



Camden Council

Business Paper

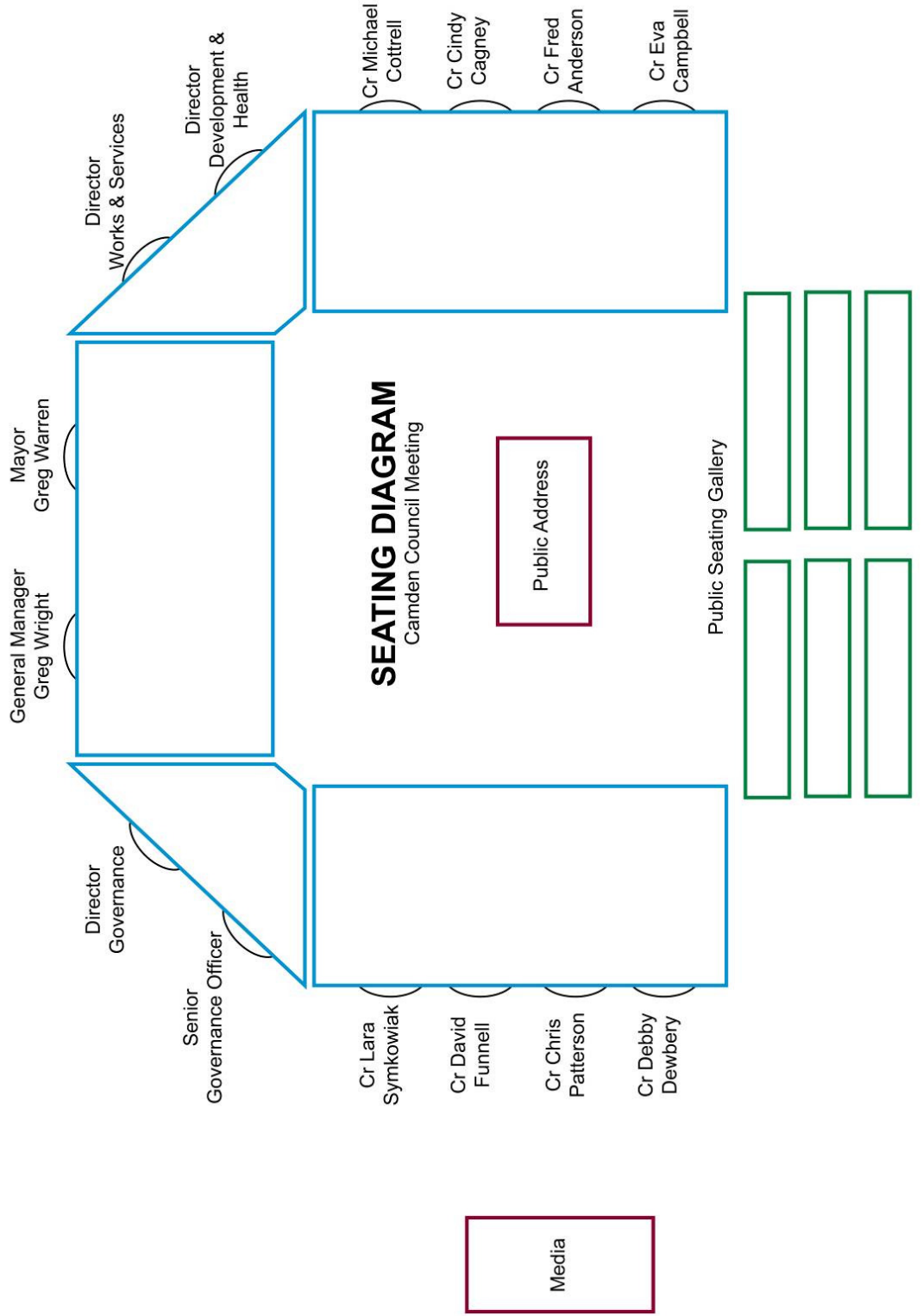
Ordinary Council Meeting
8 November 2011

**Camden Civic Centre
Oxley Street
Camden**



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPI	Department of Planning & Infrastructure
DLG	Division of Local Government, Department of Premier & Cabinet
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RTA	Roads & Traffic Authority
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



***Please do not talk during Council Meeting proceedings.
Recording of the Council Meeting is not permitted at any time.***



ORDINARY COUNCIL

ORDER OF BUSINESS - ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, 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 (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

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. A copy of the recording may be available to third parties (in certain circumstances).

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.

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 25 October 2011.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 25 October 2011, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

ORD01

SUBJECT: FINANCIAL STATEMENTS - FINANCIAL YEAR ENDING 30 JUNE 2011
FROM: Director Governance
BINDER: FINANCIAL STATEMENTS

The audit of Council's Financial Statements was completed by Pitcher Partners on 27 October 2011.

Mr Carl Millington will attend this Council meeting to present his audit report and address Council on the financial results for the 2010/11 Financial Year.

In accordance with Section 418 of the *Local Government Act*, a copy of Council's Financial Reports has been made available to the public for inspection since 2 November 2011 at the Camden and Narellan Customer Service Centres, Libraries and Council's website. As required by Section 418, public notice of tonight's meeting appeared in the Camden Advertiser on 2 November 2011.

Under Section 420 of the *Local Government Act*, "Any person may make submissions in writing to the Council with respect to the Council's audited Financial Statements or with respect to the auditors report". Submissions must be in writing and received by Council before close of business 15 November 2011. Any submissions received are to be forwarded to Council's external auditor for comment.

A copy of the Financial Statements was distributed to Councillors on 3 November 2011 under separate cover. The Financial Reports include:

- a) An Executive Summary prepared by the Responsible Accounting Officer, and
- b) The Auditor's Report prepared by Mr Carl Millington.

RECOMMENDED

That Council:

- i. **resolve that a representative of Council's Auditors, Pitcher Partners, address Council on the Financial Statements and financial result for the year ending 30 June 2011;**
- ii. **adopt the Financial Reports for the Financial Year ending 30 June 2011; and**
- iii. **adopt the Auditor's Report for the Financial Year ending 30 June 2011.**



ORDINARY COUNCIL

ORD02

ORD02

SUBJECT: HEALTH AND COMPLIANCE FEES AND CHARGES
FROM: Director Development & Health
BINDER: Financial Management/Fees and Charges 2011-2012

PURPOSE OF REPORT

The purpose of this report is to seek Council's resolution to amend Council's Adopted Fees and Charges schedule for 2011/12 following the public exhibition of an additional fee relating to compliance inspections on sex services premises.

BACKGROUND

At the Council meeting of 26 July 2011 it was resolved that the introduction of a new fee for Health and Compliance inspections be placed on public exhibition for comment and that at the conclusion of the advertising period that the matter be referred back to Council providing further recommendations on the adoption of a fee and inspection regime.

Legal advice was sought from Council's Solicitors who advised that it would not be unreasonable for a council to charge fees for conducting compliance audit inspections in relation to important operational conditions of consent, particularly those designed to protect the neighbourhood amenity, and provided the correct administrative provisions are met.

To date there have not been any sex services premises in the Camden LGA and accordingly no fees for such have been set in the 2011/12 Fees and Charges which were adopted by Council at the meeting of 14 June 2011.

MAIN REPORT

In a report to Council on 26 July 2011 a fee of \$123 per hour was recommended to be imposed for the purpose of Health and Compliance inspections of sex service premises.

Advertisements were placed in the local newspapers from 24 August until 28 September effectively placing the introduction of the proposed fee on public exhibition and calling for submissions. The closing date for receipt of any submissions was 30 September 2011. No submissions were received.

Whilst there are no approved sex service premises currently within the Camden LGA, should there be such a premise that has obtained development consent, the financial burden should be met by the operator of the business and not be absorbed by the community in respect of ongoing inspections.

It is considered appropriate that the fee be charged at \$123 per hour in one hour increments. In this way the proprietor will understand that the minimum fee that will be charged is \$123 and the argument will not be encountered that the inspection should take a lesser time. It is not expected that any such inspection would take longer than one hour except under exceptional circumstances. On the basis of risk to officer safety

and to counteract any suggestion of inappropriate conduct, the inspections of this type of premises will on all occasions be undertaken by two officers.

Consideration has also been given to an inspection regime and should a sex service premise obtain development consent, it is considered appropriate that it be inspected every six (6) months or when Council receives a complaint about the operations.

CONCLUSION

There is a need to ensure that Council's Fees and Charges Schedule reflects the community expectation that "the user pays" principle applies and that the community is not financially burdened.

Legal advice indicates that it is possible for Council to charge a fee for the inspection of sex service premises, provided that the administrative provisions have been met.

Council have exhibited a fee of \$123 to the public and have received no submissions.

It is considered that whilst there are no approved sex service premises currently operating within the Camden LGA, there is a possibility that one may be approved in the future. It is therefore considered appropriate that Council include such a fee in the Adopted Fees and Charges Schedule for 2011/12 and inspect every six (6) months or when Council receives a complaint about the operations.

RECOMMENDED

That Council:

- i. amend the adopted 2011/12 Annual Fees & Charges Schedule to include a fee of \$123 per hour in one hour increments for health and compliance inspections for sex services premises; and**
- ii. should a sex service premise obtain development consent, it shall be inspected by Council officers every six (6) months or when Council receives a complaint about the operations.**

ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: SPRING FARM NEIGHBOURHOOD CENTRE PROPOSED DCP AMENDMENT

FROM: Director Governance

BINDER: Spring Farm Neighbourhood Centre

PURPOSE OF REPORT

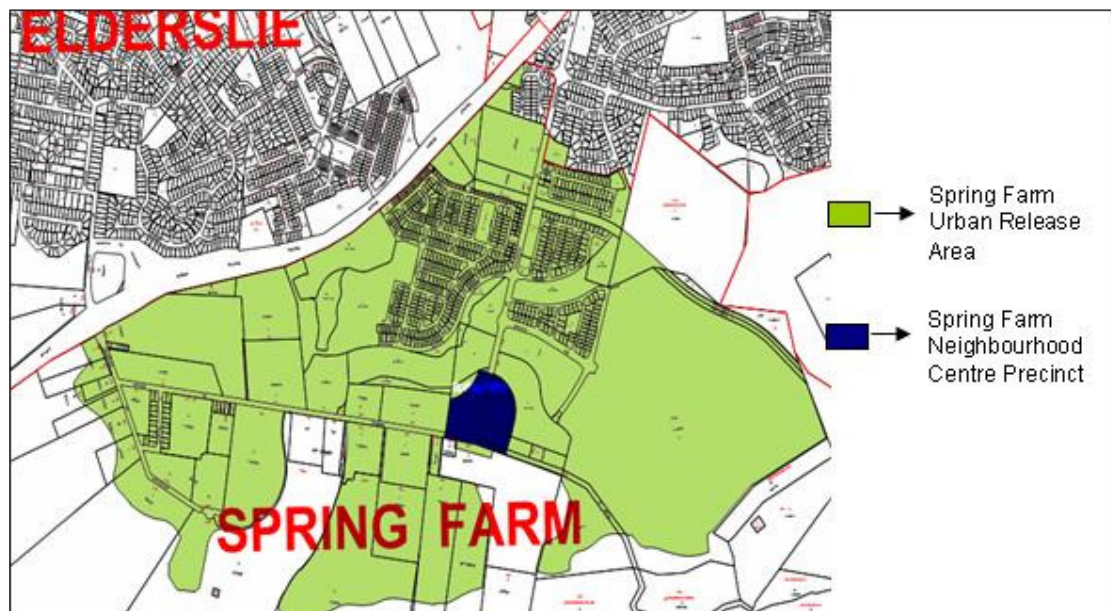
The purpose of this report is to seek the endorsement of Council to proceed with the public exhibition and consultation of the proposed amendments to the masterplan of the Spring Farm Neighbourhood Centre (Neighbourhood Centre) within Camden's Development Control Plan 2011 (DCP 2011).

