



# Camden Council

## Attachments

**Ordinary Council Meeting**  
**23 May 2017**

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



# ORDINARY COUNCIL

## ATTACHMENTS - ORDINARY COUNCIL

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23 May 2017

Mr M Rawson  
 Wollondilly Shire Council  
 council@wollondilly.nsw.gov.au

Dear Mr Rawson,

**PROPOSED DEVELOPMENT AT 440 CAWDOR ROAD, CAWDOR  
 (DA 010.2017.00000641.001)**

I refer to your letter dated 5 April 2017 notifying the proposal at 440 Cawdor Road, Cawdor proposing:

*"the development of livestock intensive agriculture (poultry) including eight (8) sheds, two (2) machinery sheds, composting and litter sheds, office, workers amenity, bulk earthworks and associated infrastructure".*

Council has undertaken a review of the EIS and has concerns with the development. Council objects to the proposed development as detailed below.

While Camden Council supports agriculture uses in rural areas, they need to be managed and operated so as to not result in unreasonable amenity impacts to the surrounding residents. A summary of the key issues is provided below:

- Potential air quality and odour impacts from the proposed development upon residential properties and Camden High School;
- Noise impacts;
- Traffic concerns; and
- Public interest.

This is discussed in more detail below.

Air Quality/ Odour

Council has reviewed the EIS and has concerns regarding the potential air quality and odour impacts from the proposed development upon surrounding development including Camden High School. These concerns are detailed below:



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1. The odour modelling appears to underestimate the cumulative impacts the proposed poultry facility and the existing poultry farm at 90 Westbrook Road will have on the surrounding area.

Based on previous odour modelling of other poultry facilities assessed by Camden Council, it is common to have a 5 odour unit (OU), 6OU or 7OU contour (or worse in some cases) immediately surrounding a poultry facility.

The predicted odour concentration at Cawdor Uniting Church of 2.9 OU is low considering that the Church is only approximately 220m away from the proposal.

2. Concerns are raised that the use of point source emissions in the modelling may underestimate the potential impact of air emissions. Justification for this methodology should be provided.
3. The odour modelling of the previously approved DA at 440 Cawdor Road, Cawdor revealed a larger predicted area of impact compared to the proposed DA. As the proposed DA is an intensification of the use, a justification for this difference should be provided.
4. The EIS report notes that there will be a composting shed included as part of the proposal. These activities are likely to generate odours and/or other pollutants. They must be included in the air quality assessment. Any other aspects of the proposal that are likely to generate odours also need to be included in the assessment.
5. Bio-aerosols have not been included in the assessment. For a facility of the type and size proposed, the potential impact of bio-aerosols needs to be assessed and the air quality report updated to include the results.

#### Noise

The proposal includes the use of mechanical plant for generating electricity and pumping water from the dams to service the poultry farm.

Noise impacts from the operation of the new farm require assessment in accordance with the "NSW EPA – Industrial Noise Policy" to ensure operational activities occurring during the day, evening and night are compliant at the closest sensitive noise receivers.

#### Traffic

A section of Westbrook Road was widened to 7 metres in early 2016 as part of the previously approved DA. The widening extends for 280 metres from Cawdor Road to a wide heavy vehicle access.



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The proposed facility is likely to have minimal impact on the intersection capacity and traffic flow on Westbrook Road and Cawdor Road.

However, it is recommended that heavy vehicle access be prohibited from a secondary access off Westbrook Road, 520 metres from Cawdor Road, as the additional length of road, including a culvert crossing, has not been widened and strengthened.

#### Public Interest

Council has received a submission from a resident raising concern with the proposal. The resident's concerns are summarised below:

- The proposed operator currently operates a poultry farm on Westbrook Road which has had a history of complaints and non-compliances.
- The proposal will exacerbate the existing issues experienced from the existing poultry farm on Westbrook Road.
- The proposed DA is an intensification of the previously approved DA at the site. That application has been abused and has created massive problems amongst all local residents.
- Camden, its residents, businesses and infrastructure will be greatly affected by traffic movements and odours as a result of the development.

Having regard to the outstanding concerns discussed above, and noting the concerns raised in the submission, the proposal is not considered to be in the public interest.

Thank you for the opportunity to comment on the proposed development. Should you have any questions please contact Kate Drinan, Statutory Planning Manager, (02) 4654 7826.

Yours sincerely,

**Mr R Moore**  
**GENERAL MANAGER**



[www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

ORD01



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20 April 2012

General Manager  
 Wollondilly Shire Council  
 PO Box 21  
 PICTON NSW 2571

Dear Sir,,

**RE: DA 010.2012.00000125.001 - Proposed Poultry Farm - 440 Cawdor Road, Cawdor**

Thank you for the opportunity to provide a submission in respect of the abovementioned development application.

Several properties within the Camden LGA will be potentially affected by the operation of a poultry farm at the subject premises.

Concerns are expressed in particular in relation to odour from the poultry farm and also the accumulated odour from existing farms in the vicinity. Concerns are expressed that noise from the operation, in particular traffic movements, will create problems for residents living in the rural area.

Camden High School is located approximately one kilometre from the subject site and odours are currently experienced in the vicinity of the school from existing poultry farms. The approval of an additional odour source should not be supported due to potential health and amenity affects. It is noted that Camden High School has not been considered in the odour report.

The climatic conditions, being prevailing winds in the area, overnight inversions in winter and the topographic features of the area, will no doubt see odour emissions from the site combining with existing in the area and draining further across the Camden LGA impacting upon a number of properties.

The proposal involves the erection of new conventional (naturally ventilated) sheds with no proposal to contain nor treat the odour to eliminate/control odours beyond the boundary. This is of concern as it is apparent that the provisions of Protection of the Environment Operations Act may not be met as offensive odours will be generated.

In recent years, Camden Council has received numerous complaints in respect of noise and odours from a farm that operates in Westbrook Road. The approval of that farm dates back to over a decade ago, and as you would know, the rectification and control of off site environmental impacts is difficult subsequent to the approval.

Attachment 2

Please find attached a document that makes specific comments on the odour and noise reports.

It is requested that the issues of odour and noise impacts from the proposed farm, including the combined or accumulated impacts from other farms in the area be considered by Council in making its determination on the suitability of operation of a poultry farm at the subject premises.

Should you require additional information or clarification of any of these issues please do not hesitate to contact the undersigned on 4654 7777.

Yours sincerely



Geoff Green  
Manager Environment and Health  
Environment and Health Branch



**SUBJECT:** 440 Cawdor Road, CAWDOR - Proposal lodged with Wollondilly Council for 8 shed broiler farm – Muscat Hydroponics.

A Noise, Dust, Odour and Traffic Study Report has been provided by Parsons Brinckerhoff, February 2011. The following are comments in relation to this report.

- 1) The proposal is to install 8 conventional poultry sheds within a 12 month time frame. The sheds would house an estimated total of 113,712 birds per cycle, at 10 weeks turn around per cycle. (an existing 190,000 birds are housed at the existing poultry sheds at 90 Westbrook Road, Bickley Vale, 500m from the proposal). Stocking rate is 10.4birds/m<sup>2</sup>.
- 2) A 1.24 hectare site directly opposite at 46 Westbrook Road, Bickley Vale, is currently undeveloped and has not been taken into consideration in the Parsons Brinckerhoff Report.
- 3) Receptor 7 at 422 Cawdor Road and Receptor 12 at 395 Cawdor Road are located within Camden Local Government Area.
- 4) Receptors 8 at 65 Westbrook Road, Receptor 9 at 85 Westbrook Road and Receptor 10 at 105 Westbrook Road have been the source of many complaints over the years in relation to noise and odour from the existing poultry farm located at 90 Westbrook Road, Bickley Vale.
- 5) Camden High School is located approximately 1 kilometre from the proposed site and although being a sensitive receptor has not been considered in the report.

#### ACOUSTICS

- 6) There is an unexpected large difference between the background readings  $L_{A90}$  and the  $L_{A95}$  readings from noise measurements taken at Cawdor Road and Westbrook Road. (p.10 and 11)
- 7) Table 4.2 is missing data (p.26). No amenity criteria is shown for the assessment goals of 55dB(A).
- 8) Section 4.2.2 suggests that noise generating activities -operations involved inside the shed during bird and litter removal is NOT a common activity occurring through the subject site. Given that there are an estimated 406 truck movements for supply deliveries and collection of birds per year (p.42), & 5.2 batches per year, I would think that noise generated from these activities would be fairly common.
- 9) The attended noise monitoring results were only carried out on 7 December 2011 during the day time period. No attended measurements were carried out during evening or night time periods.



- 10) No actual noise measurements were taken at the poultry site located at 90 Westbrook Road for noise generated by forklifts, truck loading, truck movements, bobcats and other activities associated with the movement of birds and cleaning of sheds. Results were wholly based on prediction of noise from these activities. (p.31)
- 11) Short term peak operation noise was only calculated on one truck being present on the site for cleaning or collection operations, when in fact more than one truck may be present during these times.
- 12) Noise impacts due to short term operations were predicted to exceed the nominated noise goals by up to 2dB(A) at receivers 7 & 8 (both mentioned in item 3 and 4 above), during adverse wind conditions. (p. 37)
- 13) The predicted construction noise impacts (Table 4.15 p.38) exceed the Construction noise goals set for Receiver 1, 2 and 8.

#### DISPERSION METEOROLOGY & ODOUR

- 14) The TAPM dispersion model was used to determine gradient wind flow – with resulting percentage of calms with wind speed less than 0.5m/s at 27.5%.
- 15) The air dispersion model (AUSPlume), is probably not the best model to be used for the estimation of odour impacts from poultry farms. For a number of other rezonings in the Camden LGA, the model of choice has been CALPUFF. The main reasons for choosing CALPUFF have been given as:
- It is better at modelling cumulative effects than other models;
  - It will estimate for calm wind conditions more accurately than AUSPlume; and
  - Use of CALPUFF is considered best practice for modelling odour from poultry farms.

The importance of accounting for calm wind conditions more accurately is due to the lower (or no) vertical dispersion of odour that occurs during calm conditions. Lower vertical dispersion leads to the odour plume staying closer to the ground, therefore resulting in higher ground level concentrations of odour. In addition, there is less horizontal dispersion of the odour plume during calm wind conditions, further compounding odour impacts.

AUSPLUME will give a good "ball park" figure for potential odour impacts from poultry farms. However, it will often underestimate AND overestimate odour impacts based on peculiarities of the program and how it deals with meteorological data. CALPUFF is a more refined model that will give a result that is much more useful for planning purposes as it reflects reality much more closely.

- 16) The odour performance criteria of 5 Odour Units per cubic metre (OU/m<sup>3</sup>) was used to determine odour impact at nearest residences. This was based on a population of less than 30 (being the size of the affected community). Given the number of neighbouring properties, the location of the high school 1km



from the site, and the cumulative effect of the existing poultry sheds within 500m, it is considered that a criterion of 2OU/m<sup>3</sup> would be more appropriate. Note that complaints have been received from the vicinity of the high school in relation to odour from the existing sheds in the past.

The predicted odour impacts on the receivers are in excess of 2OU/m<sup>3</sup> and in particular 5OU at the nearest sensitive receiver – Resident 1. at 435 Cawdor Road.

Measurements were taken at day 35 of the cycle when odour generation was considered by the author to be at its peak. (p48). History has shown us that the time that most odour complaints are generated is when the sheds are being cleaned out between batches.

An odour contour plan should be provided in the report.

- 17) Wind direction predominantly prevails from the North and South. Given that the Cawdor valley runs in a North to South direction, concerns are that during windy conditions or inversion layering, that not only might residents in the Cawdor Valley be affected, but also residents at Burragorang Road and potentially South Camden residential areas - given the cumulative effects of the existing poultry sheds.

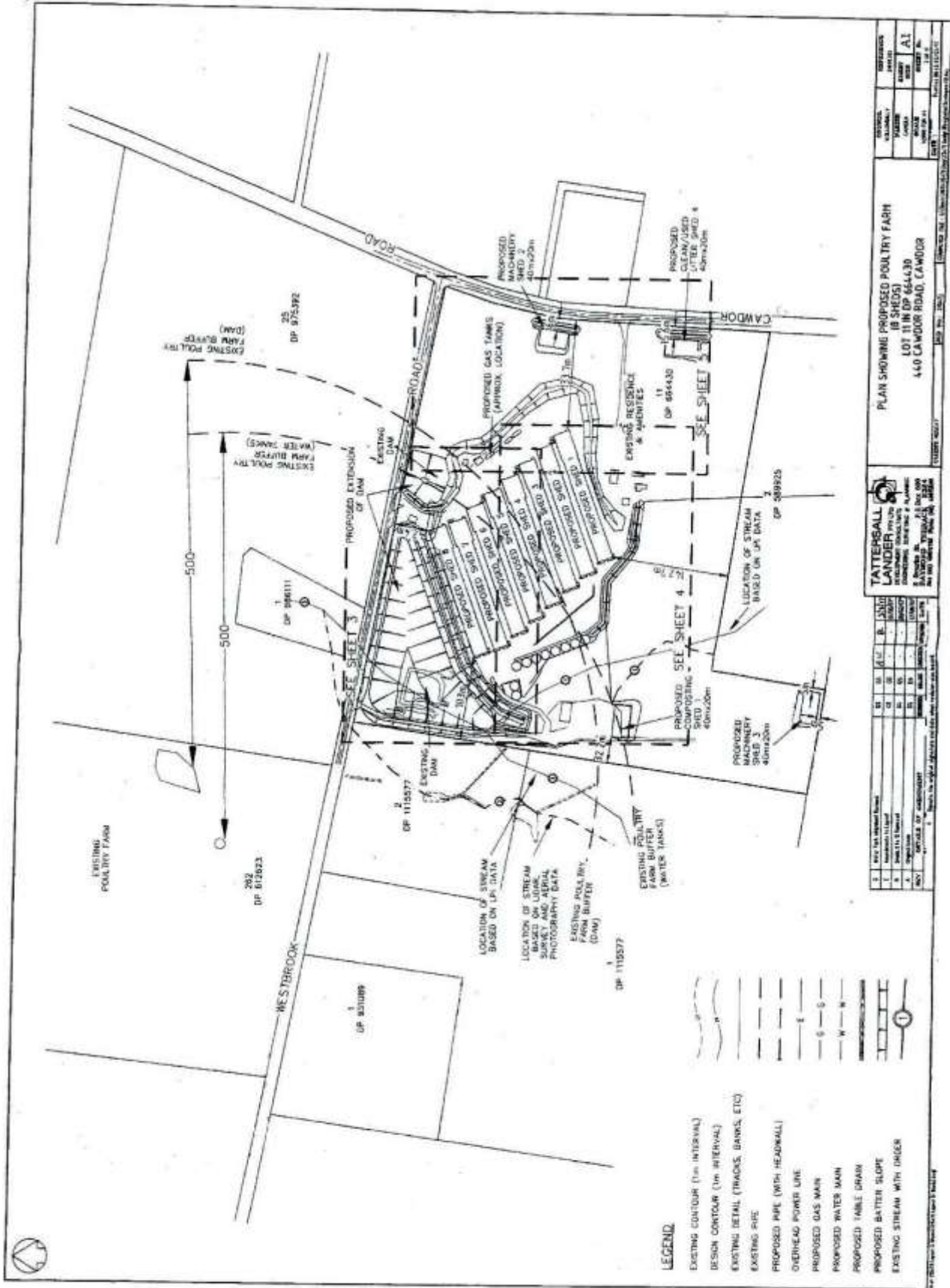
#### TRAFFIC

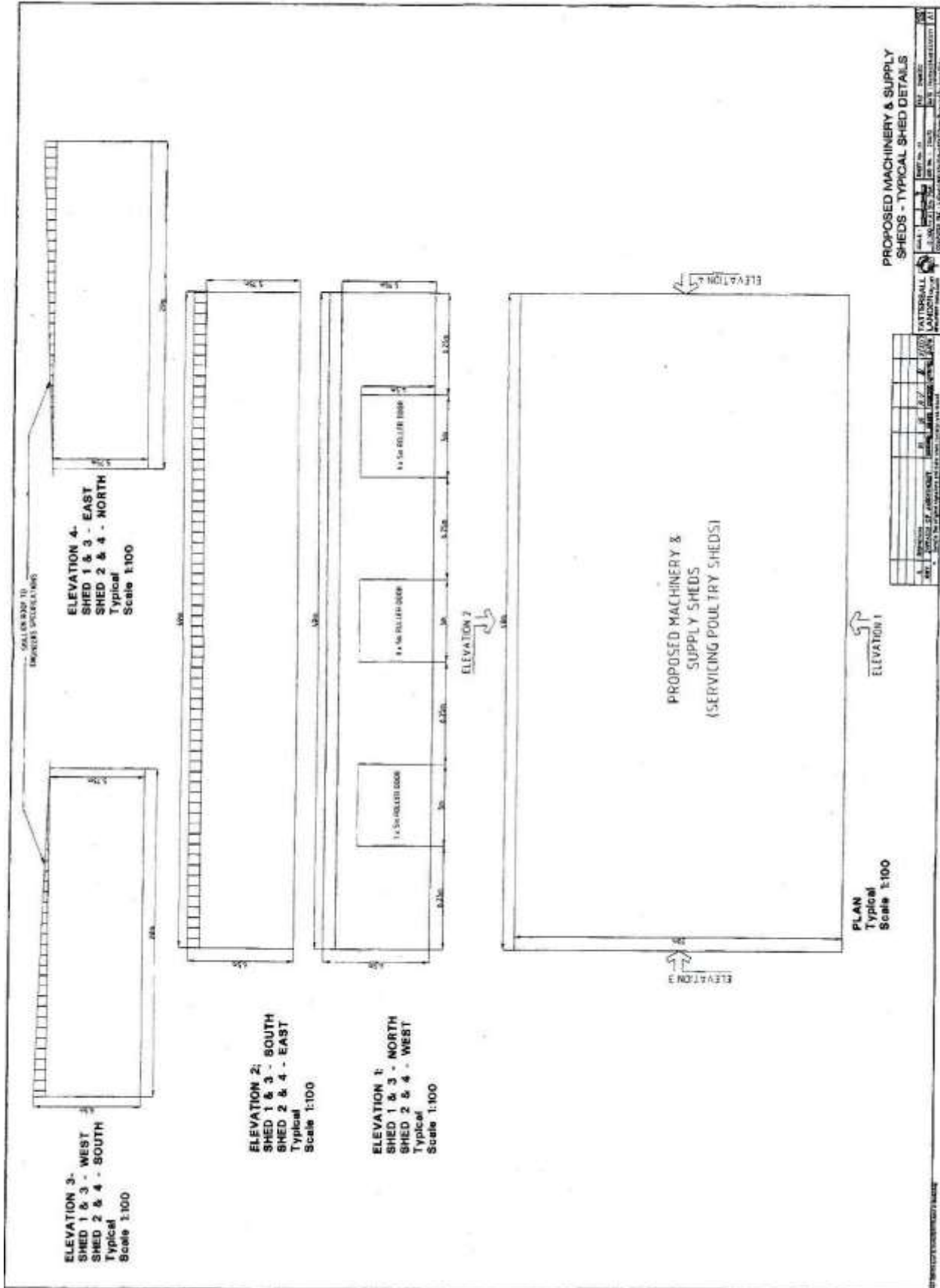
- 18) In addition to the 406 truck movements for supply deliveries and collection of birds per year (p.42), there are up to 6 staff car movements in and out of the site per shift, 20 heavy vehicles bringing sandstone in during the course of construction, 12 heavy vehicles trips associated with earthworks and an extra 6 cars entering and leaving the site during construction. I do not believe that this is negligible traffic growth as discussed on p61 and would cause potential negative impact to the road network, amenity and noise to adjoining properties.
- 19) The driveway entry is proposed to be located on Westbrook Road within close proximity to residents who are already concerned about operational noise from the existing poultry sheds at 90 Westbrook Road.

#### MITIGATION MEASURES

- 20) Predicted noise levels during the construction phase will potentially exceed the recommended noise triggers. (p.63) While controls have been recommended Council has concerns that noise will be an issue to already affected residents in Westbrook Road and nearby residents in Cawdor Road.
- 21) A recommendation has been made for the storage of dead birds in an odour control bin. In addition it would be recommended that freezers are used to store dead birds, before removal from the site.







**Approved Development:**

This development consent approves the following development subject to and specifically referred to in the Development Consent Conditions set out below:

- Construction of a colourbond shed and associated site works

**Details of Conditions:****1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
4899 Sheet 1/8 Issue E	Cover Page	M.A.D.S.	16-6-2016
4899 Sheet 2/8 Issue E	Floor Plan & Section		
4899 Sheet 3/8 Issue E	Front & Rear Elevations		
4899 Sheet 4/8 Issue E	Side Elevations		
4899 Sheet 5/8 Issue E	Site Plan		
4899 Sheet 6/8 Issue E	Shadow Diagrams		
4899 Sheet 7/8 Issue E	Landscape Plan		

- (2) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (3) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
    - i. has been informed in writing of the name and licence number of the principal contractor; and
    - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;

- i. has been informed in writing of the name of the owner-builder; and
  - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (4) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
  - a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the PCA prior to the excavation commencing.
- (5) The shed and water tank shall incorporate earthy colours to blend with the natural environment. Multi-coloured or bright reflective materials shall not be used.

## 2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

## 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;

- e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and



- c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (5) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building shall be provided with guttering and down pipes and all drainage line including any overflows from rainwater tanks, conveyed in accordance with the approved drainage plan.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The

PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.

#### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.

#### 6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Use of Shed** – The shed shall not be used for industrial, commercial or habitable purposes.
- (2) **Lighting** - Lighting from the shed shall not detrimentally impact the amenity of other premises and adjacent dwellings.

#### Reasons for Conditions:

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, the *Building Code of Australia* and applicable Australian Standards.
- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and Section 94 contribution plans that apply to the site and development.
- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

#### Advisory Conditions:

- (1) **Plan Compliance** – The development consent requires compliance with the approved plans and documents that form part of the approval. Specific conditions of

consent are also to be complied with, and amendments to achieve compliance with conditions of the consent are permitted.

All other modifications to plans and documents need to be confirmed with either Council or the certifying authority for the development. Changes to a development may require formal modification via Section 96 of the *Environmental Planning and Assessment Act, 1979*.

- (2) **Erection of Signs** – A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
  - b) showing the name of the 'principal contractor' (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.











### ATTACHMENT 1 - RECOMMENDED CONDITIONS

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
1694-18 r.mcq sheet 1 issue Q	Existing Site Plan and elevation	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 2 issue Q	Demolition Plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 3 issue Q	Existing floor plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 4 issue Q	Demolition plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 5 issue Q	Lower floor plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 6 issue Q	Upper floor plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 7 issue Q	Front, rear and side elevation	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 8 issue Q	Side elevation and section	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 10 issue Q	Site plan	Devine Drafting and Design	4 May 2017
1694-18 r.mcq sheet 11 issue Q	Drainage plan	Devine Drafting and Design	4 May 2017

Document Title	Prepared by	Date
BASIX Certificate – A244071_02	Devine Drafting and Design	4 May 2017
Waste Management Plan	Unknown	Undated
Statement of Environmental Effects	Unknown	Undated

(This condition was amended under Section 96 Modification 280(2)/2016.)

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:

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- a) in the case of work for which a principal contractor has been appointed:
    - i. has been informed in writing of the name and licence number of the principal contractor; and
    - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;
    - i. has been informed in writing of the name of the owner-builder; and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

- (6) **Conditional Approval for Tree Removal** - Consent is granted for the pruning of one (1) Jacaranda tree as proposed and as indicated on the Architectural Plans. Recommended pruning may include – crown reduction pruning up to 20% and of other elongated lateral branches particularly branches overhanging the existing driveway to reduce excessive end weight in accordance with clause 7.3.2 of the standard referred to below. Other pruning may include removal of any dead wood, removal of storm damage and hangers and pruning to achieve crown thinning in accordance with clauses 7.2.3.

The following conditions apply;

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

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- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
  - d) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.
  - e) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.
  - f) Tree work is inherently noisy and potentially disruptive to normal traffic conditions in your street; as such the applicant shall notify (at least 24 hours prior) surrounding neighbours of the time and date of the approved tree works.
- (7) **Responsibility for Damage for Tree Removal/Pruning** - The applicant is responsible for any damage caused to existing public utilities, footpaths or public roads during the cutting down, grinding, removal and disposal of the timber and roots. Care must also be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicants' agent may be liable to pay compensation to any adjoining owner if, due to tree works, damage is caused to such adjoining property.
- (8) **Tree Protection During Construction Work** – In general all trees on the site must be protected in accordance with the standards, specified in the "Australian Standard for Protection of Trees on Development Sites - AS 4970-2009".

In particular special measures must be installed to protect the trunk and roots of existing tree/s from any form of damage either accidental or from approved construction processes. It is essential for ongoing tree health that damage to any bark or roots within the structural root zone is avoided as determined in clause 3.3.5 of the Standard for Protection of Trees on Development Sites.

Protective fencing or other approved barrier must be installed in accordance with clause 4.5.3 of the Standard. Signage must be installed to inform builders and other workers to strictly observe installed tree protection measures. Nothing including the signage is to be nailed or screwed into the tree.

Careful means of excavation to avoid excessive root pruning is to be exercised. Where root damage is unavoidably an arborist must be engaged to cleanly cut the effected roots by saw.

## 2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

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- (1) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (2) **Salinity (Dwellings & Outbuildings)** - The proposed dwelling, landscaping and associated works for the development shall comply with the requirements of Camden Council's Policy 'Building in Saline Prone Environment'.

Alternatively, a site specific analysis referencing Australian Standard AS2870-2011 and including recommendations shall be prepared by a suitably qualified consultant.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (3) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;

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- b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (5) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing



Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the street gutter.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be

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completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.

- (6) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.

#### **5.0 - Prior to Issue of an Occupation Certificate**

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.

#### **6.0 – Ongoing Use**

The following conditions of consent are operational conditions applying to the development.

- (1) **Prevention of the lower ground floor being used as separate dwelling** – This condition restricts the use of any area within the dwelling for the purpose of a separate dwelling without the prior written consent of Camden Council.

**(This condition was added under Section 96 Modification 280(2)/2016.)**




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## ORDINARY COUNCIL

### ORD02

**SUBJECT: ALTERATIONS AND ADDITIONS TO A PART TWO STOREY DWELLING - 37 FORREST CRESCENT, CAMDEN**  
**FROM:** Director Planning & Environmental Services  
**TRIM #:** 16/207440

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**APPLICATION NO:** 280/2016  
**PROPERTY ADDRESS:** 37 Forrest Crescent, Camden  
**APPLICANT:** Devine Drafting & Design  
**OWNER:** Mrs Jacqueline Louise Childs

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for alterations and additions to a part two storey dwelling and associated site works at 37 Forrest Crescent, Camden.

The DA is referred to Council for determination as there are three submissions (from one property) which remain unresolved.

### SUMMARY OF RECOMMENDATION

That Council determine DA 280/2016 for alterations and additions to a part two storey dwelling pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

### THE PROPOSAL

DA 280/2016 seeks approval for alterations and additions to a part two storey dwelling and associated site works.

Specifically the proposed development involves:

- Demolition of the rear of the dwelling containing two bedrooms and a laundry to accommodate a new laundry and an alfresco area containing a BBQ;
- Internal reconfiguration of the rooms and uses;
- Removal of the front upper level deck;
- Extension of the dwelling (additional 10.8m<sup>2</sup>) and garage towards the street;
- A new front upper level balcony;
- Landscaping works and lopping of a Jacaranda tree within the site to accommodate the additions; and
- Associated site works.

The cost of works for the development is \$117,000.

**A copy of the proposed plans is provided as an attachment to this report.**



**THE SITE**

The site is commonly known as 37 Forrest Crescent, Camden and is legally described as Lot 8 DP 239467.

The site is located on the western side of Forrest Crescent, Camden. The site has a cross fall from northwest to southeast of approximately 3.9m.

Existing on site is a part two storey/part single storey dwelling and swimming pool. Due to the topography of the site, the dwelling appears as two storeys from the street and transitions to a single storey towards the rear of the site.

Adjoining the allotment to the north and south are dwellings of varying bulk and scale. Opposite to the east is a two storey dwelling house. The dwellings at the rear are also two storey forms.



**KEY DEVELOPMENT STATISTICS**

The development has been assessed against the relevant planning controls and generally compliant with the exception of one variation noted below. Below is a summary of the key development statistics associated with the DA and any variations.

	Standard	Proposed	Compliance
<b>Camden Local Environmental Plan 2010 (LEP)</b>			
Height of Buildings	Maximum height of buildings 9.5m.	Maximum height 8.19m above existing ground level.	Yes
<b>Camden Development Control Plan 2011 (DCP)</b>			

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Front Setback	Minimum 4.5m or consistent with the prevailing front setback determined by the average distance of the nearest two dwellings having a boundary with the same primary road.	The existing dwelling to the north is set back minimum of 7.3m. The existing dwelling to the south is set back a minimum of 7.8m. The average prevailing setback is 7.55m.  The proposed front setback is 7.645m, which is 0.095m behind the street average setback.	Yes
Rear Setback	4m minimum ground floor 6m minimum upper floor.	The ground floor level is setback 4.86m and is unchanged from the existing.  There is no first floor component at the rear due to the topography of the site.	Yes
Side Setbacks	0.9m minimum.	Southern boundary - 3.105 (to the proposed addition). Northern boundary - 1.8m (existing).	Yes
Garage setback	1m behind building and 5.5m to front boundary.	The garage is setback a minimum of 7.945m from the street and is forward of the façade of the dwelling.	No - see DCP Variation 1.
Visual and Acoustic Privacy	Windows of habitable rooms (not bedrooms) of first floor must not overlook unless window treatment provided.	A new window is proposed on the northern elevation with a sill height of 1.5m to restrict overlooking.  A new window is proposed on the	Yes

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	First floor balcony or deck not permitted unless demonstrated no adverse impact on privacy.	<p>southern elevation with a sill height of 1.5m to restrict overlooking.</p> <p>There is an existing balcony facing the street. This balcony is to be enclosed with a new balcony being built in front.</p> <p>The privacy impacts resulting from this modification are considered to be similar to the existing situation.</p> <p>The patio to the rear southern elevation exists, with the new alfresco area in the rear being generally at ground level resulting in no adverse privacy impacts onto the adjoining allotments.</p>	
Site Coverage	<p><u>Site Cover - Two Storey</u></p> <p>50% Ground Floor</p> <p>30% Upper Floor*</p>	<p>Lower Ground floor 94.74m<sup>2</sup> or 15.1%</p> <p>Upper Ground floor 210.57 or 33.6%</p> <p><i>*Note given the fall of the land there is no effective upper level for the purpose of this control.</i></p>	Yes
Landscaped Area	Minimum 30% Site	There is 188m <sup>2</sup> being 30.03% soft landscaping on site.	Yes
Car parking	Double garages permitted.	Double garage provided with the garage door	Yes

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	Garage doors not to exceed 50% of front façade.	being 36% of the width of the front façade.	
Private Open Space (POS)	<p>≥ 20% Site Area.</p> <p>PPOS area of minimum area 24m<sup>2</sup> with minimum dimension 4m.</p>	<p>There is 161m<sup>2</sup> equating to 25% of POS behind the building line, with minimum dimensions of 2.5m.</p> <p>A PPOS area to the rear exist, it has an area of 24m<sup>2</sup> meeting the minimum dimensions of 4m accessible from the alfresco area.</p>	Yes
Solar Access	<p>≥ 50% PPOS to receive ≥ 3hrs solar access between 9am &amp; 3pm on 21<sup>st</sup> June</p> <p>Adjoining dwelling to receive same rate to PPOS.</p>	<p>The PPOS area to the rear of the lot will receive solar access to greater than 50% of this space and will receive greater than 3hrs solar access between 9am &amp; 3pm on 21 June.</p> <p>The PPOS of the adjoining dwelling to the south will receive greater than 50% solar access between the hours of 9am and 12pm on the 21 June.</p> <p><b>The shadow diagrams are attached to this report.</b></p>	Yes

### ASSESSMENT

#### *Zoning and Permissibility*

Zoning:	R2 Low Density Residential.
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Permissibility:	The proposed development is defined as a 'Dwelling House' by the LEP which is a permissible land use in this zone.
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***Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration***

State Environmental Planning Policy(s) - S79C(1)(a)(i)	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and Deemed State Environmental Planning Policy No 20-Hawkesbury-Nepean River both apply to this site. The development is compliant with conditions recommended where necessary.
Local Environmental Plan - S79C(1)(a)(i)	Camden LEP 2010 - Compliant with conditions recommended where necessary.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	Camden Development Control Plan 2011 - Generally compliant with conditions recommended where necessary.
Planning Agreement(s) - S79C(1)(a)(iiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions applicable.
Likely Impacts - S79C(1)(b)	The likely impacts are discussed in the Key Issues section of this report.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	Three submissions (from one property) were received which have been discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

***Compliance with Plans or Policies***

***DCP Variation 1 – Garage Setback from facade***

***DCP Control***

Camden DCP 2011 requires a garage to be set back 1m behind the front building line.

***Variation Request***

The proposed garage is not set back 1m behind the building line as it is directly below the front façade of the dwelling.

***Council Staff Assessment***

- The garage of the existing dwelling is not set back 1m behind the front dwelling façade, and therefore does not meet this control. The proposed addition presents a façade that is not dissimilar to the existing situation on site and development in the locality. The proposed garage design is not considered to result in garage dominance and is not inconsistent with the existing development and how it is viewed from the street.

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- The design proposed is not inconsistent with the existing development form within the locality. There are various dwellings within the streetscape where the garages align with the dwelling façade or are in forward of the building line.
- The proposed garage is set back greater than the minimum requirement of 5.5m as set by the DCP. The garage is setback 7.945m from the front boundary which does not inhibit the ability to park a vehicle within the property boundary on the existing driveway.
- The porch feature provided over the garage has an overhang of 300mm to soften the appearance of the garage when viewed from the street.

Having regard to the comments outlined above, it is recommended this DCP variation be supported.

#### **Key Issues**

The key issues associated with the DA are limited to the DCP variation and submissions issues discussed in this report.

#### **Submissions**

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 6 May, 2016 to 19 May, 2016. Three submissions (from one property) were received objecting to the proposed development.

The following discussion addresses the issues and concerns raised in the submissions.

1. *The proposed additions will excessively over shadow the neighbouring property to the south including its primary outdoor living space which has a northerly aspect. The shadow from the additions will project into the living space and impact upon solar power and solar hot water.*

#### Officer comment:

The shadow diagrams show the existing and proposed overshadowing impacts.

The property to the south will retain three hours of solar access to at least 50% of its principal private open space (PPOS) between the hours of 9am and 3pm during mid-winter which is consistent with the criteria outlined in the DCP.

At 9am, solar access to the PPOS on the property to the south will not be impacted by the proposal.

At 12pm, the shadows cast by the proposed development encroaches into the PPOS, however as shown in the diagram below, the shadow does not occupy more than 50% of the PPOS.

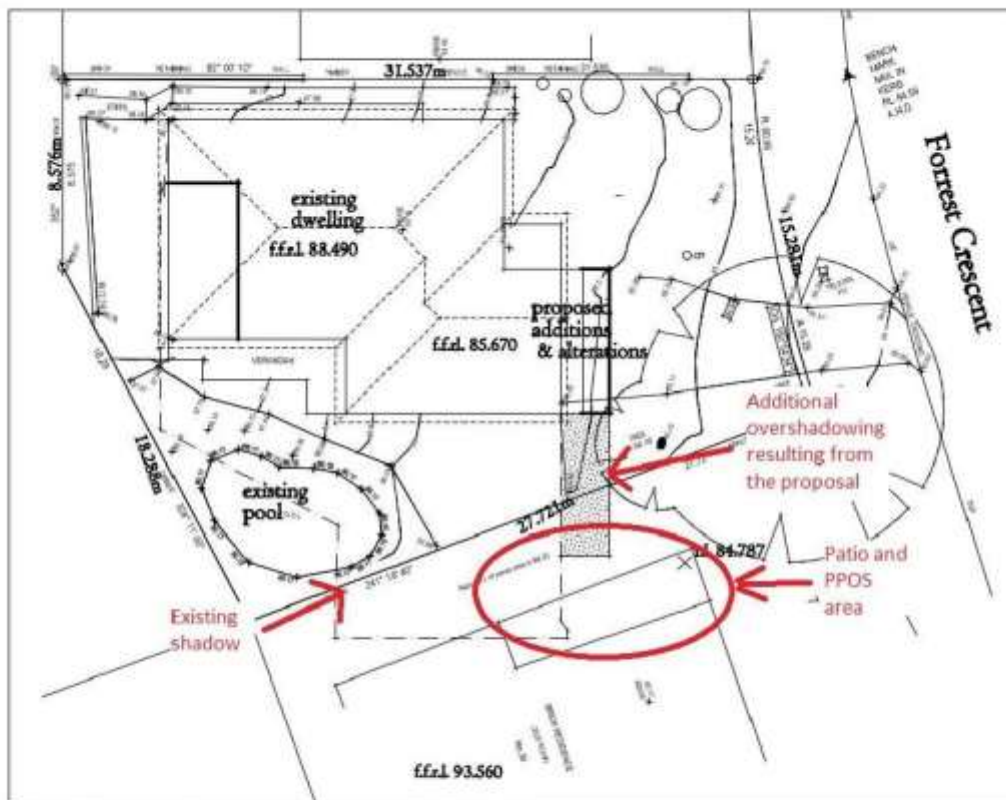


Figure – Shadow Diagram at 12pm on 21 June

At 3pm, the PPOS on the property to the south is currently overshadowed and the proposed development does not increase this impact.

No additional overshadowing of the northern elevation of the southern allotment, solar panels and solar hot water system will occur as a result of the proposal.

Since this DA was lodged, amendments have been made to the plans to reduce the overshadowing impact to the southern neighbor including the deletion of a proposed extension of the upper level roof at the front of the dwelling.

Having regard to the above, the proposed development is considered acceptable in terms of its overshadowing impacts.

**The shadow diagrams are attached to this report.**

2. *There is discrepancy between the position of the existing shadow on the shadow diagrams and the actual shadow cast on site.*

The diagrams are considered representative of the shadow cast by the proposed dwelling additions and demonstrate compliance with the solar access controls.

The applicant has surveyed the adjoining property to establish the location of the dwelling and the PPOS of the southern lot to enable an accurate assessment of the overshadow impact.



The shadow diagrams have been reviewed by Council staff who are satisfied they have been drafted having regard to true north and accurate angles of sunlight at the various times throughout the day during mid-winter being 21 June. Level changes have been taken into consideration and the length of the shadowing is considered accurate.

3. *The large windows proposed on the south west side of the existing dwelling directly overlook our primary outdoor living space which will result in an unacceptable intrusion to privacy. It is requested that these windows be removed or modified to sill height.*

Officer comment:

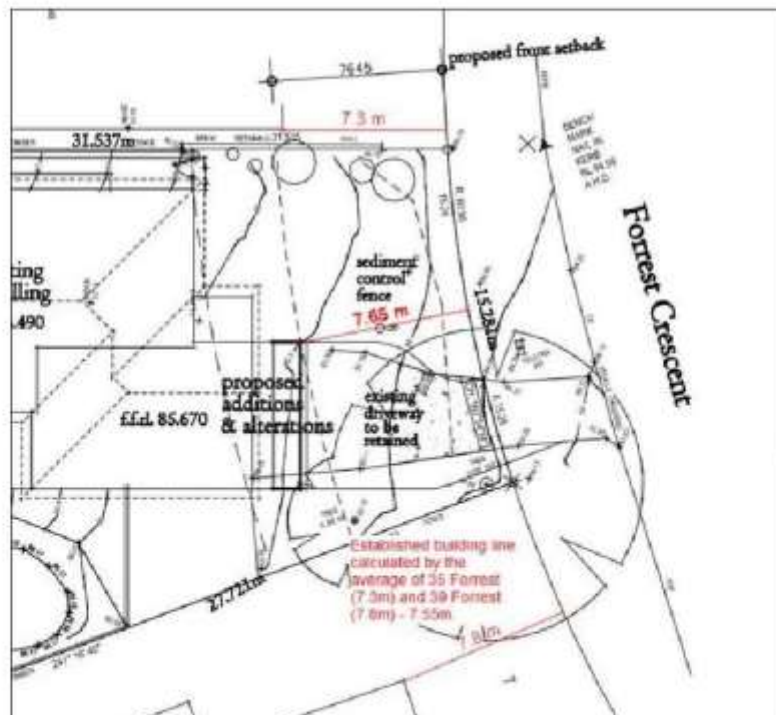
The window of concern services the kitchen. Originally this elevation proposed a second window which serviced a bedroom, however during the assessment of the application this window was deleted, and the window sill height of the kitchen was increased to 1.5m above the finished floor level of the room to restrict overlooking.

4. *Concerns the proposed extension will site the building far closer to the street than the neighbouring dwellings with the dwelling, potentially dominating the streetscape. Concerned the proposal does not meet the average required setback.*

Officer comment:

The setbacks of the adjoining allotments have been established via survey and taken into consideration when calculating the appropriate setback to the street for the subject additions. The projection toward the street associated with the dwelling addition has been reduced and does not exceed the average of the two adjoining dwellings.

The below figure demonstrates the adjoining property setbacks, average street setback and proposed front setback.



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5. *The plans do not accurately describe the use areas of the neighbouring property to the south.*

Officer comment:

Council officers have undertaken a site inspection and note the functionality of the northern side of the southern allotment. Council staff have had regard to the use areas in the assessment of the application.

6. *The statement of environmental effects submitted does not address the issues of privacy, shadowing or the removal of vegetation in which we believe the two large trees will require substantial lopping.*

Officer comment:

The statement of environmental effects provided with the application was considered acceptable for the purpose of lodging the DA with Council.

The development has been assessed against the relevant planning controls and further information has been requested where necessary to facilitate a full and proper assessment of the proposal.

Discussions with the applicant have indicated lopping of the Jacaranda tree may be required to facilitate the development. The DA has been reviewed by Council's Vegetation Management Officer and conditions of consent have been recommended to ensure any works to the tree are carried out in an appropriate way to ensure structural stability of the tree and a visually pleasing outcome obtained.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 280/2016 is recommended for approval subject to the attached to this report.

**RECOMMENDED**

That Council approve DA280/2016 for alterations and additions to a dwelling house and associated site works at 37 Forrest Crescent, Camden, subject to conditions attached.

**AMENDMENT**

Moved Councillor Farrow, Seconded Councillor C Cagney that Alterations and Additions to a Part Two Storey Dwelling - 37 Forrest Crescent, Camden, be deferred for a site inspection

**ORD8/16 THE MOTION ON BEING PUT WAS LOST**

(Councillors C Cagney, A Cagney and Farrow voted in favour of the Motion. Councillors Sidgreaves, Symkowiak, Fedeli, Mills and Morrison voted against the Motion.)



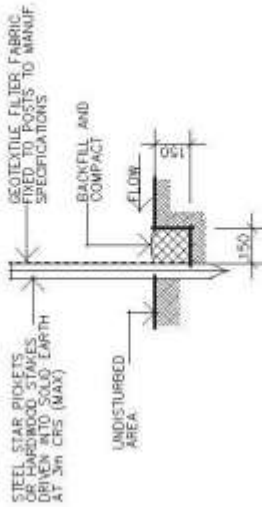


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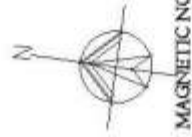
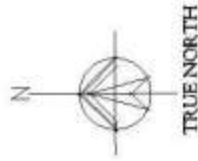
#### ATTACHMENTS

1. Recommended Conditions
2. Proposed Plans
3. Site Survey Plan
4. Floor Plans - *Supporting Document*
5. Public Exhibition and Submissions Map - *Supporting Document*
6. Submissions - *Supporting Document*

SOIL EROSION AND SEDIMENT CONTROL  
 SILTATION FENCING IS TO BE PLACED AS SHOWN ON THE SITE PLAN  
 TO PREVENT THE RUN OFF TO ANY ADJACENT PROPERTY OR  
 TO THE STREET. THE FENCING IS TO BE PLACED AT THE  
 EXCAVATION WORK BORDERS AND IS TO BE REMOVED ONLY WHEN THE  
 SITE SURFACE HAS BEEN STABILIZED, i.e. PAVED, LANDSCAPED OR  
 TURFED.  
 2.40mm CRUSHED POOL AGGREGATE IS TO BE PLACED AS AN ACCESS  
 DRIVEWAY TO THE SITE AND MUST BE MAINTAINED THROUGHOUT  
 THE COURSE OF CONSTRUCTION

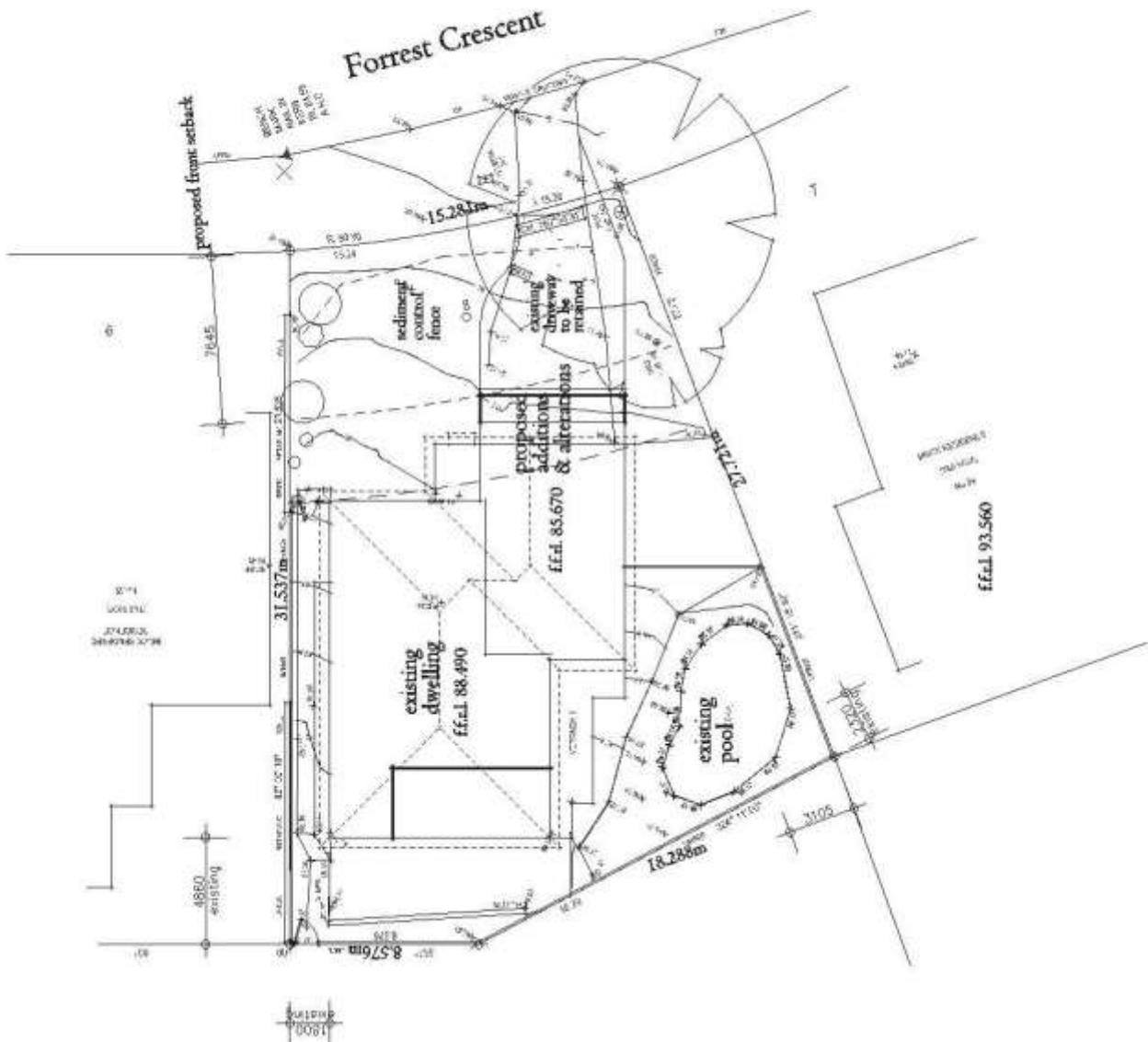


Typical Silt Fence  
 Scale 1:20



Lot 8  
 Area: 626.00sqm  
 DP: 239467

Site Plan  
 Scale 1:200



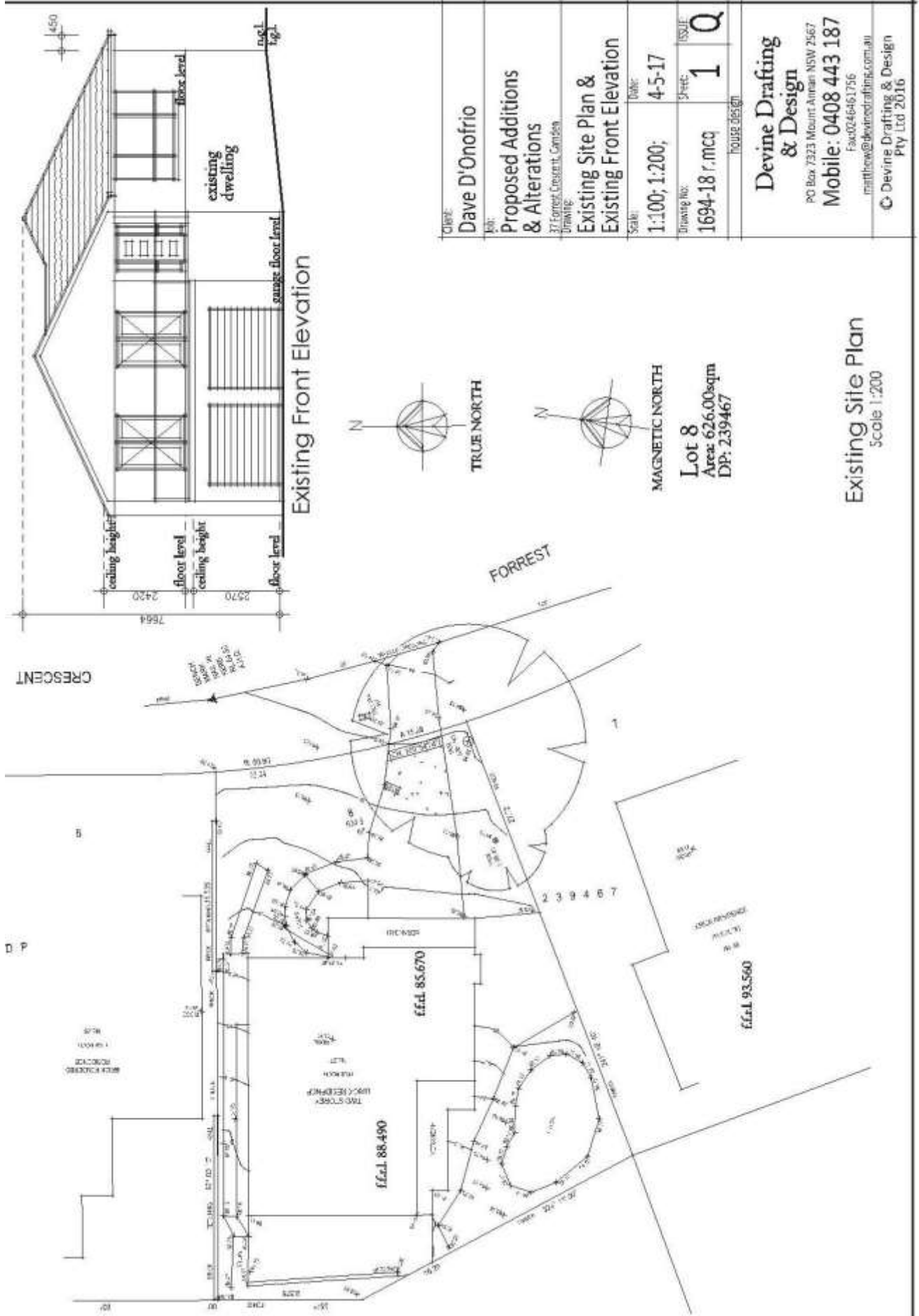
Client: Dave D'Onofrio  
 Proposed Additions & Alterations

37 Forrest Crescent, Camden  
 Drawing  
 Site Plan

Scale	Date
1:200	4-5-17
Drawing No	Sheet
1694-18 r.m.cq	10 Q
house design	

Devine Drafting & Design

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 matthew@devinedrafting.com.au  
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 Pty Ltd 2016



1. Levels shown are approx only and should be verified on site.  
 2. Figure dimensions are to be taken in a reference to scaling.  
 3. All measurements are in mm unless otherwise stated.  
 4. Window sizes are correct only. Final window sizes to be done.  
 5. Dimensions are to be verified on site by builder before commencement of work.  
 6. Any items shown or drawn on the enclosed plans but not listed as an inclusion will be deemed an exclusion.

Issue	Amendment	Date
Approval from client		Date

Client: **Dave D'Onofrio**

Job: **Proposed Additions & Alterations**

37 Forest Creek, Camden  
 Drawing:

Elevations

Scale: **1:100;** Date: **4-5-17**

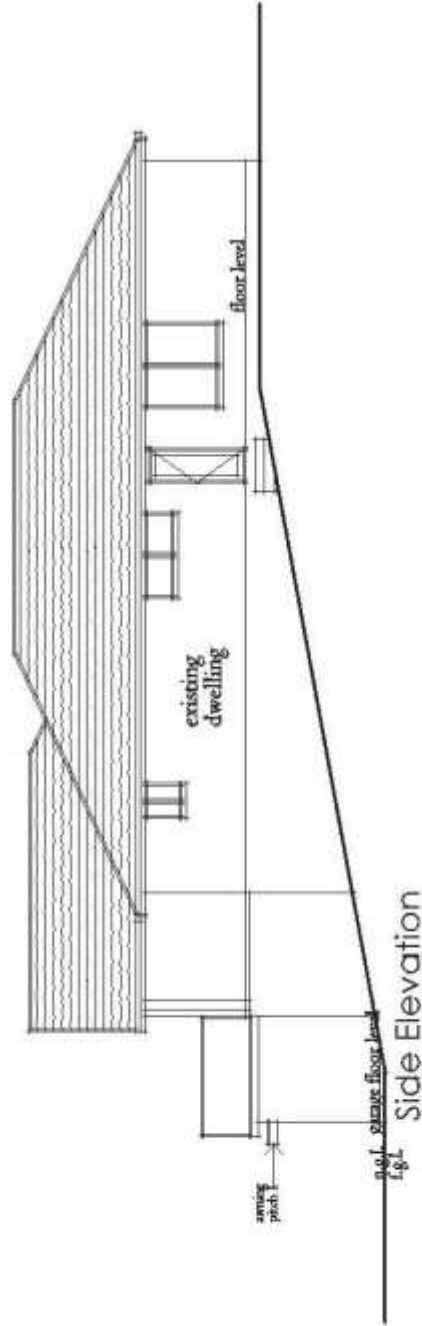
Drawing No: **1694-18 r.m.cq** Sheet: **7** ISSUE: **Q**

house design

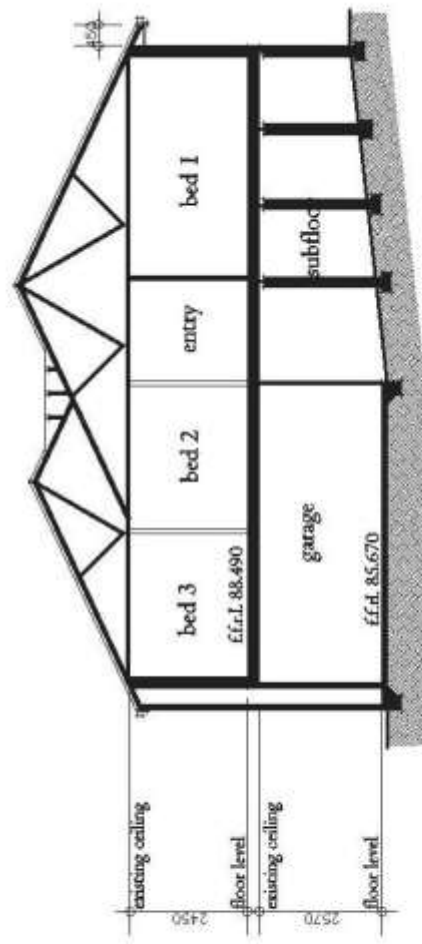
**Devine Drafting & Design**  
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<p>1. Levels shown are approx. only and should be verified on site.</p> <p>2. Finished dimensions are to be taken in preference to scaling.</p> <p>3. All measurements are in mm unless otherwise stated.</p> <p>4. Window sizes are nominal only. First window sizes by builder.</p> <p>5. Dimensions are to be verified on site by builder before commencing work.</p> <p>6. Any items shown or drawn on these plans but not listed as an inclusion will be deemed an inclusion.</p>		
Issued	Amendment	Date
	Approval from client	Date
<p>Client: <b>Dave D'Onofrio</b></p>		
<p>Job: <b>Proposed Additions &amp; Alterations</b></p>		
<p>37 Forrest Crescent, Camden Drawing: <b>Elevations &amp; Section A-A</b></p>		
Scale:	Date:	BS1188
<b>1:100</b>	<b>4-5-17</b>	<b>Q</b>
Drawing No:	Sheet:	
<b>1694-18 r.mcq</b>	<b>8</b>	
HOUSE DESIGN		
<p><b>Devine Drafting &amp; Design</b></p> <p>PO Box 7323 Mount Annan NSW 2567  <b>Mobile: 0408 443 187</b>                  Fax: 0246461756                  matt@devinedrafting.com.au  <b>© Devine Drafting &amp; Design Pty Ltd 2016</b></p>		



Side Elevation



Section A-A  
Scale 1:100

Note - All Dimensions to be verified on site before commencement of work

Construction to be in accordance with BCA and other relevant Australian Standards

R1.7 insulation to walls  
R3.0 insulation to ceilings

Granite guard  
terrace barrier





1. Levels shown are approximate and should be verified on site.

2. Level dimensions are to be taken in preference to scaling.

3. All measurements are in mm unless otherwise stated in blue.

4. Window sizes are nominal or 1/4" and window sizes are in blue.

5. Dimensions are to be verified on site by builder when commencing work.

6. Any items shown or dimensions on the enclosed plans but not listed as an inclusion will be treated as an inclusion.

Client: **Dave D'Onofrio**

Job: **Proposed Additions & Alterations**

37 Forest Creek Ct, Camden NSW

**Elevations**

Scale: **1:100**; Date: **15-11-16**

Drawing No: **1694-15 r.mcq**; Sheet: **8** ISSUE

HOUSE DESIGN **N**

**Devine Drafting & Design**

PO Box 7323 Mount Annan NSW 2567  
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CAMDEN COUNCIL  
 Approved by the Council of Camden under the provisions of the Environment Planning and Assessment Act 1979  
 APPROVAL  
 13/12/2016  
 DEVELOPMENT APPLICATION  
 DA-201602801

**Front Elevation**

**Rear Elevation**

**Side Elevation**



**Side Elevation**

CAMDEN COUNCIL  
Approved by the Council of Camden under the provisions  
of the Environment Planning and Assessment Act 1979  
APPROVAL  
15/11/2016  
DA 201602001

Note - All Dimensions to be  
verified on site before  
commencement of work

Construction to be  
in accordance with  
BCA and other relevant  
Australian Standards

R1.7 insulation to walls  
R5.0 insulation to ceilings

Granite guard  
ferrule barrier

**Section A-A**  
Scale 1:100

1. Levels shown are approximate and you are to verify or alter as required.

2. Figure dimensions are to be taken in preference to scaling.

3. All measurements are in millimetres unless otherwise stated.

4. Window sizes are nominal only. Final window sizes by builder.

5. Drivers are to be verified on site by builder before commencing work.

6. Any items shown on the enclosed plans are to be deemed an exclusion of liability as an inclusion will be deemed an exclusion of liability.

**Devine Drafting & Design**

**Recommended Conditions:****1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Dwg. No. 1701-4m.w Sheet 2 Issue E	Proposed Floor Plan	Devine Drafting and Design	23/12/2016

Document Title	Prepared by	Date
Noise Impact Assessment (report 160249R1)	Rodney Stevens Acoustics	13/3/2017
Traffic Survey	Transport and Urban Planning Pty Ltd	17/2/2017
Engineering Certificate	D&M Consulting	16/10/2016

- (2) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (3) **Separate Approval for Signs** - A separate development application for any proposed signage shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (4) **Outdoor Lighting** - All lighting shall comply with AS 1158 and AS 4282.

**2.0 – Prior to Issue of a Construction Certificate**

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Acoustic Report** - The development shall be constructed in accordance with 'Noise Impact Assessment Proposed Outdoor Dining Area Upstairs @ Freds 79-100 Argyle Street, Camden' Report 160249R1 Revision 1, prepared by Rodney Stevens Acoustics and dated 13 March 2017.
- (2) **Noise Management Plan** – A Noise Management Plan is to be prepared and submitted to the Principal Certifying Authority. The Plan is to be prepared in accordance with the requirements outlined in Section 7.3 of Council's Environmental

Noise Policy. The Plan is to be kept on the premises at all times and all staff are to be made aware of the location of the plan.

- (3) **Smoke Free Premises** - The construction and fit out of the premises shall comply with the Smoke-Free Environment Act 2000 and Smoke-Free Environment Regulation 2000. Details demonstrating compliance shall be provided to the Certifying Authority.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:

- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (5) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.
- (6) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (7) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable and be kept on site for compliance until the completion of all construction works.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (2) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water

management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

- (3) **Noise During Work** - All work shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

All work shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority's Environmental Noise Manual.

- (4) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (5) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (6) **Acoustic Barrier** - A solid barrier 1.8m high is to be constructed along the southern (part way) and eastern boundaries of the proposed outdoor dining area as per Figure 7.1 contained in the approved acoustic assessment. The barrier is to comprise "VogueWall" material, be of solid construction weighing not less than 10kg/m<sup>2</sup> and with no holes or gaps, and comprise a light cream colour that is sympathetic to the heritage building and Heritage Conservation Area.
- (7) **Acoustic panels** - Acoustic panels are to be installed on the walls of the outdoor dining area to reduce noise reflecting from the space. The panels are to have a rating no less than NRC 0.75. The panels are to be installed at a height of 1.2-1.5m from the floor with 60-70% coverage on the longer eastern wall and 30% coverage on the shorter western wall.
- (8) **Acoustic seals** - All external doors are to have acoustic perimeter seals installed, equivalent to Raven seals.

#### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (3) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the PCA confirming the building/s has been constructed in accordance with the approved acoustic report 'Noise Impact Assessment Proposed Outdoor Dining Area Upstairs @ Freds 79-100 Argyle Street, Camden' Report 160249R1 Revision 1, prepared by Rodney Stevens Acoustics and dated 13 March 2017.
- (4) **Patron Signage** - Prior to the issue of an Occupation Certificate a clear and legible notice is to be displayed in the premises stating that:
- a) the maximum total occupancy of the outdoor area referenced in this determination is 100 patrons.

Separate notices are also required to be posted around the outdoor dining area to educate patrons to be considerate of acoustic impacts to the neighbouring residential area when dining and departing.

- (5) **Food Premises** – Prior to the issue of an Occupation Certificate, an inspection of the completed works must be undertaken by a member of Camden Council's Environmental Health team.
- (6) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development.
  - b) Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

### 6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Amenity** - The business shall be conducted and customers controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.
- (2) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (3) **Food Premises** - All equipment (including pie warmers, hot food display units, etc.) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device (e.g. probe thermometer) that:

- a) Is readily accessible; and
- b) Can accurately measure the temperature of potentially hazardous food to +/- 10C.

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

- (4) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

- (5) **Hours of Operation** - The outdoor area subject to this DA is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	5:30pm to 10:00pm
Tuesday	5:30pm to 10:00pm
Wednesday	5:30pm to 10:00pm
Thursday	5:30pm to 11:00pm
Friday	5:30pm to 11:00pm
Saturday and Public Holidays	9:00am to 11:00pm
Sunday	7:00am to 9:30pm

- (6) **Occupant Capacity – Restaurant** - The seating capacity of the external area of the restaurant is restricted to a maximum of 100 patrons at any one time.

No more than 110 persons (including patrons and staff) are permitted within the external area at any one time.

- (7) **Music and / or Vocal Announcements** – Music played in the outdoor dining area is to be in the form of soft background music via the approved speakers only. At no time is live music permitted (live instrument and / or vocal performance and the like).

Music or vocal announcements played / amplified through the speakers on the premises shall be controlled by a noise / frequency limiter so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists, and shall only be audible within the property boundaries.

- (8) **External speakers** – Approved external speakers are to be directed downwards and into the outdoor dining area. No external speakers are to be facing out from the dining area.

- (9) **Frequency limiting device** – An electronic frequency dependant limiting device is to be installed to the sound system to ensure that the background music in the outdoor dining area is set to limit the background music to the levels set out in Table 7.1 'Music Limiting Levels' of the approved acoustic assessment.

The frequency limiting device must be regularly monitored and results recorded and kept on the premises.

- (10) **External Bar/Drinks Cart** – Only unopened, pre-packaged beverages and other foods are to be stored in, and served from, the external bar/drinks cart.

Only 1 (one) external bar/drinks cart with a maximum weight of 200kg is permitted within the outdoor area.

- (11) **Food Safety Standards** – The use of the premises must comply with the requirements of the Food Act 2003, Food Regulation 2004 and the Food Standards Code.

