are to be completed prior to the issue of occupation certificates and some development contributions are to be completed prior to the issuing of subdivision certificates.



DEVELOPMENT INFRASTRUCTURE BONDS POLICY

P1.0019.2

INFRASTRUCTURE BONDS POLICY

DIVISION: Community Assets

BRANCH: Assets and Design Services

PART 1 - INTRODUCTION

BACKGROUND

This Policy has been updated to outline Council's requirements for the lodgement of bonds and guarantees associated with the development process.

Council will require a cash bond or formal security as indicated in Part 6 of this policy, to ensure that future facilities and infrastructure are delivered in a specified timeframe, to protect existing Council assets, or to ensure that constructed works perform or are delivered to relevant standards. They are also, in limited circumstances, accepted to facilitate the release of a subdivision or occupational certificate prior to completion of all public infrastructure works.

This policy outlines the different types of development bonds which may be required in accordance with Section 4.17 and 6.15 of the Environmental Planning & Assessment Act (EP&A Act) 1979, and Roads Act 1993, including the required bond amounts and the duration and return of bonds and bank guarantees.

It is acknowledged that the deferral works under a Voluntary Planning Agreement (VPA) or Works-In-Kind Agreement (WIKA) may also require the lodgement of a bond with Council.

In circumstances where there is a potential duplication of bonds required for the same item, Council may deem that the lodgement of a single bond is appropriate.

TRANSITION ARRANGEMENTS

It is acknowledged that Development Consents that were approved prior to the adoption of this Policy, may prescribe different timing for the delivery of infrastructure such as footpaths and street trees to the requirements of this policy.

In such circumstances, where a development commenced prior to the adoption of this policy, the applicant may elect to comply with either the Development Consent or this Policy, although Council encourages developers to seek to meet the requirements of this policy as soon as possible.

For staged development, this policy shall take precedence for any stage commenced after the adoption of this policy. This will be established by the date of issue of the relevant Subdivision Works Certificate or Construction Certificate for that part or stage.

PART 2 - POLICY STATEMENT

1. INCOMPLETE WORKS BOND

1.1 General Works

Purpose of the Bond

To cover the cost of incomplete works, in accordance with the Consent and at the discretion of Council. The bond could also apply to works with minor defects requiring rectification to comply with Council's standards, and the developer wishes to obtain registration of the subdivision prior to the works being completed.

Generally, all subdivision works, and associated infrastructure should be constructed to the appropriate standard and fit for purpose prior to the release of the Subdivision Certificate.

The deferral of any works should be by exception and is always at Council's discretion. Such deferral shall not expose Council to any public liability risks or safety issues.

Note: Incomplete Works Bond does NOT provide for the deferral of street trees, footpaths or road pavement work (final asphalt layer). All street tree installations, footpath works, and asphalt works are to be completed prior to release of the Subdivision Certificate.

Council may consider the deferral of limited footpath works and street trees, up to a maximum of 3 months from the date of issue of the Subdivision Certificate, but only under extenuating circumstances or where there is an agreed risk of substantial damage to the completed footpath works or street tree planting.

When is the bond required?

The bond is payable prior to release of the Subdivision Certificate or Occupation Certificate. The bond period is to commence on the date of issue of the certificate and is required to be held until works are completed to the satisfaction of Council.

Required Supporting Information

The Applicant shall provide a written undertaking which indicates the timeframe for completion of the works. Where required the applicant shall also include any supporting information including plans (WAE), quotes, quantity surveyor cost estimates etc, to clearly identify the works or infrastructure, and the cost of such works covered by the bond.

What is the bond amount?

The bond amount is 150% of the value of the incomplete works for the first \$300,000 (excluding GST) and then 125% for the remaining amount valued above this.

The minimum bond amount to be provided is \$10,000 (excluding GST).

The bond amount shall be determined by written evidence identifying the cost of the incomplete works, provided by the Applicant to Council to ascertain the amount.

Duration and release of bonds

The bond is held by Council until the works are completed to Council's satisfaction.

If the works are not completed within the nominated time, then Council may either call in the bond or request additional security for indexation of the value of the works.

The bond shall be released in accordance with the procedures outlined in Part 6 of this policy.

A Defects & Liability Bond in accordance with Part 2 of this policy, shall also be provided for the subject works prior to the release of the Incomplete Works Bond.