BACKGROUND

The Spring Farm Urban Release Area was approved by the Minister in May 2004, with the gazettal of the Camden Local Environmental Plan 121 and Council's adoption of the Spring Farm Development Control Plan No. 123. Since the adoption of these plans, Council has undertaken a process in accordance with State Government directions to transition these plans into a consolidated Camden Local Environmental Plan 2010 (LEP 2010) and DCP 2011.

SMEC Urban act for and on behalf of Landcom, Cornish Group Pty Limited and Mirvac Homes (NSW) Pty Limited who are the owners of the land known as Lot 1 DP 1135124, Lot 20 DP 632825 and Lot 99, Spring Farm. This land is otherwise known as the Neighbourhood Centre which is located within the Spring Farm Urban Release Area. Refer to Figure 1 below:

Figure 1 – Location of the Spring Farm Neighbourhood Centre Precinct



On 7 October 2011, SMEC Urban submitted on behalf of the owners a proposal to amend the masterplan of the NEIGHBOURHOOD CENTRE. A copy of their submission and proposed masterplan is provided as **Attachment 1 to this report**. The proposed amendments to the masterplan require an amendment to the Camden DCP 2011. This is discussed in detail later in this report.

Summary of amendments to Neighbourhood Centre masterplan.

- Increase the retail/commercial floor area
- Decrease the area of the village green open space
- Decrease the dwelling density yield of the neighbourhood centre
- Decrease in the amount of land dedicated towards a Multi-purpose Community/Youth Recreation Facility/Public Open Space
- Amend the location of the Pedestrian Cycle Network in the Neighbourhood Centre
- Propose Median Strip along Richardson Road Main Street
- Amend Planning Principles to reflect above changes
- Miscellaneous Mapping Amendments

MAIN REPORT

The Spring Farm Urban Release Area is constantly evolving in its design and layout. Accordingly it is now time to ensure the Neighbourhood Centre will be designed to cater for the growing population in the locality. The following explains the proposed changes to chapter C7 Spring Farm and section D3.3 – Spring Farm – B1 Neighbourhood Centre in DCP 2011. This will ensure that the neighbourhood centre is functional and aesthetically pleasing. A comparison is illustrated in Figure 2 below between the existing Neighbourhood Centre masterplan and the proposed Neighbourhood Centre masterplan.

Figure 2 – Spring Farm Neighbourhood Centre Masterplan (existing and proposed)
Existing SFNC masterplan in DCP 2011



Proposed SFNC masterplan



Retail/Commercial Floor Area

Sub-section D3.3.1 of DCP 2011 states “*The neighbourhood centre will have a combined gross floor area of up to 2,500m² for business premises and retail premises.*” The current Neighbourhood Centre masterplan also indicates the majority of this retail and commercial area would be situated in the south-eastern corner of the precinct.

The applicants are seeking to amend this control to allow a total of 8,000m² for both retail and non-retail uses. In order to accommodate this increase in floor space, the amended Neighbourhood Centre masterplan proposes that retail and business premises will occupy the land west of Richardson Road to the precinct boundary as well as a portion within the south-eastern corner of the precinct (refer to Figure 2).

In 2007, a study was completed by Mapinfo Dimarsi which focussed on the retail market potential for the Neighbourhood Centre. It also compared the potential of the Neighbourhood Centre to other centres that are located within the Camden Local Government Area. It came to the following conclusion:

“Given strong population growth, there is potential to expand the Neighbourhood Centre in the longer term to incorporate a major full-line supermarket (3,500m²) and additional retail facilities including a smaller box second supermarket such as an Aldi and further specialty stores. Ultimately, around 9,500m² of floor space is supportable within the Neighbourhood Centre, including a retail centre of around 8,000m² together with 1,500m² of non-retail space. See the table below.”

Table 1 – Supportable Floor space:

Tenant/Category	2012 Gross Lettable Area	2016 Gross Lettable Area
Supermarket	3,500m ²	4,750m ²
Mini-Majors	0	750m ²
Retail Specialties	1,500m ²	2,500m ²
Total Retail	5,000m²	8,000m²
Non-retail	1,000m ²	1,500m ²
Total Village Centre	6,000m²	9,500m²

The study further considered competitive impacts (retail demand, retail hierarchy implications and non-retail facilities) that would result from the recommended additional floor space stated above. The report argued that the additional floor space would have a positive effect on the local economy and would not impact on the retail hierarchy in the surrounding region.

Council had the report peer reviewed by Patrick Partners. The peer review generally supported the recommendations by Mapinfo Dimarsi. However it concluded that a retail space of 7,000m² and commercial space of 1,000m² would be suitable once the population in the Spring Farm Urban Release Area and other surrounding localities becomes established. Council staff supports the peer review and discussions have since been held with the developers who have also agreed to adopt this recommendation.

As such, it is proposed to amend the Neighbourhood Centre masterplan and sub-section D3.3.1 of DCP 2011 to state “*The neighbourhood centre will have a combined gross floor area of up to 7,000m² for a retail neighbourhood centre and 1,000m² for commercial uses.*”

Multi-purpose Community Centre/ Youth Recreation Facility/Public Open Space

Council's Development Contributions Plan is collecting levies to fund the acquisition of a total of 6,200m² of land within the Neighbourhood Centre for public open space and community facility purposes (i.e. 2,000m² for the multi-purpose community centre and 4,200m² for open space recreation). The masterplan makes provision for the dedication to Council of the required 6,200m² of land.

The current and draft Camden Development Contributions Plans make provision for the construction of a multi-purpose community centre in the Spring Farm Neighbourhood Centre. Under the draft Contributions Plan, the centre will have a floor space of approximately 800m² and a site area of 2,000m². The Neighbourhood Centre masterplan specifies the multi-purpose community centre will be integrated into the design and layout of the neighbourhood centre.

In addition to the multi-purpose community centre, the draft Section 94 Contributions Plan also has identified the Neighbourhood Centre as a possible location for a youth recreation facility. This youth recreation facility would be constructed as an annexe to the multi-purpose community centre. However, there are also two other possible locations listed in the section 94 Contributions Plan which include the Mount Annan Leisure Centre (Stage 2 enlargement) and/or a Police and Community Youth Club (PCYC) at Elderslie. A decision regarding the location of the youth recreation facilities has not yet been made.

Provision of a Youth Recreation Facility within the Camden LGA

There are two options for the provision of youth recreation facilities in the Camden LGA, discussed below:

Option 1 - PCYC at Elderslie:

Council is currently applying for a State Government grant to construct a PCYC facility at Elderslie. A report went to Council on 11 October 2011 which resolved to endorse a submission of an Expression of Interest for funding to construct the facility, with a floor space of over 3,000m². This would enable the construction of a facility larger than that planned for in the Camden Section 94 Contributions Plan, which provides a total of 2,271m² for youth recreation facilities. The PCYC facility would be operated in partnership with the NSW Police and would attract other resources, such as staffing. The success of the grant application will not be known until December 2011.

If Council's grant application is successful, the youth recreation facility will be provided as a PCYC facility at Elderslie. There will be no further youth recreation facilities provided in Spring Farm, as all funds for youth recreation will be expended in Elderslie. In this situation, Council will still acquire 6,200m² of land in the Neighbourhood Centre for community purposes. 2,000m² will be required for the community centre, with the remaining 4,200m² being used for public open space (Village Green).

Option 2 – No PCYC at Elderslie:

If Council's grant application is not successful, the PCYC facility will not be constructed in Elderslie. Instead it will be recommended that Council construct youth recreation facilities as part of the Stage 2 expansion of Mount Annan Leisure Centre (MALC) and within the Neighbourhood Centre. The section 94 Contributions Plan provides for the

construction of 2,271m² of floor space for the purposes of youth recreation facilities, and this is likely to be shared fairly evenly between MALC Stage 2 and Spring Farm.

In this situation, the community facility (800m² GFA) and the youth recreation facility (1,135m² GFA) would require a site area of approximately 4,257m². This has been based on a ratio of land being 2.2 times the floor area of the building. This would leave an area of 1,943m² for the village open space which is generally consistent with Council's Open Space Policy, and further detailed planning is likely to result in the Village Green being increased to at least 2,000m². It is believed that the use of the ratio of 2.2:1 (land to floor area) is appropriate for the following reasons:

- The combined community/youth recreation facility provides opportunity to build up instead of out, hence reducing footprint;
- By combining the community and youth recreation components, there are design synergies that can be achieved;
- Given its neighbourhood centre location and proximity to other retail uses, there may be scope to combine and share parking spaces, minimising the land area required on Council's site for the provision of car parking;
- It may be possible to integrate the Village Green and the youth outdoor recreation component to create a larger combined open space.

Therefore the masterplan for the Neighbourhood Centre should be amended to reflect the above. In addition a new planning principle in sub-section D3.3.3 of DCP 2011 will support the masterplan by stating: *"An allocation of 6,200sqm of land shall be provided for the combined area of the Village Green, multi-purpose community facility and youth recreation facility. Should the youth recreation facility not be required at Spring Farm the surplus land allocation shall be incorporated into the Village Green."*

Dwelling Density

The Spring Farm Residential Dwelling Density Range (figure C20 in DCP 2011) currently indicates that a minimum dwelling yield of 66 dwellings is to be achieved in the Neighbourhood Centre.

It is now proposed to have a dwelling yield of 35 dwellings. This comes as a result of increasing the land take for retail/commercial area. The proposed housing will be situated in the north-eastern corner of the precinct in which a range of medium density housing will be provided. Despite this decrease, it is considered that the overall density target for Spring Farm is not compromised as the reduction in dwellings in the neighbourhood centre will be offset by increases in the number of dwellings provided in other residential precincts in Spring Farm. For example, the northern village originally anticipated that a minimum dwelling yield of 504 would be achieved. However development applications for this precinct demonstrate that a dwelling yield of 618 will be provided. This is an increase of 114 dwellings. This confirms that the dwelling yield being provided in the Spring Farm Urban Release Area will be over and above that which was originally anticipated. Therefore the decrease in dwelling yield in the Neighbourhood Centre is considered to be acceptable and a better outcome in terms of this precinct functioning as a successful neighbourhood centre for the entire release area. The proposal also continues to support the current planning principles made for the release area and Neighbourhood Centre.

The proposed changes are supported by Council staff. Therefore it is proposed to amend the DCP by updating figure C20 – Spring Farm Residential Dwelling Density Range to reflect a minimum dwelling yield of 35 dwellings.

Village Green Open Space

Figure D46 in DCP 2011 currently illustrates the Neighbourhood Centre will contain a Village Green open space at the end of Richardson Road, which would have an approximate land size of 5,000m². In addition the masterplan indicates that there will be smaller pocket parks situated towards the northern and eastern end of the precinct.

This report seeks approval to relocate and reduce the size of the open space being provided within the Neighbourhood Centre. The park will be moved from its current proposed location to the south-eastern portion of the precinct. The smaller pocket parks will be deleted. This is considered to be suitable as the Village Green will act as a focal point and have a more centralised location in the precinct. In addition it will complement the adjoining multi-purpose community facility (and potentially a youth recreation facility) and being no longer bounded by four roads, the park will become more pedestrian friendly.

The draft Section 94 Contributions Plan provides for Council to acquire up to a maximum of 4,200m² of open space within the Neighbourhood Centre. As a result, Council would not have the funds available to acquire the 5,000m² identified in the current masterplan.

This proposed reduction in open space does not compromise the overall amount of open space being provided within the Spring Farm Urban Release Area as the open space provision rate is approximately 3.2ha per 1,000 people, which is well above the commonly adopted standard of 2.83ha per 1,000 people. Therefore residents of Spring Farm Urban Release Area will have access to considerable amounts of open space for aesthetic and functional purposes.

As discussed earlier in this report, there is currently no definitive area that can be placed on the amount of open space that will be provided for the Village Green within the Neighbourhood Centre, until a decision has been made by the State Government regarding the grant to construct a PCYC at Elderslie. It is anticipated the minimum size that may result for the Village Green is 2,000m², which is in keeping with Council's Open Space Policy, if a youth recreation facility is constructed in Spring Farm. However if the youth recreation facility is not constructed in Spring Farm (i.e. because a PCYC facility is instead constructed in Elderslie), the Village Green could have a maximum area of 4,200m².