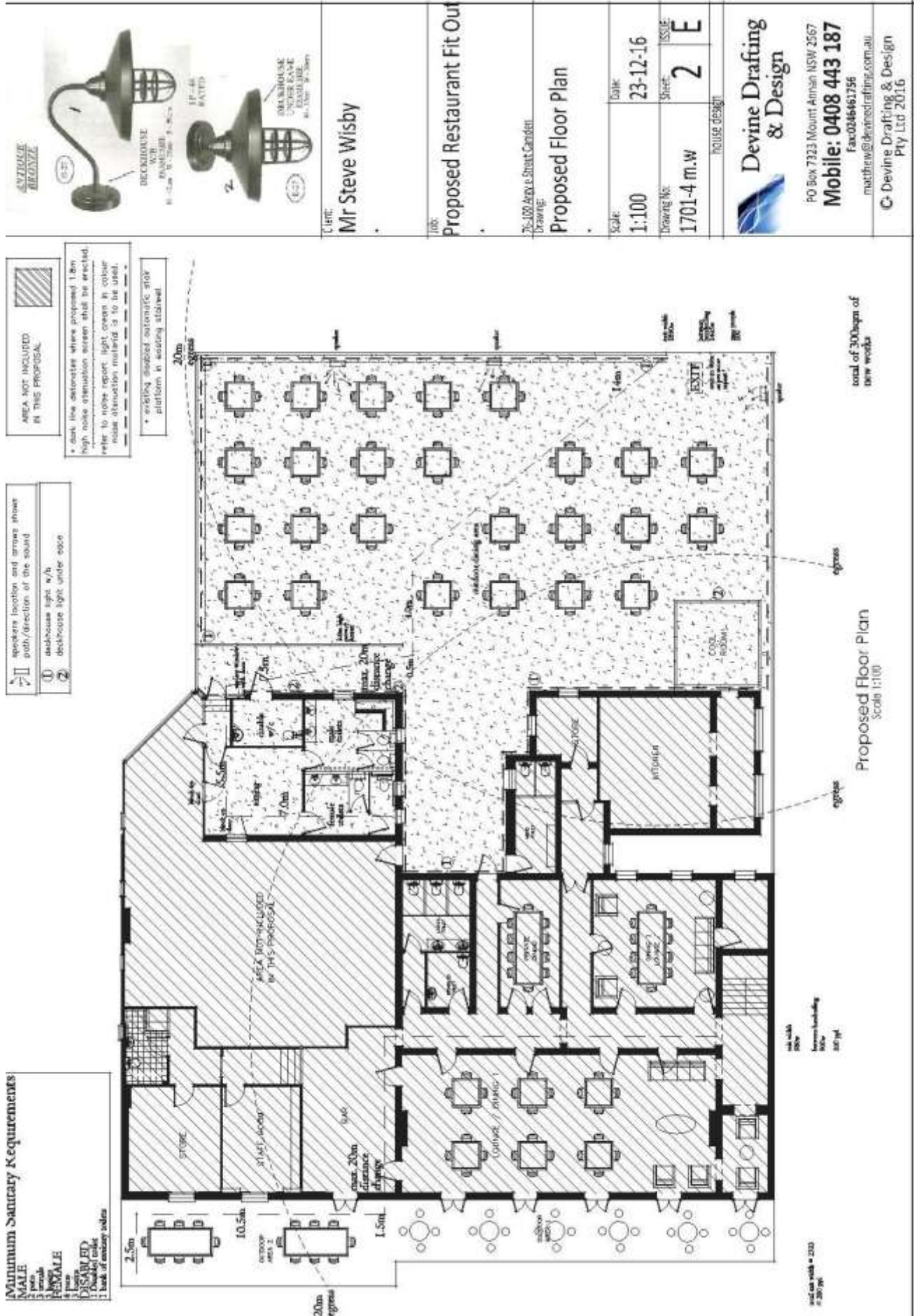
- (12) **Ongoing Use Waste Management Plan** – A Waste Management Plan for ongoing use must be prepared that takes account the additional patrons and that shows generation rates, number and size of bins and collection frequency.

- (13) **Concrete Slab Surface** – No changes to the external surface of the existing concrete slab is permitted.



ORD04

Attachment 2





ABN 61 164 127 422  
ACN 164 127 422

## TRANSPORT & URBAN PLANNING PTY LTD

TRAFFIC ENGINEERING - TRANSPORT PLANNING -  
ROAD SAFETY & PROJECT MANAGEMENT CONSULTANTS

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17 February, 2017

Manager Planning and Development  
Camden Council  
PO Box  
Camden NSW

Dear Sir,

**Re: 76-100 Argyle Street Camden  
Proposed Open Restaurant Area**

Transport and Urban Planning Pty Ltd has been engaged by the applicant to undertake weekday car parking surveys and weekend surveys in the local streets and public car park adjoining the subject site.

As we understand a 100 seat (maximum) open restaurant area is proposed in the "Whiteman's" building that has a large open first floor area between Argyle Street and the large rear public car park. Ten (10) additional car parking spaces are required under Council's DCP 2011 Part B, which indicates for restaurants and cafes that car parking is required at one space per 30m<sup>2</sup> GFA. Accordingly the applicant is seeking an exemption based on the attached parking survey results and the existing underutilised car parking in the adjoining public car park.

As we further understand it is only proposed to utilise the open first floor area, 5.30pm - 10.00pm mon-wed, 5.30pm - 11.00pm thur-fri, 9.00am -11.00pm sat and 7.00am - 9.30pm sun

Surveys were undertaken on Thursday, Friday, Saturday and Sunday 2-5 February, 2017 as requested by Council. Friday was selected as the busiest weekday for car parking and Saturday was considered to be a busier parking demand day than Sunday.

The survey area included three potential parking zones on Argyle Street A, B and C. Two zones in Hill Street E and D and the public car park (103 spaces) off Hill Street to the rear of the site (**See attached survey data**). In total 179 parking spaces are available as follows:

Zone	Capacity
A	19 spaces
B	10 spaces
C	9 spaces
D	16 spaces
E	22 spaces
Public Car Park	103 spaces
<b>TOTAL</b>	<b>179 spaces</b>

In particular, Council would like to see all 10 spaces required with this proposal accommodated in the rear public car park and whilst we agree this may be a favourable position, it is our contention, that it is unrealistic and near impossible to try and differentiate between vacant public car parking on street, i.e. zones A to E, and the rear car park and how these spaces are utilised and by whom.


**TRANSPORT & URBAN PLANNING PTY LTD**

For example if a future restaurant patron goes to Council or the library before going to the restaurant, and parks their vehicle on street then, in our view, they would be unlikely to move their vehicle and repark before going to the restaurant.

Nevertheless, the attached surveys for the rear car park indicate 103 parking spaces are marked and a further 12 informal spaces are utilised haphazardly. A summary of the vacant marked spaces in Councils rear car park in 20 minute intervals is provided below.

**TABLE 1**
**REAR PUBLIC CAR PARK VACANT SPACES  
(CAPACITY 103 SPACES)**

Time	Thursday	Friday	Saturday	Sunday
11.30am	1	2	28	-
11.50am	4	3	30	-
12.10pm	6	3	32	-
12.30pm	3	3	40	-
12.50pm	4	1	39	-
1.10pm	2	8	38	-
1.30pm	4	7	37	-
<hr/>				
6.00pm	-	62	91	88
6.20pm	-	71	82	84
6.40pm	-	72	70	89
7.00pm	-	73	59	82
7.20pm	-	67	50	85
7.40pm	-	75	51	86
8.00pm	-	70	51	86
8.20pm	-	71	53	86
8.40pm	-	73	58	87
9.00pm	-	75	63	87

Findings

- On Thurs/Fri 11.30am to 1.30pm between 1 to 8 vacant parking spaces can normally be found in the rear public car park. A further 4 to 14 spaces can be found on street in Zones A to E.
- On Sat/Sun 28 or more vacant parking spaces can be found in the rear public car park 11.30am to 1.30pm.
- On Thurs/Fri/Sat/Sun 6.00pm to 9.00pm 50 or more vacant parking spaces can be found in the rear public car park.



TRANSPORT & URBAN PLANNING PTY LTD

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### Conclusions

It is in our view:

- The restaurant is unlikely to operate at full capacity around lunch times Mon – Fri (ie. 10 spaces) but if it did, 1 to 8 spaces can normally be found in the rear public car park with the shortfall found on street, in Zones A to E.
- Of an evening all future restaurant patrons can park in the rear car park as 10 or more spaces are available from 6.00pm onwards, on all nights.

In conclusion, it is clear that at all proposed operating times, for the restaurant open area, 10 or more car parking spaces are available in the public car park to the rear of the site and/or on street in zones A, B, D or E. and that no additional off-street car parking is required with this proposal

Therefore we **recommend** that Camden Council exempt the applicant from providing a further 10 parking spaces, given that ample vacant spaces are available in the immediate vicinity of the site, during the likely periods of highest demand.

Should you wish to contact me in this regard please email [mick@transurbanplan.com.au](mailto:mick@transurbanplan.com.au) or phone. 0409443655.

Yours faithfully

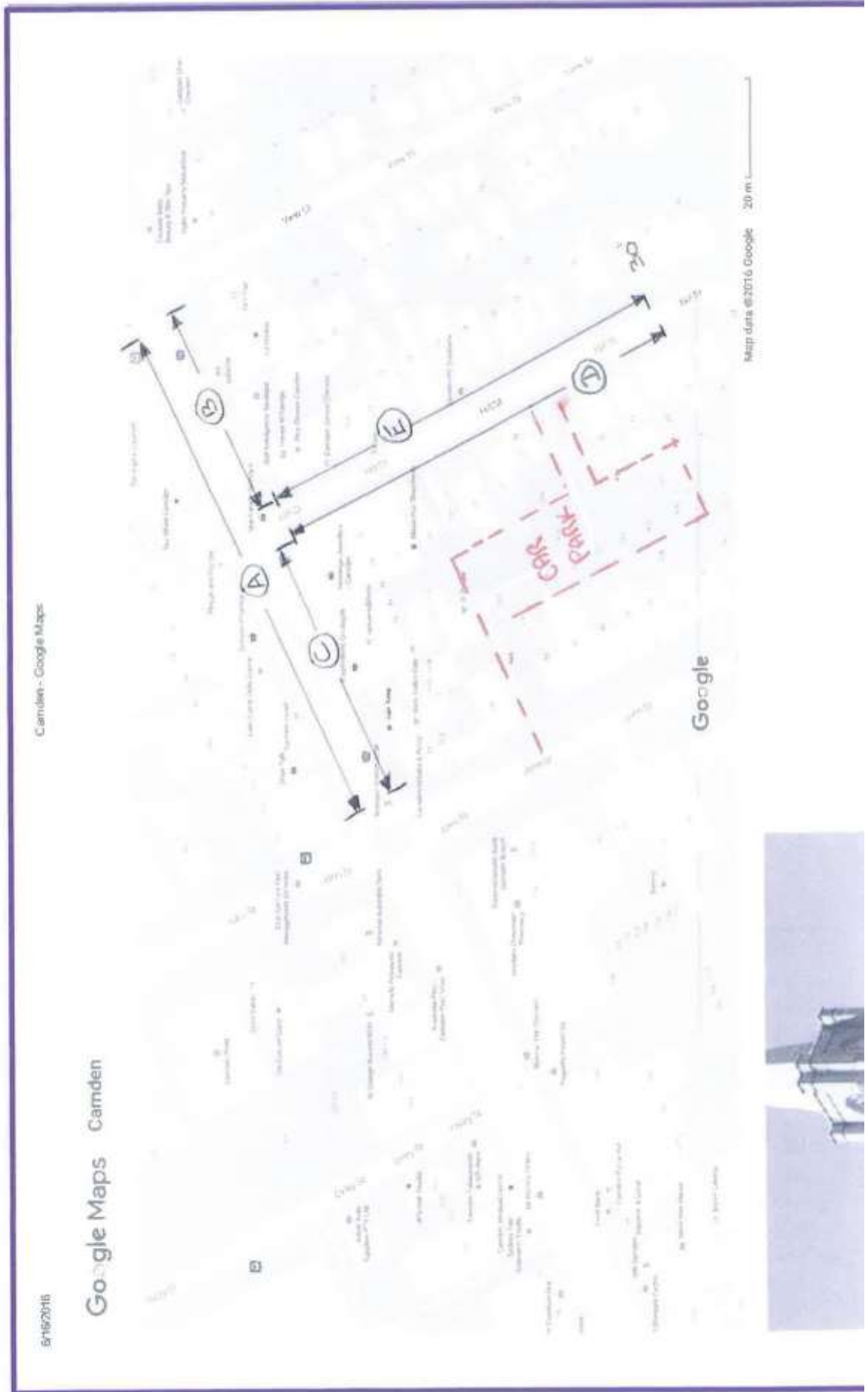
Michael Bridgman  
Traffic and Road Safety Consultant  
Transport and Urban Planning Pty Ltd

ORD04

Attachment 3

 **Reliable, Original & Authentic Results**  
 Ph.88196847, Mob.0418-239019

**Job No / Name**  
 : 6117 CAMDEN 76-100 Argyle St Parking  
**Day/Date**  
 : Thursday 2nd to Sunday 5th February 2017





**R.O.A.R. DATA**  
 Reliable, Original & Authentic Results  
 Ph.88196847, Mob.0418-239019

Client : TUPA  
 Job No / Name : 6349CAMDEN 76-100 Argyle St Parking 2  
 Day/Date : Thursday 2nd February 2017



Area	Location	Cap	1130	1150	1210	1230	1250	1310	1330
A	Argyle St North / Side	19	19	18	18	19	19	18	19
B	Argyle St South / Side	10	10	9	10	9	10	10	10
C	Argyle St South / Side	9	9	9	9	9	8	8	8
D	Hill St West / Side	16	15	14	12	13	13	15	14
E	Hill St East / Side	22	20	19	19	19	21	21	21
	Car Park Formal	103	102	99	97	100	99	101	99
	Car Park Informal	12	11	9	9	9	10	9	10
	<b>Total of Vehicles</b>	<b>179</b>	<b>175</b>	<b>168</b>	<b>165</b>	<b>169</b>	<b>170</b>	<b>173</b>	<b>171</b>
	<b>Number of Vacant Vehicles</b>		<b>4</b>	<b>11</b>	<b>14</b>	<b>10</b>	<b>9</b>	<b>6</b>	<b>8</b>
	<b>% of Capacity Used</b>		<b>97.8%</b>	<b>93.9%</b>	<b>92.2%</b>	<b>94.4%</b>	<b>95.0%</b>	<b>96.6%</b>	<b>95.5%</b>

Car Park Informal

Not included in analysis

Attachment 3 **ORD04**

**R.O.A.R. DATA**  
 Reliable, Original & Authentic Results  
 Ph.88196847, Mob.0418-239019



Client : TUPA  
 Job No / Name : 6349CAMDEN 76-100 Argyle St Parking 2  
 Day/Date : Friday 3rd February 2017

Area	Location	Cap	1130	1150	1210	1230	1250	1310	1330
A	Argyle St North / Side	19	18	14	19	19	18	18	18
B	Argyle St South / Side	10	10	9	7	8	9	9	9
C	Argyle St South / Side	9	9	9	8	8	8	9	8
D	Hill St West / Side	16	16	15	14	13	11	14	15
E	Hill St East / Side	22	21	20	19	18	22	20	21
	Car Park Formal	103	101	100	100	100	102	95	96
	Car Park Informal	12	10	10	8	9	9	6	6
	<b>Total of Vehicles</b>	<b>179</b>	<b>175</b>	<b>167</b>	<b>167</b>	<b>166</b>	<b>171</b>	<b>165</b>	<b>167</b>
	<b>Number of Vacant Vehicles</b>		<b>4</b>	<b>12</b>	<b>12</b>	<b>13</b>	<b>8</b>	<b>14</b>	<b>12</b>
	<b>% of Capacity Used</b>		<b>97.8%</b>	<b>93.3%</b>	<b>93.3%</b>	<b>92.7%</b>	<b>95.5%</b>	<b>92.2%</b>	<b>93.3%</b>

Area	Location	Cap	1800	1820	1840	1900	1920	1940	2000	2020	2040	2100
A	Argyle St North / Side	19	17	18	17	19	19	19	19	18	16	15
B	Argyle St South / Side	10	5	10	7	10	9	10	9	8	9	9
C	Argyle St South / Side	9	5	7	5	8	9	9	9	9	8	8
D	Hill St West / Side	16	12	14	13	12	11	11	11	12	10	13
E	Hill St East / Side	22	18	11	9	7	10	14	15	15	13	13
	Car Park Formal	103	41	32	31	30	36	28	33	32	30	28
	Car Park Informal	12	2	1	1	1	1	0	0	0	0	0
	<b>Total of Vehicles</b>	<b>179</b>	<b>100</b>	<b>93</b>	<b>83</b>	<b>87</b>	<b>95</b>	<b>91</b>	<b>96</b>	<b>94</b>	<b>86</b>	<b>86</b>
	<b>Number of Vacant Vehicles</b>		<b>79</b>	<b>86</b>	<b>96</b>	<b>92</b>	<b>84</b>	<b>88</b>	<b>83</b>	<b>85</b>	<b>93</b>	<b>93</b>
	<b>% of Capacity Used</b>		<b>55.9%</b>	<b>52.0%</b>	<b>46.4%</b>	<b>48.6%</b>	<b>53.1%</b>	<b>50.8%</b>	<b>53.6%</b>	<b>52.5%</b>	<b>48.0%</b>	<b>48.0%</b>



Area	Location	Cap	1130	1150	1210	1230	1250	1310	1330
A	Argyle St North / Side	19	19	18	18	18	19	19	19
B	Argyle St South / Side	10	10	9	10	10	7	7	10
C	Argyle St South / Side	9	8	8	8	8	9	9	8
D	Hill St West / Side	16	14	15	15	15	11	12	12
E	Hill St East / Side	22	15	17	17	19	16	13	14
	Car Park Formal	103	75	73	71	63	64	65	66
	Car Park Informal	12	4	5	7	4	5	3	3
	<b>Total of Vehicles</b>	<b>179</b>	<b>141</b>	<b>140</b>	<b>139</b>	<b>133</b>	<b>126</b>	<b>125</b>	<b>129</b>
	<b>Number of Vacant Vehicles</b>		38	39	40	46	53	54	50
	<b>% of Capacity Used</b>		<b>78.8%</b>	<b>78.2%</b>	<b>77.7%</b>	<b>74.3%</b>	<b>70.4%</b>	<b>69.8%</b>	<b>72.1%</b>

Area	Location	Cap	1800	1820	1840	1900	1920	1940	2000	2020	2040	2100
A	Argyle St North / Side	19	14	19	19	19	19	19	19	18	17	17
B	Argyle St South / Side	10	5	6	10	10	10	10	10	10	10	10
C	Argyle St South / Side	9	7	9	8	9	9	9	9	9	8	8
D	Hill St West / Side	16	9	10	14	15	15	16	13	12	12	12
E	Hill St East / Side	22	11	15	18	17	17	16	17	16	15	16
	Car Park Formal	103	12	21	33	44	53	52	52	50	45	40
	Car Park Informal	12	0	0	0	1	0	0	0	0	0	0
	<b>Total of Vehicles</b>	<b>179</b>	<b>58</b>	<b>80</b>	<b>102</b>	<b>115</b>	<b>123</b>	<b>122</b>	<b>120</b>	<b>115</b>	<b>107</b>	<b>103</b>
	<b>Number of Vacant Vehicles</b>		121	99	77	64	56	57	59	64	72	76
	<b>% of Capacity Used</b>		<b>32.4%</b>	<b>44.7%</b>	<b>57.0%</b>	<b>64.2%</b>	<b>68.7%</b>	<b>68.2%</b>	<b>67.0%</b>	<b>64.2%</b>	<b>59.8%</b>	<b>57.5%</b>

Car Park Informal  Not included in analysis





ANNEX 1 184 137 400  
ACN 184 137 400

## TRANSPORT & URBAN PLANNING PTY LTD

TRAFFIC ENGINEERING - TRANSPORT PLANNING -  
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7 July 2016

Manager Planning and Development  
Camden Council  
PO Box  
Camden NSW

Attention:

Dear Sir,

**Re: 76-100 Argyle Street Camden  
Proposed Open Restaurant Area**

Transport and Urban Planning Pty Ltd has been engaged by the applicant to undertake weekday car parking surveys (5.30pm to 9.00pm) and weekend surveys (9.00am to 9.00pm) in the local streets adjoining the subject site.

As we understand the 100 seat (maximum) open restaurant area is proposed in the "Whiteman's" building that has a large open first floor area between Argyle Street and the large rear car park. Ten (10) additional car parking spaces are required under Council's DCP, and the applicant is seeking an exemption based on the attached parking survey results.

Surveys were undertaken on Friday / Saturday 24/25 June and Friday 1 July 2016. Friday was selected as the busiest weekday for car parking and Saturday was considered to be a busier parking demand day than Sunday.

The survey area included 3 potential parking zones on Argyle Street A, B and C (although Zone C was closed to parking during the survey hours due to roadworks). Two zones in Hill Street E and D and the public car park off Hill Street to the rear of the site were also surveyed. See attached survey data. In total 170 parking spaces are available as follows:

Zone	Capacity
A	19 spaces
B	10 spaces
C	0 spaces
D	16 spaces
E	22 spaces
Car Park	103 spaces
<b>TOTAL</b>	<b>170 spaces</b>

During the Friday surveys peak parking occurred at 20.10pm with 128 (75%) spaces occupied and 42 vacant including 32 in the rear public car park.

During the Saturday surveys peak parking occurred at 10.40am with 143 spaces occupied and 27 vacant in the evening and at 7.40pm with 135 spaces occupied and 35 vacant.



TRANSPORT & URBAN PLANNING PTY LTD

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In conclusion, it is clear that at all times 10 or more car parking spaces are available in the public car park to the rear of the site and again on street in zones A, B, D or E.

Therefore we **recommend** that Camden Council exempt the applicant from providing a further 10 parking spaces, given that ample vacant spaces are available in the immediate vicinity of the site, during the likely periods of highest demand.

Should you wish to contact me in this regard please email [mick@transurbanplan.com.au](mailto:mick@transurbanplan.com.au) or phone. 0409443655.

Yours faithfully

Michael Bridgman  
Traffic and Road Safety Consultant  
Transport and Urban Planning Pty Ltd



**R.O.A.R. DATA**  
 Reliable, Original & Authentic Results  
 Ph.88196847, Mob.0418-239019

Client : IJFA  
 Job No / Name : 6117 CAMDEN 76-100 Argyle St Parking  
 Day/Date : Friday 24th June 2016



Area	Location	Cap	Friday 1st July 2016															
			1730	1750	1810	1830	1850	1910	1930	1950	2010	2030	2050	2110	2130			
A	Argyle St North / Side	19	17	18	17	18	17	17	17	17	17	17	17	14	15	16	15	14
B	Argyle St South / Side	10	10	9	9	8	8	8	8	8	8	8	8	8	8	8	7	7
C	Argyle St South / Side (closed) 10 cap	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D	Hill St West / Side	16	11	13	12	14	12	12	11	12	11	11	11	11	13	13	10	8
E	Hill St East / Side	22	17	17	19	17	17	16	17	19	20	19	19	19	16	16	15	14
	Car Park	103	41	48	57	59	56	57	57	46	48	71	70	67	67	47	45	
<b>Total of Vehicles</b>		<b>170</b>	<b>96</b>	<b>105</b>	<b>114</b>	<b>116</b>	<b>109</b>	<b>110</b>	<b>101</b>	<b>101</b>	<b>101</b>	<b>128</b>	<b>125</b>	<b>120</b>	<b>94</b>	<b>88</b>		
<b>Number of Vacant Vehicles</b>			74	65	56	54	61	60	69	69	42	45	50	76	82			
<b>% of Capacity Used</b>			<b>56.5%</b>	<b>61.8%</b>	<b>67.1%</b>	<b>68.2%</b>	<b>64.1%</b>	<b>64.7%</b>	<b>59.4%</b>	<b>59.4%</b>	<b>75.3%</b>	<b>73.5%</b>	<b>70.6%</b>	<b>55.3%</b>	<b>51.8%</b>			

**R.V.A.R. DATA**  
 Reliable, Original & Authentic Results  
 Ph.88198847, Mob.0418-239019



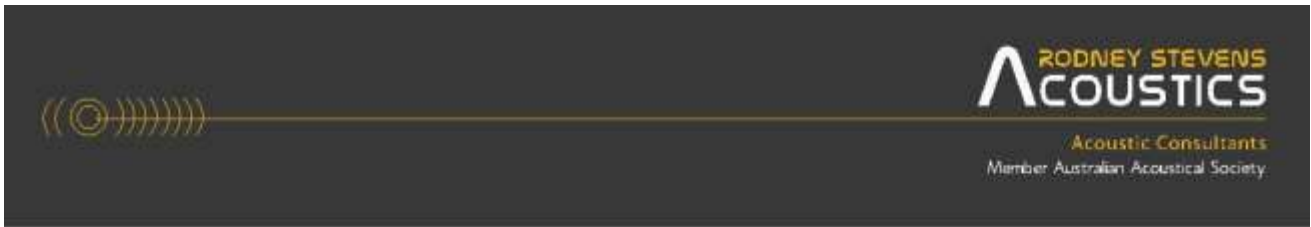
CLIENT : IUPA  
 Job No / Name : 6117 CAMDEN 76-100 Argyle St Parking  
 Day/Date : Saturday 25th June 2016

Area	Location	Cap	0900	0920	0940	1000	1020	1040	1100	1120	1140	1200	1220	1240	1300	1320	1340	1400	1420	1440	1500
A	Argyle St North / Side	19	7	9	12	13	12	18	15	16	16	17	17	18	18	18	17	15	15	17	16
B	Argyle St South / Side	10	5	7	8	8	8	10	8	9	8	9	9	9	8	7	6	6	6	6	7
C	Argyle St South / Side (closed) 10 cap	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D	Hill St West / Side	16	8	10	11	12	11	12	10	9	10	10	11	12	12	11	10	10	9	8	8
E	Hill St East / Side	22	15	15	14	14	13	14	16	17	16	16	14	11	13	15	14	14	13	15	14
	Car Park	103	68	77	89	93	88	89	79	73	74	71	70	68	69	68	65	65	62	61	59
	<b>Total of Vehicles</b>	<b>170</b>	<b>103</b>	<b>118</b>	<b>134</b>	<b>140</b>	<b>132</b>	<b>143</b>	<b>128</b>	<b>124</b>	<b>124</b>	<b>123</b>	<b>121</b>	<b>118</b>	<b>120</b>	<b>119</b>	<b>112</b>	<b>110</b>	<b>105</b>	<b>107</b>	<b>104</b>
	Number of Vacant Vehicles		67	52	36	30	38	27	42	46	46	47	49	52	50	51	58	60	65	63	66
	% of Capacity Used		#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####

Area	Location	Cap	1520	1540	1600	1620	1640	1700	1720	1740	1800	1820	1840	1900	1920	1940	2000	2020	2040	2100	2120
A	Argyle St North / Side	19	16	14	15	16	17	15	14	17	18	18	18	17	17	18	17	17	17	16	15
B	Argyle St South / Side	10	6	7	6	6	7	5	5	6	7	9	10	10	10	10	10	10	9	9	9
C	Argyle St South / Side (closed) 10 cap	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D	Hill St West / Side	16	6	6	6	5	5	4	5	7	10	10	12	13	14	15	13	12	11	11	10
E	Hill St East / Side	22	14	8	7	7	6	7	12	10	15	17	17	18	19	21	19	18	17	15	14
	Car Park	103	49	43	35	32	26	23	16	21	25	32	45	57	68	71	73	68	63	59	55
	<b>Total of Vehicles</b>	<b>170</b>	<b>91</b>	<b>78</b>	<b>69</b>	<b>61</b>	<b>54</b>	<b>52</b>	<b>61</b>	<b>61</b>	<b>75</b>	<b>86</b>	<b>102</b>	<b>115</b>	<b>128</b>	<b>135</b>	<b>132</b>	<b>125</b>	<b>117</b>	<b>110</b>	<b>103</b>
	Number of Vacant Vehicles		79	92	101	104	109	116	118	109	95	84	68	55	42	35	38	45	53	60	67
	% of Capacity Used		#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####

ORD04

Attachment 5



REPORT 160249R1

Revision 1

Noise Impact Assessment  
Proposed Outdoor Dining Area  
Upstairs @ Freds  
79-100 Argyle Street, Camden

PREPARED FOR:  
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13 March 2017

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# Noise Impact Assessment

## Proposed Outdoor Dining Area

### Upstairs @ Freds

### 79-100 Argyle Street, Camden

#### PREPARED BY:

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#### DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
160249R1	Revision 0	12 August 2016	Raymond Sim	Rodney Stevens	Rodney Stevens
160249R1	Revision 0	12 October 2016	Desmond Raymond	Rodney Stevens	Rodney Stevens
160249R1	Revision 1	14 December 2016	Desmond Raymond	Rodney Stevens	Rodney Stevens
160249R1	Revision 1	13 March 2017	Desmond Raymond	Rodney Stevens	Rodney Stevens

**Rodney Stevens Acoustics**  
 Report Number 160249R1  
 Revision 1

Noise Impact Assessment Proposed Outdoor Dining Area  
 Upstairs @ Freds 76-100 Argyle Street, Camden  
 Mr. Steven Wisby  
 Page 2



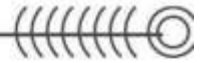
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## 1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (RSA) has been commissioned by Mr. Steven Wisby Ltd to conduct an acoustic assessment of operational noise (patron noise and soft background music) associated with the proposed outdoor dining area at the existing Upstairs @ Freds restaurant at 79-100 Argyle Street, Camden. This assessment forms part of the supporting documentation for the Development Application to the Camden Council.

The purpose of this report is to determine possible noise impacts on nearby residential receivers and if necessary provide acoustic control recommendations so that the proposed outdoor dinner area at Upstairs @ Freds restaurant may operate in an acoustically compliant manner in accordance with Camden Council's requirements.

This report presents RSA's methodology, assessment criteria and recommendations associated with noise emission from patrons and soft background music from the proposed outdoor area only. Car park noise emissions due to people leaving the premises will also be assessed. Noise emissions from internal areas and existing mechanical services are not assessed in this report as these noise sources are existing and will remain unchanged, and have already been approved by Council.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in Appendix A.

## 2 PROPOSED DEVELOPMENT

### 2.1 Development Site

The Upstairs @ Freds restaurant is located on the first floor of the retail building at 79-100 Argyle Street, Camden. The proposed outdoor dining area is to be located on the first floor, at the rear of the existing restaurant. The restaurant is bounded by Argyle Street to the north, adjoining retail and commercial premises to the east and west, and an outdoor public car park to the south. There are existing retail premises located directly below the restaurant, on the ground floor of the building.

The nearest residences potentially most affected by the operation of the outdoor dining area have been identified to be the residential dwellings to the south of the project site, at the corner of Hill and Broughton Streets and the retirement homes 65-69 John Street. The distance from the southern facade the proposed outdoor dining area to the nearest residence, i.e. 33 Hill Street, is approximately 135 meters and 65 John Street is approximately 115 meters. Residential receiver worst affected by the use of the venue is determined to be 33 Hill Street. There is sufficient shielding provided by existing building to attenuate the noise from the development to 65-69 John Street. Most of the buildings south of the project site are commercial premises.

The development site and its surrounding environment are mainly influenced by an urban "hum". Figure 2-1 shows an aerial image of the site area and the surrounding environment.



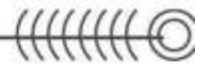
Figure 2-1 Site Location



Image Extracted from Near Maps © 2016.

## 2.2 The Development

The proposed outdoor dining area is to be located on the first floor, at the rear of the existing restaurant. It is our understanding that the maximum number of patrons at the proposed outdoor dining area is not more than 100 patrons.



It is understood that amplified music as a form of soft background music will be played in the proposed outdoor dining area. No live entertainment or loud music will take place during the operation of the outdoor dining area. Figure 2-2 below shows the floor plan of the proposed outdoor dining area.

2.3 Hours of Operation

The following hours of operation are proposed:

- Monday to Wednesday 5:30 pm until 10:00 pm.
- Thursday & Friday 5:30 pm until 11:00 pm.
- Saturday & Public Holidays 9:00 am until 11:00 pm.
- Sunday 7:00 am until 9:30 pm.

Figure 2-2 Floor Plan



Architectural Plan Courtesy of Devine Drafting & Design

3 BASELINE NOISE SURVEY

3.1 Unattended Noise Monitoring

In order to characterise the existing acoustical environment of the area unattended noise monitoring was conducted between the dates of Tuesday 26 July and Tuesday 2 August 2016 at the logging location shown in Figure 2-1.



One noise logger was set up at the worst affect residences at 33 Hill Street. The logger provides the baseline background noise environs of the residential area surrounding the project site.

Logger location was selected with consideration to other noise sources which may influence readings, security issues for noise monitoring equipment and gaining permission for access from residents and landowners.

Instrumentation for the survey comprised of one RION NL-42 environmental noise logger (serial number 87809F) fitted with microphone windshield. Calibration of the logger was checked prior to and following measurements. Drift in calibration did not exceed  $\pm 0.5$  dB(A). All equipment carried appropriate and current NATA (or manufacturer) calibration certificates. Measured data has been filtered to remove data measured during adverse weather conditions upon consultation with historical weather reports provided by the Bureau of Meteorology (BOM).

The logger determines  $L_{A1}$ ,  $L_{A10}$ ,  $L_{A90}$  and  $L_{Aeq}$  levels of the ambient noise.  $L_{A1}$ ,  $L_{A10}$ ,  $L_{A90}$  are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see Glossary for definitions in Appendix A). Detailed results at the monitoring location are presented in graphical format in Appendix B. The graphs show measured values of  $L_{A1}$ ,  $L_{A10}$ ,  $L_{A90}$  and  $L_{Aeq}$  for each 15-minute monitoring period.

### 3.2 Ambient and RBL Noise Data Processing – Industrial Noise Policy

In order to assess operational noise emission (patron and background music noise) from the operation of the proposed outdoor dining area, the data obtained from the noise logger has been processed in accordance with to the proposed hours of operation within the EPA NSW Industrial Noise Policy's (INP) assessment time periods. The monitored baseline noise levels are detailed in Table 3-1.

Table 3-1 Measured Baseline Noise Levels Corresponding to Defined INP Periods

Location	Measurement Descriptor	Measured Noise Level – dB(A) re 20 $\mu$ Pa		
		Daytime 7.00 am - 6.00 pm	Evening 6.00 pm – 10.00 pm	Night-time 10.00 pm – 7.00 am
Backyard of 33 Hill Street	$L_{Aeq}$ <sup>2</sup>	56 <sup>1</sup>	54 <sup>1</sup>	48 <sup>1</sup>
	RBL ( $L_{90}$ ) <sup>3</sup>	41 <sup>1</sup>	38 <sup>1</sup>	32 <sup>1</sup>

Notes 1: All values expressed as dB(A) and rounded to nearest 1 dB(A);

Note 2:  $L_{Aeq}$  Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.

Note 3:  $L_{90}$  Noise level present for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).

### 3.3 Background Noise Spectral Data

The noise logger was also set up to measure 1/1 octave band frequency noise levels to establish spectral information of typical background noise levels experienced by the nearby residential receivers.



The 1/1 octave band frequency background noise levels have been processed in accordance with Camden Council's Environmental Noise Policy's criteria for licensed premises day and night-time periods. The 1/1 octave band noise frequency results of the noise monitoring are presented in Table 3-2.

Table 3-2 Existing Background Noise Spectrum

Location	Time of Measurement	Background Noise Level Measured per Octave Band									Overall L <sub>90</sub> – dB(A)
		L <sub>90</sub> - dB									
		32 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1k Hz	2k Hz	4k Hz	8k Hz	
Backyard of 33 Hill Street	Daytime 7:00 am – 12:00 am (midnight)	7	18	24	27	31	34	29	22	18	37
	Night-time 12:00 am (midnight) – 7:00 am	1	10	17	21	24	26	24	20	17	30

#### 4 NOISE GUIDELINES AND CRITERIA

The establishment of the noise criteria for the assessment of the proposed outdoor dining area have been based on the Camden Council's Environmental Noise Policy.

##### Camden Council's Environmental Noise Policy

###### 7.3 Criteria for Licensed Premises

The noise emission criteria from the NSW Liquor Administration Board (LAB) shall be applied to any music/entertainment and patrons from the licensed premises.

The LAB criteria are as set out below:

*"The L<sub>90</sub><sup>1</sup> noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7:00am and 12:00 midnight at the boundary of any affected residence."*

*"The L<sub>90</sub><sup>2</sup> noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence."*

*"Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00am."*

Interior noise levels that still exceed safe hearing levels are in no way supported or condoned by Council.

Noise emission from other sources on the site, including mechanical plant and vehicle movements within site, shall be assessed in accordance with Part B - Section 4 of this document.

Noise increases due to increased traffic flow on surrounding roads (due to vehicle flow from the site) shall be assessed in accordance with Part B - Section 5 of this document where applicable.

In addition to meeting all noise criteria to obtain Council approval, a Noise Management Plan (NMP) is to be submitted to council that addresses noise associated with patron departure, particularly after 10:00pm. Points of access and egress should be restricted wherever possible to minimise adverse impact upon noise sensitive receivers. Noise emissions from car parking facilities shall be monitored by management to ensure patrons arrive and/or depart in the quietest manner possible.



Based on the proposed operational hours of between 7.00 am and 11.00 pm, only the daytime criteria (between 7 am and 12 midnight) will be applicable to this assessment.

#### 4.1 Project Specific Noise Criteria for Patron and Background Music Noise

Based on the measured daytime background noise levels from the noise logging, the project specific noise criteria for the proposed outdoor dining area have been established in accordance with Camden Council's requirements. As the proposed development will only be operating during the daytime period, only the daytime noise criteria have been established. The project specific noise criteria are presented in Table 4-1 below.

Table 4-1 Criteria for Operational Noise of the Proposed Outdoor Dining Area

Description	Background Noise Level Measured per Octave Band L <sub>90</sub> - dB									Overall L <sub>Aeq</sub> - dB(A)
	32 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1k Hz	2k Hz	4k Hz	8k Hz	
Measured Daytime L <sub>90</sub> Background Noise Level	16	18	24	27	31	34	29	22	18	37
Daytime L <sub>10</sub> Criterion at Facade of Nearby Residences	21	23	29	32	36	39	34	27	23	42

#### 4.2 Project Specific Noise Criteria for Car Park Vehicle Noise

Camden Council's Environmental Noise Policy states that vehicle movement noise within the site for licensed premises shall be assessed in accordance with Part B - section 4 of the policy. Part B – Section 4 of the policy states that operational noise from the development will need to be assessed in accordance with the EPA's *NSW Industrial Noise Policy* (INP).

The EPA oversees the INP, released in January 2000 which provides a framework and process for deriving noise criteria. The INP criteria for industrial noise sources (eg mechanical plant) have two components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short-term; and
- Maintaining noise level amenity for particular land uses for residents and sensitive receivers in other land uses.

##### 4.2.1 Assessing Intrusiveness

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness criterion essentially means that the equivalent continuous noise level (L<sub>Aeq</sub>) over any 15 minute period, of the source should not be more than 5 dB(A) above the measured Rated Background Level (RBL).

##### 4.2.2 Assessing Amenity

The amenity criterion is based on land use and associated activities (and their sensitivity to noise emission). The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. The criteria relate only to other industrial-type noise sources and do not include road, rail or community noise. The existing noise level from industry is measured.



If it approaches the criterion, then noise levels from new industrial-type noise sources, (including air-conditioning plant) need to be designed so that the cumulative effect does not produce total noise levels that would significantly exceed the criterion. For areas of high road traffic, there are further considerations that influence the selection of the noise criterion.

#### 4.2.3 Area Classification

The INP characterises the "Suburban" noise environment as an area with an acoustical environment that has local traffic with characteristically heavy and through traffic flows during peak periods or is near commerce or industry districts. Subsequent to assessing the noise environment at the site, RSA has deemed this area to fall under the "Suburban" area classification.

#### 4.2.4 Project Specific Criteria

Having defined the area type, the processed results of the unattended noise monitoring have been used to generate project specific noise criteria.

In accordance with INP principles, because, in this case, the noise environment at the monitoring site used to establish industrial noise criteria is not controlled by industrial type noise sources, (it is largely aggregate suburban hum and distant road traffic noise), the project specific noise levels, which are shown in bold in Table 4-2, are the lower of the amenity and intrusive criteria.

Table 4-2 Criteria for Industrial Noise Emissions to Nearby Residences

Time of Day	Noise Level dB(A) re 20 µPa				
	ANL (period)	Measured RBL $L_{A90,15\text{minute}}^2$	Measured $L_{Aeq,15\text{minute}}$	INP Criteria	
				Intrusive $L_{Aeq,15\text{minute}}$ Criterion for New Sources	Amenity $L_{Aeq,Period}$ Criterion for New Sources <sup>3</sup>
Day	55 <sup>1</sup>	41	56	<b>45</b>	47 <sup>4</sup>
Evening	45 <sup>1</sup>	38	54	<b>43</b>	44 <sup>4</sup>
Night	40 <sup>1</sup>	32	48	<b>37</b>	38 <sup>4</sup>
Commercial	65				65

Note 1: ANL Acceptable Noise Level for a suburban area

Note 2: RBL Rating Background Level

Note 3: Assuming existing noise levels unlikely to decrease

Note 4: As the car park is existing, the amenity criterion has been based on existing ambient noise levels.

Note 5: Project Specific Criteria are shown in bold

#### 4.3 Sleep Disturbance Criteria

Noise sources of short duration and high level that may cause disturbance to sleep if occurring during the night-time are not adequately addressed by the long-term-noise assessment procedure required by the OLGR.

The approach currently recommended by the EPA to assess short duration, high level noise sources with the potential to cause sleep disturbance is to apply an initial screening criterion of background plus 15 dBA (as described in the Application Notes to the INP), and to undertake further detailed analysis if the screening



criterion cannot be achieved. The sleep disturbance screening criterion applies outside bedroom windows during the night-time period, ie between 10:00 pm and 7:00 am.

Where the screening criterion cannot be met, the additional analysis should consider the number of potential sleep disturbance events during the night, the level of exceedance and noise from other events. It may also be appropriate to consider other guidelines, including the NSW Road Noise Policy, which contains additional guidance relating to potential sleep disturbance impacts.

A review of research on sleep disturbance documented in the RNP indicates that in some circumstances, higher noise levels may occur without significant sleep disturbance. Based on currently available research results, the RNP concludes that:

"Maximum internal noise levels below 50 dBA to 55 dBA are unlikely to cause awakening reactions."

"One or two noise events per night, with maximum internal noise levels of 65 dBA to 70 dBA, are not likely to affect health and wellbeing significantly."

It is generally accepted that internal noise levels in a dwelling, with the windows open, are 10 dBA lower than external noise levels. Based on a worst case minimum attenuation, with windows open, of 10 dBA, a short term external noise level of 60 dBA to 65 dBA is unlikely to cause awakening reaction. One or two noise events per night with maximum external noise levels of 75 dBA to 80 dBA are not likely to affect health and wellbeing significantly.

The Application Notes for the NSW INP state that whilst the abovementioned criterion is not ideal, in the absence of any more suitable alternative, the EPA will continue its use as a guide to determine the likelihood of sleep disturbance. The Noise Guide for Local Government (DECCW 2010) supports the use of the LA1(60 second)  $\leq$  LA90(15 minute) background level + 15 dBA descriptor for the assessment of potential sleep disturbance.

**Sleep Disturbance criteria is derived to be L<sub>10</sub> 47 dBA (L<sub>90</sub> 32 + 15 dB).**

## 5 PATRONS & BACKGROUND MUSIC NOISE IMPACT ASSESSMENT

### 5.1 Typical Patron Vocal Levels

The following sections summarise the results of patron noise assessment and predicted levels at surrounding residential receivers as a result of the operation of the proposed outdoor dining area (see Figure 2-1).





Calculations of the amount of noise transmitted to these receivers from patrons in the proposed outdoor dining area have been based on a typical patron sound power level of 77 dB(A) for loud vocal effort. This level is based on measurements of patron noise in a typical pub, bar or restaurant spaces.

The typical sound power spectrum of a patron talking with a vocal effort of loud voice is shown in Table 5-1 below:

Table 5-1 Typical Sound Power Level of 1 Person with Loud Voice -  $L_w$  - dB(A)

Scenario	Resultant Noise Level per Octave Band (dB)									Overall - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
1 Patron – Loud Vocal	62	62	65	70	76	73	68	59	48	77

This spectrum and overall noise level is believed to be a reasonable approximation of the typical "worst case" that could be expected from the operation of the proposed outdoor dining area.

## 5.2 Patron Sound Power Levels

Based on a maximum number of 100 patrons, the following worst-case operational scenario have been assumed for our assessment:

- A total of 100 patrons in the outdoor dining area. Therefore, with 50 percent of the patrons talking, the worst case scenario will be 50 patrons talking at any one time in the outdoor seating area talking at any one time.

Table 5-2 Sound Power Levels of People Talking with Loud Voice -  $L_w$  - dB(A)

Scenario	Resultant Sound Power Level per Octave Band (dB)									Overall - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
50 Patrons Talking Loudly in the Outdoor Dining Area	79	79	82	87	93	90	85	76	65	94

Appropriate source sound power levels have been made for the varying distribution number of patrons.

These scenarios are considered to be representative of the "busier" periods typically encountered from approximately 6:00 pm to 11:00 pm on Fridays and Saturdays.



### 5.3 Soft Background Music Sound Power Level

Based on a typical soft background music in a restaurant, the sound power level spectrum is shown in Table 5-3 below:

Table 5-3 Typical Sound Power Level of Soft Background Music -  $L_w$  (dBA)

Scenario	Resultant Sound Power Level per Octave Band (dB)									Overall - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Soft Background Music	81	83	88	83	83	81	74	66	62	85

### 5.4 Predicted Proposed Outdoor Dining Area Operational Noise Impacts

Predictive resultant noise spectrums have been calculated for patron noise and background music noise emissions at worst affected residential receivers, and are presented in Table 5-4. The predicted noise calculations take into account the following:

- Heights of residential receivers at 33 Hill Street are assumed to be 1.5 m at ground floor and 4.5 m on the 1<sup>st</sup> floor.
- Source height of patrons have been assumed to be 4.5 m above ground level due to the outdoor dining area being on the first floor.
- The source height of speakers has been assumed to be 5 m above ground level.
- Patron and background music noise from the proposed outdoor dining area is only predicted to the worst affected residence at 33 Hill Street, as this residence is considered to be the most affected. Where compliance is achieved at 33 Hill Street, the noise impact at all other residential receivers will also achieve compliance.

Table 5-4 Predicted Patron and Background Music Noise Impact Levels at Nearby Receivers

Receivers	Resultant Sound Pressure Level per Octave Band $L_{10}$ - dB									Overall $L_{A10}$ - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Patrons Talking Loudly Noise Impact										
	26	27	30	35	41	38	32	22	8.5	42
Soft Background Music Noise Impact										
Residential Receiver at 33 Hill Street	25	29	33	27	26	22	15	8.2	0	27
Combined Noise Impacts										
	29	31	35	36	41	38	32	22	8.5	42
Residential Daytime Criteria	21	23	29	32	36	39	34	27	23	42
Exceedance	8	8	6	4	5	-	-	-	-	-

The overall noise impacts from patrons and soft background music from the proposed outdoor dining area are predicted to exceed with the established licensed premises daytime noise criteria at neighbouring residences (33 Hill Street).



Based on the assessed non-compliance, additional noise management and mitigation measures will be required.

### 5.5 Noise Impact to Commercial Receivers

This assessment predicts the cumulative noise impact to the nearest commercial premises located on the ground floor of the building. For the purposes of this assessment, it is assumed that the building has been constructed to meet the minimum Building Code of Australia (BCA) requirements. BCA Part F5 requires flooring separating occupancies to have an acoustic rating of  $R_w50$  dB and  $L_{ntw}$  62 dB and walls to have an acoustic rating of  $R_w (+Ctr)$  45 dB. A standard flooring of 200mm concrete slab with tiled flooring and walls separating the commercial receivers are constructed from brick veneer.

The noise modelling will use similar sound power levels as Sections 5.2 and 5.3:

- Total Patron Sound Power Level of  $L_w$  94 dBA
- Background music Sound Power Level of  $L_w$  85 dBA

Predicted noise impact to the commercial premises on the ground floor is calculated to be  $L_{10}$  43 dBA and  $L_{10}$  53 dBA at the adjoining commercial receivers. The use of the venue therefore complies with the INP criteria of 65dB at the commercial premises.

## 6 CAR PARK VEHICLE MOVEMENT NOISE IMPACT ASSESSMENT

### 6.1 Car Park Vehicle Movement Noise Modelling

Spreadsheet noise propagation calculations have been undertaken in order to predict the  $L_{Aeq}$  noise levels from car movements from the rear car park, at the worst affected residential receiver. The following assumptions have been made to calculate to the car park noise impact at the residence:

- A SEL of 56 dB(A) for a car moving at low speed have been used in the calculations.
- 10 car movement events per hour have been assumed.
- Each car movement in the car park have been assumed to be 10 seconds.
- Car movement noise emissions have been predicted from the middle of the car park to the worst affected boundary of 33 Hill Street, which is approximately 65 metres.

### 6.2 Predicted Car Park Vehicle Movement Noise

Predicted noise levels from the operation of the rear car park are presented in Table 6-1 below.

Table 6-1 Predicted Noise Levels at Residential Sensitive Receivers

Receiver	Period	Predicted Noise Level – dB(A)	INP Criteria – dB(A)	Compliance (Yes/No)
Residential Receiver at 33 Hill Street, Camden Approximately 65 metres from Middle of Car Park	Day		45	Yes
	Evening	36	43	Yes
	Night		37	Yes

Note 1: Noise Levels for the evening period are not covered in the Parking Area Noise prediction methodology and are therefore not provided.



Table 6-2 Detailed Carpark Noise Assessment at the Receivers

Noise Source	Typical Maximum Sound Power Level (dBA)	Received Noise Level at 33 Hill Street $L_{Aeq}(50sec)$ (dBA)	Sleep Disturbance Criterion ( $L_{A1}(60\text{ second})$ ) (dBA)	Compliance (Yes/No)
Car Starting	94	38	47 dBA	Yes
Car Door Closing	91	28		Yes
Car Moving	87	33		Yes
People Talking	78	23		Yes

As the car park noise levels are predicted to comply with the noise limits during the daytime, evening and night-time periods, noise control will not be required to be implemented to the rear car park.

### 7 NOISE CONTROL RECOMMENDATIONS

Based on the predicted operational noise impacts exceedances (refer Table 5-4) the following noise management and control measures are recommended to ensure that the precinct operates in compliant manner:

- Construct a solid noise barrier of at least 1.8 metres high along the southern (part way) and eastern boundaries of the proposed outdoor dining area. See Figure 7-1 below for barrier locations. The barriers would need to be constructed of solid panel, weighing not less than  $10\text{ kg/m}^2$  and with no gaps. Materials such as a glass, Perspex, "Colorbond" steel, lapped and capped timber or a combination thereof would be suitable. Gaps should be fully sealed to create a solid barrier. This includes gaps at the base of the barrier.

Figure 7-1 Recommended Solid Noise Barrier Locations





- Any external speakers should be directed downwards and into the outdoor dining area. The sound system design should aim for even distribution over the space rather than limited number of speakers operating at higher localised sound pressure levels. No speakers should not be facing out towards any residences.
- An electronic frequency dependant limiting device (such as Rane MM42 or DSP systems from BSS and Mediamatrix) should be installed to the sound system to ensure that the background music in the outdoor dining area is set to the limit the background music to the levels set out Table 7-1 below:

Table 7-1 Background Music Limiting Levels

Area	Resultant L <sub>10</sub> Background Music Noise Level at 1 metre from the Southern Boundary of the Outdoor Dining Area per Octave Band (dB)									Overall L <sub>A10</sub> dB(A)
	63Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Outdoor Dining Area	48	51	65	60	59	74	69	61	63	76

- Where feasible and possible, acoustically absorptive panels should be installed on the walls of the outdoor dining area to reduce noise reflecting from the space. It is recommended that the acoustic absorption panels should have a minimum rating of not less than NRC 0.75, install the panels at a height of 1.2-1.5m from the floor with a coverage of 60-70% on the right (longer wall) and at least 30% coverage on the shorter wall
- Post signage around the outdoor dining area to educate patrons to be considerate of neighbouring residences and keep their voices down when using the outdoor dining area.
- All external doors to have acoustic perimeter seals equivalent to Raven seals.
- A Noise Management Plan (NMP) is recommended to be put in place for the operation for the venue. The plan should include the following:
  - Signs to be posted at all exit points advising patrons to leave in a quieter manner
  - Venue staff must ensure that all external doors are closed when not in use especially after 10pm
  - Security personnel should patrol the car park after 10pm to ensure no patrons are gathering in the carpark
  - Signs to be posted in the car park advising patrons to leave in a quieter manner and the use of horns and car radios should be minimised

### 7.1 Predicted Outdoor Dining Area Noise Impacts with Noise Controls

The predicted outdoor dining area noise levels experienced by the worst affected residential receivers taking into account the above recommended mitigation measures have been are presented in Table 7-2 below.

The assumptions made in the noise modelling of the outdoor dining area noise levels with noise mitigations are same as that in Section 5 which were used for the initial noise modelling.

Table 7-2 Predicted Outdoor Dining Area Noise Impacts with Recommended Noise Controls

Receivers	Resultant Sound Pressure Level per Octave Band L <sub>10</sub> - dB									Overall L <sub>A10</sub> - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Residential Receiver at 33 Hill Street	Patrons Talking Loudly Noise Impact									
	21	22	25	29	35	31	24	12	0	35



Receivers	Resultant Sound Pressure Level per Octave Band L <sub>10</sub> - dB									Overall L <sub>A10</sub> - dB(A)
	32Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Soft Background Music Noise Impact										
	10	13	26	22	21	36	32	23	21	38
Combined Noise Impacts										
	21	23	29	31	36	38	32	24	21	40
Residential Daytime Criteria	21	23	29	32	36	39	34	27	23	42
Exceedance	-	-	-	-	-	-	-	-	-	-

## 8 CONCLUSION

Rodney Stevens Acoustics has conducted an operational noise impact assessment of the proposed outdoor dining area located on the first floor of 76-100 Argyle Street, Camden.

This assessment has been conducted and appropriate noise emission criteria have been established in accordance with Camden Council's Environmental Noise Policy requirements.

This report shows that under the most conservative operating scenarios, operational noise emission, i.e. patrons and background music, from the proposed outdoor dining area is likely to comply with the established noise criteria at nearest residences.

Noise impacts generated by vehicular movements from the rear car park have been assessed to comply with the policy requirements. Therefore, noise control is not required to be implemented to the existing rear car park.

Based on our assessment the proposed outdoor dining area at 76-100 Argyle Street, Camden is deemed to not cause "Offensive Noise" to neighbouring residences provided that the noise control measures recommended in this report are implemented. It is therefore recommended that planning approval be granted for the proposed development on the basis of acoustics.

## 9 CLOSURE

This report has been prepared by Rodney Stevens Acoustics Pty Ltd with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid. This report is for the exclusive use of Mr. Steven Wisby. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from Rodney Stevens Acoustics. Rodney Stevens Acoustics disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.



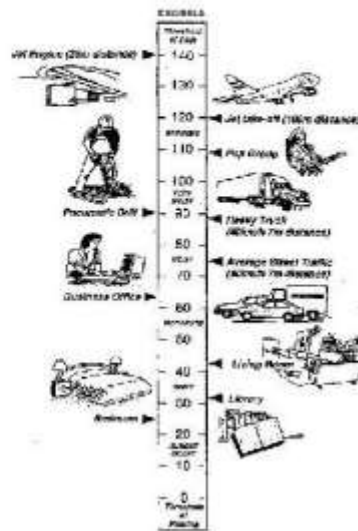
## Appendix A – Acoustic Terminology

<b>A-weighted sound pressure</b>	The human ear is not equally sensitive to sound at different frequencies. People are more sensitive to sound in the range of 1 to 4 kHz (1000 – 4000 vibrations per second) and less sensitive to lower and higher frequency sound. During noise measurement an electronic ' <i>A-weighting</i> ' frequency filter is applied to the measured sound level <i>dB(A)</i> to account for these sensitivities. Other frequency weightings (B, C and D) are less commonly used. Sound measured without a filter is denoted as linear weighted <i>dB(linear)</i> .
<b>Ambient noise</b>	The total noise in a given situation, inclusive of all noise source contributions in the near and far field.
<b>Community annoyance</b>	Includes noise annoyance due to: <ul style="list-style-type: none"> <li>■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content)</li> <li>■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry)</li> <li>■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations)</li> <li>■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).</li> </ul>
<b>Compliance</b>	The process of checking that source noise levels meet with the noise limits in a statutory context.
<b>Cumulative noise level</b>	The total level of noise from all sources.
<b>Extraneous noise</b>	Noise resulting from activities that are not typical to the area. Atypical activities may include construction, and traffic generated by holiday periods and by special events such as concerts or sporting events. Normal daily traffic is not considered to be extraneous.
<b>Feasible and reasonable measures</b>	Feasibility relates to engineering considerations and what is practical to build; reasonableness relates to the application of judgement in arriving at a decision, taking into account the following factors: <ul style="list-style-type: none"> <li>■ Noise mitigation benefits (amount of noise reduction provided, number of people protected).</li> <li>■ Cost of mitigation (cost of mitigation versus benefit provided).</li> <li>■ Community views (aesthetic impacts and community wishes).</li> <li>■ Noise levels for affected land uses (existing and future levels, and changes in noise levels).</li> </ul>
<b>Impulsiveness</b>	Impulsive noise is noise with a high peak of short duration or a sequence of these peaks. Impulsive noise is also considered annoying.



<b>Low frequency</b>	Noise containing major components in the low-frequency range (20 to 250 Hz) of the frequency spectrum.
<b>Noise criteria</b>	The general set of non-mandatory noise levels for protecting against intrusive noise (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
<b>Noise level (goal)</b>	A noise level that should be adopted for planning purposes as the highest acceptable noise level for the specific area, land use and time of day.
<b>Noise limits</b>	Enforceable noise levels that appear in conditions on consents and licences. The noise limits are based on achievable noise levels, which the proponent has predicted can be met during the environmental assessment. Exceedance of the noise limits can result in the requirement for either the development of noise management plans or legal action.
<b>Performance-based goals</b>	Goals specified in terms of the outcomes/performance to be achieved, but not in terms of the means of achieving them.
<b>Rating Background Level (RBL)</b>	The rating background level is the overall single figure background level representing each day, evening and night time period. The rating background level is the 10 <sup>th</sup> percentile min L <sub>A90</sub> noise level measured over all day, evening and night time monitoring periods.
<b>Receptor</b>	The noise-sensitive land use at which noise from a development can be heard.
<b>Sleep disturbance</b>	Awakenings and disturbance of sleep stages.
<b>Sound and decibels (dB)</b>	<p>Sound (or noise) is caused by minute changes in atmospheric pressure that are detected by the human ear. The ratio between the quietest noise audible and that which should cause permanent hearing damage is a million times the change in sound pressure. To simplify this range the sound pressures are logarithmically converted to decibels from a reference level of 2 x 10<sup>-5</sup> Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>





dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

**Sound power Level (SWL)**

The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in *dB(A)*.

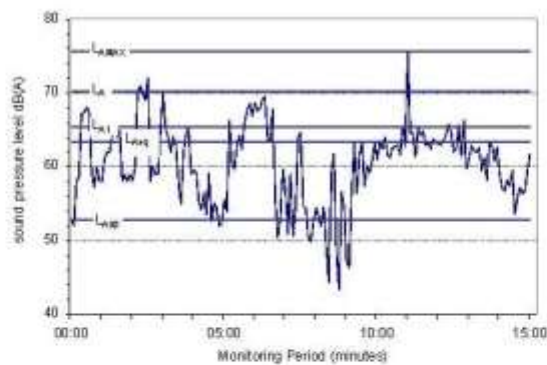
**Sound Pressure Level (SPL)**

The level of noise, usually expressed as SPL in *dB(A)*, as measured by a standard sound level meter with a pressure microphone. The sound pressure level in *dB(A)* gives a close indication of the subjective loudness of the noise.