1.2 Water Quality Basins/ Facilities**Purpose of the bond**

To ensure the water quality facility/facilities are constructed in accordance with the Consent and relevant standards, including the timing of the construction/conversion and delivery. The bond applies to facilities that are located on existing and/or proposed public land, or on private land but providing a public benefit. For example a basin which drains road water and Council is a benefitted party with the imposition of easements and covenants.

Required Supporting Information

The Applicant shall provide a written undertaking which indicates the timeframe for completion of the works. Where required the applicant shall also include any supporting information including plans, (WAE), quotes, quantity surveyor cost estimates etc, to clearly identify the works or infrastructure, and the cost of such works covered by the bond.

When is the bond required?

The bond is payable prior to the issue of a Subdivision Certificate.

What is the bond amount?

The bond amount is 150% of the total value of the water quality facility works including;

- (i) the cost of removing the sediment, turf and geotextile layers, and any other preparation works;
- (ii) final planting works;
- (iii) establishment period for planting and any testing required once the facility is its final form.

The bond amount shall be determined by written evidence provided by the Applicant to Council to ascertain the amount.

Duration and release of bonds

The bond is held by Council until the works are completed and maintained to Council's satisfaction.

If the works are not completed within the nominated time, then Council may either call in the bond or request additional security for indexation of the value of the works.

The bond shall be released in accordance with the procedures outlined in Part 6 of this policy.

A Defects & Liability Bond in accordance with Part 2 of this policy, shall also be provided for the subject works prior to the release of the Water Quality Facility Bond.

2. DEFECTS AND LIABILITY BOND

Purpose of the bond

To provide a bond to cover for any defects and liabilities of any new public infrastructure provided by an Applicant (developer), such as roads, drainage, footpaths, riparian corridors, WSUD, street trees and public reserves.

When is the bond required?

The bond is payable prior to issue of subdivision or occupation or compliance certificate for the designated works. For deferred works, the bond is payable upon the satisfactory completion of those works and prior to the release of the applicable Incomplete Works bond.

The bond needs to clearly nominate the value of the actual works that the developer is liable for.

The bond also may apply to works subject to a Public Road Activity approval such as footpath and roadworks, excluding vehicle crossings and road openings, unless they have been undertaken without the prior approval and/or inspection by Council.

What is the bond amount?

The defects and liability bond is 5% of the value of the works covered by the defects liability period, with a minimum value of \$10,000 (excluding GST).

The bond amount shall be determined by written evidence provided by the Applicant to Council to ascertain the amount.

Duration and release of bonds

The bond is held for a minimum of 6 months from the date of the release of the subdivision or occupation certificate, under a Public Road Activity Approval, 6 months after the completion of works (including rectification of identified defects at Practical Completion), and until rectification of the defects are completed to Council's satisfaction.

The bond shall be released in accordance with the procedures outlined in Part 6 of this policy.

3. DAMAGES BOND

Purpose of the bond

To ensure any damage to existing public infrastructure resulting from adjacent development on private land and associated works (such as driveways and service connections) is rectified to Council's satisfaction.

Adjacent to the development can also include the traffic route used to transport significant materials to the development from the nearest State Road.

The bond is required for the protection of adjacent existing Council assets during construction, such as footpaths, hard and soft landscaping (including street trees, tree pits, retaining walls and other engineered landscape features) drainage, kerb and gutter and road pavement.

When is the bond required?

The bond is payable prior to issue of a Construction or Subdivision Works Certificate for the development.

A dilapidation report of the identified existing public infrastructure is to be submitted to Council prior to the commencement of construction to determine the current condition of the assets and existing defects. The report should identify relevant infrastructure in the vicinity of the works and a written assessment of the condition of the infrastructure, including photos and any test results.

What is the bond amount?

The bond amount is calculated in accordance with Table 3.1 below.

Where the development involves multiple development types (ie subdivision and building works), the total bond required is the sum of each bond required in accordance with the table. NB This may require the Estimated Cost of works to be itemized or broken down.

