



# Camden Council Business Paper

## Ordinary Council Meeting 12 October 2021

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



## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DPIE	Department of Planning, Industry & Environment
TfNSW	Transport for NSW
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
S10.7 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
S603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
S73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement

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## ORDINARY COUNCIL

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# ORDINARY COUNCIL

SUBJECT: PRAYER

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## PRAYER

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

Amen

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

Amen

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

Amen

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## AFFIRMATION

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

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

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

\*\*\*\*\*

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

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

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## **ORDINARY COUNCIL**

**SUBJECT:       ACKNOWLEDGEMENT OF COUNTRY**

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

# **ORDINARY COUNCIL**

**SUBJECT:        WEBCASTING OF COUNCIL MEETINGS**

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

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

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

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## **ORDINARY COUNCIL**

**SUBJECT: LEAVES OF ABSENCE**

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

### **RECOMMENDED**

**That leaves of absence be granted.**

# ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

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

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 4.28-5.19).

Councillors should be familiar with the disclosure provisions contained in the Council's Code of Conduct.

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

## **RECOMMENDED**

**That the declarations be noted.**



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## ORDINARY COUNCIL

### SUBJECT: PUBLIC ADDRESSES

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

The Public Address session will be conducted in accordance with the Public Address Guidelines subject to necessary changes to accommodate remote access to the meeting. Speakers will be able to make their address by accessing Council's meeting remotely via the internet. Speakers must submit an application form, available on Council's website, to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

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

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

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

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

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

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

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

### **RECOMMENDED**

**That the public addresses be noted.**

## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 14 September 2021.

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 14 September 2021, copies of which have been circulated, be confirmed and adopted.**

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## **ORDINARY COUNCIL**

**SUBJECT:       MAYORAL MINUTE**

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Consideration of Mayoral Minute (if any).



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## ORDINARY COUNCIL

**ORD01**

**SUBJECT: ANNUAL FINANCIAL STATEMENTS - YEAR ENDING 30 JUNE 2021**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 21/477389

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the following:

- The Draft Annual Financial Statements for the year ending 30 June 2021 have been completed;
- The Statement by Councillors and Management to Council's auditor, Audit Office of NSW, in accordance with section 413(2)(c) of the *Local Government Act 1993*, has been prepared; and
- Dates are proposed for the presentation of the Audit Report to Council and giving public notice of the date in accordance with sections 418(1)(a)-(1)(b) of the *Local Government Act 1993*.

### BACKGROUND

The Draft Annual Financial Statements have been completed and are ready for external audit.

A copy of the Statement by Councillors and Management made to Council's auditor, Audit Office of NSW, is provided as **Attachment 1** and **Attachment 2** to this report. Upon signing, this representation acknowledges Council's responsibility for ensuring that the Annual Financial Statements have been prepared in accordance with relevant Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting.

A Councillor briefing was held on 28 September 2021 to discuss this report.

### MAIN REPORT

Council's auditors will present a summary of their findings to Council at the meeting of 9 November 2021. Public notice of this meeting will appear on Council's website from Monday, 1 November 2021.

The Draft Annual Financial Statements will be provided to Councillors under separate cover.

### FINANCIAL IMPLICATIONS

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

### CONCLUSION

This report is a statutory report as part of the process to complete the 2020/21 Annual Financial Statements. The Annual Financial Statements comply with the Australian Accounting Standards and Code of Accounting Practice and Financial Reporting.

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Therefore, it is recommended that Council and management sign the “Statement by Councillors and Management” as attached to this report.

It is also recommended that Council notify the public that the Audit Office of NSW will present their audit findings to Council on 9 November 2021.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the Statement by Councillors and Management, which is to be signed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer); and**
- ii. notify the public that the Annual Financial Statements and Audit Report will be presented to Council on 9 November 2021.**

#### **ATTACHMENTS**

1. General Purpose Financial Statement 2021
2. Special Purpose Financial Statement 2021



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## ORDINARY COUNCIL

## ORD02

**SUBJECT: PLANNING PROPOSAL - ADDITIONAL LOCAL PROVISION TO INCREASE BUILDING HEIGHTS FOR RESIDENTIAL DEVELOPMENT SURROUNDING ORAN PARK HOUSE**

**FROM:** Director Planning & Environment

**TRIM #:** 21/421018

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**PROPERTY ADDRESS** Part of 4 O'Keefe Drive, Oran Park (Lots 6001-6030; 6040-6045; 6055-6061; 6064-6070; DP 1235007)

141 Banfield Drive, Oran Park (Lots 6031 – 6039; DP 1235007)

**PROPONENT** Hixson Pty Ltd

**OWNER** Hixson Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal that seeks to increase the height of dwellings and an amendment to the Camden Growth Centres DCP (DCP) for land at 4 O'Keefe Drive and 141 Banfield Drive, Oran Park.

The report recommends Council endorse the draft Planning Proposal and draft DCP and forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.

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

### BACKGROUND

In February 2021, a draft Planning Proposal was lodged by Hixson Pty Ltd to amend Appendix 9 Camden Growth Centres Precinct Plan of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). The proposal seeks to increase dwelling heights up to seven metres in certain circumstances for development surrounding Oran Park (Catherine Park) House.

The draft Planning Proposal is accompanied by amendments to the Camden Growth Centres DCP - Schedule 4 - Catherine Field (Part) Precinct (draft DCP). The amendments involve changes to the controls for building heights. The draft DCP is provided as an **attachment** to this report.

Heritage NSW has provided preliminary advice supporting building heights up to seven metres, subject to specific design conditions. Subject to Council endorsement of the draft Planning Proposal, further consultation will be undertaken with Heritage NSW.

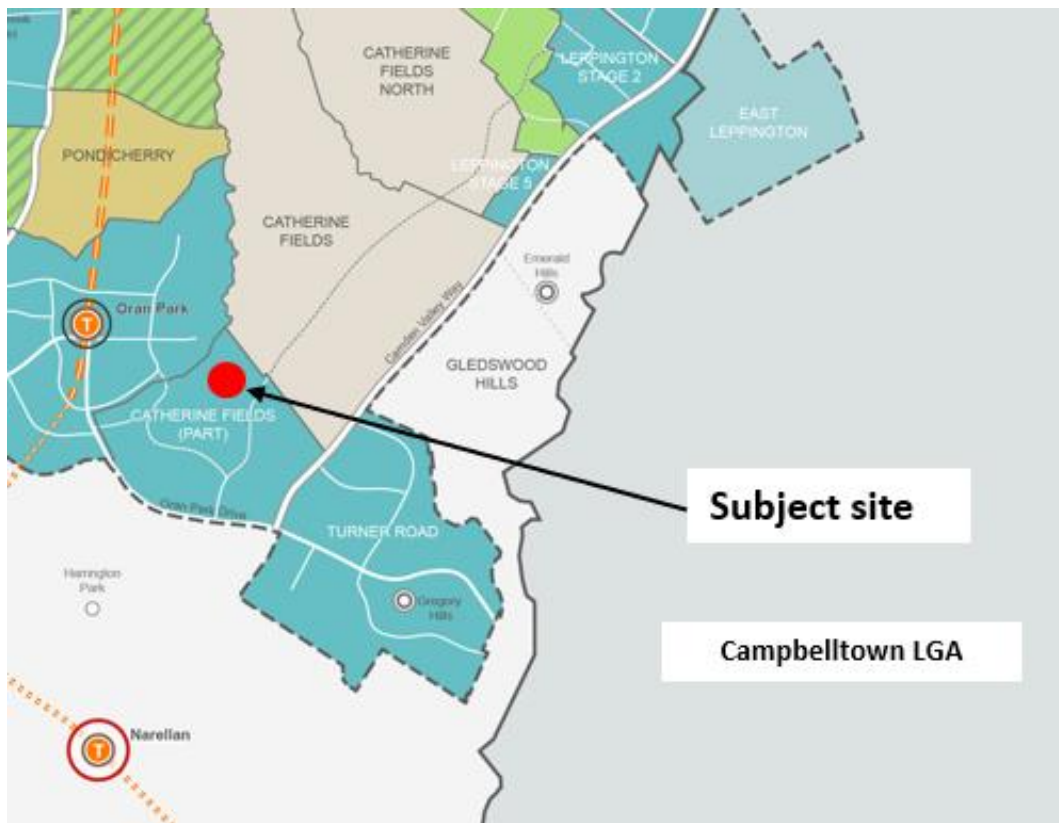
On 21 September 2021, the Camden Local Planning Panel (Panel) considered the draft proposal and provided recommendations, discussed later in this report. A copy of the meeting minutes is provided as an **attachment** to this report.

Councillors were briefed on the draft Planning Proposal on 27 July and 28 September 2021.

### Locality

The site is located within the north-west portion of the Catherine Field (Part) Precinct in the South West Growth Area (SWGA) as shown in **Figure 1**.

The Catherine Field (Part) Precinct is located on the western side of Camden Valley Way. It is bound by the Oran Park Precinct to the north-west, Catherine Field Precinct to the north-east, Turner Road Precinct to the south-east and Harrington Park (Harrington Grove Estate) to the south and west.

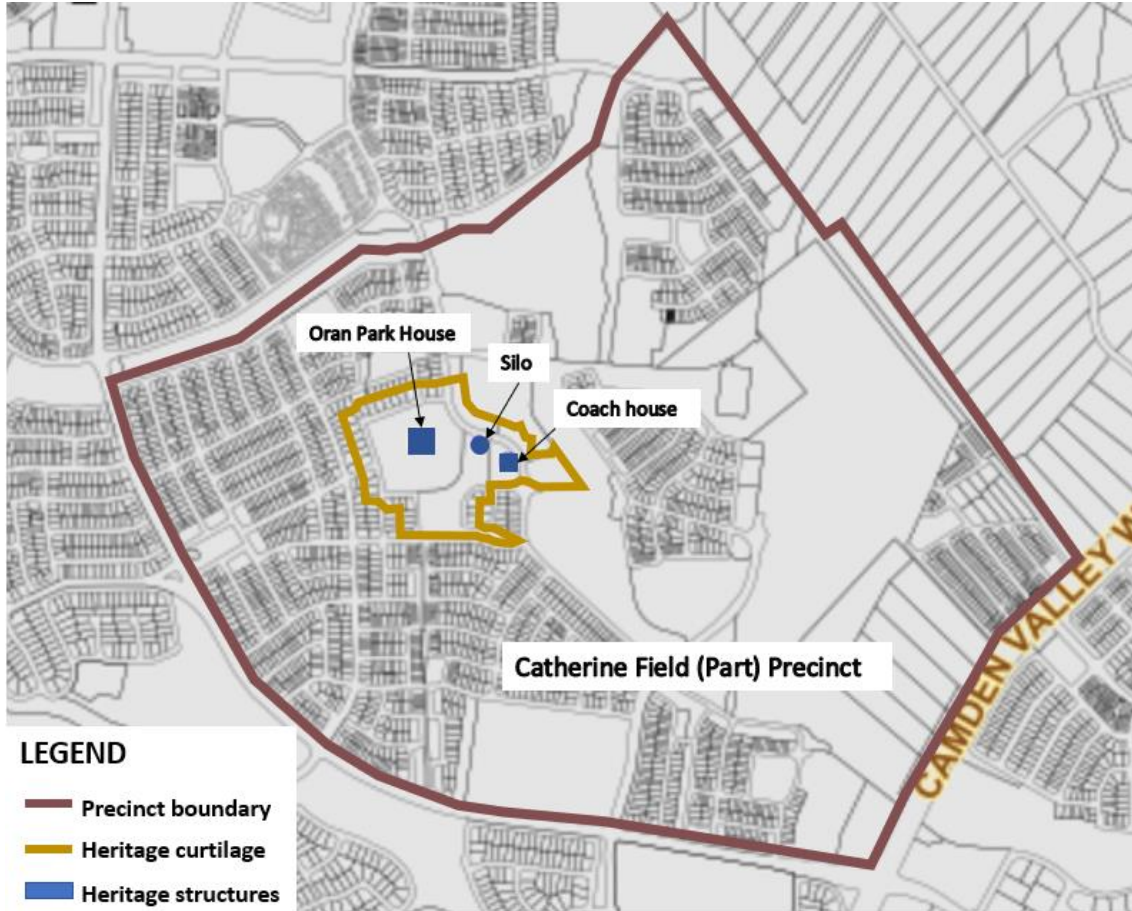


**Figure 1: Location of subject site within the South West Growth Area**

### Site

The site forms part of the Catherine Park Estate, which is located within the Catherine Field (Part) Precinct. The site is known as Catherine Park Estate – Stage 6A. The site contains a state heritage-listed item, Oran Park House (also known as Catherine Park House), located on a single allotment approximately 4.5 hectares in area.

Oran Park House is located on an elevated knoll and sits above the surrounding residential development. As shown in **Figure 2**, the heritage curtilage includes ancillary outbuildings, surrounding gardens, coach house, silo and residential lots.

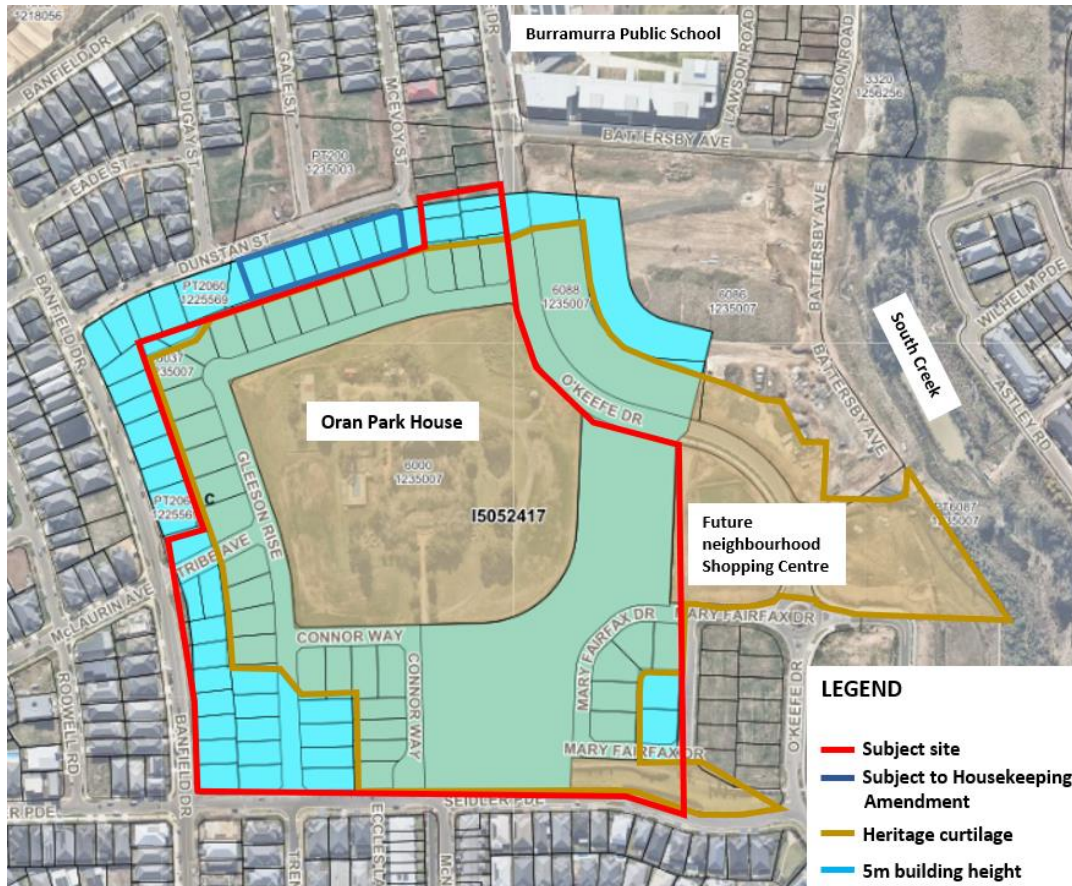


**Figure 2: Location of the Catherine Field (Part) Precinct and Heritage Items**

There is existing and future residential development to the south-east, south, west and north-west of the site as shown in **Figure 3**. South Creek is to the east, and a future neighbourhood shopping centre is proposed to the south-east of Oran Park House.