**Statistic noise levels**

Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

A hypothetical example of A weighted noise levels over a 15 minute measurement period is indicated in the following figure:



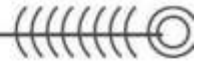
**Key descriptors:**

**L<sub>Amax</sub>** Maximum recorded noise level.

**L<sub>A1</sub>** The noise level exceeded for 1% of the 15 minute interval.

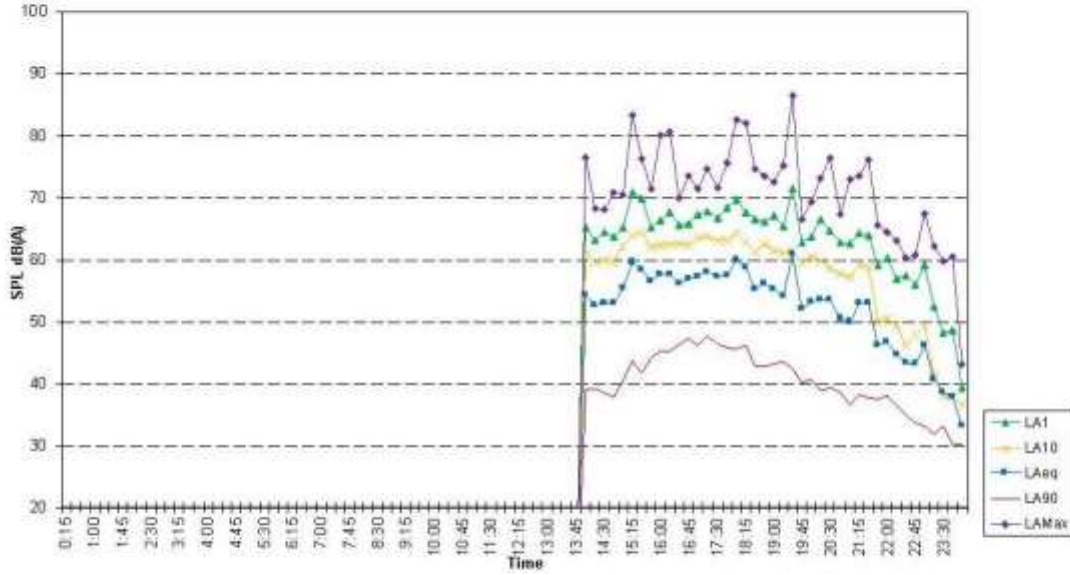


	<p><b>L<sub>A10</sub></b> Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p><b>L<sub>Aeq</sub></b> Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.</p> <p><b>L<sub>A90</sub></b> Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
<b>Threshold</b>	The lowest sound pressure level that produces a detectable response (in an instrument/person).
<b>Tonality</b>	Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dB(A) penalty is typically applied to noise sources with tonal characteristics

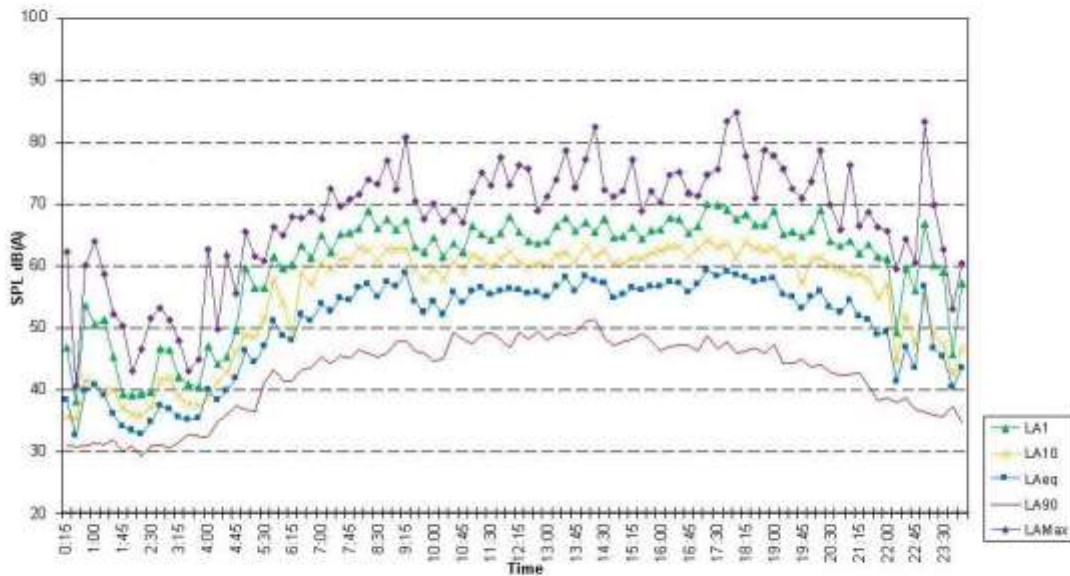


### Appendix B – Baseline Noise Survey Graphs

Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Tuesday 26/07/2016

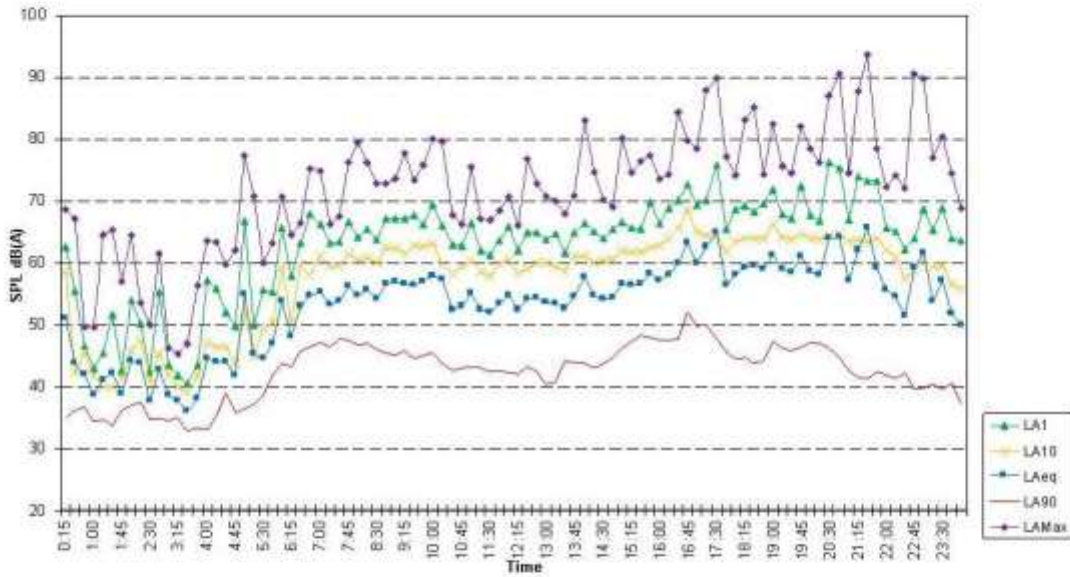


Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Wednesday 27/07/2016

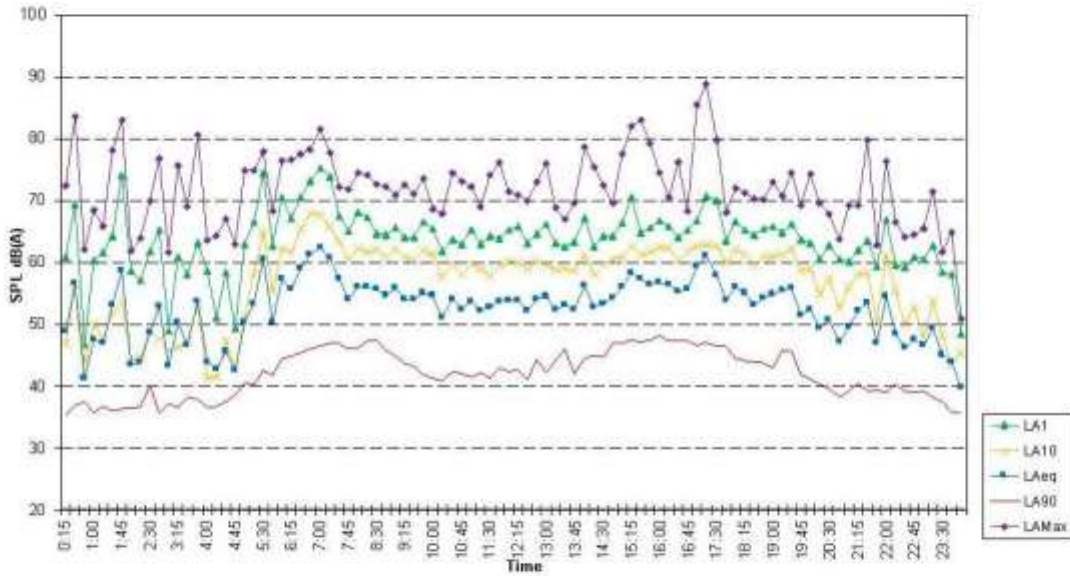




Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Thursday 28/07/2016

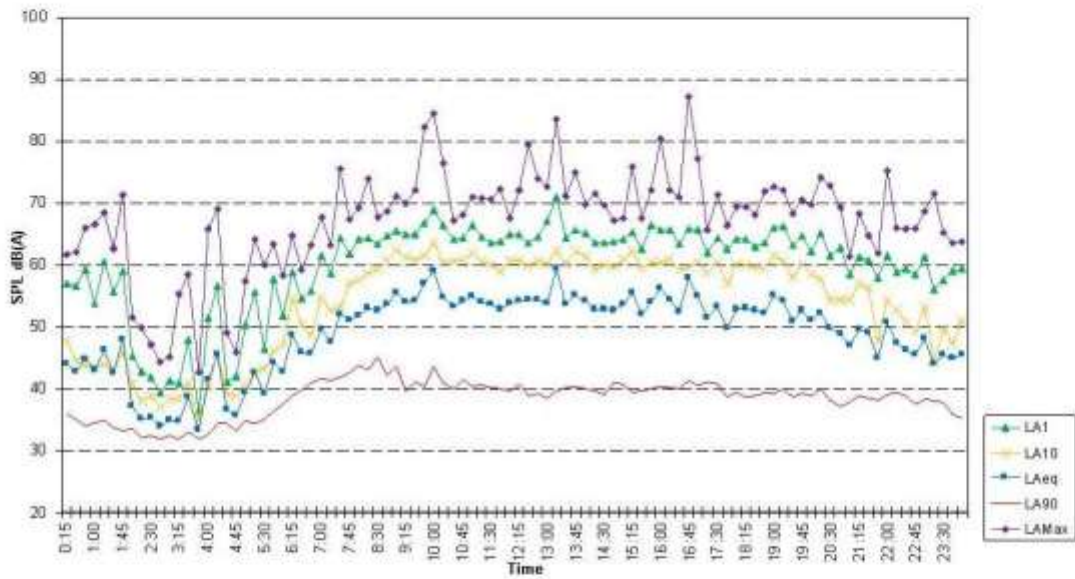


Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Friday 29/07/2016

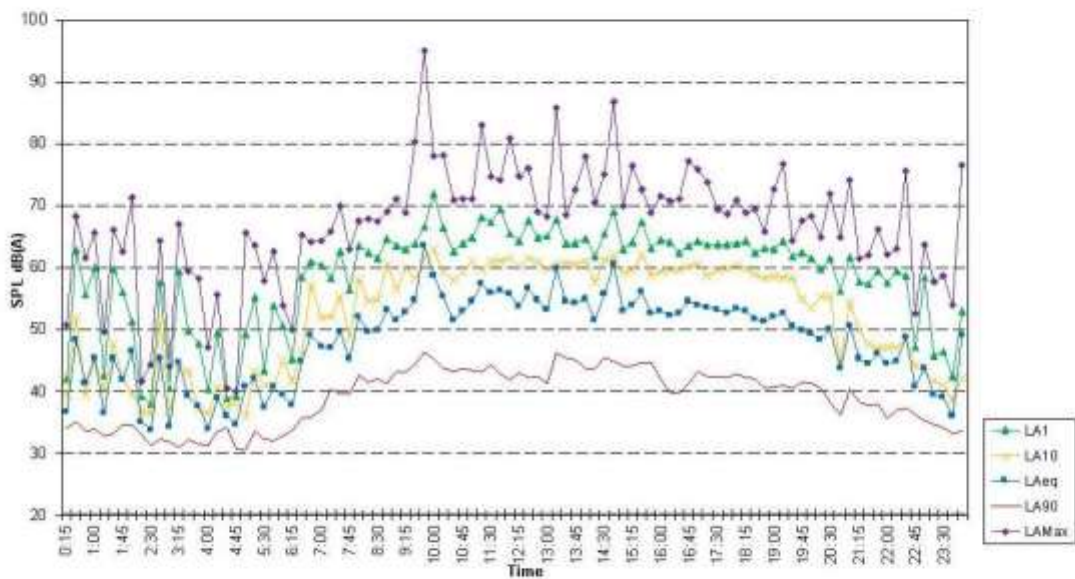




Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Saturday 30/07/2016

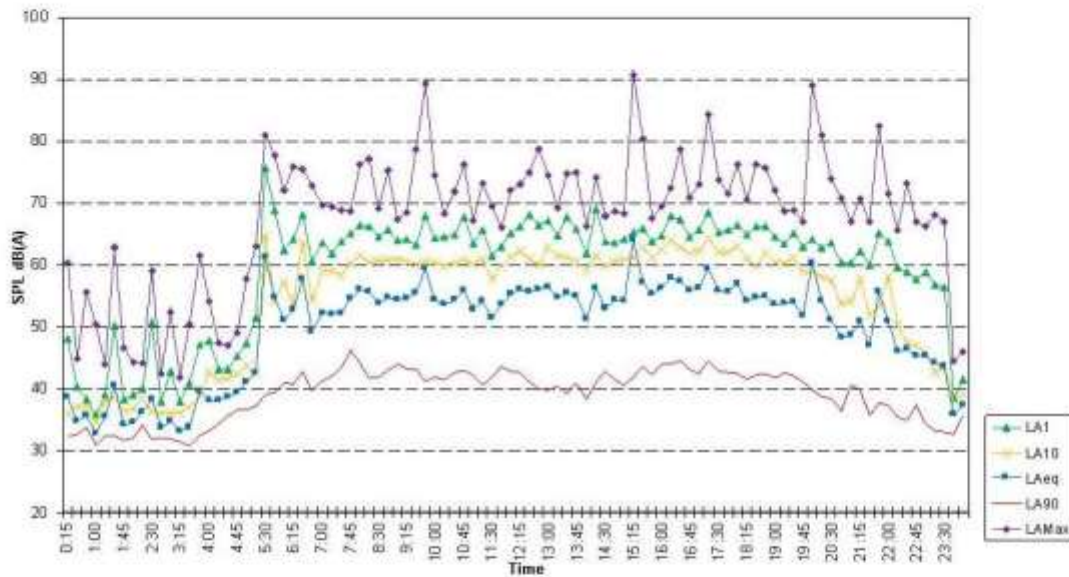


Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Sunday 31/07/2016

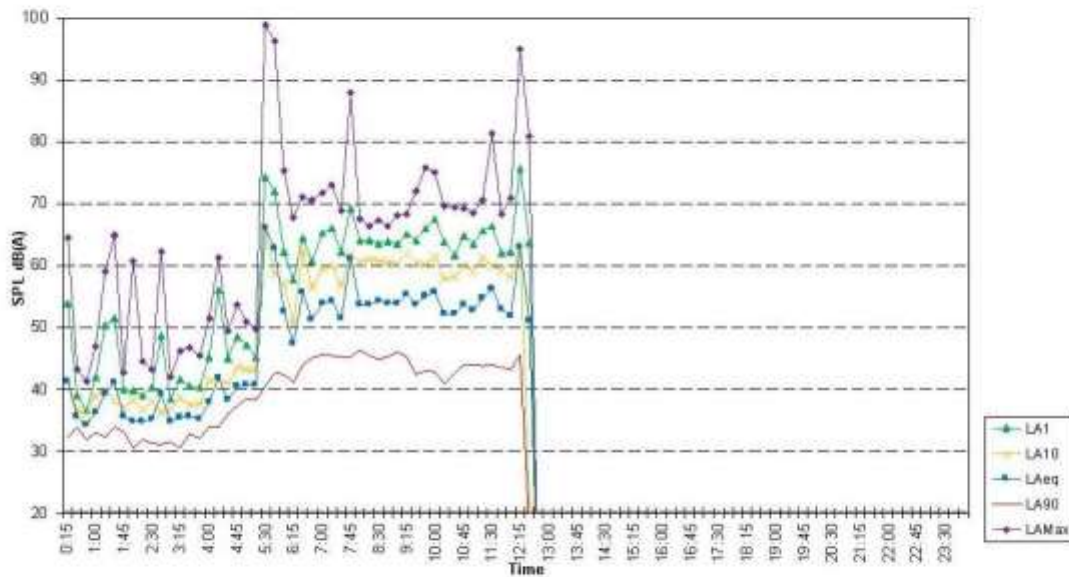


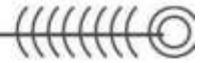


Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Monday 01/08/2016



Location - Backyard of 33 Hill Street, Camden  
Measured Noise Levels - Tuesday 02/08/2016





Appendix C – Instrument Calibration Certificate

**Acoustic Research Labs Pty Ltd** | Level 7 Building 2 423 Pennant Hills Rd  
 Pennant Hills NSW AUSTRALIA 2120  
 Ph: +61 2 9484 0800 A.B.N. 65 160 399 119  
 www.acousticresearch.com.au

Sound Level Meter  
 IEC 61672-3:2006

**Calibration Certificate**

Calibration Number C16083

<b>Client Details</b>	ARL Hire 423 Pennant Hills Road Pennant Hills NSW 2120
-----------------------	--

<b>Equipment Tested/ Model Number :</b>	ARL Ngara
<b>Instrument Serial Number :</b>	87809F
<b>Microphone Serial Number :</b>	318771
<b>Pre-amplifier Serial Number :</b>	27942

<b>Pre-Test Atmospheric Conditions</b>	<b>Post-Test Atmospheric Conditions</b>
Ambient Temperature : 22.2°C	Ambient Temperature : 21.9°C
Relative Humidity : 51.1%	Relative Humidity : 50.1%
Barometric Pressure : 99.89kPa	Barometric Pressure : 99.91kPa

<b>Calibration Technician :</b> Dennis Kim	<b>Secondary Check:</b> Riley Cooper
<b>Calibration Date :</b> 15/03/2016	<b>Report Issue Date :</b> 15/03/2016

**Approved Signatory :**  Juan Aguero

Clause and Characteristic Tested	Result	Clause and Characteristic Tested	Result
10: Self-generated noise	Pass	14: Level linearity on the reference level range	Pass
11: Acoustical tests of a frequency weighting	Pass	15: Level linearity incl. the level range control	Pass
12: Electrical tests of frequency weightings	Pass	16: Toneburst response	Pass
13: Frequency and time weightings at 1 kHz	Pass	17: Peak C sound level	Pass
		18: Overload indication	Pass

The sound level meter submitted for testing has successfully completed the class 1 periodic tests of IEC 61672-3:2006, for the environmental conditions under which the tests were performed.

However, no general statement or conclusion can be made about conformance of the sound level meter to the full requirements of IEC 61672-1:2002 because evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the requirements in IEC 61672-1:2002 and because the periodic tests of IEC 61672-3:2006 cover only a limited subset of the specifications in IEC 61672-1:2002.

Limit Uncertainties of Measurement -			
<b>Acoustic Tests</b>		<b>Environmental Conditions</b>	
31.5 Hz to 8kHz	±0.179dB	Temperature	±0.3°C
12.5kHz	±0.165dB	Relative Humidity	±0.1%
16kHz	±0.245dB	Barometric Pressure	±0.1kPa
<b>Electrical Tests</b>			
31.5 Hz to 20 MHz	±0.127dB		

All uncertainties are derived at the 95% confidence level with a coverage factor of 2.



This calibration certificate is to be read in conjunction with the calibration test report.

Acoustic Research Labs Pty Ltd is NATA Accredited Laboratory Number 14172. Accredited for compliance with ISO/IEC 17025.

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/National standards.

## 4.6 Public car parking facilities

This section:

- identifies the projected need for the provision of public car parking facilities related to expected development in both the Camden and Narellan town centres; and
- describes the method of calculating a reasonable contribution from development in each of those areas toward the provision of the parking facilities demanded by development in each area.

### 4.6.1 Summary of local infrastructure demand and how that demand will be met

The Narellan and Camden town centres are two key nodes for the provision of business and commercial services to serve the Camden LGA population.

Council has traditionally had an active role in ensuring that these town centres function efficiently through providing an appropriate level of on-street car parking and through providing numerous public car parks on land in and adjacent to the centres. Indeed, the centres could not function properly without Council's ongoing provision of these parking assets.

All development approved in the Camden LGA is required to make adequate arrangements for vehicular access and parking related to the development.

Council has and will continue to provide consolidated parking facilities in the town centres. Where a developer of land in these areas cannot or chooses not to address all of the development's parking needs through on site parking provision, Council will require the developer to make a contribution toward the provision of new or augmented parking facilities in each centre.

### 4.6.2 What is the nexus between the expected types of development and the demand for local infrastructure?

Council's Development Control Plan provides standards for the numbers of parking spaces required for particular types of development. When issuing a development consent, Council may impose conditions requiring that a certain number of parking spaces be provided for the development. However, in some circumstances, not all of the required parking spaces may be able to be provided on site due to site constraints. When this occurs, and if the development is on land within either the Camden or Narellan town centres, Council will consider whether it is appropriate for the development to contribute toward providing the additional spaces that are required in a central public parking area. These contributions will be used to purchase land, construct car parking at ground level and to augment existing car parks by erecting deck structures.

Council has planned a centralised parking area behind Somerset Avenue for the Narellan centre. Camden centre however has been provided with relatively large ground level parking areas located behind the major business establishments, which may now be expanded to further increase the availability of parking in this centre.



**Camden Contributions Plan 2011**

An analysis of parking provision and floor space requirements, was carried out by Haliburton KBR, in March 2002 for the Camden town centre (Haliburton study). A similar analysis was carried out by Christopher Stapleton Consulting in April 1995, for the Narellan town centre. A concept design report for car parking was also prepared for Narellan by the Kann Finch Group in March 2006.

**Camden town centre**

The Haliburton study addressed a proposal for multi storey car park within the Camden town centre. This study outlined the existing parking supply and demand, and the projected future demands.

The study proposed that Council would need to provide an additional 22 parking spaces annually, until 2021, to cater for growth in retail / commercial business use. A component of this demand would be created by the growth of retail / commercial floor space within the Camden town centre.

According to an analysis by Leyshon Consulting Pty Ltd in 1999, development to 2021 would provide an additional 3,000m<sup>2</sup> of retail and 1,500m<sup>2</sup> of commercial floor space. This floor space would require the provision of approximately 160 parking spaces. In line with the Haliburton study, approximately 108 of these spaces will need to be provided by Council. The study also recommends these spaces be accommodated within a deck structure on a site already owned by Council.

Council has considered a range of sites within the Camden Town Centre and following exhibition of an assessment by Brown Consulting, Council at its 25 November 2014 meeting endorsed a package of infrastructure upgrades for the Camden town centre and identified the Oxley Street car park as the preferred location of the decked structure and shown on the Public Car Parking Facility – Camden town centre map (Refer Schedule 7).

A cost estimate was prepared by MBM Quantity Surveyors in March 2016 for a car park that could ultimately provide 119 additional spaces in a 2-storey configuration. The construction of the decked carpark will be undertaken in 2 stages:

- Stage 1 to provide 51 additional spaces in a single storey decked structure and be completed by mid-2017.
- Stage 2 to provide a further 68 spaces in a 2 storey configuration.

Designs for Stage 1 have been prepared and are the subject of a development application.

Stage 2 would only commence following completion of a car parking analysis that demonstrates demand for the additional 68 spaces contained in stage 2. The car parking analysis will commence prior to funds being collected for the 38<sup>th</sup> additional space.

Upon contributions being collected for 119 additional spaces, Council will cease collecting contributions for additional spaces in the decked carpark.

**Narellan town centre**

The Kann Finch Group in 2007 prepared the report *Proposed Masterplan Concept Design for staged car parking facilities Doncaster Avenue, Narellan*. It provides three concept

**Recommended Conditions:****1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Figure 1.1	Project Area	EMM	N/A
Figure 3.1	Proposed Site Layout	EMM	N/A
N/A	Elevation View	N/A	September 2016
N/A	Elevation View	N/A	September 2016
N/A	Elevation View	N/A	September 2016
N/A	Elevation View	N/A	September 2016
N/A	Signage Plan	N/A	N/A
Dwg No. MS- 102112-100 Rev 6 Sheet A3	Floor Plan	MBS	29/9/2011
Dwg No. MS- 102112-110 Rev 1 Sheet A3	Elevations	MBS	3/2/2011
Dwg No. MS- 102112-111 Rev 1 Sheet A3	Elevations	MBS	3/2/2011
Dwg No. 1422.GD.01 Issue B	Landscape Plan	Greenland Design	18/3/2017
Dwg No. 1422.GD.02 Issue B	Landscape Details & Specification	Greenland Design	18/3/2017
N/A	Proposed Intersection	EMM	N/A
Dwg No. Figure 3 Project No. 16033 Rev A	25.0m B-Double – Swept Path	The Transport Planning Partnership	12/9/2016
Dwg No. B747/1 Sheet C1 Rev C	Stormwater Basin	Tasman Engineering Consultants	25/1/2017
Dwg No. B747/1 Sheet C2	Stormwater Longitudinal	Tasman Engineering	25/1/2017

Rev C	Section	Consultants	
Dwg No. B747/1 Sheet C3 Rev C	Dissipator Detail	Tasman Engineering Consultants	25/1/2017

Document Title	Prepared by	Date
Environmental Impact Statement (Volume 1 and 2, including appendix A to O)	EMM	N/A
Surface Water Assessment (Rev D)	Royal Haskoning DVH	8/3/2017
Revised Road Traffic Assessment	EMM	28/10/2016

- (2) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (3) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (4) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. General Terms of Approval from Office of Environment and Heritage listed in Attachment C.
  2. Conditions from NSW Environmental Protection Authority listed in Attachment D.
  3. Conditions from Endeavour Energy listed in Attachment E.
  4. Conditions from the NSW Rural Fire Service listed in Attachment F.
- (5) **Modified Documents and Plans** - The development shall be modified as follows:
- a) Amend the landscape plan to include the following tree species: *Acacia decurrens* (Black Wattle), *A. parramattensis* (Parramatta Wattle), *A. implexa* (Hickory Wattle); and
  - b) Amend the landscape plan so 46 new trees (species provided in a) above) are provided along the street frontage of the development area to replace trees approved to be removed.
- (6) **Separate Approval for Signs** - A separate development application for any proposed signs additional to the sign approved as part of this development consent shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.

- (7) **Signage Height** – The approved sign is permitted to a maximum height of 2m measured from natural ground level to the top of the sign.
- (8) **Tree Removal** - The trees as shown in the approved landscape plan are approved for removal. Replacement trees shall be planted at a ratio of 1:1 in accordance with the landscape plan.

This work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility. All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.

The issuing of this Consent is conditioned upon the planting and maintenance of suitable replacement trees as a means to achieve a "No Nett Loss" approach to vegetation management. The plantings are to be installed on the subject property within six (6) months of the removal/s authorised by this consent.

- (9) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of

tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (10) **Outdoor Lighting** - All lighting shall comply with Australian Standard AS1158 and AS4282.
- (11) **Noxious Weeds Management** – The applicant must fully and continuously suppress and destroy by appropriate means, any noxious or environmentally invasive weed infestations that occur during or after works. New infestations must be reported to Council.
- Pursuant to the *Noxious Weeds Act 1993*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material.
- (12) **Intersection Sight Distance** - The safe intersection sight distance must be in accordance with the Austroad Guidelines for an 80km/hr road.
- (13) **Auxiliary Turning Lanes** - The auxiliary turning lanes must be in accordance with Austroad guidelines.
- (14) **Access Driveway** - The access driveway must be in accordance with Australian Standards 2890.1 and 2890.2.
- (15) **Car Parking** - All car parking areas must be constructed in accordance with Australian Standards 2890.1 2890.2 and 2890.6. An accessible parking space must be provided on site in addition to the parking spaces already provided.
- (16) **Aboriginal / European Heritage** – The proposed development must comply with the following requirements during construction and as part of ongoing use:
- a) Compliance with the recommendations 7.1.3 to 7.1.10 of the *Aboriginal Cultural Heritage Assessment: Bringelly Concrete Batching Plant*, by EMM dated 24 May 2016; and
  - b) Compliance with the Section 8 Mitigation Measures of the *Statement of Heritage Impact: Bringelly Concrete Batching Plant*, by EMM dated 9 May 2016.
- (17) **Finished Colours** – The entire development including the acoustic fencing must comprise neutral / earthy tones that are sympathetic to the rural character.

## 2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Acoustic Report** - The development shall be constructed in accordance with the acoustic report: "Noise and Vibration Assessment: Bringelly Concrete Batching Plant, Prepared by EMM, Dated 9 May 2016." Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (2) **Water Quality Monitoring Plan** - A water quality monitoring plan shall be provided to the Certifying Authority.

The WQMP shall include monitoring (this extends to water quality sampling and laboratory analysis) for all completed water quality treatment systems that provide water quality treatment to service the development both during the construction and post development stages. Only relevant water quality treatment systems that drain the development should be included in the WQMP.

The WQMP shall include:

- a) quarterly water sampling;
  - b) reference to an approved sampling methodology;
  - c) location plan of sampling;
  - d) frequency of reporting of results to the Consent Authority; and
  - e) nomination of suitable water quality criteria (i.e., concentration values for pollutants expressed in mg/l) for the purpose of determining compliance.
- (3) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (4) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (5) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and Australian Standard 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

- (7) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (8) **Pollutants** - Discharge of pollutants is strictly forbidden. Measures to prevent the pollution of waters, air and land shall be incorporated into the development to comply with the requirements of the *Protection of the Environment Operations Act 1997*.

Where there is potential for pollutant discharge, a report by a suitably qualified expert shall be provided to the PCA detailing the pollution mitigation measures incorporated into the building design so that any discharges comply with the requirements of the *Protection of the Environment Operations Act 1997*.

- (9) **Smoke Free Premises** - The construction and fit out of the premises shall comply with the *Smoke-Free Environment Act 2000* and Smoke-Free Environment Regulation 2000. Details demonstrating compliance shall be provided to the Certifying Authority.
- (10) **Accessibility** - Prior to the issuing of a Construction Certificate for the proposed amenities building, detailed plans are to be provided to the appointed Accredited Certifier to assess the Construction Certificate, that demonstrates & details compliance with Part D3 of the National Construction Code – Building Code of Australia and Australian Standard – AS 1428.1 – 2009 Design for Access and Mobility.
- (11) **Salinity Management for Construction Materials** – The selection of construction materials must be able to withstand a mildly aggressive environment to concrete and steel.
- (12) **Construction and Operational Waste Management Plans** – Construction and operational waste management plans for the development must be consistent with the "Bringelly Waste Management Plan", Prepared by Boral.

The collection contractor and subsequent disposal facility must be identified.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable and be kept on site for compliance until the completion of all construction works.
- (2) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc.) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (3) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:

- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (4) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (5) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.



- (6) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (7) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.
- (8) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (9) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

- (10) **Performance Bond** - Prior to commencement of works a performance bond of \$10,000.00 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.

**Note** – An administration fee is payable upon the lodgement of a bond with Council.

- (11) **Environmental Management Plan** – An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment is not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) any other recognised environmental impact; and
- e) community consultation.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Acoustic Perimeter Barriers** – The 4.0 metre (total height) acoustic bund/barrier (comprising 2m earth bund with a 2m solid barrier on top of the bund) is required to be constructed within 4 weeks of construction commencing. The barrier is to be constructed along the northern and eastern perimeter of the development site. In addition, either a 4m high solid barrier or 4m high acoustic bund/barrier will be required to be constructed on the western perimeter. The bunds/barriers shall be located consistent with "Figure 2.2" in the "Noise and Vibration Assessment: Bringelly Concrete Batching Plant, Prepared by EMM, Dated 9 May 2016".
- (2) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to:

[www.environment.nsw.gov.au/waste/envguidins/index.htm](http://www.environment.nsw.gov.au/waste/envguidins/index.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (3) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
  - a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc. an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
  - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.

**Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (4) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (5) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (6) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;

- b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (7) **Site Management Plan** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal facility;
  - d) a waste control container shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc.);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (8) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (9) **Noise mitigation and Management Measures** – The noise mitigation measures contained within "Section 8 – Management and Mitigation" of the report "Noise and Vibration Assessment: Bringelly Concrete Batching Plant, Prepared by EMM, Dated 9 May 2016" must be constructed on the site and complied with at all times.

Noise levels emitted during demolition and construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (10) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity"; and
- ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material;
  - i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");

- iv) is suitable for its intended purpose and land use; and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations;
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (11) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (12) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (13) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (14) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (15) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (16) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (17) **Tree Hollows** - Tree hollows and/or active nests within trees approved for removal must be replaced to provide fauna with short-term habitat requirements during vegetation clearance and bushland restoration works.

Each individual tree hollow and/or active nest must be replaced at a minimum 1:1 ratio with nest boxes that will provide suitable short-term habitat requirements. Any hollow-bearing and/or active nest trees removed from the development site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows, active nests or other habitat (i.e. logs, leaf litter) are appropriately treated and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*.

A qualified ecologist is required to be present throughout vegetation clearing activities to relocate fauna, or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

- (18) **Environmental and/or Declared Noxious Weeds** - If Environmental and/or Declared Noxious Weeds are found within the site, weed management must occur in accordance with best practice weed management procedures, state legislation (*Noxious Weeds Act 1993*, *National Weeds Strategy 2007*) and the Camden Council Development Control Plan 2011.
- (19) **Vegetation Fencing** - Fencing to be installed around Existing Native Vegetation and other Cumberland Plain Woodland to ensure its protection during construction.
- (20) **Use of Felled Trees** - The trunks and larger branches of felled trees within the development area are to be placed on the ground of the adjoining Existing Native Vegetation (ENV) to enhance habitat of the ENV.

#### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.

- (2) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (3) **Waste Disposal** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on public land (e.g. footpaths, roadways, plazas, reserves etc.) at any time.
- (4) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the PCA. Verification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
- (5) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (6) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development;
  - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
  - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (7) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the PCA confirming the acoustic mound and fence has been constructed in accordance with the approved acoustic report "Noise and Vibration Assessment: Bringelly Concrete Batching Plant, Prepared by EMM, Dated 9 May 2016."
- (8) **Building Height** - A registered surveyor shall certify that the maximum height of the 3 silos is consistent with the height referenced in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the PCA.
- (9) **Driveway Crossing Construction** – The driveway crossing shall be constructed in accordance with this consent and the Driveway Crossing Approval (PRA) prior to use or occupation of the development.
- (10) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent.
- (11) **Inspection for On-Site Sewerage Management** - An 'Approval to Operate' under Section 68 of the *Local Government Act 1993* shall be obtained from Council.

- (12) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
- a) Positive covenant over the on-site detention and water quality facility for the maintenance, repair and insurance of such a facility.
- (13) **Water Quality Facility** - A water quality facility must be constructed for the site in accordance with the approved plans and Council's Engineering Specifications.

## 6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Developer Contributions** – In Accordance with Camden Contributions Plan No. 7 – Road Maintenance: Extractive Industry, the Applicant shall pay Camden Council road maintenance contributions of \$0.0811 for every tonne of material transported to and from the site, indexed to CPI. Each payment must be:
- a) paid to Council at the end of each calendar year; and
- b) based on weighbridge records of all supplementary concrete making materials transported to the site and concrete and spoil transported from the site.

A copy of the Section 94 Contributions Plan may be inspected at Council's Administration Centre located at Central Avenue, Oran Park.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (2) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (3) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (4) **Maximum Vehicle Size** - The maximum vehicle permitted to access the site is a general access vehicle (up to 19m in length), until such time that a B-Double vehicle access route is approved to the new site entrance, in which case B-Double vehicles will be permitted to access the site.
- (5) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (6) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	7:00am to 10:00pm
Tuesday	7:00am to 10:00pm



Wednesday	7:00am to 10:00pm
Thursday	7:00am to 10:00pm
Friday	7:00am to 10:00pm
Saturday	7:00am to 10:00pm
Sunday and Public Holidays	8:00am to 10:00pm

No material deliveries permitted after 6:00pm on any day.

- (7) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

- (8) **Approved Signage Maintenance** - The approved sign shall be maintained in a presentable and satisfactory state of repair.

The level of illumination and/or lighting intensity used to illuminate the sign shall comply with Australian Standards 1158 and 4282.

- (9) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.

- (10) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

- (11) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council's stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.

- (12) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.

- (13) **Amenity** - The business shall be conducted and customers controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.

- (14) **Pollution Control** - The use and operation of the premises shall not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

The use shall operate in accordance with the following:

- a) all pollution control devices (Including drainage systems, sumps and traps) shall be regularly maintained;

- b) the repair, servicing and maintenance of all vehicles shall take place in a bunded work bay drained holding tank or like device so that any liquid wastes produced from such repair, servicing and maintenance can either be:
    - i) retained for recycling; or
    - ii) disposed of in accordance with the requirements of Sydney Water.
- (15) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (16) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.
 

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc.) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans.
- (17) **Environmental and/or Declared Noxious Weeds** – The applicant must fully and continuously suppress and destroy, by appropriate means, any noxious or environmentally invasive weed infestations that occur. New infestations must be reported to Council. Pursuant to the *Noxious Weeds Act 1993*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material.
- (18) **Waste Water Treatment Devices** - All wastewater treatment devices (including drainage systems, sumps, traps and pumps) shall be regularly maintained in good working order to ensure that they remain effective. A maintenance schedule shall be developed and incorporated into a Plan of Management (PoM) and kept on-site at all times for staff to comply with. All liquid and solid wastes collected from the treatment device shall be disposed of in accordance with relevant environmental protection and waste control legislation.
- (19) **Air Quality Emission Control Factors** – The development site as a minimum must provide the following: monthly sweeping of paved roads / surfaces, water sprays operating in unloading and storage areas, cement supplement silo loading, hopper loading additives and mixer activities, CBP material transfer points. These provision must be consistent with “Section 6.3 – Emission reduction Factors” of the report titled “Air Quality Impact Assessment: Proposed Bringelly Concrete Batching Plant, Prepared by Ramboll Environ, Dated April 2016.”

ORD05

- (20) **Pre-mixed Concrete Permitted** - Only pre-mixed concrete can be produced by this development.
- (21) **Production Capacity** – Concrete production is restricted to a maximum 125,000 tonnes of concrete per annum.

Attachment 1



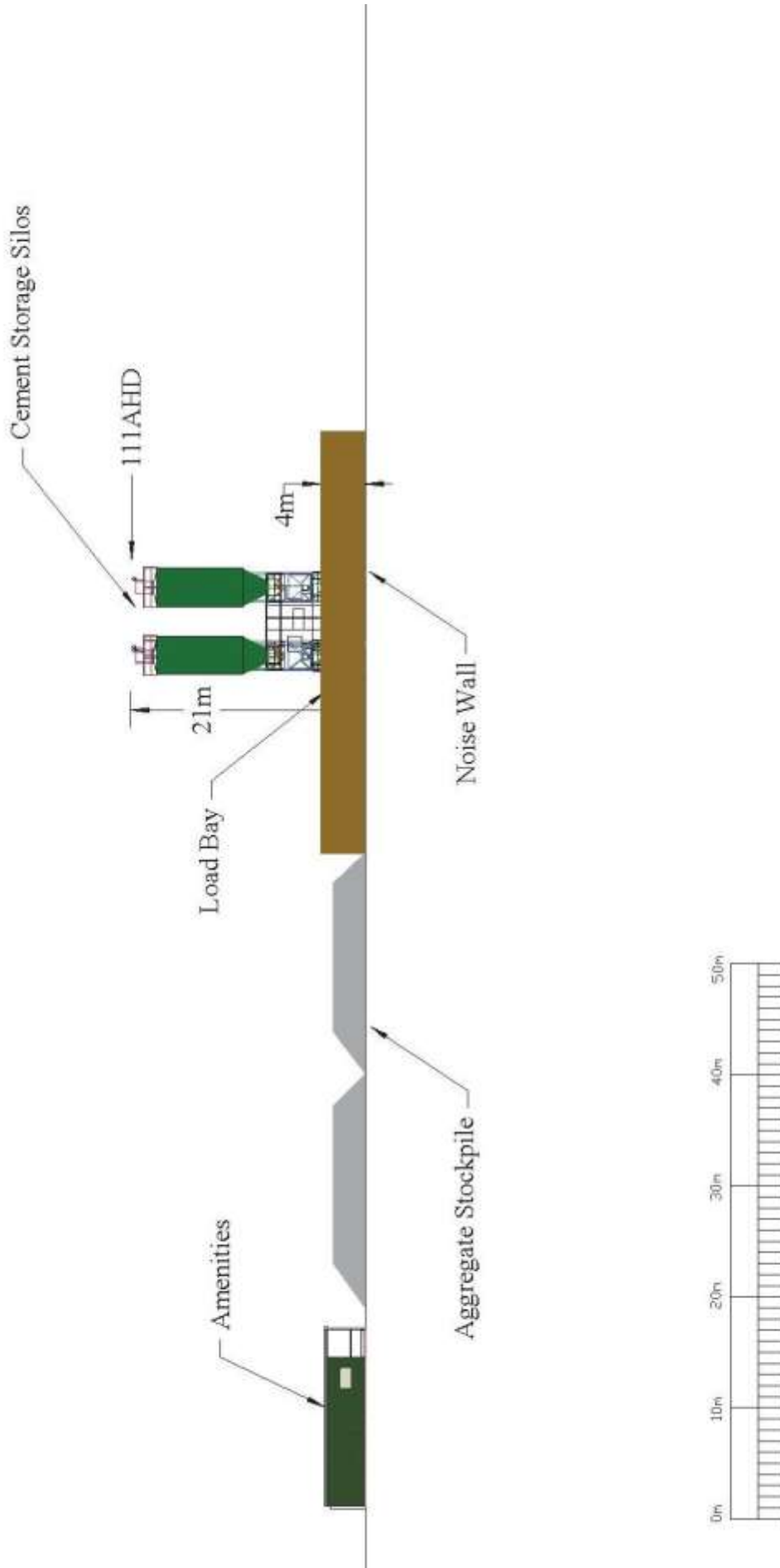
**Project area**  
 Bringelly Concrete Batching Plant  
 Environmental Impact Statement



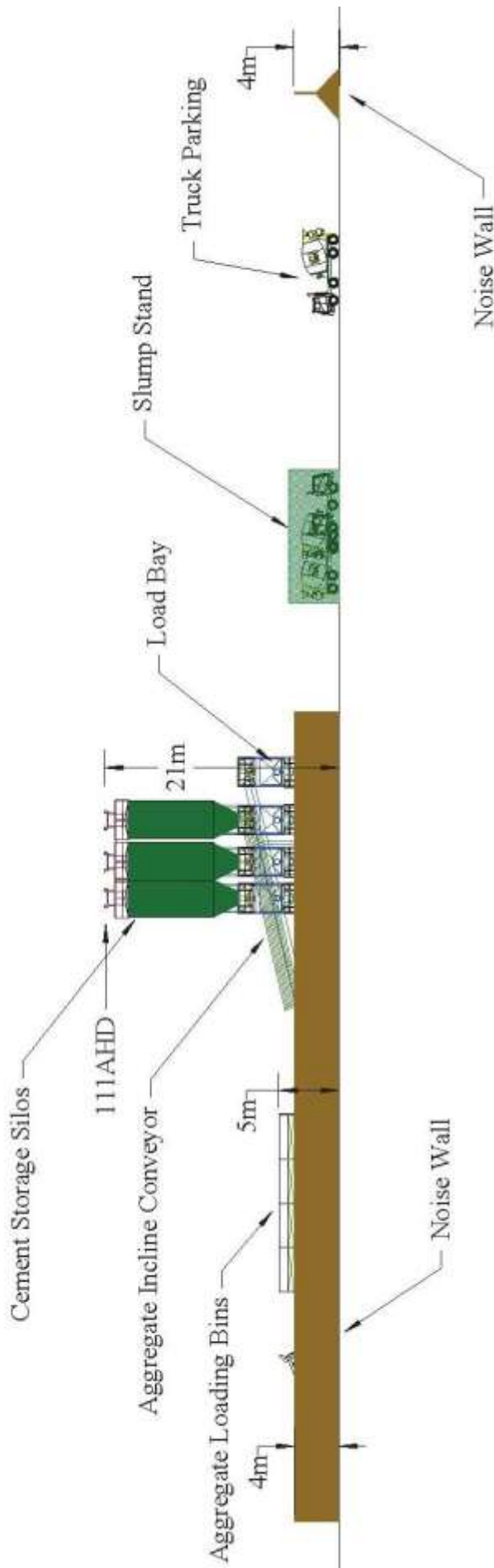
ORD05

Attachment 2

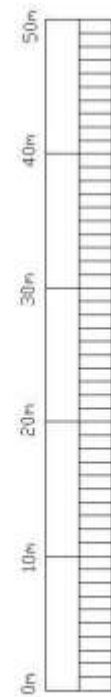
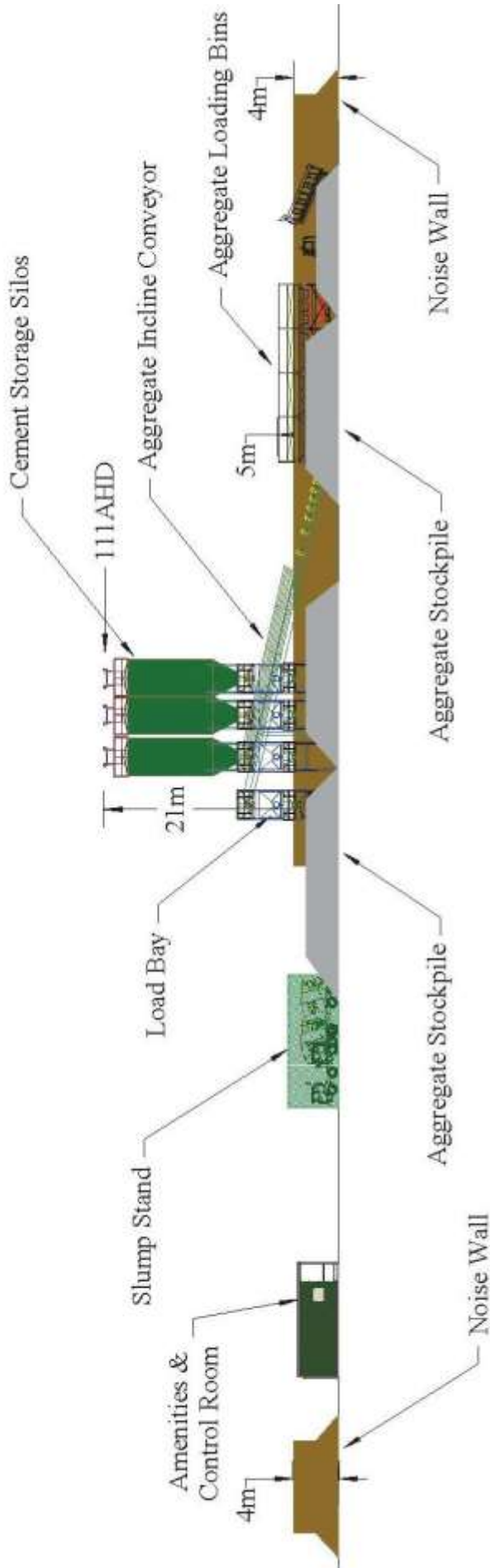
Business  
identification  
sign



Revision		Dim	Date	BORAL RESOURCES (NSW) P/L		Drawn - R.F.
1	Elevation View			Bringelly Batch Plant		Date Sep 2018
2				Title		Scale 1:500 @ A3
				Elevation View - East		Drawing Number
						Bringelly Mobile Batch Plant

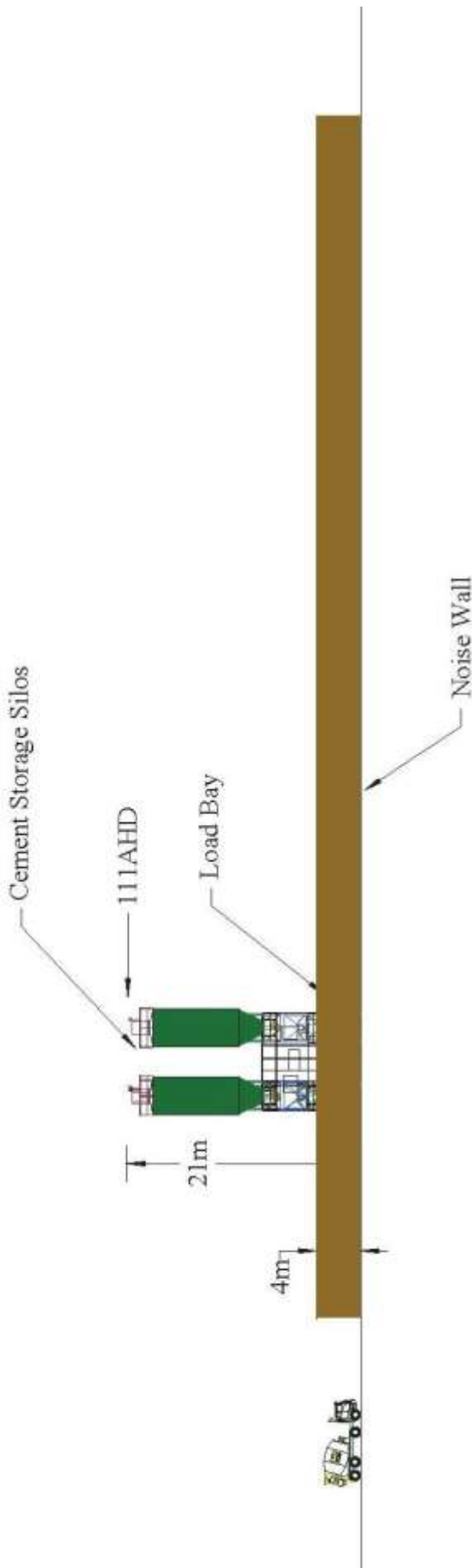


Revision		Rev	Date	BORAL RESOURCES (NSW) P/L		Drawn	R/F
1	Elevation View			Bringley Batch Plant		Date	Sep 2016
2				Title		Scale	1:500 @ A3
				Elevation View - North		Drawing Number	Bringley_Mobile Batch Plant



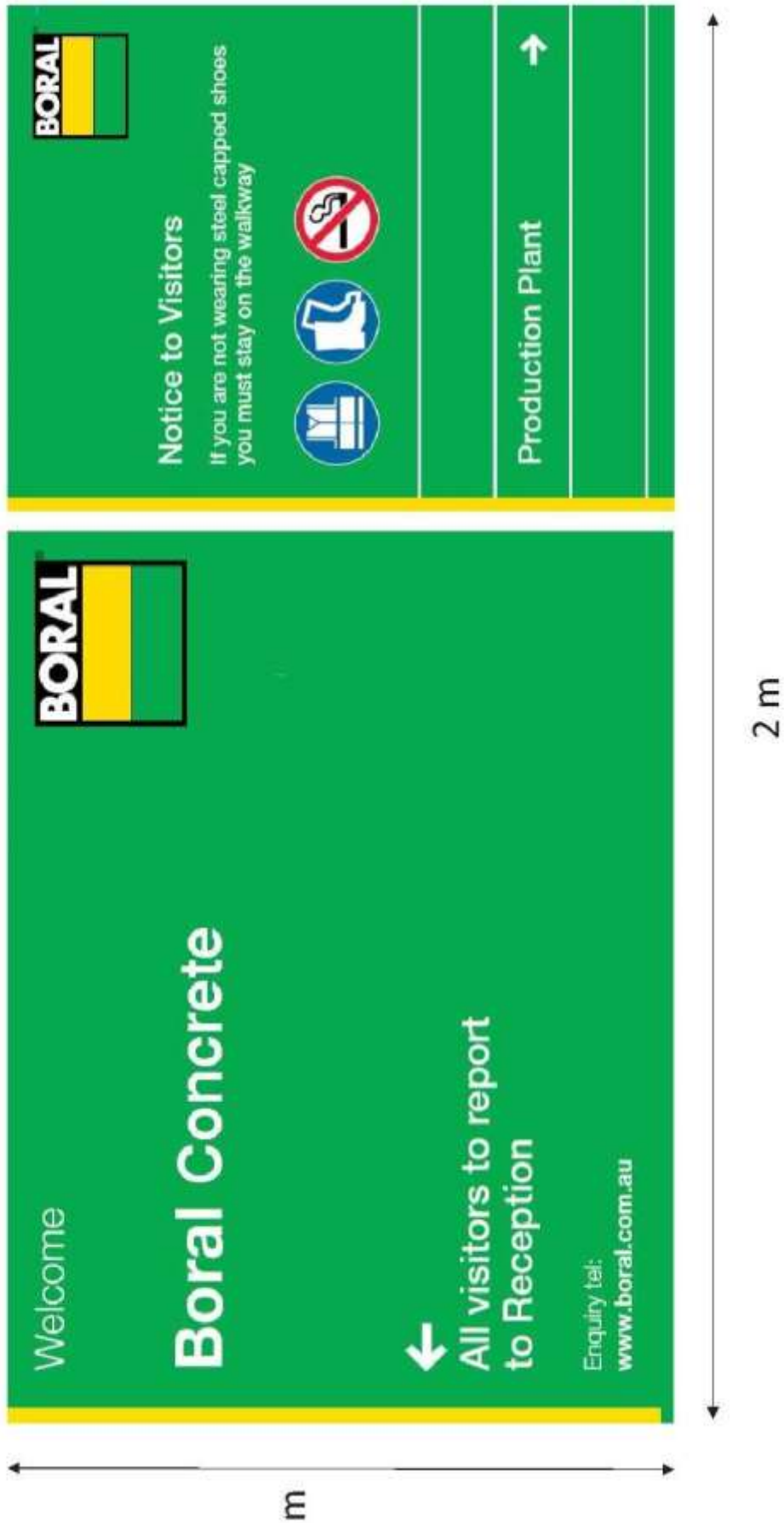
Revision		Rev	Date	BORAL RESOURCES (NSW) P/L	Drawn - R.F.
1	Elevation View			Bingely Batch Plant	Date Sep 2016
2				Title	Scale 1:500 @ A3
				Elevation View - South	Drawing Number
					Bingely_Mobile Batch Plan

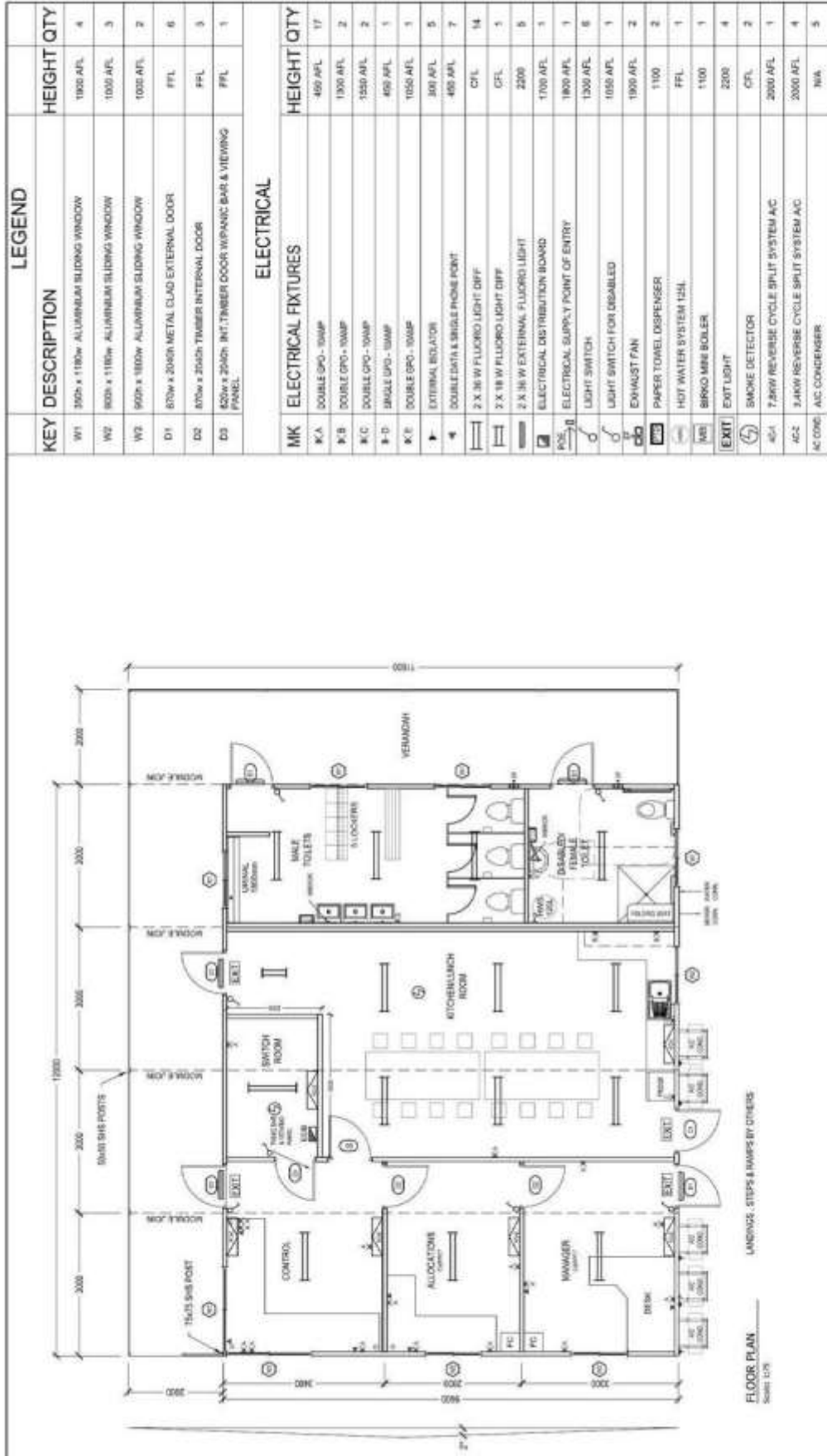




Revision		Dim	Date	BORAL RESOURCES (NSW) P/L		Drawn	R.F.
1	Elevation View			Bingelly Batch Plant		Date	Sep 2016
2				Title		Scale	1:500 @ A3
				Elevation View - West		Drawing Number	Bingelly Mobile Batch Plan

Bringelly Concrete Batching Plant  
Signage Plan





**CLIENT:**  
**BORAL**  
**CONCRETE PLANT**

**CLIENT APPROVAL**

**CLIENT:**  
DATE: 26/12/16  
DRAWN BY: JB  
CHECKED BY: AH  
SCALE: 1:50  
QUOTATION NUMBER: 16/12  
REV: 3  
SHEET A3

**PROJECT:**  
12.0 x 9.6m MULTI-PURPOSE BUILDING

**GENERAL ARRANGEMENT**

DRAWING NUMBER: MS-102112-100  
BUILDING NUMBER: ---  
REV: 3

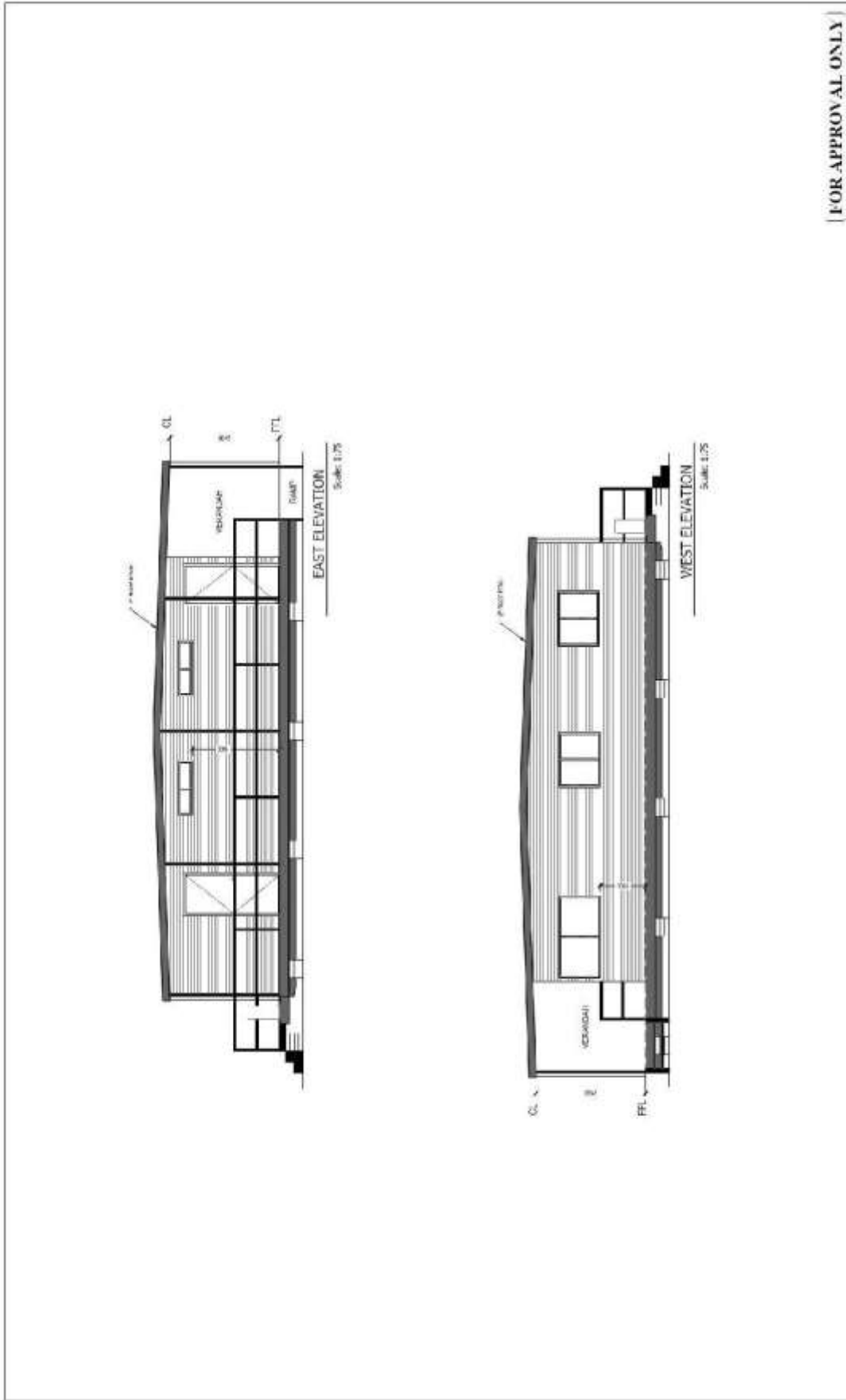
**DATE:** 26/12/16  
**FOR APPROVAL:** 17/12/2016  
**FOR APPROVAL:** 07/03/2017  
**REVISED BY CHANGE IN DRAWING:** 22/03/2017  
**DATE FOR DATE TO RELOCATE:** 22/03/2017  
**USE TO DATE TO RELOCATE:** 22/03/2017  
**450 INTER-DRIVE**

**MBS modular building systems**  
31 STURT STREET, SMITHFIELD NSW 2164  
TEL: 1800 217 131  
FAX: (02) 8718 2599  
www.modularbuilding.com.au

NSW 2164  
D: (02) 8718 2500

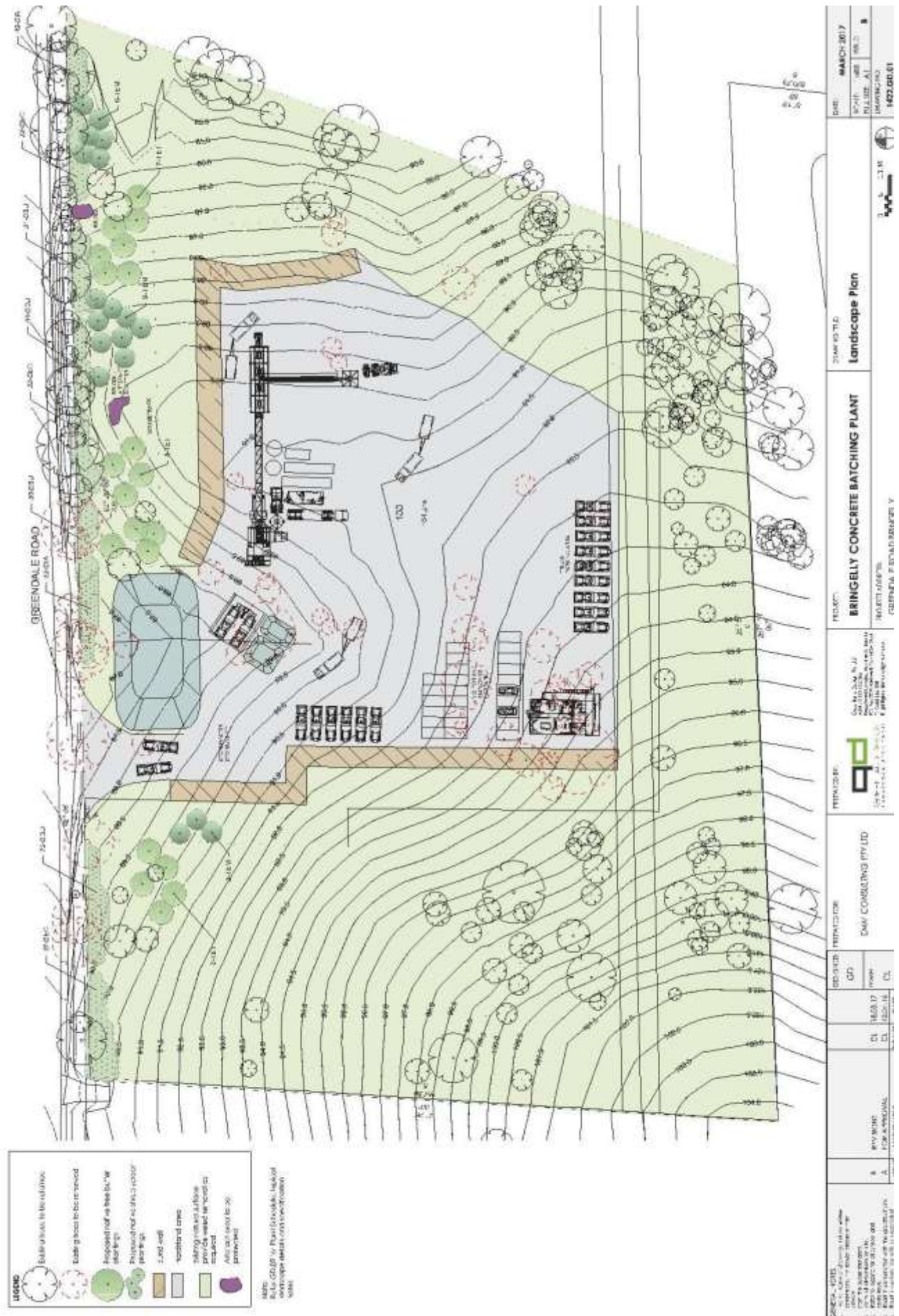
**( FOR APPROVAL ONLY )**

<b>CLIENT APPROVAL</b>			<b>CLIENT:</b>		<b>PROJECT:</b>		
SIGNATURE: _____ NAME: _____ DATE: _____			<b>BORAL</b> <b>CONCRETE PLANT</b> <small>148 GILBA ROAD, GIRRRAWEEEN, NSW 2145</small>		<b>12.0 x 9.6m MULTI-PURPOSE BUILDING</b>		
No. 1 DESCRIPTION: FOR APPROVAL DATE:			DATE: _____ DRAWN BY: JB CHECKED BY: AT SCALE: 1/15 QUOTATION NUMBER: 80710		DRAWING NUMBER: MS-102112-110 RIBBOND NUMBER: *** H.L.P. 1		
148 GILBA ROAD GIRRAWEEEN 2145 TEL: 9536 4445 FAX: 9536 4454					SHEET 1 OF 1		



FOR APPROVAL ONLY

<b>CLIENT APPROVAL</b> SIGNATURE: _____ NAME: _____ DATE: _____		No. 1 DESCRIPTION: FRS LORRION DATE: _____	CLIENT: <b>BORAL                  CONCRETE PLANT</b>	DATE: 20/10/14 DRAWN BY: JH CHECKED BY: AH SCALE: 1:25	TITLE: <b>ELEVATIONS (2)</b>	PROJECT: <b>12.0 x 9.6m MULTI-PURPOSE BUILDING</b>
146 GILBA ROAD CIRRRAWEEN 2145 TEL: 9636 4445 FAX: 9636 4454		PROJECT NUMBER: <b>MS-102112-111</b>	DRAWING NUMBER: <b>MS-102112-111</b>	PROJECT NUMBER: <b>MS-102112-111</b>	PROJECT NUMBER: <b>MS-102112-111</b>	PROJECT NUMBER: <b>MS-102112-111</b>