Type	Approved Development	Bond Amount	Notes
A	Subdivision Works	5% of the estimated construction (civil works), or 150% of the estimated cost to fully replace the likely affected adjacent public infrastructure, whichever is the lesser.	Not required for two lot Torrens Title or strata subdivisions or where there are no physical works
B	Building Works with frontage to existing public road(s)	Road frontage less than or equal to 25 metres = \$10,000	Not required for DAs for single dwelling houses, secondary dwellings, dual occupancies, minor fit outs and internal works and ancillary development
		Road frontage more than 25m = \$10,000 + \$500 per lineal metre >25m	
C	Integrated Subdivision and Building works	5% of the estimated civil construction cost	1) The bond shall be retained until the completion of all

		(minimum bond amount = \$10,000)	Subdivision and Building works. (see 2 below) 2) Where a Subdivision Certificate is issued prior to the completion of building works, the bond may be released subject to the lodgement of a replacement Damages Bond calculated in accordance with Type B.
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Table 3.1 – Damages Bond calculations

Duration and release of bonds

An application for release of the bond shall occur at the completion of all works and after the issue of the occupation or Subdivision Works Certificate.

The bond is held by Council until all identified rectification works (if required) are completed to Council's satisfaction.

For developments involving subdivision and building works, the bond shall not be released until the completion of all works.

In the event that Subdivision works and new public infrastructure works are completed and dedicated to Council, prior to the completion of building works, the Damages Bond may be released upon receipt of a further suitable replacement Damages Bond provided in accordance with Type B of Table 3.1.

The bond shall otherwise be released in accordance with the procedures outlined in Part 6 of this policy.

4. PERFORMANCE BOND

Purpose of the bond

To provide security for new public infrastructure works (such as intersection works, major drainage upgrades, interface works, etc) undertaken within the existing public domain and ensure that works are constructed to an appropriate standard, and in a timely manner. In the event that a developer fails to satisfactorily complete the works, this will enable Council to utilize the Performance Bond to address public safety, fully complete the agreed scope of works covered by the bond and restore affected public infrastructure.

When is the bond required?

The bond is payable prior to the issue of the Construction Certificate or Public Road Activity approval.

What is the bond amount?

The bond is based on 150% of the specific cost of the proposed works.

The cost is based on estimates made by Council's officer, or written quote from a suitably qualified, licensed and insured contractor independent of the Applicant.

Duration and release of bonds

The bond is held by Council until the works are completed to Council's satisfaction.

The bond shall be released in accordance with the procedures outlined in Part 6 of this policy.

A Defects & Liability Bond in accordance with Part 2 of this policy, shall also be provided for the subject works prior to the release of the Performance Bond.

5. ROLLING DEVELOPER BOND**Purpose of the bond**

Council may allow a Rolling Bond where there is a large development entity with a project in which there are multiple stages in a development. This enables a developer to submit a consolidated security to cover each of the bonds required by this policy.

This allows for bonds to be transferred from one stage to another provided the required works have been satisfactorily completed, rather than needing to submit lodgment and/or refund applications for each bond, at the end of each stage.

This option provides a streamlined approach to managing various bonds and may reduce administrative costs and associated bond application fees.

How to apply for a rolling bond?

Any application to enter into a rolling bond arrangement will be dealt with on a case by case basis.

The Applicant will be required to enter into a formal agreement with Council that outlines how the rolling bond is managed.

The Applicant will be required to maintain a complete register of all bonds within the rolling bond agreement and provide quarterly reports to Council on the status of existing included bonds, works covered by the bond and their value, and upcoming proposed changes.

When is the bond required?

The criteria for lodgement of bonds are outlined in Sections 1- 4 of this policy. The types of bonds incorporated into a Rolling Bond will determine when the initial security must be submitted to Council. For example, if the rolling bond for a staged development is to include required performance bonds, then the Rolling Bond must be in place prior to the issue of a Construction Certificate for stage 1.

What is the bond amount?

The value of a Rolling Bond is calculated by the accumulated value of all bonds required by this Policy and applicable Development Consents, as appropriate to the staging of works.

Accordingly, the amount of security held under a rolling bond at any time, must be equivalent to the accumulated value of all outstanding bonds required for that development.

The value of the rolling bond may vary over the course of the development, depending on the timing and completion of stages.

Duration and release of bonds

Bonds will be returned or credited against the rolling bond in accordance with the criteria outlined in Sections 1- 4 of this policy.

Bonds shall be released in accordance with the procedures outlined in Part 6 of this policy.