There are 66 lots within the site that currently have a maximum building height of 5 metres. Of these, 59 lots are affected by this draft Planning Proposal and 36 lots are located wholly or partially within the heritage curtilage area of Oran Park House.





**Figure 3: Site Context Map**

### Development History

In May 2019, a revised Conservation Management Plan (CMP) for Oran Park House was endorsed by Heritage NSW. The revised CMP included a Public Domain Strategy and the Oran Park Heritage Exemption Guidelines (Heritage Exemption Guidelines). The CMP is provided under **separate cover** and the Heritage Exemption Guidelines are included in the Planning Proposal provided as an **attachment** to this report.

On 26 May 2020, Council resolved to adopt amendments to the Camden Growth Centres DCP for development in the heritage curtilage of Oran Park House. The changes to development controls sought to align the DCP to the revised CMP and Heritage Exemption Guidelines. The amended DCP came into effect on 2 October 2020.

The land surrounding Oran Park House has been subdivided and recently registered and sold. Council is in receipt of several Development Applications (DAs) which seek approval for single storey dwellings up to seven metres in height. The assessment of these DAs has been deferred pending Council’s decision on the draft Planning Proposal. The relevant development history of the site is provided as an **attachment** to this report.

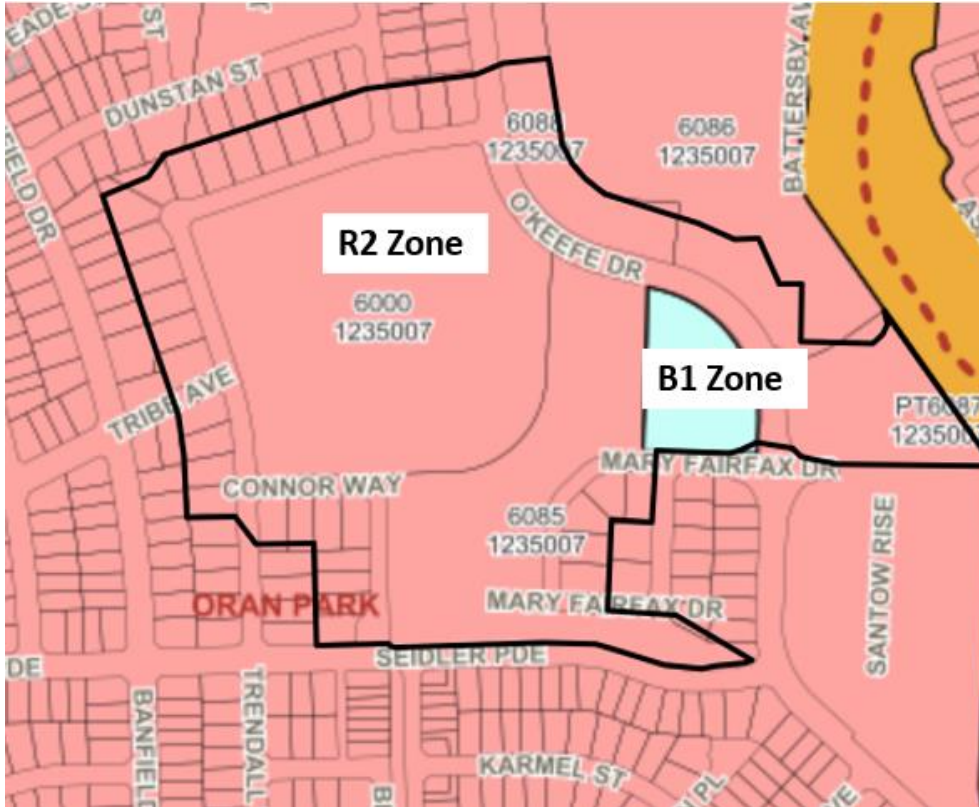
### MAIN REPORT

The draft Planning Proposal seeks to amend the Growth Centres SEPP to increase dwelling heights up to seven metres for development surrounding Oran Park (Catherine Park) House located within Stage 6A of the Catherine Park Estate, subject to specific design controls.

**Zoning and permissibility**

The site is zoned R2 Low Density Residential. Residential lots within the heritage curtilage have a minimum lot size of either 500m<sup>2</sup> or 700m<sup>2</sup>, while lots outside of the heritage curtilage have a minimum lot size of 500m<sup>2</sup>.

A Floor Space Ratio (FSR) of 0.45:1 applies to the 700m<sup>2</sup> lots within the heritage curtilage and the DCP requires a minimum site frontage of 20 metres. The zoning, minimum lot size and FSR controls are shown in **Figures 4 to 6**.



**Figure 4: Existing Zoning and Heritage Curtilage**

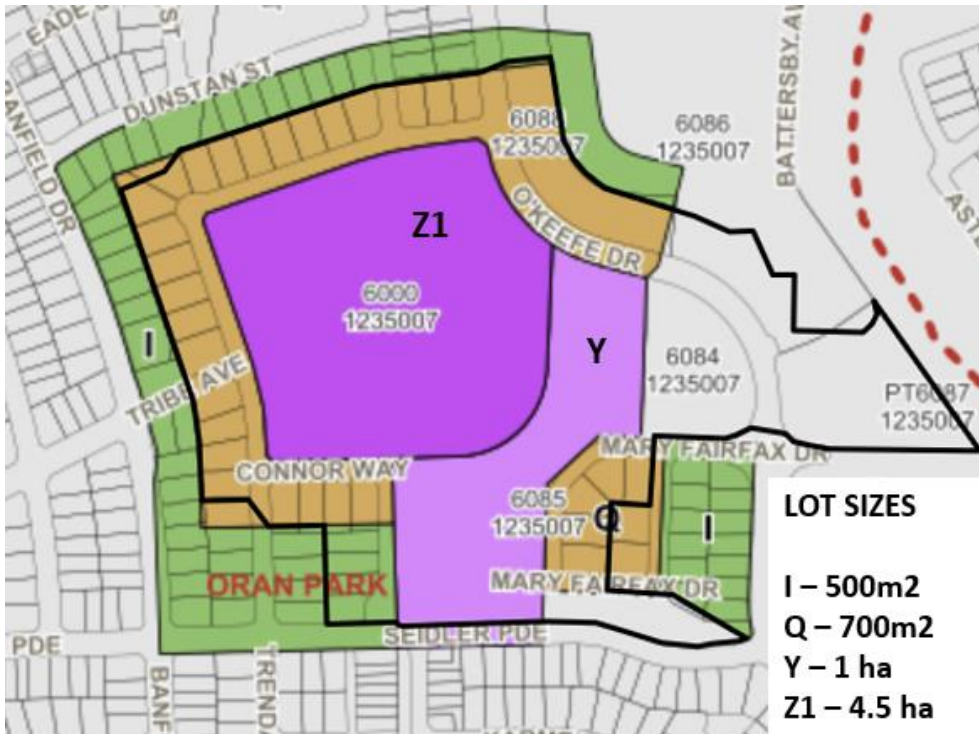


Figure 5: Existing Minimum Lot Sizes and Heritage Curtilage

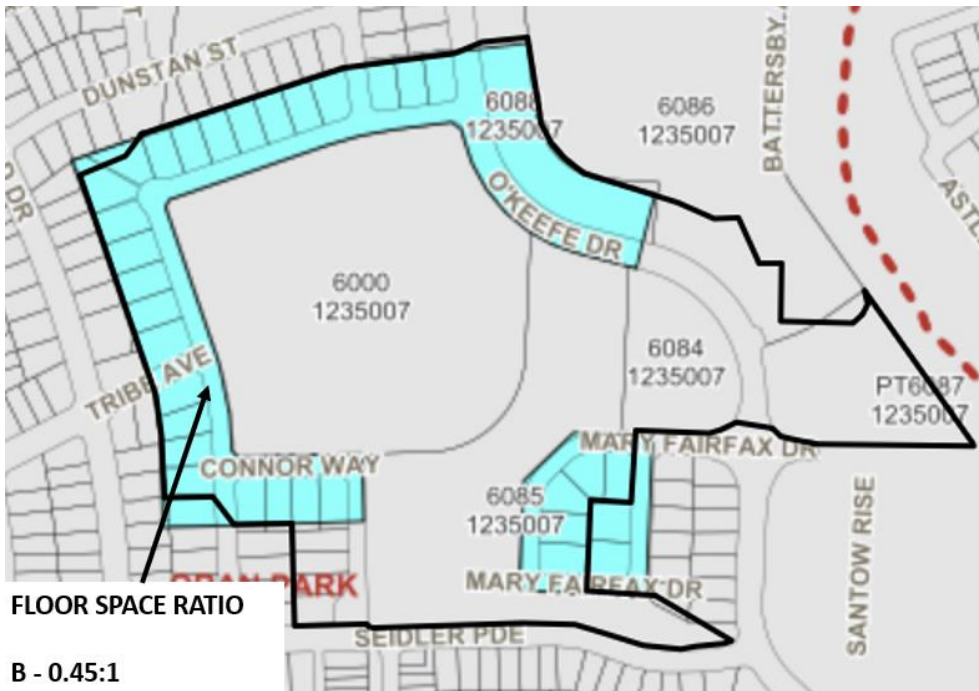


Figure 6: Existing Floor Space Ratio and Heritage Curtilage

### Specialist Studies

The draft Planning Proposal is supported by the following specialist study:

- Heritage Assessment and Evaluation Report dated February 2021 - Tropman & Tropman Architects.





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This study is included in the Planning Proposal provided as an **attachment** to this report.

### **DCP Amendment**

The proposal is accompanied by amendments to the Camden Growth Centres DCP, provided as an **attachment** to this report. In summary, the amendments include:

- Building height controls to reflect the proposed clause;
- Street facade and elevation controls, including diagrams to illustrate the design solution;
- Residential built form, deleting the requirement for the development to be built by one builder; and
- Minor administrative amendments.

Subject to Council endorsement of the draft Planning Proposal, further consultation on the draft DCP amendments will be undertaken with Heritage NSW.

### **Key Issues**

Council officers have assessed the draft Planning Proposal and a summary of key issues is provided below.

#### Building height

The draft Planning Proposal notes that the current five-metre building height standard does not enable the proper design of residential dwellings as intended in the heritage landscape setting.

Furthermore, the five-metre building height standard does not allow compliance with the existing site-specific controls in the DCP. The current DCP requires single storey dwellings to have a minimum roof pitch of 22.5 degrees. This roof pitch is not achievable within the five-metre height limit on 700m<sup>2</sup> lots with a frontage of 20 metres, as illustrated in **Figures 7 and 8**.

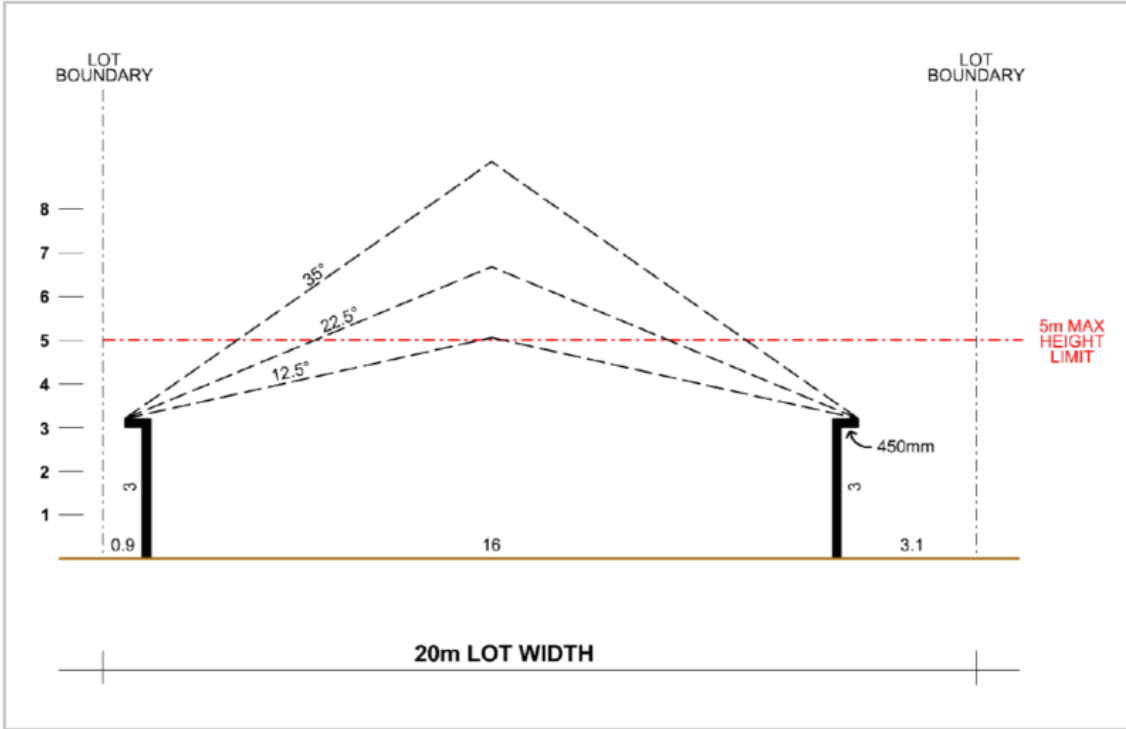


Figure 7: Five (5) metre maximum building height limit and roof pitch



Figure 8: Dwelling roof forms



*Officer Comment*

Heritage NSW has provided preliminary support for building heights up to seven metres subject to conditions, as provided as an **attachment** to this report.

The design supported by Heritage NSW allows a single storey dwelling with a transition from three metres at the front and sides of the dwelling and four metres for 30% of the building frontage to seven metres at the roof ridge. This enables single storey dwellings to achieve a minimum roof pitch of 22.5 degrees.

Draft Clause

The proposed clause will allow building heights above five metres providing:

- The development is a detached dwelling;
- The dwelling height does not exceed seven metres;
- The dwelling is contained within the Standard Building Height Envelope; and
- The four metre height at the front building line does not exceed 30% of the building frontage (front elevation).

Figures 9 and 10 illustrate the recommended design outcome.