Annexure B – Spring Farm Neighbourhood Centre Village Green Concept Plan, within **Attachment 1** illustrates how a reduction in the amount of open space for the village green can continue to satisfy the standards within the Context Landscape Masterplan report. It also confirms that the original intended Village Green open space character and function will be delivered.

It should be noted that “recreation areas” are currently prohibited in the B1 - Neighbourhood Centre zone under Camden LEP 2010. This issue will be rectified as part of the next planning proposal (Housekeeping No.3) prepared by Council.

Pedestrian Cycle Network

Figure C23 in DCP 2011 illustrates pedestrian/cycle linkages within the Spring Farm urban release area.

It is proposed to amend the linkages within the Neighbourhood Centre by providing a road off the neighbourhood centre perimeter road to the east, which travels between the medium density housing precinct and the Village Green/community/retail/commercial precinct. The road will then finish by connecting to the main street (Richardson Road), which dissects the neighbourhood centre. This proposal is considered to be appropriate as it will provide access from the residential precinct to the north-east to the neighbourhood centre. This new pedestrian/cycle link will promote residents to use this method of travelling as they will have direct access to all the land uses within the neighbourhood centre.

This report discusses (further below) why the planning principles within section D3.3 of DCP 2011 need to be amended. As part of that process there is the opportunity to enhance the pedestrian/cycle linkages by including a planning principle which would apply to the medium density precinct. This planning principle would encourage the implementation of possible additional linkages through the precinct to the western and southern portions of the Neighbourhood Centre.

The applicant has requested the pedestrian/cycle link proposed through the bush corridor, which links the north-eastern residential precinct to the Neighbourhood Centre, be included in Council's Section 94 Contributions Plan road works allocation for Spring Farm. Council staff consider this to be a Section 94 matter that should be addressed as part of reviewing the submissions regarding the draft Contributions Plan which was recently exhibited. The applicant has been notified this issue should be addressed through that process. If changes do occur to the Section 94 Contributions Plan regarding Spring Farm, these will become part of future amendments to DCP 2011. Therefore this particular issue will not become part of this DCP amendment process.

Richardson Road Main Street

Richardson Road is the main street in the Neighbourhood Centre and is illustrated in figure D46 in DCP 2011. This proposal aims to create a main street that is well defined and prominent so that there is a sense of arrival to the neighbourhood centre.

It is now proposed to include a median strip down the length of Richardson Road. Annexure C – Proposed Figure C22.12 – Main Street within **Attachment 1** illustrates the proposal. Discussions have been held between the developers and various branches within Council as to why and how this median strip should be provided. The proposed figure is the preferred outcome by Council staff.

There are significant advantages that will result by incorporating this median strip into the design. It will facilitate in distinguishing the neighbourhood centre and act as a pedestrian island whilst also framing the main street.

In order to increase the aesthetic appeal of Richardson Road, trees will also be integrated into a 2.1m wide parking lane. A tree will be planted, with appropriate tree containers every three car spaces and will facilitate in providing shade and contribute to framing the streetscape.

It is therefore proposed to insert an additional road cross-section for the main street of the Neighbourhood Centre into the DCP as Figure C22.12.

Planning Principles

The planning principles in section D3.3 will be updated as part of this DCP review process for the Neighbourhood Centre. These principles (refer to Annexure A within **Attachment 1** of this report) are a set of guiding considerations which will promote a consistent approach to the assessment of development applications. They also support the changes being made to the different land uses and where the land uses are located. The planning principles will further ensure that the Neighbourhood Centre is delivered in a successful, safe and visually pleasing manner.

Mapping Amendments

As a result of the above proposed amendments to the Neighbourhood Centre, the following figures will need to be updated for the Spring Farm Urban Release Area:

- Figure C18 – Spring Farm Masterplan
- Figure C20 – Spring Farm Residential Dwelling Density Range
- Figure C21 – Spring Farm Staging Plan
- Figure C22 – Spring Farm Street Network and Design Map
- Figure C23 – Spring Farm Pedestrian and Cycle Path Network
- Figure C26 – Spring Farm Bush Corridor Water Management Features

These amended figures are being prepared and will form part of the exhibition.

Exhibition:

Should Council resolve to support the proposed amendments to the DCP, these amendments would normally be publicly exhibited for a period of 28 days. However, given the proximity to Christmas holidays, the exhibition period will be extended until Friday 6 January 2012.

The exhibition material will be made available at:

- Narellan Customer Service Centre and Narellan Library, Queen Street, Narellan
- Camden Customer Service Centre and Camden Library, John Street, Camden
- An advertisement will be placed in the Camden Advertiser at the start of the exhibition period
- The exhibition material will be available on the Council website for the length of the exhibition period
- At the conclusion of the consultation period a report will be submitted to Council detailing submissions received.

CONCLUSION

The proposed masterplan intends to provide a functional, environmentally sensitive urban design, whilst maintaining the integrity of the key principles of Camden's DCP 2011. By providing key transport, pedestrian and cycle links as well as maintaining open space and high quality views the masterplan amendments are a positive outcome for the area.

It demonstrates that the proposed masterplan addresses the key principles and objectives of the DCP 2011 and ensures the desired future character of Spring Farm is achieved.

ORD03

The exhibition of these amendments is essential in the process to provide flexibility and guidance for the ongoing development within Spring Farm.

RECOMMENDED

That Council:

- i. **publicly exhibit the amendments to the Neighbourhood Centre Masterplan and Camden DCP 2011 for a period of 52 days in accordance with the provisions of the *Environmental Planning and Assessment Act and Regulations*; and**
- ii. **prepare a further report to be provided to Council at the conclusion of the public exhibition period detailing any submissions received.**

ATTACHMENTS

1. submission and proposed Masterplan

**SPRING FARM URBAN RELEASE AREA
CAMDEN LGA**

APPLICATION TO AMEND CAMDEN DCP 2011

Clients:
Landcom, Cornish Group Pty Limited & Mirvac Homes (NSW) Pty Limited

Prepared by



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*Report no. 76788.01.DCPR Rev A
October, 2011*

ORD03

Attachment 1

ORD03

Attachment 1

Document/Report Control Form**Preparation, Review and Authorisation**

Revision No.	Date	Prepared By:	Reviewed By:	Approved for Issue by:
76788.01.DCPR	07/10/11	PH	PH	PM
76788.01DCPR Rev A	17/10/11	PH	PH	PM

Document Certification

This report has been developed based on agreed requirements as understood by SMEC Urban at the time of investigation. It applies only to a specific task on the lands nominated. Other interpretations should not be made, including changes in scale or application to other projects.

Any recommendations contained in this report are based on an honest appraisal of the opportunities and constraints that existed at the site at the time of investigation, subject to the limited scope and resources available. Within the confines of the above statements and to the best of my knowledge, this report does not contain any incomplete or misleading information.

SIGNED:

Position: Town Planner

Date: 17th October, 2011**SMEC Urban****Copyright**

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1.0 INTRODUCTION

1.1 Brief

This submission to Camden Council has been made for and on behalf of Landcom, Cornish Group Pty Limited & Mirvac Homes (NSW) Pty Limited, owners of the land known as Lot 1 DP1135124, Lot 20 DP632825 and Lot 99, Spring Farm ('the subject site').

The purpose of this submission is to seek amendments to relevant controls in the Camden Development Control Plan 2011 ('Camden DCP 2011') pertaining to the Spring Farm Neighbourhood Centre ('SFNC').

Camden DCP 2011 applies to the whole of the Camden local government area. Part D3.3: Spring Farm – B1 Neighbourhood Centre applies to the SFNC. In general terms, the DCP amendments being sought seek to modify the SFNC by reason of increasing the amount of retail floor space available, the size and location of the village green, dwelling densities within the SFNC and the road network within the SFNC. The underlying factors driving these changes are discussed below in the Background to the Proposal Section.

1.2 Background to the Proposal

The Spring Farm Consortium has had ongoing discussions with Council with regards to the development of the SFNC. This includes submissions made on behalf of the Consortium in October 2007 requesting amendments to then Camden LEP 121 & Camden DCP 2006. In regards to the SFNC, the amendments focused on an increase in retail and commercial floor space (supported by an updated report for the Retail Market Potential for the Spring Farm Village from Mapinfo Dimarsi) and consequential Master Plan amendments that would be necessitated.

It is understood that Council undertook a peer review of the Retail Market Potential Report and that Report supported an increase to retail & commercial floor space at the SFNC. Subsequently Council requested that the Consortium provide Guiding principles information in support of concept maps for the revised SFNC. These were provided on 20 October, 2010.

Since that time, Council's then Draft Camden DCP 2010 had proceeded to public exhibition. Rather than proceeding with an amendment as part of the Camden this process it was considered that the proposed amendments pertaining to SFNC would best be considered as a 'stand-alone' item. Council's response to Guiding Principles, provided on 21 December 2010, were structured to deal with issues that may be of a significant / fundamental nature to assist a future approach to the Neighbourhood Centre and further submissions to Council.

The response provided by Lean & Hayward on 7 June, 2011 to Council's feedback on the Guiding Principles together with subsequent discussions between Council and the Consortium have now culminated in this submission.

2.0 CAMDEN DEVELOPMENT CONTROL PLAN 2011 (DCP2011) AMENDMENTS

2.1 Overview

The proposed amendments are reflected in the revised SFNC Master Plan (drawing no. 76788.01.P03C) and proposed revision of Part D3.3 provided at **Annexure A**. It is the Consortium's intention with the revised SFNC Master Plan and Part D3.3 to provide an approach to the SFNC provisions contained in the DCP that provide strong and clear guidelines as to Council's desired outcomes for the SFNC yet providing a degree of flexibility to the design approach avoiding the need for further DCP amendments.

This submission is essentially seeking amendments to the SFNC in the following respects:

- *Increasing the amount of retail & commercial floor space provided by the SFNC;*
- *Revising the location and area of the Village Green within the SFNC;*
- *Revising the dwelling densities within the SFNC;*
- *Revising the road pattern through the SFNC to a more traditional 'main street' approach.*

In doing so, the submissions deals with and responds to issues raised by Council pertaining to the above as well as pedestrian linkages to the SFNC, community facilities within the SFNC and urban design/CPTED considerations. The following sections provide a detailed discussion of the above.

2.2 Retail / Commercial Floor Area

Part D3.3.1 (Maximum Floor Area) of the Camden DCP 2011 provides:

1. *The neighbourhood centre will have a combined gross floor area of up to 2,500m² for business premises and retail premises.*

As part of the Local Environmental Study process for the Spring Farm Release Area a retail capability report by Jebb Holland Dimarsi (2001) was prepared. The report found that:

"a supermarket of around 3,500m² is likely to be clearly supportable at Spring Farm after 2006, by around 2008/2009. This assumes that a supermarket centre is developed along Camden Bypass Road. If this centre is developed on an internalized site within the suburb of Spring farm, the potential for a centre is not likely until after 2012.

The amount of specialty shop space that could be supported at the site in the first instance would be limited to around ten stores reflecting the projected trading level for the centre supermarket. Over time, however, as supermarket sales improve the number of stores that could be supported at the centre could be increased to about 20 stores."

Of relevance, it is noteworthy that this initial Jebb Holland Dimarsi work was based on a total Spring Farm development yield of 3,000 lots (the real yield is closer to 4,000 lots) and that even the supermarket plus 10 to 20 specialty shops could not be accommodated under the existing Part D3.3.1 of the Camden DCP 2011.

Mapinfo Dimarsi were subsequently commissioned to undertake an updated report for the Retail Market Potential for the Spring Farm Village. This has previously been provided to Council. The key findings of the report utilising Spring Farm as the only principal trade area are:-

Supermarket Potential

- The major component of any village or neighbourhood facility is typically a supermarket. The size of supermarkets in Australia, however, varies. Typically a major full-line supermarket, which services the weekly food and grocery needs of local residents is around 3,500 sq.m in size. These stores are typically operated by the major chains such as Coles or Woolworths.
- Typically a major full-line supermarket of around 3,500 sq.m is provided for every 9,000-10,000 residents in Australia. The population within the primary sector of Spring Farm is projected to reach its potential at some 14,220 residents by around 2016. This would indicate the potential for one and a half full-line supermarkets based solely on the population within the primary sector of Spring Farm by 2016. As a minimum, a major full-line supermarket of 3,500sq.m is clearly supportable by this population.