6. GENERAL

6.1 Acceptable types of security for bonds

A bond submitted under this policy must be in the form of either;

- Cash
- Cheque
- Approved Guarantee

6.2 Goods and Services Tax (GST)

Bonds are not subject to GST.

GST is applicable to any amount of the bond retained by Council.

6.3 Form of Guarantees

A guarantee security provided through a bond means an irrevocable and unconditional undertaking without any expiry or end date, in favour of the Council to pay an amount or amounts of money to the Council on demand, issued by an eligible financial institution consistent with credit rating requirements detailed in Treasury Circular NSW TC 14/01 or equivalent revised version.

Guarantees should:

- Be a binding contractual relationship between Council and the guaranteeing institution;
- Be irrevocable guarantees from a recognised financial institution that complies with Treasury Circular NSW TC 14/01, or equivalent future revisions, and is approved by Council;
- Contain specific requirements for renunciation of the guarantee;
- Require adequate notice of renunciation;
- Include the full and correct real property description to identify the property in which the works are being bonded (e.g. *Lots 11 to 22 DP 123456, 70 Central Ave Oran Park*).
- Include the Development Consent number, Stage or Tranche applicable, and a complete description of the works or item that the security relates to (e.g. *Incomplete Works - Stage 4a – Basin xxxxx*).
- Where a rolling bond is being utilized the guarantee should reference the Rolling Developer Bond Agreement.

Council will not accept any other form of security, such as mortgages, holding Titles to land or shares.

6.4 Fees

Fees are applicable for accepting and processing bond applications, as per Council's current adopted Fees and Charges.

6.5 Calculating the value of works and bonds

Where the calculation of the bond amount is dependent on the estimated cost of works, the applicant shall provide suitable evidence as is deemed necessary by Council. Such evidence may include quantity surveyor's reports, plans, tender documents and quotes from contractors.

6.5 Lodgment and release of bonds

The lodgment and release of bonds shall occur in accordance with this policy, the relevant Development Consent and Council's Engineering Specifications.

6.5.1 Lodgement

- Bonds must be lodged in a form of security deemed acceptable by Council and as specified by this policy.
- Bond lodgment must be accompanied by the applicable application form, and fees as described in Council's Adopted Fees and Charges.
- The lodgment should also include any other information required to describe the bond purpose and application, including plans which identify the subject works.

6.5.2 Release

- Bond lodgment must be accompanied by the applicable application form, and fees as described in Council's Adopted Fees and Charges.
- Council will generally not release partial security (ie return bonds incrementally as works are completed). If development or works are to be completed in stages, separate bonds should be lodged or alternatively the entire bond will be held until all works covered by the bond have been completed to Council's satisfaction. (this includes where the works are part of a rolling bond)

For example, if the bond applies to a whole stage, then all the works required under that stage and bond must be completed prior to the release of the bond. This also applies to Defects and Liability bonds.

It is further noted that the release of a bond for completed works will require the payment of a Defects and Liability Bond as required under this Policy.

* * *

RELEVANT LEGISLATIVE INSTRUMENTS: *Environmental Planning & Assessment Act (1979)*
Environmental Planning & Assessment Regulation (2000)

RELATED POLICIES, PLANS AND PROCEDURES: Asset Handover Processes

RESPONSIBLE DIRECTOR: Director Community Assets

APPROVALS: This policy is subject to endorsement by Council.

ATTACHMENTS: Infrastructure Bond Lodgment Application Form
Infrastructure Bond Refund Application Form

NEXT REVIEW DATE: May 2023

RECORD KEEPING NOTES:

HISTORY:

Issue	Approved by	Changes made	Date
1	Approved by Council	New	9 May 2017
2		Various	



**DEVELOPMENT
INFRASTRUCTURE
BONDS POLICY**

P1.0019.12

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INFRASTRUCTURE BONDS POLICY

DIVISION: ~~Community~~ *Infrastructure Assets*

BRANCH: ~~Infrastructure Planning~~ *Assets and Design Services*

PART 1 - INTRODUCTION

BACKGROUND

This Policy has been ~~prepared~~ *updated* to outline Council's requirements for the lodgement of bonds and guarantees associated with the development process.