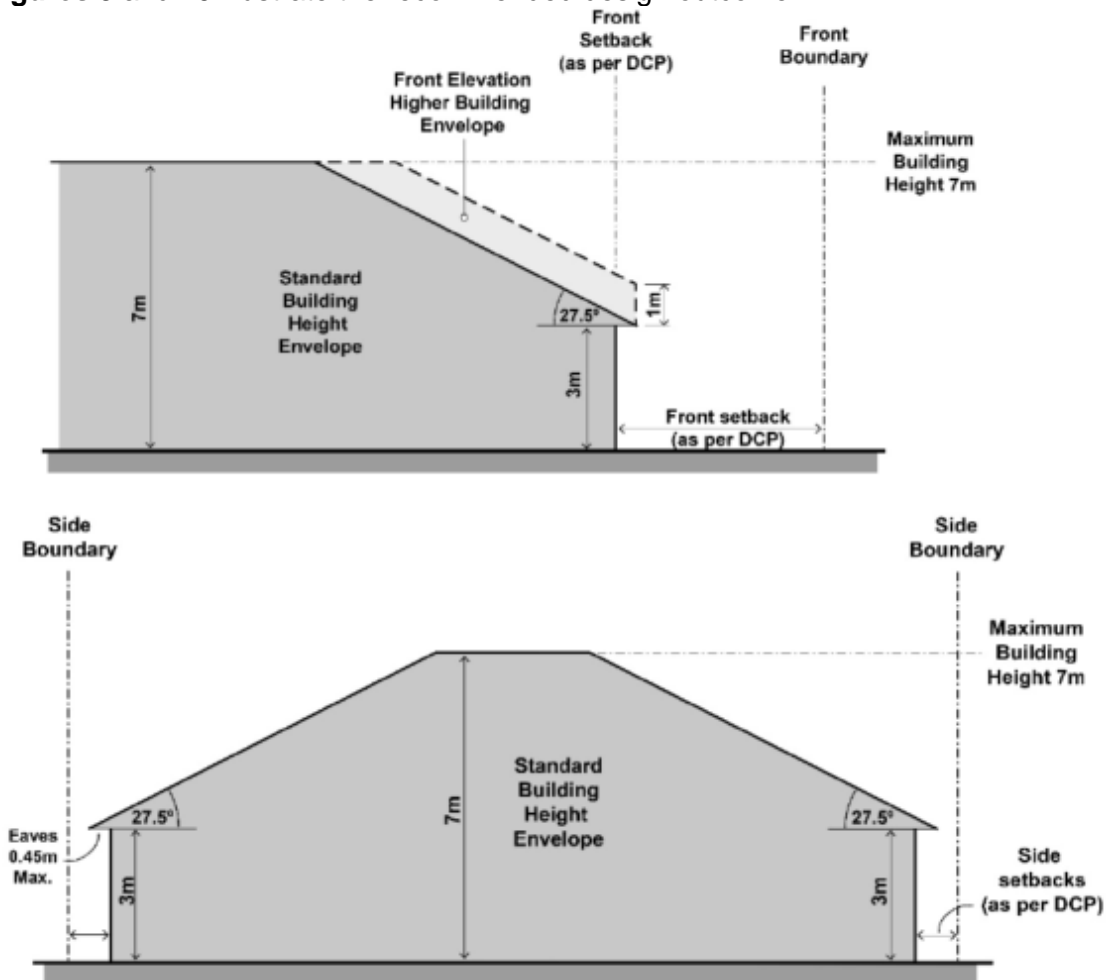
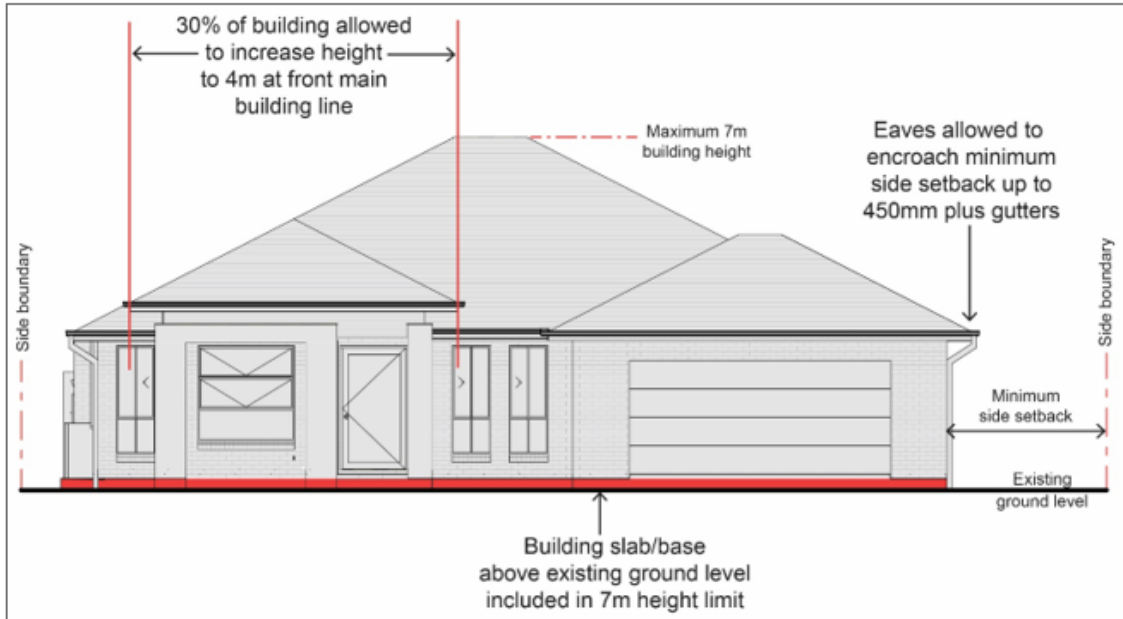


Figure 9: Building envelope for residential dwellings surrounding Oran Park House



**Figure 10: Draft local provision clause street façade**

*Officer Comment*

The draft clause will apply to 59 residential lots. Council officers support the proposal being amended to clarify the land to which the proposed clause applies.

The clause will require that the design does not:

- Impact adversely on the heritage value and significance of Oran Park House;
- Intrude upon the identified view lines and vistas; and
- Detrimentially change the bulk and scale, and character of the streetscape.

To support the DCP amendments, it is recommended that the draft clause clarify that dwellings are to be single storey and that dormer windows will only be considered on corner lots. It is recommended that the clause be amended to prevent the height being varied under Clause 4.6 – variation of development standards. It is also recommended that the clause confirm the roof pitch of between 22.5 and 35 degrees.

Visual and Heritage Impacts

The draft Planning Proposal notes that the proposed controls will deliver better designed dwellings and more attractive streetscapes without impacting on views to and from Oran Park House. As illustrated in **Figure 11**, dwellings constructed at seven metres will sit below the roofline of dwellings built to nine metres.



Figure 11: View facing north towards McEvoy Street from Oran Park House



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### *Officer Comment*

An objective for the Catherine Field (Part) Precinct is for development surrounding Oran Park House to be subservient and not detract from its visual dominance in the landscape setting. As illustrated in **Figure 11**, due to the site topography, views will not be adversely impacted by single storey dwellings built to seven metres and in accordance with the design controls.

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

An assessment of the draft Planning Proposal against the key strategic documents is provided as an **attachment** to this report and summarised below:

#### Greater Sydney Region Plan

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

- **Direction 4: Liveability** - Housing the City and A City of great places

#### Western Sydney District Plan

On 18 March 2018, the Western Sydney District Plan (the District Plan) was released by the GSC. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

The proposal is consistent with the relevant priorities and actions of the District Plan:

- **Planning Priority W5:** Providing housing supply, choice and affordability, with access to jobs, services and public transport; and
- **Planning Priority W6:** Creating and renewing great places and local centres and respecting the District's heritage.

#### Camden Community Strategic Plan

The Community Strategic Plan (CSP) seeks to actively manage growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The proposal has been assessed against the relevant directions and strategies of the CSP and is consistent with the following strategies:

- **Strategy 1.1.2:** Manage and plan for a balance between population growth, urban development and environmental protection; and
- **Strategy 2.1.1:** Protect the built and natural heritage of the Camden LGA.

#### Camden Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) was adopted by Council on 14 April 2020. The LSPS is a 20-year planning vision and includes land use, transport and sustainability objectives to demonstrate how the Camden LGA will change to meet the community's needs over the next 20 years.



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

- **Liveability Local Priority 1:** Providing housing choice and affordability for Camden's growing and changing population; and
- **Liveability Local Priority 2:** Celebrating and respecting Camden's proud heritage.

#### Draft Camden Housing Strategy

The draft Camden Local Housing Strategy (draft Strategy) sets out a plan for housing in the Camden LGA over the next 10 to 20 years. The proposal has been assessed against the priorities, objectives and actions of the draft Strategy and is consistent with the following priorities:

- Delivering resilient, healthy and connected communities; and
- Delivering the right housing in the right location.

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

On 21 September 2021, the Camden Local Planning Panel considered the draft Planning Proposal. The Panel recommended that the draft Planning Proposal proceed to Gateway Determination as it demonstrates strategic and site specific and is consistent with the preliminary advice from Heritage NSW.

The Panel recommended that the proposed clause:

- Stipulate the proposed roof pitch and front building line in the draft clause consistent with the preliminary advice from Heritage NSW;
- Exclude the operation of clause 4.6;
- Include a map that shows the area to which the clause applies; and
- Clarify the inclusion of eaves on the proposed local provision clause diagram with Heritage NSW.

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

#### *Officer comment*

Council officers support the Panel's recommendations. It is recommended that the proposed clause be amended to address the matters raised by the Panel and in response to the Council officer's assessment of the draft Planning Proposal.

#### **Assessment of Planning Merit**

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

It is considered that the proposal demonstrates strategic and site-specific merit to proceed to Gateway Determination. As noted in this report, further consultation will be undertaken with Heritage NSW to address the Panel's recommendation and Council officer's comments.

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## Next Steps

Subject to Council endorsement, the draft Planning Proposal will be submitted to DPIE for Gateway Determination.

Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on public exhibition concurrently with the draft DCP. This will include further consultation with Heritage NSW. If unresolved submissions are received during the public exhibition period, a further report to Council will be prepared. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPIE for finalisation.

## Recommended Community Participation Methods

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, it is recommended that the following community engagement methods be undertaken at public exhibition of the draft Planning Proposal:

- Notification letters to affected landowners, surrounding properties, the Heritage Advisory Committee and the Historical Society. The extent of the notification area for this proposal is provided as an **attachment** to this report.
- Site signage to be provided at the Banfield Drive and Seidler Parade street frontages advising that the proposal is on exhibition; and
- Social media posts directing the community to Council's website for further information on the proposal.

## FINANCIAL IMPLICATIONS

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

## CONCLUSION

The draft Planning Proposal seeks to amend the Growth Centres SEPP to permit dwelling heights up to seven metres for development surrounding Oran Park House (within Stage 6A of the Catherine Park Estate) subject to specific design controls.

The draft Planning Proposal is accompanied by amendments to the Camden Growth Centres DCP. The DCP amendments include controls and diagrams to detail the design requirements to be satisfied where dwellings up to seven metres are proposed.

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




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## **RECOMMENDED**

**That Council:**

- i. endorse the draft Planning Proposal for land at 4 O’Keefe Drive and 141 Banfield Drive, Oran Park to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;**
- ii. endorse the draft amendment to Schedule 4 of the Camden Growth Centres Development Control Plan to be forwarded to the Department of Planning, Industry and Environment in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment;**
- iii. subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition for the draft Planning Proposal and draft Schedule 4 Development Control Plan in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*;**
- iv. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning, Industry and Environment for the plan to be made; and**
- v. upon notification of the State Environmental Planning Policy amendment:**
  - a. grant delegation to the General Manager to adopt the proposed changes to the Camden Growth Centres Development Control Plan in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment; and**
  - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*; or**
- vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

## **ATTACHMENTS**

1. Planning Proposal Stage 6 Catherine Park - September 2021
2. Initial Assessment - Proposed Draft Amendments to 7 Schedule 4 Growth Centres DCP
3. Camden Local Planning Panel - Closed Meeting Minutes - 21/09/2021
4. Assessment against Key Strategic Documents
5. Report from Heritage NSW - 4 O’Keefe Drive, Oran Park
6. Oran Park House Conservation Management Plan
7. Relevant Development History - 4 O Keefe Drive and 141 Banfield Drive, Oran Park
8. Notification Area - 4 O Keefe Drive and 141 Banfield Drive, Oran Park

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## ORDINARY COUNCIL

ORD03

**SUBJECT: PLANNING PROPOSAL - ADDITIONAL PERMITTED USE FOR STUDIO DWELLINGS AT 50 RABY ROAD, GLEDSDOOD HILLS (CAMDEN LAKESIDE)**

**FROM:** Director Planning & Environment

**TRIM #:** 21/429455

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**PROPERTY ADDRESS** 50 Raby Road, Gledswood Hills  
Lot: 70 DP: 1261166

**PROPONENT** SJB Planning

**OWNER** SH Camden Lakeside Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal and amendment to the Camden Development Control Plan 2019 (DCP) for land at 50 Raby Road, Gledswood Hills.

This report recommends that Council endorse the draft Planning Proposal and draft DCP and forward the proposal to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.

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

### BACKGROUND

In April 2021, the draft Planning Proposal was lodged by SJB Planning on behalf of the landowner. The draft Planning Proposal seeks to amend Schedule 1 Additional permitted uses of Camden Local Environmental Plan 2010 (Camden LEP 2010) to permit studio dwellings on the site. The draft Planning Proposal also seeks to amend Part 4 Principal development standards to enable the strata subdivision of studio dwellings.

Studio dwellings are not currently a defined land use in Camden LEP 2010. However, studio dwellings are a defined and permissible use in the South West Growth Area (SWGGA) under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

The draft Planning Proposal is accompanied by amendments to Camden DCP 2019 - Schedule 6 Camden Lakeside. The DCP amendments insert objectives and controls for the design of studio dwellings. The draft DCP is provided as an **attachment** to this report.

In December 2019, Council endorsed an amendment to Camden DCP 2019 - Schedule 6 Camden Lakeside to increase the dwelling capacity from 380 to 550 dwellings and update the associated masterplan. The current DCP amendments do not alter the existing dwelling capacity.



On 21 September 2021, the Camden Local Planning Panel considered the draft Planning Proposal. The minutes from the Panel meeting are provided as an **attachment** to this report.

Councillors were briefed on the draft Planning Proposal on 22 June and 28 September 2021.

### Locality

The site (known as Camden Lakeside) is located at the south-eastern corner of the Raby Road/Camden Valley Way intersection. The adjacent areas include Emerald Hills to the north, Gledswood Hills and The Crest to the south, and Catherine Field to the west. Gledswood Hills includes The Hermitage (part of the Turner Road Precinct of the SWGA and subject to Growth Centres SEPP) and El Caballo Blanco/Gledswood (subject to Camden LEP 2010). The locality is shown in **Figure 1**.



**Figure 1: Locality**

### Site

The site comprises the residential component of Camden Lakeside, which was rezoned in 2009 and includes six residential precincts providing up to 550 dwellings set amongst a golf course and clubhouse facilities. The state heritage listed Gledswood Homestead and Water NSW Upper Canal adjoin the site.



The site is irregular in shape and is approximately 34.27ha in area with frontages to Camden Valley Way and Raby Road. The site is accessible from Gledswood Hills to the south via Providence Drive.

The site is shown in **Figure 2** with Camden Lakeside outlined in blue and the residential precincts outlined in red.



**Figure 2: Site Context**

### **Development History**

The site has been subject to several development applications (DAs) for residential subdivision and is currently undergoing subdivision works, with houses under construction in the southern precinct.

### **Initial Notification**

Initial notification has not been undertaken for the proposal.



**MAIN REPORT**

**Summary of Proposal**

The draft Planning Proposal seeks to:

- Allow studio dwellings within Camden Lakeside; and
- Allow the strata subdivision of studio dwellings.

Studio dwellings are currently not a defined land use in the Camden LEP 2010, however are defined and permissible in the Growth Centres SEPP. The Growth Centres SEPP defines a studio dwelling as:

**studio dwelling** means a dwelling that—  
 (a) is established in conjunction with another dwelling (the **principal dwelling**), and  
 (b) is on its own lot of land, and  
 (c) is erected above a garage that is on the same lot of land as the principal dwelling, whether the garage is attached to, or is separate from, the principal dwelling,  
 but does not include a semi-detached dwelling.

The proponent is seeking to include studio dwellings as a permissible use to provide greater housing diversity in the residential precincts and contributing to housing affordability.

The vision is to deliver studio dwellings on laneways in medium density precincts. An example of the proposed development outcome has previously been delivered by the developer (Sekisui House) at The Hermitage (Gledswood Hills) (**Figure 3**). In this example, two studio dwellings are included as part of a medium density precinct containing 38 dwellings in total.