- By 2012, with a projected population of 9,820 residents in the primary sector of Spring Farm, a major supermarket of 3,500sq.m should be supportable to service the weekly food and grocery needs of local residents.
- By 2016 there is a projected population of 14,220 in the primary sector. After 2016 there would be limited population growth within the primary sector of the trade area, given that the release areas would be fully established by that time. Sales growth, therefore, would not be significant after 2016 to support a second major supermarket however a smaller second supermarket such as Aldi could be considered by this time.
- In summary, master planning for retail facilities at SFNC should include a full-line supermarket of at least 3,500m² with the possibility for a second discount supermarket of around 1,350m² being added to the centre after around five years in a second stage of development.

Specialty Shop Potential

- A major supermarket at Spring Farm would start to achieve solid trading levels in excess of \$20 million by around 2012. In typical convenience anchored centres of a similar nature, usually around 1,000-1,500sqm of floorspace is supportable in such centres. The first stage of development at Spring Farm therefore should include a similar amount of space. Although in the first year or so a number of the shops may be difficult to let, the rapid growth in the population would soon result in strong demand for specialty shops. This has typically been the case at similar centres such as Glenmore Park in outer western Sydney.
- In addition to the retail specialty space, further non-retail stores such as medical centre, child care, tavern, offices and the like could account for another 1,000m² of floorspace.
- Over time demand for retail space will continue to grow at Spring Farm as the population increases and the supermarket will achieve sales in excess of \$30 million. Usually more than 1,500m² of retail specialty shop space is supportable in this instance. A second stage of development around 2016, therefore, should also include a further 1,000m² of specialty shop space.

Overall Conclusions - Floorspace

- Given strong population growth, there is potential to expand the SFNC in the longer term to incorporate a major full-line supermarket (3,500m²) and additional retail facilities including a smaller box second supermarket such as an Aldi and further specialty stores. Ultimately, around 9,500m² of floorspace is supportable within Spring Farm, including a retail centre of around 8,000m² together with 1,500m² of non-retail space (see Table 1).

Table 1 – Supportable Floorspace

Tenant/Category	2012 Gross Lettable Area	2016 Gross Lettable Area
Supermarket	3,500m ²	4,750m ²
Mini-Majors	0	750m ²
Retail Specialties	1,500m ²	2,500m ²
Total Retail	5,000m²	8,000m²
Non-retail	1,000m ²	1,500m ²
Total Village Centre	6,000m²	9,500m²

The Mapinfo Dimarsi Report also considered competitive impacts (retail demand, retail hierarchy implications and non-retail facilities) arising from the recommended additional floorspace. Key findings of the Report in this respect are as follows:

Retail Demand

- In Australia there is approximately 2.2m² of retail floorspace provided for every Australian resident. Therefore the projected primary sector population of Spring Farm would support some 31,300m² of retail floorspace.
- This report recommends some 8,000m² of retail floorspace at the Spring Farm site, mainly consisting of supermarket and food and convenience specialty shop floorspace. The remaining 23,300m² of retail floorspace demanded by the trade area population will be supplied in other centres, including in particular Narellan Town Centre for non-food shopping and non-food specialty shops and some other supermarket based centres also attracting a proportion of the food and grocery needs of local residents.
- The proposed Spring Farm Centre will only cater for 25% of retail floorspace demand from the primary sector population of the Spring Farm trade area in 2016. 75% of retail floorspace demand will be catered for by other centres. The substantial growth within Spring Farm estate, therefore, will result in additional sales and floorspace demand at other retail centres throughout the region, particularly at Narellan Town Centre as well as some of the competing supermarket centres, including at Mount Annan and Camden.

Retail Hierarchy

- The proposed centre would not impact on the retail hierarchy in the surrounding region.
- The Narellan Town Centre by 2016 is likely to be around 40,000m² in size, some 4 times larger than Spring Farm. This centre will include a discount department store, two supermarkets, an extensive array of specialty shops and other components such as cinemas. As indicated above, a large proportion of non-food spending from the Spring Farm trade area will be directed to Narellan Town Centre. The growth in floorspace in Narellan reflects its sub-regional role and its location close to a number of growing estates throughout the area, not only at Spring Farm but also Elderslie, Harrington Park as well as the developing Oran Park region.

- Retail facilities at Camden will also be designated higher in the hierarchy than Spring Farm. Camden includes some 15,000m² of floorspace including two major supermarkets, Woolworths and Coles. In comparison, Spring Farm would only be anchored by one major supermarket. In the future, there is also the possibility that a sub-regional shopping centre, including a discount department store, may be constructed at Camden which would further elevate this centre within the retail hierarchy as compared with Spring Farm.
- The proposed centre of 8,000m² at Spring Farm would also be smaller than Mount Annan, with Mount Annan to include two major supermarkets, following the Coles development, as well as Aldi. Consequently, Spring Farm would be a smaller sized centre, more comparable in size to other developments throughout the Outer South-West of Sydney which have occurred within residential estates such as Eagle Vale Marketplace and Rosemeadow Marketplace.

Non-Retail Facilities

- Many of the centres listed above in the retail hierarchy include a wide range of non-retail facilities such as banks, real estate agents, libraries, community centres, Council Chambers etc. The Spring Farm centre will include, limited, if any of these types of facilities and, therefore, the role of these centres as community, commercial, civic and non-retail destinations will not be impacted by Spring Farm.

Overall Conclusions – Demand & Hierarchy

- Larger centres such as Narellan and Camden will continue to cater for the non-food needs of this population, as well as for larger services and non-retail facilities.
- The proposed Spring Farm centre at around 8,000m² of retail floorspace by 2016 will be significantly smaller than competing facilities at Mt Annan, Narellan and Camden and will not impact on the hierarchy of centres within the region.

It is our understanding that Council has had this report peer reviewed and that the review generally concurred with the above findings. Notwithstanding we also understand that Council has indicated that an increase to 7,000m² for retail floor area and 1,000m² for commercial floor area would be acceptable. Accordingly this is reflected in the DCP Amendment request.

2.3 Village Green Open Space

Council has previously advised that they are committed to the provision of the adopted open space provision for the SFNC and that any proposed change to the Village Green size, shape and location will need to demonstrate that the intended Village Green park character and function can be delivered as per the DCP and supporting Landscape Masterplan.

Before discussing the response we think it necessary to advise of an existing conflict between the above stated position and the permitted uses in the SFNC under Camden LEP 2010. The Village Green is defined by Camden LEP 2010 as a recreation area. The list of prohibited development in the B1 Neighbourhood Centre Zone Land Use Table in Camden LEP 2010 includes recreation areas. Not only is this inconsistent with the above stated position but also conflicts with the position expressed by *Figure D46 – Proposed SFNC* in Camden DCP 2011. It is our understanding that Council intend to deal with this anomaly as part of a housekeeping LEP amendment and that this would not preclude the consideration and processing of this DCP Amendment request.

In responding to Council we note that the provisions at section D3.3 of Camden DCP 2011 do not prescribe a size for the Village Green. The only reference in Section D3.3 which alludes to the size of the Village Green is *Figure D46 (Proposed Spring Farm Neighbourhood Centre)*. This figure has been carried over from the superseded DCP – Camden Development Control Plan 2006 ('DCP 2006'). Control 18.3(b) of DCP 2006 stipulated that a site of 0.5ha is required to be allocated for a village square within the SFNC.

Having regard to this 0.5ha figure, there is no specific explanation/justification in either DCP 2006 or DCP 2011 for the figure. The provisions of DCP 2011 generally require that the SFNC as a whole be designed to maximise exposure to Richardson Road, Springs Road and Glenlee Road whilst incorporating a vibrant and active focal point in the form of either a civic square, plaza or main street. This differs from DCP 2006 which refers only to the provision of a Village Square having the purpose of a focal point for outdoor community activities and civic functions including cultural events and settings for public art.

Notwithstanding the above we have reviewed the spatially-related infrastructure and facilities intended for the Village Square as detailed in the Landscape Masterplan Report prepared by Context Landscape Design dated 10th June 2003. These are as follows:

- Integrate permeable pavers into plaza/seating areas; provide a flexible hard paved area for mixed uses i.e. market stalls, visual arts, parades, ceremonies.
- Locate seats at regular intervals along pathways at entrances and within social gathering areas.
- Provide adequate facilities including rubbish bins and drinking fountains located close to entries and gathering points.
- Maintain open grass areas for passive recreation.
- Provide crossing points at suitable locations to facilitate the safe passage of pedestrians to and from the park.
- Provide parallel parking at street edge.
- Ensure provision of infrastructure associated with the future development of a bus interchange adjacent to the site i.e. shelters, signboards, seating.

- Incorporate opportunities for artworks and site interpretation within the park.

We are of the opinion that a reduced area for the Village Green would more than satisfactorily provide the spatial requirements for the above infrastructure and facilities if necessary.

Neither DCP 2006, DCP 2011 or the Context Landscape Masterplan Report provide specific reasons for adopting the 0.5ha figure. In the process of researching guidelines for the provision of civic spaces we have considered the document Recreation and Open Space Planning Guidelines for Local Government ('the Guideline'), which has been prepared by SGS Economics and Planning and HM Leisure Planning Pty Ltd for the NSW Department of Planning, dated December 2010. This document is an updated version of the Outdoor Recreation and Open Space: Planning Guidelines for Local Government document which was published by the Department of Planning in 1992. The preparation of the Guideline included extensive consultation with local government, industry and State agencies. Consultation included workshops with representatives from metropolitan and select regional councils.

The points of relevance to the Village Green are detailed below:

- The Guideline makes a distinction between regional, district and local open space, with each referring to different sized catchments which facilities serve. In the case of Spring Farm, the Town Centre Village Green serves a local function, in that it serves one neighbourhood and is located close to or within residential areas.
- A distinction is also made between the various types of open space, including a definition for 'urban public spaces' – street and road reserves, lanes and town plazas and squares which accommodate walking, cycling, social gatherings and outdoor dining.
- When considering the 'default' and locally appropriate provision standards, the standards should only be a starting reference point.

The Guideline encourages planners, whilst having regard to the guidelines contained in the document, to continue to investigate best practice examples, particularly in areas with a similar context. To provide an example of a similar project which has been planned and constructed, the new suburb of Rouse Hill in north-west Sydney can be used. As part of the Rouse Hill Town Centre development, a Town Square was incorporated into the design, which provides the main civic space, located in the heart of the town.

When designing the Rouse Hill Town Square it was recognised that it had to create a civic space befitting its location at the intersection of the two main through-streets in the heart of the town centre and surrounded by the public library and residential apartment buildings. At the same time, the space also needed to function in terms of a meeting place, circulation space, children's play, public and licensed seating, events space and symbolic focus of the whole of the Rouse Hill Town Centre. The space itself was kept simple, avoiding clutter, with just a few landscape elements within (water feature, custom seats, raised platforms planting beds and shade trees). It was also anticipated that these uses might change at different times of the day and year, and that the space had to be flexible in being able to accommodate a changing program and organised events of various types. This Town Square is encapsulated in an area in the order of 700m².

Given the comparatively smaller area dedicated to the Town Square as part of the Rouse Hill development, we are of the opinion that there is an argument for a reduction in size to the Spring Farm Village Square. The Rouse Hill Town Square has demonstrated how a simplistic yet well planned design can provide a functional and vibrant civic space in a relatively small area. The Guideline acknowledges that the following needs to be considered when planning for open space in new release areas: "It is not so much the absolute quantity of open space in the new release area but its location, connectivity and quality of development that is important."