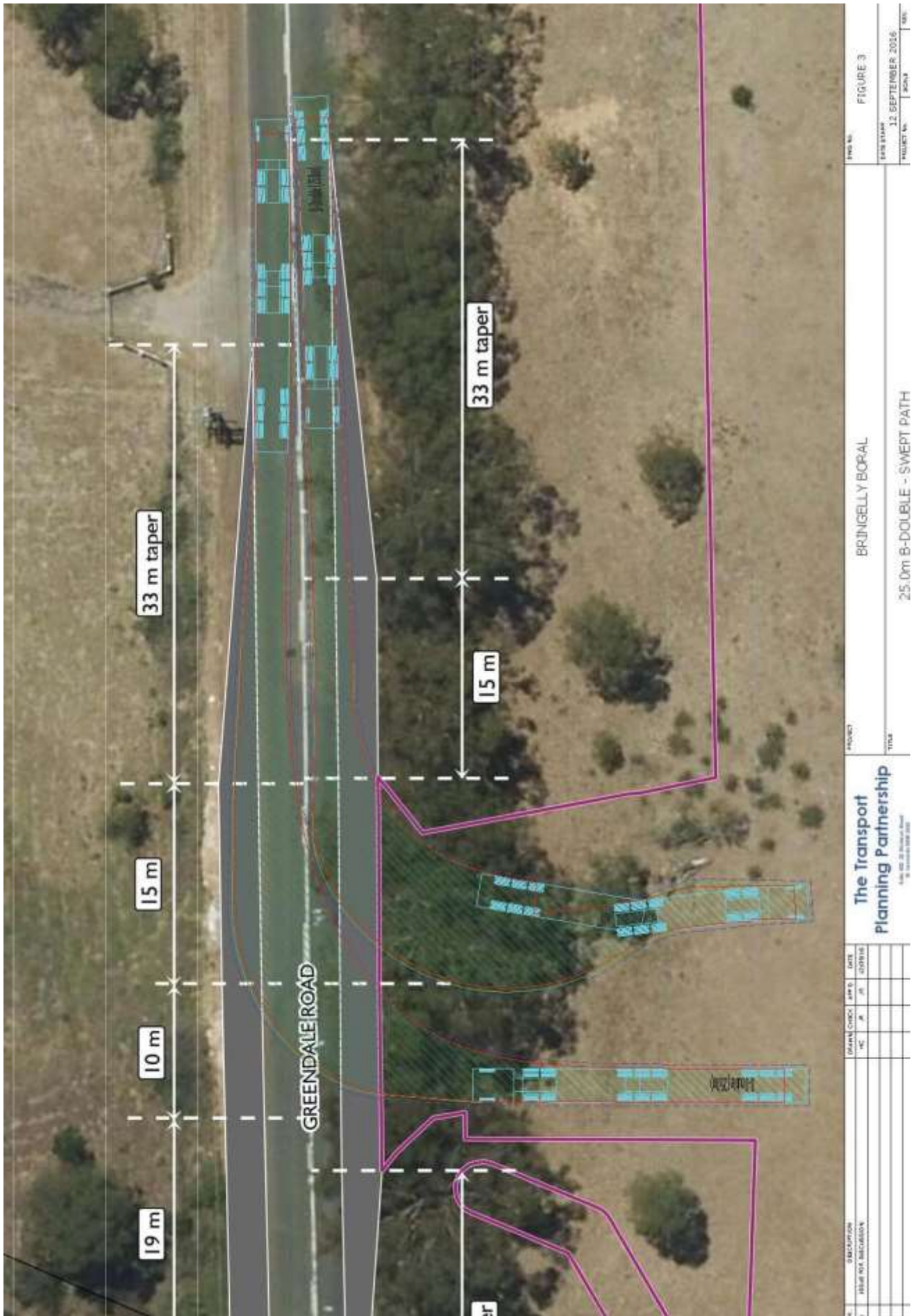






Attachment 2

ORD05

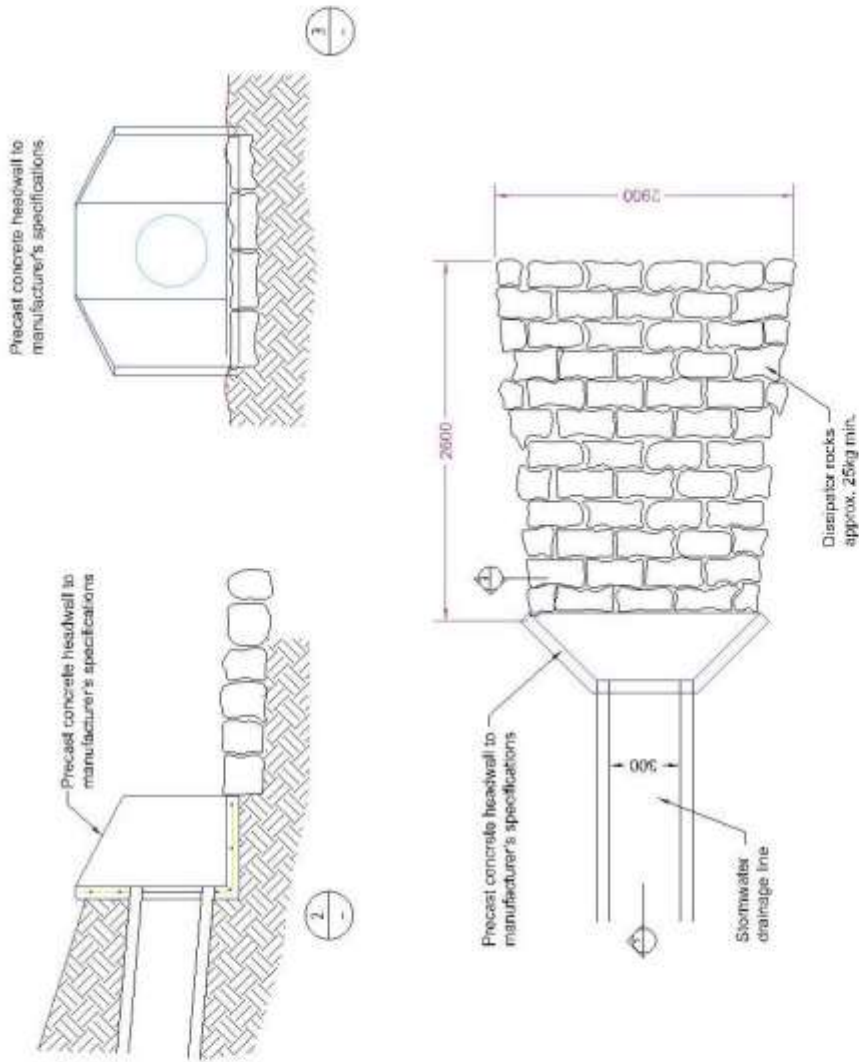




TASMEN ENGINEERING CONSULTANTS STRUCTURAL, CIVIL AND GEOTECHNICAL ENGINEERS OFFICE 1, MAIN STREET CENTRE, 62 MAIN ST, KERIBULLA NSW 2518 TEL: 02 8495 1778	Client	BORAL	Drawn	BS	Scale	1:300
	Project	BRINGELLY PLANT	Designed	MS	Date	25/1/17
			Checked	MS		

1	1:300	25/1/17
2	1:300	25/1/17

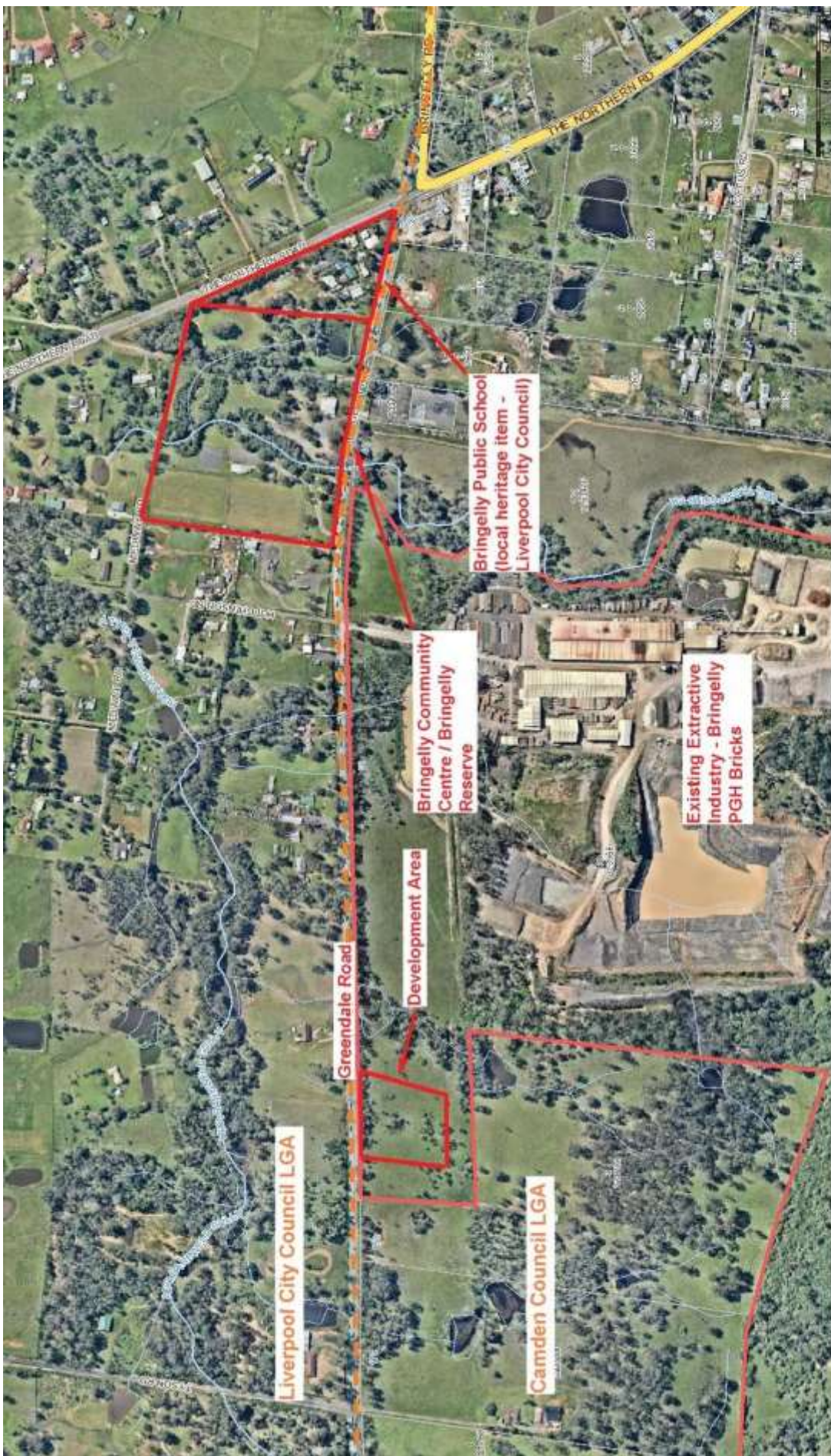




**CONCRETE HEADWALL & ROCK DISSIPATOR PLAN**

1	PLAN	DATE	24/1/17
2	REVISED	DATE	24/1/17
3	REVISED	DATE	24/1/17
<b>TASMAN ENGINEERING CONSULTANTS</b> STRUCTURAL, CIVIL AND GEOTECHNICAL ENGINEERS OFFICE 1, MAIN STREET CENTRE, 62 MAIN ST, KERIBULLA NSW 2518 TEL: 02 6495 1778			
Client	BORAL	Drawn	BS
Project	BRINGELLY PLANT	Designed	MS
		Checked	MS
		Scale	1:200
		Date	25/1/17





**Ian Cooper & Associates**  
 17 Park Ave  
 #1888 Upper Level  
 Home: 02 8344 7777  
 M: 0434 7828

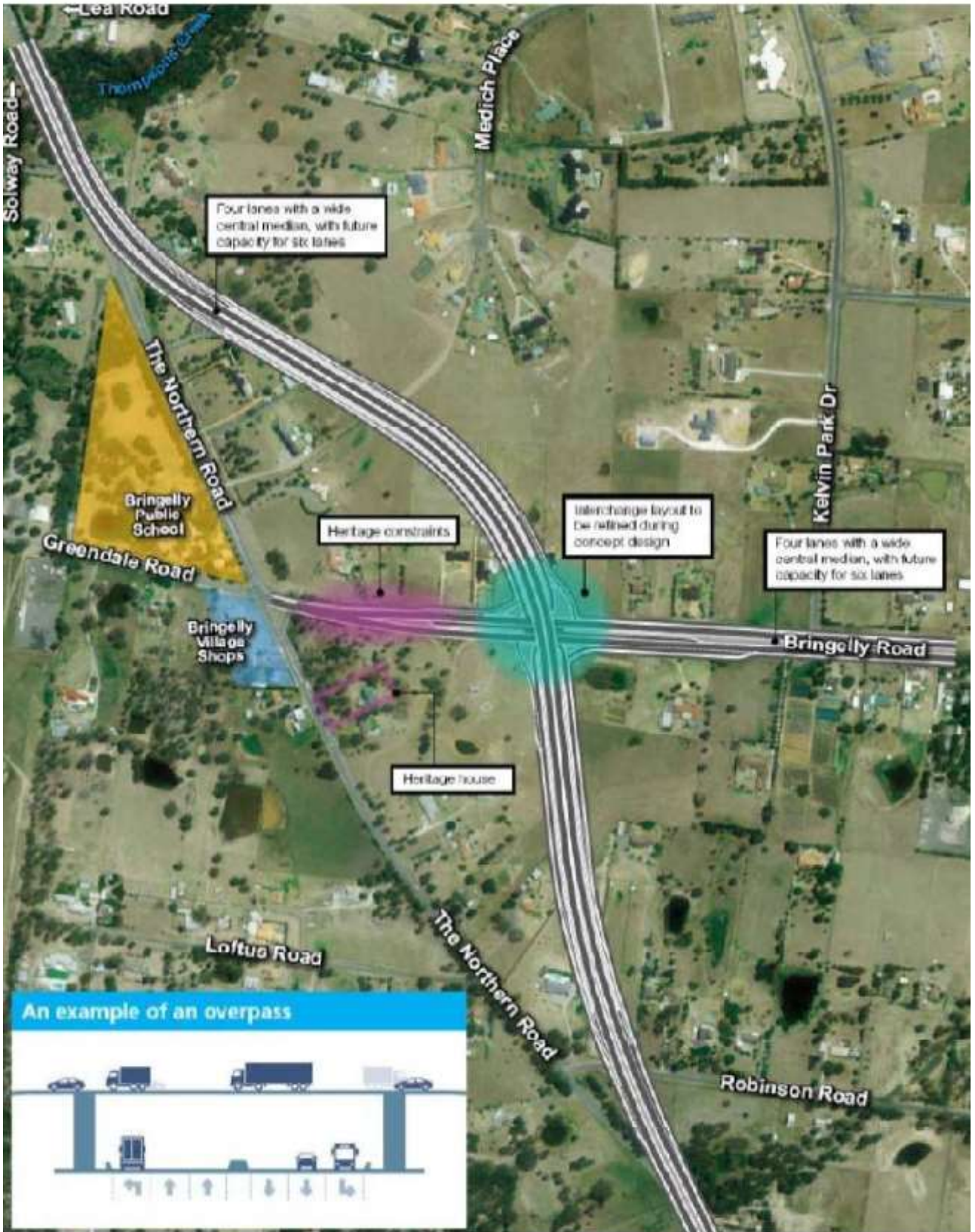
**Disclaimer Notice:**  
 This map is for a general advisory document. Actual locations can differ significantly from a survey or the information provided. The information for this map is for general advisory purposes only. It is not intended to be used for any other purpose. The information for this map is for general advisory purposes only. It is not intended to be used for any other purpose. The information for this map is for general advisory purposes only. It is not intended to be used for any other purpose.



Projection: GDA94 / MGA zone 56  
 Date: 1/05/2017  
 Map Scale: 1:1500 at A3

ORD05

Attachment 5

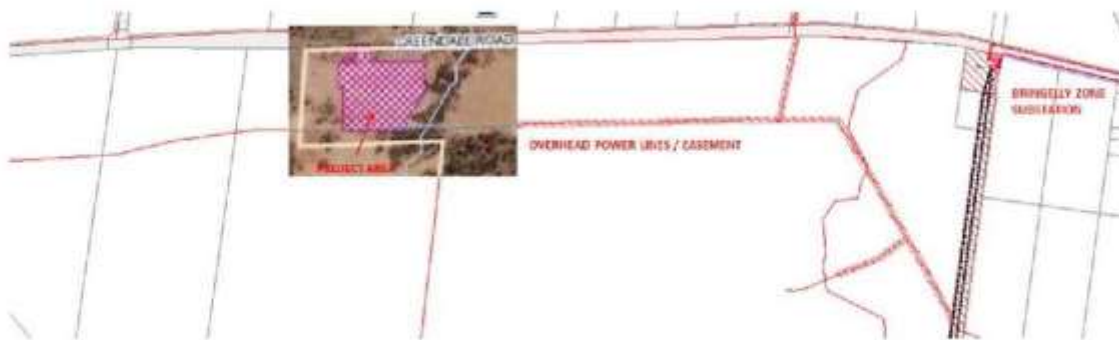


Dear Sir or Madam

I refer to Council's letters of 22 and 23 June 2016 regarding Development Application No. 578/2016/1 at 60 Greendale Road BRINGELLY (LOT: 100 DP: 1203966) for 'Construction and operation of a mobile concrete batching plant with an intended production capacity of 125,000 tonnes of concrete per annum within the Boral/CSR Bringelly Brickworks site, including construction of an amenities building, tree removal, 11 advertising signs, a new access from Greendale Road and associated site works'. Submissions need to be made to Council by 28 July 2016.

As shown in the below site plan from Endeavour Energy's G/Net master facility model, there are various easements over the site benefitting Endeavour Energy (indicated by red hatching) associated with Endeavour Energy's nearby Bringelly Zone Substation at 30 Greendale Road Bringelly (Lot 1 DP 733115; Lot 10 DP 1125892). Please note the location of any electricity infrastructure, boundaries etc. shown on the plan is indicative only and this plan is not a 'Dial Before You Dig' plan under the provisions of Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

The following is the site plan showing the 'Project Area' overlaid onto Endeavour Energy's G/Net master facility model which shows that the 'Project Area may encroach the easement?



Please find attached for the applicant's reference a copy of Endeavour Energy's 'General Restrictions for Overhead Power Lines'. The following is a summary of the usual / main terms of Endeavour Energy's electrical easements requiring that the land owner:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

If any proposed works will encroach/affect Endeavour Energy's easements on the adjoining site, contact must first be made with the Endeavour Energy's Easements Officer, Easement Officer, Philip Wilson, on 9853 7110 alternately [Philip.Wilson@endeavourenergy.com.au](mailto:Philip.Wilson@endeavourenergy.com.au).

It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

Subject to the foregoing Endeavour Energy has no objections to the development application. Its further comments and recommendations are:



Whilst Endeavour Energy has no objections to the development proposal, its recommendations and comments are as follows:

- Network Capacity / Connection

Although there is an existing customer connection service to the site, in due course the applicant for the future proposed development of the site will need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached for the applicant's reference is a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

- Safety Clearances

Any future proposed buildings, structures, etc. must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in AS/NZS 7000:2010 'Overhead line design - Detailed procedures' and the 'Service and Installation Rules of NSW'. Different voltages are kept at different heights, the higher the voltage, the higher the wires are positioned on the pole. Similarly, the higher the voltage, the greater the required building setback. These distances must be maintained at all times a eg. for the erection of scaffolding etc., and regardless of the Council's allowable building setbacks etc. under its development controls, allowance must be made for the retention of appropriate / safe clearances. Any work in proximity of the overhead power lines must be undertaken in accordance with the requirements of SafeWork NSW / Work Cover 'Work Near Overhead Power Lines Code of Practice 2006' a copy of which is attached.

- Earthing

The construction of any building or structure (including fencing) that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.

- Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs with non-invasive root systems are the best plants to use. Ideally larger trees should be planted well away from electricity infrastructure, including underground cables (or installed with a root barrier around the root ball of the plant), as they can restrict safe access by maintenance workers and may damage the electricity network eg. falling branches. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's

Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

- Dial before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the *Dial before You Dig 1100* service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical infrastructure across the sites, but also to identify them as a hazard and to properly assess the risk.

- Public Safety

As the proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

Could you please pass on the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully

Cornelis Duba

Acting Public Safety Advisor

T: 9853 7896

E: [cornelis.duba@endeavourenergy.com.au](mailto:cornelis.duba@endeavourenergy.com.au)

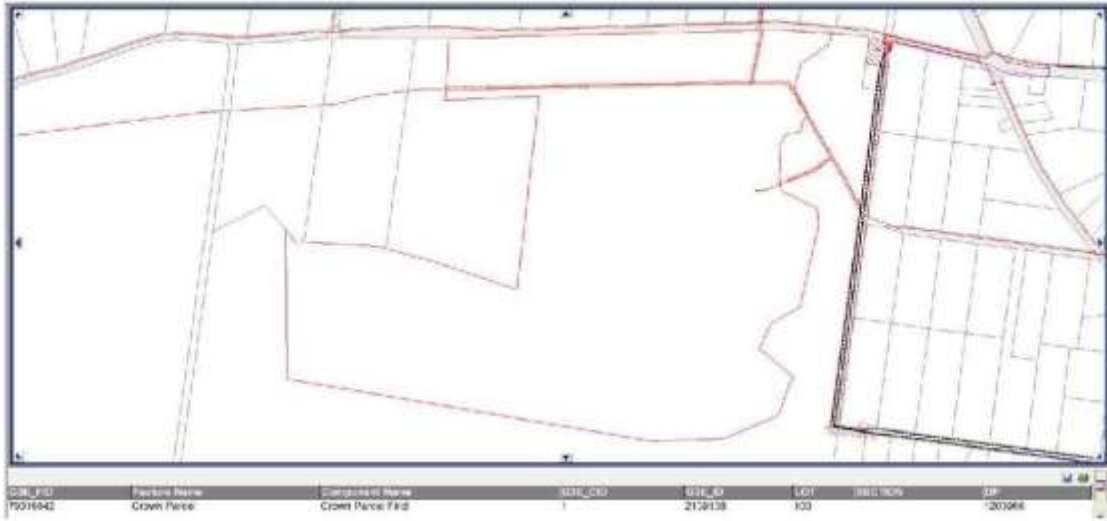
51 Huntingwood Drive, Huntingwood NSW 2148

[www.endeavourenergy.com.au](http://www.endeavourenergy.com.au)



ORD05

Attachment 6





DOC16/392471-20

Mr William Jones  
 Town Planner  
 Camden Council  
 PO Box 186  
 CAMDEN NSW 2570

Dear Mr Jones

**DA/2016/578/1 Boral Resources (NSW) Pty Ltd**  
**Proposed Mobile Concrete Batching Plant**

The Environment Protection Authority (EPA) makes reference to Development Application DA/2016/578/1 lodged by Boral Resources Pty Ltd (Boral) with Camden Council for a proposed mobile concrete batching plant at Lot 100 DP 1203966, Greendale Road, Bringelly. The proposed mobile concrete batch plant will have a maximum production capacity of 125,000 tonnes per annum (a daily output of up to 1,250 tonnes per day).

The EPA advises that under Clause 92 of the *Protection of the Environment Operations (General) Regulation*, the EPA is declared to be the appropriate regulatory authority (ARA) for the following non-scheduled activities:

*The production of pre-mixed concrete or concrete products (for example, concrete batching plants) having a capacity to produce more than 30,000 tonnes per year of concrete or concrete products.*

The EPA wrote to Boral on 23 August 2016 seeking further information regarding the proposal. Boral has subsequently advised EPA:

- it is not the intention of the Company to have the proposed concrete batch plant regulated as part of the Bringelly Brickworks Environment Protection Licence (EPL) 1808.
- management of the brickworks and proposed batching plant rests with two separate Companies.

While the activity will not require an EPL, the EPA will be the ARA under the *Protection of the Environment Operations Act 1997* (POEO Act).

The EPA provides the attached recommended Conditions of Approval (**Attachment A**) to assist Council in the assessment and determination of this development application. In providing this advice the EPA has not considered any public submissions as these have not been provided.

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PO Box 513, Wollongong NSW 2520  
 Level 3, 84 Crown Street Wollongong NSW 2500  
 Tel: (02) 4224 4100 Fax: (02) 4224 4110  
 ABN 43 692 285 758  
 www.epa.nsw.gov.au

ORD05

Given our ARA role under the POEO Act, the EPA requests the opportunity to review draft consent conditions to ensure the attached requirements have been considered (if approved).

If you have questions regarding the above, please phone the contact officer on (02) 4224 4100.

Yours sincerely



11/10/16

**PETER BLOEM**  
**Manager Illawarra**  
**Environment Protection Authority**

Contact officer: CHRIS KELLY  
(02) 4224 4100

Attachment A

Attachment 7

**ATTACHMENT A****General**

1. The proponent must install and operate equipment in line with best practice to ensure that the Development does not impact on the environment or community amenity.
2. The proponent must ensure all activities are undertaken in compliance with the *POEO Act* and any associated Regulations. This includes but is not limited to:
  - a. Section 120 - *Prohibition of pollution of waters*
  - b. Part 5.4 - *Air pollution*
  - c. Part 5.5 - *Noise pollution*
  - d. Part 5.6 - *Land Pollution of the POEO Act 1997*
  - e. Part 5.7 - *Duty to notify pollution incidents.*
3. All plant and equipment installed at the premises or used in connection with the activity:
  - a. must be maintained in a proper and efficient condition
  - b. must be operated in a proper and efficient manner.

**Air**

4. The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
5. All conveyors belts and transfer points must be fully enclosed and designed and operated to minimise or prevent dust emissions.
6. Belt scrapers must be installed to effectively remove material from the underside of each belt.
7. All material stockpile and storage shall be shrouded on three sides to minimise or prevent dust emissions.
8. Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.
9. The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises and comply with Section 129 of the *POEO Act*.
10. Three months after the commissioning of the premises the proponent must submit an Air Quality Verification Report to Council to confirm the findings of the Air Quality Impact Assessment included in the Environmental Impact Statement (EIS). A copy of the report should also be provided to EPA.

**The assessment must:**

- a. be prepared by a suitably qualified consultant
- b. be undertaken in accordance with the EPA Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.

The methodology must consider the relevant sections of the *POEO (Clean Air) Regulation 2010*.

If the Air Quality Verification Program identifies any emissions in excess of those reported in the EIS the Proponent must detail what additional measures could be implemented to achieve the EIS levels, clearly indicate who could implement these measures, when these measures could be implemented, and how the effectiveness of these measures could be measured and reported.

**Water**

11. The premises and activities carried out therein must not pollute waters and comply with Section 120 of the *POEO Act*.
12. Paved and sealed areas classified as 'dirty areas' must be provided with a first flush stormwater management system designed to capture the first 20mm of stormwater for each square meter of catchment area for subsequent reuse.
13. Facilities must be provided to enable the contents of the first flush system to be extracted in a manner for reuse, which does not pollute waters, and maintains the first flush system capacity.

**Noise**

14. The *Interim Construction Noise Guideline* (DECC, 2009) should be consulted to manage the impacts of construction noise and vibration on residences and other sensitive land uses.
15. The EIS states the use of broadband reverse alarms during construction but has not made any commitment during on-going operation. The EPA recommends that Council secure the use of broadband reverse alarms during both construction and operational activities as a condition of approval.
16. Three months after the commissioning of the premises the proponent must submit a noise Verification Report to Council confirm the findings of the Noise Impact Assessment included in the EIS. A copy of the report should also be provided to EPA.

The assessment must:

- a. incorporate intermediate assessment locations as necessary
- b. be prepared by a suitably qualified acoustical consultant
- c. be undertaken in accordance with the EPA Industrial Noise Policy.

If the noise monitoring identifies any non-compliance with predicted noise levels, the Proponent must detail what additional measures will be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported.

**Waste**

17. The proponent must not cause, permit or allow any waste to be received at the premises.
18. The proponent must ensure that any waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.

**Independent Environmental Audit**

19. Within two years from the date of commissioning, the proponent must commission and pay the cost for an Independent Environmental Audit of the premises. The scope and methodology must be agreed to in writing by Council and the EPA prior to undertaking the Audit.

This audit:

- i. must be conducted by a suitably qualified, experienced, and independent person, agreed to in writing
- ii. must assess the project's environmental performance and its effects on the surrounding environment
- iii. must assess compliance with all relevant Development Consent requirements
- iv. review the adequacy of dust controls and management for the project against relevant standards and performance measures

- v. recommend measures or actions to improve the environmental performance of the project, and/or its environmental management and monitoring systems.

A copy of the audit report must be submitted in writing to Council and the EPA.



**ORD05**

**Attachment 7**



Your reference: IDA 578/2016/1  
 Our reference: DOC16/346718  
 Contact: Sam Higgs (02) 9995 6824

Mr W. H. K. Jones  
 Town Planner  
 Camden Council  
 PO Box 183  
 CAMDEN, NSW, 2570

Dear Mr Jones,

I refer to the Integrated Development Notice dated 23 June 2016, sent to the Office of Environment and Heritage (OEH) for the proposed construction and operation of a mobile concrete batching plant and associated works at 60 Greendale Road Bringelly (Lot 100 DP 1203966). This letter contains OEH's general terms of approval for those known Aboriginal sites which would require an Aboriginal Heritage Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974 (the Act)*.

OEH has the following requirements in relation to Aboriginal Cultural Heritage associated with the above development:

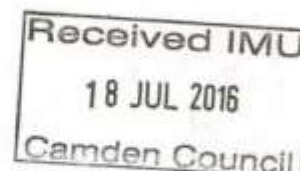
- If Aboriginal objects will be harmed as a result of this development a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted for these objects prior to the commencement of works.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants* (OEH 2011).
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the OEH *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010*.
- Any AHIP application must clearly articulate what area it applies to and should consider the management and appropriate mitigation measures for all Aboriginal objects within the application area, including long term management and protection of any objects that may not be impacted by the proposed development.

If you have any further questions in relation to this matter, please contact Sam Higgs, Archaeologist, on (02) 9995 6824.

Yours sincerely,

*S. Harrison 13/07/16*

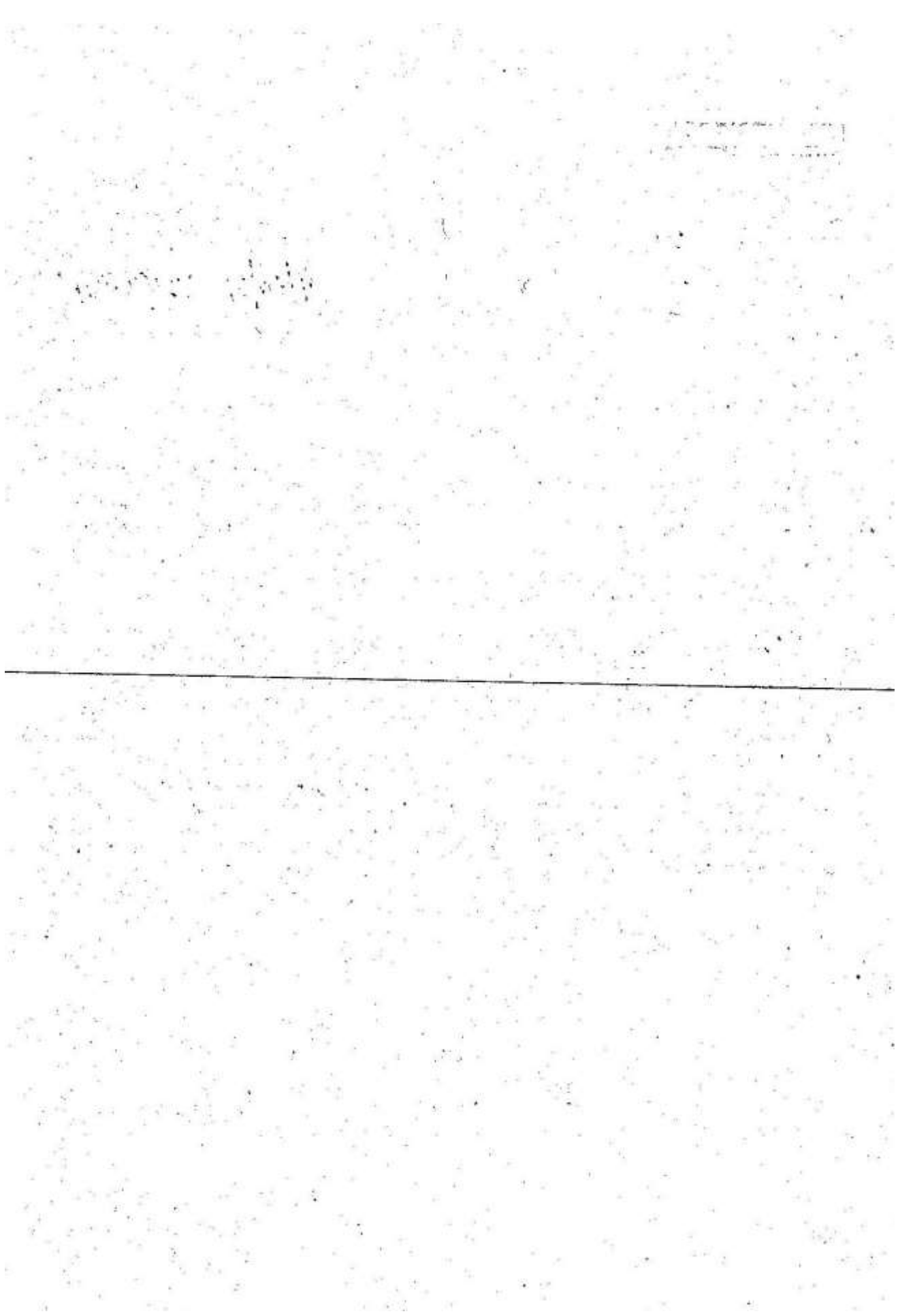
**SUSAN HARRISON**  
 Senior Team Leader Planning  
 Greater Sydney Region  
 Office of Environment and Heritage



PO Box 644 Parramatta NSW 2124  
 Level 6, 10 Valentine Avenue, Parramatta NSW 2150  
 ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

ORD05

Attachment 8





## NSW RURAL FIRE SERVICE



The General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2570

Your reference: No Ref.  
Our reference: D16/1943  
1 July 2016

**Attention:** William Jones

Dear Sir/Madam,

### Construction and operation of a concrete batching plant – 60 Greendale Road Bringelly

Reference is made to Council's correspondence dated 17 June 2016 seeking comments in relation to the above development which seeks to construct and operate a concrete batching plant.

The New South Wales Rural Fire Service has reviewed the proposal and raises no objections, subject to the application of the following conditions to the proposed development:

#### Asset Protection Zones (APZs)

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- At the commencement of building works and in perpetuity the property shall be managed as an inner protection area (IPA) for a width of 10 meters within the project area, shown in Figure 1.1 of the architectural plans referred within the development application. The IPA shall be maintained as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's (RFS) document *Standards for asset protection zones*.

#### Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

- Water, electricity and gas are to comply with the following requirements of section 4.2.7 of *Planning for Bush Fire Protection (PBP) 2006*.
  - In recognition that an no reticulated water supply exists, a 20000 litre water supply shall be provided for fire fighting purposes at each occupied building.
  - A hardened ground surface for truck access is to be supplied up to and within 4 metres of the water source.
  - A 65mm metal Storz outlet with a gate or ball valve shall be provided.

#### Postal address

NSW Rural Fire Service  
Records Management  
Locked Bag 17  
GRANVILLE NSW 2141

#### Street address

NSW Rural Fire Service  
Planning and Environment Services (East)  
42 Lamb Street  
GLENDENNING NSW 2761

T 1300 NSW RFS  
F (02) 8741 6433  
E [csc@rfs.nsw.gov.au](mailto:csc@rfs.nsw.gov.au)  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

- Above ground tanks are manufactured of concrete or metal and raised tanks are to have their stands protected. Plastic tanks shall not be used.
- Underground tanks shall have an access hole of 200mm to allow tankers to refill direct from the tank. A hardened ground surface for truck access is to be supplied within 4 metres of the access hole.
- Tanks and associated fittings on the hazard side of the building shall be provided with adequate shielding to mitigate the impact of flame contact and radiant heat and provide safe access for fire fighters.
- A minimum 5hp or 3kW petrol or diesel powered pump shall be made available to the water supply

If you have any queries regarding this advice, please contact <<name>>, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,



Nika Pomin  
Manager, Planning and Environment Services (East)

**Recommended Conditions:****1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Drawing No. 15368-8	Site Plan	Accurate Design & Drafting	28-3-17
Drawing No. 15368-8	Floor Plan	Accurate Design & Drafting	28-3-17
Drawing No. 15368-8	Front & Rear Elevations	Accurate Design & Drafting	28-3-17
Drawing No. 15368-8	Side Elevations	Accurate Design & Drafting	28-3-17
-	Swept Path	Accurate Design & Drafting	28-3-17
-	Landscaping Plan	Accurate Design & Drafting	24-2-17
15172(B)E1	Stormwater Concept Plan	JMD	1-5-17

- (2) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (3) **Outdoor Lighting** - All lighting shall comply with AS 1158 and AS 4282.
- (4) **Carparking** - All carparking shall comply with AS2890.1 and AS2890.6.
- (5) **Separate Approval for Signs** - A separate development application for any proposed signs additional to the sign approved as part of this development consent, shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (6) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (7) **Onsite Detention** - Onsite detention must be provided in accordance with the approved stormwater concept plan.
- (8) **Conditional Approval for Tree Removal** - Consent is granted for the removal of one Jacaranda tree located at the rear corner of the land as proposed and as indicated on the Architectural Plans

The following conditions apply;

- a) Approved tree works are to be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and is to be carried out in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry.
- b) Approved tree work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.
- c) This consent does not grant access to adjoining land. The applicant must negotiate any issues of access with adjoining property owners.
- d) Green waste and or timber generated from the approved tree work is to be recycled into mulch and reused on site or transferred to a designated facility for composting. Stock piles of green waste or processed timber for reuse including firewood must be stored behind the building line or place out view from the street within 28 days of the tree works authorised by this consent.
- e) All reasonable measures must be taken to protect vegetation on adjoining property from damage during the approved tree works. Owners consent is required before pruning of overhanging vegetation.
- f) Tree work is inherently noisy and potentially disruptive to normal traffic conditions in your street; as such the applicant shall notify (at least 24 hours prior) surrounding neighbours of the time and date of the approved tree works.
- g) Tree Protection During Construction Work – In general all trees on and off the site must be protected in accordance with the standards, specified in the "Australian Standard for Protection of Trees on Development Sites - AS 4970-2009".

In particular special measures must be installed to protect the trunk and roots of existing tree/s from any form of damage either accidental or from approved construction processes. It is essential for ongoing tree health that damage to any bark or roots within the structural root zone is avoided as determined in clause 3.3.5 of the Standard for Protection of Trees on Development Sites.

## 2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Detailed Landscaping Plan** - A detailed landscape plan must be prepared in accordance with the concept landscaping plan approved. Specifically the plan must show:
  - (i) A plant schedule indicating plant species grid spacing as follows
    - Ground cover plants 1 per 0.2m<sup>2</sup>
    - Shrubs (1.5m height) 1 per 1.5m<sup>2</sup>
    - Tall shrubs/small trees (2 to 4 m height) 1 per 2.5m<sup>2</sup>
    - Trees (greater than 5m height) 1 per 10m<sup>2</sup>

- (ii) Shrubs to be sourced in minimum of 5 litre containers and trees to be sourced in in minimum of 45 litre containers.
- (iii) Planting detail including cultural notes on soil conditioning, irrigation system, mulch

In addition to the above the plan is to be generally prepared in accordance with Appendix B of Council's Engineering Design Specifications and must be provided to the Certifying Authority prior to the issue of a construction certificate.

- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (3) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (4) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (5) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Salinity** - Due to the inherent characteristics of the Camden Local Government Area, buildings erected in the area may be susceptible to soil salinity levels that may have a cumulative damaging effect over time.

Camden Council therefore requires:

- a) A salinity investigation assessment report be undertaken; OR
- b) Compliance with the 'minimum requirements' specified in this condition.

#### Salinity Investigation Report

Prior to the issue of a Construction Certificate, a Salinity Investigation Report shall be prepared for the development in accordance with the requirements of "Site Investigation for Urban Salinity (Local Government Salinity Initiative)" prepared by the Department of Land and Water Conservation (2002).



The recommendations from this report shall be followed and incorporated into the design and construction of the development and are to be approved by the Certifying Authority.

Minimum Salinity Requirements for Camden LGA

Where a Salinity Investigation Report is not undertaken, the following construction inclusions shall be incorporated as a minimum in the building design to reduce/prevent any detrimental affect to the building from accumulative salt deposits:

- a) Concrete Strength: The minimum concrete strength to bored piers, piles, strip footings and concrete floor slabs in contact with the ground shall be 32MPa; and
- b) Damp-Proofing Membrane: Concrete floor slabs in contact with the ground shall be provided with a damp-proofing membrane that is a 0.2mm thickness polyethylene film and of "high impact resistance" (as determined in accordance with AS2870).

The above minimum requirements shall be incorporated in the structural design and construction of the development. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

**Note:** Consideration in the design and construction of the development should also be made to the following matters (where relevant):

- a) The provision of drainage to the building perimeter (including subsoil drainage), to prevent water ponding or soil waterlogging in the building vicinity;
  - b) External finished ground levels, including pavements, should not be higher than the base of the first course of brickwork, or the brickwork and mortar below a damp proof course (DPC) should be exposure rated;
  - c) DPC material must be carried through to the face of any applied finishes;
  - d) Retaining walls should be built of salinity resistant materials; and
  - e) Porous pavement products such as cement and clay pavers may show permanent efflorescence and salt corrosion. The use of these products should be confirmed with the manufacturer as being suitable for use in a saline environment, prior to installation.
- (7) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (8) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.

- (9) **Premises Standards** - Prior to the issue of a Construction Certificate details shall be provided to the Principal Certifying Authority demonstrating compliance with the requirements of *Disability (Access to Premises – Buildings) Standards 2010*.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc.) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.

- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builders intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (6) **Performance Bond** - Prior to commencement of works a performance bond of \$5,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- Note** – An administration fee is payable upon the lodgement of a bond with Council.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).
- (8) **Construction Management Plan** - A construction management plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.

- (9) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable and be kept on site for compliance until the completion of all construction works.
- (10) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.

#### 4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
  - a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
  - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.

**Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (3) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (4) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (5) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to: [www.environment.nsw.gov.au/waste/envguidlms/index.htm](http://www.environment.nsw.gov.au/waste/envguidlms/index.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (6) **Noise During Work - Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (7) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (8) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (9) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity"; and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material;

- i) provides no unacceptable risk to human health and the environment;
- ii) is free of contaminants;
- iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- iv) is suitable for its intended purpose and land use; and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations;
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (10) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (11) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (12) **Site Management Plan** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site, nor shall wind blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal facility;
  - d) a waste control container shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not be placed on public property (footpaths, roadways, public reserves, etc.);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (13) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (14) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.
- If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:
- a) preserve and protect the building from damage;

- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact "Dial Before You Dig" prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

- (15) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the:

- a) drainage easement;

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

### 5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
- (2) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
  - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.
  - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (3) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent.



- (4) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.
- (5) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

#### 6.0 - Prior to Commencement of a Use

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Separate Approval for Use** – Consent for the fit out and use of the building shall be provided to, and approved by, the Consent Authority prior to any use commencing.

#### 7.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Hours of Operation** – The property is only to be open for business and used for the purpose approved within the following

Monday	8.00am – 6.00pm
Tuesday	8.00am – 6.00pm
Wednesday	8.00am – 6.00pm
Thursday	8.00am – 6.00pm
Friday	8.00am – 6.00pm
Saturday	8.00am – 1.00pm

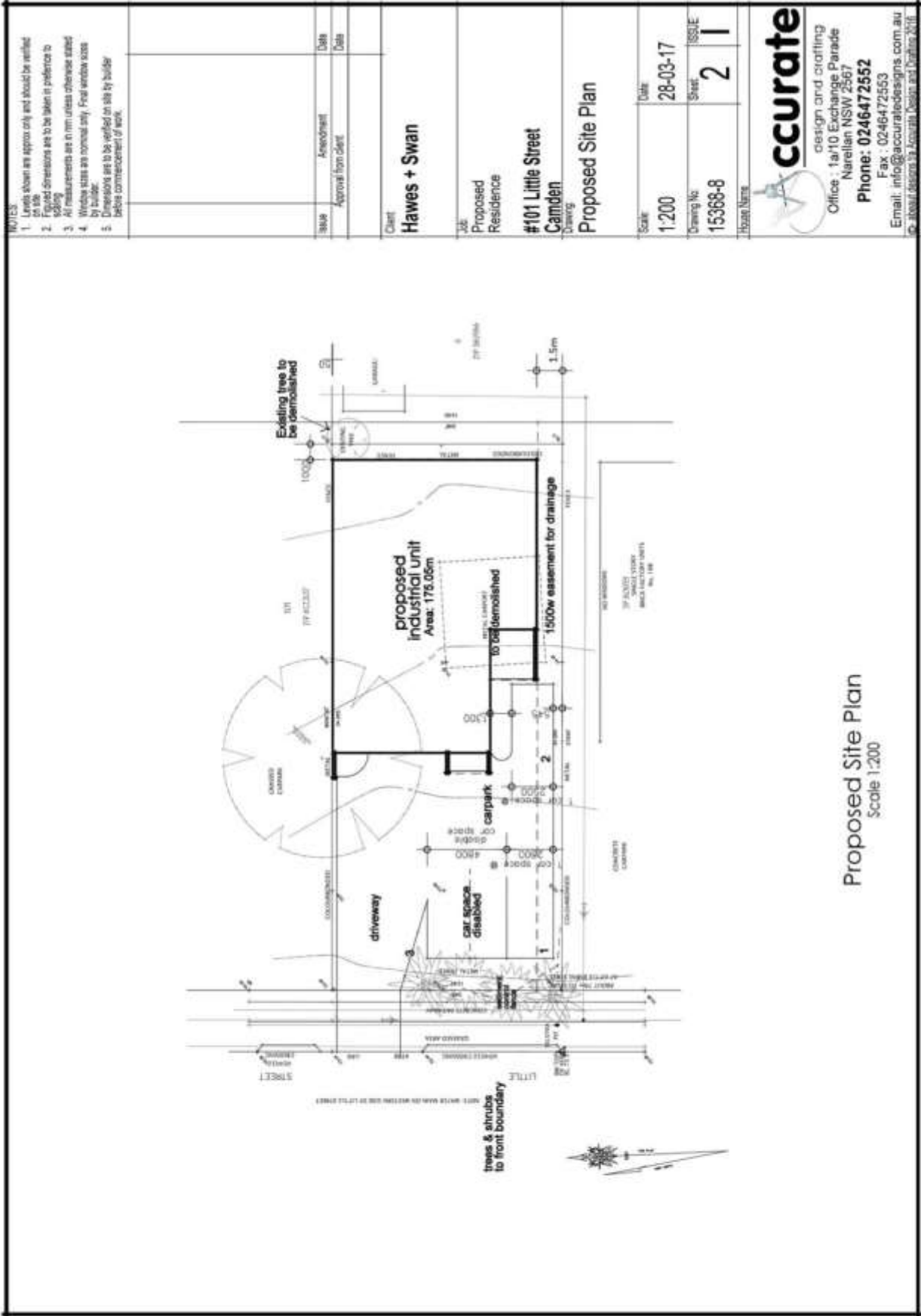
- (2) **Industrial Uses** - All industrial activity in connection with the future use of the subject property is to be wholly confined within the building.

Any approved office space is to be used solely in conjunction with the industrial use of the premises to which it is attached. The separate use or occupation of the approved office space is not permitted by this consent.

The use of the factory unit for retail activities is prohibited.

- (3) **Carparking** – Any future use must comply with the number of car parking spaces required by the Camden DCP 2011.
- (4) **Restriction Maximum Vehicle Size** - The maximum size of any vehicle visiting or servicing the site is to be no greater than a small rigid vehicle 6.4m in length.
- (5) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction (except for an ambulance).
- (6) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

- (7) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (8) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (9) **Parking – Signage (Loading docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/ unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.
- (10) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.
- (11) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.
- (12) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (13) **Signage** - No consent is given or implied for any form of illumination or floodlighting to any sign.



**NOTES:**

- Levels shown are approx only and should be verified on site
- Figured dimensions are to be taken in preference to scaling
- All measurements are in mm unless otherwise stated
- Window sizes are nominal only. Final window sizes by builder.
- Dimensions are to be verified on site by builder before commencement of work.

Issue	Approved/Revised	Date
Approved from client		
Date		

Client: **Hawes + Swan**


Job: Proposed Residence

#101 Little Street  
Camden

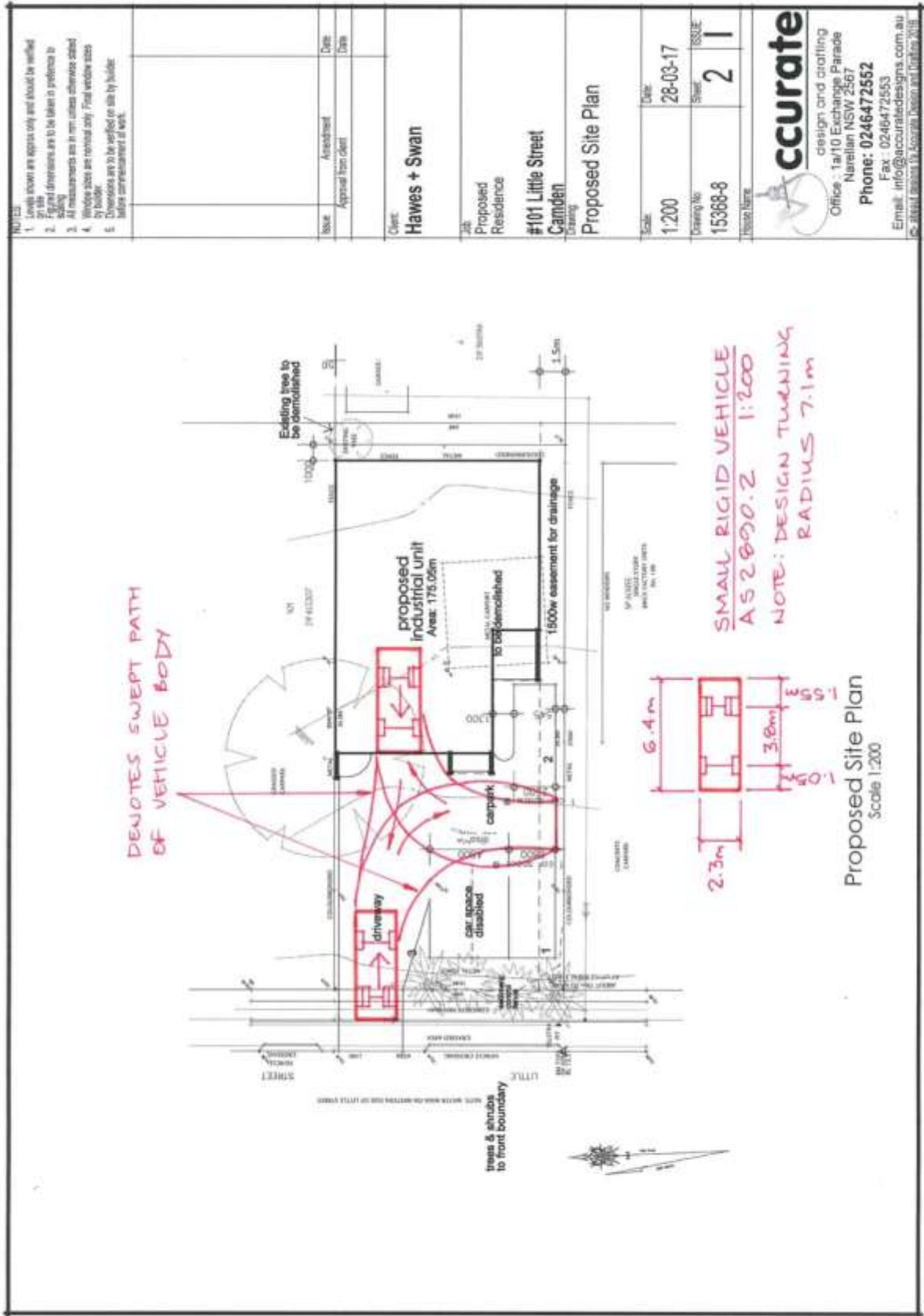
Side Elevations

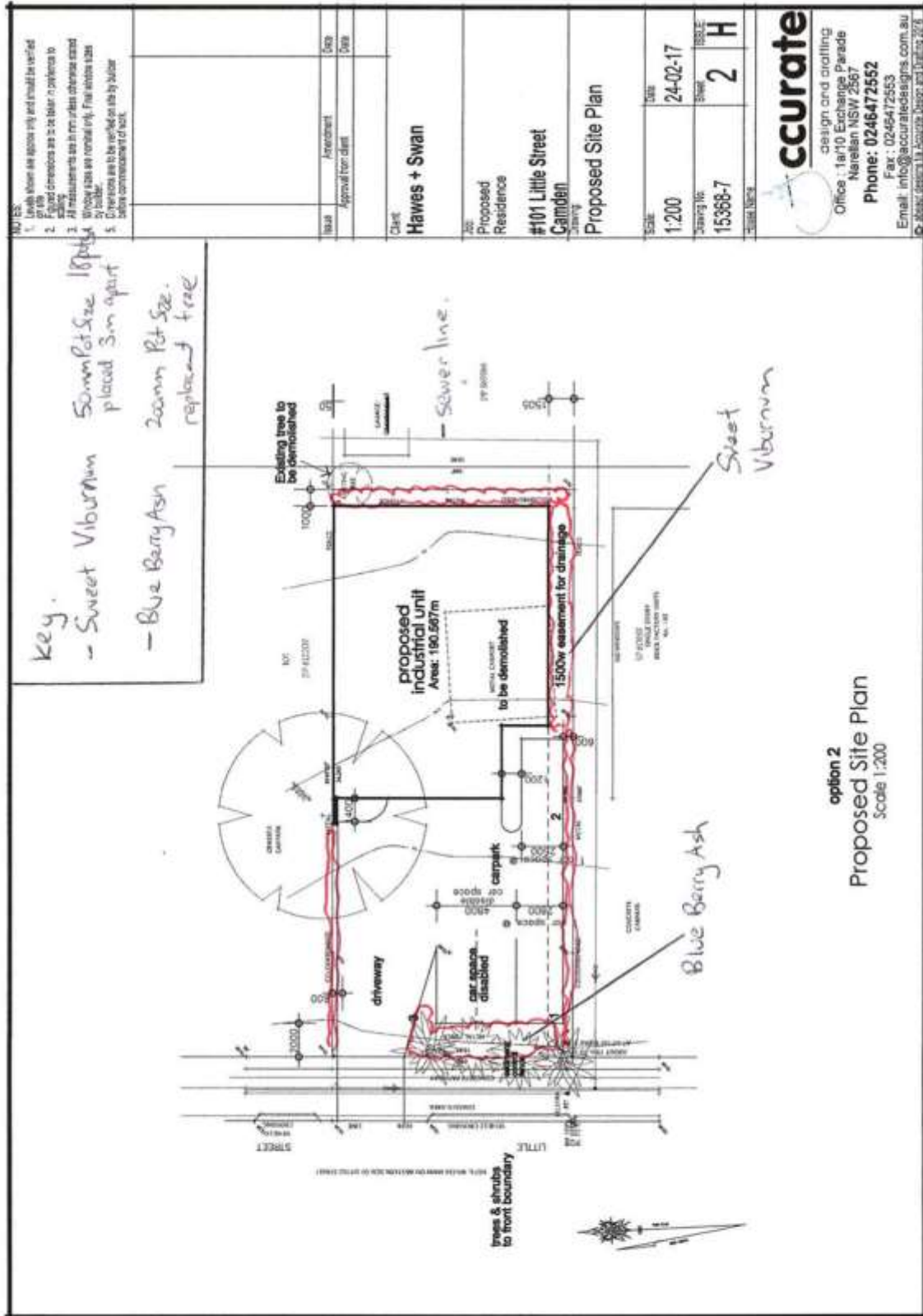
Scale	Date
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Drawing No	Sheet
15368-8	5
Issue	

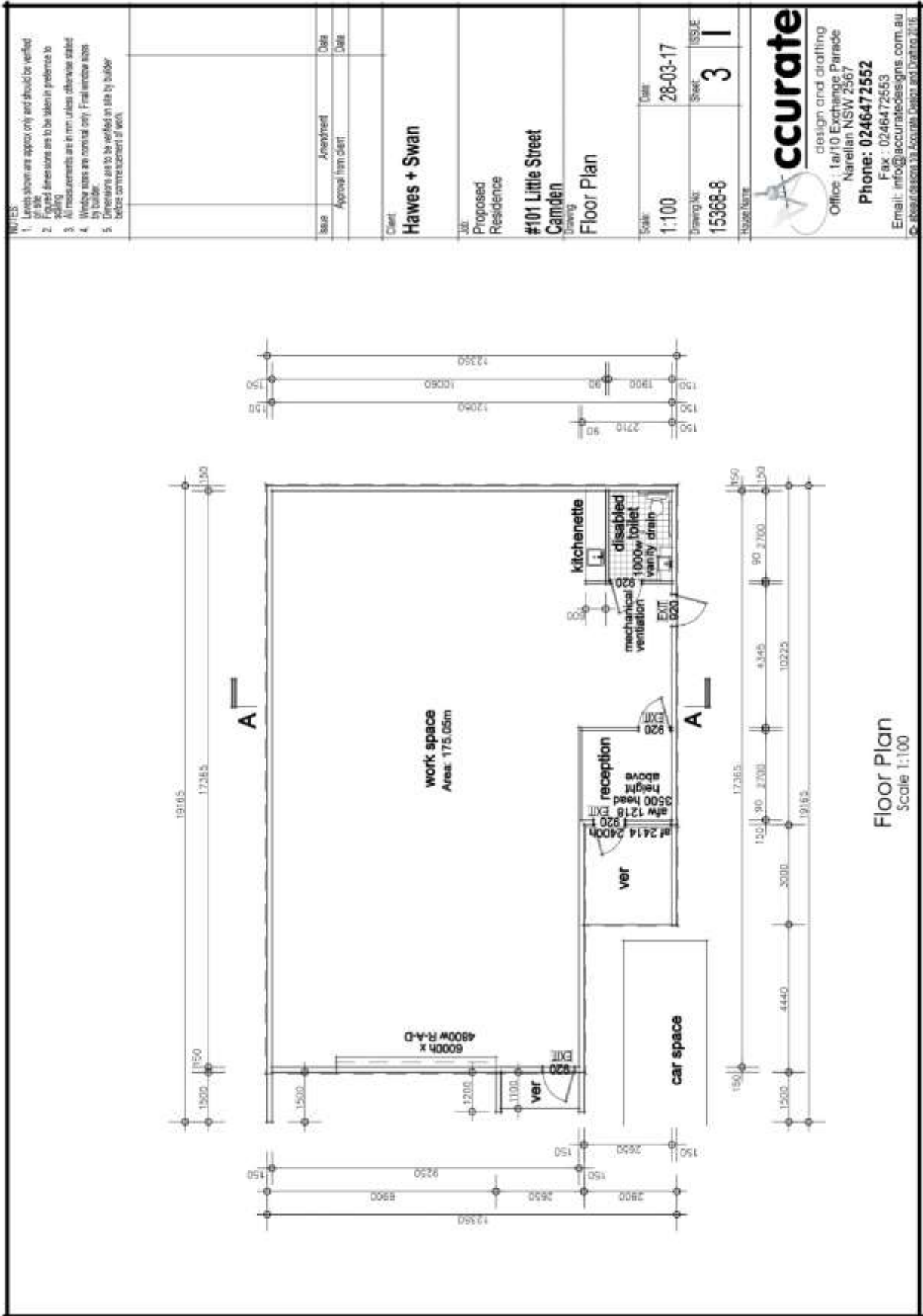
Issue Name

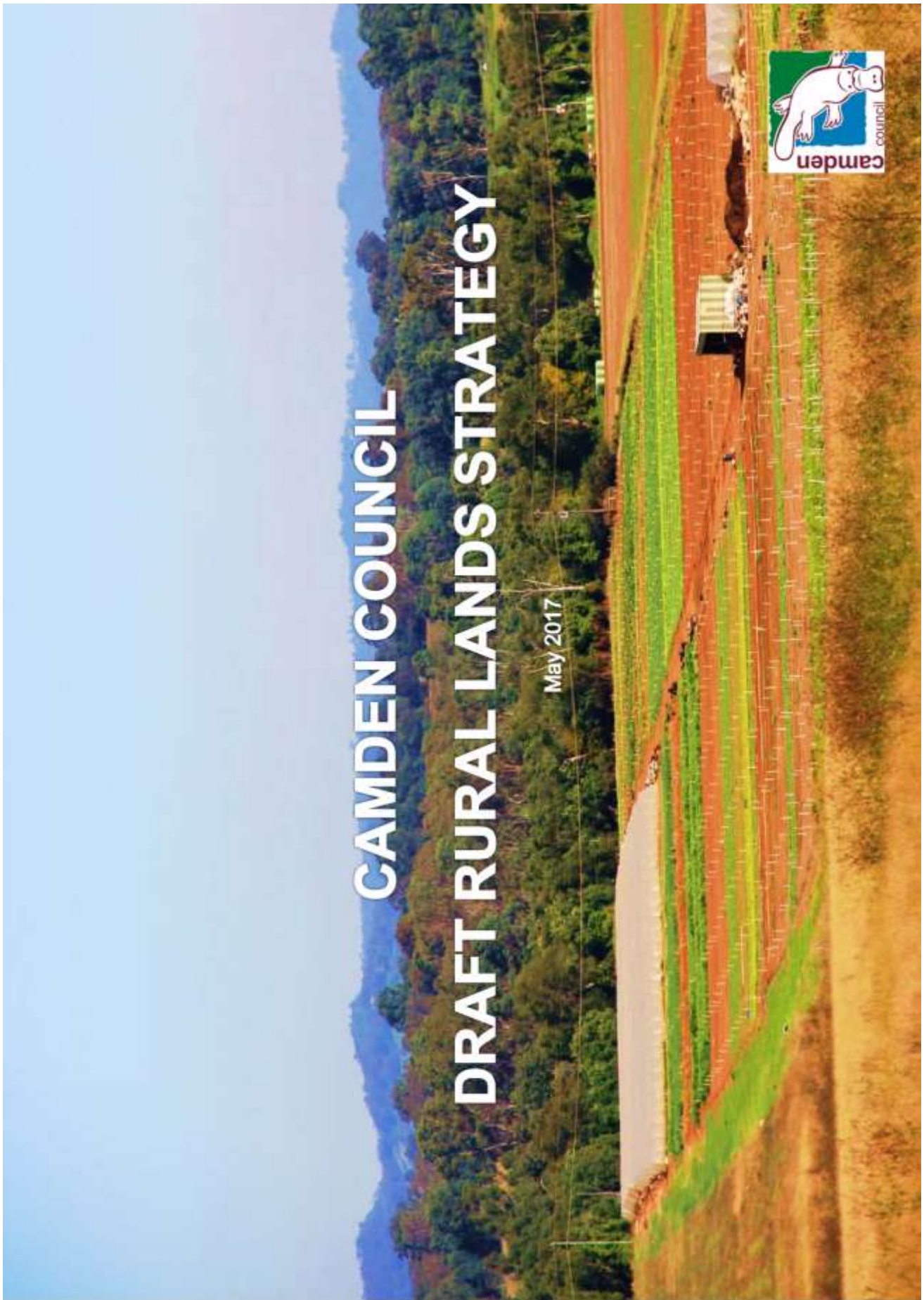


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Attachment 1



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Figure 1 – Kirkham (looking west)



Figure 2 – Rural Road, Cobbitty



Figure 3 – Grasmere (Looking South East)

## Executive Summary

The Camden Local Government Area (LGA) has historically been known as a highly productive rural region with current agricultural land use accounting for 50% of the LGA. The eventual development of land within the South West Priority Growth Area (SWPGA) will reduce the total area of rural land to one third of the Camden LGA.

Council's Community Strategic Plan 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.

As Camden develops there are a number of emerging pressures that have the potential to have significant impact on Camden's rural lands including the Western Sydney Airport, South West Rail Link extension and the M9 Orbital. In response to these pressures, Council engaged the expertise of Booth Associates to prepare a Rural Lands Study (2016) which provides the evidence base for this Strategy.

This Strategy includes key planning principles and a corresponding set of actions.

The key planning principles are:

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

This Strategy will help guide decision making on land use planning on and adjacent to rural zoned land.

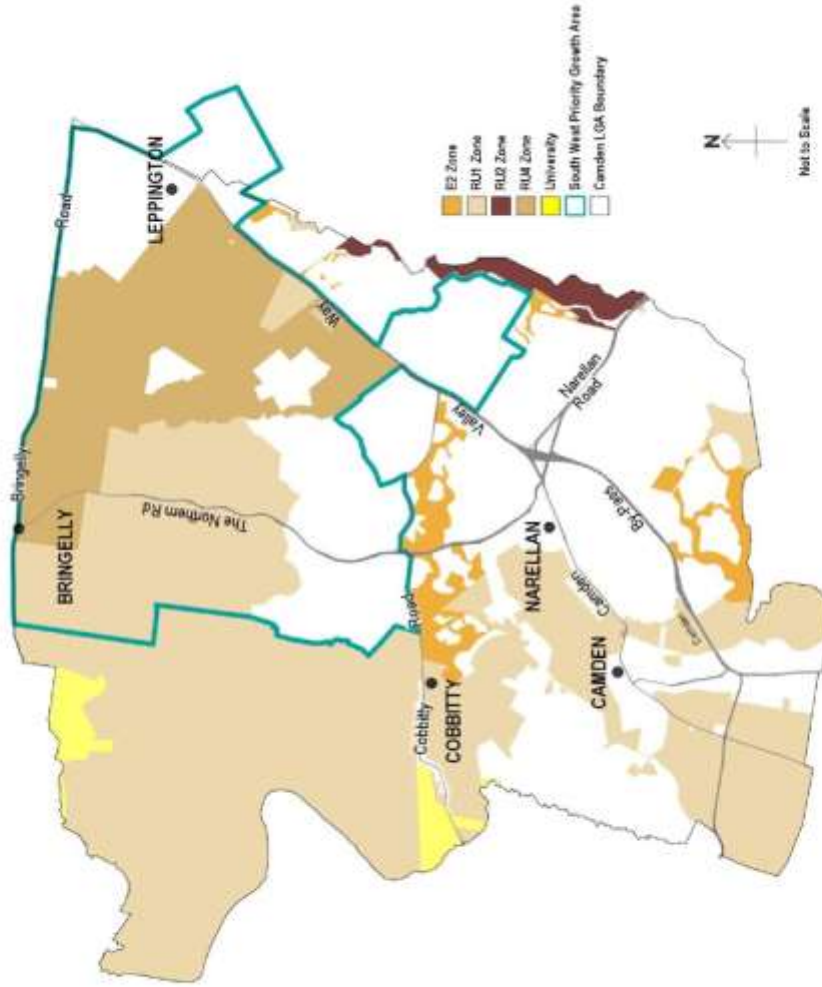


Figure 4 – Camden's Rural Land & South West Priority Growth Area

**Background**

The Camden LGA is located on the fringes of the Sydney Metropolitan Area and is within the Macarthur region. The area's rich farming heritage can be traced back to 1795 when Governor Hunter went in search of stray cattle and found them settled by the Nepean River, a place he named 'Cowpastures' – a name that still exists today. Much of Camden's proud farming history stems from the influence of the Macarthur family. This began in 1803 when Lord Camden granted John Macarthur more than 5,000 acres allowing him to import the first pure merino rams and ewes to Australia. Grape growing was introduced in the early 1800s through experienced European winemakers with the Macarthurs at Camden Park establishing the first commercial vineyard. Local wines were soon winning gold medals in England, resulting in Camden vines being used to establish vineyards in the United Kingdom.