Council will require a cash bond or ~~bank guarantee~~ *formal security as indicated in Part 6 of this policy* to ensure that future facilities and infrastructure ~~is~~ *are* delivered in a specified timeframe, to protect existing Council assets, or to ensure that constructed works perform or are delivered to relevant standards. They are also ~~in limited circumstances~~ *accepted to facilitate the release of a subdivision or occupational certificate prior to completion of all public infrastructure works.*

This policy outlines the different types of development bonds which may be required in accordance with Section ~~80A(6) 17~~ *and 400 6 15* of the Environmental Planning & Assessment Act (EP&A Act) 1979, and Roads Act 1993, including the required bond amounts and the duration and return of bonds and bank guarantees.

~~Any bond taken under this policy must not be applied or used for the purposes of deferring any development contributions arising under Section 94 or any obligation.~~

~~It is acknowledged that the deferral works under a Voluntary Planning Agreement (VPA) or Works-In-Kind Agreement (WIKA). Conversely, any bond, bank guarantee, or) may also require the like, taken as security to defer Section 94 development contribution. VPA or WIKA obligations, cannot be applied to any purposes described under this lodgement of a bond with Council.~~

~~In circumstances where there is a potential duplication of bonds required for the same item, Council may deem that the lodgement of a single bond is appropriate.~~

TRANSITION ARRANGEMENTS

~~It is acknowledged that Development Consents that were approved prior to the adoption of this Policy, may prescribe different timing for the delivery of infrastructure such as footpaths and street trees to the requirements of this policy.~~

~~In such circumstances, where a development commenced prior to the adoption of this policy, the applicant may elect to comply with either the Development Consent or this Policy, although Council encourages developers to seek to meet the requirements of this policy as soon as possible.~~

~~For staged development, this policy shall take precedence for any stage commenced after the adoption of this policy. This will be established by the date of issue of the relevant Subdivision Works Certificate or Construction Certificate for that part or stage.~~

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PART 2 - POLICY STATEMENT

1. INCOMPLETE WORKS BOND

1.1 General Works

1.1 Purpose of the

Bond

To cover the cost of incomplete works, in accordance with the Consent and at the discretion of Council. The bond could also apply if the proposed works do not with minor defects requiring rectification to comply with Council's standard or standards, and the developer wishes to obtain registration of the subdivision prior to the works being completed.

Generally, all subdivision works, and associated infrastructure should be constructed to the appropriate standard and fit for purpose prior to the release of the Subdivision Certificate.

The deferral of such works however any works should be by exception and is always at Council's discretion. Such deferral shall not expose Council to any public liability risks or safety issues.

Note: Incomplete Works Bond does not include NOT provide for the deferral of street trees, footpaths or road pavement asphaltic concrete work (final asphalt layer). All street tree installations, footpath works, and asphalt works are to be completed prior to release of the Subdivision Certificate.

Council may consider the deferral of limited footpath works and street trees, up to a maximum of 3 months from the date of issue of the Subdivision Certificate, but only under extenuating circumstances or where there is an agreed risk of substantial damage to the completed footpath works or street tree planting.

When is the bond required?

The bond is payable prior to release of the subdivision Subdivision Certificate or Occupation Certificate. The bond period is to commence on the date of issue of the certificate or occupation certificate and is required to be held until works are completed to the satisfaction of Council.

Required Supporting Information

The Applicant shall provide a written guarantee of undertaking which indicates the timeframe to undertake the works for completion of the works. Where required the applicant shall also include any supporting information including plans (WAE), quotes, quantity surveyor cost estimates etc, to clearly identify the works or infrastructure, and the cost of such works covered by the bond.

What is the bond amount?

The bond amount is 150% of the value of the incomplete works for the first \$300,000

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~~(ex gst) excluding GST~~ and then 125% for the remaining amount valued above this.

~~The minimum bond amount to be provided is \$10,000 (ex gst) excluding GST.~~

The bond amount shall be determined by written evidence identifying the cost of the incomplete works, provided by the Applicant to Council to ascertain the amount.