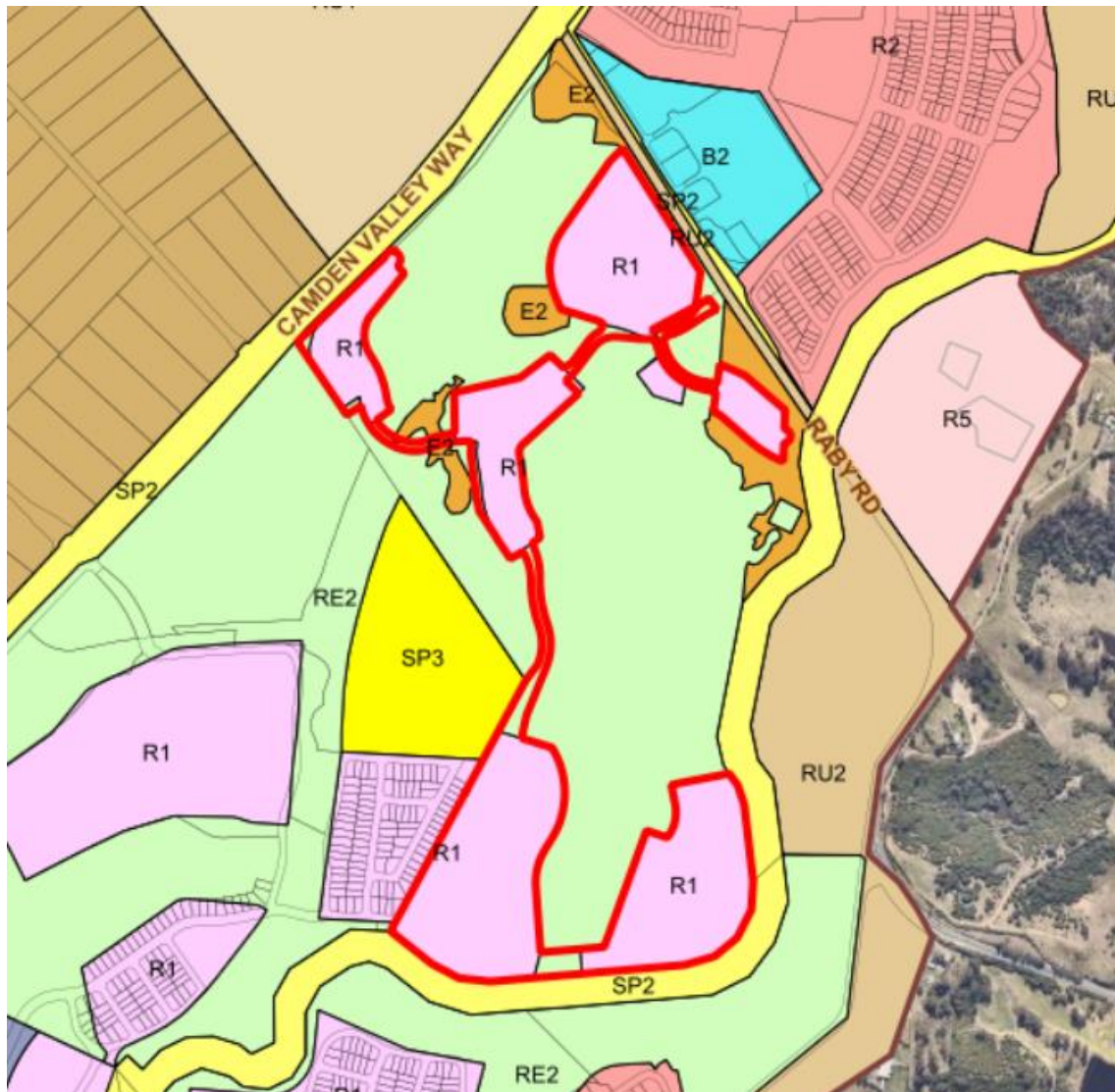
**Figure 3: Example development outcome (studio dwellings outlined and hatched in red)**



### Zoning and Permissibility

As shown in **Figure 4**, the site is zoned part R1 General Residential, part E2 Environmental Conservation and part RE2 Private Recreation. As detailed above, an additional use clause is proposed to apply to the land zoned R1 General Residential.

‘Residential accommodation’ is permitted within the R1 General Residential zone of Camden LEP 2010, however does not include ‘studio dwellings’. It is proposed that the Camden LEP 2010 be amended to include studio dwellings as a permissible use on the site and allow strata subdivision to create strata lots that are less than the minimum lot size where it relates to development for the purpose of studio dwellings.



**Figure 4: Site Zoning**

### **Camden DCP 2019 Amendment**

The proposal includes amendments to the Camden DCP 2019, provided as an **attachment** to this report. The amendments propose to insert controls within the Camden Lakeside precinct relating to studio dwellings, including:



- 
- A maximum studio dwelling cap of 25% of lots which face a laneway;
  - Provisions relating to materials and colours, architectural treatment, privacy, access, building setbacks and private open space;
  - A maximum gross floor area (GFA) for studio dwellings of 75m<sup>2</sup>;
  - A requirement for studio dwellings to include a balcony or living space that overlook laneways to provide surveillance; and
  - A requirement for dedicated off-street parking.

The objectives of these controls are to:

- Enable the development of a diversity of dwelling types;
- Contribute to the availability of affordable housing;
- Promote innovative housing solutions that are compatible with the surrounding residential environment; and
- Provide casual surveillance to rear lanes.

The proposed objectives and controls are based on the Turner Road Precinct DCP.

### **Key Issues**

Council officers have assessed the draft Planning Proposal and a summary of the key issues is provided below.

#### Housing Diversity and Affordability

The provision of studio dwellings will provide greater housing diversity and choice, price point, tenure, and location. The proposal notes that studio dwellings will provide opportunities for alternative housing types outside of the SWGA, while encouraging housing affordability.

#### *Officer Comment*

Council's draft Local Housing Strategy (draft Strategy) identifies a current lack of housing diversity throughout the LGA. Allowing studio dwellings will assist in achieving greater diversity in housing by supplementing the housing options provided in the SWGA.

Studio dwellings also provide a more affordable housing option. Council's draft Strategy acknowledges that housing diversity contributes to housing affordability. The provision of studio dwellings will result in more affordable housing in the area.

This proposal seeks to permit studio dwellings within the Camden Lakeside precinct. The introduction of studio dwellings in other areas can be considered as part of a future review of the Camden LEP.

#### Camden Lakeside Dwelling Cap

The proposal does not increase the current 550 dwelling yield permitted on the site. As such, the proposal will provide an alternative housing type within the established density target. The proponent has provided an indicative subdivision layout, provided as an **attachment** to this report, to demonstrate potential medium density precincts.

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### *Officer Comment*

The specific design and yield of studio dwellings within the precinct has not yet been finalised. However, to prevent the proliferation of studio dwellings, the DCP amendment includes a control that will limit studio dwellings to 25% of lots facing a laneway.

Based on similar developments, it is expected that a medium density development will include two to three studio dwellings within laneways. On this basis, it is estimated that approximately 21 studio dwellings will be delivered across the broader precinct.

### Built Form Outcomes

The proponent notes the provision of studio dwellings will activate laneways and increase opportunities for passive surveillance.

### *Officer Comment*

The DCP amendment includes controls relating to the design, materials and colours, architectural treatment, privacy, access, building setbacks and private open space. It is considered that the proposed DCP amendment will provide satisfactory design outcomes, will encourage casual surveillance of laneways and provide appropriate levels of residential amenity.

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

An assessment of the draft Planning Proposal against key strategic documents are provided as an **attachment** to this report and is summarised below.

#### Greater Sydney Region Plan

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

The proposal is consistent with the following Directions of the Region Plan:

- Direction 1 – Infrastructure and Collaboration; and
- Direction 3 and 4 – Liveability.

#### Western City District Plan

The Western City District Plan (the District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the Western City District to improve its social, economic and environmental assets.

The proposal is consistent with the following priorities of the District Plan:

- Planning Priority W1 – Planning for a city supported by infrastructure;
- Planning Priority W3 – Providing services and social infrastructure to meet people's changing needs;
- Planning Priority W4 – Fostering healthy, creative, culturally rich and socially connected communities;



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- Planning Priority W5 – Providing housing supply, choice and affordability with access to jobs, services and public transport;
  - Planning Priority W6 - Creating and renewing great place and local centres, and respecting the District's heritage; and
  - Planning Priority W18 – Delivering high quality open space.

### Community Strategic Plan

The Camden Community Strategic Plan (CSP) seeks to actively manage growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes while providing well-managed development.

The proposal is consistent with the following Strategic Directions of the CSP:

- Key Direction 1 – Actively managing Camden LGA's Growth;
- Key Direction 2 – Healthy Urban and Natural Environment; and
- Key Direction 5 – An Enriched and Connected Community.

### Camden Local Strategic Planning Statement

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

The proposal is consistent with the following Local Priorities of the LSPS:

- Liveability Local Priority L1 - Providing housing choice and affordability for Camden's growing and changing population; and
- Sustainability Local Priority S1 – Improving the accessibility and connectivity of Camden's Green and Blue Grid and delivering high quality open space.

### Draft Camden Local Housing Strategy

Council's draft Strategy sets out the vision for housing in the Camden LGA to 2036 by setting a number of priorities and objectives to achieve housing targets and priorities from Council's LSPS.

The proposal is consistent with the following priorities of the draft Strategy:

- Providing housing capacity and coordinating growth with infrastructure;
- Delivering resilient, healthy and connected communities;
- Delivering the right housing in the right location;
- Increasing housing choice and diversity; and
- Addressing housing affordability.

### **Camden Local Planning Panel**

On 21 September 2021, the Camden Local Planning Panel considered the draft Planning Proposal. The Panel was supportive of the proposal and considered that the proposal demonstrates strategic and site-specific merit to proceed to Gateway Determination. A copy of the Panel's meeting minutes is provided as an **attachment** to this report.

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## Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents, including the Greater Sydney Region Plan, Western City District Plan, Community Strategic Plan, Camden Local Strategic Planning Statement and draft Camden Local Housing Strategy and is consistent with these plans and their key objectives. It is considered that the proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The proposal provides an opportunity for increased housing diversity and affordability;
- The proposal will meet the needs of Camden's growing and changing community in relation to affordable housing;
- The proposal provides for varied streetscapes and medium density laneway neighbourhoods; and
- The proposal will encourage casual surveillance and activation of laneways.

## Next Steps

Subject to Council endorsement, the draft Planning Proposal will be submitted to the DPIE for a Gateway Determination.

Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on public exhibition with the draft DCP. If unresolved submissions are received, a further report to Council will be prepared. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPIE for finalisation.

## Recommended Community Participation Methods

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, it is recommended that the following engagement methods be undertaken at public exhibition of the draft Planning Proposal:

- Notification letters to surrounding properties. The proposed extent of the notification area is provided as an **attachment** to this report;
- Site signage, including at the Raby Road and Providence Drive entrances to the site; and
- Social media posts directing the community to Council's website for further information on the proposal.

## FINANCIAL IMPLICATIONS

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





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## **CONCLUSION**

The draft Planning Proposal seeks to amend the Camden LEP 2010 to permit studio dwellings within the residential precincts of Camden Lakeside and to allow for an exception to the minimum lot size where strata subdivision of studio dwellings is proposed.

Amendments are also proposed to the Camden DCP to incorporate controls relating to studio dwellings. The proposal does not increase the current dwelling yield permitted on the site.

Studio dwellings offer increased housing choice, diversity and affordability. Studio dwellings are currently permitted within the SWGA.

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

## **RECOMMENDED**

### **That Council:**

- i. endorse the draft Planning Proposal for land at Lot 70 DP 1261166, 50 Raby Road, Gledswood Hills, to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;**
- ii. endorse the draft amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside;**
- iii. subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition of the draft Planning Proposal and draft amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*;**
- iv. subject to no unresolved submissions being received, forward the draft Planning Proposal for land at 50 Raby Road, Gledswood Hills to the Department of Planning, Industry and Environment for finalisation;**
- v. upon notification of the Local Environmental Plan amendment being made:**
  - a. grant delegation to the General Manager to adopt the amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside; and**
  - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*; or**
- vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition period; or**

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**vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

**ATTACHMENTS**

1. Amended Planning Proposal
2. Camden Local Planning Panel Closed Minutes - 21/09/2021
3. Final Draft Schedule 6 Camden Lakeside DCP
4. Design Precedents
5. Camden Lakeside Indicative Subdivision Plan
6. Assessment Against Key Strategic Documents
7. Notification Area - 50 Raby Road



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## ORDINARY COUNCIL

**ORD04****SUBJECT: PLANNING PROPOSAL - REZONING OF LAND AT 2-8 KONTISTA STREET, LEPPINGTON****FROM:** Director Planning & Environment**TRIM #:** 21/448138

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<b>PROPERTY ADDRESS</b>	Lots 17-20 DP 1247517 2-8 Kontista Street, Leppington
<b>PROPONENT</b>	Knight Frank Australia Pty Ltd
<b>OWNER</b>	Leppington 20 Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for 2-8 Kontista Street, Leppington (formerly known as 16 Heath Road, Leppington).

The report recommends that Council endorse the draft Planning Proposal (with amendments) and forward it to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination. The draft Planning Proposal is provided as an **attachment** to this report.

### BACKGROUND

In December 2018, a draft Planning Proposal was lodged with Council to amend Appendix 9 Camden Growth Centres Precinct Plan of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) for land at 16 Heath Road and 1339 Camden Valley Way, Leppington.

The original proposal sought to rezone the land and allow an increase in building height for a shop top housing development which included non-residential uses on the ground floor.

On 18 February 2020, the Camden Local Planning Panel (Panel) considered the draft proposal and provided recommendations. The Panel noted that the proposal has strategic merit however required further justification to address the site-specific merit. A copy of the Panel meeting minutes is provided as an **attachment** to this report.

In June 2021, a revised draft Planning Proposal was lodged by Knight Frank Australia Pty Ltd. The revised proposal applies only to land on the corner of Kontista Street and Heath Road (2-8 Kontista Street, Leppington).

The revised draft Planning Proposal seeks to rezone the site to R3 Medium Density Residential, permit additional non-residential uses including 'retail premises' and 'business premises' and increase the building height to 16 metres.

Council officers have assessed the revised draft Planning Proposal. Whilst the proposed rezoning to R3 Medium Density is supported, the additional non-residential uses and increased building height to 16 metres is not supported. Council officers recommend the draft Planning Proposal be amended to include the rezoning of land surrounding the subject site, as detailed within this report.



Councillors were briefed on the draft Planning Proposal on 23 March 2020 and 28 September 2021.

### Locality

The site is located approximately three kilometres from Leppington Railway Station and is within Stage 1 of the Leppington Precinct (**Figure 1**). The surrounding development includes semi-rural properties to the west and low to medium density residential development to the south and east with lot sizes ranging from 300m<sup>2</sup> to 450m<sup>2</sup>. The Willowdale shopping centre is located to the south-east and includes a supermarket and specialty shops.

The site is located on the corner of Kontista Street and Heath Road, Leppington and is approximately 1,200m<sup>2</sup> in area (**Figure 2**).