In conclusion, considering the above discussion we are of the opinion that the requested reduction in area for the Village Green, from 5,000m² is both reasonable and feasible. The intended Village Green character and function can still be achieved in accordance with the provisions of DCP 2011. Additional reasons for supporting the proposed reduction in size to the Village Green are as follows:

- Council has endorsed an increase to retail floorspace within the SFNC. Achieving the above necessitates a review of the amount of land area actually required for a Village Green.
- Council has also advised that they wish to limit the amount of land to be ultimately acquired for open space and community facilities in the SFNC to 6,200sqm. This can only be achieved through a reduction in open space land to be acquired. This is discussed in further detail at Section 2.5 of this document.
- The Village Green is not required to serve any additional purposes apart from a civic function, given the vast amount of open space in the release area, including the surrounding bush corridor and passive and active recreation facilities.

It is on this basis that we respectfully request Council's consideration of our intention to reduce the area of the Village Green. In doing so, we further ask that Council give its consideration to the preparation of a LEP amendment permitting recreation areas in the B1 Neighbourhood Centre Zone. To assist, at Council's request, we provide a concept plan (**Annexure B**) which indicates a possible design for the Village Green that we consider would achieve the purpose and function sought by Council for the SFNC.

2.4 Dwelling Density

Council advises that it is committed to providing a variety of housing opportunities in the SFNC including shop-top housing. The dwelling density targets set out in DCP *Figure 5 – Residential Dwelling Density Range* (now *Figure C20* in Camden DCP 2011) must be achieved for the SFNC.

In responding to Council, it must be recognised that the revised and increased retail/commercial floor space for Spring Farm demands a fundamental change to the master planning of the SFNC. Previously, with a limited retail/commercial floor space allocation of 2,500sqm the focus of the SFNC, as reflected in *Figure D46*, was one of a Mixed Use Precinct in it's south-eastern portion with Residential Precincts (medium density housing) to the north and west of the Mixed Use Precinct.

The implications of the increase in retail/commercial floor space within the SFNC obviously includes an increase in land area allocated to retail/commercial uses with a corresponding decrease in land area available for medium density residential housing. Whilst part of the residential land use component within the SFNC could be provided by shop-top housing, it is not envisaged that this form of residential accommodation would be overwhelmingly desired in the Centre over and above and at the exclusion of other types of residential accommodation.

The proposed SFNC Master Plan responds to these changed circumstances by allocating land west of Richardson Road for retail/commercial purposes with the north eastern portion of the SFNC nominated for medium density housing/flexi units. An initial concept layout for the north eastern portion of the SFNC indicates a potential dwelling yield of 35 dwellings, whilst *Figure C20* aims for a minimum of 66 dwellings. Whilst some of this difference may be picked up through shop-top housing in the proposed retail/commercial areas of the Master Plan it is not considered likely. However, the difference and some more has already been picked up in residential areas in Spring Farm outside of the Neighbourhood Centre, such as in the northern village.

Dwelling densities in the northern village have been the subject of previous discussion with Council, having been addressed in previous subdivision DAs for that village. In respect to dwelling densities being achieved, Camden DCP 2011 anticipates a dwelling yield of between 504 & 564 dwellings for that part of the northern village bounded by the Link Road corridor to the north, the future bush corridor to the south, Richardson Road to the east and Camden By-Pass and future bush corridor to the west. DAs approved for the Precinct are as follows:

ORD03

Attachment 1

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DA No.	Lot Yield
949/2006	14
1067/2007	5
1068/2006	15
1069/2006	7
1074/2006	8
1075/2006	2
1088/2006	5
1089/2006	8
1136/2006	80
1183/2006	3
1338/2006	8
1339/2006	36
12/2007	12
826/2007	11
1037/2008	91
47/2008	100
452/2009	9
935/2009	8
1003/2009	20
320/2010	176
TOTAL	618

In addition to the above Council is currently considering DAs for Stages 1a & 1b for Mirvac Homes proposing an additional eleven (11) dwellings. Accordingly the loss of dwelling density in the SFNC of 31 dwellings has been more than compensated for by existing approvals and further proposed dwelling DAs in the Northern Village.

Furthermore, Council is currently considering an LEP/DCP amendment for the southern & western villages prepared on behalf of Cornish Group and Matt Collins & Sons. If approved this would also increase the dwelling yield for Spring Farm.

We therefore request that Council review its position in respect to dwelling density targets for the SFNC.

2.5 Multi-Purpose Community / Youth Recreation Facility

Council advise that it is planned that the SFNC accommodates an 800m² multi-purpose facility requiring a total site area of 2000m².

Councils draft contributions plan 2011 identifies the provision of a multi-purpose community centre at either Spring Farm or Elderslie. The plan also identifies the requirement for a youth focussed recreation facility ('YRF') to be provided at either (i) Mount Annan Leisure Centre, (ii) a proposed PCYC facility in Elderslie or (iii) as an annexe to the Spring Farm multi-purpose (district level) community centre.

Following further discussions with Council officers it is understood that:

- The funding decision on a PCYC at Elderslie will not be known till December; 2011
- The draft s94 plan is collecting for the acquisition of 6,200sqm of land in the SFNC, comprising 2000sqm for community facilities (CF) and 4,200sqm open space (OS);
- If the PCYC at Elderslie does not go ahead the YRF (building component of 2,271sqm) will be split between Mt Annan & Spring Farm i.e. 1,135sqm each;
- Using the previously adopted land : building ratio of 2.5:1 a CF of 800sqm & YRF of 1,135sqm (total 1,935sqm) at SFNC would require a land area of 4,837sqm, meaning that funding for the acquisition of 1,362sqm OS i.e. Village Green (6,200 – 4,837) would only be available under the draft s94 plan;
- Adopting the land : building ratio of 2.2:1 used at Oran Park a CF of 800sqm & YRF of 1,135sqm (total 1,935sqm) at SFNC would require a land area of 4,257sqm, meaning that funding for the acquisition of 1,943sqm OS i.e. Village Green (6,200 – 4,257) would be available under the draft s94 plan;

Given these circumstances it would seem appropriate to amend the provisions relating to the SFNC to be sufficiently flexible to accommodate the following scenarios:

- (1) Should the PCYC proceed at Elderslie – Provide an allocation of 2,000sqm of land at SFNC for CF, with balance of land to be acquired of 4,200sqm (i.e. 6,200 – 2,000) being provided in the Village Green OS.
- (2) Should the PCYC not proceed at Elderslie – Provide an allocation of 4,257sqm of land for CF & YRF, with the balance of land to be acquired of 1,943sqm (i.e. 6,200 – 4,257) being provided in the Village Green OS.

In recognition of the above possible development scenarios the Master Plan and Planning Principles are proposed to be amended to allow flexibility in the size of the Village Green to accommodate either case.

2.6 Pedestrian Cycle Network

Figure C23 (Spring Farm Pedestrian and Cycle Path Network) in DCP 2011 depicts pedestrian linkages within the Spring Farm Urban Release Area.

Having regard to pedestrian linkages to and from the SFNC, *Figure C23* depicts a linkage at the eastern boundary of the Neighbourhood Centre, which passes through the bush corridor and ultimately connects to Landcom Precincts 100/200. The current SFNC plan at *Figure D46* of DCP 2011 shows this linkage in the form of open space and an access road between the medium density housing and mixed use precinct. The proposed SFNC Master Plan has amended this linkage by providing a road off the Neighbourhood Centre perimeter road to the east, which travels between the Medium Density Housing precinct and the Village Green/Community precinct, to ultimately connect to the boulevard road which dissects the Neighbourhood Centre. We are of the opinion that this reconfigured pedestrian link would provide a functional linkage from the Landcom landholdings to the north-east through the bush corridor, to the Neighbourhood Centre. This would be further enhanced by the inclusion of a guiding planning principle which would apply to the future development of the proposed medium density housing/flexi unit precinct which promotes the inclusion of possible additional linkages through the Precinct to the western and southern portions of the SFNC. This has been included in the guiding principles listed in the proposed amendment to Part D3.3.

Apart from the minor amendments to the internal road network, we acknowledge that the external Neighbourhood Centre road network has been maintained and that, despite the amendments, the pedestrian linkages as depicted at *Figure C23* can still be achieved in principle.

As part of this exercise it has come to our attention that the pedestrian and cycle link through the bush corridor east of the Town Centre should be depicted on the SFNC Master Plan – this has now been included. In addition we request that this link be included in Council's section 94 plan road works allocation for Spring Farm. The current plan does not appear to not make provision for this, whilst making provision for pedestrian and cycle links through other sections of the bush corridor.

2.7 Richardson Road Main Street

Figure D46 in the Camden DCP 2011 shows Richardson Road terminating at the village square with perimeter roads on the east and west of the village square connecting to Springs Road. This submission is seeking to amend the road layout of Richardson Road to create a more traditional main street layout. The amendment would retain the existing alignment of Richardson Road, also retaining the existing terminating point at Springs Road.

As this amendment would retain the existing Richardson Road alignment, it complies with the Spring Farm Planning Principles in Part C7 of the Camden DCP 2011 – with Richardson Road continuing to provide evidence of the historic development of the area with the alignment of Richardson Road maintained whilst land in the vicinity undergoes development and change. This amendment also allows for a better urban design outcome, allowing for a traditional main street precinct to be developed on Richardson Road.

We understand from Council's advice that it is raising the following issues:

- The need or otherwise for a median;
- The urban design approach;
- Land acquisition costs associated with road widening; and
- Maintenance issues associated with a landscaped median.

It is our view that provision of a median would serve the purposes of 'framing' the main street of the SFNC through streetscape works and creating that sense of arrival transitioning from the adjoining residential precincts and villages. It would also contribute to the creation of a comfortable and safe pedestrian environment, integrating with crossing points. From an urban design perspective these are considered to be essential elements for the SFNC.

Following on from recent discussions with Council it is our understanding that may be supportive of a road design incorporating (i) a median strip (Cobble stone similar to Mount Annan Drive) or patterned concrete median strip; (ii) Trees integrated into a 2.1m wide parking lane to provide shade, break the continuity of car parking spaces, and since the awning structures of buildings will overhang the verge, the trees maintain a sufficient clearance; (iii) One street tree per three car parking spaces; and (iv) Street trees surrounded by a curved kerb for easy access by council street sweepers. The above design parameters have been included in a cross-section diagram provided at **Annexure C**. It would be intended that this diagram be included as an additional road design within the DCP known as *Figure C22.12 – Main Street*.

In terms of land acquisition costs, the current road reserve width of Richardson Road through the SFNC is in the order of 22.465m to 22.565m. Provision of a 1300mm wide median, considered to be ample for the Main Street of the SFNC, combined with 3000mm wide travel lanes, 1500mm wide bicycle lanes, 2100mm wide parking lanes and 4000mm wide verges would require a width in the order of 22.5m. Accordingly land acquisition costs associated with the road design would be at worst negligible and in any case be offset by savings as a result of reduced acquisition costs associated with the revised Village Green. In respect to maintenance issues, Council's concerns are noted

and would be properly addressed as a consideration at the detailed design stage of a development application. Council's suggestion to exclude landscaping from the median strip have been included in the cross-section design provided.

2.8 Mapping Amendments

As a consequence of the requested changes, it is considered that the following mapping amendments would need to be made to the Camden DCP 2011 to reflect these changes:

- *Figure C18 – Spring Farm Master Plan*
- *Figure C20 – Spring Farm Residential Dwelling Density Fringe*
- *Figure C21 – Spring Farm Staging Plan*
- *Figure C22 – Spring Farm Street Network and Design Map*
- *Figure C23 – Spring Farm Pedestrian and Cycle Path Network*
- *Figure C26 – Spring Farm Bush Corridor Water Management Features*

As discussed in *Section 2.7*, it is intended that an additional road design within the DCP known as *Figure C22.12 – Main Street* would be included for the Richardson Road Main Street (Please see **Annexure C**).

3.0 CONCLUSION

This submission, made on behalf of Landcom, Cornish Group Pty Limited & Mirvac Homes (NSW) Pty Limited, seeks amendments to relevant controls in the Camden Development Control Plan 2011 ('Camden DCP 2011') pertaining to the Spring Farm Neighbourhood Centre ('SFNC'). The DCP amendments being sought seek to modify the SFNC by reason of increasing the amount of retail floor space available, the size and location of the village green, dwelling densities within the SFNC and the road network within the SFNC.