The Camden LGA is currently experiencing significant expansion of urban development. The LGA has historically been known as a highly productive rural region with current agricultural land use accounting for 50% of the LGA. The South West Priority Growth Area will reduce the total area of rural land to one-third of the Camden LGA.

## Strategic Context

### **Draft South West District Plan**

The draft South West District Plan includes a 20-year vision which promotes the South West District as Greater Sydney's urban parkland. It is where urban lifestyles meet rural living and residents enjoy the best of both worlds. The vision highlights a strong and progressive rural sector which will continue to help feed greater Sydney while leveraging the export opportunities of the new Western Sydney airport.

The Plan's priorities include managing the Metropolitan Rural Area, protecting the natural beauty of the District's visual landscape, and delivering on Sydney's Green Grid.

The draft District Plan makes it clear that the visual interface must be retained and urban development in the Metropolitan Rural Area is discouraged (See Page 9 of this Strategy for further detail on the Metropolitan Rural Area).

### **Draft Community Strategic Plan**

This Strategy aligns with the draft Community Strategic Plan which includes the following objectives:

- Urban development is managed effectively; and
- Rural land is adequately administered.

The actions identified in this Strategy will provide a framework to achieve these objectives.

### **Camden Economic Development Strategy 2013**

The Economic Development Strategy provides a plan of action to guide economic development activities. A number of 'Target Sectors' are identified which guide the areas on which Council will focus over a four year period. With particular reference to the Agricultural Target Sector, the SWOT Analysis identified the strength of this Sector, on the need to develop and build on existing agriculture knowledge, markets and explore opportunities with agricultural research and innovation. Another major opportunity identified by the Strategy in this Sector is to provide and support opportunities for fresh food production in order to offset the impact of the loss of agricultural land through the development of the South West Priority Growth Area.



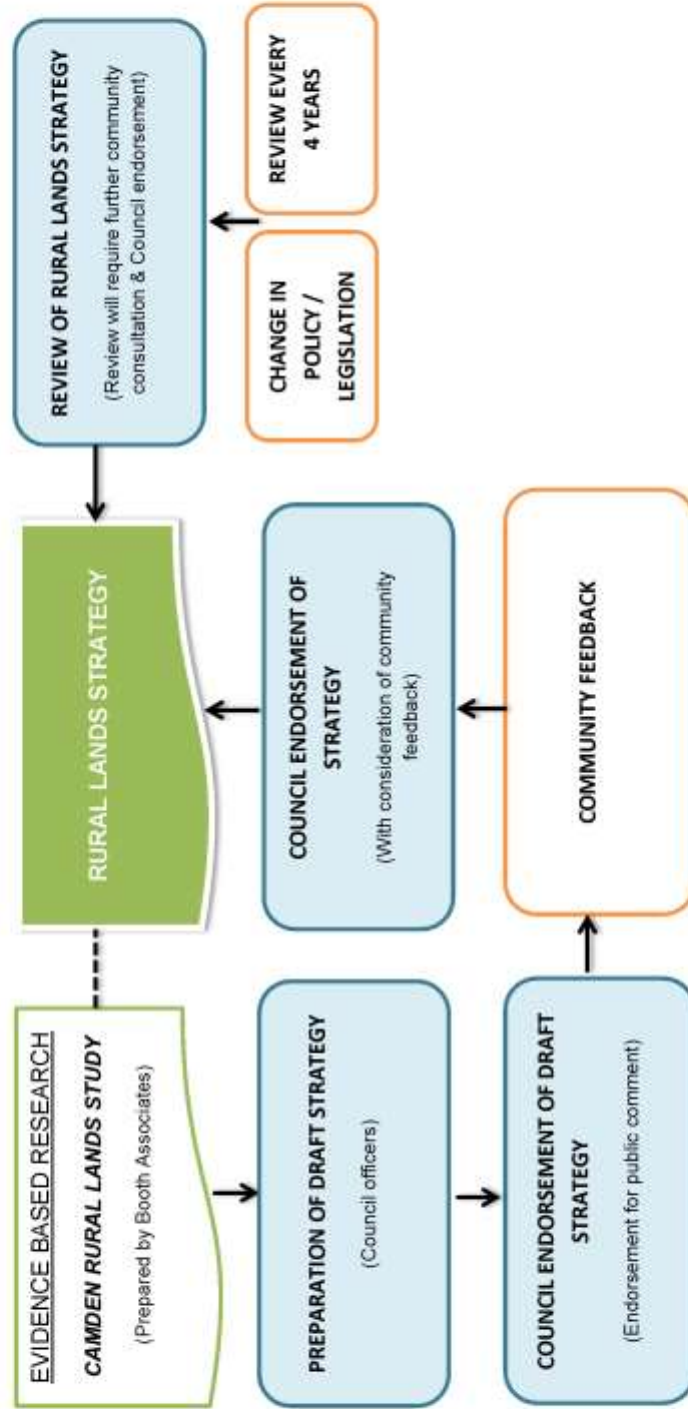
Figure 5 – Cattle loading ramp



Figure 6 – Rural Industry (Duck Farming)

Policy Preparation & Review Process

Figure 7 – Preparation and Review Process



**Development and planning considerations**

**Infrastructure and Growth**

There are a number of emerging pressures that have the potential to have significant impact on Camden’s rural lands including the Western Sydney Airport, the M9 Orbital and the South West Rail Link Extension.

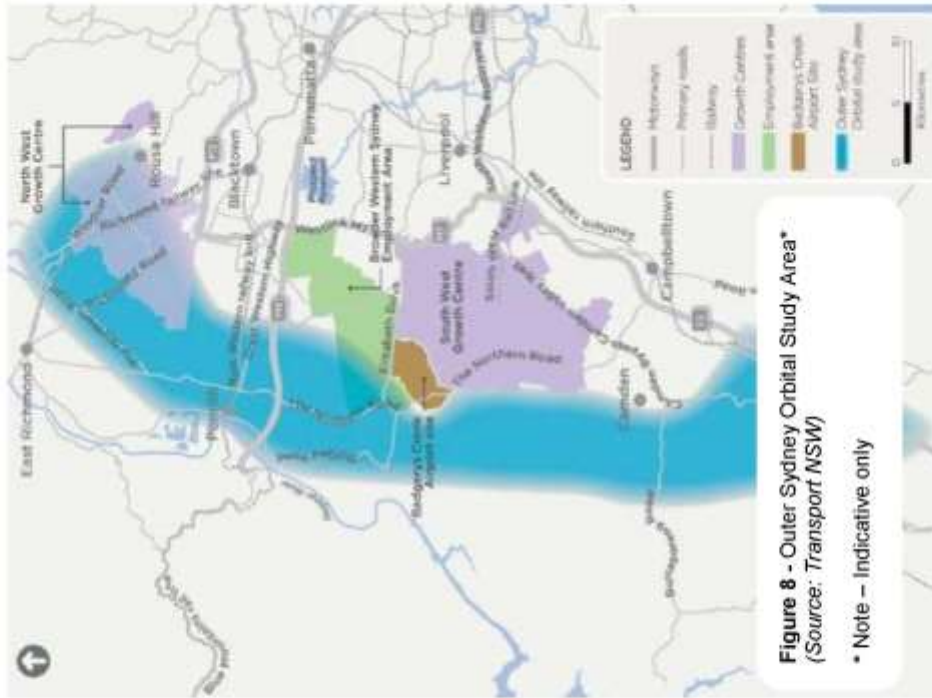
The M9 Orbital needs particular consideration. Transport NSW is investigating possible corridor options for the Outer Sydney Orbital to provide a north-south connection for a future motorway, freight rail and where practical a passenger rail line. A possible corridor is understood to traverse the north-west part of the LGA and then reconnect to the existing motorway network south of Camden. Such a corridor would have implications for agricultural productivity and the rural landscape. Intersections are likely to be required for Bringelly Road/Greendale Road in the north of the study area, as well as Camden Valley Way to the south.

**Land Use & Conflict**

The Camden LGA is a productive agricultural area, and a large proportion of this activity is associated with intensive agriculture land uses. These intensive land uses occupy a relatively small proportion of land in the LGA, and consist mainly of poultry, pigs, vegetables, nurseries, cut flowers and cultivated turf.

The Camden LGA has a long tradition of agricultural pursuits and this has assisted to control land use conflict as residents who work in agriculture are generally more understanding of the impacts associated with this industry. As more urban development occurs and residential populations grow where employment in agriculture is not as high, land use conflict increases.

Left unresolved, land use conflict has the potential to result in the displacement of rural industries. While Council has a role in facilitating orderly planning and development, good industry management is key for achieving positive outcomes.



**Figure 8 - Outer Sydney Orbital Study Area\***  
(Source: Transport NSW)

\* Note – Indicative only

### **Camden's Rural Economy**

Camden's rural land is important, not only because of its role in providing Sydney with fresh food, but because of other benefits which arise through protection of the land such as tourism and cultural and landscape values.

Agricultural production in the Camden Local Government Area is significant. Camden is a significant producer of grapes for wine, cauliflowers, lettuce, cultivated turf, sheep and lambs, dairy cattle, beef cattle and crops and pastures for hay. Further, tourism in the Camden Council area is important financially to the rural sector, with strong growth potential.

### **Scenic and Cultural Landscape**

The main components of Camden's landscape are hills and ridges, flood plains and remnant native vegetation. These are prominent in the visual gateways and routes in the area and deserve special consideration and protection.

The rural heartland of Camden is composed of landscapes which clearly demonstrate historic settlement patterns and associations. There are many historic properties of state significance due to their rarity, integrity and ability to demonstrate historic associations and processes.

There are important views into and out of Camden Town and Cobbitty Village. There is also need to maintain scenic quality, a range of scenic character types, visual access to the landscape and to landmark features, the historic meaning of landscape and the ability to interpret, conserve and manage visual and cultural heritage impacts.

The Camden Rural Lands Study (Booth Associates, 2016) found that protection of the scenic amenity and rural character of the LGA is warranted.

### **Constraints**

There are a number of key land development constraints that must be recognised when considering current land use, land capability, and development potential. These include flooding, native vegetation and bushfire risk.

Notably, the Nepean River which runs north along the western side of the Camden LGA includes a significant floodplain. Floodplain soils such as those on the Nepean River can be very productive as they tend to be highly fertile. These areas also have access to water which can be used for irrigation. The risk and impact of flooding however, is significant and can be a disincentive to development including intensive horticulture and intensive animal production.

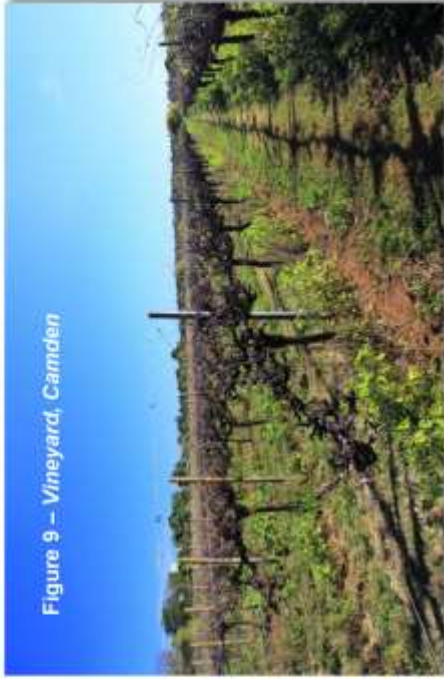


Figure 9 – Vineyard, Camden

### Sydney Metropolitan Rural Area

A Plan for Growing Sydney adopted the term 'Metropolitan Rural Area' to describe the non-urban areas at the periphery of Greater Sydney.

The draft South West District Plan (November 2016) provides a more detailed vision for the Metropolitan Rural Area and describes it as "rural land in areas like Wollondilly and Camden that includes transitional land between urban and rural areas, land use for food production and landscapes with highly valued scenic views". The District Plan priorities associated with the Metropolitan Rural Area include:

- **Sustainability Priority 6** – Discourage urban development in the Metropolitan Rural Area;
- **Sustainability Priority 7** – Consider environmental, social and economic values when planning for the Metropolitan Rural Area; and
- **Sustainability Priority 8** – Provide for rural-residential development while protecting the values of the Metropolitan Rural Area.

Action S6 (Develop a Strategic Conservation Plan for Western Sydney) provides detail for what strategic conservation planning seeks to achieve. This includes providing certainty for the public and landowners and limiting speculation on the future development potential of land in the Metropolitan Rural Area.

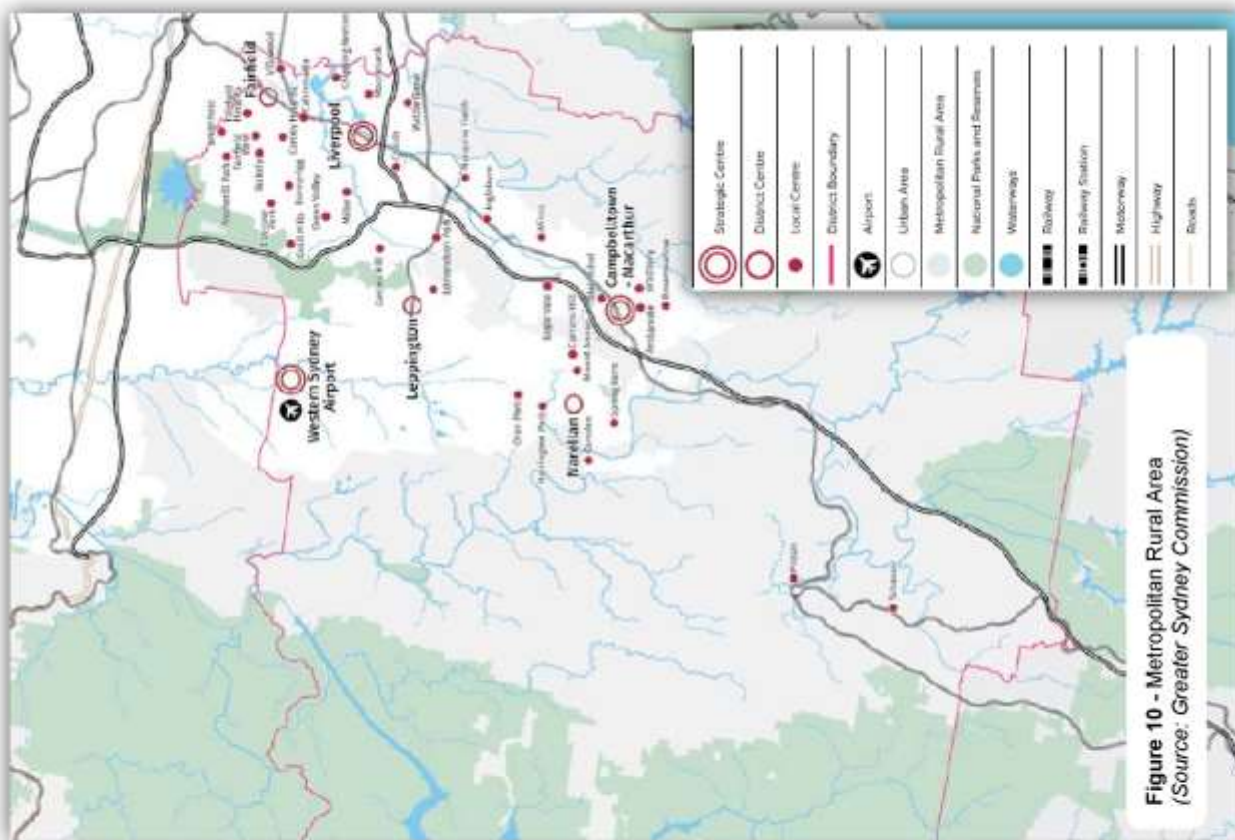


Figure 10 - Metropolitan Rural Area  
(Source: Greater Sydney Commission)



### Key Planning Principles

Table 1 (below) outlines the seven key planning principles that will inform land use planning decision making for Camden.

Table 1 – Key Principles – Rural Planning

Principle	Background
<b>P1. Protect Camden's remaining rural lands</b>	<p>Camden's rural land is important, not only because of its role in providing Sydney with fresh food, but because of other benefits which arise through protection of rural land. These benefits include tourism and scenic and cultural landscape values which provide a positive contribution to Camden's identity and social fabric.</p> <p>Agriculture is a significant industry for the Camden LGA with the value of production in 2010 being \$43.5M. Beyond its economic contribution, Camden's rural lands provide much valued scenic amenity and rural character for which Camden is known for.</p> <p>There are a number of emerging pressures that have the potential to have a significant impact on Camden's rural lands including the M9 Orbital, Western Sydney Airport, and the review of the South West Priority Growth Area (SWPGA).</p> <p>There is a need to address rural character and land use conflict at the interface of the SWPGA and surrounding rural zoned land.</p>
<b>P2. Retain Camden's valued scenic and cultural landscapes</b>	<p>The main components of Camden's landscape are hills and ridges, flood plains and remnant native vegetation. These are prominent in the visual gateways and routes in the area and deserve special consideration and protection.</p> <p>The rural heartland of Camden is composed of landscapes which clearly demonstrate historic settlement patterns and associations. There are many historic homesteads which have views to one another and there are important visual views into and out of Camden Town and Cobbitty Village.</p>
<b>P3. Provide certainty and avoid rural land fragmentation</b>	<p>This principle is in line with the draft South West District Plan which highlights the need to discourage urban development in the metropolitan rural area and to carefully consider environmental, social and economic values.</p> <p>Agricultural productivity relies upon land use planning controls such as zoning and minimum lot sizes to protect land from speculation, inappropriate development and</p>

Principle	Background
<b>P4. Minimise and manage rural land use conflict</b>	<p>increased land prices.</p> <p>The existing minimum lot sizes are an effective tool to avoid further land fragmentation and minimise and manage land use conflict.</p> <p>Land use conflicts between rural producers and residents surrounding them can be an impediment to agricultural production.</p>
<b>P5. Enhance Camden's Rural Economy</b>	<p>The Camden LGA is a productive agricultural area, and a large proportion of this activity is associated with intensive agriculture land uses. These intensive land uses occupy a relatively small proportion of land in the LGA, and consists mainly of poultry, pigs, vegetables, nurseries, cut flowers and cultivated turf.</p> <p>Rural-urban conflicts typically arise where there is insufficient separation between incompatible land uses, where rural activity is poorly managed or where new residents do not understand the type of activities prevalent in their new location.</p> <p>There is a need to enhance Camden's rural economy by identifying potential activities through which Camden Council can support and promote viable and sustainable agriculture.</p>
<b>P6. Minimise unplanned non-agricultural development</b>	<p>There are a number of agricultural opportunities that may result from the development of the Western Sydney airport. This includes closer proximity to domestic and international markets using air freight that could support and grow certain agricultural sectors such as fresh cut flowers.</p> <p>This principle is in line with the draft South West District Plan which highlights the need to discourage urban development in the metropolitan rural area and to carefully consider environmental, social and economic values.</p>
<b>P7. Maximise opportunities for relocation of rural enterprises.</b>	<p>There is a need to maximise the opportunities for the relocation of rural enterprises displaced by the SWPGA.</p> <p>All existing RU4 small lot primary production land is located within the SWPGA. As a result of the progressive conversion of this land for urban purposes there will no longer be any RU4 land in Camden LGA. In addition, RU1 primary production zoned land will be reduced significantly.</p>

## Strategy Actions

Table 2 – Strategy Actions

Principle	Action	Measurement	Timeframe	Relevant other plans/strategies
1. Protect Camden's remaining rural lands	<ul style="list-style-type: none"> <li>Provide an advocacy role that the preferred M9 corridor option minimises impact on rural zoned land.</li> </ul>	<p>Adopted Strategy is forwarded to Transport for NSW.</p> <p>Council has ongoing dialogue with Transport for NSW and the Greater Sydney Commission regarding the protection of Camden's Rural Lands.</p>	<p>On adoption of Strategy.</p> <p>Ongoing</p>	<ul style="list-style-type: none"> <li>A Plan for Growing Sydney</li> <li>Draft South West District Plan</li> <li>Camden Community Strategic Plan</li> </ul>
	<ul style="list-style-type: none"> <li>Investigate the potential introduction of appropriate zones within the South West Priority Growth Area to provide a long term buffer between rural land uses and urban development.</li> </ul>	<p>Undertaken during precinct planning.</p>	Ongoing	<ul style="list-style-type: none"> <li>Camden Local Environmental Plan 2010</li> <li>Camden Development Control Plan 2011</li> <li>Sydney Region Growth Centres State Environmental Planning Policy.</li> </ul>
2. Retain Camden's valued scenic and cultural landscapes	<ul style="list-style-type: none"> <li>Undertake a detailed visual study of Camden's rural lands (excluding the South West Priority Growth Area) in conjunction with key stakeholders.</li> </ul>	<p>Visual Study is completed.</p>	2018-19	<ul style="list-style-type: none"> <li>Camden Local Environmental Plan 2010</li> <li>Camden Community Strategic Plan</li> </ul>

Principle	Action	Measurement	Timeframe	Relevant other plans/strategies
	<ul style="list-style-type: none"> <li>Investigate options to incorporate scenic protection controls in Camden Local Environmental Plan 2010.</li> </ul>	Camden Local Environmental Plan 2010 is reviewed.	2018-19* *Following completion of Visual Study	- Camden Local Environmental Plan 2010
	<ul style="list-style-type: none"> <li>Review existing development controls to provide additional guidance on scenic protection.</li> </ul>	Camden Development Control Plan 2010 is reviewed.	2018-19* *Following completion of Visual Study.	- Camden Development Control Plan 2010
3. Provide certainty and avoid rural land fragmentation	<ul style="list-style-type: none"> <li>Retain the existing 40ha minimum lot size (Camden LEP 2010) for rural land to avoid further land ownership fragmentation.</li> </ul>	40ha minimum lot size is retained.	Ongoing	- Camden Local Environmental Plan 2010
4. Minimise and manage rural land use conflict	<ul style="list-style-type: none"> <li>Review existing development controls to provide additional guidance on land use conflict.</li> </ul>	Camden Development Control Plan 2010 is reviewed.	2017-18	- Camden Development Control Plan 2010
	<ul style="list-style-type: none"> <li>Investigate the potential introduction of appropriate zones within the South West Priority Growth Area to provide a long term buffer between rural land uses and transition urban development.</li> </ul>	Undertaken during precinct planning.	Ongoing	- Camden Local Environmental Plan 2010 - Camden Development Control Plan 2011
	<ul style="list-style-type: none"> <li>Prepare informative / educational material for the community about farming impacts and conflicts.</li> </ul>	Informative / education material is available to the community and is available to download on Camden Council's website.	2017-18	- Camden Community Strategic Plan

Principle	Action	Measurement	Timeframe	Relevant other plans/strategies
5. Enhance Camden's Rural Economy	<ul style="list-style-type: none"> <li>Investigate potential activities to support and promote viable and sustainable agriculture.</li> </ul>	Ongoing implementation of the Economic Development Strategy	Ongoing	<ul style="list-style-type: none"> <li>Draft South West District Plan</li> <li>Camden Economic Development Strategy 2013</li> </ul>
6. Minimise unplanned non-agricultural development on rural land	<ul style="list-style-type: none"> <li>Monitor the implementation of the criteria for planning proposals seeking rezonings on rural land (excluding SWPGA).</li> </ul>	Criteria for planning proposals is reviewed and monitored annually.	Ongoing	<ul style="list-style-type: none"> <li>Camden Local Environmental Plan 2010</li> </ul>
7. Maximise opportunities for relocation of rural enterprises.	<ul style="list-style-type: none"> <li>Retain the 40ha minimum lot size for rural land.</li> </ul>	40ha minimum lot size is retained.	Ongoing	<ul style="list-style-type: none"> <li>Camden Local Environmental Plan 2010</li> </ul>

### Criteria for Rezoning Proposals

The table below outlines a set of guiding criteria to assist in the assessment of planning proposals for rezonings on rural land (outside of the SWPGA). The assessment criteria is intended as a guide only and proponents will be subject to the assessment processes that apply to all planning proposals under NSW planning legislation and guidelines.

Table 3 – Criteria for Rezoning Proposals

ID	Assessment Criteria	Key considerations (Pre-Gateway)
1	Proposals must be consistent with state and local strategic plans.	<ul style="list-style-type: none"> <li>Improvement / ongoing maintenance of biodiversity, ecological, scenic and productive values.</li> <li>Agricultural land production value.</li> <li>Rural economic benefit.</li> <li>Net community benefit.</li> </ul>
2	Proposals must not adversely impact on the operation of existing rural enterprises.	<ul style="list-style-type: none"> <li>Existing intensive agricultural land uses.</li> <li>Land use conflict – utilisation of the Land Use Conflict Risk Assessment (LUCRA) tool developed by the NSW Department of Primary Industries.</li> </ul>
3	Proposals must be a logical extension to existing urban areas.	<ul style="list-style-type: none"> <li>Proximity to public transport and other community services.</li> </ul>
4	Proposals must not reduce the quality of scenic landscapes, vistas, ridgelines, or heritage values.	<ul style="list-style-type: none"> <li>Essential services availability (including cost of extending services or upgrading roads and other infrastructure).</li> <li>Siting and design impacts.</li> <li>Natural and physical constraints and opportunity of rural land, including high value vegetation, bushfire and flooding.</li> </ul>

### Conclusion

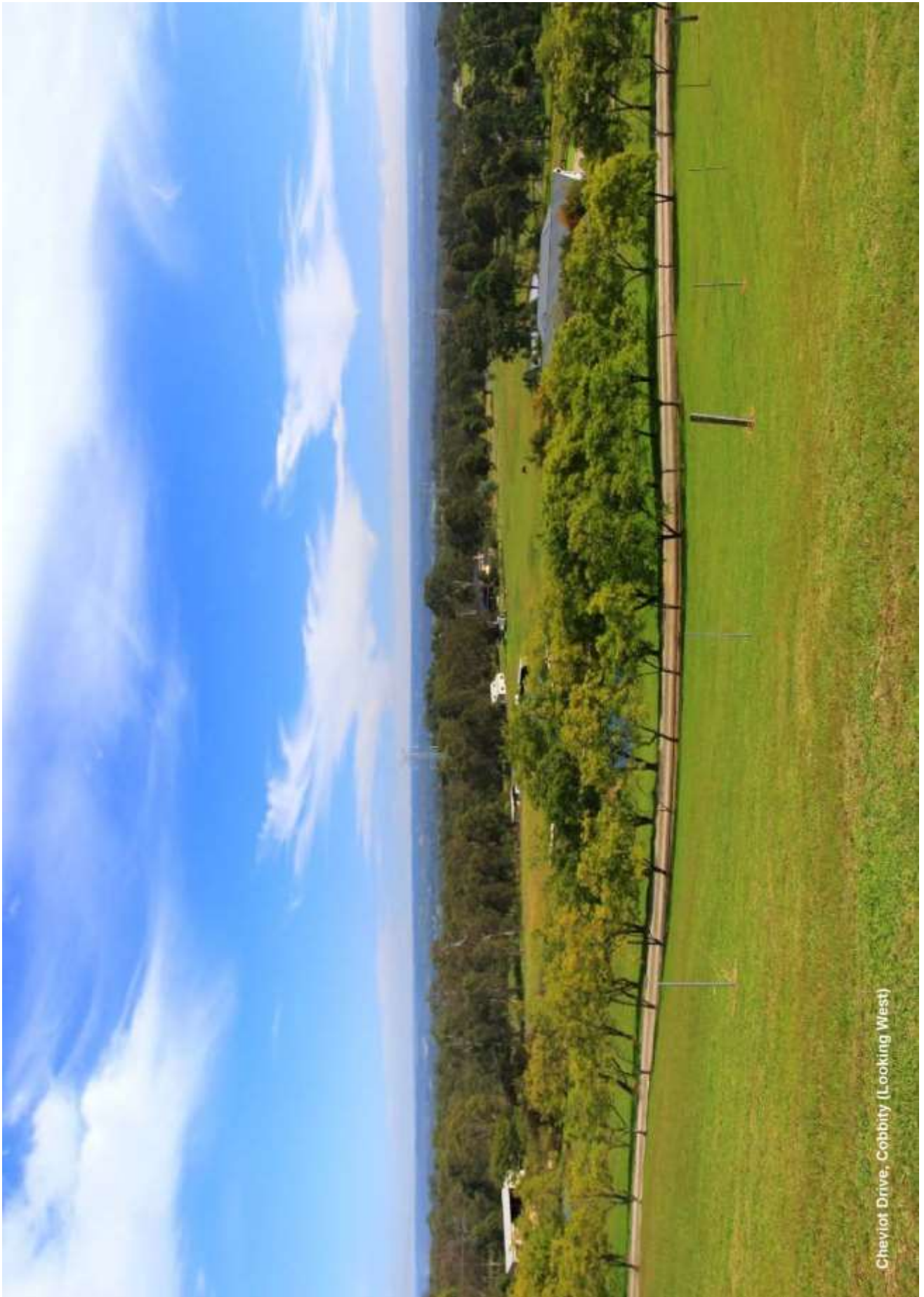
The Camden LGA is one of the fastest growing areas in Australia and there are a number of emerging pressures that have the potential to have a significant impact on Camden's rural lands namely the Western Sydney Airport and the M9 Orbital. In response to these pressures, this Strategy highlights the need to protect Camden's valuable rural lands which are an important local and district feature.

Camden's rural land is important, not only because of its role in providing Sydney with fresh food, but because of other benefits which arise through protection of the land such as tourism and cultural and landscape values which provide a positive contribution to Camden's identity and social fabric.

This Strategy is in line with the draft South West District Plan which highlights the need to discourage urban development in the Metropolitan Rural Area and to carefully consider environmental, social and economic values.



Figure 11 – Views from Cobbitt looking south to Camden





ORD07

Attachment 2



# CAMDEN COUNCIL RURAL LANDS STUDY



Agribusiness and  
Environmental Solutions  
[www.boothassociates.com.au](http://www.boothassociates.com.au)

# CAMDEN COUNCIL

## RURAL LANDS STUDY

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2 November 2016

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## **ANNEXURES**

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- Annexure 1: A Plan for Growing Sydney 2014 Extract
- Annexure 2: Camden LEP, 2010 Extract
- Annexure 3: Greater Hume Shire Council Right to Farm Policy
- Annexure 4: Narrandera LEP 2013 Extract
- Annexure 5: Blue Mountains LEP 2015 Extract

## FORWARD

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### Camden's growth and need for a Rural Lands Strategy

The Camden Council population forecast for 2016 is 77,242, and is forecasted to grow to 212,656 by 2036. Camden is one of the fastest growing Local Government Areas in NSW, and there are constant pressures to develop rural land for urban purposes. Council is looking to develop a new strategy for rural lands in Camden with the view to protect valuable rural land.

Council's Community Strategic Plan 'Camden 2040' 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. *Camden 2040* 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.

There are a number of emerging pressures that have the potential to have significant impact on Camden's rural lands including the Western Sydney Airport, South West Rail Link extension and the M9 Orbital. Further, Council anticipates that the NSW Government will exhibit a draft revised South West Priority Growth Area Structure Plan early this year.

This Study has been developed with the aim of informing a strategic document which will help guide decision-making on matters such as rezonings/planning proposals, development applications, and review of broader strategic plans such as *Camden Local Environmental Plan 2010* and *Camden 2040*.



## 1.0 EXECUTIVE SUMMARY

The Camden LGA is located on the fringes of Sydney Metropolitan Area and is currently experiencing significant expansion of urban development into rural land. The LGA has historically been known as a highly productive rural region with current agricultural land use accounting for 50% of the LGA. The resumption of land for the South West Priority Growth Area will reduce the total area of rural land to one-third of the Camden LGA.

This Rural Lands Study has found:

- The dominant rural land use in terms of land area in the Camden LGA is extensive grazing which beyond its economic contribution also provides scenic amenity and rural character. The Camden LGA is known for these values, and as such, protection of the scenic amenity and rural character of the LGA is warranted.
- Agriculture is a significant industry for the Camden LGA with the value of production in 2010 being \$43.5M;
- The majority of agricultural value arises from intensive agriculture including poultry at 50% and nurseries, cut flowers, turf and vegetables at 42%;
- Intensive agriculture accounts for only 3% of rural land use in the Camden LGA, a significant portion of which is located in the South West Priority Growth Area; and
- In order to minimise further loss of agricultural production in light of the South West Priority Growth Area protection of the remaining rural land in the Camden LGA is warranted.

This Study includes a literature review, a review of the planning framework, rural land analysis and review of the major infrastructure developments occurring in the region, including the South West Priority Growth Area, Western Sydney Airport, Southwest Rail Link and the M9 Orbital.

This Study also provides commentary on rural land use conflict, opportunities for rural industry relocation from the South West Priority Growth Area, a rural lands decision-making framework, and includes the following recommendations with regards to Camden Council's Rural Land Use Planning Controls:

- The existing minimum lot size of 40ha be retained for rural land as an effective tool to avoid further fragmentation;
- Non-agricultural development on RU1 zoned land be limited to allow relocation opportunities for agricultural business displaced by the South West Priority Growth Area;
- Introduction of a RU6 transition at the edge of the South West Priority Growth Area be investigated to provide a long-term buffer between rural land uses and encroaching urban development;
- Development controls be strengthened to provide additional guidance on matters such as scenic protection and land use conflict for existing rural land uses; and
- Council prepare a Right to Farm Policy or similar informative material to protect existing farming industries.



## 2.0 INTRODUCTION

In March 2016 Booth Associates were engaged by Camden Council to prepare this Rural Lands Study for the Camden Local Government Area (LGA).

### 2.1 Aim and Objectives

The overall aim of the Rural Lands Study is to be a strategic document:

*"which will help guide decision making on matters such as rezonings/Planning Proposals, development applications, and review of broader strategic plans such as Camden Local Environmental Plan 2010 and Camden 2040."*

The Study objectives are:

- "1. To provide Council with a decision making framework based on land capability and rural land qualities and significance;*
- 2. Identify the implications for rural land from major infrastructure projects and potential alteration of the South West Priority Growth Area boundary;*
- 3. Consider land use conflict associated with the South West Priority Growth Area;*
- 4. Identify opportunities for relocation of rural industries displaced by the South West Priority Growth Area; and*
- 5. Provide recommendations as to the suitability or otherwise of Council's rural land use planning controls and standards."*

### 2.2 Study Author

This Study was prepared by Booth Associates, agribusiness and environmental consultants based in Griffith NSW. This Study was prepared with input from specialist land use planning and strategic planning consultants, Boskae Environmental Planning and In2Planning Pty Ltd.







### 2.3 Study Structure

The Study is structured as follows:

- Section 3.0 - LGA Overview – provides an overview of the LGA
- Section 4.0 - Literature Review – includes a review of prior studies, reports and other information of relevance to this Study
- Section 5.0 - The Planning Framework – addresses land use planning controls at the local, regional and state level
- Section 6.0 - Rural Land Analysis – includes an analysis of rural land capability, rural land use and other information relating to rural land in the Camden LGA
- Section 7.0 - Major Infrastructure Developments – provides an outline of major Sydney infrastructure projects which will impact on the Camden LGA
- Section 8.0 - Land Use Conflict – addresses the issues surrounding rural land use conflict
- Section 9.0 - Rural Industry Relocation Opportunities – addresses options for the relocation of rural industries displaced by the South West Priority Growth Area
- Section 10.0 - Council Rural Land Use Planning Controls and Standards – includes a review of Council's Rural Land Use Planning Controls and Standards
- Section 11.0 - Rural Lands Decision Making Framework – provides a decision making framework for Council based on the integration of land capability, rural land qualities and significance
- Section 12.0 - References

### 2.4 Study Area

This Study addresses land zoned rural in the Camden LGA (excluding the South West Priority Growth Area) being:

- RU1 zoned land (6,433ha) confined to the western side of the LGA along the Nepean River floodplain and Cuthill Road area north of Cobbitty plus one small area of RU1 land in the south-east of the LGA; and
- RU2 zoned land (252ha) confined to a ridge running north/south along the eastern side of the LGA in an area east of Narellan and the current South West Priority Growth Area.

Not included in the Study, but still relevant is farm land owned by the University of Sydney which is zoned SP2 and is used for rural research and development. This comprises an area of 300ha and is located on the west and north-west side of the LGA.





The Camden LGA is known as a rural region located on the fringes of Sydney. The *Camden LEP 2010* includes three rural zones covering a total area of 10,655ha which is just over half the LGA. These are:

- RU1 – Primary Production (7,733ha);
- RU2 – Rural Landscape (252ha); and
- RU4 – Primary Production Small Lots (2,670ha)

Land declared as part of the South West Priority Growth Area will remove all RU4 zoned land in Camden LGA and effectively reduce the available RU1 land by 1,300ha. The total area of rural land in the Camden LGA (excluding the South West Priority Growth Area) is now 6,685ha equivalent to one-third of the total LGA.

The Camden and adjacent Wollondilly LGAs pioneered agricultural research and development hosting the:

- NSW DPI Elizabeth Macarthur Agricultural Institute which covers 1,600ha and includes the Centre of Excellence for Animal and Plant Health; and
- University of Sydney Camden Farms Network, covering 1,500ha across a series of farms in the Camden and Badgerys Creek area.

The Camden Farms Network includes the Centre for Carbon, Water and Food and the Plant Breeding Institute. The Camden Farms Network supply the core teaching and research activities of the faculties of Agriculture and the Environment and Veterinary Science. Developing and strengthening strategic relationships with existing agricultural institutions and organisations in the LGA is important and may provide future opportunities for rural lands. Farming traditions have the capacity to contribute to the future economic development of the Camden LGA.





### 3.0 LGA OVERVIEW

The Camden LGA is located in the south-west of Sydney and is known as a rural region on the fringes of Sydney. It contains a mix of agricultural land, towns and villages, and new residential areas, with associated commercial and industrial development. The Camden LGA over the past 20 years has seen a rapid rise in urban development as part of the growth of the Sydney Metropolitan area. It is one of the fastest growing areas in Australia. The population of the Camden Local Government Area has expanded rapidly in the past decades, more than doubling from 1991 to the present day.

#### 3.1 History of Rural Camden

Camden has a rich historical path and is the heart of the Macarthur region. It provides ample evidence of Australia's early colonial presence. The area's rich farming heritage can be traced back to 1795 when Governor Hunter went in search of stray cattle and found them settled by the Nepean River, a place he named 'Cowpastures' – a name that still exists today. Much of the Camden's proud farming history stems from the influence of the Macarthur family. This began in 1803 when Lord Camden granted John Macarthur more than 5,000 acres allowing him to import the first pure merino rams and ewes to Australia.

Grape growing was introduced in the early 1800s through experienced European winemakers with the Macarthurs at Camden Park establishing the first commercial vineyard. Local wines were soon winning gold medals in England, resulting in Camden vines being used to establish vineyards in the United Kingdom.

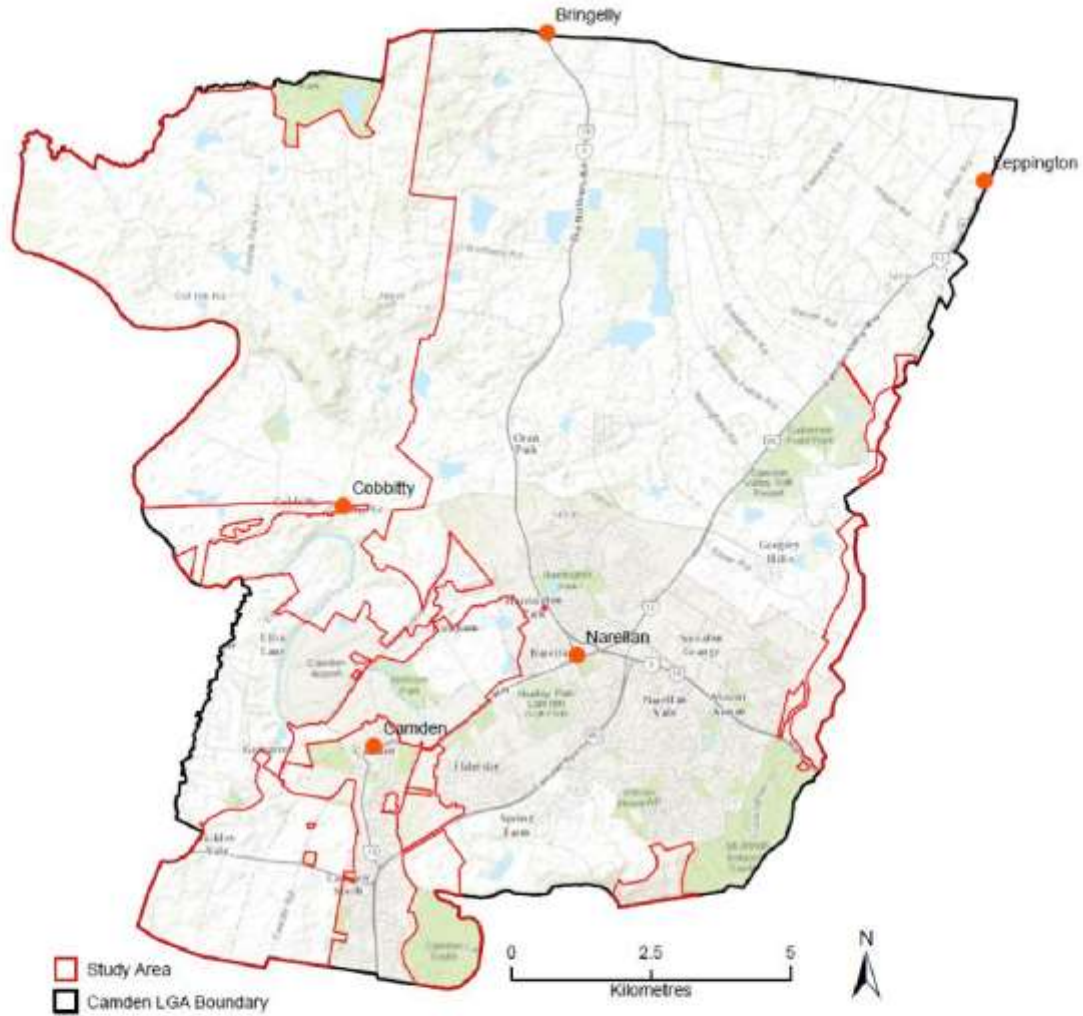




### 3.2 Camden LGA

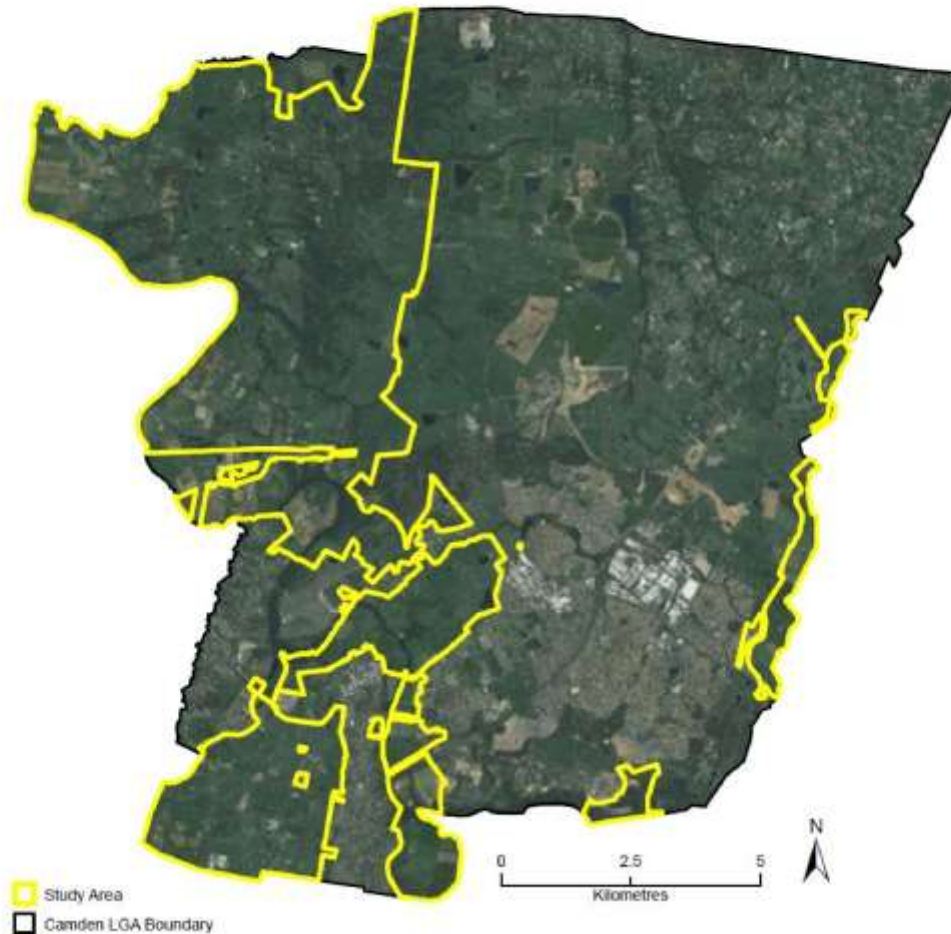
The Camden LGA covers an area of 20,095ha and is identified in Map 1 and Map 2.

Map 1: Camden LGA





Map 2: Camden LGA Aerial Image



Key features of the LGA identified in Map 2 include:

- Study area boundaries outlined in yellow;
- The Camden urban area is located in the South West of the LGA;
- Nepean River running north on the west side of the LGA;
- Narellan, a significant urban development is located on the southeast side of the LGA;
- Leppington which is closely settled small lot agriculture is located in the northern side of the LGA; and
- Large areas of agricultural land on the north central and northwest side of the LGA.

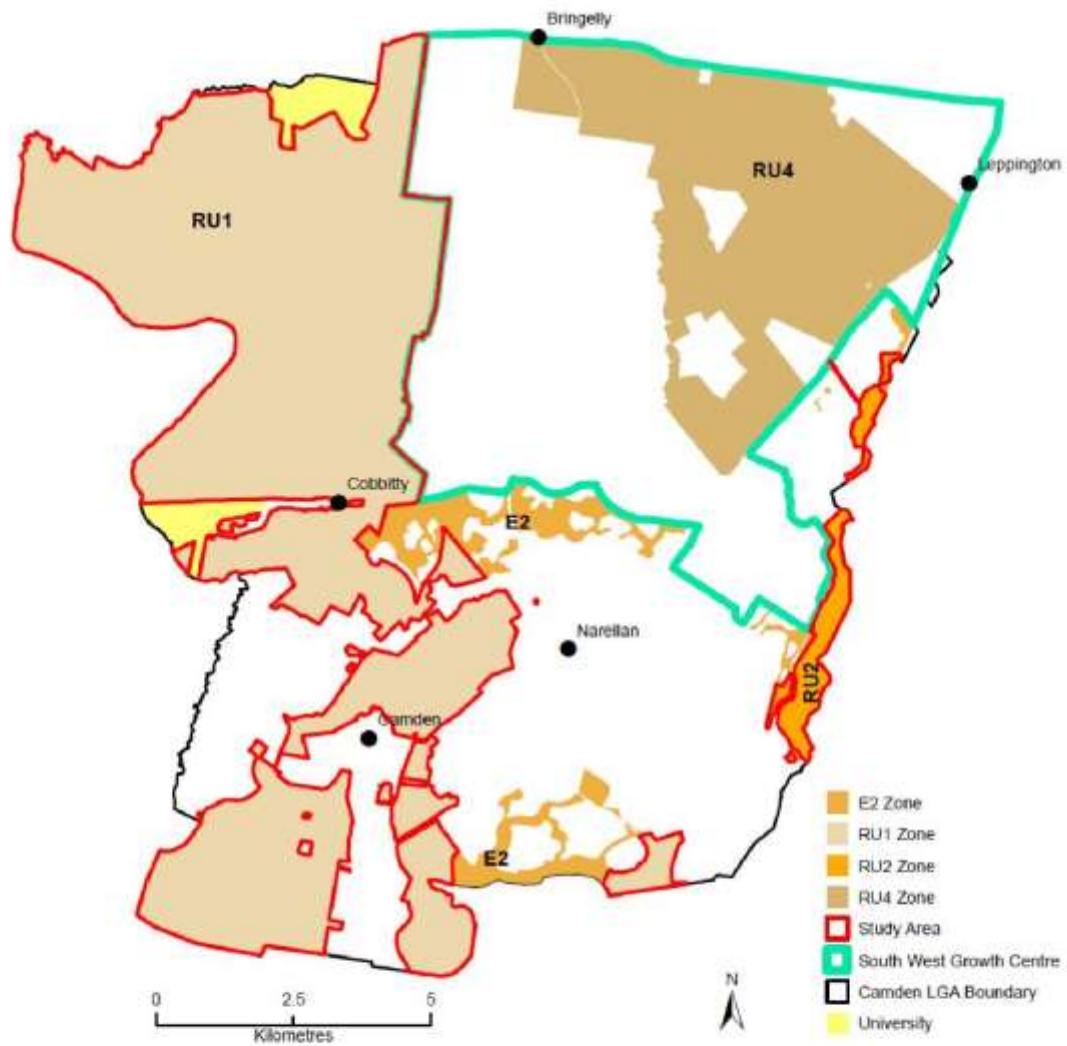




### 3.3 Rural Lands

This Rural Lands Study specifically addresses the land zoned rural in the Camden LGA excluding the South West Priority Grow areas. The Camden LEP, 2010 includes the rural zones of RU1, RU2 and RU4 as identified in Map 3. The Study area boundaries are identified in red.

Map 3: Camden LGA Rural Zones





Map 3 identifies:

- The majority of RU1 zoned land is located in an area that runs north/south on the western side of the LGA;
- All of the RU2 zoned land runs in a narrow band along the eastern side of the LGA;
- All of the RU4 zoned land is located in the northeast corner of the LGA;
- The University of Sydney land on the west and north-west side of the LGA which is zoned SP2; and
- E2 land which has rural land qualities and direct linkages to RU1 and RU2 land.

There is other land in the Camden LGA not zoned rural with rural land qualities which includes the Camden Airport which is zoned SP2 and the Australian Botanic Garden located at Mount Annan in the south east side of the LGA which is zoned SP1.

The RU2 zoned land is mostly located between the LGA boundary to the east and the historic Sydney water supply channel to the west. This channel is listed as a heritage item in the *Camden LEP, 2010* and also has a State heritage listing.

A summary of the spatial characteristics of the rural zones in the Camden LGA is included in Table 1.

**Table 1: Camden LGA Rural Zones**

Zone	Area (ha)	Proportion of LGA
RU1	7,733	39%
RU2	252	1%
RU4	2,670	13%
<b>Total</b>	<b>10,655</b>	<b>53%</b>

Note: the total Camden LGA area is 20,095ha

Prior to the *Camden LEP 2010* being gazetted in 2010 the establishment of the South West Priority Growth Area in 2005 earmarked 3,970ha of rural land for urban development on the northeast side and central parts of the LGA. This includes all land zoned RU4 (2,670ha) and 1,300ha of land zoned RU1 to the immediate west of the RU4 zoned land. This area is shown in Map 3 as RU1 and RU4 zoned land outside the study area.





## 4.0 LITERATURE REVIEW

The following provides a summary of the background documents sourced and reviewed in the preparation of this Study. Sources relied upon in this Study are not all specifically reviewed in this section.

### 4.1 Camden Rural Lands Study –2000

This report was prepared by Council in 2000 and addressed all rural land in the Camden LGA. The report examined the role and importance of rural areas in Camden, the agricultural structure both locally and regionally and the importance of rural landscapes. The Study identified the constraints and opportunities and identified the direction for policy review and formulation. During the time of the Study, Council recognised the changing role that agriculture was taking in the LGA away from traditional farming pursuits and the need to address the increasing urbanisation pressures, being located on Sydney's fringe and the impact and pressure this had on agricultural lands.

*"Increasing urbanisation of Sydney's fringe has placed added pressure on agricultural lands. Speculation and competition for rural land from buyers looking for 'lifestyle' blocks (large residential lots in a rural setting or hobby farms) increases the value land which is not based on the agricultural value of land. This causes problems for 'genuine farmers' wishing to expand the farm business as the price of land is forced above the agricultural price. This has resulted in a scarcity of land available for agricultural purposes and has also reflected in the increase environmental and social conflicts between rural producers and other rural residents."*

The following summarises the main findings of the Study:

#### Physiography and Environmental Issues

- Low rainfall (65% of the Sydney average) and high evaporation gives rise to the needs for farm dams to store water for use in summer months for irrigation to maintain high yields from vegetables, flowers, turf and orchard crops;
- The dominant geological unit is the Bringelly Shale. Eight soil groups are found in the Council area and all except the Picton landscape are suitable for grazing and regular cultivation. Fertility is low with most soils except the Picton and Blacktown Soils low to very low;
- Over the last 33 years, there have been 15 drought declared periods affecting Camden, ranging from two to 16 months;
- Over 320 native plant species have been recorded in the Camden Council area, including seven ROTAP (Threatened Species Act) Species; and
- Council has increased its controls in the removal of native vegetation and recognises the need to address tree and vegetation clearing.







### Heritage

- Significant European heritage areas and Aboriginal sites are found in the Camden Council area. These areas are now developed with villages and rural and rural residential development. The homesteads in these heritage areas still rely on the agricultural productivity of the land. The community has great interest in the heritage of rural lands as it contributes to the rural character and visual environment. A number of European heritage items have recently come under threat due to potential rural-residential development pressures and the changing needs of residents in the area.

### Scenic and Cultural Landscape Issues

- The main components of Camden's Landscape are hills and ridges, flood plains and remnant native vegetation. These are prominent in the visual gateways and routes in the area and deserve special consideration and protection;
- The rural heartland of Camden is composed of landscapes which clearly demonstrate historic settlement patterns and associations. There are many historic properties of state significance due to their rarity, integrity and ability to demonstrate historic associations and processes;
- Important visual views into and out of Camden Town and Cobbitty Village; and
- The need to maintain scenic quality, a range of scenic character types, visual access to the landscape and to landmark features, the historic meaning of landscape and the ability to interpret, conserve and manage visual and cultural heritage impacts.

### Camden's Rural Population and Rural Economy

- In the rural area north of the Nepean, the population can best be described as a 'mature' population which indicates a fairly static population level, comprising a majority of established families and some households of young working adults. The labour force participation represented 64.1% of the workforce within the Study area;
- A large percentage of those residents in the Study area working in agriculture are near retirement age, identifying a significant lack of desire and opportunities for younger generations;
- Tourism in the Camden Council area is important financially to the rural sector, with strong growth potential;
- Camden is a significant producer of grapes for wine, cauliflowers, lettuce, cultivated turf, sheep and lambs, dairy cattle, meat cattle and crops and pastures for hay; and
- Agricultural production in the Camden Local Government Area is significant with commodities having a value in excess of \$44 million.





#### **Impediments and Opportunities for Agricultural Investment and Production**

- In deciding whether to proceed with a particular agricultural investment two factors in the external environment are relevant; a location where costs are competitive; and a location where possible investment risk is lowest and the highest possible certainty. These ensure that conditions for the investment will remain stable or improve;
- Access and security of tenure of water is an important criteria in evaluating investment risk for agricultural enterprises, especially intensive industries. Water is both a resource and a limiting factor for agriculture; and
- Land use conflicts between rural producers and residents surrounding them can be an impediment to agricultural production.

#### **Land Development Patterns and Potential**

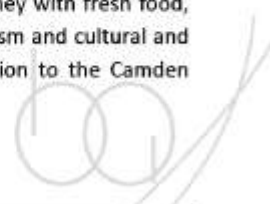
- The lot pattern in the Study area has been dominated by 2ha and 4,000m<sup>2</sup> allotments, which have resulted mainly from the minimum area requirements in operating LEPs; and
- An assessment of undeveloped land zoned Rural 'C' showed that there was a potential 10 – 13 year supply of 4,000m<sup>2</sup> allotments. This appears sufficient for the immediate future in the relevant submarkets.

#### **Land Use and Infrastructure**

- Extensive areas are used for dairying, beef studs and grazing, horse studs and horse stabling;
- The major special uses in the study area are the University Farms, Mount Annan Botanic Gardens, the Camden Airport and Mater Dei special school. Most of the community facilities used by residents of the study area are located in Camden town or at Narellan;
- A second Sydney Airport located at Badgerys Creek would have a significant impact on the Council area, in terms of noise, future land use and operations of Camden Airport;
- The study area is not well serviced by public transport and few residents use public transport to travel to work; and
- Agriculture in the study area could be severely curtailed if the Department of Land and Water Conservation do not issue any more licences for new farmers to utilise waters from the Nepean River for irrigation purposes. These farmers will need to buy water rights from existing farmers who presently are only charged a licence fee to pump water from rivers such as the Nepean.

#### **Sustainable Agricultural Development in Camden**

- Camden's agricultural land is important, not only because of its role in providing Sydney with fresh food, but because of other benefits which arise through protection of the land such as tourism and cultural and landscape values. Agriculture and associated activities currently contribute \$75 million to the Camden economy. Agriculture and associated activities also employ about 1,150 persons; and





- Farmers have many concerns on the future of farming in the Sydney Basin. These include the inability to expand in some areas, the general public's concern in regard to farming, Council regulations, the reduction of services by NSW Agriculture, the future involvement of the younger generation in farming and the opportunity to subdivide and sell their property to finance their retirement.

#### Planning Controls and Policy Affecting Agriculture

- In 1992, the Federal Government introduced the National Strategy for Ecological Sustainable Development (ESD) which states that decisions should be based on long term ecological sustainability;
- The main Sydney Regional Environmental Plans (SREPs) affecting the Study area are SREP No. 9 - Extractive Industries and SREP No. 20 - Hawkesbury- Nepean River;
- A key strategic principle affecting agriculture in the then NSW Department of Urban Affairs and Planning's document 'Cities of the 21st Century' is the control of encroachment of urban and rural-residential development into rural areas so that agriculture is not unnecessarily displaced, recreation and tourism are retained and valuable habitats are protected;
- The NSW Department of Land and Water Conservation placed a moratorium on the issue of further licenses, particularly in regard to irrigating farms with water from the Nepean River. This will make it harder for future farmers to obtain water for irrigation and will induce some prospective producers to look elsewhere, where water prices are lower; and
- The NSW Department of Agriculture's "Strategic Plan for Sustainable Agriculture – Sydney Region 1998" was a result of a whole of government and community approach in dealing with how best to facilitate sustainable agriculture in the Sydney Region (including Camden). It contains a range of objectives and accompanying implementation strategies and policy actions that apply to Camden Council.

## 4.2 Camden 2040 Community Strategic Plan

The Community Strategic Plan was adopted in May 2014, and provides the vision for Camden's future. The Plan identifies that:

*"in the year 2040, the Camden Local Government Area is a dynamic modern, urban place which is defined by its unique history and rural backdrop, and has realised the many opportunities presented by urban development and population growth."*

The Plan identifies the need to effectively manage urban and population growth, while still protecting the rural hinterland and heritage of the area.

Community feedback in 2012 included:

*"The very clear message continues to be that there is a need to retain Camden's country and rural feel, its heritage, vistas and open spaces as the area grows, and to build the community characteristics of a rural/country community in the new areas that are coming."*





It is important to note that the community has continued to identify the significance of protecting the rural hinterland and the backdrop it provides to the urban areas of the LGA. This Study investigates the potential mechanisms available to achieve the community's strategic objective of maintaining the rural feel by ensuring that human elements and development do not dominate. Preserving agricultural activity as well as the dominant landscape features and scenic characteristics of the LGA are considered important to achieve this objective.

Key Direction 2 of *Camden 2040* is 'Healthy Urban and Natural Environments'. This section sets out the importance of the natural and built environment to Camden residents and identifies some of the opportunities and challenges which affect the Camden area. One major concern is the impacts from the loss of rural land and farming activities on fresh, local and affordable food supply and increased production pressure on remaining agricultural lands. Strategy 2.2.1 identifies the need to secure high levels of public health and confidence through encouraging best practice in industry and agriculture, and enforcing relevant legislation where needed.

Key Direction 2 of the *Camden 2040* is 'A Prosperous Economy'. This section sets out the importance of prosperity for the life and wellbeing of the Camden residents and the need for a strong local economy. Strategy 3.4.3 identifies the need for people to access what they need and the Strategy identifies the need to be able to provide and support opportunities for fresh food production in order to offset the impact of the loss of agricultural land through the development of the South West Growth Centre.

### 4.3 Camden Economic Development Strategy 2013

The Camden Economic Development Strategy was completed and adopted by Council in July 2013 and was developed for Council to take a more active role in developing a strong and prosperous local economy as a key part of managing the large-scale urban growth of the area, and in order to maximise the many opportunities this growth presents. The Strategy identifies Council's role in economic development, and identifies the strategies and actions necessary to deliver on the vision contained in *Camden 2040*.

The Strategy provided a plan of action to guide economic development activities. A number of 'Target Sectors' were identified which guide the areas on which Council will focus on over the coming four year period. These 'Target Sectors' identified were Education, Professional Services, Health Services, Tourism, Agriculture, Construction, Retail and Commonwealth and State Government Services. A SWOT (Strengths, Weaknesses, Opportunities and Threats) Analysis was undertaken for each Target Sector.

With particular reference to the Agricultural Target Sector, the SWOT Analysis identified the strength of this Sector, on the need to develop and build on existing agriculture knowledge, markets and explore opportunities with agricultural research and innovation. In strengthening strategic relationships with existing agricultural institutions and organisations in the LGA, Camden can build a reputation that will allow its farming traditions to continue, while also positioning Camden as an agricultural and innovation hub. These institutions include the Camden Farms Network (University of Sydney), the Centre for Carbon, Water and Food (University of Sydney) and the Elizabeth Macarthur Agricultural Institute (NSW Government).

Another major opportunity identified by the Strategy in this Sector is to provide and support opportunities for fresh food production in order to offset the impact of the loss of agricultural land through the development of the South West Priority Growth Area.





#### 4.4 Camden Scenic and Cultural Landscapes Study

The Camden Scenic and Cultural Landscapes Study was completed in February 1998. This Study aimed to assess the scenic and associated cultural heritage values of the Camden Local Government Area and formulate draft policies in land use planning controls.

The Study took a systematic approach of classifying and interpreting landscapes within the LGA, based on descriptive methods and research into the history of settlement. It looked at the entire LGA, its main view corridors and routes, with particular detail on the Cobbitty Village and Camden.

The landscape classification process identified 17 landscape units. Within each of the landscape units were a range of landscape character types which gives each of the units its particular qualities. Each type was assessed for its scenic and cultural heritage significance and an overall rating of significance for each landscape unit was identified.

Each of the Landscape Units is described in Table 2:

**Table 2: Landscape Units**

Landscape Unit	Significance
Bringelly	Local
Bringelly Creek	Local
Carrington-Ellis Lane	Local
Catherine Field	Local
Coates Park	Regional
Cobbitty	Local
Crear Hills	State
Cut Hill	Regional
Denbigh-Oran Park	State
Leppington-Rossmore	Regional
Matahil Creek-Cawdor	Regional
Maryland	State
Mt Annan-Badgery Hills	Regional
Narellan Creek	Local
Raby-Gledswood	State
Smeaton Grange-Narellan Vale	Local
Spring Farm-Belgenny	State





Table 2 indicates there were five Landscape units which were identified as having Regional Significance:

- Coates Park;
- Cut Hill;
- Leppington-Rossmore;
- Matahil Creek-Cawdor; and
- Mt Annan-Badgery Hill.

There were five Landscape units which were identified as having State Significance:

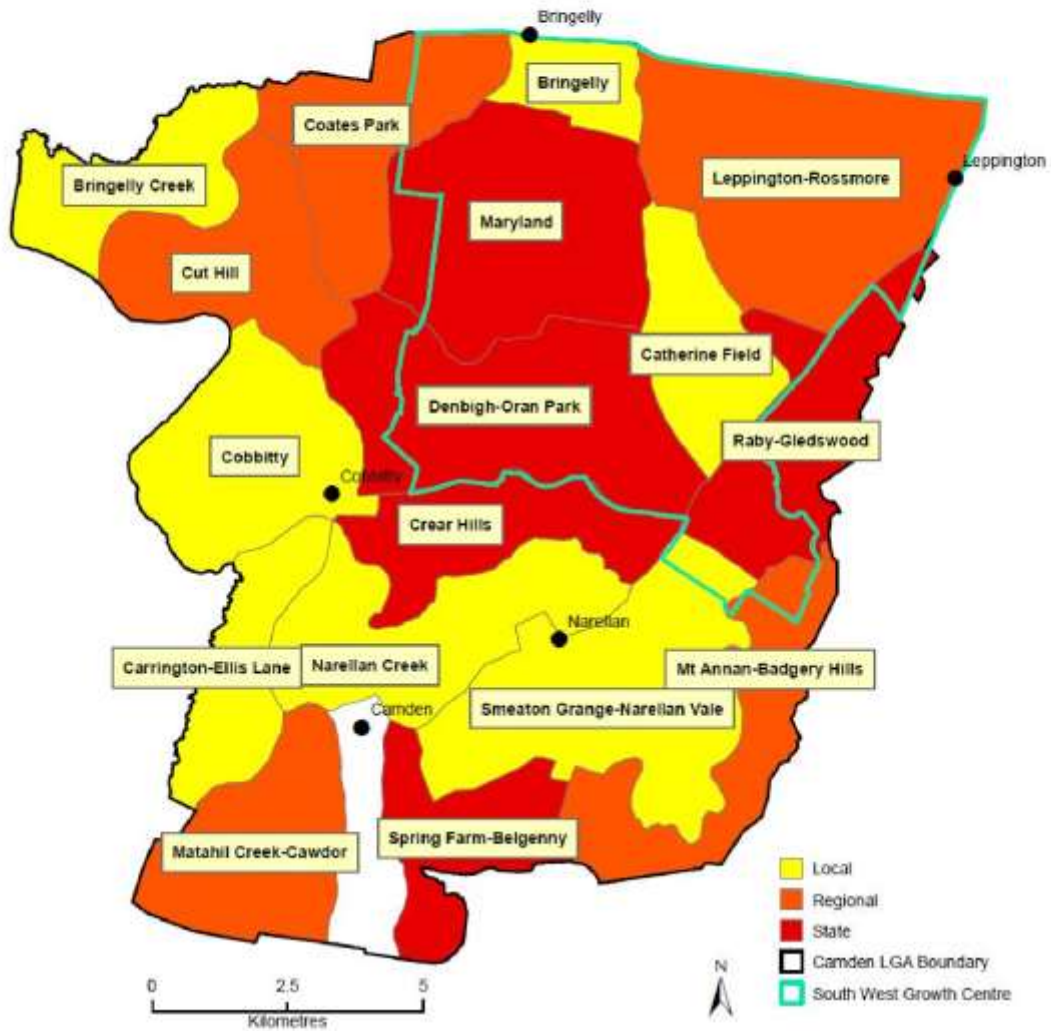
- Crear Hills;
- Denbigh-Oran Park;
- Maryland;
- Raby-Gledswood; and
- Spring Farm-Belgenny.