Duration and ~~return of the bond~~
~~The bond is held by Council until the works are completed to Council's satisfaction. If the works are not completed within the nominated time, then Council may either call in the bond or request additional security for indexation of the value of the works. The bond shall be returned following a written request for the return of the bond and following payment of all necessary fees.~~

1.2 Footpath Works

Council's preference is that footpaths are delivered as part of the approved subdivision works.
 if a developer elects to defer the footpath construction a payment of a bond is required.
 Where a Footpath Bond is accepted by Council, the following provisions apply.
~~The deferred footpath works must be completed once 80% of housing has been constructed within the approved subdivision, or within 2 years from the date of deferral, whichever occurs first.~~

~~Purpose of the bond~~
 To ensure the construction of concrete footpaths and/or pedestrian/cyelo shared ways located in existing and/or proposed public land are constructed as detailed in the development consent and approved construction certificate plans. The bond applies only where such facilities are in existing and/or proposed public land.

~~When is the bond required?~~
 The bond is payable prior to ~~release of the subdivision certificate or occupation certificate~~. The bond period is to commence on the date of issue of a subdivision and is required to be held until works are complete to the satisfaction of Council.

~~What is the bond amount?~~
 The total amount of the incomplete works will be confirmed by Council following the provision of written evidence provided by the Applicant to Council to ascertain the amount.
~~The bond amount is 150% of the value of the incomplete works for the first \$300,000 (ex gst) and then 125% for the remaining amount valued above this.~~
 The minimum bond amount to be provided is \$10,000 (ex gst).

~~Duration and return of bonds~~

The bond is held by Council until the works are completed to Council's satisfaction.

If the works are not completed within the nominated time, then Council may ~~either call in the bond or~~
~~The bond shall be returned following a written request~~ additional security for the ~~return~~indexation of the bond and following payment of all necessary fees~~value of the works.~~

The bond shall be released in accordance with the procedures outlined in Part 6 of this policy.

A Defects & Liability Bond in accordance with Part 2 of this policy, shall also be provided for the subject works prior to the release of the Incomplete Works Bond.

Development Infrastructure Bonds Policy
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3. DAMAGES BOND

Purpose of the bond

Purpose of the bond

To ensure any damage to existing public infrastructure resulting from adjacent development on private land and associated works (such as driveways and service connections) is rectified to Council's satisfaction.

Adjacent to the development can also include the traffic route used to transport significant materials to the development from the nearest State Road.

The bond is required for the protection of adjacent existing Council assets during construction, such as footpaths, hard and soft landscaping (including street trees, tree pits, retaining walls and other engineered landscape features), drainage, kerb and gutter and road pavement.

When is the bond required?

When is the bond required?

The bond is payable prior to issue of a construction certificate Construction or Subdivision Works Certificate for commencement of the development.

What is the bond amount?

A dilapidation report of the identified existing public infrastructure is to be submitted to Council prior to the commencement of construction to determine the current state condition of repair the assets and existing defects. The report should identify relevant infrastructure in the vicinity of the works and a written assessment of the condition of the infrastructure, including photos and any test results.

What is the bond amount?

The bond amount is calculated at 5% of the value of in accordance with Table 3.1 below.

Where the developer development involves multiple development types (ie subdivision and building works-), the total bond required is the sum of each bond required in accordance with the table. NB This may require the Estimated Cost of works to be itemized or broken down.

Type	Approved Development	Bond Amount	Notes
A	Subdivision Works	5% of the estimated construction (civil works), or 150% of the estimated cost to fully replace the likely affected adjacent public infrastructure, whichever is the lesser.	Not required for two lot Torrens Title or strata subdivisions or where there are no physical works
B	Building Works	Road frontage less than or equal to 25 metres = \$10,000	Not required for DAs for single dwelling houses, secondary dwellings, dual occupancies.

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	<u>with frontage to existing public road(s)</u>	<u>Road frontage more than 25m = \$10,000 + \$500 per lineal metre >25m</u>	<u>minor fit outs and internal works and ancillary development</u>
<u>C</u>	<u>Integrated Subdivision and Building works</u>	<u>5% of the estimated civil construction cost (minimum bond amount = \$10,000)</u>	<p>1) <u>The bond shall be retained until the completion of all Subdivision and Building works (see 2 below)</u></p> <p>2) <u>Where a Subdivision Certificate is issued prior to the completion of building works, the bond may be released, subject to the lodgement of a replacement Damages Bond calculated in accordance with Type B.</u></p>

Table 3.1 – Damages Bond calculations

Duration and return/release of bonds

An application for release of the bond shall occur at the completion of all works and after the issue of the occupation or Subdivision Works Certificate.

The bond is held by Council until all identified rectification works (if required) are completed to Council's satisfaction.