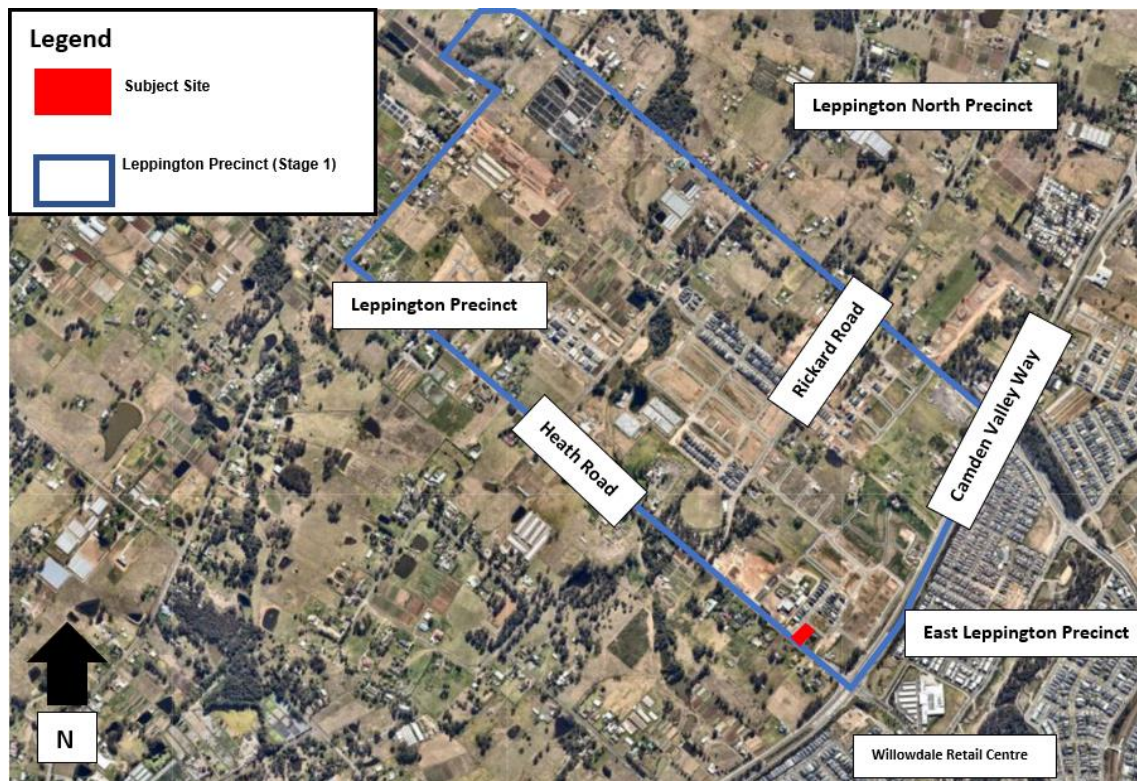


Figure 1: Local Context



Figure 2: Site Location Map (Source: draft Planning Proposal)

**Development History**

The site has been recently subdivided (DA/2017/1135/1) into four residential lots (each lot is approximately 300m<sup>2</sup>). The site was previously part of a larger land holding which has been subdivided as illustrated in **Figure 3**. The relevant development history for the site is provided as an **attachment** to this report.

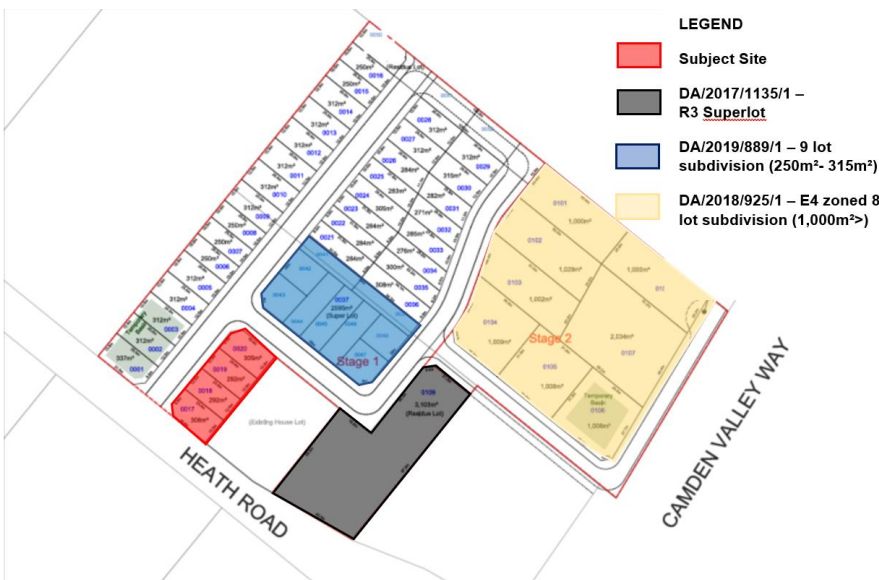


Figure 3: Subdivision Layout Plan (DA/2017/1135/3)

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## MAIN REPORT

### Draft Proposal Planning

In summary, the revised draft Planning Proposal seeks to:

- Amend the R3 Medium Density zone boundary to extend over the entire site (and amend the associated height and density controls) by replacing the current R2 Low Density Residential zoning.
- Amend the Growth Centres SEPP to:
  - enable shop top housing, with ground floor retail and business uses by including 'retail premises' and 'business premises' as additional permitted uses consistent with the definition of shop top housing; and
  - increase the building height to 16 metres in order to support retail and commercial premises on the ground floor.

The proposal is seeking an increase in building height to facilitate non-residential uses on the ground floor. It is proposed that the top floor would be recessed three metres to minimise amenity and privacy impacts for neighbouring properties.

### Zoning

The site is currently zoned part R3 Medium Density Residential and part R2 Low Density Residential under the Growth Centres SEPP. Approximately 300m<sup>2</sup> of the site is zoned R3 Medium Density and the remaining 900m<sup>2</sup> is zoned R2 Low Density. The proposal will result in an additional 900m<sup>2</sup> of R3 Medium Density zoned land, corresponding to a loss of 900m<sup>2</sup> of R2 Low Density zoned land.

Rezoning the site to R3 Medium Density Residential will rationalise the zoning and provide a logical extension of the existing R3 Medium Density zone that aligns with the approved subdivision and road layout.

Rezoning the site to R3 Medium Density will amend the range of permissible uses on the site and increase the maximum building height from nine metres to 12 metres. The existing and proposed zoning are shown in **Figures 4 and 5**.



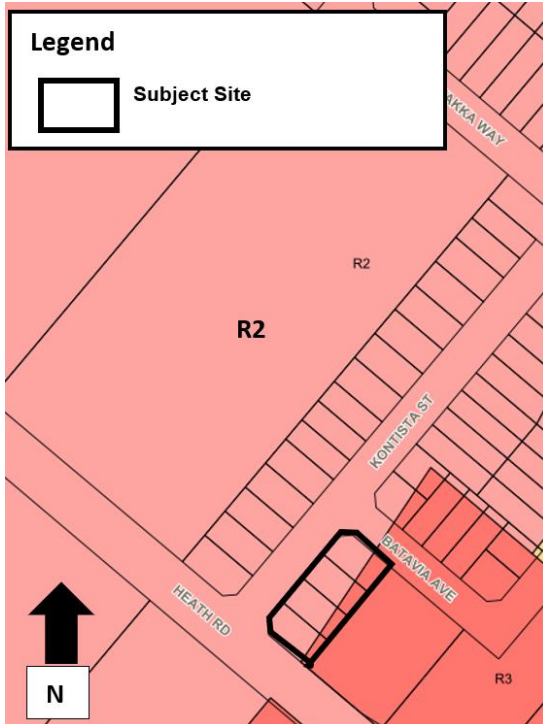


Figure 4: Existing zoning

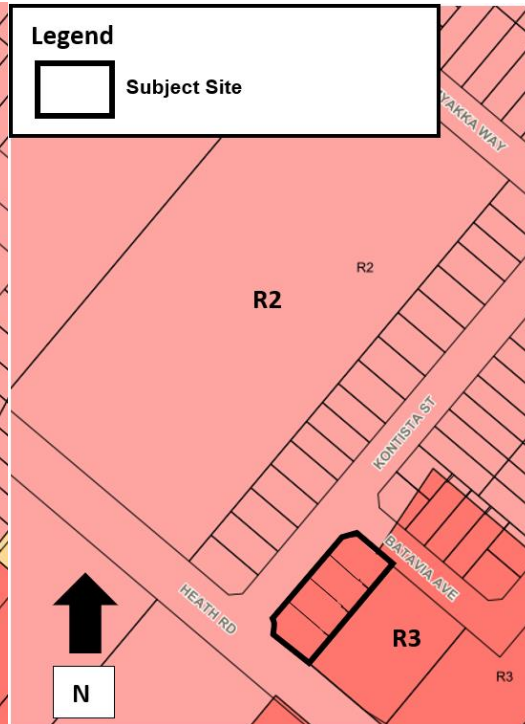


Figure 5: Proposed zoning

### Specialist Studies

The draft Planning Proposal includes the following studies, provided as **attachments** to this report.

- Urban Design Review prepared by Architects Johannsen + Associates, July 2019;
- Economic Assessment prepared by Hill PDA, August 2019; and
- Development Feasibility Assessment prepared by Hill PDA, revised July 2021.

The findings of the specialist studies and Council officer's assessment are provided as an **attachment** to this report.

### Key Issues

Council officers have assessed the draft Planning Proposal and a summary of key issues is provided below.

#### Zoning

The draft Planning Proposal proposes to rezone approximately 900m<sup>2</sup> of land to R3 Medium Density Residential. The proposal notes that the additional R3 Medium Density land is offset by land to the north, across Batavia Avenue. This land is zoned primarily R3 Medium Density however has been subdivided and developed for the purpose of low-density dwellings, consistent with a R2 Low Density Residential zone.

#### *Officer Comment*

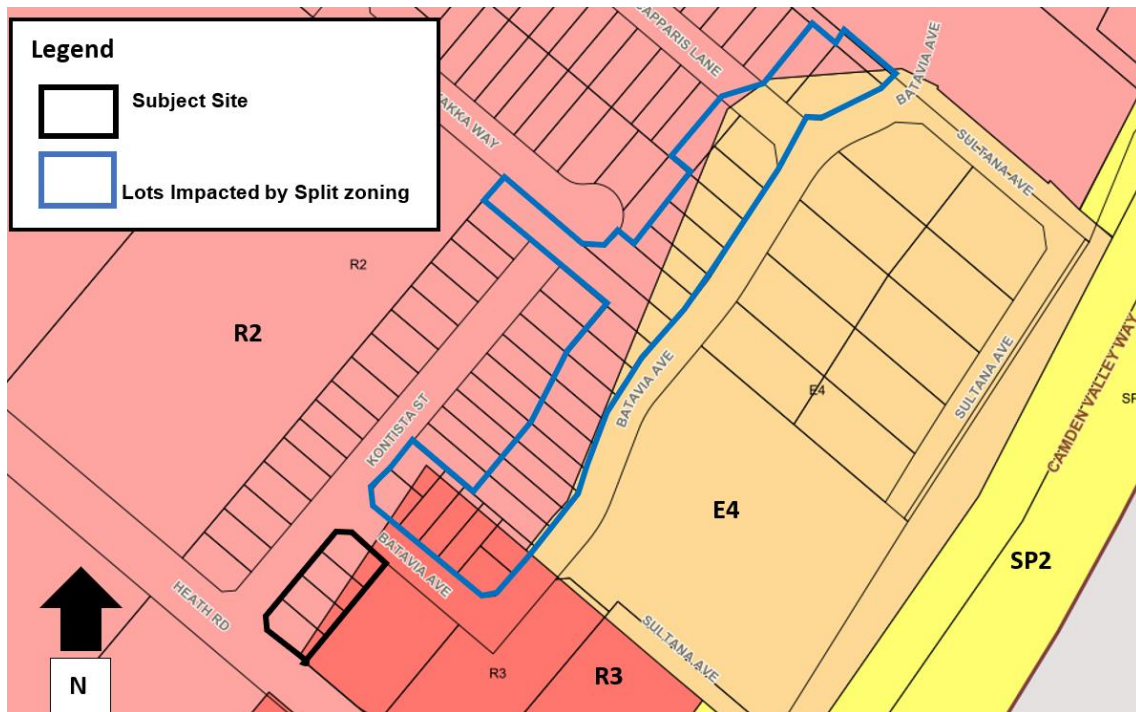
The proposed rezoning to R3 Medium Density is supported. Rezoning the site to R3 Medium Density will rationalise the zoning and provide a logical extension of the existing R3 zone that aligns with the approved subdivision and road layout.

Rezoning the land to R3 Medium Density will amend the range of permissible uses and include attached dwellings and multi dwelling housing. The rezoning to R3 Medium Density will also increase the maximum building height from nine to 12 metres.

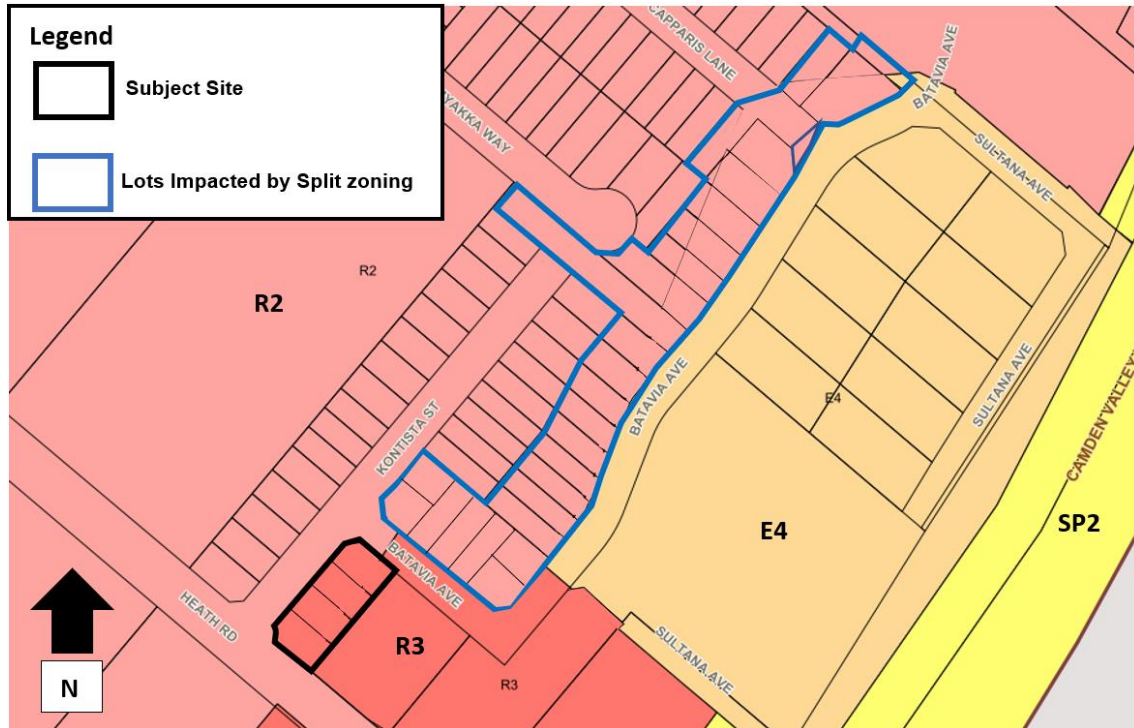
In addition to rezoning the subject site, Council officers recommend the draft Planning Proposal be extended to include other land within the vicinity of the site, where irregular zoning patterns exist.

As shown in **Figure 6**, lots fronting Kontista Street, Batavia Avenue and Capparis Lane are zoned a mix of part R2 Low Density, R3 Medium Density and E4 Environmental Living. It is proposed to rezone these lots to R2 Low Density Residential, consistent with the approved subdivision and road layouts.

**Figure 7** shows the proposed zoning for land in Kontista Street, Batavia Avenue and Capparis Lane, Leppington.



**Figure 6: Existing zoning across the locality**



**Figure 7: Proposed zoning across the locality**

### Building Height

Rezoning the site to R3 Medium Density Residential will increase the maximum building height from nine metres to 12 metres, consistent with the adjoining R3 Medium Density zoned land.

The draft Planning Proposal seeks to further increase the building height to 16 metres, where retail, commercial or health services are provided at ground floor level. According to the proponent, it is not commercially viable to deliver shop top housing on the site without an increase in building height. The additional height would encourage the use of the site for shop top housing to deliver local services and businesses.

The draft Planning Proposal is accompanied by a concept design that includes a transition to the adjoining R2 Low Density area, including a three-metre setback for the top floor, which will recess the built form and minimise amenity impacts for neighbouring properties.

The existing and proposed height of building maps for the site and adjoining area is provided in **Figures 8 and 9**.