Map 4 shows each landscape unit and where it is located within the growth area.





Map 4: Landscape Units





Each Landscape unit is comprised of one or a consistent set of landscape character types. Table 3 describes the landscape character type and their significance.

**Table 3: Landscape Character**

Landscape Character	Significance
Cut Hill Group	Local
Rural smallholdings	Local
Alluvial flats: Grazing	Local
Large scale rural-residential	Local
Broadacre grazing land	State
Regrowth woodland/forest	Regional
Mixed smallholdings/rural residential/suburban	Local
Mixed intensive agriculture	Regional
Suburban residential/urban	Local
Smallholdings converting to suburban	Local
Extraction sites	Local

There were two Landscape character types identified as having **Regional Significance**:

- **Regrowth woodland forest (Landscape Character Area 6)** – located throughout the LGA where woodland and forest vegetation exists; and
- **Mixed intensive agriculture (Landscape Character Area 8)** – broad to gently sloping ridge crests developed on best quality soil in the Leppington Area.

There was one Landscape character type identified as having **State Significance**:

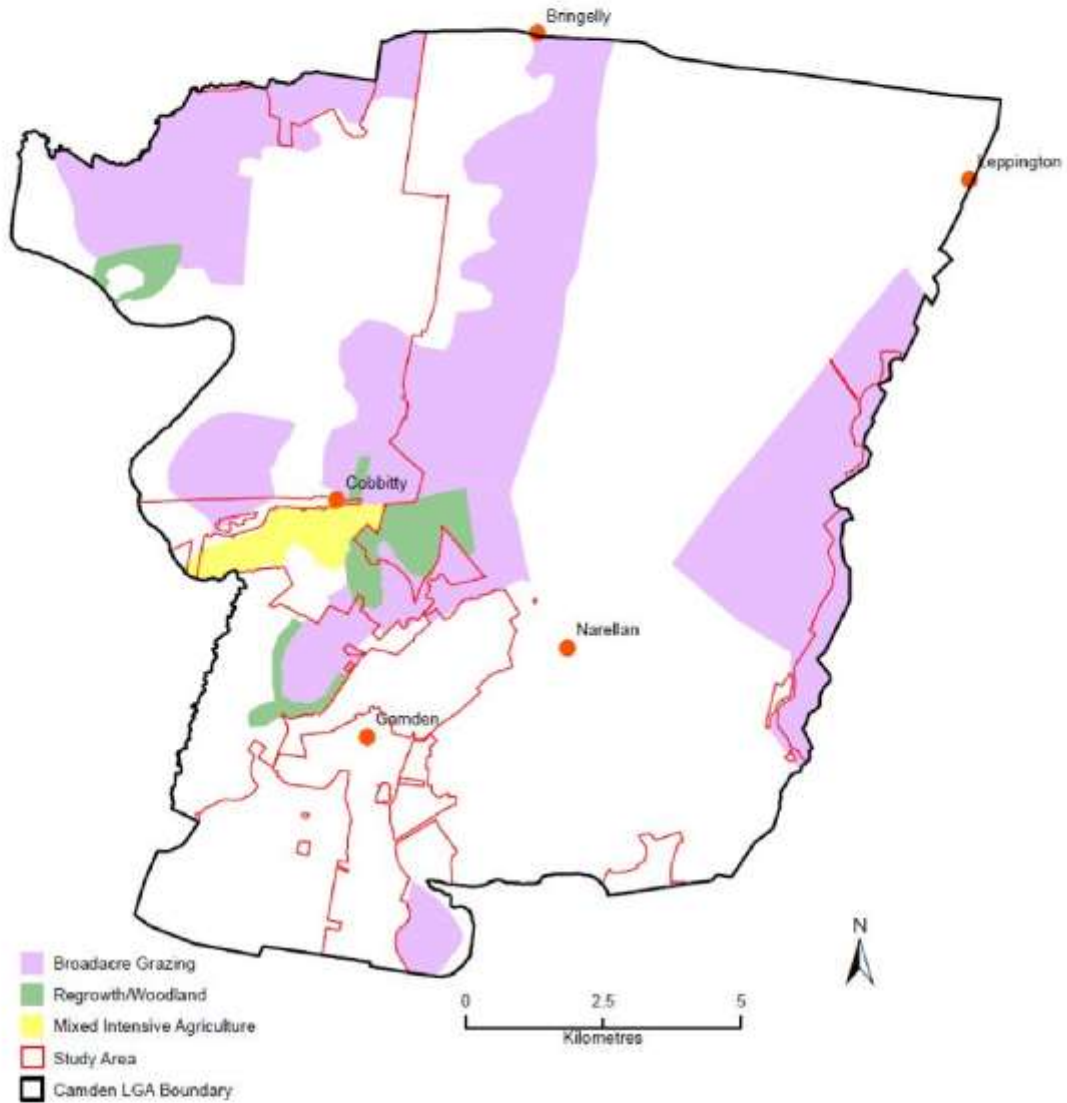
- **Broadacre grazing land (Landscape Character Area 5)** – this is located on undulating topography and side slopes, including most of the Cut Hill group of hills and the ridge crests in the central and north western part of the LGA; and
- Map 5 shows that most of these areas are taken up within the South West Growth Centre Area.







Map 5: Landscape Character



Council has also undertaken a mapping exercise that identifies significant rural views. The mapping seeks to identify the principal rural views from key vantage points including roads and natural features such as the Nepean River, panoramic views and views to and from heritage items are also identified. The format of the mapping does not directly identify affected land but would be useful if further developed.





The main findings of the Study include:

- The main components of Camden Landscape include hills, ridges, plains and remnant native vegetation. These are prominent in the visual gateways and routes in the area and require protection;
- Rural areas of Camden are composed of landscapes that demonstrate historic settlement patterns such as historic rural properties. These are of state significance because of their rarity, integrity and ability to demonstrate historic associations and processes. They also require protection through planning controls;
- Regional areas of significance include: Cumberland Plain remnant woodland areas, early grants in the hills of Coates Park and Cut Hill and the Cawdor area;
- Identified general scenic quality issues, the need to maintain scenic quality, a range of scenic character types, visual access to the landscape, to landmark features and the historic meaning of the landscape and the ability to interpret, conserve and manage visual and cultural heritage impacts;
- Need to conserve visual access to the landscape from historic villages and corridors, including sites of interpretation of heritage value, to control and manage the impacts of development on historic meaning and maintain the integrity of visual gateways and entry points to villages and settlement areas; and
- Some specific landscape issues identified included: the low visual absorption capacity and small scale of the Camden landscapes, the prominence of historic – properties and curtilages, potential loss of cultural significance, rural character and agricultural land uses, and the potential for urban development to “roll over” prominent features, convert rural roads to streets and formalise a traditional landscape.

The South West Priority Growth Area contains the majority of the landscape units within Camden that were identified as having State significance. Development of the Growth Areas will eventually result in the transformation of the majority of those most highly prized landscape units from rural landscapes to heavily urban environments. These rural landscapes are a critical component of the local identity for Camden which prides itself on having a rural and country town feel. The *Camden 2040 Community Strategic Plan* repeatedly emphasises the importance of the rural backdrop to residents, and the irreversible loss of significant landscapes within the Priority Growth Area will make the remaining rural landscapes an even more valuable asset to the community.

#### **4.5 Promotion of Rural Activities and Feasibility of Establishing a Viable and Sustainable Agribusiness Precinct in Penrith 2013**

This report addressed the promotion of rural activities and the feasibility of establishing a viable and sustainable agribusiness precinct in Penrith. It identified potential activities through which Penrith Council could support and promote viable and sustainable agriculture. It examined some of the specific issues of sustainable agriculture in Penrith and in particular explores the agricultural production and marketing including the role of the Sydney Agricultural Reference Group, the changing face of agriculture in the LGA and the increasing number of vegetable growers from culturally and linguistically diverse backgrounds.





This report found:

*"The major issues limiting sustainable agriculture in Penrith and promotion opportunities are:*

- *Land zoning and ownership;*
- *Land use conflict;*
- *Marketing of agricultural product,, and*
- *Access to labour."*

The issues identified in this report are not unique to Penrith and this report provides an insight into how another Council area is facing similar changes to their rural lands as is the case for Camden LGA. The report recommended the precinct be progressed, but it is not known how far this has progressed. It is recommended that Council follow progress of this initiative and consider the potential for a similar agribusiness district in Camden.





## 5.0 THE PLANNING FRAMEWORK

This section identifies the planning framework and addresses relevant planning controls at the State, Regional and Local levels.

### 5.1 A Plan for Growing Sydney

*A Plan for Growing Sydney*, released in December 2014, is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space.

The Plan recognises that Sydney Metropolitan Area has two Central Business Districts (CBDs): Sydney/North Sydney and Greater Parramatta. The two CBDs will be supported by a network of Strategic Centres and Transport Gateways, which will also be a focus for economic activity. The nearest Strategic Centre to Camden is Campbelltown-Macarthur. New housing will be accelerated across Sydney, with a greater choice of housing types around centres. There will also be a focus on urban renewal corridors along rail lines.

Greenfield housing development in new land releases will continue to be primarily focussed in the North West and the South West Priority Growth Centres.

To guide the expected growth the Plan contains a number of goals, directions and actions. The four goals the Department has set down to achieve the vision for Sydney are:

- **Goal 1:** A competitive economy with world-class services and transport;
- **Goal 2:** A city of housing choice with homes that meet our needs and lifestyles;
- **Goal 3:** A great place to live with communities that are strong, healthy and well connected; and
- **Goal 4:** A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

These goals are further expanded into 22 strategic directions, and 59 detailed actions that the Government will take to implement the Plan. The directions which are directly relevant to this Study include:

- Accelerating urban renewal across Sydney at train stations, providing homes closer to jobs;
- Delivering the infrastructure that is needed;
- Protecting our natural environment; and
- Managing long-term growth.





The Plan identifies the need to develop a framework to guide the identification of new Growth Centres and Priority Growth Areas. The Plan states that in developing this framework, the Government will consider a range of issues, including the value of land for drinking water supply, agriculture, environmental management, resources, tourism and other purposes. The following comments in "Direction 4.1 Protecting our natural environment and biodiversity" are of direct relevance to this Study:

*"Sydney's Metropolitan Rural Area – the area immediately beyond the urban footprint of Sydney – contains most of Sydney's conservation reserves and significant agriculture and extractive industries. In 2010–11, the gross value of agricultural commodities produced in the Sydney Metropolitan Area was \$591.8 million, contributing around five per cent of NSW's total agricultural production by value. More than one-third of the total value of the State's vegetables is produced in the Sydney Metropolitan Area in market gardens. Sydney's agricultural sector provides local jobs and reduces the transport costs of moving produce to markets.*

*The Metropolitan Rural Area is also home to many rural towns, villages and communities from Richmond in the north, Picton in the south and the Blue Mountains in the west. The biodiversity, agricultural, mineral and natural environment assets of these communities add to the diversity, uniqueness and prosperity of Sydney. This Plan recognises the value of the diverse mix of activities which define the Metropolitan Rural Area.*

*As Sydney grows, we need to protect high conservation value areas, create a biodiversity network to protect our environment and habitats and manage developments in the Metropolitan Rural Area. A strategic framework will provide certainty about future land use and will help these activities remain viable, while enhancing the unique characteristics of the natural environment."*

An extract from A Plan for Growing Sydney addressing the Priorities for the South West Priority Growth Area is provided as Annexure 1.

## 5.2 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

This SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the North West and South West Growth Centres of the Sydney Region. The following provides the aims of the SEPP:

- To enable the Minister from time to time to designate land in those growth centres as ready for release for development;
- To provide for comprehensive planning for those growth centres;
- To enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity;
- To provide controls for the sustainability of land in those growth centres that has conservation value;



- To provide for the orderly and economic provision of infrastructure in and to those growth centres;
- To provide development controls in order to protect the health of the waterways in those growth centres;
- To protect and enhance land with natural and cultural heritage value; and
- To provide land use and development controls that will contribute to the conservation of biodiversity.

### 5.3 State Environmental Planning Policy (Rural Lands) 2008

The SEPP (Rural Lands) 2008 applies to the majority of the State with the exception of most Metropolitan councils, including Camden. Whilst the SEPP does not apply to Camden, it applies planning controls to other parts of NSW that aim to facilitate the orderly and economic use and development of rural lands for rural and related purposes, and to implement measures designed to reduce land use conflicts. The SEPP also contains rural planning principles and rural subdivision principles which provide relevant guidance on the sound management and protection of rural land.

#### 5.3.1 Rural Planning Principles

Part 2 of the Rural Lands SEPP (2008) establishes the "Rural Planning Principles" which are:

- a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General."*

The recommendations in this Rural Lands Study are consistent with the Rural Lands SEPP (2008) Rural Planning Principles.





### 5.3.2 Rural Subdivision Principles

Part 3 of the *Rural Lands SEPP* establishes the *Rural Subdivision Principles*. These principles and their relevance to the Camden Rural Land Study are as follows:

*“(a) the minimisation of rural land fragmentation”*

The recommendations in this Study (including minimum lot sizes) recognise the predominant highest and best use, and potential land use to minimise the risk of fragmentation of the agricultural base.

*“(b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses”*

The recommended minimum lot sizes in this Study are sufficiently large enough to minimise the potential for speculative development that might conflict with rural land use.

*“(c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands”*

The recommended minimum lot sizes in this Study have been based on an analysis of existing agricultural holdings in the LGA.

*“(d) the consideration of the natural and physical constraints and opportunities of land”*

The recommendations in this Study have recognised that natural and physical constraints and opportunities of the land including native vegetation, flooding, bushfire risk and land capability.

*“(e) ensuring that planning for dwelling opportunities takes account of those constraints”*

The Rural Lands SEPP provides for a subdivision of any size for the purpose of primary production where no dwellings are located or proposed. This provision has been replicated in Camden LEP as discussed in Section 10.0.

The Rural Lands SEPP does not require Council to review or change their current minimum lot sizes, but does provide voluntary options to review them. This Study has assessed land uses in the Camden LGA and reviewed minimum lot sizes as discussed in Section 10.0.





## 5.4 Section 117 Directions

A range of local Planning Directions are required to be followed by Councils when preparing planning proposals for new LEPs.

The directions cover the following broad categories:

- Employment and resources;
- Environment and heritage;
- Housing, infrastructure and urban development;
- Hazard and risk;
- Regional planning; and
- Local plan making.

Relevant Section 117 Directions for the Camden Rural Lands Study are:

### Direction 1.2 Rural Zones

The objective of this Direction is to protect the agricultural production value of rural land.

The Direction requires that a draft LEP shall:

- "a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.*
- b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village)."*

### Direction 1.2 Rural Lands

The objective of this Direction is to:

- "a) protect the agricultural production value of rural land,*
- b) facilitate the orderly and economic development of rural lands for rural and related purposes.*

This Study will inform a broader Strategy that will be used to assess future planning proposals and Draft LEPs that affect rural land.







## 5.5 Camden Local Environmental Plan 2010

The *Camden Local Environmental Plan 2010* contains local planning controls for land in Camden, located outside of released growth areas. The aims of the plan are as follows:

- "a) to ensure Camden retains its valued traditional qualities, character and scenic landscapes while providing for sustainable urban growth,*
- b) to ensure that new communities are planned and developed in an orderly, integrated and sustainable manner and contribute to the social, environmental and economic sustainability of Camden,*
- c) to ensure natural assets within Camden are protected and enhanced,*
- d) to minimise the impact on existing and future communities of natural hazards such as bush fires and flooding,*
- e) to ensure that appropriate housing opportunities are provided for all existing and future residents of Camden at all stages of their lives,*
- f) to ensure that the economic, employment and educational needs of all existing and future residents of Camden are appropriately planned for,*
- g) to ensure the agricultural production potential of rural land, and prevent the fragmentation of agricultural holdings,*
- h) to ensure that the recreation, cultural and social needs of all existing and future residents of Camden are appropriately planned for,*
- i) to protect and restore the environmental values of land, including waterways and riparian land, as part of the natural systems,*
- J) to conserve and enhance the built and landscape heritage of Camden."*

*Camden LEP 2010* includes three rural zones, RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots. The LEP objectives and land use tables for each are included in Annexure 2. Clause 4.2 Rural Subdivision and Clause 4.2A Erection of Dwelling Houses on Land in Certain Rural and Environmental Protection Zones is also included in Annexure 2.

The suitability of the existing rural zone system and associated planning controls such as minimum lot size and land use permissibility are further discussed in Section 10.0 of this Study.

The *Camden LEP, 2010* minimum lot size maps identify the following minimum lot size areas apply in each zone:

- RU1 Primary Production = 40ha
- RU2 Rural Landscape = 40ha; and
- RU4 Primary Production Small Lots = 2ha.





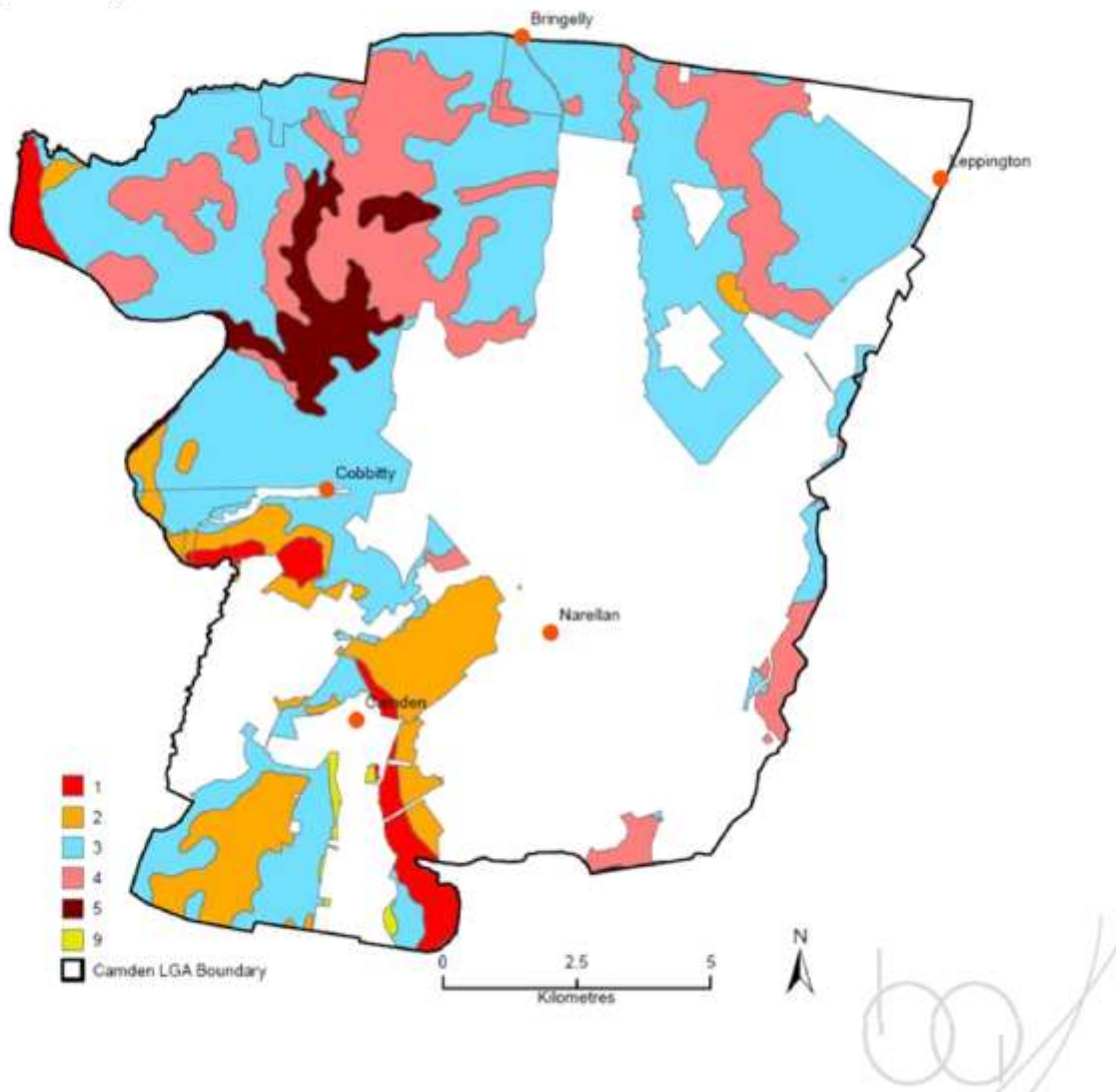
### 6.0 RURAL LAND ANALYSIS

The biophysical features of the Camden LGA including climate, topography and landform, geology and soils were identified in the *Camden Rural Lands Study, 2000*.

### 6.1 Agricultural Land Classification

The Camden Rural Lands Study, 2000 includes details of agricultural land classification using the methodology described by *Hulme et al, 2002*. This system ranks land on a scale of 1 to 5 with 1 being the most productive and 5 being the least productive. Map 6 shows agricultural land classification for all rural zones and University of Sydney land in the Camden LGA:

Map 6: Agricultural Land Classification



Camden Council – Rural Lands Study



A summary of the agricultural land class areas in Map 6 ranked 1 to 5 and a brief description is provided in Table 4.

**Table 4: Agricultural Land Classification Summary**

Class	Area (ha)	Proportion	Description
1	438	4%	Arable land suitable for intensive cultivation (horticulture)
2	1,229	11%	Arable land suited for regular cultivation
3	6,304	58%	Grazing land suited to occasional cropping
4	2,381	22%	Grazing land unsuited to cropping
5	561	5%	Light grazing land
	<b>10,913</b>		<b>Total</b>

Also Included in Map 6 is 42ha of Class 9 which is urban land on the fringes of Camden township.

Map 6 and Table 4 indicate:

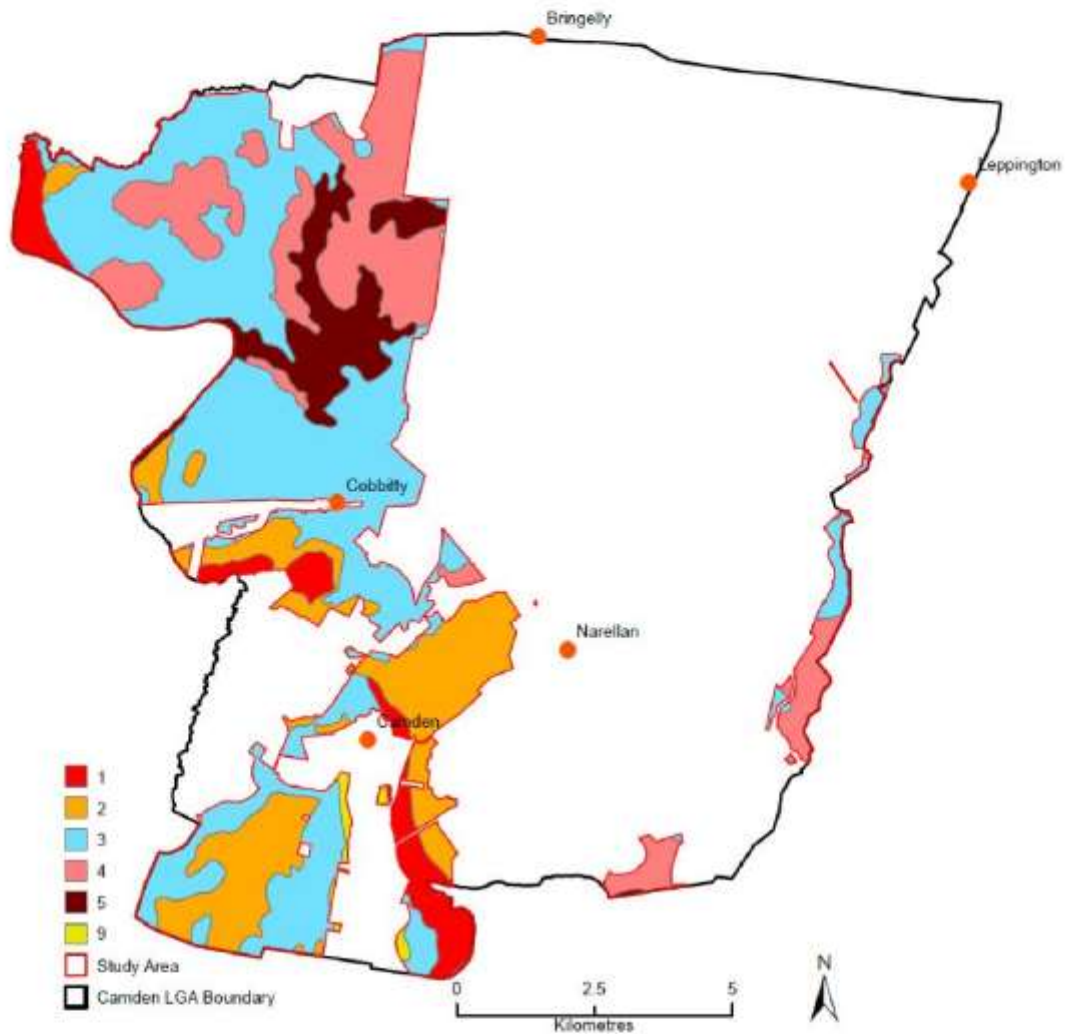
- Only 15% of the rural land in the Camden LGA is the highly productive Class 1 and Class 2;
- The majority of the Class 1 and Class 2 land is located on the Nepean floodplain and surrounds;
- The majority (80%) of the rural land in Camden LGA is Class 3 and Class 4 which is good grazing and occasional cropping land; and
- The majority of the Class 4 and all Class 5 land are associated with the hills north of Cobbitty, a strip running through Leppington and the south-east portion of RU2 land. Whilst these land types are less productive in an agricultural sense they provide significant scenic amenity.





The resumption of rural land for the South West Priority Growth Area has seen the loss of significant rural land in the northeast corner of the LGA. Agricultural land classification for the study area only is provided in Map 7.

Map 7: Agricultural Land Classification in Study Area



The resumption of land for the South West Priority Growth Area has resulted in a reduction in rural land of some 3,964ha with a small area of Class 2 land lost, the majority of area lost being Class 3 and Class 4 land.





The following are key considerations when considering agricultural land classification and potential suitability:

- Class 1 land is high quality land suited to horticulture. This land is only found along the Nepean floodplain and hence flooding risk is a significant constraint to non-agricultural development;
- Class 2 land is quality land that is suited for cropping and also capable of supporting horticultural enterprises with appropriate management practices. The majority of this land is also located within the Nepean River floodplain and development is likely to be constrained by flood risk;
- Class 3 land can be continuously cropped with best management farming practices. These lands are not suited to horticulture and can support productive grazing systems;
- Class 4 land is largely too constrained to support cropping for reasons including soil fragility and slope. These soils tend to be confined to the steeper slopes and vegetated areas on the hills in the Camden LGA;
- Class 5 land can be fragile, shallow soils often on steep slopes that are suited to light grazing practices only; and
- Intensive animal production such as poultry sheds could be carried out on any class of land subject to other site constraints and ability to mitigate off-site impacts.

## 6.2 Biophysical Strategic Agricultural Land

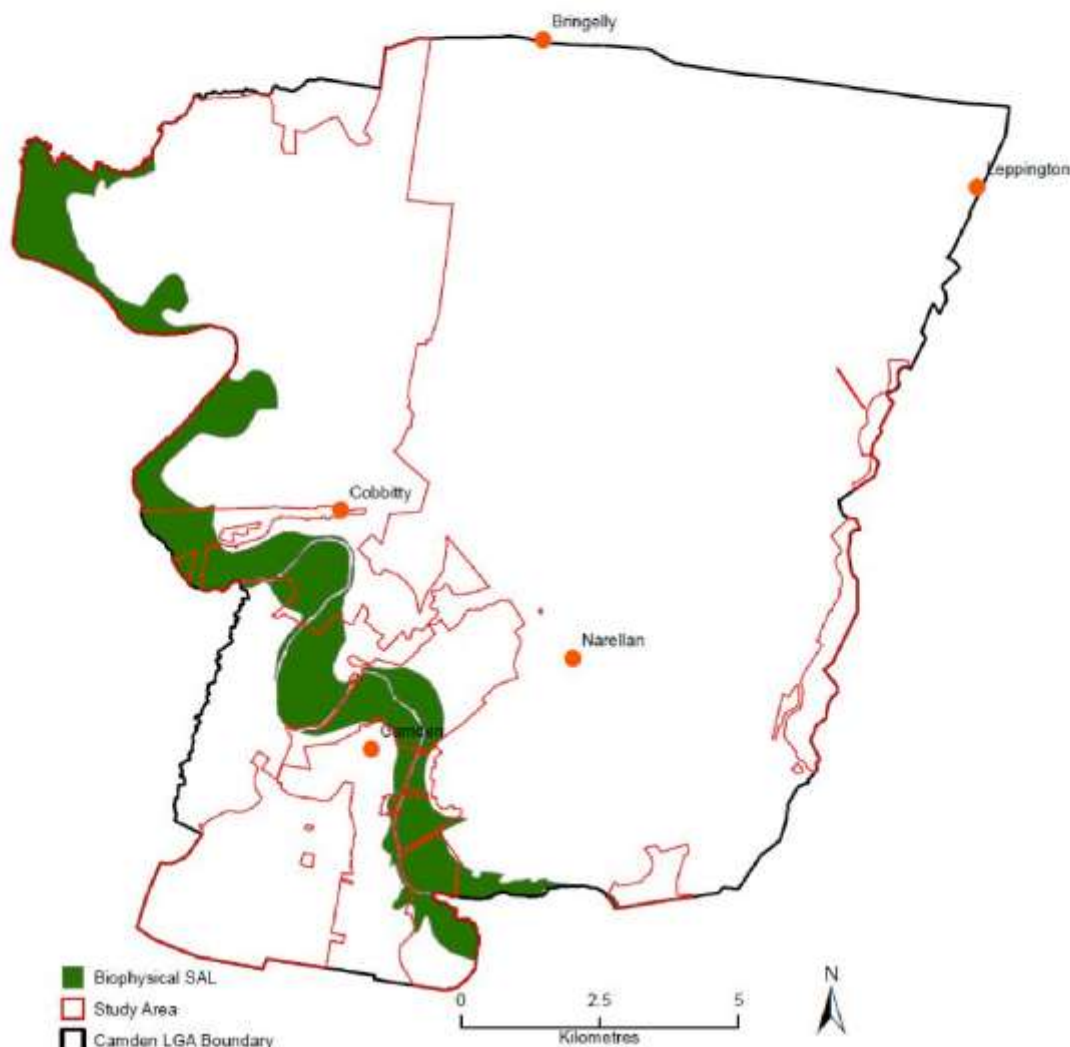
The NSW Government is working through a process of identifying, mapping and protecting valuable agricultural land across the State. This land has been identified as Biophysical Strategic Agricultural Land which has high agricultural value and is based on the inherent qualities of the land. Map 8 depicts the areas identified as Biophysical Strategic Agricultural Land in the Camden LGA.

Land identified as biophysical strategic agricultural land requires a focussed scientific assessment of impacts on agriculture by proposed mining or coal seam gas projects, effectively affording a higher level of protection to such land.





Map 8: Biophysical Strategic Agricultural Land



The land identified as Biophysical Strategic Agricultural Land in the Camden LGA follows along the Nepean River floodplain and comprises 1,679ha of which 1,250ha is contained within the study area. The Biophysical Strategic Agricultural Land is also largely areas that have been identified as Class 1 and Class 2 agricultural land in Map 6.

Biophysical strategic agricultural land is the most productive agricultural land in the Camden LGA and should be protected for agricultural use by retaining the existing minimum lot size. Constraints of this land include flood risk (refer to Section 6.5). 75% of the biophysical strategic agricultural land in the Camden LGA is RU1. Retaining the current RU1 minimum lot size will provide sufficient protection for such land. A further-17% of the biophysical strategic agricultural land is zoned SP2 being University of Sydney land.





### 6.3 Land Use

GHD, 2012 summarises an agricultural lands mapping project for the Sydney Basin, including the Camden LGA. The key agricultural land uses in the Camden LGA identified by this Study are:

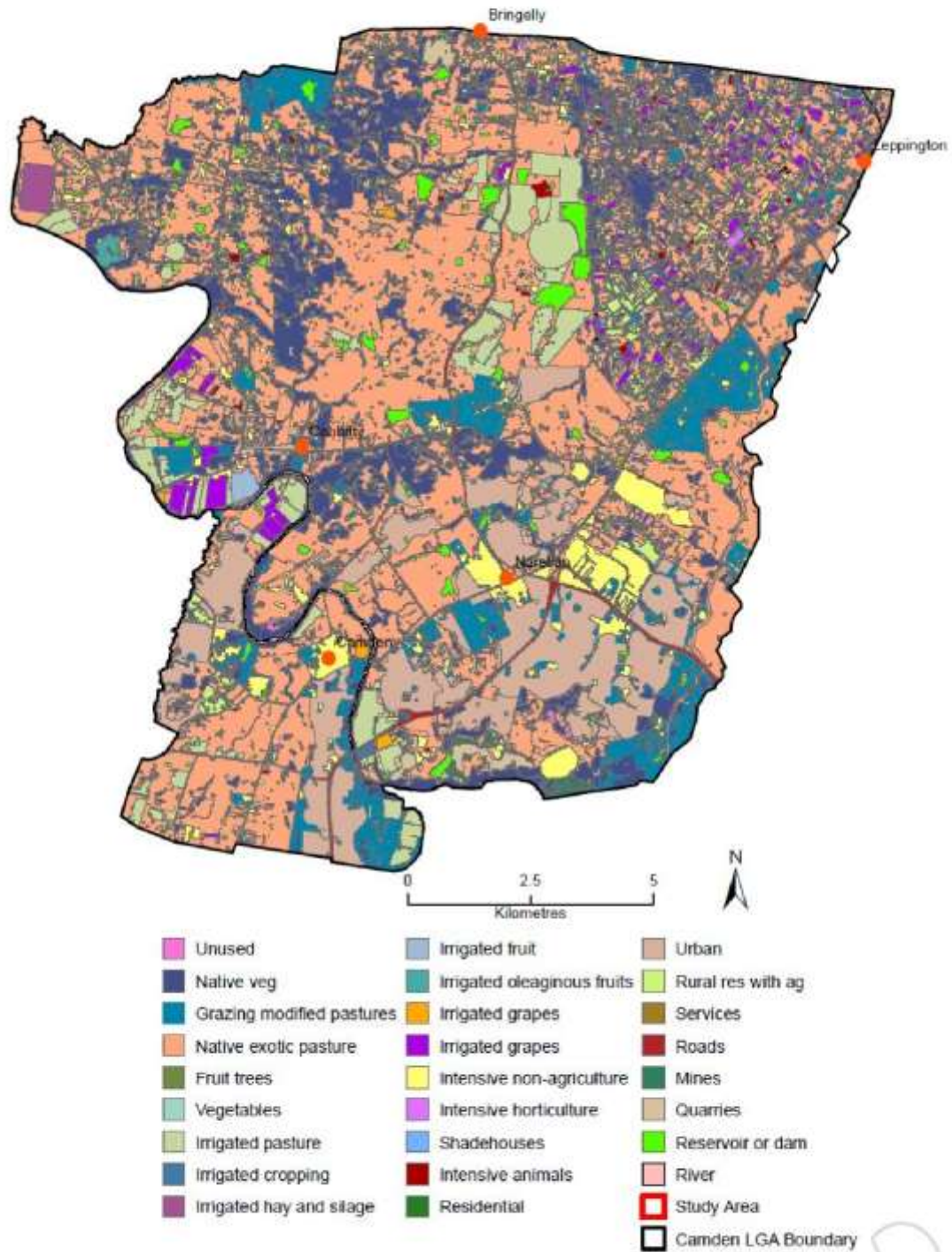
▪ Cropping	65ha
▪ Grazing	7,013ha
▪ Intensive animal production	689ha
▪ Intensive horticulture/nurseries and shade houses	59ha
▪ Irrigated modified pastures (including turf)	856ha
▪ Perennial horticulture	95ha
▪ Seasonal horticulture	374ha
<b>Total</b>	<b>9,151ha</b>





Land use according to GHD 2012 is depicted in Map 9.

Map 9: Agricultural Land Use







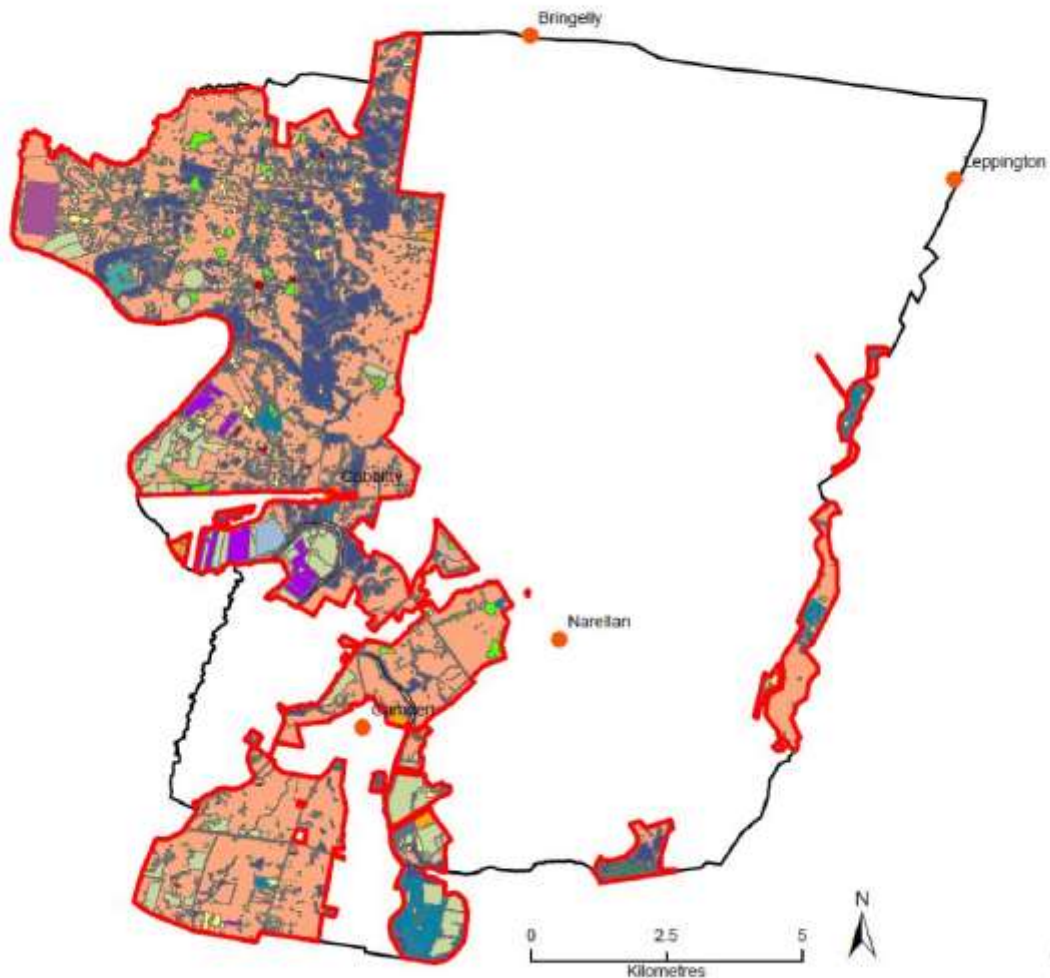
Identified on Map 9 are significant:

- Areas of intensive plant production with the majority of intensive animal production occurring in the Leppington RU4 zone which will be displaced by the South West Priority Growth Area;
- Irrigated pastures in the north central part of a property in the RU1 zone which is currently used for dairy, and also included in the South West Priority Growth Area; and
- Areas of land identified as native vegetation in the hills north of Cobbitty.

*GHD, 2012* identified that the intensive land uses in Camden LGA occupy just over 1,200ha of agricultural land use in the Camden LGA, however the value of production from these areas is highly significant. This is an important issue and is discussed further in Section 6.6.

Map 10 shows land use in the study area only according to *GHD, 2012*. The legend for Map 10 is the same as Map 9.

**Map 10: Agricultural Land Use in the Study Area**



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A summary of land use and relevant areas in Map 10 is provided in Table 5.

**Table 5: Summary of Land Use**

Land Use	Area (ha)
Cropping	65
Grazing	4,318
Horticulture	105
Intensive animals	16
Native vegetation	1,494
Other	536
Perennial horticulture	82
Urban	70
<b>Total</b>	<b>6,686</b>

Other land uses in Table 5 include roads, services, mines, quarries, dams and the Nepean River.

The data in Table 5 indicates:

- The major land use in the study area is grazing – occupying 65%;
- Intensive animals and intensive plant production (horticulture) occupies 203ha or 3% of the study area; and
- Native vegetation covers 22% of the study area and is most likely lightly grazed and constrained by bushfire risk as addressed in Section 6.5.

Key rural land use in the South West Priority Growth Area includes:

- Grazing – 2,057ha;
- Native vegetation – 922ha;
- Horticulture – 257ha; and
- Intensive animals – 41ha.

ABS 2010/11 Agricultural Census Survey data on livestock numbers in the Camden LGA is provided in Table 6.





Table 6: Camden LGA Livestock Numbers

No. land Size of Agriculture Industry	Camden
Beef cattle (no.)	3,872
Dairy cattle (no.)	263
Chickens for eggs (no.)	179,939
Chickens for meat (no.)	774,203
Horses non-stud	72
Horses stud	155
Pigs (no.)	1,572
Sheep lambs (no.)	288
<b>Total Number of Livestock/Farms for these industries</b>	<b>960,364</b>

The data Table 6 indicates:

- Chickens comprise the majority of livestock numbers. The majority of chickens (and pigs) are housed in intensive animal facilities;
- Beef cattle are the second largest enterprise, with grazing the predominant land use. There are significantly more beef cattle than dairy or horses which are the other two key grazing enterprises; and
- Sheep numbers equate to approximately 30 head of cattle and are not significant when compared to all other livestock enterprises.

The key animal industries in the Camden LGA into the future are likely to be:

- Poultry with expansion limited by environmental and relocation constraints;
- Beef cattle, the predominant land use by area and relatively low environmental impact;
- Horses – high value (studs etc) and recreational;
- Existing pig producers may remain as an existing agricultural land use. Environmental constraints and changes to industry standards will limit new developments and challenge existing producers;
- Dairy cattle will most likely rationalise out of the area given land supply constraints and current industry economic circumstances; and
- Sheep and other grazing animals may continue on a limited scale as specific niche enterprises.

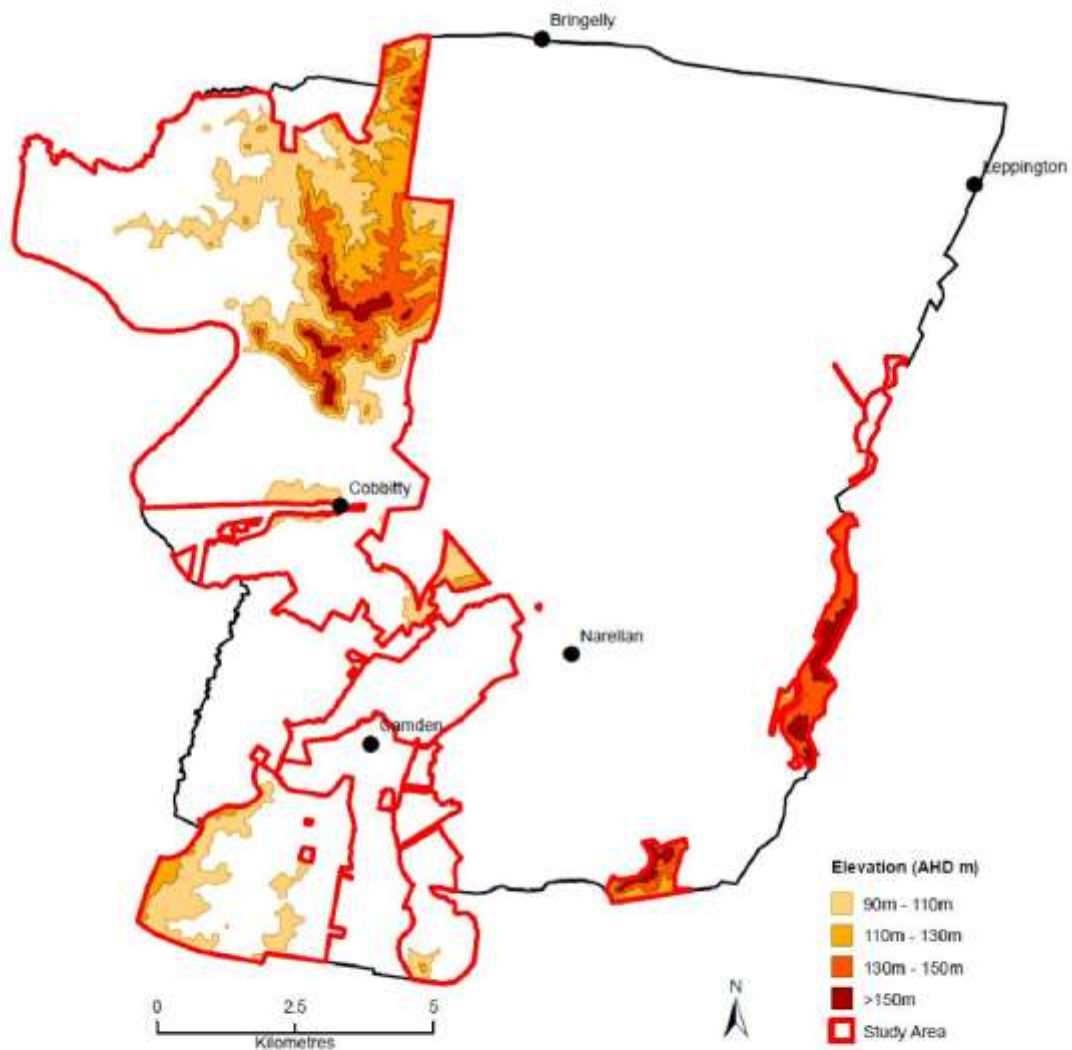




### 6.4 Topography

The topography of Camden is generally undulating with lower areas along the floodplains of the Nepean River on the south and west side of the LGA. There is a series of hills that run north/south along the eastern side of the LGA and some larger hills located due north of Cobbitty. The topography in the LGA is an important part of the region's scenic amenity. Elevation for 90 metres (AHD)<sup>1</sup> and above is provided in Map 11.

Map 11: Elevation above 90 Metres



The elevation in Map 11 is shown for above 90 metres in 20 metre contours. Map 11 shows the highest elevation is located on the south-east side of the LGA and north of Cobbitty.

<sup>1</sup> AHD is Australian height datum which is mean sea level

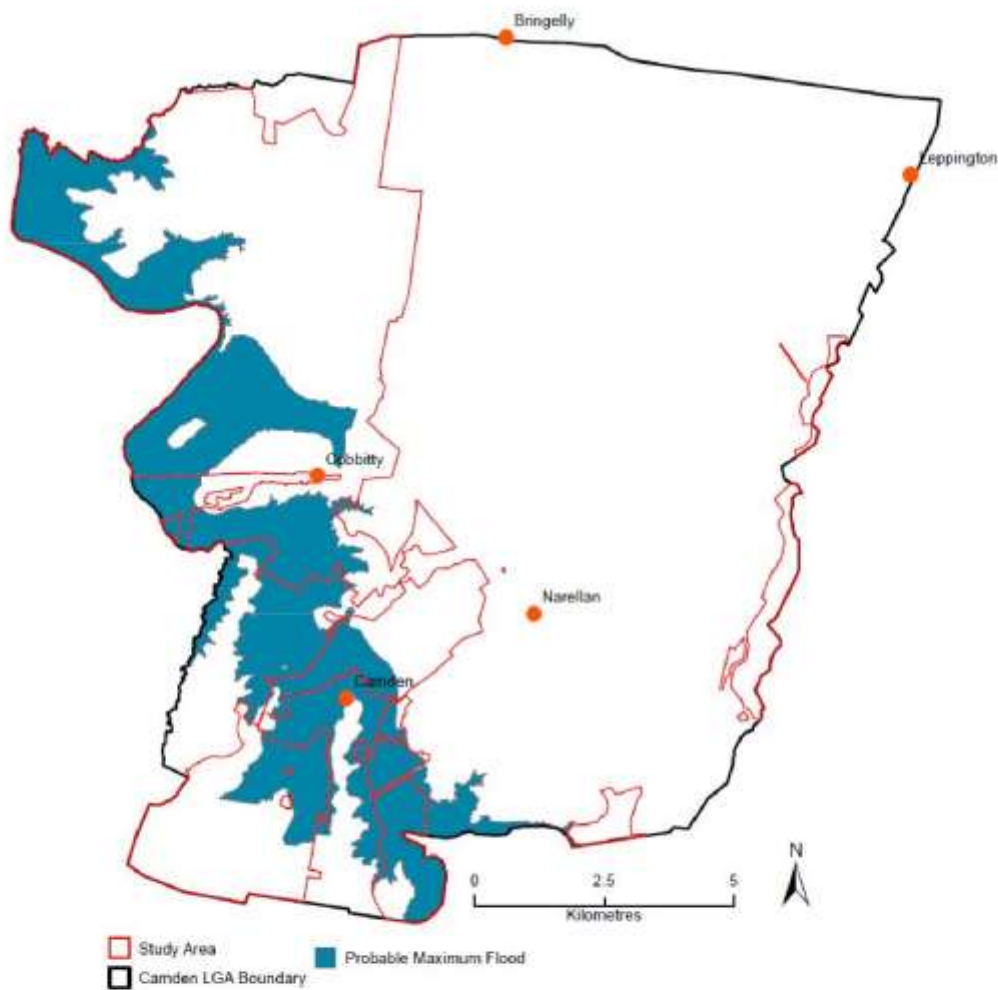


### 6.5 Development Constraints

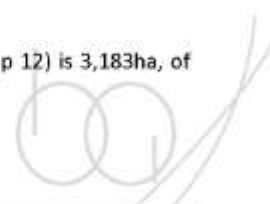
There are a number of key land development constraints that must be recognised when considering current land use, land capability, and development potential. These include flooding, native vegetation and bushfire risk.

The Nepean River which runs north along the western side of the Camden LGA includes a significant floodplain. Map 12 depicts the probable maximum flood extent.

Map 12: Probable Maximum Flood



The area within the probable maximum flood extent in the Camden LGA (as shown in Map 12) is 3,183ha, of which 2,259ha is within the study area.

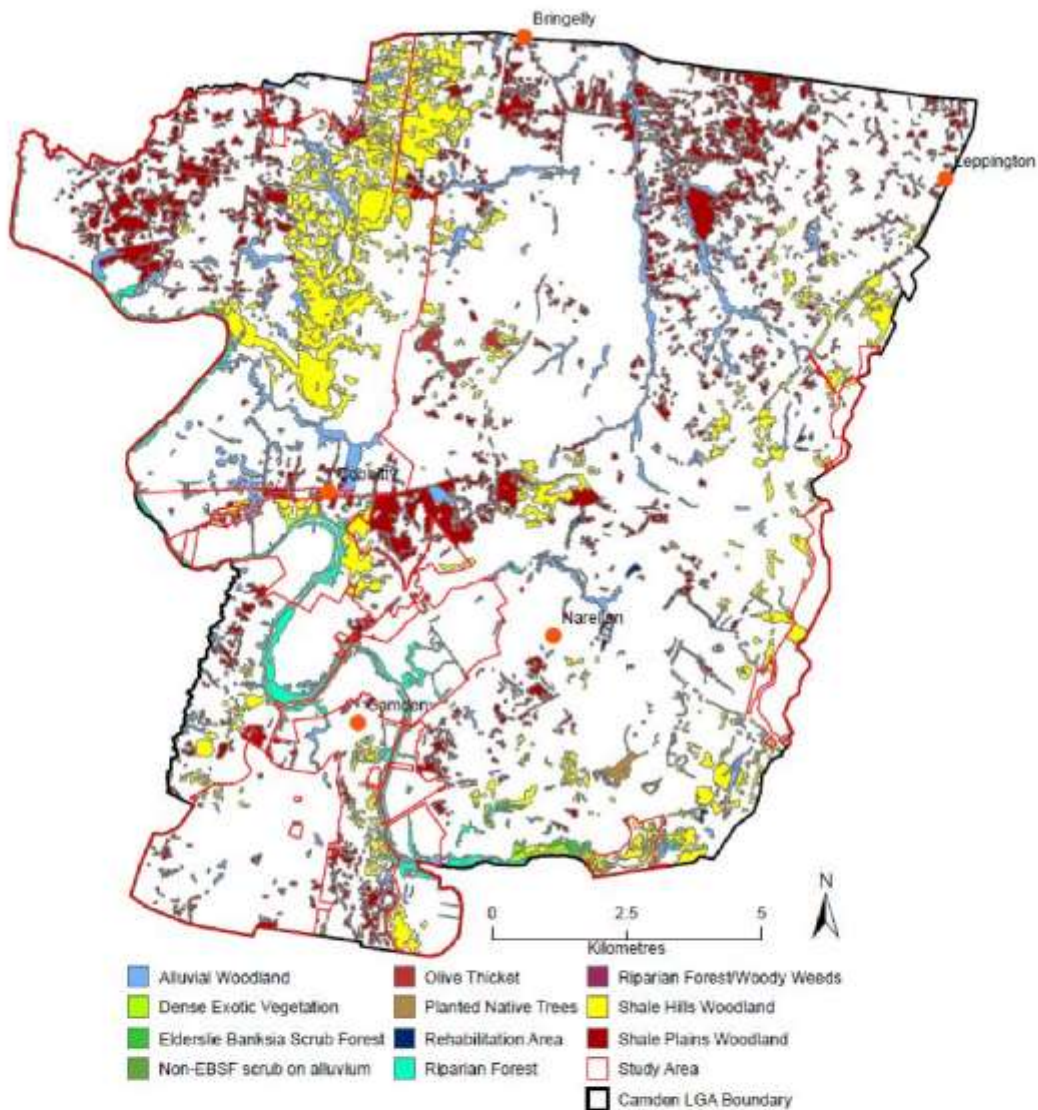




Floodplain soils such as those on the Nepean River in the Camden LGA can be very productive as they tend to be highly fertile. These areas also have access to water which can be used for irrigation. The risk and impact of flooding however, is significant and can be a disincentive to development including intensive horticulture and intensive animal production.

As with many rural LGAs native vegetation tends to dominant the landscape. This includes the elevated slopes and hills north of Cobbitty. Map 13 shows the extent of vegetation in the Camden LGA.

Map 13: Vegetation

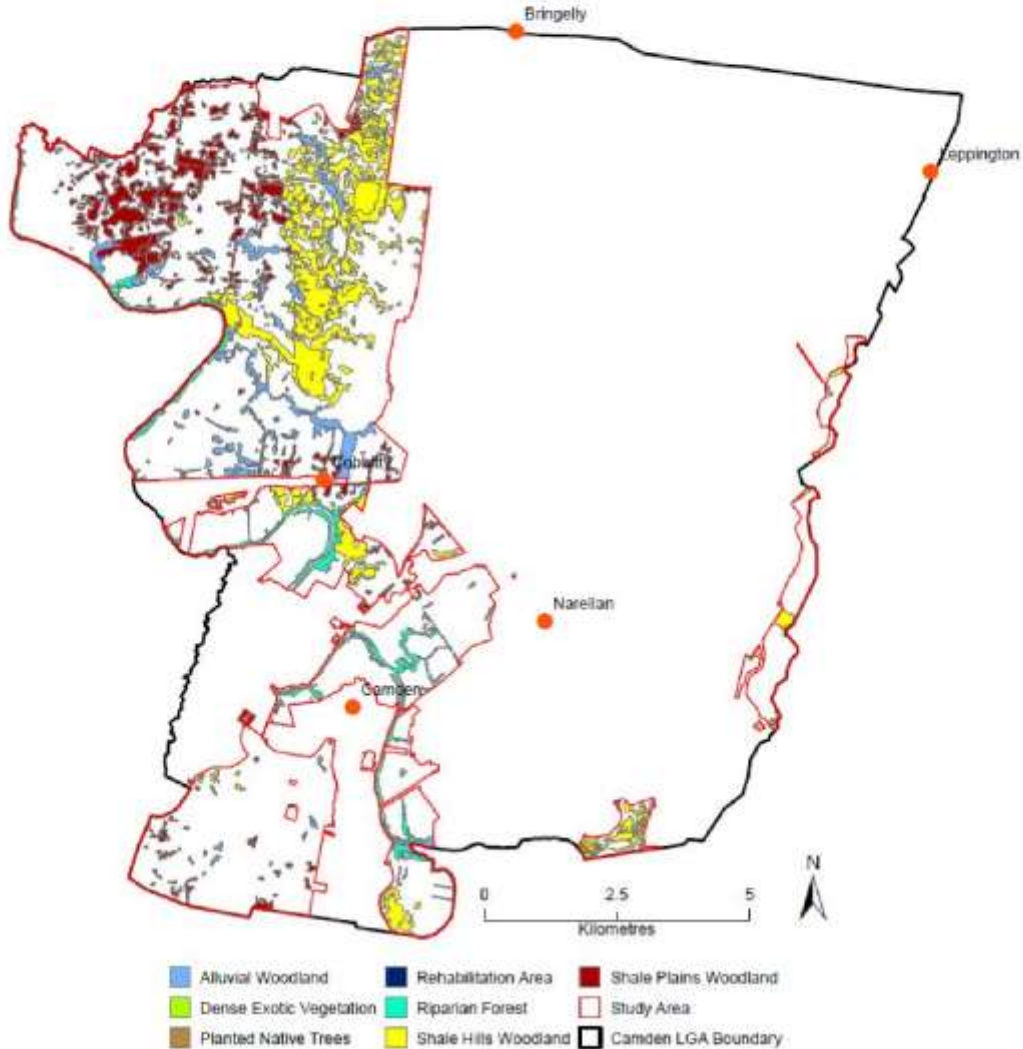


Map 13 identifies the extent of extensive native vegetation across the whole Camden LGA. Map 14 shows vegetation confined to the study area.





Map 14: Vegetation – Study Area



The native vegetation, as shown in Map 14, is mainly confined to the hills north of Cobbitty, being both shale hills and shale plains woodlands. There is with scattered occurrence of other woodland types including alluvial woodlands.

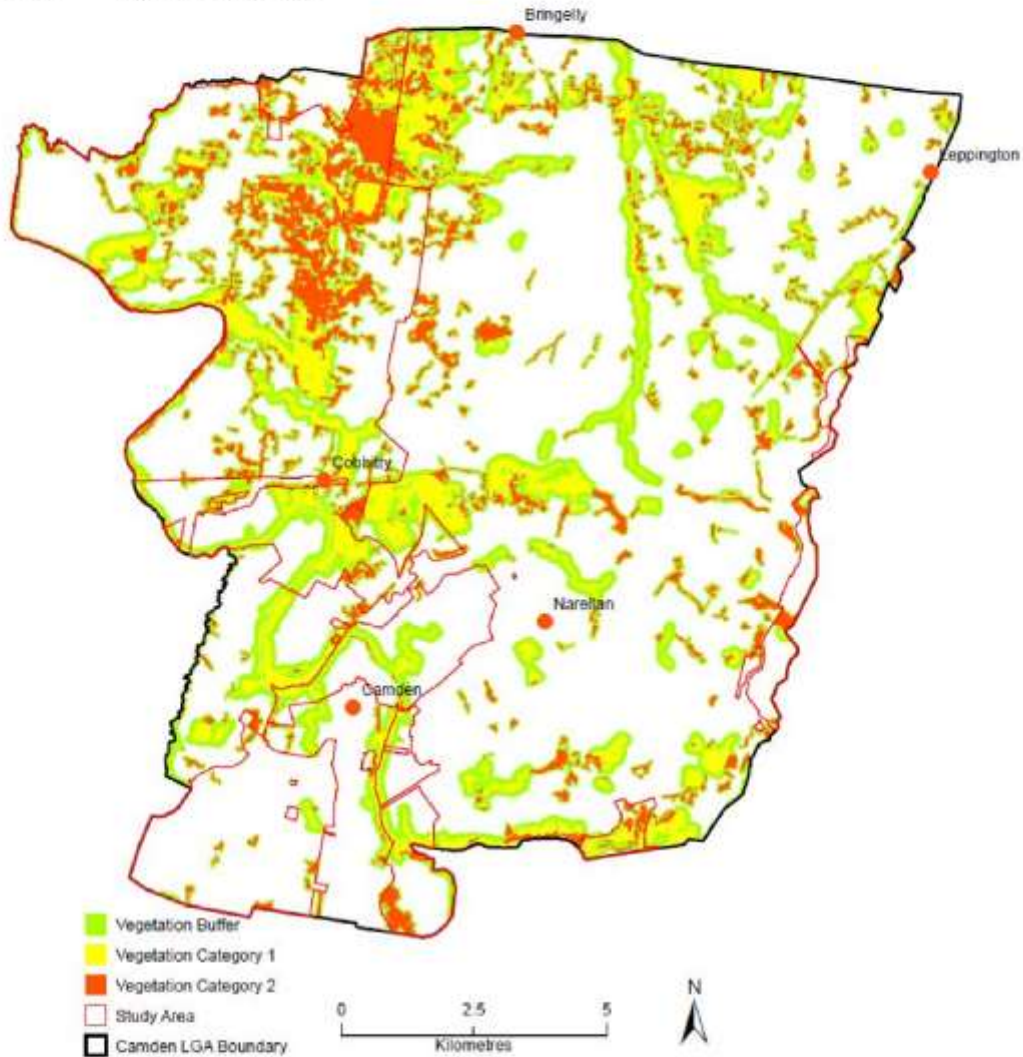
Native vegetation can be a significant constraint to development of agricultural land; however the majority of high quality agricultural land in the Camden LGA has been cleared and developed over many years. Map 7 and Map 14 show a correlation between remnant vegetation and Class 4 and Class 5 land. While native vegetation is unlikely to be a constraint on the more productive land in the Camden LGA it represents a constraint to the development of intensive animal production facilities on Class 4 and Class 5 land.





Bushfire prone land is a considerable constraint to development. Map 15 shows the extent of bushfire prone land in the Camden LGA.

Map 15: Bushfire Prone Land



Map 15 shows bushfire prone areas are spread across the full extent of the LGA and relate to remnant vegetation shown in Map 13.

The key bushfire prone areas in the study area are located along the Nepean River floodplain and in the hills north of Cobbitty. These areas coincide with the remnant vegetation shown in Map 14 and Class 4 and Class 5 land shown in Map 7. As bushfire prone land tends to be confined to the less productive agricultural land it is not expected bushfire prone land will be a major constraint to agricultural production. However, bushfire prone land may be a constraint to intensive animal production development.





The constraints of flooding, bushfire prone land and remnant native vegetation in the Camden LGA depicted in Map 14 is significant constraints to future agricultural development within the study area.

The capital investment in intensive forms of agriculture, such as intensive animals or horticulture is significant, and proponents are unlikely to locate new developments in areas that have significant constraints such as flooding or significant bushfire risk. These constraints limit potential for future development, including intensive industry relocation into the Camden LGA.

## 6.6 Value of Agricultural Production

According to *.id, 2014* and the 2010/11 ABS, Agricultural Census, 338 people were employed in agriculture in the Camden LGA in 2010/11, and the value of agricultural production in the Camden LGA in 2010/11 was \$46.3M. This is a significant figure hence agriculture in the Camden LGA warrants protection.

A summary of the key industries value of production from the *.id 2014* is provided as follows:

▪ Nurseries, cut flowers and cultivated turf	\$7.8M
▪ Vegetables	10.3M
▪ Eggs	3.9M
▪ Poultry	18.6M
▪ Cattle	1.3M
▪ Other	1.6M
<b>Total</b>	<b>\$43.5M</b>

The Camden LGA value of agricultural production figures above indicate:

- Poultry (including meat and egg production) equates to 52% of the total value of production. The poultry industry has issues with land use conflict from time-to-time as residents have issues with odour, dust and noise, particularly vehicle movements and operations outside of normal operating hours. Notwithstanding these issues the poultry industry to the Camden LGA is significant and this industry warrants protection;
- Nurseries, cut flowers, cultivated turf and vegetables equates to 42% of the total value of production; and
- Intensive plant and intensive animal production in the Camden LGA comprises 94% of the total value of production. These intensive industries occupy only a relatively small portion of land in the LGA 3%.