The outcomes achieved as a result of the proposed amendments are:

- Provisions within the Camden DCP 2011 which provide clear direction for the development of the SFNC whilst allowing a degree of flexibility in design;
- Providing a level of retail/commercial space appropriate to the needs of the future Spring Farm community;
- Not compromising the overall dwelling density targets for the Spring Farm release area; and
- Maintaining the objectives for the SFNC as current sought by Camden DCP 2011

Council is respectfully asked to support the requested amendments.

Paul Hume
Town Planner

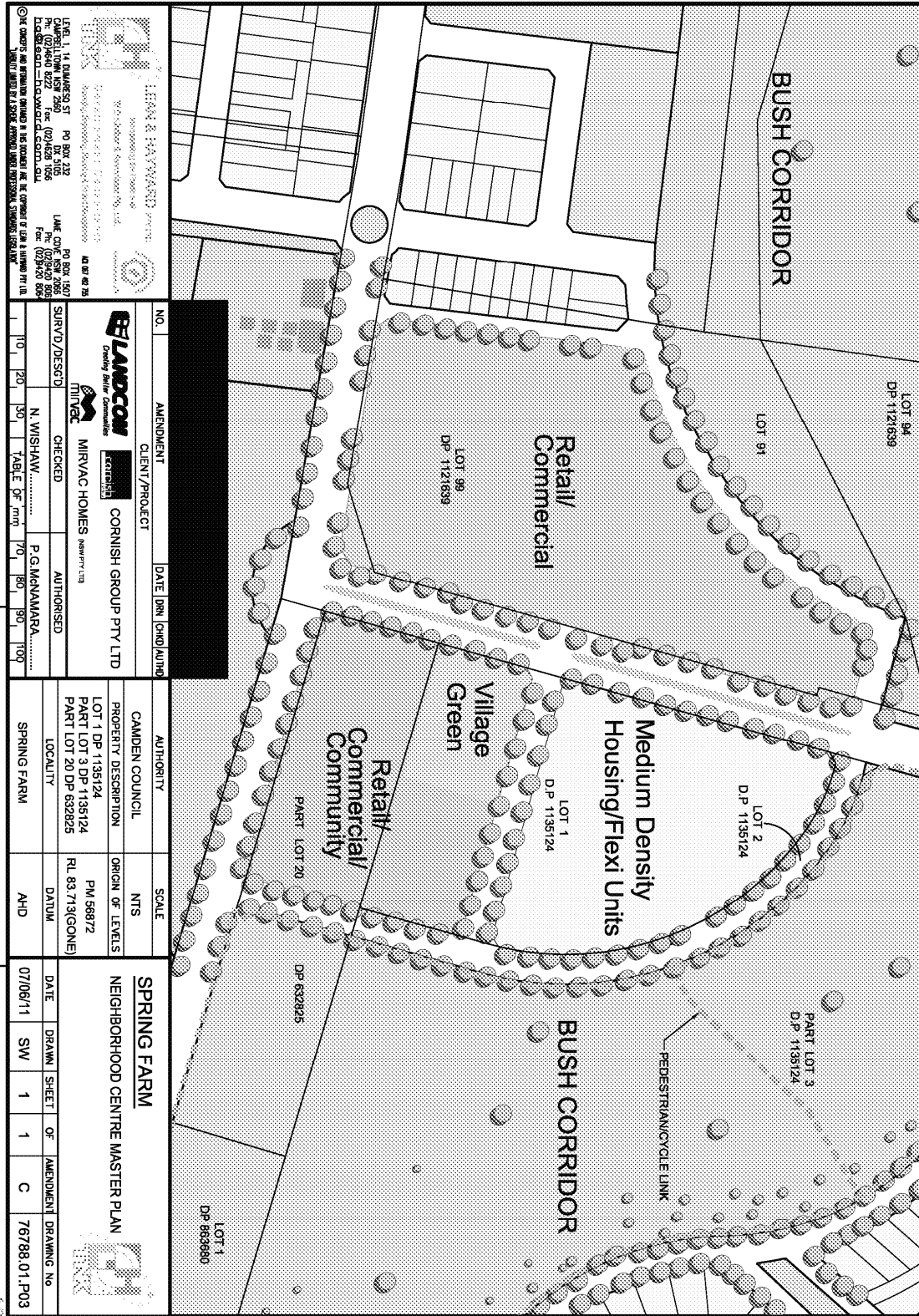
SMEC Urban
October, 2011.

ORD03

Attachment 1

**ANNEXURE A
Revised Spring Farm Neighbourhood Centre Master Plan & Part D3.3**

ORD03 Attachment 1



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THE OWNERS AND APPLICANT WARRANT IN THIS DOCUMENT AND THE CONTRACT OF SALE A SHOWN THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE APPLICANT HAS THE RIGHT TO DEVELOP THE LAND AS SHOWN ON THIS PLAN.

NO.	AMENDMENT	DATE	OWN	COMM	ADJUD
	CLIENT/PROJECT				
	LANDCOM Group of Companies				
	EXPRESS				
	MIRVAC HOMES <small>MEMBER PTY LTD</small>				
	CORNISH GROUP PTY LTD				
	MINVAC				
	CHECKED				
	N. WISHAW				
	AUTHORISED				
	P. G. McNAMARA				
	SURVY/DESIGN				
	TABLE OF				
	10				
	20				
	30				
	40				
	50				
	60				
	70				
	80				
	90				
	100				

AUTHORITY	SCALE
CAMDEN COUNCIL	NTS
PROPERTY DESCRIPTION	ORIGIN OF LEVELS
LOT 1 DP 1136124	PM 56872
PART LOT 3 DP 1136124	RL 83.713(GONE)
PART LOT 20 DP 632825	
LOCALITY	DATE
SPRING FARM	AHD

SPRING FARM	
NEIGHBORHOOD CENTRE MASTER PLAN	
DATE	DRAWN
07/06/11	SW
SHEET	OF
1	1
AMENDMENT	DRAWING NO
C	76788.01.P03

FILE NAME: 76788.01.P03D

D3.3 Spring Farm – B1 Neighbourhood Centre

Background

The Spring Farm B1 Neighbourhood Centre will form part of the Spring Farm Urban Release Area. It is located as shown in Figure D46 below. The Spring Farm Neighbourhood Centre is to allow for a mix of retail, commercial, residential, community and recreational facilities and civic uses. It is intended to locate shopping & entertainment/recreation facilities, a childcare centre, preschool, multi-function hall, sports centre/youth centre, village green, residential uses (including opportunities for flexi-units) and off-street parking areas.

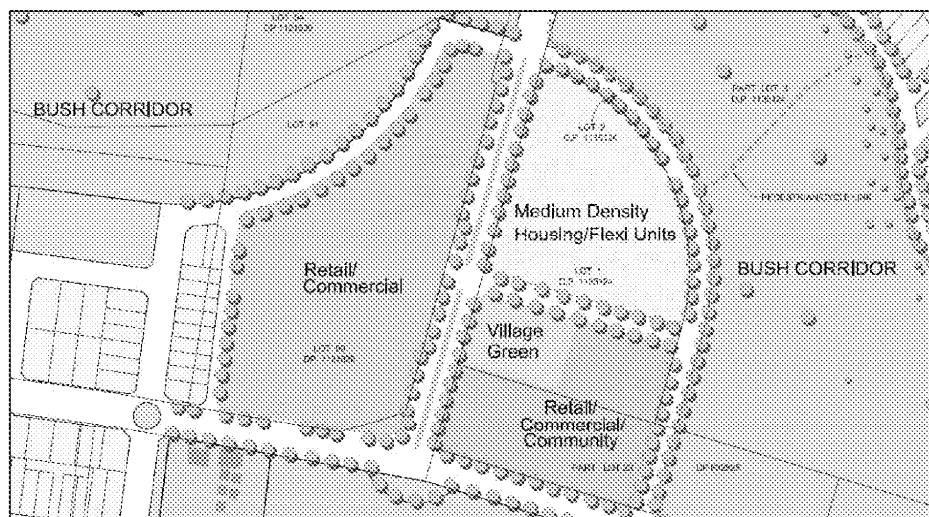


Figure D46 Proposed Spring Farm Neighbourhood Centre

Controls

D3.3.1 Maximum Floor Area

1. The neighbourhood centre will have a combined gross floor area of up to 7,000m² for a retail neighbourhood centre and 1,000m² for commercial uses.

D3.3.2 Layout/Design

1. Layout and design of development in the Spring Farm Neighbourhood Centre shall have regard to Figure D46 and the Spring Farm Town Centre Guiding Principles which are provided below .

2. The layout & design must support the vitality of the neighbourhood centre and permit a level of activity to be maintained over long periods to create a vibrant atmosphere. It should also be recognised that there needs to be a balance between urban design principles, such as street activation, and design considerations important to the long term economic sustainability of retail and commercial services in the centre.
3. The village green shall have good solar access and be suitably landscaped to enable a range of public and communal activities. Elements such as formal gardens, recreational facilities, sculptures or memorials may be provided.
4. The development shall be designed to provide good exposure to surrounding streets and the village green.
5. The neighbourhood centre shall be provided with on-street parking for convenience and to contribute to the street life and surveillance.
6. The neighbourhood centre shall also be provided with properly screened off-street parking. Landscaping should be provided to reduce the visual impact of large expanses of parking areas.
7. All parking configurations shall be in accordance with the relevant Australian Standards. Disabled bays are encouraged to be close to main entrances and clearly marked. Reference should be made to Council's Car Parking requirements and retail industry standard of 5 car spaces per 100sqm of gross lettable floor area.
8. Potential noise and amenity conflicts from the Nepean/Camden zone substation must be taken into consideration when designing the development.
9. Where possible, travel distances for pedestrians and cyclists should be minimised to and within the neighbourhood centre. Consideration should be given to accessibility for pedestrian and cyclists connectivity in surrounding residential areas to the neighbourhood centre.
10. In addition to any relevant controls for the neighbourhood centre, residential buildings within the residential precinct of the neighbourhood centre are subject to the controls contained in Chapter D2 of this DCP. An exception to those controls is that the minimum front setback is 3m.

D3.3.3 Built Form and Appearance

1. Subject to compliance with the building height limits contained in LEP 2010, development within the neighbourhood centre should have a range of building heights up to a maximum of three storeys.

Note: clause 4.3B of Camden LEP 2010 contains specific provisions for building height at specific sites in Spring Farm

ORD03**Attachment 1**

2. All development in the neighbourhood centre should respect the human scale and limit the visual impact of building height and mass so as to create a sense of visual comfort to the public.
3. Buildings are to be visible from and address the street frontages. Where buildings are not proposed to be built to the street frontage, setbacks are to be minimised. Buildings are also to be designed and located to take advantage of proximity to open space areas, including riparian corridors.
4. Blank walls visible from principal streets and the public domain are to be limited. Large format retail premises are to be sleeved, where appropriate, with active uses. In other circumstances, careful building design and landscaping shall be used to minimise the extent and visibility of blank walls.
5. Dedicated service access to loading facilities for retail and commercial buildings shall be provided via back or side lanes that are screened from view on the main street. The potential for service traffic to conflict with other vehicle movements is to be minimised.
6. Development within the Retail/Commercial precincts shall be built to the street alignment.
7. Important public buildings may be designed as landmark buildings which exhibit high quality design, are preferably two storeys in height, and sited at visually prominent locations such as corners and entries.
8. Street trees providing shelter from both sun and rain are important to encourage pedestrian use of the neighbourhood centre.
9. Development shall use design solutions to reduce opportunities for crime and reduce the perception of crime within the community. Housing designs shall provide casual surveillance over adjacent streets and public spaces and public spaces shall have good linkages i.e. the village green with the adjoining retail/commercial/community precincts to reinforce the concept of safety and accessibility.
10. The neighbourhood centre shall be provided with on-street parking that is conveniently located, attractive and open for surveillance.
11. Development located on the edges of the neighbourhood centre must consider the surrounding environment in order to address the potential for land use conflict and to ensure that the neighbourhood centre relates sympathetically to the surrounding development, providing for an appropriate visual transition between areas.
12. An allocation of 6,200sqm of land shall be provided for the combined area of the Village Green, Multi-Purpose Community Facility and Youth Recreation Facility. Should the Youth Recreation Facility not be required at Spring Farm the surplus land allocation shall be incorporated into the Village Green.