For developments involving subdivision and building works, the bond shall not be released until the completion of all works.

In the event that Subdivision works and new public infrastructure works are completed and dedicated to Council, prior to the completion of building works, the Damages Bond may be released upon receipt of a further suitable replacement Damages Bond provided in accordance with Type B of Table 3.1.

The bond shall otherwise be released in accordance with the procedures outlined in Part 6 of this policy.

4. PERFORMANCE BOND

Purpose of the bond

To provide security ~~for new public infrastructure works (such as intersection works, major drainage upgrades, interface works, etc)~~ undertaken within the existing public domain, and ensure that works are constructed to an appropriate standard, and in a timely ~~fashion manner~~. In the event that a developer fails to satisfactorily complete the works, this will enable Council to ~~utilise~~ utilize the ~~performance bond~~ Performance Bond to address public safety, fully complete the ~~necessary~~ agreed scope of works covered by the bond and restore affected public infrastructure.

When is the bond required?

When is the bond required?

The bond is payable prior to the issue of the ~~construction certificate~~ Construction Certificate or public road activity ~~Public Road Activity approval~~.

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<u>What is the bond amount?</u>	Formatted	... [103]
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The bond is based on 150% of the specific cost of the proposed works.	Formatted	... [106]
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The cost is based on estimates made by Council's officer, or written quote from a suitably qualified, licensed and insured contractor independent of the Applicant -	Formatted	... [108]
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<u>Duration and return release of bonds</u>	Formatted	... [110]
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The bond is held by Council until the works are completed to Council's satisfaction.	Formatted	... [112]
if the works are divided into clear stages, Council may release an appropriate percentage of the bonds, but not for the final stage.	Formatted	... [113]
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The bond shall be returned following a written request for the return released in accordance with the procedures outlined in Part 6 of this policy.	Formatted	... [115]
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A Defects & Liability Bond in accordance with Part 2 of the bond and following payment of this policy, shall also be provided for the subject works prior to the release of all necessary fees the Performance Bond.	Formatted	... [117]
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5. ROLLING DEVELOPER BOND	Formatted	... [121]
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<u>Purpose of the bond</u>	Formatted	... [124]
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Council may allow a rolling bond Rolling Bond where there is a large development entity with a project in which there are multiple stages in a development. This enables a developer to submit a consolidated security to cover each of the bonds required by this policy.	Formatted	... [126]
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This allows for bonds to be transferred from one stage to another provided the required works have been satisfactorily completed, rather than needing to submit ledgement lodgment and/or refund applications for each bond, at the end of each stage.	Formatted	... [128]
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This option provides a streamlined approach to managing various bonds, and may reduce administrative costs and associated bond application fees.	Formatted	... [130]
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<u>How to apply for a rolling bond?</u>	Formatted	... [136]
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Any application to enter into a rolling bond arrangement will be dealt with on a case by case basis.	Formatted	... [138]
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The Applicant will be required to enter into a formal agreement with Council that outlines how the rolling bond is managed.	Formatted	... [140]
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The Applicant will be required to maintain a complete register of all bonds within the rolling bond agreement, and provide quarterly reports to Council on the status of existing included bonds, <u>works covered by the bond and their value</u> , and upcoming proposed changes.	Formatted	... [142]
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<u>When is the bond required?</u>	Formatted	... [147]
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The criteria for lodgement of bonds are outlined in Sections 1- 4 of this policy. The ~~typetypes~~ of bonds incorporated into a Rolling Bond will determine when the initial security must be submitted to Council. For example, if the rolling bond for a staged development is to include required performance bonds, then the Rolling Bond must be in place prior to the issue of a Construction Certificate for stage 1.

What is the bond amount?
~~What is the bond amount?~~

The value of a Rolling Bond is calculated by ~~the~~ accumulated value of all bonds required by ~~the policy~~this Policy and applicable Development Consents, as appropriate to the staging of works.

Accordingly, the amount of security held under a rolling bond at any time, must be equivalent to the accumulated value of all outstanding bonds required for that development.

The value of the rolling bond may vary over the course of the development, depending on the timing and completion of stages.