It is not known what proportion of the total value of agricultural production arises from land outside of the study area, being part of the South West Priority Growth Area. Notwithstanding there is potential for intensive industries displaced by the South West Priority Growth Area to relocate to other areas with productive soils or lower levels of existing development within the LGA.



According to the NSW Department of Primary Industries there is a poultry expansion development proposed in the Cut Hill Road area of the Camden LGA with a projected investment of \$16M. This will triple the size of the existing operation and such a level of investment is a vote of confidence in the future of the poultry industry in the Camden LGA. However, the development has significant challenges in managing environmental impacts including noise, odour and dust. The only road access to Cut Hill Road is through Cobbitty. This may present a constraint for intensive poultry development which relies on a significant amount of vehicle movements after normal operating hours. The approval of this application and development of this business would suggest there is potential for other poultry farms displaced from the South West Priority Growth Area to relocate in the Camden LGA.

### 6.7 Landholding Analysis

To identify the spatial distribution of landholdings in the study zone, Council's cadastral database was used to create a landholding map within the study area – this is identified as Map 16.

Map 16: Landholdings



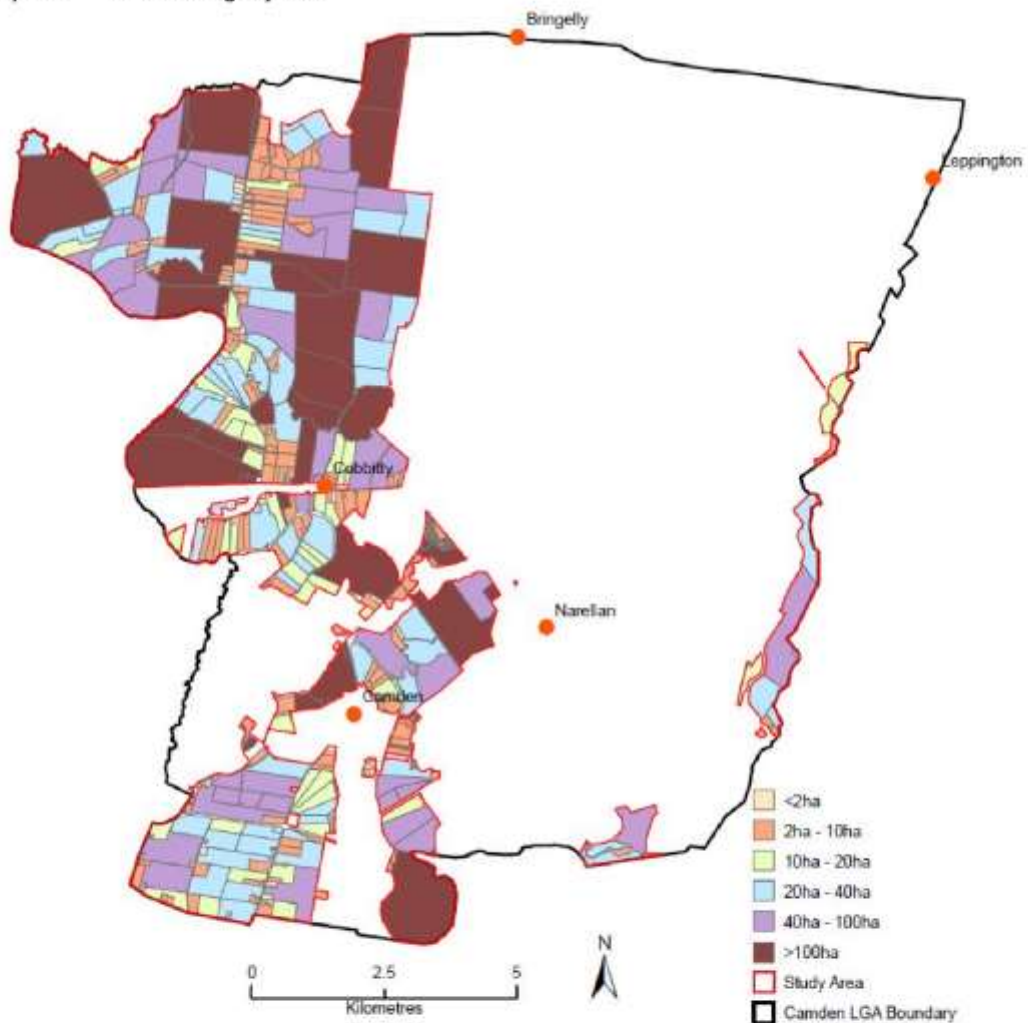
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Each landholding in Map 16 is depicted as a different colour. The data in Map 16 indicates holding sizes vary across the LGA. Limitations of the landholdings analysis arise as the analysis is based on ownership and portions of land held in separate names can be operated by one entity. Farms also tend to ignore LGA boundaries, so it is likely some landholdings are spread across more than just the Camden LGA. Notwithstanding these limitations, the landholdings analysis provides a useful overview of land ownership pattern in the study area.

To further assess landownership patterns in the Camden LGA, landholding by size was sorted and is depicted in Map 17.

Map 17: Landholdings by Size



The data in Map 17 shows larger holdings spread across the LGA, with smaller holdings concentrated around Camden, Cobbitty, Cut Hill Road and Coates Park Road (both north of Cobbitty).





A summary of the data in Map 17 is provided in Table 7.

**Table 7: Landholding Analysis**

Holding Size	No.	Proportion	Area (ha)	Proportion
<2ha	149	36%	76	1%
2 – 10ha	138	33%	669	10%
10 – 20ha	40	10%	584	9%
20 – 40ha	45	11%	1,312	20%
40 – 100ha	30	7%	1,574	24%
>100ha	14	3%	2,338	36%
<b>Total</b>	<b>416</b>		<b>6,551</b>	

The data in Table 7 indicates 80% of the study area is in holdings of 20ha or larger held by 89 landowners, which is 20% of all landholdings. Conversely 80% of landholdings are less than 20ha and comprise 20% of the study area.

The smaller landholdings located on Class 1 or Class 2 land south-west of Camden and south-west of Cobbitty would have potential for intensive plant agriculture. These areas are most likely not suited to intensive animal agriculture, such as poultry due to flood risk and smaller land parcels providing insufficient space for separation buffers. There is potential for poultry enterprise growth and/or development on larger lots in the RU1 zone of the Camden LGA in particular north of Cobbitty. The data in Table 7 indicates there are 44 landholders with lots greater than 40ha and 14 landholders with landholdings greater than 100ha which may be suited to intensive animal production as the larger holdings provide more options for separation buffers.





## 7.0 MAJOR INFRASTRUCTURE DEVELOPMENTS

### 7.1 Western Sydney Airport

The Australian Government has announced that Badgerys Creek will be the site for a Western Sydney Airport. The Government is committed to the Western Sydney region, where a new airport would be a major generator of economic activity—providing employment opportunities closer to where people in Western Sydney live. The site was officially designated by the Federal Government on 15 April 2014, after decades of debate on location of the airport.

The site of the proposed airport is 44km west of the Sydney CBD and 41km west of the Kingsford Smith Airport. The site is within the City of Liverpool Local Government Area and consists of approximately 1,700ha of Commonwealth land that was acquired between 1986 and 1991. The site of the proposed airport is an area of undulating low lying hills with several small watercourses and lakes. The area is primarily farmland and large acreage allotments.

Map 18 shows the location of Badgerys Creek in relation to Sydney, the growth centres and major transport infrastructure.

Map 18: Badgerys Creek and Growth Centre Locations





The Federal Government claims the initial construction phase is expected to generate around 4,000 jobs, the airport development is expected to create 35,000 jobs by 2035, increasing to 60,000 jobs over time.

With the designation of the site as the location of Sydney's Second Airport, announcements were made on new and upgraded transport links to the airport and surrounding areas of western Sydney, these included:

- A new east-west motorway to the airport, along the current alignment of Elizabeth Drive between the M7 Westlink Motorway and The Northern Road;
- Upgrading of the Northern Road (A9) to a minimum of four lanes from Narellan to the M4 Western Motorway; and
- Upgrading of Bringelly Road to a minimum of four lanes between The Northern Road and Camden Valley Way.

The construction and operation activities of the proposed Western Sydney Airport will result in changes to the social amenity and lifestyle of communities both in the vicinity of the airport site, and in Western Sydney more broadly. The rural character of the area would change with the development of the airport, and nearby properties would be impacted by noise and air pollution.

It is highly likely that the Camden LGA will experience positive economic flow on effects from the development of Sydney's second airport, in terms of job growth and business development.

There are a number of agricultural opportunities that may result from the development of the second airport. This includes closer proximity to domestic and international markets using air freight that could support and grow certain agricultural sectors such as fresh cut flowers. However there would also be increased pressures on existing rural lands, as this major infrastructure requires the development of access and other transport options in Western Sydney.



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## 7.2 South West Rail Link

The South West Rail Link (SWRL) project incorporated a major upgrade of Glenfield Station and bus/rail interchange and a new twin track passenger rail line from Glenfield to Leppington via Edmondson Park. Construction of the SWRL was completed in 2014, and includes:

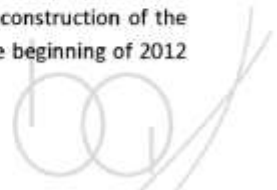
- New 11.4-kilometre rail line from Glenfield to Leppington;
- Two new stations located at Edmondson Park and Leppington, including commuter car parking;
- Train stabling facility at Rossmore;
- Upgrade of the existing Glenfield Station and bus/rail interchange, including new commuter car parking; and
- Construction of Glenfield North and Glenfield South rail flyovers.



The SWRL will:

- Provide essential infrastructure for the predicted future increases in population in Sydney's south-west, including the South West Growth Centre;
- Improve access to public transport for the people of south-west Sydney, providing a link to major employment centres including Liverpool, Parramatta and the Sydney CBD;
- Allow increased and more reliable train services;
- Provide increased commuter car parking spaces; and
- Provide modern, safe and accessible stations and interchange facilities for rail commuters.

The SWRL was opened to the public on 8 February 2015. The new Glenfield Transport Interchange and Glenfield Station were opened to the community on Sunday, 23 September, 2012. Major construction of the Glenfield to Leppington rail line component of the South West Rail Link commenced at the beginning of 2012 and is now operational.



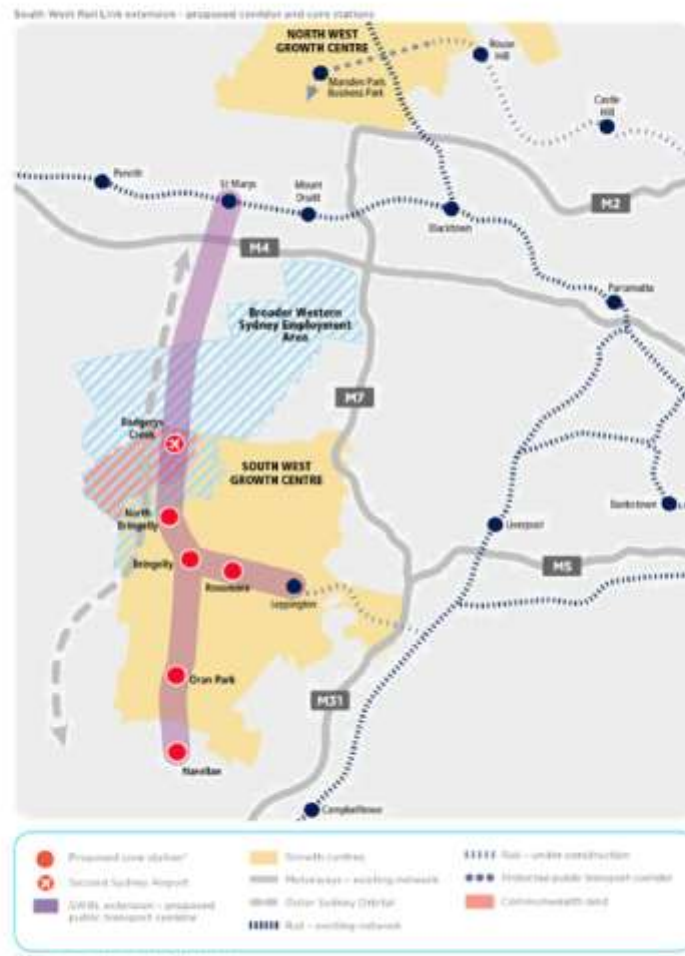


The SWRL does not directly impact upon rural land within the study area as it terminates within the South West Priority Growth Area. Nonetheless the SWRL will assist to facilitate urban growth and will result in further pressure on existing rural land for urban purposes.

**South West Rail Link Extension Corridor**

The South West Rail link will support the development of the South West Priority Growth Area by preserving an additional public transport corridor in Sydney's South West. The extension corridor is proposed to connect Leppington Station to Bringelly and then head in two directions: north to the T1 Western Line near St Marys; and south to Narellan. The Government is also considering whether to extend the corridor further south to the existing T2 South Line. A number of core stations are proposed in the existing and planned centres of Rossmore, Bringelly, North Bringelly, Oran Park and Narellan. A station is also proposed at Badgerys Creek to serve the Western Sydney Airport. The corridor will provide a north-south connection through the South West Priority Growth Area and the Broader Western Sydney Employment Area including the Western Sydney airport at Badgerys Creek. The proposed rail corridor and core stations are shown in Map 19.

**Map 19: SWRL Extension Proposed Corridor and Core Stations**







Transport NSW has identified potential options for the public transport corridor. In 2014 and 2015, community consultation occurred on the location of stations and the study area for the transport corridor. Feedback from the consultation, along with environmental, land use and engineering investigations, has identified a recommended transport corridor for the southern section of the South West Rail Link extension. The SWRL extension does not impact directly upon land within the study area.

Due to the need to service areas of highest population density, the SWRL is unlikely to directly impact upon rural land outside the South West Priority Growth Area. Indirect impacts on rural lands in Camden may occur through the significant population growth that it will support, and possible pressure to further convert rural land for urban purposes to justify the Government's investment in this infrastructure. For this reason Council should ensure that any revision of route corridors does not shift further west and result in overlap of catchment areas with land outside the South West Priority Growth Area.



### 7.3 M9 Orbital

In June 2014, the NSW State Government announced that Sydney will be ringed by a new M9 motorway or an Outer Sydney Orbital running from the Central Coast to the Illawarra via a corridor west of the M7. The motorway is proposed to run from Wollondilly, via Camden and Penrith, and finish in the north-west and The Hills district. Significant investment has been allocated for strategic planning investigations on the motorway, and route investigations are currently in progress.

Transport NSW is investigating possible corridor options for the Outer Sydney Orbital to provide a north-south connection for a future motorway, freight rail and where practical a passenger rail line. The northern section of the South West Rail Link Extension between Bringelly and the T1 Western Line will be undertaken as part of the Outer Sydney Orbital study and consultation process. The corridor preservation will not automatically lead to construction of transport infrastructure, but will identify and preserve an area of land for future transport use.





Transport NSW undertook consultation in August 2015 which is now being reviewed, together with technical investigations in engineering, environmental and land use assessments, in finding a suitable transport corridor location. The location for the M9 Orbital may directly impact upon rural land in the Study Area, with some corridors under consideration understood to traverse the north-west part of the LGA and then reconnect to the existing motorway network south of Camden. Such a corridor would have implications for agricultural productivity and the rural landscape. Intersections are likely to be required for Bringelly Road/Greendale Road in the north of the study area, as well as Camden Valley Way to the south.

The width of the route alignment will be affected by whether the project caters for vehicular, freight and/or passenger rail. Depending on the width and alignment of the final route, the M9 could result in the alienation of approximately 250ha of rural land in the Camden LGA. This represents a further loss of approximately 4% of rural land in the study area in addition to the losses associated with the South West Priority Growth Area.

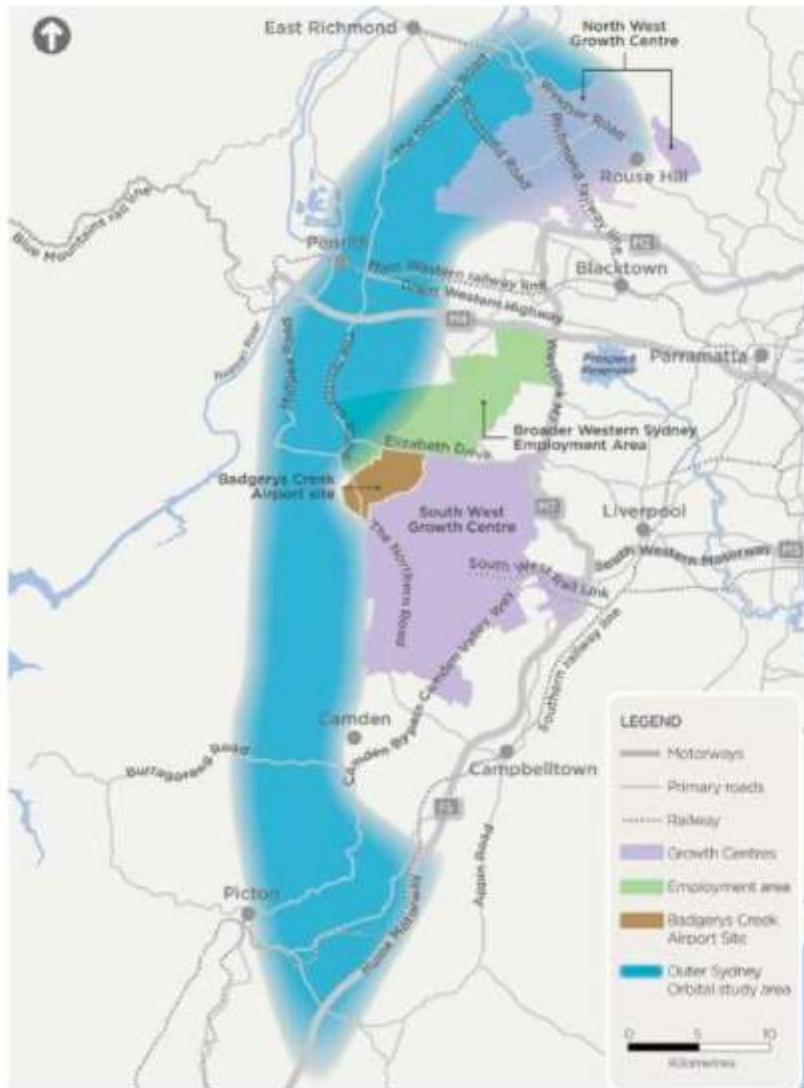
The study area for the M9 covers an 8km to 10km wide strip running north-south through the western portion of the study area. This ambiguity makes identification of specific impacts difficult and Council will need to undertake a detailed review of the corridor study when it is released. Types of impacts that can be expected other than direct loss of agricultural land, include:

- Landscape character impact on traditional agricultural landscape quality;
- Changed perception of visual prominent rural land from increased vantage points offered by elevated motorway;
- Noise impacts on sensitive intensive agricultural receptors and rural amenity;
- Severance impacts on larger holdings, particularly intensive industries which depend on land application of waste material; and
- Increased pressure on Council to support conversion of rural zoned land for urban purposes.

One strategy that may be considered to mitigate impacts of the M9 on rural land would be to promote a corridor which traverses close to the western edge of the South West Priority Growth Area.

This option may be utilised to form a natural boundary to the South West Priority Growth Area with a form of "green belt" created to the west. It should be noted that the history of green belts in Sydney however has not resulted in successful long term protection of those areas identified. Nonetheless in this instance the location of the M9 in conjunction with an RU6 zone may provide additional security to the protection of agricultural land in the study area.





Source: Transport NSW 'Outer Sydney Orbital Study Areas'

### 7.4 Southwest Priority Growth Area

The NSW Government established the North West and South West Priority Growth Areas in 2005 to sustainably plan Sydney's growth on its urban edge. Over the next 25-30 years, the Priority Growth Areas will become new communities for up to 500,000 people with 181,000 homes set amid employment lands, schools, shops, bushland, parks and new or upgraded infrastructure.

The aim of the Priority Growth Areas is to create attractive, sustainable new communities for up to 500,000 people by supplying land linked to key infrastructure, employment areas, parks, health and education facilities, shops, services and public transport. The *Metropolitan Plan for Sydney 2036* identified a need for 770,000 additional homes in Sydney between 2006 and 2036 to accommodate an extra 1.7 million people.



Map 20 shows the location of the North West and South West Growth Centres in relation to Sydney.

Map 20: Growth Centre Locations



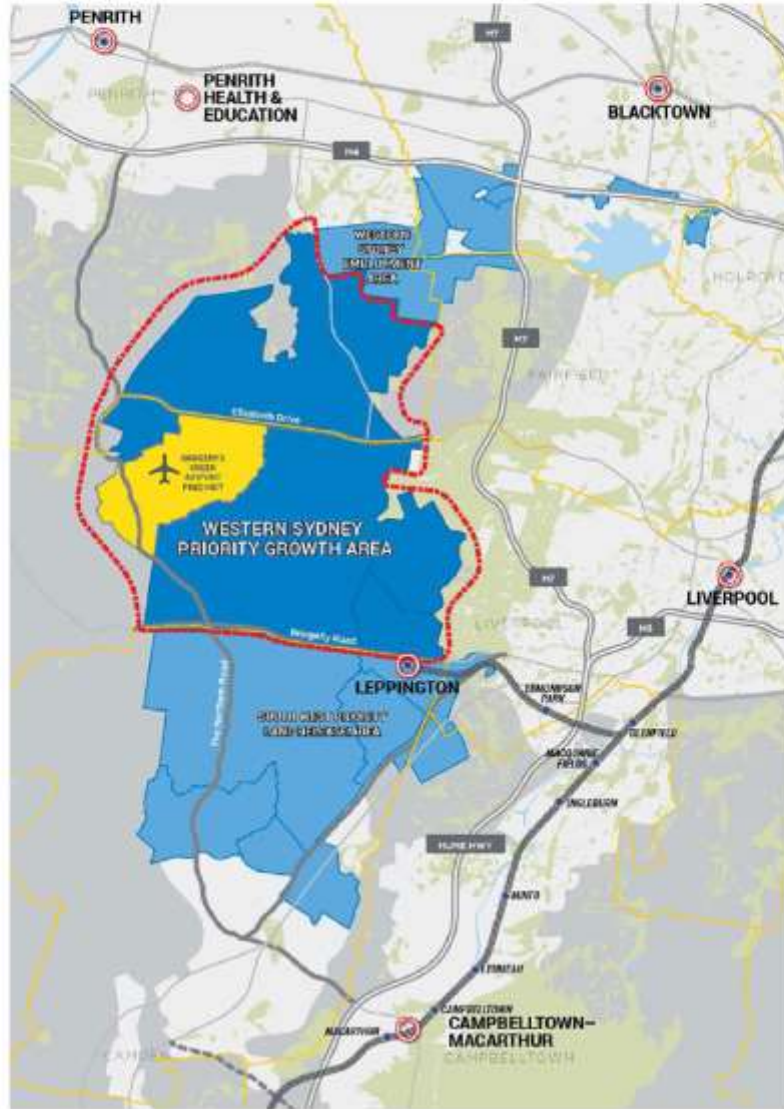
The South West Priority Growth Area is approximately 17,000ha in size and includes parts of the Liverpool, Camden and Campbelltown local government areas. It is divided into 18 Precincts that are being progressively released for planning and rezoned for sustainable urban development. The South West Priority Growth Area will be supported by a Major Centre at Leppington and be serviced by the new South West Rail Link. It will contain approximately 110,000 new dwellings for some 300,000 residents. To date, seven SWGC Precincts – Oran Park, Turner Road, Edmondson Park, Austral, Leppington North, Catherine Field (part) and East Leppington – have been rezoned to allow urban development. Collectively, these Precincts have potential for 42,560 homes to accommodate approximately 130,200 residents and capacity for 22,120 jobs.

Leppington Precinct has recently completed Precinct Planning, and Stage 1 of the Precinct rezoned in a new staged approach to Precinct development.





Map 21: Western Sydney and South West Priority Growth Areas



Many areas in Western Sydney have experienced a significant amount of development and growth over recent years. This is expected to continue, as new areas in Western Sydney are developed, and population density intensifies around regional and town centres.

The population of Western Sydney is expected to grow significantly. By 2030, the population is expected to increase by 29% to 2,734,565 persons (SGS Economics and Planning 2015). Significant new development is required to support this expected population growth. Housing affordability was noted by most stakeholders during consultation for the social impact assessment as a key growing issue for communities in the regional



study area. Two key growth areas in Western Sydney are the North West and South West Priority Growth Areas, which were established by the NSW Government in 2005 to sustainably plan Sydney's growth on its urban edge. It is anticipated that the growth areas, when considered together, will become home to half a million people over the next 25 to 30 years.

The South West Priority Growth Area has substantial implications for placing further pressures on rural lands. The development of new housing estates, new communities living in urban areas will place pressures and have significant impacts on existing rural lands and agricultural operations. This includes land use conflicts between existing rural activities in terms of noise and odour on the urban interface. The development of increased housing on the urban fringe is also likely to have other social impacts as people's expectations to gain access to services, health facilities; community facilities and transport are much higher than those living in current rural communities.

It is recommended Council supports or advocates that the preferred M9 corridor option, minimise impacts on rural zoned land.





## 8.0 LAND USE CONFLICT

Camden LGA is a productive agricultural area, and a large proportion of this activity is associated with intensive agriculture land uses. These intensive land uses occupy a relatively small proportion of land in the LGA, and consist mainly of poultry, pigs, vegetables, nurseries, cut flowers and cultivated turf. The LGA has a long tradition of agricultural pursuits and this has assisted to control land use conflict as residents who work in agriculture are generally more understanding of the impacts associated with this industry. As more urban development occurs and residential populations grow where employment in agriculture is not as high, land use conflict understandably increases.

Rural – urban conflicts typically arise where there is insufficient separation between incompatible land uses, where industrial activity is poorly managed or where new residents do not understand the type of activities prevalent in their new location. Land use conflicts can arise through noise, odour, use of farm chemicals, light, visual amenity, traffic, weed infestation and stock damage. Land use conflict is a serious issue for agricultural operators in the Camden LGA and can result in the displacement of agriculture where restrictions on operating activities become too onerous. This is exacerbated by the rapid transformation of agricultural land for residential development in areas such as the South West Priority Growth Area.

Separation distances between incompatible land uses is one important management technique in minimising land use conflict. Table 8 provides indicative buffer distances from *Learmonth et al, 2007* intended as a guideline only as separation distances depend on a site by site and case by case basis, depending on the nature and scale of the proposed development and local biophysical conditions.

**Table 8: Suggested Land Use Separation Distances**

Rural Activity	Reason for Buffer	Separation Distance / Buffer
Poultry Farms	Odour, dust and noise, particularly vehicle movements and operations outside of normal operating hours	1000m from residential/urban areas 500m from rural dwellings
Piggeries	Odour, dust and noise.	100m from water courses 1000m from residential/urban areas 500m from rural dwellings
Dairies		500m from residential/urban areas 250m from rural dwellings
Other intensive livestock operations		500m from residential/urban areas 300m from rural dwellings
Grazing of stock		50m from a dwelling
Cropping and Horticulture		300m from residential/urban areas 200m from rural dwellings
Mining, Petroleum Production and Extractive Industries		500m from a dwelling 1000m from a dwelling where operations involve blasting.
Turf Farms		300m from a dwelling

Source: Learmonth et al, 2007



The following comments have been provided by Council's Environmental Health officers in relation to land use conflict issues:

- Council receives a number of complaints each year regarding exposure of residents to odour, noise and dust from rural/farming operations, particularly from poultry farms, but also from other activities such as fertilising/manure spreading;
- For the period of August 2013 to August 2016, Council received 28 complaints related to odour from rural activities. Of these complaints, 16 related to odours from poultry farms, and 12 related to odours from manure stockpiles/spreading at market gardens;
- There have been a number of incidents where dogs from residential areas have escaped and harassed/mauled livestock in rural areas; and
- Many incidents are reported to Council each year where livestock escape from their paddocks and cause problems in the surrounding roads. With the increasing population, and the cars that go with it, the risks and potential consequences of livestock on public roads are increasing. Whilst livestock typically don't get onto roads in suburban areas, the number of cars using roads where Council have had "stock on road" incidents.

The closer settlement in the RU4 zone and the aged poultry infrastructure in this zone are most likely contributing to the number of complaints Council receive. Once such industries exit the Growth Centre the number of complaints is expected to decrease.

SLR Consulting Australia Pty Ltd in 2012 prepared a *Preliminary Odour Assessment for the Leppington Precinct*. This report concluded that:

*"the main potential for odour impacts at the site are considered to be the operation of the poultry sheds situated at numerous locations with the Precinct's boundary and to the north-east and south-west of the site."*

Given the incompatibility of intensive poultry enterprises and the planned urban development in the Leppington Precinct, the age of the current poultry operations, and the relatively large area poultry enterprises require compared to urban land use, the future exit of the poultry enterprises in the South West Priority Growth Area is inevitable.

Typical guidelines for separation distances for broiler farms (chicken farms for meat production) for NSW (adapted from *Jiang and Sands 2006*) were stated by SLR Consulting Australia, 2012 to be:

- Urban residential – 500m;
- Property boundary – 30m – 40m;
- Public road – 100m; and
- Dwelling on another property – 150m.







A total of 11 operating and two non-operational poultry enterprises were identified by *SLR Consulting Australia, 2012* in the Leppington Precinct. Actual and minimum separation distances to development to generate no offensive odour impacts were calculated and ranged from:

- Actual separation distance – 375m – 1,240m; and
- Minimum calculated separation distance 1,139m – 1,513m.

A 20% increase in separation distance was applied where poultry enterprises were in close proximity to account for cumulative impacts.

*Docking, 2003* reviewed a series of papers relating to poultry separation distances and provided the following range of separation distances:

- Distance to resident – 150m – 300m;
- Distance from farm boundary to off-farm dwelling – 100m;
- Distance to 10 residential dwellings – 300m; and
- Distance to urban area – 500m.

NSW DPI in 2012 published *Best Practise Management for Meat Chicken Production in NSW Manual 1 is – Site Selection and Development*. This report notes Schedule 3 (Clause 21(4)) of the *Environment Planning and Assessment Regulation* identified the type poultry proposals considered to be designated development. This report sets out an approach to calculating the recommended separation distance subject to shed type and number, receptor type, terrain, vegetation and wind frequency.

The Department of Primary Industries has published a “*Right to Farm Policy*” which states:

*“Addressing land use conflicts that arise from lawful agricultural practises is an issue of shared obligations.”*

The actions outlined in the “*Right to Farm Policy*” are:

- *“Reinforcing rights and responsibilities”*
- *“Establishing a baseline and ongoing monitoring and evaluation of land use conflicts”*
- *“Strengthening land use planning;*
- *“Ensuring ongoing reviews of environmental planning instruments include consideration of options to ensure best land use outcomes and to reduce conflicts”*
- *“Improving education and awareness on management of land use conflict”*
- *“Considering the need for legislative options, should additional Government intervention be required.”*



This document notes Greater Hume Shire has a "Right to Farm Policy" a copy of which is included with this Rural Land Study as Annexure 3.

This policy is simple, practical and states:

*"Council supports the right of persons to carry out legitimate and compliant rural and agricultural uses and practises on rural land."*

As another example *Wollondilly DCP 2016*, Volume 8 provides the following minimum separation distances:

	Intensive Livestock Agriculture (except poultry farms)	Poultry
▪ Dwelling on same property	100m	50m
▪ Any dwelling on a neighbour's property	150m	150m
▪ All residential zones	500m	500m

The *Camden DCP, 2011* addresses intensive plant agriculture separators which are:

- Front boundary – 20m;
- Side and rear boundary – 5m; and
- Water courses – 50m.

The *Camden DCP, 2011* does not address intensive animal agriculture.

*SLR Consulting Australia, 2012*, in reference to the Victorian Environmental Protection Authority (EPA) states:

*"The EPA states that where the appropriate buffer distance is unable to be provided by the emitter, the impact on neighbouring land uses may be reduced by careful site layout. For a substantial residential development, surrounding land uses and zones should be carefully assessed to determine their compatibility with the residential proposal, while also taking into consideration the need to prevent sensitive land uses encroaching on industry as well as industry encroaching on sensitive uses."*

*The EPA document lists a number of industries with their recommended buffer distances and recommends EPA consultation where site specific circumstances indicate a lesser buffer distance may be appropriate (ie where there is no history of complaints arising from residual emissions or where the plant is significantly smaller than that used in the recommendations)."*





Other practical measures to reduce land use conflict issues that can be implemented include vegetation buffers, fencing and appropriate management of farming techniques. However, these measures should only be used in conjunction with other planning policies and development control measures that achieve appropriate separation distance between conflicting land uses in the first instance.

One such approach to reducing land use conflict is the *Land Use Conflict Risk Assessment (LUCRA)* tool developed by the NSW Department of Primary Industries. Its focus is on conflicts affecting existing or proposed agricultural developments and can be used to assess land use conflicts associated with other primary industries. The Land Use Conflict Risk Assessment (LUCRA) model is used to identify land use compatibility and potential conflict between neighbouring land uses and the identification of conflict avoidance or mitigation measures.

According to *NSW DPI, 2011*:

*"LUCRA aims to:*

- *accurately identify and address potential land use conflict issues and risk of occurrence before a new land use proceeds or a dispute arises*
- *objectively assess the effect of a proposed land use on neighbouring land uses*
- *increase the understanding of potential land use conflict to inform and complement development control and buffer requirements, and*
- *highlight or recommend strategies to help minimise the potential for land use conflicts to occur and contribute to the negotiation, proposal, implementation and evaluation of separation strategies."*

and

*"There are four key steps in undertaking a LUCRA. These are:*

1. *gather information about proposed land use change and associated activities;*
2. *evaluate the risk level of each activity;*
3. *identify risk reduction management strategies; and*
4. *record LUCRA results."*

LUCRA is a valuable tool and is increasingly used for land use planning in locations where urban-rural conflicts need to be assessed as part of decision-making processes. It enables systematic, consistent and site-specific conflict assessment approach to land use planning and development assessment.

There are a number of extractive industries occurring in the Camden LGA, including the Boral Quarry at Bringelly and the Camden Gas Project consisting of 144 gas wells (96 in operation) and over 100km of low pressure gas gathering lines in the Camden, Wollondilly and Campbelltown LGAs. The Camden Gas Project will be progressively decommissioned, site rehabilitated, ceasing production by 2023.





There is a large quarry operated by Boral less than 1km west of Bringelly in land zoned RU1. The quarry occupies a site of about 30ha and is located in the South West Priority Growth Area. Quarries provide important resources and employment to the local area, but have the potential for land use conflict particularly in relation to noise and dust.

According to *Learmonth et al 2007*, the principles for resolving land use conflict are:

- Be proactive. Think before acting such as property planning;
- Prevention is better than the cure. Make better and more informed decisions;
- Buffers. Consider for new or encroaching development to minimise the impacts of the development;
- Advice before the event. Seek sound advice before acting;
- Codes of Practice and Best Practice Guides;
- Environmental care. Use land and natural resources within the inherent capabilities and limitations;
- Neighbours. Respect the rights of neighbours;
- Be legal. Aim higher than the minimum set by law;
- Communication. Communicate with neighbours, industry, key agencies;
- Be aware and be informed. In particular with regard to the specific enterprise or situation;
- Responsibility. Reciprocal rights and obligations should apply to any new development including set-backs and buffer distances;
- Prior land use practices have precedence; and
- Positive responsiveness. Be responsive to issues and undertake continual improvement training.

#### Recommendations

- Council to consider preparation of a Right to Farm Policy specific to local agriculture needs, especially intensive agriculture such as poultry farms;
- Council to provide advice to prospective new residents of the LGA on the impacts associated with agricultural land uses through mechanisms such as 149 certificates; and
- Council to incorporate LUCRA in strategic planning for rural land use activity and for major development proposals. Consider requiring developers to prepare LUCRA reports as part of planning proposals or large development proposals with potential for land use conflict.





## 9.0 RURAL INDUSTRY RELOCATION OPPORTUNITIES

The objectives listed in Section 2.1 of this Study include:

*"Identify opportunities for relocation of rural industries displaced by the South West Priority Growth Area."*

There are opportunities for Council to facilitate agricultural enterprise relocation from the South West Priority Growth Area to the remaining rural land in the LGA.

As detailed in Section 2.4 of this Study the South West Priority Growth Area will resume all RU4 land (2,670ha) in the LGA and 1,300ha of RU1 land. Both these areas are located on the north-east side of the LGA as depicted in Map 3. According to the land use data presented in Map 9, the key land uses in the RU1 and RU4 zones located within the South West Priority Growth Area are:

**Table 9: Land Use in the South West Priority Growth Area**

Land Use	RU1 Lost	RU4
Cropping	0	0
Grazing	830	1,227
Native vegetation	317	605
Horticulture	5	197
Perennial horticulture	1	54
Intensive animals	5	36
Other	138	328
Urban	4	223
<b>Total</b>	<b>1,300</b>	<b>2,670</b>

Note: the areas in Table 9 do not equal the total lost areas due to data accuracy discrepancies

The key industries to focus relocation efforts on in the Camden LGA are the intensive land uses including intensive plant and intensive animal agriculture. As detailed in Section 6.6 of this study intensive land use accounted for 94% of the value of agricultural production in 2010/11 in the LGA. According to the data presented in Table 5 (Section 6.3) intensive plant and intensive animal production only occupies 3% of rural land in the Camden LGA.

According to the data in Table 5 and Table 9 the majority of land use in the study area is grazing (including the assumption native vegetation areas are grazed). There is opportunity for high value grazing operations such as horse studs to relocate from within the South West Priority Growth Area to other rural zones in the LGA in the study area. Such relocations will be driven by a range of factors including availability of land and capital, and the business owner's desire to remain within the LGA. Research carried in the preparation of this Study



indicates the availability of rural land in the study area is limited, which in turn will limit relocation opportunities. The availability of capital will be business specific, and may not be a significant constraint if business owners are adequately compensated for being forced out of the South West Priority Growth Area. The business owner's desire to remain within the LGA will be subject to a range of factors such as personal circumstances.

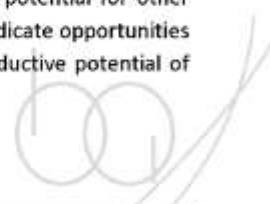
Council cannot easily influence or facilitate agricultural enterprise relocation. The exception is minimum lot size. The current minimum lot size for RU1 land in the Camden LGA is 40ha. The retention of this minimum lot size is strongly recommended to retain as much rural land as possible for productive agricultural use. The retention of this minimum lot size will discourage speculative development and limit new houses which will negatively impact on the agricultural productive potential. Retention of the existing minimum lot size will protect the remaining rural land within the LGA for productive agricultural use and maximise the opportunities for the relocation of grazing and other extensive forms of agriculture displaced by the South West Priority Growth Area.

The intensive horticulture in the South West Priority Growth Area is largely confined to the RU4 zone. Intensive horticulture relies on quality soil and access to water. Both these features are available in the study area, particularly along the Nepean River. The floods of June 2016 are a reminder as to the risk of flooding in the LGA. Most permanent plantings are susceptible to flooding and given significant capital invested, horticulturalists are unlikely to establish permanent plantings on flood prone land. Opportunities to flood protect in the existing floodway are expected to be limited. Access to Class 1 or Class 2 land in the LGA which has access to water is limited. The opportunity for permanent plantings to relocate out of the South West Priority Growth Area into non-flood prone rural zones in the Camden LGA is also limited.

Annual horticulturalists such as vegetable producers may however be prepared to relocate to Class 1 and Class 2 land located in the Camden LGA. Some vegetable production systems produce a crop every 60 to 90 days and planting can be carried out throughout the year. In the case of flooding, the proportion of the annual production wiped out may be less than 20% at any point in time, and while this may constitute a risk to a business owner it may be one they are prepared to take if appropriate land options arise. The relocation of these types of activities to a Class 1 or 2 land may also include long term leasing options.

Relocation of annual horticultural production systems into the study area will be influenced by availability of land and water resources, business owners' attitude to risk (in particular flooding) and desire to remain within the LGA. Camden Council has limited means to influence decisions in this sector other than retaining existing minimum lot sizes and discouraging non-agricultural development on flood prone land.

Intensive animal production, in particular poultry, accounted for just over 50% of the value of agricultural production in 2010/11 in the LGA. The majority of poultry businesses in the LGA are located in the South West Priority Growth Area. Opportunities for poultry enterprises to relocate into the remaining rural zones in the LGA will be limited by access to land that has sufficient separation distances from existing and future residential development to manage potential environmental constraints and land use conflict. The availability of such land in the LGA will be tested by the proposed expansion of an existing poultry enterprise on Coates Park Road north of Cobbitty. Should this proposal be approved this would indicate the potential for other poultry industries to relocate in the LGA. Should this facility not be approved this would indicate opportunities for poultry to relocate in the LGA may be limited, and in turn undermine the future productive potential of agriculture in the LGA.





Notwithstanding historic issues of odour from poultry business in the Camden LGA new technology and better management techniques exist to significantly reduce odour production such as the air-conditioning of sheds and management of litter.

Council can influence the potential for the poultry sector to relocate by maintaining existing minimum lot sizes. In addition to lot size, buffer zones, operating hours and other operating constraints in Council's DCP must be developed in consultation with this section not to constrain poultry operations. An example is the collection of poultry at night. This may result in night time noise and lights which is not easily mitigated and may create a nuisance for surrounding landowners. Operating hours are critical to the poultry industry. Council is encouraged to work with the poultry industry sector and the Department of Primary Industries to facilitate relocation by ensuring planning controls do not place undue pressure on poultry enterprises to maximise the opportunities in the LGA.

Relocation of existing poultry enterprises will also be heavily influenced by access to processors. The poultry industry has undergone significant rationalisation in recent years and there are now only two remaining chicken processors in the Sydney Basin. Should one or both these processors close and/or relocate outside the Sydney Basin this will undermine the long term viability of poultry producers (for meat) in the Camden LGA.

The egg industry is seeing rapid expansion of free range egg production/consumption. The retention of the existing 40ha minimum lot size and avoidance of restrictive operating controls on poultry businesses will maximise opportunities for free range egg businesses to relocate and/or establish in the remaining rural areas in the LGA. The egg industry is not as reliant on processors as poultry meat producers, so it is possible egg production (including free range) may expand in the Camden LGA even if poultry meat production declines.

The data in Table 6 indicates the Camden LGA has a modest number of pigs. Smaller pig producers have declined over time as the need for scale of production and environmental compliance requirements have changed. Given the potentially offensive odours associated with pig production and residential development in the rural areas across the remaining rural zones in the Camden LGA, the potential for relocation of pig enterprises in the LGA is limited, if at all. Existing pig producers may continue operating under current scales of production, and it is expected over time as those businesses need to upgrade facilities and grow in scale they will most likely exit the LGA and/or the industry.

The Camden LGA was once well-known as a highly productive dairy area. There is a very large dairy located in the South West Priority Growth Area which is expected to relocate. The dairy industry has progressively exited the Camden LGA as the need for scale and hence large areas of highly productive pastures has been offset by the limited availability of such land and high land values in the Camden LGA.

All agricultural industries considering relocating from the South West Priority Growth Area to other rural land in the LGA support a *Right to Farm Policy* instigated by Council. Council would be seen to be encouraging productive and compliant agricultural pursuits with such a policy. Separation distances and any other controls in Council's DCP should be as flexible as possible to encourage displaced industry relocation.





## 10.0 RURAL LAND USE PLANNING CONTROLS AND STANDARDS

This Study has identified economic and social rationale within the Camden LGA for the protection of rural land. More broadly, A Plan for Growing Sydney includes an objective to maintain and protect agricultural activities and resource lands. The planning controls managed by Council have an important role to play in achieving these objectives.

### *Camden LEP 2010*

Agricultural productivity relies upon land use planning controls such as zoning and minimum lot sizes to protect land from speculation inappropriate development and increased land prices. There are a number of options available to Council to revise and update the current planning controls so as to better protect and enhance rural lands. The following section summarises Council's current planning controls and provides recommendations on possible options to further address rural land issues.

As shown in Map 3, Camden has three rural zones under the Camden LEP 2010 as follows:

- RU1 – Primary Production zone;
- RU2 – Rural Landscape zone; and
- RU4 Primary Production Small Lots zone.

All existing RU4 land is located within the South West Priority Growth Area. As a result of the progressive conversion of this land for urban purposes there will no longer be any RU4 land in Camden LGA. The consequence of this change is discussed in Section 9.0 Rural Industry Relocation Opportunities. In addition to the loss of all existing RU4 land due to the South West Priority Growth Area, RU1 zoned land will be reduced by 1,300ha to be 6,433ha. The total area of rural land in the Camden LGA is now 6,686ha which is one-third of the LGA. Over 95% of the remaining rural land is zoned RU1 Primary Production zone. The RU4 zoned land has been a very productive agricultural area where small lot sizes have enabled small scale productive uses such as market gardens.

Having regard for rural land lost to the South West Priority Growth Area, the remaining areas of rural zoned land in the Camden LGA, are as follows:

- RU1 – Primary Production Zone – 6,433ha; and
- RU2 – Rural Landscape Zone – 252ha.







The option to rezone RU1 land to RU4 to encourage more intensive agricultural production is not recommended as:

- The majority higher quality rural land is flood prone (refer to Section 6.0);
- Council already has a clause in the LEP (4.2(3)) to allow subdivision of RU1 land to any size if the purpose is for primary production where it can be substantiated, but not create a dwelling entitlement; and
- Creating RU4 land with a minimum lot size of less than 40ha will allow additional dwellings to be developed increasing the risk of land use conflict and preventing rural industry relocation.

Should Council wish to encourage more intensive agriculture in the RU1 zone, a performance based clause should be considered such as 4.2B of Narrandera LEP, 2013. A copy of this clause is included as Annexure 4. This clause allows for a dwelling to be erected on a lot smaller than the zone minimum lot size where intensive plant agriculture is proposed subject to demonstration of the bona fides of the proposal.

#### *Appropriateness of land use zones*

The majority of rural zoned land in the Study Area is within the RU1 Primary Production zone, with a small area in the eastern part of the LGA zoned the RU2 Rural Landscape zone. The use of the RU2 zone reflects the high scenic value of the locality, and where agricultural activity is relatively low. The RU1 zone is applied to the remainder of the rural land in the LGA and applies to areas where more intensive agricultural land uses occur. There are however pockets of land within the RU1 zoned area that contains less productive agricultural land that have high scenic value. The option is available within the Standard Instrument to apply the RU1 and RU2 zones in a "patchwork" pattern that is based on chosen attributes such as agricultural land quality. This has been used in areas such as Mid-Western Regional Council and is combined with lot size controls to tie planning controls to different landscape units such as productive valley floors and surrounding timbered slopes. The Standard Instrument mapping system also provides the same flexibility with lot size controls that The previously were tied to land use zones. Subdivision standards are further discussed below.

Other than the existing rural zones in Camden LEP, the Standard Instrument provides for the RU6 Transition zone. There is merit to using the RU6 Transition zone at the interface between the South West Priority Growth Area and surrounding rural zoned land. The NSW Department of Planning and Environment provided the following guidance on the use of the RU6 zone in *Practice Note 11-002 Preparing LEPs using the Standard Instrument: standard zones*:

*"The transition zone is to be used in special circumstances only in order to provide a transition between rural land uses (including intensive agriculture, landfills, mining and extractive industries) and other areas supporting more intensive settlement or environmental sensitivities. This zone is not to be used to identify future urban land. Councils intending to use this zone should approach the Department of Planning at the earliest opportunity during LEP preparation to determine whether or not it is appropriate in each particular instance."*





The mandatory objectives of the RU6 zone in the Standard Instrument are as follows:

- *"To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones."*

The transition between rural land and urban areas in the Camden LGA are at times very stark. In areas such as the South West Priority Growth Area this situation will increase and result in intensive settlement at relatively high densities directly adjacent to rural activities. Application of a RU6 zone has merit on these interfaces and can be located either within either side of the current zone boundary depending on land use attributes. The RU6 zone has been used in the Austral Leppington North Precinct to reflect land that is less suitable for urban purposes.

Provided any introduction of a RU6 zone was clearly communicated to foreshadow that it is not a future urban zone, it may assist in providing a clear message on the long term border between urban and rural land uses. The security in such a long term approach would assist any businesses such as poultry farms in considering relocating from the South West Priority Growth Area. The land use permissibility of the RU6 zone can also be tailored to provide for less intensive agriculture, so as to provide a transition area that acts as a buffer and minimises land use conflict with the urban area of the South West Priority Growth Area.

#### **Land Use Permissibility**

Identifying permissible land uses in specific zones is an important tool to ensure that agricultural activity is permitted and inconsistent land uses are prohibited. An assessment of land use permissibility of the two rural zones under Camden LEP 2010 suggests that a range of appropriate land uses such as *'intensive livestock agriculture'*, *'intensive plant agriculture'*, *'agricultural produce industries'* and *'rural industries'* are permitted with development consent in either RU1 or RU2. The land use permissibility matrix of these zones is typical of other RU1 and RU2 zones across regional areas of NSW. There appears to be no discernible issues arising from the current land use matrix, and further changes have not been recommended.

#### **Subdivision standards**

The minimum lot sizes held within Camden LEP 2010 are as follows:

- 40ha for RU1 Primary Production zone;
- 40ha for RU2 Rural Landscape zone; and
- 2ha for RU4 Primary Production Small Lots zone.

Given the existing parcel size in the RU1 and RU2 areas the 40ha standard ensures that limited subdivision potential other than lots created for primary production. As discussed in Section 8.0 and Section 9.0 any reduction in lot size control will result in additional dwelling entitlements that may result in additional land use conflict and further restrictions on existing agricultural enterprises. It is recommended the existing 40ha minimum lot size be retained so as to enable continued agricultural activity without introducing additional



potential for land use conflict and maximise opportunities for relocation of rural industries displaced by the South West Priority Growth Area.

It is understood that Council is also regularly approached by landowners to vary lot size controls to provide for family members to live on existing farms or for succession planning. Clause 4.2 of Camden LEP 2010 provides the mechanism for genuine subdivision for agricultural purposes. Succession planning is a personal circumstance which falls outside the control of the planning regime. It is strongly recommended that no further variation of this control is considered if the agricultural sector is to be protected.

#### ***Scenic landscape protection***

The Camden Scenic and Cultural Landscapes Study identified certain parts of the LGA as containing areas of landscape significance at the State, regional and local level (refer to Section 4.3). It also identified general scenic quality issues, the need to maintain scenic quality, a range of scenic character types and visual access to the landscape. The scenic qualities identified in these studies are not currently recognised by any statutory planning protection. One planning mechanism that could be utilised through the Standard LEP template is the use of an overlay and local provision to protect these important visual landscape qualities. Examples of this type of clause are contained in *Blue Mountains LEP 2015* (6.12), *Wollongong LEP 2009* (7.8) and *Kempsey LEP 2013* (7.6). A copy of the relevant landscape clause from the Blue Mountains LEP 2015 is included as Annexure 5.

#### ***Camden DCP 2011***

Part D of *Camden DCP, 2011* provides detailed planning guidelines for residential development in rural areas as well as intensive plant agriculture and rural industries. There is considerable scope to expand on these guidelines for some issues, whilst other issues will continue to be best managed on a site specific basis as part of the development control process. Two issues that warrant further guidance are management of land use conflict and scenic landscape protection. Land use conflict will continue to be an important issue for Council and adoption of the LUCRA type approach as detailed in Section 8.0 is recommended. Examples of planning controls used by other councils to address scenic landscape protection are detailed above.

#### ***Sydney Growth Centres SEPP***

The South West Priority Growth Area will result in the loss of agricultural land in the LGA, and also result in urban intensification adjacent to remaining rural land. The management of land use conflict at this interface needs to recognise the role of agriculture in the local economy and ensure that land use conflict does not further alienate agricultural activity. Clause 16 of the SEPP has controls that aim to ensure that development within the Priority Growth Centres prior to precinct planning does not interfere with future urban development. The SEPP is silent on possible land use conflict at the interface with surrounding rural land, and as such there is no specific mechanism to ensure that urban development does not result in restrictions upon agricultural activity bordering the Priority Growth Centres. Consideration of this issue needs to be addressed in precinct planning process, with consideration given to more certainty over the future boundary of the Priority Growth Centres. Reviews of the boundaries of the Priority Growth Centres will likely undermine confidence in the long term viability of agriculture in the nearby rural areas. The above discussion of the possible use of a RU6 Transition zone may be one mechanism to better manage this issue at the urban-rural interface.



## 11.0 RURAL LANDS DECISION MAKING FRAMEWORK

The first objective listed in Section 2.1 of this Study is:

*"To provide Council with a decision making framework based on land capability and rural land qualities and significance."*

In addition to urban development occurring within the South West Priority Growth Area, Council has been approached by landowners seeking to rezone other rural land for urban purposes. A decision-making framework is required to assist in the assessment of such planning proposals based on suitable natural resource, land use conflict and socio-economic servicing criteria. A Rural Land Strategy will be prepared following this Study to further develop such a decision-making framework.

Decision-making frameworks for land use planning purposes most commonly take the form of either simple sieve mapping or more complex multi criteria analysis. Each type of framework will be of benefit to Council depending on the specific task under consideration. Sieve mapping is useful in identifying different levels and types of spatial constraints but does rely upon the issues being able to be mapped. Multi criteria analysis can take on different levels of complexity but in their simple forms can assist in land use suitability assessment by comparing the relative merits of various options using weighted criteria. A further benefit of multi criteria analysis is the ability to incorporate issues that do not lend themselves to being mapped, particularly socio-economic needs.

Relevant criteria can be categorised as either absolute constraints (land is either suitable for urban development or not) or weighted constraints. The system of designating absolute and weighted constraints and assigning weightings to individual criteria needs to be further developed by Council in their Rural Land Use Strategy.

Relevant parameters identified during the preparation of this Study include:

- Landscape unit as described in Section 4.3 of this Study – Regional and State significant units only;
- Agricultural land classification as described in Section 6.1 of this Study. Classes 1, 2 and 3 only being the lands suited to cropping at various levels of intensity;
- Biophysical Strategic Agricultural Land as described in Section 6.2 of this Study;
- Significant existing intensive agricultural pursuits or sensitive agricultural land use receptors requiring buffers;
- Category 1 and 2 bushfire vegetation, buffers and land unable to meet access safety requirements;
- High value vegetation and wildlife corridors;
- High slope or landslip risk;
- Elevation;



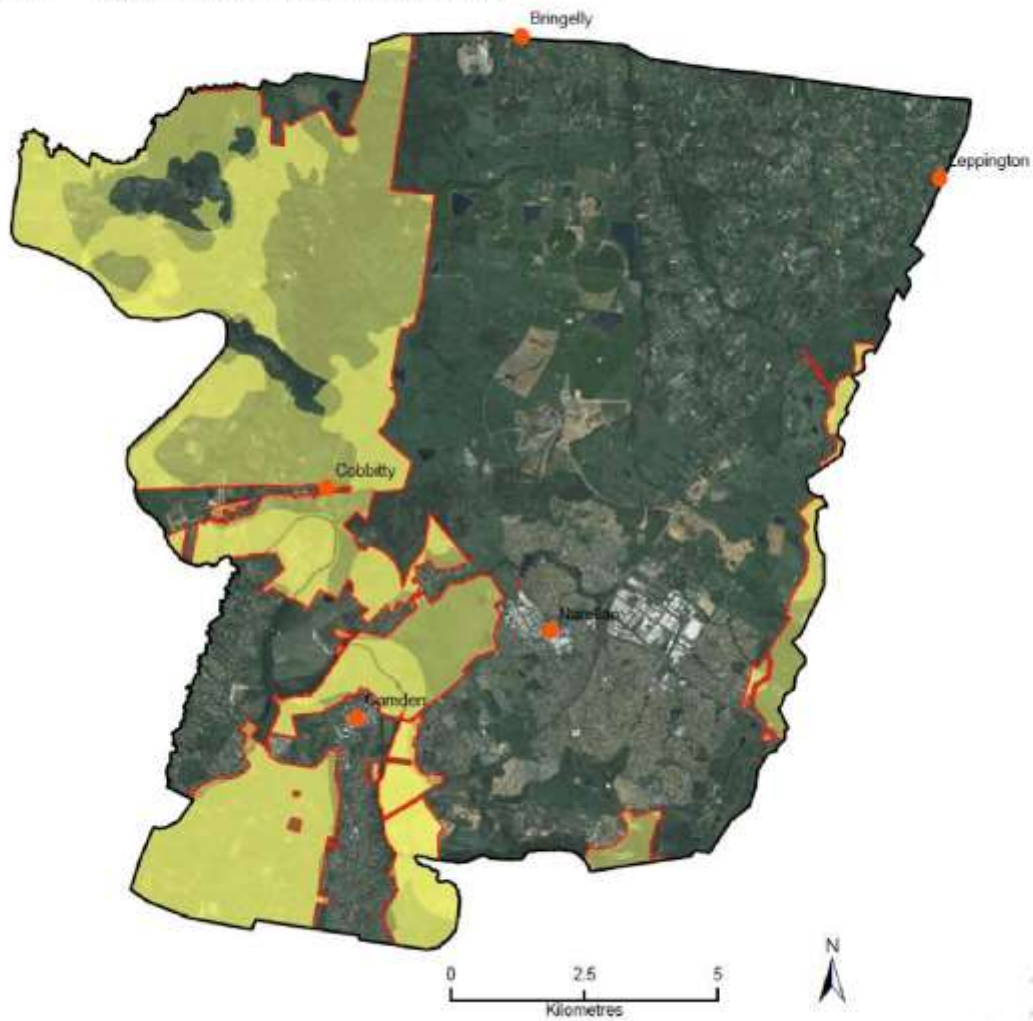


- 1:100 year average recurrence interval flood affected land;
- European and indigenous cultural heritage;
- Essential services availability (including cost of extending services or upgrading roads and other infrastructure); and
- Proximity to public transport and other community services.

A selection of the above data parameters were used to create two example sieve maps to illustrate key constraints. The sieving process allows for the selected parameters to be clearly identified.

Map 22 shows land with regional and State significant landscape units, Class 1, 2 and 3 agricultural land and biophysical strategic agricultural land in yellow shading, with bold shading indicating where multiple parameters apply. These three parameters identify land with the highest quality scenic value and highest agricultural capability.

**Map 22: Decision-Making Framework Sieve Map 1**



Camden Council – Rural Lands Study

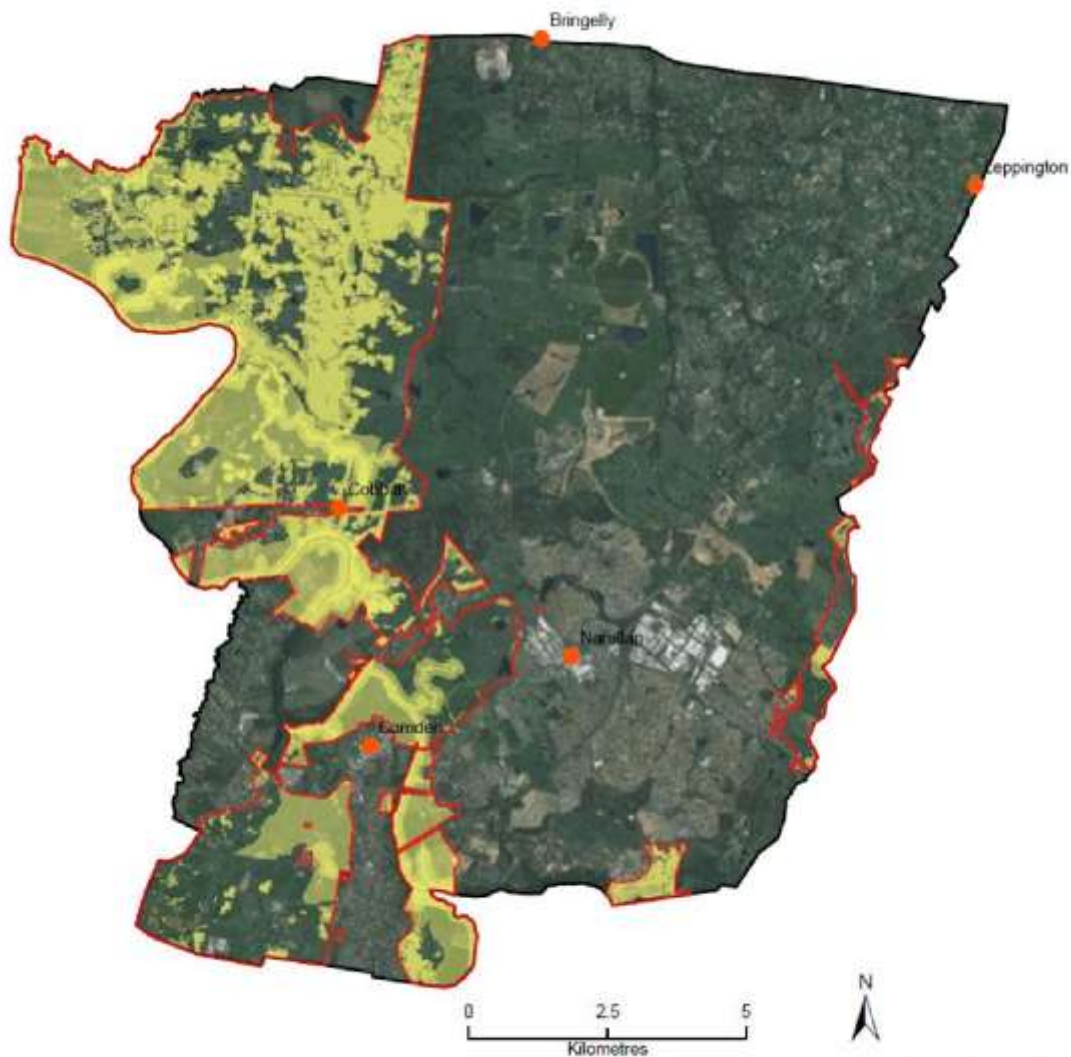


The following observations of Map 22 are provided:

- The majority of the study area is subject to at least one of the three nominated decision-making framework parameters; and
- The majority of the area north of Cobbitty not shaded or with light shading has lower agricultural production potential, but is one of the few remaining areas in the LGA which retains the rural character of the area and landscape amenity once the South West Priority Growth Area is fully developed.

Development constraints require consideration in the planning process as described in Section 6.5 of this report, being flooding, vegetation and bushfire. Map 23 has been created to demonstrate the extent of these constraints in the study area.

Map 23: Decision-Making Framework Sieve Map 2



Camden Council – Rural Lands Study



Observations of Map 23 include:

- The majority of the study area is subject to one or more development constraints; and
- The areas with the least development constraints are located in the south west corner of the LGA and the RU2 land in the eastern side of the LGA.

The vegetation which is spread across the study area and depicted in Map 14 is an important component of the rural character and landscape amenity within the LGA.

Opportunities for non-rural development within the study area are constrained by the extent of:

- Productive land (based on agricultural land classification and Biophysical Strategic Agricultural Land);
- Regional and State significant landscape units; and
- Development constraints in particular flooding and vegetation.

Some development is compatible with agriculture in the RU1 and RU2 zones such as value adding and supportive activities. Examples include agri-tourism, agricultural produce industries, livestock processing industries, plant nurseries, rural suppliers and animal boarding establishments. Infrastructure to support urban development may also be compatible such as sewerage treatment plants which have by-products with agricultural value. There are opportunities for more dwellings within the RU1 zone where the need arises to support agricultural development such as rural workers' dwellings and secondary dwellings.

The largest area of rural land in the LGA is north of Cobbitty accessed via Cut Hill Road. Cut Hill Road is a no-through road and this constrained access creates potential issues during emergencies (bushfires, flooding) as well as a limited potential to handle increased volumes of traffic that could arise from non-rural development.





## 12.0 CONCLUSION

The Camden Rural Lands Study aims to provide Council evidence to assist decision-making based on land capability and rural land quality and significance for the protection of rural lands in the LGA. The document has identified the potential implications for rural lands of major infrastructure projects and realisation of the South West Priority Growth Area and has considered land use conflicts between this area and existing rural activities occurring within the Camden LGA.

This report has identified opportunities for relocation of rural industries that have been displaced by the South West Priority Growth Area and provided suitable recommendations on Council's current rural land use planning controls and standards and a way forward to improve these to help protect the rural lands within Camden.

The main recommendations of this Study are as follows:

- The existing minimum lot size of 40ha be retained for rural land as an effective tool to avoid further fragmentation;
- Non-agricultural development on RU1 zoned land be limited to allow relocation opportunities for agricultural business displaced by the South West Priority Growth Area;
- Council follow progress of the Penrith Sustainable Agribusiness District and consider the potential for a similar initiative in Camden;
- Introduction of a RU6 transition at the edge of the South West Priority Growth Area be investigated to provide a long-term buffer between rural land uses and encroaching urban development;
- Council supports or advocates that the preferred M9 corridor option minimise impacts on rural zoned land;
- Council to consider preparation of a Right to Farm Policy specific to local agriculture needs, especially intensive agriculture such as poultry farms;
- Council to provide advice to prospective new residents of the LGA on the impacts associated with agricultural land uses through mechanisms such as 149 certificates;
- Council to incorporate LUCRA in strategic planning for rural land use activity and for major development proposals. Consider requiring developers to prepare LUCRA reports as part of planning proposals or large development proposals with potential for land use conflict;
- Rural landscapes be protected and consideration be given to incorporating scenic protection controls in Camden LEP; and
- The Rural Lands Strategy be based upon a decision-making framework using the land capability and constraint issues identified in this Study.







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**Annexure 1**

**A Plan for Growing Sydney 2014 Extract**

*ANNEXURE 1 – CAMDEN RURAL LANDS STUDY, 2016***A Plan for Growing Sydney 2014 Extract**

Sub-regional plans will be prepared for the six sub-regions identified in the plan, and the following principles will be used to guide the South West Sub-Region.