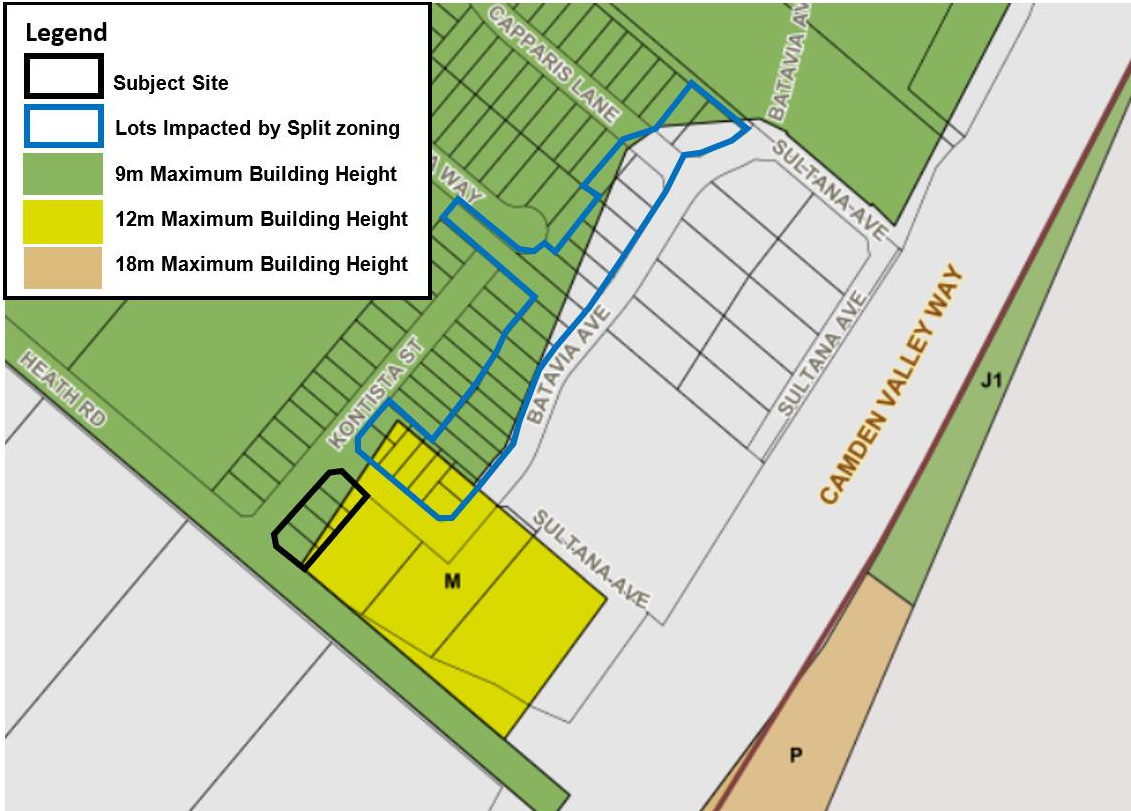


Figure 8: Existing Height of Building



Figure 9: Proposed Height of Building



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### *Officer Comment*

Rezoning the land to R3 Medium Density will increase the maximum building height to 12 metres, consistent with the building height for the adjoining R3 Medium Density land. A further height increase to 16 metres is not supported, as the proposal has not demonstrated site specific merit to justify this increase in isolation of other land in the locality.

### Non-Residential Uses

According to the proponent, the basis for the rezoning and additional height to 16 metres is to enable a shop top housing development involving a mix of retail and business activities and residential on the site. The non-residential uses are proposed to complement the existing retail uses in Leppington and Willowdale.

The proposal is accompanied by an economic assessment which found that the site is suitable for non-residential uses such as neighbourhood shops, commercial and health services. The assessment notes that the additional building height will assist in maximising the economic potential of the site.

### *Officer Comment*

Under the proposed R3 Medium Density zoning, limited non-residential uses are permitted, including neighbourhood shops. Whilst the local demand for non-residential uses is noted, the proposal has not demonstrated site-specific merit to support the inclusion of broader retail and business premises on this site, in isolation of other land within the locality.

Consideration on the broader demand for non-residential uses within the Leppington area and the centres hierarchy is required prior to supporting additional retail and business uses on specific sites. This aligns with the direction of Council's draft Centres and Employment Lands Strategy (June 2021), whereby out of centre development should complement existing and identified centres and be considered in terms of the broader centres hierarchy.

### **Initial Notification**

The original draft Planning Proposal was notified for a period of 14 days from 12 March to 26 March 2019. No submissions were received regarding the draft Planning Proposal.

### **Camden Local Planning Panel**

On 18 February 2020, the Camden Local Planning Panel (Panel) considered the original draft Planning Proposal. The Panel noted the strategic merit for the draft Planning Proposal however considered further justification was needed to address the site-specific merit. The Panel's recommendations include:

- Some non-residential uses on the site offering local services has planning merit and also notes this outcome is already possible under existing planning controls;
- The proposal lacks sufficient information regarding the development feasibility;
- An increase in the allowable building height may be appropriate but the proposal does not provide certainty regarding acceptable design outcomes on the site;



- That a site specific DCP be prepared, along with numerical standards such as a maximum overall FSR, a maximum FSR for residential development and a minimum FSR for non-residential development.
- The concept demonstrates strategic merit but has not demonstrated site specific merit.

### Post-Panel Amendments

In response to the Panel's recommendations and Council officer's assessment of the original proposal, the draft Planning Proposal has been revised. This includes a development feasibility assessment in support of the proposed height increase requested to support the additional permitted uses.

As the increase in building height and additional non-residential uses is not supported, a site specific DCP has not been prepared. Should Council resolve to endorse the revised draft Planning Proposal as lodged, a site specific DCP will be prepared.

### Assessment against Key Strategic Documents

An assessment of the draft Planning Proposal against the key strategic documents is provided as an **attachment** to this report and is summarised below.

#### Greater Sydney Region Plan

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

The proposal is assessed against Direction 4 - Liveability of the Region Plan.

#### Western City District Plan

On 18 March 2018, the Western Sydney District Plan (the District Plan) was released by the GSC. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

The proposal has been assessed against the relevant priorities and actions of the District Plan including:

- Planning Priority W3: Providing services and social infrastructure to meet people's changing needs;
- Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities;
- Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport; and
- Planning Priority W6: Creating and renewing great places and local centres and respecting the District's heritage.

#### Community Strategic Plan

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



The proposal has been assessed against the relevant directions and strategies of the CSP and is assessed with the following Key Directions:

- Actively Managing Camden LGAs Growth;
- A Prosperous Economy;
- An Enriched and Connected Community;

#### Camden Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) was adopted by Council on 14 April 2020. The LSPS is a 20-year planning vision, and includes land use, transport and sustainability objectives to demonstrate how the Camden LGA will change to meet the community's needs over the next 20 years.

The proposal has been assessed against the relevant Local Priorities and Actions of the LSPS, with specific focus on the following Local Priorities:

- Liveability Local Priority L1: Providing housing choice and affordability for Camden's growing and changing population;
- Liveability Local Priority L3: Providing services and facilities to foster a healthy and socially connected community;
- Liveability Local Priority L4: Encouraging vibrant and connected centres which reflect Camden's evolving character;
- Productivity Local Priority P1: Increasing the quantity and diversity of local jobs, and improving access to jobs across the Western City District; and
- Productivity Local Priority P2: Encouraging successful centres through a clearly defined centres hierarchy.

#### Draft Camden Housing Strategy

The draft Camden Local Housing Strategy (draft Strategy) sets out a plan for housing in the Camden LGA over the next 10 to 20 years. The proposal has been assessed against the Priorities, Objectives and Actions of the draft Strategy. The specific priorities this proposal is assessed against are as follows:

- Delivering resilient, healthy and connected communities.
- Delivering the right housing in the right location; and
- Increasing housing choice and diversity.

#### Draft Camden Centres and Employment Lands Strategy

The draft Camden Centres and Employment Lands Strategy (draft CELS) sets out a plan for the development of centres and employment lands in the Camden LGA over the next 10 to 20 years.

The proposal has been assessed against the following relevant directions, principles and actions of the draft CELS:

- Direction 1: A network of successful and attractive centres;
- Direction 3: Agribusiness, tourism and health care that support the local economy; and
- Action 18: Work with the Department to ensure an adequate supply of industrial and urban services land through South West Growth Area land use planning, with a focus on locating these land uses close to transport corridors.

## Assessment of Planning Merit

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

The proposed additional uses (retail premises and business premises) and increased building height to 16 metres does not demonstrate planning merit and is not supported for the following reasons:

- The proposed height increase has the potential to create a precedent for other land in the surrounding area; and
- Further investigation on the broader demand for non-residential uses within the Leppington area and impacts on the centres hierarchy is required.

The proposed zoning amendment to rationalise the current zoning along with the corresponding height increase to 12 metres has planning merit and is supported for the following reasons:

- The amendments will rationalise the zoning and associated maps of the Growth Centres SEPP to deliver better urban design outcomes by ensuring the intent of the controls are clear and provide certainty for future DAs;
- Rezoning the site to R3 Medium Density Residential and the adjoining land to R2 Low Density Residential is logical and aligns with the existing subdivision and road layout; and
- The proposal will allow greater housing diversity and affordability, aligning with the strategic directions and objectives of the Greater Sydney Region and Western City District Plans, Camden Community Strategic Plan, and Camden Local Strategic Planning Statement.

It is recommended that the draft Planning Proposal be amended to rationalise the zoning and accompanying development standards.

## Summary of Proposed Changes to the draft Planning Proposal

It is recommended the draft Planning Proposal be amended for reasons outlined in this report and supporting attachments as follows:

- Remove the proposed amendment to include ground floor retail and business uses as additional permissible uses;
- Remove the proposed amendment to increase the building height to 16 metres;
- Include the rezoning of properties in Kontista Street, Batavia Avenue and Capparis Lane to R2 Low Density Residential, including amending the corresponding minimum lot size, residential density and height of buildings map.

## Next Steps

Subject to Council endorsement, the draft Planning Proposal (as amended) will be submitted to DPIE for a Gateway Determination. Should Council wish to support the proposal as submitted, a draft site specific DCP will be prepared.



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Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on public exhibition. If unresolved submissions are received, a further report to Council will be prepared. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPIE for finalisation.

#### Recommended Community Participation Methods

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, it is recommended that the following community engagement methods be undertaken at public exhibition of the draft Planning Proposal:

- Notification letters to impacted and surrounding properties. The extent of the notification area is provided as an **attachment** to this report;
- Site signage to be provided at the Kontista Street, Batavia Avenue and Capparis Lane advising that the proposal is on exhibition; and
- Social media posts directing the community to Council's website for further information on the proposal.

#### FINANCIAL IMPLICATIONS

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

#### CONCLUSION

Following consideration of the draft Planning Proposal and assessment against key strategic documents and planning merit, it is recommended that the draft Planning Proposal be amended as outlined in the report.

The proposed zoning amendment to R3 Medium Density Residential to rationalise the current zoning and the corresponding height increase to 12 metres is supported. However, the proposed additional non-residential uses (retail premises and business premises) and increased building height to 16 metres is not supported.

It is recommended that the draft Planning Proposal be amended to rationalise the zoning and accompanying development standards for the subject and adjoining sites, as discussed within this report.

#### RECOMMENDED

**That Council:**

- endorse the draft Planning Proposal for land at 2-8 Kontista Street, Leppington to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination, subject to the following amendments:**
  - remove the proposed site-specific provision to increase the building height and enable additional permitted non-uses for land at 2-8 Kontista Street, Leppington; and**





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## ORDINARY COUNCIL

### ORD05

**SUBJECT: ENDORSEMENT OF THE DRAFT CAMDEN LOCAL HOUSING STRATEGY**

**FROM:** Director Planning & Environment

**TRIM #:** 21/449094

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### PURPOSE OF REPORT

The purpose of this report is for Council to consider the draft Camden Local Housing Strategy (draft Strategy) including amendments recommended in response to submissions received during the public exhibition and as required by the conditional approval from the Department of Planning Industry and Environment (DPIE), and to seek Council's endorsement to adopt the draft Strategy.

### BACKGROUND

The draft Strategy was prepared in response to the Greater Sydney Region Plan (Region Plan), Western City District Plan (District Plan) and the Camden Local Strategic Planning Statement (LSPS) to plan for housing supply and diversity along with supporting infrastructure over the next 10 and 20 years.

The draft Strategy aligns with the structure and principles set out in DPIE's '*Local Housing Strategy Guideline*' (2018). The guideline includes the approval process for local housing strategies.

The draft Strategy, along with other land use planning strategies and technical studies, will inform Stage 2 of the Camden LEP review.

The draft Strategy was publicly exhibited from 15 October to 26 November 2020 and 17 submissions were received. Consideration of the submissions is provided as an **attachment** to this report.

On 25 June 2021, DPIE provided conditional approval of the draft Strategy. A copy of DPIE's approval is provided as an **attachment** to this report. Subject to Council endorsement of the draft Strategy, an implementation and delivery plan will be prepared detailing the actions, roles, responsibilities and timing to deliver the Strategy.

Councillors were briefed on the draft Strategy on 1 September 2020 and 21 September 2021.

### MAIN REPORT

#### **Draft Camden Local Housing Strategy**

The draft Strategy is a plan for the delivery of housing in the Camden LGA over the next 10 and 20 years. It includes projected housing demand and supply and identifies potential gaps to meet housing targets. The draft Strategy is based on evidence from the Housing Market Analysis (2019).

The Region and District Plans require all councils to prepare a housing strategy to plan for the delivery of housing and supporting infrastructure.

Between 2015/16 and 2035/36, it is estimated there will be a demand for an additional 49,625 dwellings within the LGA. In response, Council is required to:

- a) Meet the District Plan 5-year housing target (2016/2017 to 2021/21) of 11,800 dwellings;
- b) Provide planning capacity for the 6-10 year housing target (2021/22 to 2025/26) of 10,000 to 12,500 dwellings established in collaboration with the Greater Sydney Commission (GSC); and
- c) Contribute to the 20-year strategic housing target for the Western City District.

Camden has sufficient planning capacity to meet the 5-year target and the ability to achieve the 6-10 year target. It is noted that around 2024 there may be a shortfall of land for detached dwellings, the dominant housing type in the LGA. Achieving the 6-10 year housing target is dependent on the State Government supporting the funding and delivery of infrastructure.

Mid to long term housing targets can be met through an increase in medium and high density housing in appropriate locations. The delivery of these housing types and increased housing diversity will be considered in the ongoing precinct planning within the South West Growth Area (SWGA).

With regard to location, the majority of housing will be provided within the SWGA with existing rural landscapes, heritage and cultural values to be preserved and protected.

The draft Strategy includes five priorities, which are supported by objectives and actions. The key priorities of the draft Strategy are:

1. Providing housing capacity and coordinating growth with infrastructure;
2. Delivering resilient, healthy and connected communities;
3. Delivering the right housing in the right location;
4. Increasing housing choice and diversity; and
5. Addressing affordability.

### **Public Exhibition**

The draft Strategy was publicly exhibited for 42 days from 15 October to 26 November 2020. Community and public agency consultation during the exhibition included:

- Advertising on Council's website;
- Online community information session;
- Online stakeholder engagement session;
- Online engagement with a video posted to Council's social media pages; and
- Copies of the draft Strategy available at Council's Administration Building and libraries.

Council officers were available over the phone, via email and in person at Council offices during the public exhibition. Due to COVID-19 restrictions, Council was unable to hold drop-in sessions or public workshops.





A total of 17 submissions were received. A copy of the submissions is provided as a **supporting document** including submissions from individuals, developers, industry bodies, government agencies and a community group.

Submissions	
Category	No.
Individuals	6
Developers	5
Industry Bodies	2
Government Agencies	3
Community Groups	1
<b>Total</b>	<b>17</b>

### Summary of Key Submissions

A summary of the key issues raised in submissions is provided below. A detailed consideration of submissions is provided as an **attachment** to this report.