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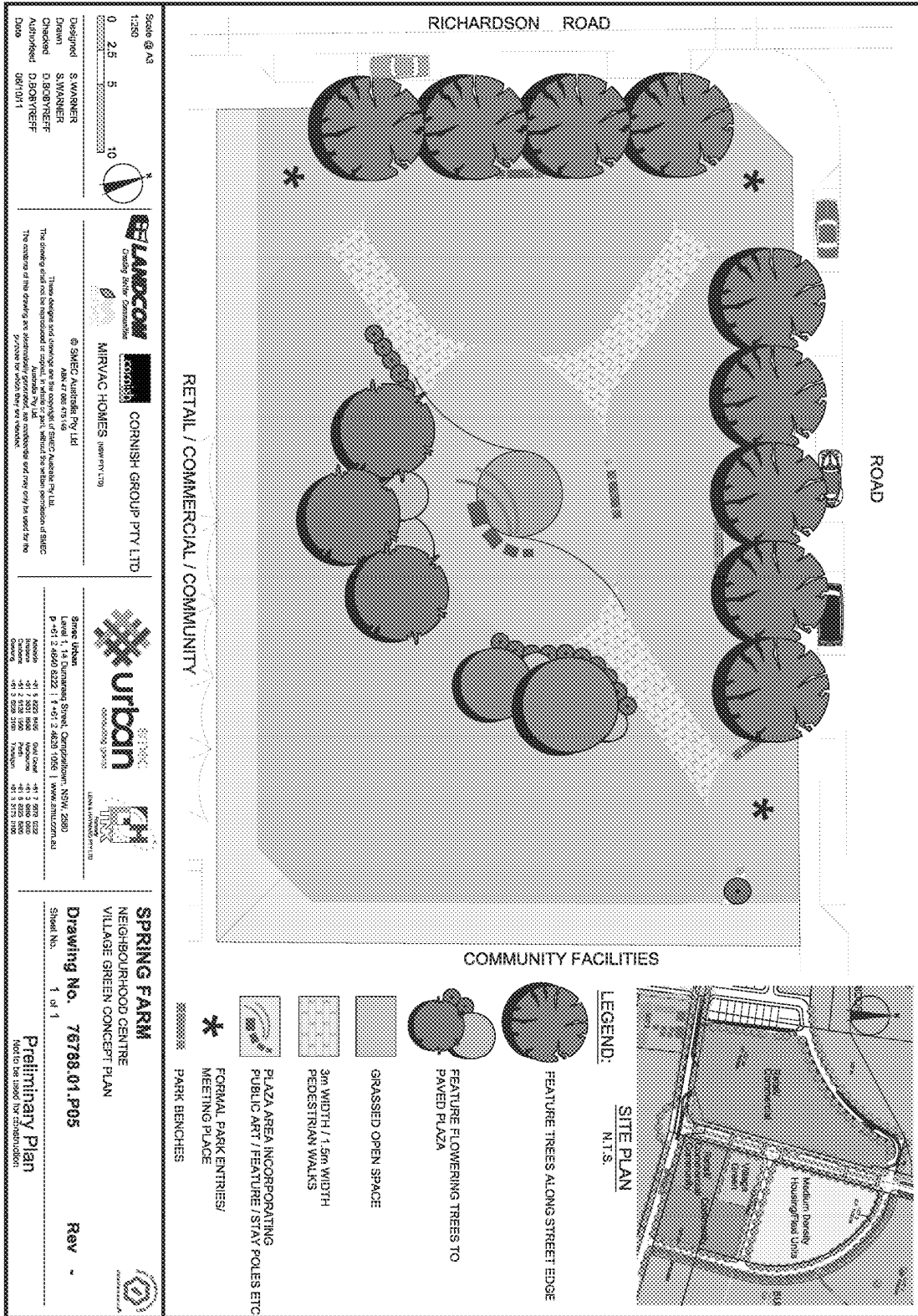
Attachment 1

ANNEXURE B

Spring Farm Neighbourhood Centre Village Green Concept Plan

ORD03

Attachment 1



Scale @ A3
1:350
0 2.5 5 10

BLANDIN
Landscape Architecture
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CORNISH GROUP PTY LTD

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SPRING FARM
NEIGHBOURHOOD CENTRE
VILLAGE GREEN CONCEPT PLAN
Drawing No. 76788.01.P05
Sheet No. 1 of 1
Preliminary Plan
Rev -
Not to be used for construction.

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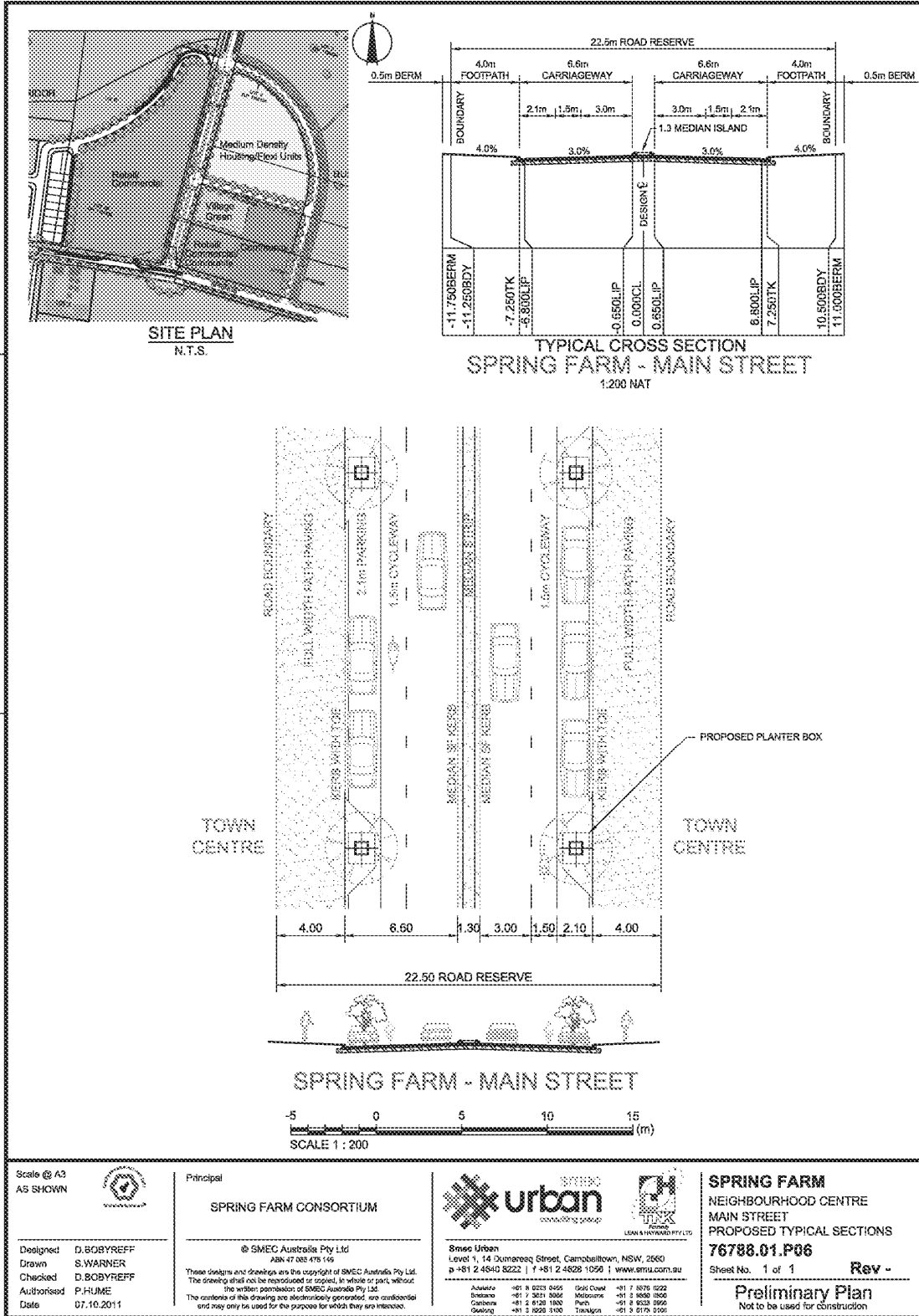
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Attachment 1

ANNEXURE C
Proposed Figure C22.12 – Main Street

ORD03

Attachment 1



Scale @ A3
AS SHOWN



Principal
SPRING FARM CONSORTIUM
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SPRING FARM
NEIGHBOURHOOD CENTRE
MAIN STREET
PROPOSED TYPICAL SECTIONS
76788.01.P06
Sheet No. 1 of 1 Rev -
Preliminary Plan
Not to be used for construction

76788.01.P06

ORD03

Attachment 1



ORD04

ORDINARY COUNCIL

ORD04

SUBJECT: PLANNING PROPOSAL FOR MINOR AMENDMENTS TO CAMDEN LEP 2010

FROM: Director Governance

BINDER: Amendment No 1 Housekeeping Amendment no.1

PURPOSE OF REPORT

The purpose of this report is to update Council regarding the status of Planning Proposal – Amendment No.1 and to seek a resolution to forward this re-exhibited planning proposal to the Department of Planning and Infrastructure (DPI) to make amendments to Camden LEP 2010 (LEP 2010) following its gazettal.

BACKGROUND

At the Ordinary Council meeting of 24 November 2009 Council considered a report on the exhibition of LEP 2010. In accordance with Council's resolution, LEP 2010 and the accompanying maps were forwarded to the DPI so that the gazettal process could commence. On 3 September 2010, LEP 2010 was gazetted.

Council intended for the new LEP to maintain the status quo of previous LEP's. During the gazettal process, Council officers identified matters that should have been reflected in the LEP. This includes the insertion of 'multi-dwelling housing' as a permissible use on certain lands zoned B2 Local Centre at Mount Annan, the amendment of the minimum lot size map for Camden Lakeside and Manooka Valley, and the amendment of the heritage map to reflect a recent subdivision which reduced the curtilage of the heritage item at 56 Hilder Street, Elderslie.

Given that these issues were identified after the exhibition of the draft LEP and whilst the gazettal of the LEP was pending, it was proposed that these clauses and maps be included in a planning proposal which aims to amend the Camden LEP 2010 after its gazettal.

This matter was initially reported to Council at its meeting held on 22 June 2010. The resolution of the meeting was as follows:

- (a) Adopt the planning proposal and map amendments.
- (b) Forward the planning proposal to the Department of Planning & Infrastructure for Gateway Determination.
- (c) Pending a favourable response from the Department of Planning & Infrastructure, proceed directly to gazettal.

The planning proposal was forwarded to the DPI and a conditional Gateway Determination was issued on 25 August 2010, subject to the removal of lot yield clauses and the inclusion of a two week exhibition period. The amended planning proposal was exhibited from 8 September to 21 September 2010 and no submissions were received.

The planning proposal was reported back to Council on the 12 October 2010 where Council resolved to adopt the amended proposal and forward it to the DPI for gazettal.

A revised planning proposal was submitted to the DPI under Section 58 of the *Environmental Planning and Assessment Act 1979* so that the correct lot size map for the Camden Lakeside Development would be included as part of the planning proposal and subsequent LEP amendment, and to ensure that Clause 4.1(A) of the LEP was amended to reflect the amendment of the lot size map applying to Manooka Valley.

Since this time discussions have been held between the DPI and Council with regards to provisions for Camden Lakeside and a new Satisfactory Arrangements Clause which applies to the Lakeside urban release area. As a result the DPI has worked with Council to create clauses to insert into Camden LEP 2010. In addition minor inconsistencies were also identified by Parliamentary Counsel which have been rectified.