**Priorities for the South West Region****A Competitive Economy:**

- Investigate the long-term potential to locate a major enterprise corridor between Leppington and Bringelly, linked to the extension of the South West Rail Link;
- Protect items of high significance including freight corridors, intermodal terminals, Sydney's drinking water supply catchment, key water storage facilities and the Upper Canal;
- Further develop productive agricultural and mineral resources;
- Protect land to serve Sydney's future transport needs;
- Strengthen the role in Sydney's manufacturing, construction and wholesale/logistics industries by maximising existing employment lands particularly in Fairfield and Liverpool;
- Investigate traffic pinch-point connections between north-south and east-west road links;
- Identify and protect strategically important industrial-zoned land; and
- Strengthen the diverse benefits to the economy proposed by Badgerys Creek Airport.

**Accelerate Housing Supply, Choice and Affordability and Build Great Places to Live:**

- Identify suitable locations for housing, employment and urban renewal – particularly around established and new centres and along key public transport corridors including the Cumberland Line, the South Line, the Bankstown Line, the South West Rail Link and the Liverpool-Parramatta T-Way;
- Continue delivery of the South West Growth Centre through greenfield housing development and the expansion of local employment;
- Capitalise on the subregion's vibrant cultural diversity and global connections; and
- Implement the Western Sydney Parklands Plan of Management.

**ANNEXURE 1 – CAMDEN RURAL LANDS STUDY, 2016****Protect the Natural Environment and Promote its Sustainability and Resilience:**

- Provide environmental, recreation and tourism opportunities in the Nattai National Park, Dharawal National Park as well as the Georges River and Western Sydney Parklands;
- Work with councils to:
  - Improve the health of the South Creek sub-catchment of the Hawkesbury-Nepean Catchment.
  - Protect and maintain the social, economic and environmental values of the Hawkesbury-Nepean River and Georges River, and their aquatic habitats.
  - Implement the Greater Sydney Local Land Services State Strategic Plan to guide natural resource management.

**Priorities for Strategic Centres****Camden**

- Support planning of Oran Park as a focus for facilities, services and community life to support population growth; and
- Investigate the potential to leverage off improved access to services and jobs following improvements to Camden Valley Way.

**ORD07**

**Attachment 2**

**Annexure 2**

**Camden LEP, 2010 Extract**

**ANNEXURE 2 – CAMDEN RURAL LANDS STUDY, 2016**

The following is an extract from *Camden LEP, 2010*.

**RU1 Primary Production****1. Objectives of zone**

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To permit non-agricultural uses which support the primary production purposes of the zone.*
- *To maintain the rural landscape character of the land.*

**2. Permitted without consent**

*Extensive agriculture; Forestry; Home occupations*

**3. Permitted with consent**

*Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Garden centres; Home-based child care; Home businesses; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Open cut mining; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Any other development not specified in item 2 or 4.*

**4. Prohibited**

*Amusement centres; Car parks; Commercial premises; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies*

**RU2 Rural Landscape****1. Objectives of zone**

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*

## ANNEXURE 2 – CAMDEN RURAL LANDS STUDY, 2016

- *To protect and enhance areas of scenic value by minimising development and providing visual contrast to nearby urban development.*
- *To maintain the visual amenity of prominent ridgelines.*
- *To permit non-agricultural uses which support the primary production purposes of the zone.*

### 2. Permitted without consent

*Extensive agriculture; Home occupations*

### 3. Permitted with consent

*Agricultural produce industries; Aquaculture; Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Environmental protection works; Farm buildings; Farm stay accommodation; Home-based child care; Home businesses; Home industries; Intensive plant agriculture; Roads; Rural workers' dwellings; Sawmill or log processing industries; Secondary dwellings; Any other development not specified in item 2 or 4.*

### 4. Prohibited

*Advertising structures; Agriculture; Air transport facilities; Amusement centres; Camping grounds; Car parks; Caravan parks; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Extractive industries; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Mortuaries; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies.*

## RU4 Primary Production Small Lots

### Zone RU4 Primary Production Small Lots

#### 1. Objectives of zone

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

#### 2. Permitted without consent

*Home occupations,*

## ANNEXURE 2 – CAMDEN RURAL LANDS STUDY, 2016

### 3. Permitted with consent

*Aquaculture; Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Extensive agriculture; Farm buildings; Farm stay accommodation; Garden centres; Home-based child care; Home businesses; Home industries; Intensive plant agriculture; Landscaping material supplies; Plant nurseries; Roads; Roadside stalls; Rural workers' dwellings; Secondary dwellings; Stock and sale yards; Any other development not specified in item 2 or 4.*

### 4. Prohibited

*Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Camping grounds; Car parks; Caravan parks; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Extractive industries; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Mortuaries; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies*

#### Clause 4.2 Rural Subdivision

This clause sets out the minimum lot size for further subdivision in the rural zones as follows:

- (1) *The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.*
- (2) *This clause applies to the following rural zones:*
  - (a) *Zone RU1 Primary Production,*
  - (b) *Zone RU2 Rural Landscape,*
  - (c) *Zone RU4 Primary Production Small Lots,*
  - (d) *Zone RU6 Transition.*

**Note.** When this Plan was made it did not include Zone RU6 Transition.

- (3) *Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the [Lot Size Map](#) in relation to that land.*
- (4) *However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.*
- (5) *A dwelling cannot be erected on such a lot.*

**Note.** A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).



## ANNEXURE 2 – CAMDEN RURAL LANDS STUDY, 2016

### 4.2A Erection of dwelling houses on land in certain rural and environmental protection zones

- (1) *The objectives of this clause are as follows:*
- (a) *to minimise unplanned rural residential development,*
  - (b) *to enable the replacement of lawfully erected dwelling houses in rural and environmental protection zones.*
- (2) *This clause applies to land in the following zones:*
- (a) *Zone RU1 Primary Production,*
  - (b) *Zone RU2 Rural Landscape,*
  - (c) *Zone RU4 Primary Production Small Lots,*
  - (d) *Zone E4 Environmental Living.*
- (3) *Development consent must not be granted for the erection of a dwelling house on a lot in a zone to which this clause applies, and on which no dwelling house has been erected, unless the lot is:*
- (a) *a lot that is at least the minimum lot size specified for that lot by the [Lot Size Map](#), or*
  - (b) *a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or*
  - (c) *a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement.*

**Note.** *A dwelling cannot be erected on a lot created under clause 9 of [State Environmental Planning Policy \(Rural Lands\) 2008](#) or clause 4.2.*

- (4) *Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:*
- (a) *there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house, or*
  - (b) *the land would have been a lot referred to in subclause (2) had it not been affected by:*
    - (i) *a minor realignment of its boundaries that did not create an additional lot, or*
    - (ii) *a subdivision creating or widening a public road or public reserve or for another public purpose.*

**Annexure 3**

**Greater Hume Shire Council Right to Farm Policy**



<b>POLICY No:</b>	<b>105</b>
<b>POLICY TITLE:</b>	<b>RIGHT TO FARM POLICY</b>
<b>SECTION RESPONSIBLE:</b>	<b>ENVIRONMENT &amp; PLANNING</b>
<b>MINUTE NO:</b>	<b>2183</b>
<b>REVIEW DATE:</b>	<b>31 DECEMBER 2012</b>

#### **POLICY OBJECTIVE**

Greater Hume Shire is predominantly a rural shire and much of its local economy is built on the strength and viability of the many rural and agricultural industries operating in the shire. On this basis, this policy outlines Council's position on the 'right to farm' and the many issues associated with farming that may be impinged upon by urban expansion or expectations.

#### **RELATED LEGISLATION**

The Protection of the Environment Operations Act provides the legislative framework within which all activities with regard to noise, odour, pollution, etc. must comply.

#### **POLICY STATEMENT**

When conflict arises between landowners undertaking genuine agricultural pursuits and non agricultural/occupiers, Council's position on the 'right to farm' as outlined as follows shall be considered when dealing with issues and passed onto complainants.

Greater Hume Shire Council supports the right of persons to carry out legitimate and compliant rural and agricultural uses and practices on rural land.

Greater Hume Shire Council will not support any action to interfere with the legitimate rural and agricultural use of land where the activity is in accordance with relevant legislation.

When an inquiry is made by an intending rural land purchaser or landholder, the person is advised the legitimate rural and agricultural uses of land may include:

- Logging and milling of timber
- Livestock feed lots
- Piggeries/poultry farming
- Dairies

RIGHT TO FARM POLICY
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- Dogs barking
- Noise from cattle and other livestock
- Intensive livestock waste disposal systems and ponds
- Burning of stubble
- Clearing and cultivation of land
- The growing of any agricultural crop or pasture species including those that may produce detectable aromas or pollens, e.g. canola and lucerne
- Bushfire hazard reduction burning
- Construction of firebreaks
- Construction of dams, drains and contour banks
- Fencing
- Use of agricultural machinery (tractors, chainsaws, motor-bikes, etc.)
- Pumping and irrigation
- Herbicide spraying
- Pesticide spraying
- Aerial spraying
- Animal husbandry practices (castration, dehorning, etc.)
- Driving livestock on roads
- Fodder production
- Construction of access roads and tracks
- Slashing and mowing vegetation
- Planting of woodlots
- Extractive industries
- Stockyards
- Traffic on unsealed rural roads

**Such rural activities are likely to cause nuisance in respect of noise, odours, dust, spray emissions, smoke, vibration, blasting, etc. during 24 hours including early mornings and late evenings.**

ORD07

**RIGHT TO FARM POLICY**

**Intending purchasers and owners of rural land who consider they may have difficulty in living with the above practices being carried out on adjacent or nearby land should seriously consider their position.**

POLICY DOCUMENT CONTROL

Right To Farm Policy	First adopted	Date 17Feb10 Min 2183
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Attachment 2

**Annexure 4**

**Narrandera LEP 2013 Extract**

## Narrandera Local Environmental Plan 2013

Current version for 4 April 2016 to date (accessed 10 June 2016 at 16:10)

Part 4 > Clause 4.2B



### 4.2B Rural subdivision and erection of dwelling houses for intensive plant agriculture

- (1) The objectives of this clause are as follows:
  - (a) to provide flexibility in the application of lot size standards for subdivision for the purpose of intensive plant agriculture,
  - (b) to encourage sustainable intensive plant agriculture.
- (2) Land in Zone RU4 Primary Production Small Lots may, with development consent, be subdivided for the purpose of intensive plant agriculture to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.
- (3) However, development consent must not be granted to such a subdivision if an existing dwelling house would, as a result of the subdivision, be situated on a lot created by the subdivision unless the consent authority is satisfied that:
  - (a) the lot will have an area of at least 40 hectares, and
  - (b) the lot is or is to be subject to irrigation requiring a water licence and the volume of, and entitlement to, water available under that licence is or will be adequate for the use of the land for the purpose of intensive plant agriculture, and
  - (c) the lot is suitable for, and is to be used for, intensive plant agriculture, and
  - (d) the dwelling house is required to support the carrying out of such a purpose.
- (4) Development consent may be granted for the erection of a dwelling house on a lot created by a subdivision under this clause or on an existing lot of any size that only contains land in a zone to which this clause applies if the consent authority is satisfied that:
  - (a) the lot complies with subclause (3) (a) and (b), and
  - (b) the lot is suitable for, and is being used for, the purpose of intensive plant agriculture, and
  - (c) the dwelling house is required to support the carrying out of that purpose.

**Note.** *State Environmental Planning Policy (Rural Lands) 2008 and Assessing Intensive Plant Agriculture Developments* (published by the Department of Primary Industries) sets out other relevant issues for the consideration of consent authorities when assessing development applications for intensive plant agriculture.

**Annexure 5**

**Extract of Example LEPs**



## ANNEXURE 5

### *Kempsey LEP 2013*

#### **Clause 7.6 Protection of scenic character and landscape values**

- (1) The objectives of this clause are as follows:
  - (a) to identify areas that have particular scenic value either from major roads or other public places,
  - (b) to ensure development in these areas is located and designed to minimise its visual impact.
- (2) This clause applies to land identified as “Scenic Protection Land” on the Scenic Protection Land Map.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development to minimise the visual impact of the development from major roads and other public places.

### *Blue Mountains LEP 2015*

#### **Clause 6.12 Protected area—escarpment**

- (1) The objectives of this clause are as follows:
  - (a) to preserve and enhance the visual, cultural and ecological values of the escarpment systems in the Blue Mountains,
  - (b) to restrict development, including buildings, alterations and vegetation clearing, so as to minimise any adverse impact on the perception of escarpments as significant natural features,
  - (c) to limit the proportion of hard surfaces in close proximity to escarpment systems,
  - (d) to ensure that the design and siting of development minimises any adverse environmental impact,
  - (e) to encourage the retention, restoration and maintenance of areas of disturbed native vegetation.
- (2) This clause applies to land identified as “Protected Area—Escarpment” on the *Scenic and Landscape Values Map*.
- (3) Development consent must not be granted to development on land to which this clause applies that requires the clearing of native vegetation unless the consent authority is satisfied that:
  - (a) the development will not have any adverse impact on the ecological or scenic values of the escarpment system, and
  - (b) all existing native vegetation situated outside the land required for the development will be retained and appropriate measures will be incorporated to facilitate the maintenance of such vegetation, and
  - (c) the development will incorporate measures to regenerate any native vegetation that has been cleared from land to which this clause applies that does not form part of the site of any existing or proposed development, and
  - (d) the development will be designed and sited to respond sympathetically to the land form of which it will form a part, and
  - (e) no part of the development will protrude above any adjacent buildings or the existing vegetation canopy surrounding the site area, and

## ANNEXURE 5

- (f) the development will not visually disrupt the skyline by protruding above the ridgeline within or behind the site, and
- (g) the development will use unobtrusive and non-reflective materials to blend structures into the natural environment, and
- (h) the development will incorporate appropriate measures to minimise the reflection of sunlight from glazed surfaces.

### *Wollongong LEP 2009*

#### *Clause 7.8 Illawarra Escarpment area conservation*

- (1) The objective of this clause is to provide specific controls to protect, conserve and enhance the Illawarra Escarpment.
- (2) This clause applies to land shown as being within the Illawarra Escarpment area on the Illawarra Escarpment Map.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
  - (a) will be located so as to minimise any adverse impact on the natural features and environment of the Illawarra Escarpment, and
  - (b) will incorporate on the land, conservation and rehabilitation measures to enhance the Illawarra Escarpment.

**Local  
Government  
Remuneration  
Tribunal**

Annual Report  
and  
Determination

*Annual report and determination under sections 239  
and 241 of the Local Government Act 1993*

**12 April  
2017**

[NSW Remuneration Tribunals website](#)

## Local Government Remuneration Tribunal

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## Local Government Remuneration Tribunal

# Executive Summary

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The Local Government Remuneration Tribunal (the Tribunal) is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

### Categories

Since the making of the 2016 determination a number of councils have been amalgamated resulting in the creation of 20 new councils. The impact of those structural changes is an overall reduction in the number of councils in NSW from 152 to 128. This significant change has prompted a review of the existing categories and the allocation of councils into each of those categories.

In undertaking the review the Tribunal examined the existing categories, a range of statistical and demographic data and considered the views of councils and Local Government NSW. Having regard to that information the Tribunal has determined a categorisation model which differentiates councils primarily on the basis of their geographic location. Other factors which differentiate councils for the purpose of categorisation include population, the sphere of the council's economic influence and the degree of regional servicing.

In accordance with section 239 of the *Local Government Act 1993* (LG Act) the categories of general purpose councils are determined as follows:

#### Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

#### Non-metropolitan

- Regional City
- Regional Strategic Area
- Regional Rural
- Rural

### Local Government Remuneration Tribunal

The determination provides for the retention of five existing categories (some with new titles) and the creation of two new categories. Each council is allocated into one of the categories based on the criteria outlined on pages 12 to 15 of the report.

#### Fees

The majority of councils will receive an increase of 2.5 per cent only which is consistent with the government's wages policy. Six existing councils will be eligible for increases of more than 2.5 per cent as those councils have been categorised into a higher or new category on the basis of the revised criteria.

The 20 new councils have been placed in one of the existing or new categories. These 20 councils replaced 44 former councils. The scale of the new councils means that the majority of these new councils will be eligible for fees that are higher than those paid to the former entities. However, the significant reduction in the number of councils from 152 to 128 has resulted in an estimated maximum saving on the overall cost of councillor fees in NSW of approximately \$2.5M.

## Local Government Remuneration Tribunal

# Section 1 Introduction

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1. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.
2. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
3. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
4. The Tribunal's determinations take effect from 1 July in each year. The Tribunal's Report and Determination of 2016, made on 29 March 2016, provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.
5. Since the making of the 2016 determination there has been a reduction in the number of councils in NSW from 152 to 128. In response to this significant change the Tribunal will review the categories and the allocation of each council and mayoral offices into those categories, pursuant to section 239 of the LG Act.

# Section 2 Local Government Reform

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## Update on council amalgamations

6. The NSW Government has been working with local councils since 2011 to create stronger councils and strengthen local communities.
7. On 12 May 2016 the NSW Government announced the formation of 19 new councils. The proclamation of the new Bayside Council occurred on 9 September 2016 following

### Local Government Remuneration Tribunal

the conclusion of legal action in the Court of Appeal. This took the total number of new councils created in 2016 to 20.

8. The decision to create new councils follows four years of extensive community and industry consultation and independent research and analysis which found a strong case for reform.
9. Detailed information on the reform process and progress to date can be found on the [Fit for the Future](#) and [Stronger Councils](#) websites.
10. On 14 February 2017, the Government announced that all merged councils in NSW will remain in place and the proposed formation of a further five new councils in Sydney would proceed, subject to the outcome of court proceedings. However, there will be no further regional council mergers.

### Amendments to the *Local Government Act 1993*

11. The LG Act was amended in July 2016 to insert sub-clauses (3) and (4) into section 242A to clarify the intent of the impact of the government's wages policy on a determination which may change the category of a council as follows:

**242A Tribunal to give effect to declared government policy on remuneration for public sector staff**

- (1) *In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 when making or varying awards or orders relating to the conditions of employment of public sector employees.*
- (2) *The policies referred to in subsection (1) do not include any policy that provides for increases in remuneration based on employee-related savings.*
- (3) *This section does not apply to a determination by the Remuneration Tribunal that changes the category of a council or mayoral office (whether or not the effect of the change is to increase the range of amounts payable to the councillors and mayor of a council).*
- (4) *To avoid doubt, this section extends to a determination of the minimum and maximum amounts payable for a category in existence when the determination is made.*

12. The impact of these amendments to the LG Act is outlined in section 4 of this report.



## Local Government Remuneration Tribunal

# Section 3 Review of Categories

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### Scope of review

13. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last reviewed the categories during the 2015 annual review.
14. Since the making of the 2016 determination there has been an overall reduction in the number of councils from 152 to 128. This significant change has prompted a review of the existing categories and the allocation of councils into each of those categories.
15. In determining categories the Tribunal is required to have regard to the following matters that are prescribed in section 240 of the LG Act:
- "240 (1)*
- *the size of areas*
  - *the physical terrain of areas*
  - *the population of areas and the distribution of the population*
  - *the nature and volume of business dealt with by each Council*
  - *the nature and extent of the development of areas*
  - *the diversity of communities served*
  - *the regional, national and international significance of the Council*
  - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government*
  - *such other matters as may be prescribed by the regulations."*
16. The Tribunal is tasked with determining a categorisation model in which councils with the largest number of features in common can be grouped together for remuneration purposes. This is not straightforward as each council has challenges and issues which are unique.
17. The existing categories group councils primarily on the basis of their geographic location (predominantly metropolitan or rural). Categories are then further differentiated on other factors including population, the sphere of the council's economic influence and the council's degree of regional servicing.

### Local Government Remuneration Tribunal

18. The Tribunal reviewed this model having regard to a large amount of statistical material, including population and financial data, demographic indicators and indicators of regional significance. The Tribunal found that while the existing criteria continue to provide an equitable and transparent model by which to differentiate councils for the purposes of determining remuneration, there existed some scope to refine these criteria to address a number of categorisation anomalies and to better reflect the composition of councils post amalgamations.
19. In considering a new model the Tribunal sought to improve consistency and transparency in the determination of categories and the allocation of councils into each of those categories. Having considered the existing and new councils, the Tribunal identified a number of councils that specifically warranted either recategorisation into an existing category or a new category.
20. The current model provides for the councils of Newcastle, Wollongong, Central Coast (former Wyong and Gosford) and Lake Macquarie to be grouped with councils in the Sydney Metropolitan Area. These councils are not located in what is generally defined as the Sydney Metropolitan Area and the categorisation did not adequately reflect their regional status. Having assessed the characteristics of these councils the Tribunal was of the preliminary view that the categories should differentiate metropolitan and non-metropolitan councils. On that basis two new categories were proposed for the regional group to accommodate these councils.
21. In respect of the larger metropolitan councils, amalgamations in the Sydney metropolitan area have resulted in a significant number of councils with populations of greater than 200,000. The 2016 determination provided for the Council of the City of Parramatta to be categorised in the same category (Metropolitan City) as Newcastle and Wollongong City Councils. The proposal to move Newcastle and Wollongong into the non-metropolitan group necessitated a re-think of the categorisation for Parramatta City Council having regard to its status in the metropolitan region. The Tribunal found that Parramatta City Council was significantly differentiated from other large metropolitan councils on the basis of its secondary CBD status as recognised by the State Government. On this basis a new category of Major CBD was proposed for Parramatta City Council.
22. Prior to seeking the views of Local Government NSW (LGNSW) and councils the Tribunal's preliminary view was that most of the existing categories should be retained but there

### Local Government Remuneration Tribunal

should also be some new categories to reflect the evolving shape of local government in NSW. The proposed model was as follows:

#### Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Major
- Metropolitan Centre
- Metropolitan

#### Regional

- Regional City
- Regional Strategic Centre
- Regional Rural
- Rural

23. To test this model the Tribunal wrote to all mayors in November 2016 advising of the commencement of the 2017 Annual Review. In doing so the Tribunal advised councils of its intention to revise the existing categorisation model following examination of the list of existing and new councils. To assist councils in making their submissions the Tribunal outlined its preliminary thinking on a proposed model for metropolitan and non-metropolitan councils as follows:

#### ***“Metropolitan***

*Five metropolitan categories are proposed. The existing Principal City category is proposed to be retained for Sydney City Council and renamed Principal CBD. Major City is proposed to be abolished and a new category created for Parramatta City Council. The Tribunal’s preliminary thinking is that this category will be titled Major CBD. The existing Metropolitan Major, Metropolitan Centre and Metropolitan categories will be retained for the new and remaining existing councils.....*

#### ***Non-metropolitan***

*Four non-metropolitan categories are proposed. A new Regional City category will be created for Newcastle and Wollongong City Councils. A new Regional Strategic Centre category will be created for Central Coast and Lake*

### Local Government Remuneration Tribunal

*Macquarie Councils. The existing Regional Rural and Rural categories will be retained for other new and remaining councils.....*

#### **County Councils**

*The Tribunal does not intend to make any change to the categorisation of county councils and will retain the existing categories of Water and Other."*

24. The Tribunal also outlined its approach to the criteria for categorising councils into the proposed metropolitan and non-metropolitan categories as follows:

*"The Tribunal's 2009 annual determination outlines the characteristics for the existing categories. At this stage the Tribunal intends to adopt a similar approach and will determine descriptors for the proposed categories for the purposes of classifying councils into the categories. Population is likely to remain a determining factor for differentiating categories of councils. The Tribunal will also have regard to the matters prescribed in section 240 of the LG Act."*

25. The Tribunal invited submissions on the proposed categorisation model, criteria for the allocation of councils into the categories, fees for the proposed categories and any other matters.
26. The Tribunal also wrote to the President of LGNSW in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal wishes to place on record its appreciation to the President and Chief Executive for meeting with the Tribunal.

### **Submissions received - categorisation**

27. In response to this review the Tribunal received 28 submissions from individual councils and a submission from LGNSW. A summary of the key points is below.

#### **Categorisation**

28. Approximately half of the submissions (46 per cent) supported the proposed categories with no variation or supported the proposed categories with variations to titles or the number of categories. The balance of the submissions (54 per cent) did not express a view in respect to the proposed categorisation model.

### Local Government Remuneration Tribunal

29. In respect to variations put forward in submissions, the LGNSW requested that the proposed "Major CBD" and "Metropolitan Major" be merged and called "Metropolitan Major" and an additional category be created called "Special/Interim". The "Metropolitan Major" category would include councils with a population of at least 250,000 and/or that met other specified indicators that set them apart from other metropolitan councils. The "Special/Interim" category would apply on an interim basis to councils that demonstrate special attributes/circumstances that are out of the ordinary, for example high population growth.
30. Council submissions requested additional categories such as a "Metropolitan Growth Centre" or "Metropolitan Major – Growth Centre" for councils dealing with high growth; "Metropolitan Gateway" for councils that connect the regions to metropolitan areas; and "Peri-Urban" for councils that interface between urban and rural areas.

#### Criteria

31. A number of submissions referred to the criteria provided in section 240 of the LG Act, either noting or stating the criteria remain relevant (18 per cent) or suggesting that additional criteria to those provided in section 240 is required (50 per cent). Other submissions explained how their individual council performed against the section 240 criteria (29 per cent). The balance of the submissions did not express a view in respect to the criteria for categorisation (18 per cent).
32. The LGNSW suggested that the criteria need to be expanded to include a wider range of factors such as the level of disadvantage an area suffers, annual growth rate of an area (relative to population) and expenditure of an area.
33. Council submissions suggested additional criteria such as status as a NSW Evocity; the nature of a council's business, for example some do not provide water and sewerage services; level of economic activity in a local government area; specific population thresholds; resident/councillor ratio and planning significance in terms of Government targets.
34. Councils were also asked to provide submissions on the matter of fees. Comments relating to fees are outlined in section 4.

## Local Government Remuneration Tribunal

### Findings - categorisation

35. The Tribunal is appreciative of the number of submissions received and the effort made in those submissions to comment on the proposed categorisation model and to provide further suggestions for consideration. Given the broad support the Tribunal will determine the categories as proposed with a number of minor variations which in part reflect the feedback received.
36. Since seeking the views of councils the Tribunal has reconsidered the titles of the former metropolitan categories being Metropolitan Major, Metropolitan Centre and Metropolitan. The Tribunal found that these titles did not adequately describe the characteristics of the councils in those groups or articulate the difference between them. The Tribunal has determined that the three categories will be retained but that they will be re-titled Metropolitan Large, Metropolitan Medium and Metropolitan Small. The primary determinant for categorisation into these groups will be population.
37. The Tribunal also considers that the title of Regional Strategic Centre is more appropriately titled Regional Strategic Area. The two councils to be categorised into this group are local government areas which represent a large number of townships and communities of varying scale.
38. The revised model which will form the basis of this determination is as follows:

#### Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

#### Non-metropolitan

- Regional City
- Regional Strategic Area
- Regional Rural
- Rural

39. The criteria for each of the categories are outlined below. As with the previous categories the predominant factor to guide categorisation is population. Other common features of councils within those categories are also broadly described. These criteria

### Local Government Remuneration Tribunal

have relevance when population alone does adequately reflect the status of one council compared to others with similar characteristics. In some instances the additional criteria will be significant enough to warrant the categorisation of a council into a group with a higher population threshold.

40. There is no significant change to the categorisation of county councils. A proclamation was published in the NSW Government Gazette No 52 of 22 June 2016 dissolving the Richmond River County Council and Far North Coast and the transferring their functions and operations to Rous County Council with effect 1 July 2016. County councils continue to be categorised on the basis of whether they undertake water and/or sewerage functions or administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Noxious Weeds Act 1993*.

#### Criteria for categories

The following criteria will apply to each of the categories:

##### Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

## Local Government Remuneration Tribunal

### Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As an secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety has been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

### Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum population of 200,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.



## Local Government Remuneration Tribunal

### Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum population of 100,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

### Metropolitan Small

Councils categorised as Metropolitan Small will typically have a population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

### Regional City

Councils categorised as Regional City will typically have a population above 150,000. These councils are metropolitan in nature with major residential, commercial and industrial areas. These Councils typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development.

These councils provide a full range of higher order services and activities along with arts, culture, recreation and entertainment facilities to service the wider community and broader region. These councils typically also contain ventures which have a broader State and national focus which impact upon the operations of the council.

Newcastle City Council and Wollongong City Councils are categorised as Regional City.

## Local Government Remuneration Tribunal

### Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Rural category on the basis of their significant population. Councils categorised as Regional Strategic Area will typically have a population above 200,000. These councils contain a mix of urban and rural settlements. They provide a range of services and activities including business, office and retail uses, along with arts, culture, recreation and entertainment facilities to service the wider community. These councils host tertiary education campuses and health facilities.

While councils categorised as Regional Strategic Area may have populations which exceed those of Regional City, they would not typically provide the same range of regional services or have an equivalent sphere of economic influence.

Central Coast Council and Lake Macquarie Council are categorised as Regional Strategic Area.

### Regional Rural

Councils categorised as Regional Rural will typically have a minimum population of 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- a major town or towns with the largest commercial component of any location in the surrounding area
- a significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities
- provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports
- these councils may also attract large visitor numbers to established tourism ventures.

### Rural

Councils categorised as Rural will typically have a population below 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

### County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

### County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Noxious Weeds Act 1993*.

### Local Government Remuneration Tribunal

41. These criteria will be included in future determinations as an appendix to ensure they are readily accessible.

#### Allocation of council into categories

42. In accordance with section 239 of the LG Act the Tribunal is required to allocate each of the councils into one of the categories. The allocation of councils is outlined in the determination under section 6.
43. In determining the allocation of councils into these categories the Tribunal found that there were certain councils that could warrant categorisation into another category based on additional criteria. The Tribunal notes that a number of metropolitan and non-metropolitan councils have or are expected to experience significant development and population growth in the future. A number of these local government areas have been identified in the State Government's key planning strategies and include Camden and The Hills councils. The Tribunal acknowledges the additional responsibilities these and other councils may face now and in the future, however for the initial categorisation these councils have been categorised primarily on the basis of their population. The Tribunal will continue to monitor these and other councils to determine the appropriateness of the allocation of councils and the categorisation model for future determinations.

## Section 4 Fees

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#### Scope of review

44. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
45. The current policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (the Regulation). The effect of the Regulation is that public sector wages cannot increase by

### Local Government Remuneration Tribunal

more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

46. The LG Act was amended in July 2016 to insert sub-clauses (3) and (4) into section 242A to clarify the intent of the impact of the government's wages policy on a determination which may change the category of a council as follows:

**242A Tribunal to give effect to declared government policy on remuneration for public sector staff**

*(1) In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 when making or varying awards or orders relating to the conditions of employment of public sector employees.*

*(2) The policies referred to in subsection (1) do not include any policy that provides for increases in remuneration based on employee-related savings.*

*(3) This section does not apply to a determination by the Remuneration Tribunal that changes the category of a council or mayoral office (whether or not the effect of the change is to increase the range of amounts payable to the councillors and mayor of a council).*

*(4) To avoid doubt, this section extends to a determination of the minimum and maximum amounts payable for a category in existence when the determination is made.*

47. Those amendments make clear that the minimum and maximum fees applicable to the existing categories cannot be increased by more than 2.5 per cent. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the government's wage policy. These changes provided the Tribunal with greater flexibility in reviewing fees for existing and new councils.

### Submissions received - Fees

48. A number of submissions supported an increase in fees either by no less than 2.5 per cent or by an unspecified amount (25 per cent of responses). Several submissions suggested an alternative fee model (11 per cent) or made other general comments (29 per cent). The balance of submissions did not express a view in respect to fees (36 per cent).

### Local Government Remuneration Tribunal

49. The LGNSW submitted that the Tribunal must increase fees by no less than 2.5 per cent being of the view that fees have already fallen behind comparable roles. Also, that the fee structure fails to recognise the work of councillors and is often inadequate to attract and retain people with the necessary skills and expertise. The LGNSW also made reference to the changes to the LG Act that have expanded the role of the governing body (section 223) and mayors and councillors (sections 226 and 232). These points were also put forward in several council submissions along with requests that fees account for additional duties performed as members of a joint organisation.
50. In respect to alternative fee models several councils requested the Tribunal to consider a fee model similar to those applying to local governments in Victoria or Queensland; that fees are calculated as a percentage of the salary payable to members of the NSW Parliament; or that fees be benchmarked against the remuneration for the Principal CBD category.

#### Findings - Fees

51. The Tribunal is required to have regard to the Government's wages policy when determining the increase to apply to the maximum and minimum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.
52. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government's policy of rate pegging, and finds that the full increase of 2.5 per cent is warranted. The 2.5 per cent increase will apply to the minimum and the maximum of the ranges for all existing categories.
53. The new categories have their remuneration ranges determined for the first time in this determination. As an initial determination the ranges for the new categories are not subject to the wages policy, however any future increase will be impacted in accordance with section 242A(4) of the LG Act.
54. The minimum and maximum fees for the new categories have been determined having regard to the relativities that exist between the existing groups.
55. For the category of Major CBD the maximum councillor fee is set at approximately 85 per cent of maximum councillor fee for Principal CBD. The maximum mayoral fee is set at

### Local Government Remuneration Tribunal

approximately 50 per cent of the maximum mayoral fee for Principal CBD. The minimum fees for both councillors and mayors are set at the same as that determined for the Metropolitan Large.

56. For the category of Regional City the maximum councillor fee is set at approximately 80 per cent of maximum councillor fee for Principal CBD. The maximum mayoral fee is set at approximately 45 per cent of the maximum mayoral fee for Principal CBD. The minimum fees for both councillors and mayors are set at the same as that determined for the Regional Strategic Area.
57. The minimum and maximum fees payable to the category of Regional Strategic Area will be the same as those payable to Metropolitan Large.

### Impact of fee increase and new categories

58. The majority of councils will receive an increase of 2.5 per cent only.
59. Six councils will be eligible for increases of more than 2.5 per cent as those councils have been categorised into a higher or new category on the basis of the revised criteria.
60. The twenty new councils have been placed in one of the existing or new categories. These twenty councils replaced forty-four former councils. The scale of the new councils means that the majority of these new councils will be eligible for fees that are higher than those paid to the former entities. However, the significant reduction in the number of councils from 152 to 128 has resulted in an estimated maximum saving on the overall cost of councillor fees in NSW of approximately \$2.5M.

## Section 5 Other matters

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### Fees for Deputy Mayors

61. Several council submissions requested that the Tribunal review the remuneration payable to Deputy Mayors (14 per cent). It was suggested that the remuneration be increased to reflect the additional duties undertaken or that elected deputy mayors receive an allowance based on a percentage of the councillor fee.
62. Councils have raised the matter of separate fees for Deputy Mayors on previous occasions and the Tribunal notes that it has previously determined that there is no provision in the

### Local Government Remuneration Tribunal

LG Act to empower the Tribunal to determine a separate fee or fee increase for Deputy Mayors. The method for determining separate fees, if any, for a Deputy Mayor are provided in section 249 of the LG Act as follows:

**249 Fixing and payment of annual fees for the mayor**

- (1) *A council must pay the mayor an annual fee.*
- (2) *The annual fee must be paid in addition to the fee paid to the mayor as a councillor.*
- (3) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*
- (5) *A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee."*

### Conclusion

63. The Tribunal's determinations have been made with the assistance of the two Assessors - Mr Ian Reynolds and Mr Tim Hurst. The allocation of councils into each of the categories, pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, is outlined in Determination No. 2.
64. On 14 February 2017, the Government announced that the proposed formation of a further five new councils in Sydney would proceed, subject to the outcome of court proceedings.
65. The Tribunal may need to consider the categorisation of further new councils following the conclusion of legal action. Should this occur prior to the making of the 2018 determination the Minister may direct the Tribunal to make a special determination(s) in accordance with section 242 of the LG Act.

### The Local Government Remuneration Tribunal

*Signed*

**Dr Robert Lang**

**Dated:** 12 April 2017

## Local Government Remuneration Tribunal

## Section 6 Determinations

### Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2017

**Table 1: General Purpose Councils - Metropolitan**

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (8)	Metropolitan Medium (9)
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Georges River
Fairfield	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	Inner West
Penrith	Randwick
Sutherland	Ryde
	The Hills
Metropolitan Small (11)	
Burwood	
Camden	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
North Sydney	
Strathfield	
Waverley	
Willoughby	
Woollahra	



## Local Government Remuneration Tribunal

**Table 2: General Purpose Councils - Non-Metropolitan**

Regional City (2)		Regional Strategic Area (2)	
Newcastle		Central Coast	
Wollongong		Lake Macquarie	

Regional Rural (37)	Rural (57)	
Albury	Balranald	Kyogle
Armidale	Bellingen	Lachlan
Ballina	Berrigan	Leeton
Bathurst	Bland	Liverpool Plains
Bega	Blayney	Lockhart
Blue Mountains	Bogan	Moree Plains
Broken Hill	Bourke	Murray River
Byron	Brewarrina	Murrumbidgee
Cessnock	Cabonne	Muswellbrook
Clarence Valley	Carrathool	Nambucca
Coffs Harbour	Central Darling	Narrabri
Dubbo	Cobar	Narrandera
Eurobodalla	Coolamon	Narromine
Goulburn Mulwaree	Coonamble	Oberon
Griffith	Cootamundra-Gundagai	Parkes
Hawkesbury	Cowra	Snowy Valleys
Kempsey	Dungog	Temora
Kiama	Edward River	Tenterfield
Lismore	Federation	Upper Hunter
Lithgow	Forbes	Upper Lachlan
Maitland	Gilgandra	Uralla
Mid-Coast	Glen Innes Severn	Walcha
Mid-Western	Greater Hume	Walgett
Orange	Gunnedah	Warren
Port Macquarie-Hastings	Gwydir	Warrumbungle
Port Stephens	Hay	Weddin
Queanbeyan-Palerang	Hilltops	Wentworth
Richmond Valley	Inverell	Yass
Shellharbour	June	
Shoalhaven		
Singleton		
Snowy Monaro		
Tamworth		
Tweed		
Wagga Wagga		
Wingecarribee		
Wollondilly		

**Local Government Remuneration Tribunal**

**Table 3: County Councils**

<b>Water (5)</b>	<b>Other (7)</b>
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Mid-Coast	Hawkesbury River
Riverina Water	New England Tablelands
Rous	Southern Slopes
	Upper Hunter
	Upper Macquarie

## Local Government Remuneration Tribunal

### Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2017 are determined as follows:

**Table 4: Fees for General Purpose and County Councils**

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	26,310	38,580	160,960	211,790
	Major CBD	17,540	32,500	37,270	105,000
	Metropolitan Large	17,540	28,950	37,270	84,330
	Metropolitan Medium	13,150	24,550	27,940	65,230
	Metropolitan Small	8,750	19,310	18,630	42,120
General Purpose Councils – Non-metropolitan	Regional City	17,540	30,500	37,270	95,000
	Regional Strategic Area	17,540	28,950	37,270	84,330
	Regional Rural	8,750	19,310	18,630	42,120
	Rural	8,750	11,570	9,310	25,250
County Councils	Water	1,740	9,650	3,730	15,850
	Other	1,740	5,770	3,730	10,530

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

#### The Local Government Remuneration Tribunal

*Signed*

**Dr Robert Lang**

**Dated:** 12 April 2017



# Monthly Report

# Camden Council

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March 2017

## Investment Exposure

Council's investment portfolio is directed to the higher rated ADIs. Council will continue to diversify the investment portfolio across the higher rated ADIs (A1 or higher). BoQ and ING are nearing capacity.

ADI	Exposure \$M	Rating	Policy Limit	Actual	Capacity
Westpac	\$13.50M	A1+	25.0%	12.8%	\$12.85M
BankWest	\$8.00M	A1+	25.0%	7.6%	\$18.35M
CBA	\$6.00M	A1+	25.0%	5.7%	\$20.35M
NAB	\$23.00M	A1+	25.0%	21.8%	\$3.35M
Rabobank^	\$3.20M	A1	5.0%	3.0%	\$2.07M
AMP	\$5.00M	A1	15.0%	4.7%	\$10.81M
Macquarie	\$2.00M	A1	15.0%	1.9%	\$13.81M
Suncorp	\$13.20M	A1	15.0%	12.5%	\$2.61M
BoQ	\$15.50M	A1	15.0%	14.7%	\$0.31M
Bendigo-Adelaide	\$9.00M	A1	15.0%	8.5%	\$6.81M
Rural	\$3.50M	A1	15.0%	3.4%	\$12.23M
ING^	\$3.50M	A2	5.0%	3.4%	\$1.69M
<b>Total</b>	<b>\$105.40M</b>			<b>100.0%</b>	

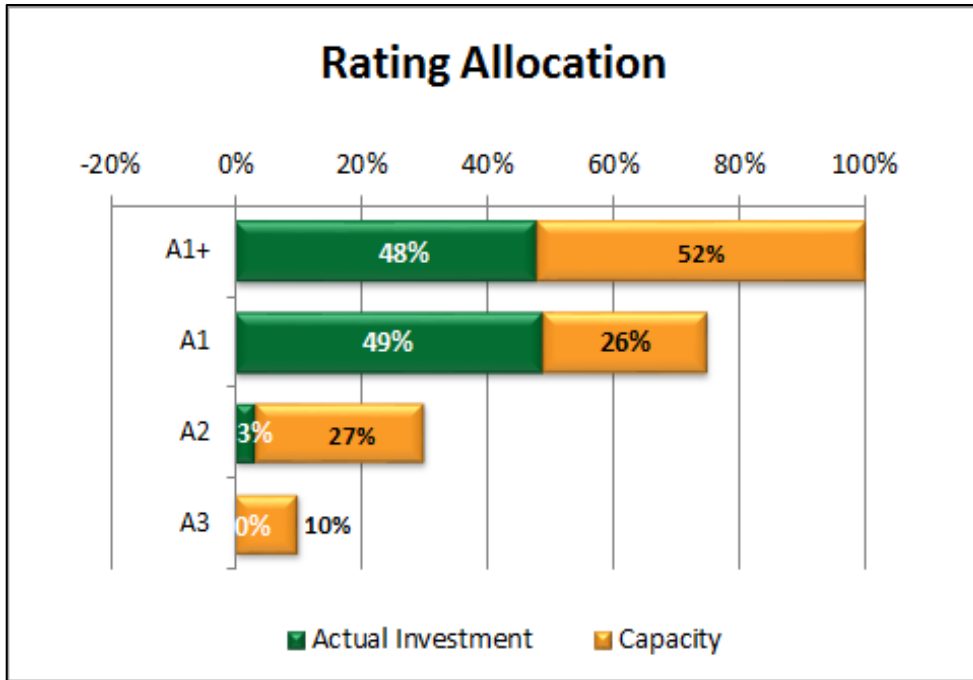
*^Foreign subsidiary banks are limited to 5% of the total investment portfolio as per Council's investment policy.*

The investment portfolio is predominately directed to the higher rated entities led by NAB, Suncorp and BoQ.



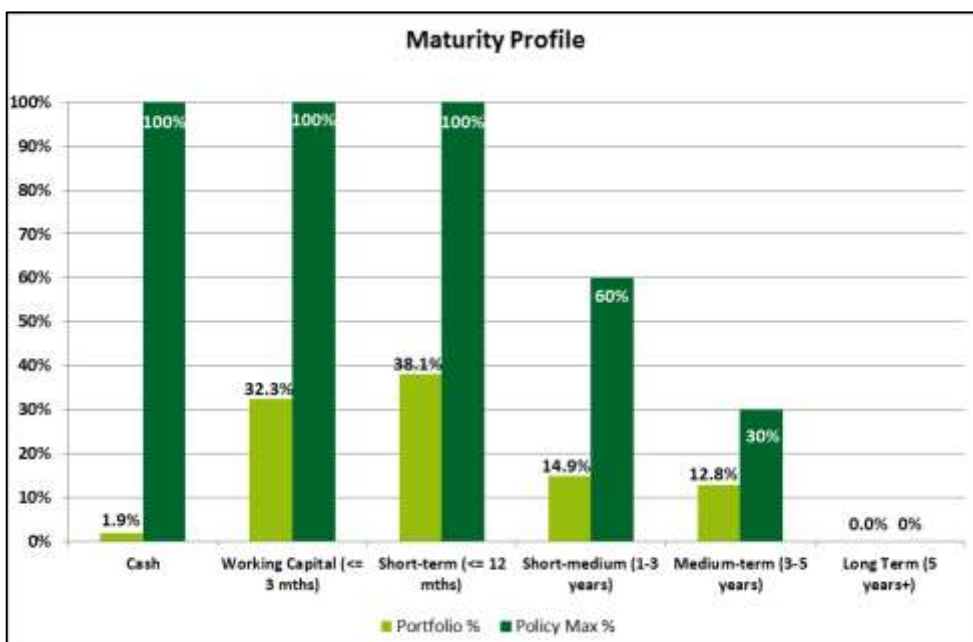
# Credit Quality

A1+ (the domestic majors) and A1 (the higher rated regionals) rated ADIs are the largest share of Council's investments. There is capacity to invest across the entire credit spectrum.



# Term to Maturity

The portfolio remains adequately liquid with approximately 1.9% of investments at-call and another 32.3% of assets maturing within 3 months. There is still capacity to invest in terms greater than 1 year. In consultation with its investment advisors, Council invested across longer-term maturities during March:



A larger spread of maturities in medium-term assets would help income pressures over future financial years, although inevitably maturities are reinvesting at lower rates.

The RBA kept interest rates unchanged in its meeting in March, and April. RBA Governor Lowe remains optimistic about the outlook towards domestic economic growth, but expressed concern about the property cycle.

It is important to note with the increased uncertainty –both high commodity prices and ultra-low inflation (especially in wages), **the RBA's path is less clear**. A rise in interest rates may reduce inflation but may also reduce growth.

## 2016-17 Budget

Current Budget Rate	3.00%
<b>Source of Funds Invested</b>	
Section 94 Developer Contributions	\$46,585,512
Restricted Grant Income	\$1,097,519
Externally Restricted Reserves	\$10,836,273
Internally Restricted Reserves	\$27,966,972
General Fund	\$18,913,724
<b>Total Funds Invested</b>	<b>\$105,400,000</b>
Council's investment portfolio has increased by \$1.5 million since the February reporting period. The increase primarily relates to Section 94 cash receipts received in March.	

INTEREST RECEIVED DURING 2016/17 FINANCIAL YEAR					
	March	Cumulative	Original Budget	*Revised Budget	Projected Interest
General Fund	\$139,067	\$1,084,388	\$1,400,000	\$1,400,000	\$1,400,000
Restricted	\$151,060	\$1,308,622	\$700,400	\$1,650,000	\$1,700,000
<b>Total</b>	<b>\$290,127</b>	<b>\$2,393,010</b>	<b>\$2,100,400</b>	<b>\$3,050,000</b>	<b>\$3,100,000</b>

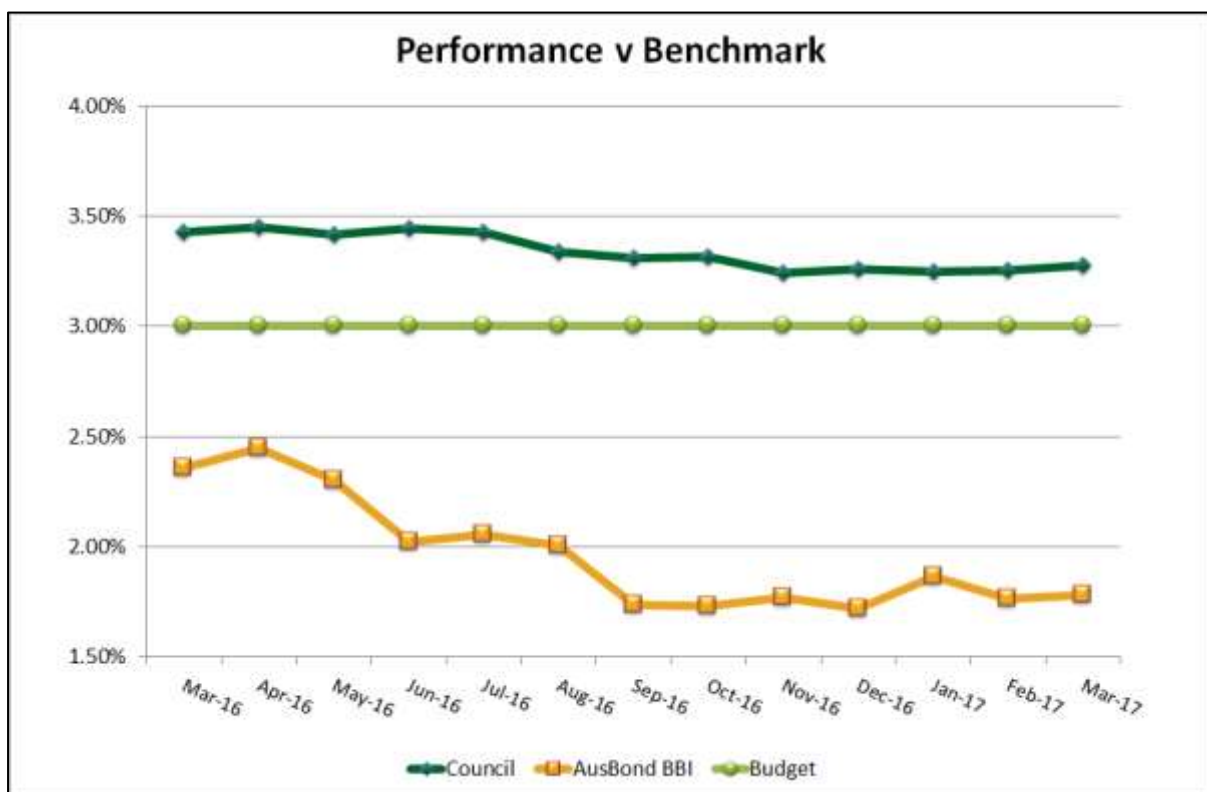
\*The Revised Budget is reviewed on a quarterly basis as part of the Budget Process

## Interest Summary

The portfolio's interest summary as at 31 March 2017 is as follows:

NUMBER OF INVESTMENTS	85
AVERAGE DAYS TO MATURITY	440
AVERAGE PERCENTAGE	3.25% p.a.
WEIGHTED PORTFOLIO RETURN	3.28% p.a.
CBA CALL ACCOUNT *	1.20% p.a.
HIGHEST RATE	5.10% p.a.
LOWEST RATE	2.55% p.a.
BUDGET RATE	3.00% p.a.
AVERAGE BBSW (30 Day)	1.63% p.a.
AVERAGE BBSW (90 Day)	1.79% p.a.
AVERAGE BBSW (180 Day)	2.00% p.a.
OFFICIAL CASH RATE	1.50% p.a.
AUSBOND BANK BILL INDEX	1.78% p.a.

\*Note: CBA call account is not included in the investment performance calculations





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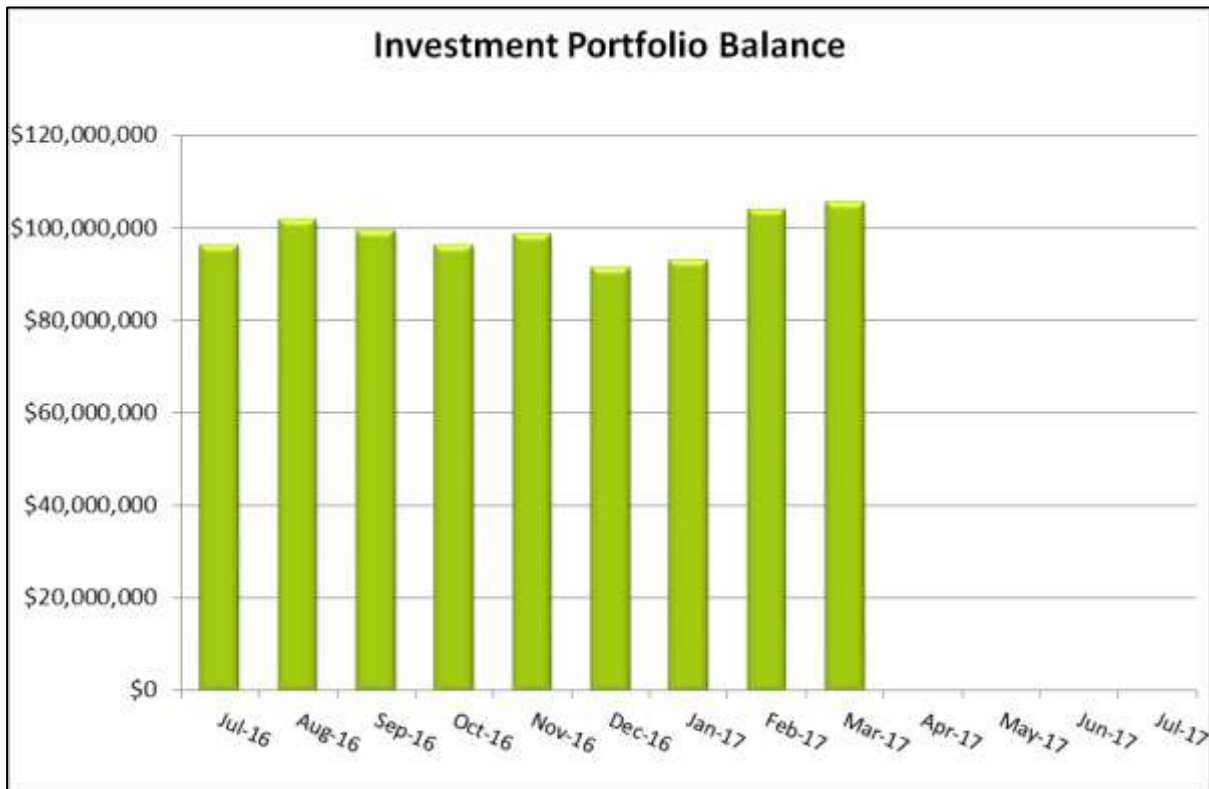
The portfolio's outperformance over the benchmark (AusBond Bank Bill Index) continues to be attributed to the longer-dated deposits in the portfolio. Deposits invested around 4% will contribute strongly to outperformance over coming financial years. As existing deposits mature, performance will generally fall as deposits will be reinvested at much lower prevailing rates compared to previous years. Future budgets may be adjusted to reflect a longer period of low interest rates.

**Attachment 1**

# Appendix A – List of Investments

Camden Council Investment Portfolio as at 31 March 2017								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/03/2017
BOQ	TD	\$2,500,000.00	5.00%	4/11/2013	1/11/2018	1823	580	\$50,684.93
BOQ	TD	\$1,000,000.00	5.30%	25/11/2013	22/11/2018	1823	601	\$17,745.21
ING Bank	TD	\$1,000,000.00	4.63%	28/11/2013	23/11/2017	1456	237	\$16,363.56
BOQ	TD	\$1,000,000.00	4.85%	28/11/2013	23/11/2017	1456	237	\$17,141.10
BOQ	TD	\$1,000,000.00	4.65%	27/02/2014	22/02/2018	1456	328	\$4,204.11
Rabobank	TD	\$1,000,000.00	5.00%	28/02/2014	28/02/2019	1826	699	\$4,383.56
Rabobank	TD	\$1,200,000.00	5.00%	3/03/2014	6/03/2019	1829	705	\$4,767.12
Westpac	TD	\$1,500,000.00	4.55%	15/05/2014	15/05/2019	1826	775	\$60,022.60
Westpac	TD	\$1,500,000.00	4.55%	21/05/2014	22/05/2019	1827	782	\$58,900.68
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.05%	22/05/2014	24/05/2017	1098	54	\$52,261.64
Bendigo Adelaide Bank	TD	\$1,000,000.00	4.05%	27/05/2014	31/05/2017	1100	61	\$34,286.30
Bendigo Adelaide Bank	TD	\$2,000,000.00	4.05%	30/05/2014	31/05/2017	1097	61	\$67,684.93
NAB	TD	\$2,000,000.00	4.00%	5/06/2014	7/06/2017	1098	68	\$65,753.42
Macquarie Bank	TD	\$1,000,000.00	4.00%	1/08/2014	31/07/2017	1095	122	\$26,630.14
BOQ	TD	\$1,000,000.00	4.15%	5/08/2014	1/08/2018	1457	488	\$27,628.77
Rabobank	TD	\$1,000,000.00	4.10%	27/11/2014	27/11/2019	1826	971	\$14,041.10
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.25%	28/11/2014	4/12/2019	1832	978	\$21,657.53
NAB	TD	\$1,500,000.00	4.00%	16/12/2014	11/12/2019	1821	985	\$17,424.66
Macquarie Bank	TD	\$1,000,000.00	3.85%	19/12/2014	19/12/2019	1826	993	\$10,864.38
Rural Bank	TD	\$2,000,000.00	3.70%	9/01/2015	9/01/2018	1096	284	\$16,624.66
Rural Bank	TD	\$1,500,000.00	3.70%	14/01/2015	15/01/2018	1097	290	\$11,708.22
Westpac	TD	\$1,000,000.00	3.90%	2/02/2015	2/02/2020	1826	1038	\$6,197.26
Bendigo Adelaide Bank	TD	\$1,000,000.00	3.00%	14/10/2015	18/10/2017	735	201	\$13,890.41
Bendigo Adelaide Bank	TD	\$2,000,000.00	3.00%	20/11/2015	22/11/2017	733	236	\$21,534.25
BOQ	TD	\$1,000,000.00	3.05%	25/11/2015	29/11/2017	735	243	\$10,612.33
BOQ	TD	\$1,000,000.00	2.72%	31/08/2016	3/04/2017	215	3	\$15,872.88
Suncorp Metway	TD	\$1,000,000.00	2.65%	31/08/2016	5/04/2017	217	5	\$15,464.38
NAB	TD	\$1,000,000.00	2.60%	31/08/2016	10/04/2017	222	10	\$15,172.60
CBA	TD	\$1,000,000.00	2.57%	2/09/2016	12/04/2017	222	12	\$14,856.71
NAB	TD	\$2,500,000.00	2.60%	7/09/2016	18/04/2017	223	18	\$36,684.93
Suncorp Metway	TD	\$1,000,000.00	2.62%	14/09/2016	24/04/2017	222	24	\$14,284.38
NAB	TD	\$1,000,000.00	2.70%	14/09/2016	28/08/2017	348	150	\$14,720.55
NAB	TD	\$1,000,000.00	2.65%	21/09/2016	26/04/2017	217	26	\$13,939.73
Suncorp Metway	TD	\$1,500,000.00	2.57%	28/09/2016	1/05/2017	215	31	\$19,539.04
NAB	TD	\$1,000,000.00	2.75%	5/10/2016	2/08/2017	301	124	\$13,410.96
NAB	TD	\$500,000.00	2.75%	5/10/2016	31/07/2017	299	122	\$6,705.48
NAB	TD	\$1,000,000.00	2.80%	19/10/2016	4/10/2017	350	187	\$12,580.82
NAB	TD	\$1,500,000.00	2.75%	26/10/2016	25/09/2017	334	178	\$17,743.15
Suncorp Metway	TD	\$1,500,000.00	2.70%	2/11/2016	3/05/2017	182	33	\$16,643.84
BOQ	TD	\$1,000,000.00	2.75%	2/11/2016	8/05/2017	187	38	\$11,301.37
NAB	TD	\$1,500,000.00	2.80%	2/11/2016	30/10/2017	362	213	\$17,260.27
Bankwest	TD	\$1,000,000.00	2.60%	9/11/2016	10/05/2017	182	40	\$10,186.30
AMP	TD	\$1,000,000.00	2.70%	15/11/2016	19/06/2017	216	80	\$10,134.25
AMP	TD	\$2,000,000.00	2.70%	16/11/2016	21/06/2017	217	82	\$20,120.55
NAB	TD	\$1,000,000.00	2.72%	17/11/2016	14/06/2017	209	75	\$10,060.27
BOQ	TD	\$1,000,000.00	2.80%	24/11/2016	15/05/2017	172	45	\$9,819.18
Suncorp Metway	TD	\$1,000,000.00	2.81%	28/11/2016	22/05/2017	175	52	\$9,546.30
NAB	TD	\$1,000,000.00	2.70%	30/11/2016	17/05/2017	168	47	\$9,024.66
NAB	TD	\$1,000,000.00	2.70%	1/12/2016	19/06/2017	200	80	\$8,950.68
Suncorp Metway	TD	\$1,000,000.00	2.80%	7/12/2016	3/07/2017	208	94	\$8,821.92
AMP	TD	\$1,000,000.00	2.75%	7/12/2016	5/07/2017	210	96	\$8,664.38
CBA	TD	\$2,000,000.00	2.75%	3/01/2017	3/01/2018	365	278	\$13,260.27
CBA	TD	\$1,000,000.00	2.64%	3/01/2017	3/05/2017	120	33	\$6,364.93
Bankwest	TD	\$1,000,000.00	2.55%	4/01/2017	5/06/2017	152	66	\$6,078.08
BOQ	TD	\$1,000,000.00	2.75%	4/01/2017	9/10/2017	278	192	\$6,554.79
Suncorp Metway	TD	\$1,200,000.00	2.65%	18/01/2017	10/07/2017	173	101	\$6,360.00
Bankwest	TD	\$1,000,000.00	2.62%	18/01/2017	26/06/2017	159	87	\$5,240.00
ING Bank	TD	\$1,500,000.00	2.80%	25/01/2017	17/07/2017	173	108	\$7,594.52
Westpac	TD	\$1,000,000.00	3.60%	1/02/2017	1/02/2022	1826	1768	\$5,819.18
Westpac	TD	\$1,500,000.00	3.57%	2/02/2017	2/02/2022	1826	1769	\$8,509.32
Westpac	TD	\$1,000,000.00	3.56%	10/02/2017	10/02/2022	1826	1777	\$4,876.71
BOQ	TD	\$1,500,000.00	3.75%	15/02/2017	15/02/2021	1461	1417	\$6,934.93
Westpac	TD	\$2,000,000.00	3.64%	22/02/2017	22/02/2022	1826	1789	\$7,579.18
Suncorp Metway	TD	\$2,000,000.00	2.62%	20/02/2017	21/08/2017	182	143	\$5,742.47
NAB	TD	\$1,000,000.00	2.56%	22/02/2017	14/06/2017	112	75	\$2,665.21
NAB	TD	\$1,000,000.00	2.56%	22/02/2017	21/06/2017	119	82	\$2,665.21
NAB	TD	\$1,000,000.00	2.56%	22/02/2017	28/06/2017	126	89	\$2,665.21
Bankwest	TD	\$1,000,000.00	2.60%	23/02/2017	12/07/2017	139	103	\$2,635.62
BOQ	TD	\$1,000,000.00	3.75%	27/02/2017	28/02/2022	1827	1795	\$3,390.41

Camden Council Investment Portfolio as at 31 March 2017								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/03/2017
Bankwest	TD	\$1,000,000.00	2.60%	27/02/2017	19/07/2017	142	110	\$2,350.68
Bankwest	TD	\$1,000,000.00	2.60%	27/02/2017	24/07/2017	147	115	\$2,350.68
Bankwest	TD	\$1,000,000.00	2.60%	27/02/2017	26/07/2017	149	117	\$2,350.68
Westpac	TD	\$1,000,000.00	3.55%	28/02/2017	28/02/2022	1826	1795	\$3,112.33
Bankwest	TD	\$1,000,000.00	2.60%	28/02/2017	8/08/2017	161	130	\$2,279.45
Westpac	TD	\$1,000,000.00	3.58%	1/03/2017	1/03/2022	1826	1796	\$3,040.55
NAB	TD	\$1,000,000.00	2.56%	1/03/2017	9/08/2017	161	131	\$2,174.25
Westpac	TD	\$1,000,000.00	3.60%	3/03/2017	3/03/2022	1826	1798	\$2,860.27
NAB	TD	\$1,500,000.00	2.60%	8/03/2017	14/08/2017	159	136	\$2,564.38
Westpac	TD	\$1,000,000.00	3.61%	9/03/2017	9/03/2022	1826	1804	\$2,274.79
ING Bank	TD	\$1,000,000.00	2.70%	13/03/2017	11/09/2017	182	164	\$1,405.48
BOQ	TD	\$1,000,000.00	3.60%	15/03/2017	15/03/2021	1461	1445	\$1,676.71
Suncorp Metway	TD	\$2,000,000.00	2.60%	20/03/2017	11/09/2017	175	164	\$1,709.59
BOQ	TD	\$500,000.00	3.80%	23/03/2017	23/03/2022	1826	1818	\$468.49
Suncorp Metway	TD	\$1,000,000.00	2.58%	27/03/2017	18/09/2017	175	171	\$353.42
AMP	TD	\$1,000,000.00	2.75%	29/03/2017	20/09/2017	175	173	\$226.03
<b># TD Investments</b>	<b>85</b>	<b>\$103,400,000.00</b>	<b>3.28%</b>					<b>\$1,150,656.27</b>
CBA	Call Account	\$2,000,000.00	1.20%					
		<b>\$105,400,000.00</b>						



# Appendix B – Ratings Definitions

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## Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general credit worthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment
- Nature and provisions of the obligation
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights
- The issue rating definitions are expressed in terms of default risk.

## S&P Short-Term Obligation Ratings are:

- **A-1:** This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
- **A-2:** A short-term obligation rated A-2 is somewhat more susceptible to the adverse changes in circumstances and economic conditions than obligations in higher rating categories. However the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
- **A-3:** A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

**S&P Long-Term Obligations Ratings are:**

- **AAA:** An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- **AA:** An obligation/obligor rated AA differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.
- **A:** An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligors in higher rated categories. However the obligor's capacity to meet its financial commitment on the obligation is strong.
- **BBB:** A short-term obligation rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
- **Unrated:** Financial Institutions do not necessarily require a credit rating from the various ratings agencies such as Standard & Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all authorised Deposit Taking Institutions (Banks, Building societies and Credit Unions).
- **Plus (+) or Minus(-):** The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories

Fitch and Moody's have similar classifications.