1. *State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) should permanently not apply to land within heritage conservation areas (HCAs), particularly the Camden HCA.*

*Officer Comment:*

The current exemption for HCAs within the Seniors Housing SEPP has been extended to 1 July 2022. Council officers will review the current planning controls relating to seniors housing within the LEP, DCP and draft Housing SEPP with respect to their application in HCAs. An extension to the current exemption may be required to implement the findings of this review.

2. *Seniors Housing developments should not be permitted on the St John's Church site.*

*Officer Comment:*

A number of community submissions raised concern with any future development of the St John's Church site for the purpose of seniors housing. The review of the current planning controls and draft Housing SEPP will include consideration of this matter.

3. *Council should ensure that sufficient infrastructure is delivered to support new housing.*

*Officer Comment:*

The priorities and actions in the draft Strategy acknowledge that meeting the planned housing targets is subject to the delivery of infrastructure to align with growth. An action of the draft Strategy includes the preparation of an updated infrastructure study to inform the infrastructure requirements.

The release and rezoning of precincts within the SWGA is dependent on State Government and public agencies. Council officers will continue to work closely with these agencies to advocate for funding and the timely delivery of infrastructure required to support housing.



4. Council should consult with the development industry to understand current issues and establish pathways & planning controls for the efficient delivery of medium and high-density housing.

*Officer Comment:*

It is acknowledged that consultation with all stakeholders, including the development industry, is important for the delivery of medium and high-density housing. Council officers will continue to engage with industry and the community to ensure that planning controls facilitate the delivery of medium and high-density housing in appropriate locations.

It is recommended that the draft Strategy be amended to clarify Council's intent to continue to work with stakeholders in the delivery of housing diversity in the LGA.

5. Concerns raised regarding the shortage of released land in the SWGA. Council should gain further clarity on the planning pathway for future land release and should allocate more resources to achieving land release. Council should also raise issues with the Minister for Planning and Public Spaces to achieve fast-tracked release of land.

*Officer Comment:*

Council officers will continue to undertake precinct work to support land release across the SWGA. The draft Strategy notes that Council officers will continue to work with DPIE and state agencies to identify priority precincts and achieve land release to meet housing demand, based on the delivery of servicing and enabling infrastructure.

The draft Strategy indicates potential for mid to long term housing targets to be met through an increase in medium and high density housing in appropriate locations. The delivery of these housing types and greater diversity in housing will be considered in the precinct planning within the SWGA.

Also, Council officers will continue to work with relevant agencies to determine interim servicing measures to support the development of rezoned land in the SWGA.

## **Public Agencies Submissions**

1. *Transport for NSW (TFNSW)*

This submission is generally supportive of the draft Strategy, however, suggests a number of specific changes to the draft Strategy including:

- Identify future train stations at Oran Park and Narellan as 'possible' or 'potential';
- Consider infrastructure delivery during release of land in the SWGA;
- Consider increased freight demand due to new housing;
- Consider road infrastructure requirements along with land use assumptions and housing supply estimates;
- Include a breakdown of dwellings by number of bedrooms;
- Include a section on natural hazards (i.e. bushfire and flooding);
- Include a map identifying the access of new housing to open space;
- Identify that adequate facilities, infrastructure and services are provided for older age groups; and
- Consider the indicators in 'Movement and Place Practitioners Guide' by Government Architect NSW (GANSW).



*Officer Comment:*

The draft Strategy currently addresses a number of the issues raised by TfNSW. Council officers will continue to work closely with TfNSW and advocate for the delivery of key transport infrastructure.

The following amendments are proposed to the draft Strategy in response to this submission:

- Identify the future analysis of '*Movement and Place Practitioners Guide*' (GANSW);
- Expanded narrative in relation to natural hazards; and
- Expanded narrative in relation to accessing public space.

Council officers recommend the draft Strategy continue to refer to the train station locations at Oran Park and Narellan as 'future' due to the gazettal of the north-south rail line corridor.

## 2. *Water NSW*

This submission suggests a number of changes to the draft Strategy including:

- Identify that new housing is to be set back from the upper canal corridor and buffered by public open space, roads or road reserve;
- Identify the Upper Canal Corridor as a 'Constraint';
- Broaden the description of water sensitive urban design (WSUD) in the strategy;
- Identify the inclusion of the Upper Canal corridor in green and blue grid connectivity only for visual amenity without access;
- Include further detail on flooding such as a map showing flood prone land to identify location and scale of flooding to future housing; and
- Describe relevant stormwater and flood modelling which will inform planning of release areas to ensure there is no increased risk to downstream properties.

*Officer Comment:*

Some of the comments provided by Water NSW have been addressed within the draft Strategy and others are considered technical and will be addressed as part of the implementation plan.

The following amendments are proposed to the draft Strategy to address this submission:

- Narrative amended to incorporate WSUD;
- Expanded narrative in relation to natural hazards; and
- Expanded narrative on the role of the Upper Canal corridor in the green and blue grid connectivity.

## 3. *Sydney Water*

This submission is generally supportive of the draft Strategy and does not suggest any amendments. This submission includes the following comments:

- Request Council submit detailed housing forecasts including year by year breakdowns of additional dwellings to inform water service delivery;
- Notes Sydney Water is exploring the need to create additional dams in Western Sydney to assist with recycled water; and

- Request that Council continue to inform Sydney Water of changes to projected population, dwelling and employment data.

*Officer Comment:*

Council officers will continue to work with Sydney Water to ensure that service delivery is aligned with new housing. No amendments to the draft Strategy are proposed.

#### 4. Landcom

This submission is supportive of the approach and content of the draft Strategy and identifies support for a number of specific actions and objectives.

*Officer Comment:*

No amendments are proposed to the draft Strategy in response to this submission.

### DPIE approval

On 25 June 2021, DPIE provided conditional approval of the draft Strategy. As part of this approval, DPIE consulted with the Greater Sydney Commission (GSC) to ensure that the GSC's long term planning directions have been addressed.

The conditional approval includes several requirements and advisory notes for implementation. The following amendments are proposed to the draft Strategy to address DPIE's requirements:

- Amendment to reflect rezoning of Lowes Creek Maryland and Leppington Stages 2 and 5;
- Update planning status of SWGA precincts;
- Amend action to identify collaboration with adjoining councils in creating a policy for the development of fragmented land;
- Amend action to allow Council to investigate how it can achieve greater housing diversity outcomes for areas outside of the SWGA;
- Amend action to reflect potential amendments to planning instruments, including Camden LEP and Growth Centres SEPP, in addition to DCP provisions;
- Amend action to identify a review of the outcomes of the Western Sydney Affordable Housing Strategy when completed; and
- Amend Monitoring and Review to include future reviews, where required, to reflect significant changes such as major infrastructure investment, employment opportunities or significant changes to population projections, and a review upon release of an updated Western City District Plan and the Future Transport 2056 Plan.

Consideration of this submission is provided as an **attachment** to this report.

A schedule of the proposed post exhibition amendments to the draft Strategy and a copy of the final Strategy (with changes in red) are provided as **attachments** to this report.

### Next Steps

Subject to Council endorsement, the Strategy will be forwarded to DPIE to be published on the NSW ePlanning Portal and Council's website.



Council is required to provide DPIE with a copy of the endorsed Strategy within four weeks of adoption. Council is also required within four months of endorsing the Strategy to prepare an implementation and delivery plan that details the actions, roles and responsibilities and timing to facilitate housing supply, diversity and affordability between 2021 and 2026 and beyond. This plan will be prepared in consultation with DPIE, the Western Sydney Planning Partnership and relevant state agencies.

### **FINANCIAL IMPLICATIONS**

The LEP Review (including the development of the draft Strategy) was funded by the Accelerated LEP Review Program Funding Agreement from DPIE.

The funding for the implementation of short-term actions within the Strategy (over the next five years) will be sourced from current and future budgets. The implementation of medium and long-term actions will require consideration for funding in future budgets.

### **CONCLUSION**

The draft Strategy is a plan for the delivery of housing in the Camden LGA over the next 10 and 20 years. The draft Strategy was placed on public exhibition from 15 October to 26 November 2020 and 17 submissions were received. Council was also required to obtain conditional approval from DPIE, which was received on 25 June 2021.

The submissions and DPIE's approval have been considered and the draft Strategy has been amended in response to issues raised. The proposed amendments do not change the intent of the draft Strategy, and as such do not warrant re-exhibition.

It is recommended that Council adopt the final Strategy (as amended).

### **RECOMMENDED**

**That Council:**

- i. endorse the draft Camden Local Housing Strategy (as amended);**
- ii. forward the Camden Local Housing Strategy to the Department of Planning, Industry and Environment to be published on the planning portal; and**
- iii. notify submitters and public agencies of Council's decision.**

### **ATTACHMENTS**

1. Agency Submissions Response Table - Camden Local Housing Strategy
2. General Submissions Response Table - Camden Local Housing Strategy
3. DPIE Letter of Approval - Camden Local Housing Strategy
4. Schedule of Post-Exhibition Amendments - Camden Local Housing Strategy
5. Final Draft LHS for adoption
6. Submissions Local Housing Strategy - *Supporting Document*
7. DPIE Conditions of Approval Response Table - Camden Local Housing Strategy

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## ORDINARY COUNCIL

ORD06

**SUBJECT: DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS 2020/2021**

**FROM:** Director Customer & Corporate Strategy

**TRIM #:** 21/210506

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### PURPOSE OF REPORT

The purpose of this report is to recommend that Council note the tabling of Disclosures by Councillors and Designated Persons Returns for the 2020/2021 financial year.

### BACKGROUND

Under section 4.21 of the Model Code of Conduct, a Councillor or designated person, holding that position at 30 June in any year, must complete and lodge a 'Disclosures by Councillors and Designated Persons Return' with the General Manager within three months after that date.

### MAIN REPORT

Under section 4.25 of the Model Code of Conduct, the 'Disclosures by Councillors and Designated Persons Returns' must be tabled at the first meeting of Council held after the last date for lodgement (being 30 September 2021).

### FINANCIAL IMPLICATIONS

There are no financial implications.

### CONCLUSION

The completed Disclosures by Councillors and Designated Persons Returns are tabled.

### RECOMMENDED

**That Council note the tabling of the Disclosures by Councillors and Designated Persons Returns for the 2020/2021 financial year.**



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## ORDINARY COUNCIL

ORD07

**SUBJECT: INVESTMENT MONIES - AUGUST 2021**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 21/480436

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### PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2005*, a list of investments held by Council as at 31 August 2021 is provided.

### MAIN REPORT

The weighted average return on all investments was 0.81% p.a. for the month of August 2021. The industry benchmark for this period was 0.02% (Ausbond Bank Bill Index) and the current official cash rate as determined by the Reserve Bank of Australia (RBA) is 0.10%.

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

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

### RECOMMENDED

**That Council:**

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for August 2021; and**
- iii. note the weighted average interest rate return of 0.81% p.a. for the month of August 2021.**

### ATTACHMENTS

1. Investment report - August 2021



## ORDINARY COUNCIL

ORD08

**SUBJECT: HARRINGTON PARK RESERVE MASTERPLAN**  
**FROM:** Director Sport, Community & Activation  
**TRIM #:** 21/468712

### PURPOSE OF REPORT

The purpose of this report is to advise Council of the outcomes of the public exhibition of the draft Masterplan for Harrington Park Reserve, Harrington Park and to seek Council's endorsement of the Masterplan post exhibition.

### BACKGROUND

Detailed investigations have been undertaken to inform a Masterplan for Harrington Park Reserve. The subject land is shown at **Figure 1** below.

The masterplanning process was undertaken in response to the growing demand for football as a sport in Camden. The facility was identified as a high priority in the Sportsground Strategy 2020-2024 for major work including enhancement of the carrying capacity of the ground, improvement for seating and shade, amenities and fencing.

At the meeting of 13 July 2021, Council resolved to proceed to public exhibition of the draft Harrington Park Reserve Masterplan.

Councillors were briefed on the Masterplan and public exhibition outcomes on 28 September 2021.



**Figure 1. Subject site**



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## MAIN REPORT

### **Draft Harrington Park Reserve Masterplan**

The Masterplan aims to provide a concept plan to meet the expectations of user groups and the wider community.

The key objectives of the Masterplan are to:

- Maximise capacity of the sportsground;
- Incorporate both passive and active recreational opportunities;
- Enhance accessibility – including pathways, car park and bike racks;
- Provide a new sports amenities building;
- Improve floodlighting, seating and shade;
- Enhance provision for a playground; and
- Enhance the reserve's interaction with the immediate neighbours and community.

The draft Masterplan as exhibited included:

- A new upgraded amenities building including changerooms, clubroom, storage and kiosk, referee rooms etc;
- Provision of a range of soccer fields including national/regional level fields, local level fields and fields for younger user groups;
- Improvement of existing car parks and provision of additional parking;
- Improved floodlighting, seating, and shade structures;
- Additional planting and landscape works;
- Outdoor exercise area;
- Removal of the cricket pitch;
- Improved accessibility including shared pathway, car parking and provision of bike racks;
- An upgraded playground, including new basketball court; and
- Relocation of the hardcourts to the Harrington Park Youth Play Space.

A copy of the draft Masterplan as exhibited is included as an **attachment** to this report.

### **Public Exhibition**

The Masterplan was placed on an extended public exhibition from 26 July 2021 to 6 September 2021.

Direct notification was sent to 129 residents, and the draft Masterplan was placed on Council's website and promoted through Council's social media channels.

Due to COVID-19 restrictions, onsite information sessions were cancelled and replaced with two online forums which were held on Thursday, 5 August 2021 from 5.30pm to 7pm and Wednesday, 11 August 2021 from 12.30pm to 2pm.

A total of two residents attended the online forums, in addition officers met with representatives from the Macarthur Football Association (MFA) to discuss the draft Masterplan.

A total of three submissions were received at the conclusion of the exhibition period.

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## Summary of Submissions

### 1. Request to review dimensions of field 2

Request that field 2 be designed to an international full-size field.

#### *Officer response*

The final dimensions of the fields will be further investigated as part of the detailed design process.

The draft Masterplan contains one international and one local level soccer field. It also has a range of modified fields for youth up to eight years old. The field provisions have been discussed with the resident club, the Harrington Park Hornets, and meet their requirements.

### 2. Shade design provision

The submission requests that the design of future shelters have roofs that are angled in such a way that they provide shade in summer months.

#### *Officer response*

As part of the detailed design of the facilities, further investigations will be undertaken to ensure optimal shade coverage is provided through summer months.

### 3. Request for hard courts to be retained

The submission refers to the hard courts being removed from the current area in the northern part of the site and requests that they be retained in place.

#### *Officer response*

Prior to the development and exhibition of the draft Masterplan, officers undertook direct consultation on use of the hard courts in late 2019 to determine the community use of the courts.

As a result of the community consultation, 63 responses were received. The survey comments reflected that the courts were not well utilised for either basketball or netball, and more utilised for informal recreation activities.

The Masterplan shows a proposed '3x3' hardcourt to be located at the Youth Play space. This will ensure that access to a hard-court is still retained in the area. The Youth Play space is approximately 250 metres from the current hardcourts.

### Matters Raised in Online Forum

During the online forum the below matters were also raised. It is noted that no formal submissions were received on these matters.

- Movement of vehicles;
- Location of main field close to residents and potential impacts from stray balls; and
- Amenities utilisation.



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### *Officer response*

As part of the detailed design, Council will consider and investigate suitable traffic management treatments such as signage for high pedestrian areas, and suitable barrier and netting to protect residents.

It is also noted that the separate amenities block proposed near the playground (Royal George) will be operated as a public amenities block available to the general public.

There are separate amenities associated with the soccer fields.

### **Summary**

Council received a total of three formal submissions in response to the exhibition period. On review of the submissions, officers recommend that these should be addressed as part of detailed design of the facilities and recommend no changes to the Masterplan.

Subject to Council endorsing the draft Masterplan, the detailed design phase will commence on key elements within the site.

Further stakeholder engagement will be undertaken during this period to inform the process.

### **Where to from here?**

Subject to Council endorsing the draft Masterplan, further detailed design will commence on key elements within the site.