Duration and ~~return~~release of bonds

~~Bonds will be returned or credited against the rolling bond in accordance with the criteria outlined in Sections 1- 4 of this policy.~~

~~Bonds shall be released in accordance with the procedures outlined in Part 6 of this policy.~~

6. GENERAL

6.1 ~~6.1~~ Acceptable types of security for bonds

A bond submitted under this policy must be in the form of either:

- Cash
- Cheque
- Approved Guarantee

6.2 Goods and Services Tax (GST)

Bonds are not subject to GST.

~~6.2 Bank~~GST is applicable to any amount of the bond retained by Council.

6.3 Form of Guarantees

A ~~bank~~ guarantee security provided through a bond means an irrevocable and unconditional undertaking without any expiry or end date, in favour of the Council to pay an amount or amounts of money to the Council on demand, issued by an eligible financial institution consistent with credit rating requirements detailed in Treasury

Development Infrastructure Bonds Policy
ADOPTED BY COUNCIL 3 MAY 2017

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Circular NSW TC 14/01 or equivalent revised version.

Guarantees should:

- Be a binding contractual relationship between Council and the guaranteeing institution;
- Be irrevocable guarantees from a recognised financial institution that complies with Treasury Circular NSW TC 14/01, or equivalent future revisions, and is approved by Council;
- Contain specific requirements for renunciation of the guarantee;
- Require adequate notice of renunciation;
- Include the full and correct real property description to identify the property in which the works are being bonded (e.g. Lots 11 to 22 DP 123456, 70 Central Ave Oran Park);
- Include the Development Consent number, Stage or Tranche applicable, and a complete description of the works or item that the security relates to (e.g. Incomplete Works - Stage 4a – Basin xxxxx);
- Where a rolling bond is being utilized the guarantee should reference the Rolling Developer Bond Agreement.

~~Council will not consider the use of mortgage securities as accept any other form of bond security, such as mortgages, holding Titles to land or shares.~~

6.4 ~~7.3~~ Fees

Fees are applicable for accepting and processing bond applications, as per Council's ~~annual~~ current adopted Fees and Charges.

6.5 Calculating the value of works and bonds

Where the calculation of the bond amount is dependent on the estimated cost of works, the applicant shall provide suitable evidence as is deemed necessary by Council. Such evidence may include quantity surveyor's reports, plans, tender documents and quotes from contractors.

6.5 Lodgment and release of bonds

The

Development Infrastructure Bonds Policy
ADOPTED BY COUNCIL 31 MAY 2017

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lodgment and release of bonds shall occur in accordance with this policy, the relevant Development Consent and Council's Engineering Specifications.

6.5.1 Lodgement

- Bonds must be lodged in a form of security deemed acceptable by Council and as specified by this policy.
- Bond lodgment must be accompanied by the applicable application form, and fees as described in Council's Adopted Fees and Charges.
- The lodgment should also include any other information required to describe the bond purpose and application, including plans which identify the subject works.

6.5.2 Release

- Bond lodgment must be accompanied by the applicable application form, and fees as described in Council's Adopted Fees and Charges.
- Council will generally not release partial security (ie return bonds incrementally as works are completed). If development or works are to be completed in stages, separate bonds should be lodged or alternatively the entire bond will be held until all works covered by the bond have been completed to Council's satisfaction (this includes where the works are part of a rolling bond).

For example, if the bond applies to a whole stage, then all the works required under that stage and bond must be completed prior to the release of the bond. This also applies to Defects and Liability bonds.

It is further noted that the release of a bond for completed works will require the payment of a Defects and Liability Bond as required under this Policy.

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RELEVANT LEGISLATIVE INSTRUMENTS: *Environmental Planning & Assessment Act (1979)-*
Environmental Planning & Assessment Regulation (2000)-

RELATED POLICIES, PLANS AND PROCEDURES: *Asset Handover Processes*

RESPONSIBLE DIRECTOR: *Director Community*
Infrastructure Assets

APPROVALS: *This policy is subject to endorsement by Council -*

ATTACHMENTS: *Infrastructure Bond Lodgement Lodgement Application Form*
Infrastructure Bond Refund Application Form

NEXT REVIEW DATE: *Month and Year May 2023*

RECORD KEEPING NOTES: _____

HISTORY:—

Issue	Approved by	Changes made	Date
1	Approved by Council	<i>##New</i>	9 May 2017
2		<i>Various</i>	

Development Infrastructure Bonds Policy
APPROVED BY COUNCIL 9 MAY 2017

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