The delivery of the Masterplan is proposed to be staged over the next four years.

There is currently \$5m allocated to the Masterplan, as part of detailed design detailed cost estimates will be sought to develop an implementation plan.

### **FINANCIAL IMPLICATIONS**

The renewal and upgrade of Harrington Park Reserve forms part of Council's \$113.8m COVID Community Support Package. Council has \$5m allocated for the improvement works.

The delivery of the Masterplan is proposed to be staged over the next four years.

### **CONCLUSION**

A draft Masterplan has been prepared for Harrington Park Reserve, Harrington Park as a dedicated facility for the growing sport of football within the Camden LGA. The draft Masterplan is a concept plan to guide the future detailed design and delivery of the public open space.

Following the six-week exhibition period, Council received a total of three submissions on the matter.

Following consideration of the submissions, a number of recommendations as outlined in this report are made to address community feedback.

**RECOMMENDED**

**That Council:**

- i. adopt the Harrington Park Reserve Masterplan, included as Attachment 1 to this report; and**
- ii. advise submitters of the outcome of this report.**

**ATTACHMENTS**

- 1. Draft Masterplan - Harrington Park Reserve**



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## ORDINARY COUNCIL

## ORD09

**SUBJECT:** DRAFT CULTURAL ACTIVATION STRATEGY 2022 - 2026  
**FROM:** Director Sport, Community & Activation  
**TRIM #:** 21/472867

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to place the draft Cultural Activation Strategy 2022 - 2026 on public exhibition.

### BACKGROUND

Camden is an emerging cultural location and the Cultural Activation Strategy (the Strategy), provided as an **attachment** to this report, has been developed by the Economic Development and Activation Branch to guide the strategic direction for cultural activity and support in the Camden LGA.

The Strategy identifies four key pillars including Cultural Activation, Cultural Development, Cultural Destination and Cultural Advocacy. The identified pillars detail the ways in which Council will support the cultural community including development opportunities; delivery of activations; actions for public art; and showcasing existing cultural activity and product to highlight Camden as an emerging cultural destination. The Strategy also recognises the important role that advocacy and partnership plays in delivering cultural outcomes for the Camden community.

This report seeks Council endorsement to place the Strategy on public exhibition for a period of 28 days.

### MAIN REPORT

For the purpose of the Strategy, cultural activation is defined as the means of engaging the community with culture in everyday life. This includes delivering opportunities for connection through high quality events, programs and activations which are vibrant and culturally diverse as well as the provision of well-resourced facilities and support for the cultural and arts community.

### Strategic Context

The Strategy aligns with key Council and regional strategies and documents including:

- Camden Community Strategic Plan;
- Camden Local Strategic Planning Statement 2020;
- Camden Destination Management Plan 2016;
- Camden Town Centre Urban Design Framework 2018;
- Create NSW Arts and Cultural Policy Framework 2015;
- Create NSW Cultural Infrastructure Plan 2025;
- ALGA Arts and Culture Position Statement 2020; and
- Mapping arts and Culture in Western Sydney 2018.



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## **Consultation Process**

A range of source materials and consultation methods were utilised to inform the Strategy's development. This included a literature review, review of the regional context, and review of the community consultation outcomes derived from the development of the LSPS. Additionally, engagement undertaken in the form of regular artist network events, and public and stakeholder surveys at events and workshops, have been considered in the Strategy's development.

## **Four Key Pillars**

The Strategy identifies four key pillars and outlines principles and priority projects that will deliver on Council's aspiration for a cultural Camden.

### **1. Cultural Activation**

The role that Council will play to support cultural activity in Camden, including the development of a program of activations, local production of temporary and permanent public art, and provision of spaces for creative enterprises.

Key to cultural activation is a program of activations and events, delivery of public art, and the development and enhancement of Camden's cultural infrastructure.

#### *Priority Projects*

- Activate Camden's high streets through the extension of the #camdenlive project, establishing a regular Kerbside Exhibition and Live Performance program including temporary art installations to showcase local creative and artistic talent;
- Reinvigorate the Civic Centre to provide more accessible, affordable, flexible spaces for the delivery of high-quality cultural programs and activities that engage new audiences; and
- Develop a Public Art Strategy and Implementation Plan for temporary and permanent public art across the Camden LGA.

### **2. Cultural Development**

As Camden grows, supporting emerging communities, arts and cultural groups, and existing arts and cultural practitioners is essential. Support will include a program of professional development that builds skills and sector capacity and networking opportunities to assist our creative community realise their aspirations.

Key to cultural development is developing a detailed understanding of Camden's creative community and supporting and celebrating this community.

#### *Priority Projects*

- Develop the Camden Artists Register as an online resource that captures details of the cultural landscape, providing a resource that links artists with opportunities for skill development, local employment, and collaboration between creative enterprises and private businesses;
- Develop a program for seed funding programs that support cultural development and establishment of cultural and creative businesses; and



- Develop a website that facilitates easy engagement of local creatives and showcases their talents and available services to encourage mutually beneficial connections with local businesses and enterprises.

### 3. Cultural Destination

Develop and promote Camden LGA as a key destination for a diverse range of cultural tourism experiences from heritage to contemporary. This will include locally made cultural product, workshops and programs, exhibitions and services. This will facilitate the creation of a visitor marketing approach consistent with broader Camden destination marketing to promote Camden as a cultural destination.

#### *Priority Projects*

- Further develop #camdenlive, building on the #camdenmade, #camdenlove and #camdenbought campaigns that connect, promote and encourage awareness of local products, facilities and activities; and
- Develop new channels for communication and promotion of Camden's cultural assets.

### 4. Cultural Advocacy

Council will deliver our vision for culture through collaboration and partnerships with community, business, education and the arts and cultural sector. We will proactively advocate for infrastructure provision, revitalisation of existing cultural and community facilities, servicing and funding for arts and culture in Camden at a local, regional, state and federal level.

#### *Priority Projects*

- Establish a stronger relationship with Create NSW and Western Sydney Arts Alliance to raise the profile of Camden's cultural landscape and network of artists, advocating to increase funding and resources; and
- Proactively engage with strategy development at a state and federal government level.

### **Key Cultural Assets**

The Strategy outlines key cultural assets for Camden which can be leveraged to support the strategic goals outlined in the Strategy.

Key cultural assets include the Camden Town Centre Cultural Precinct as identified in the Urban Design Framework, including Camden Civic Centre and Alan Baker Art Gallery, Camden Library and surrounding heritage facades.

In addition to the cultural precinct, other key assets for cultural activation are identified including Narellan and Oran Park Libraries, Camden Town Farm, Camden Bicentennial Equestrian Park and Julia Reserve Youth Precinct. Further to this, an audit of existing council assets which could be utilised to deliver on this strategy, for example through artist in residence programs, will be identified through key projects identified in the strategy.

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Our key cultural assets are well positioned to support cultural vibrancy, providing opportunities to build confidence and link community with future cultural activations and placemaking initiatives that build cohesive and connected communities.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council as a result of this report. Costs associated with the recommended activities and programs will be considered through the annual budget process.

### **CONCLUSION**

The Strategy will provide a framework to support and showcase cultural activity in Camden in the short and medium term. Council will build upon existing cultural activity and seek new opportunities to support culture and the arts in existing and emerging cultural communities within the LGA.

It is recommended that Council endorse the draft Cultural Activation Strategy 2022 – 2026 to be placed on public exhibition for a period of 28 days.

### **RECOMMENDED**

**That Council:**

- i. authorise the public exhibition of the draft Cultural Activation Strategy included as Attachment 1 to this report; and**
- ii. receive a further report at the conclusion of the public exhibition period.**

### **ATTACHMENTS**

1. Draft Cultural Activation Strategy 2022-2026



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## ORDINARY COUNCIL

### ORD10

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - RICKARD ROAD,  
LEPPINGTON DESIGN PROJECT**

**FROM:** Director Community Assets

**TRIM #:** 21/487846

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of grant funding from the Department of Planning, Industry and Environment (DPIE), under the Special Infrastructure Contributions Program, for the design of Rickard Road from Heath Road to 300 metres south of Woolgen Park Road, Leppington, in the sum of \$4,500,000 (excl. GST).

### BACKGROUND

Council made an application for funding for the design of Rickard Road from Heath Road to 300 metres south of Woolgen Park Road, Leppington, under the Special Infrastructure Contributions (SIC) Program. Council has been advised that its application has been successful.

### MAIN REPORT

The DPIE has collected funds through the SIC Program to assist in funding the infrastructure required for the release of new housing and employment lands in areas where contributions revenue is collected.

Camden Council has been successful in securing an offer of grant funding under the SIC Program for the design of Rickard Road from Heath Road to 300 metres south of Woolgen Park Road, Leppington. This design project will assist in the future planning and delivery of infrastructure to support population growth within the South West Growth Centre.

It is therefore recommended that Council accept the offer of grant funding under the SIC program in the sum of \$4,500,000 (excl. GST).

### FINANCIAL IMPLICATIONS

Council will receive \$4,500,000 (excl. GST) to undertake this design project. \$1,250,000 of the funding allocation will be received in the current 2021/22 financial year, with the remaining \$3,250,000 to be allocated at an agreed milestone identified through the development of the funding agreement.

### CONCLUSION

Council has been successful in securing grant funding from DPIE, under the Special Infrastructure Contributions (SIC) Program, for the design of Rickard Road from Heath Road to 300 metres south of Woolgen Park Road, Leppington. It is recommended that Council accept the offer of grant funding in the sum of \$4,500,000 (excl. GST). The project area has been included as an **attachment** to this report.

## **RECOMMENDED**

### **That Council:**

- i. accept grant funding of \$4,500,000 (excl. GST) from the Department of Planning, Industry and Environment under the Special Infrastructure Contributions Program for the Rickard Road Project;**
- ii. write to The Hon. Rob Stokes, MP Minister for Planning and Public Spaces, thanking him for the grant; and**
- iii. write to Mr Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

### **ATTACHMENTS**

- 1. Map - Rickard Road, Leppington**



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## ORDINARY COUNCIL

## ORD11

**SUBJECT: TENDER T007/2021 - TREE MAINTENANCE SERVICES**  
**FROM:** Director Community Assets  
**TRIM #:** 21/478486

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T007/2021- Tree Maintenance Services and recommend that Council accept the tender submitted by Ascending Tree Services Pty Ltd t/a CPE Tree Services.

### BACKGROUND

Tenders were invited for Tree Maintenance Services within the Camden LGA. The services required include items such as branch pickups, pruning, tree removal, stump grinding, and emergency response works on Camden Council owned and managed land.

As major infrastructure projects are rolled out in the Camden LGA to support the significant growth in residential areas, we are committed to balancing this urban growth with the existing semi-rural country feel of our LGA. As the urban growth accelerates within the LGA, effective and coordinated management of tree canopy cover will enable Council to preserve the amenity of our area and provide management of trees that are a considerable asset to the community on many levels. The services are anticipated to commence in November 2021.

### MAIN REPORT

#### Legislation

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

#### Contract Term

The term of this contract will be for a period of three years with two options for extension of one year each.

#### Financial Implications

Council has sufficient budget allocation from existing operational budgets to proceed with the proposed works in accordance with the terms and conditions of this tender.

#### Work, Health & Safety Requirements

The selected tender meets all WHS requirements as required for this contract.



Certificates of Currency

The selected tender provides all current insurances as required for this contract.

Advertising of Tenders

A tender for Tree Maintenance Services RFT T007/2021 was called on 27 July 2021 and publicly advertised on Council’s website. The tender was open for a period of 29 days until the closing date of 25 August 2021 and was available through the e-tendering website: [www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au).

Tenderers were to provide a schedule of rates for reactive works (Portion A) and a fixed price (Portion B), for programmed works per annum, for a period of three years with two options for extension, of one year each.

Tenders Received

Council received 16 tender responses from the following organisations.

<b>Tender</b>	<b>Suburb</b>
Action Arbor Pty Ltd	Mount Hunter
Active Tree Services Pty Ltd	Mona Vale
Ascending Tree Services Pty Ltd t/a CPE Tree Services	Mount Hunter
BJ’s Tree Service	Minto Heights
Devivo Pty Ltd T/A Friendly Fred’s Tree Services	Cawdor
JL Civil Group Pty Ltd	Grasmere
Muru Mittigar Limited	Penrith
Quality Tree Services Pty Ltd	Camden South
Shane’s Trees Pty Ltd	Kareela
Solid Ground Landscaping Pty Ltd	Seven Hills
Summit Open Space Services	Minchinbury
Sydney Arbor Trees Pty Ltd	North Richmond
Sydney Tree Company Pty Ltd	Sydney
The Tree Service Pty Ltd	Punchbowl
TreeServe Pty Ltd	Horsley Park
Waratah Group Services	Moorebank

Two tenders were non-conforming as identified under separate cover within the **supporting document**.

Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel, in accordance with Council’s Procurement Procedures and Guidelines (2019). The evaluation criteria was prepared and weighted on 20 August 2021. Following the close of the tender period, each tender was evaluated by the members of the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix consisting of the following criteria:

- Price;
- Compliance with specification;
- Demonstrated capacity and technical ability;
- Local supplier preference;



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- WHS; and
  - Conformance to the conditions.

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

#### Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.

#### **CONCLUSION**

It is recommended that Council accept the tender from Ascending Tree Services Pty Ltd t/a CPE Tree Services. This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in Tree maintenance services, and demonstrated value for money.

#### **RECOMMENDED**

**That Council accept the tender from Ascending Tree Services Pty Ltd t/a CPE Tree Services for Portion A for 'reactive works' as per the tendered schedule of rates and Portion B for 'programmed works' as per the tendered schedule of rates for three years with two options for extension of one year each in accordance with Council's adopted budget.**

#### ATTACHMENTS

1. Tender Evaluation Report - T007/2021 - *Supporting Document*

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## ORDINARY COUNCIL

ORD12

**SUBJECT: MINUTES TO THE 24 MAY 2021 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**

**FROM:** General Manager

**TRIM #:** 21/418341

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### PURPOSE OF REPORT

The purpose of this report is to provide Council with the minutes of the 24 May 2021 Audit, Risk and Improvement Committee meeting.

### BACKGROUND

Council endorsed the implementation of a Business Assurance and Risk Management framework in June 2014. This framework included the establishment of a Business Assurance and Risk Committee (renamed Audit, Risk and Improvement Committee).

Council resolved to adopt the Committee's current Audit, Risk and Improvement Committee Charter on 8 June 2021. The Charter includes a requirement to report draft minutes to Councillors via the Councillor Update, and to subsequently report the final minutes to Council for noting after they have been approved at the next Audit, Risk and Improvement Committee meeting.

### MAIN REPORT

The Audit, Risk and Improvement Committee met on 24 May 2021. The agenda discussed at the meeting included:

- Tendering and Procurement Internal Audit Report;
- Business Improvement – The Innovation Space Program;
- Project 24 Update;
- Enterprise Risk Management;
- External Audit Update;
- Update on the Policy and Procedure Register;
- Audit Report Recommendations – Implementation Status Update – April 2021;
- Internal Audit Plan Status Update;
- Update on Reports from Authoritative Bodies; and
- Internal Audit Manual and Quality Assurance and Improvement Program.

The draft minutes of the 24 May 2021 Committee meeting were circulated to Councillors as part of the Weekly Councillor Update on 2 July 2021 and subsequently approved at the 23 August 2021 Committee meeting. The approved minutes are provided as an **attachment** to this report.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.



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## **CONCLUSION**

The Audit, Risk and Improvement Committee plays an important role in supporting the governance framework of Council. Reporting the minutes from Committee meetings keeps Council informed of the outcomes from those meetings and they are submitted for information.

## **RECOMMENDED**

**That Council note the Minutes of the Audit, Risk and Improvement Committee meeting of 24 May 2021.**

## ATTACHMENTS

1. Minutes to the 24 May 2021 Audit, Risk and Improvement Committee Meeting