MAIN REPORT

Revised Gateway Determination

On 6 October 2011 the DPI advised that it had revised the determination dated 25 August 2010 for planning proposal amendment no.1 (**Attachment 1**). This has resulted in the revised planning proposal being publicly exhibited for a period of 14 days (**Attachment 2**). There are various amendments which have been made to the planning proposal. This revised planning proposal is explained in further detail below.

Minimum lot size maps and clauses

The existing minimum lot size controls for Camden Lakeside and Manooka Valley were originally within Camden DCP 2006, (i.e. 220m²). The preparation of the new comprehensive LEP 2010 in accordance with the LEP template format required that these controls be removed from the DCP and inserted in LEP 2010. However the DCP controls are complex and do not conform to the Standard LEP template clauses and mapping guidelines.

During the final review of the minimum lot size map and relevant clauses, DPI officers raised concerns of a technical nature regarding the clauses maps and requested that they be amended. To address the matter Council has worked with the DPI to create a new clause for Camden Lakeside which will facilitate residential development in the area. In addition, controls for Manooka Valley have been converted appropriately from DCP 2006 into LEP 2010.

Special Infrastructure Clause:

Whilst revising the planning proposal, the DPI identified that a new clause needed to be inserted which ensures that satisfactory arrangements have been made for the provision of State Infrastructure in the Camden Lakeside urban release area. Council has worked together with the Department to form a clause that is appropriate to be inserted into LEP 2010.

Other minor amendments:

The other amendments are of a minor nature and will be included in the planning proposal to amend LEP 2010.

The first matter is the insertion of multi-dwelling housing as a permissible use on the land zoned B2 Local Centre at Mount Annan. This reflects the provisions of Camden LEP 47 and is therefore consistent with the status quo philosophy adopted during the preparation of LEP 2010.

The second matter is the amendment of the heritage map to reflect the recent subdivision which revised the heritage curtilage of the heritage item at 56 Hilder Street Elderslie (known as "Hilsyde").

The third matter refers to the Minimum Lot Size Map Set. The amendments include changing the title to reflect current standards terms set out by the DPI as well as updating the legend on the maps to include new values which correspond to the changes being made to the Manooka Valley minimum lot size map.

Planning proposal

The objectives and intended outcomes of the planning proposal are as follows:

1. **Camden Lakeside (Attachment 3)**– To amend the LEP Lot Size Map to reflect the minimum lot sizes and subdivision patterns that applied to land within the Camden Lakeside development prior to the gazettal of Camden LEP 2010.

Furthermore, this planning proposal aims to include a new clause in the Camden LEP 2010 which ensures non-residential zoned land in the Camden Lakeside Urban Release Area can be subdivided below the minimum lot size applicable to that land under Clause 4.1. This will facilitate residential subdivision patterns whilst still protecting environmental conservation land.

2. **Special Infrastructure Clause – Camden Lakeside (Attachment 3)** – To include a new clause in the Camden LEP 2010 which ensures the provision of State Infrastructure for the Camden Lakeside Urban Release Area.
3. **Manooka Valley (Attachment 4)**– To amend the LEP Lot Size Map to reflect the minimum lot sizes that applied to Manooka Valley prior to the gazettal of Camden LEP 2010, and to amend clause 4.1(A) by removing references to Manooka Valley.
4. **B2 Zone at Mount Annan (Attachment 5)** – To amend Camden LEP 2010 to permit 'multi-dwelling housing' on three lots at Mount Annan. Multi-dwelling housing was a permissible use in the previous LEP however it was inadvertently omitted from the Camden LEP 2010.
5. **Heritage Item “Hilsyde” – 56 Hilder Street Elderslie (Attachment 6)** – To amend the heritage map by reducing the heritage curtilage of the heritage item to reflect the current subdivision layout for which development consent has been granted.
6. **Minimum Lot Size Map Set (Attachment 7)** – To amend some anomalies within the minimum lot size map set.

Community and government agency consultation

The matters dealt with in this planning proposal are maintaining the 'status quo' with regard to planning controls applying in each of the proposed amendments. The reasons for the need to undertake the amendments to the Camden LEP 2010 are more of a technical nature. However the DPI and Council have more recently prepared new provisions concerning a new Satisfactory Infrastructure Arrangements clause and new clause regarding the subdivision of land for the Camden Lakeside urban release area. As a result, the DPI has considered the proposed changes and directed that an exhibition period of 14 days was appropriate for this planning proposal.

This planning proposal was advertised from 12 October to 25 October 2011 and no submissions were received.

CONCLUSION

This planning proposal aims to make minor amendments to the LEP as well as introduce new clauses which will facilitate in the development of urban release areas and also provide vital State infrastructure. These amendments will provide clarification regarding the nature and extent of the proposed LEP and map amendments.

RECOMMENDED

That Council:

- i. **adopt the planning proposal and associated map amendments; and**
- ii. **forward the planning proposal to DPI requesting it to make the plan.**

ATTACHMENTS

1. Revised Gateway Determination - *Supporting Document*
2. Planning Proposal Amendment No 1 - *Supporting Document*
3. Camden Lakeside - *Supporting Document*
4. Manooka Valley - *Supporting Document*
5. Mount Annan - *Supporting Document*
6. Hilsyde Heritage Item - *Supporting Document*
7. Minimum Lot Size Map Set - *Supporting Document*

ORD04



ORD05

ORDINARY COUNCIL

ORD05

**SUBJECT: AMENDMENT TO TERMS OF RIGHT OF CARRIAGEWAY - NO 110
LODGES ROAD, ELDESLIE**
FROM: Director Governance
BINDER: Council Properties/Easements

PURPOSE OF REPORT

This report seeks approval to amend a Section 88b instrument and Right of Way relating to Lot 1 within Deposited Plan No 1143650 and to affix Council's Seal to the necessary documentation.

MAIN REPORT

In 2009 (in accordance with the provisions of the Conveyancing Act 1919), Council was granted an easement for support and a Right of Way (ROW) for maintenance purposes over No 110 (Lot 1 DP 158163) Lodges Road, Elderslie. The ROW was created to allow Council to enter the property to maintain a batter and drainage which was constructed to support a portion of Liz Kernohan Drive, Elderslie as part of Stage 3 of the Camden Acres Estate. **A copy of the location plan showing the easement and ROW is provided at the end of this report.** Under the ROW Camden Council has the power to release, vary or modify any of the terms of the instrument.

In March 2010 Council was contacted by the land owner's solicitor seeking clarification on three points relating to the ROW, namely:

1. That Council had a duty to maintain and repair the right of way, the easement for batter and the drainage easement associated with the right of way.
2. Confirmation that the landowner has no obligation in relation to any of the matters noted above.
3. Sought copies of the insurance Council maintains in respect of the liability for the ROW.

Council has since responded to the enquiry and reaffirmed Council's obligations under the easement and ROW.

However the landowner's solicitor again proceeded to point out the wording of the Section 88b instrument (part of the documentation that created the right of way) was somewhat ambiguous and may not offer the landowner the degree of protection sought by the landowner, and requested the document be amended to better clarify his client's legal position.

As the wording in the Section 88b instrument is the definitive statement of rights and obligations in these matters, Council proceeded to further investigate the claim.

On completion of investigation by Council's Solicitor and staff, the wording in the Section 88b instrument (as it related to liability for use of the land) was correct from a legal viewpoint but agreed could be "open to interpretation". As a result the Section 88b instrument has been redrafted.

The amended terms have been agreed to by both parties and are now ready for lodgement with the Land and Property Information office as an amendment.

In order to complete the matter, it will be necessary to affix the Council seal to documentation prior to registration at the office of Land and Property Information.

RECOMMENDED

That:

- i. Council agree to the amendment of the terms of the Section 88b instrument and Right of Way granted over No 110 (Lot 1 DP 158163) Lodges Road, Elderslie; and**
- ii. the Council Seal be affixed to any documents relating to this matter.**

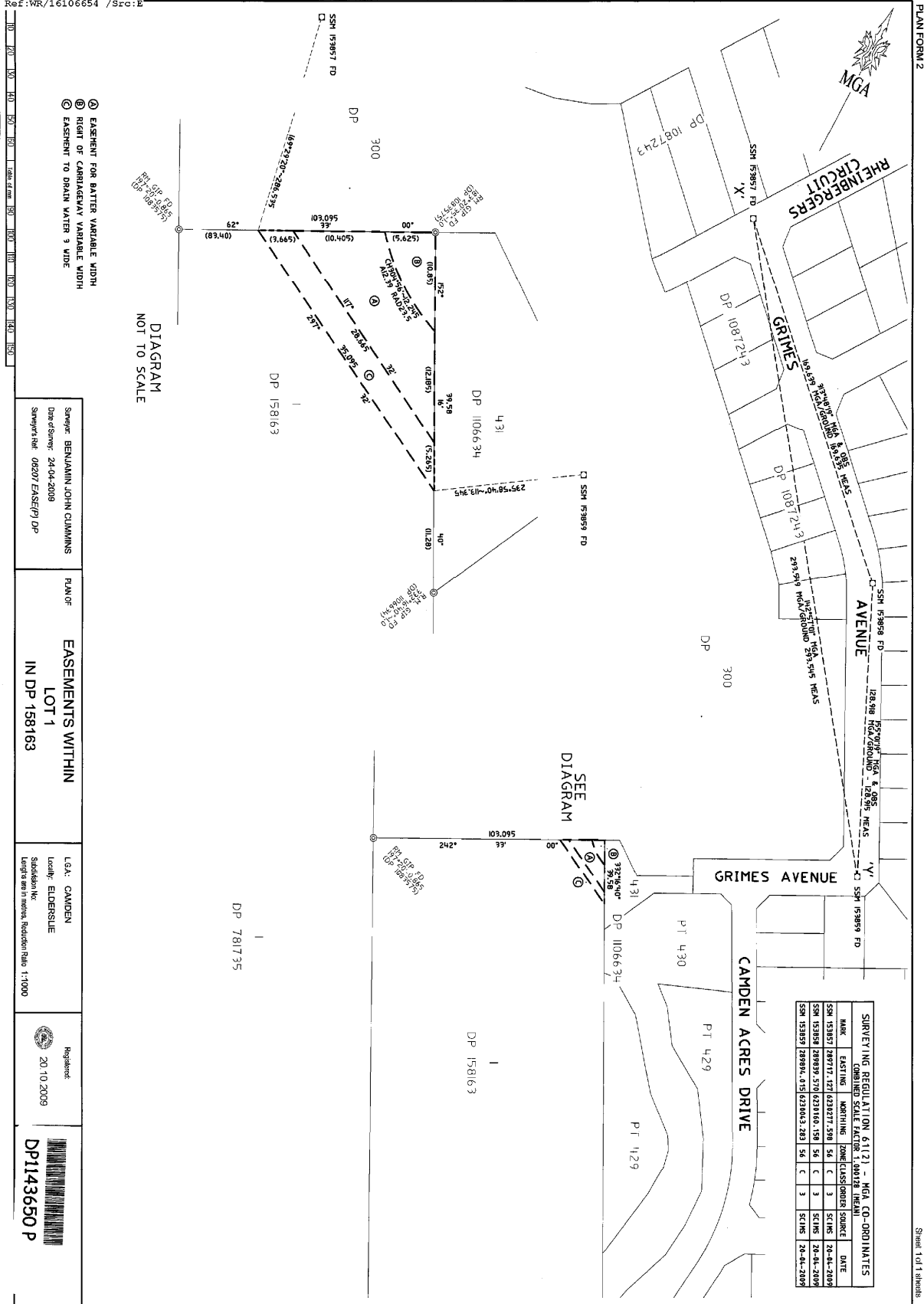
ATTACHMENTS

1. Copy of DP - Location Plan

Req:R285550 /Doc:DP 1143650 P /Rev:21-Oct-2009 /Sts:SC.OK /Prt:17-Mar-2010 12:54 /Pgs:ALL /Seq:1 of 3
 Ref:WR/16106654 /Src:L

ORD05

Attachment 1



ORDINARY COUNCIL

ORD06

ORD06

**SUBJECT: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO
MAYOR AND COUNCILLORS POLICY**

FROM: Director Governance

BINDER: Policies

PURPOSE OF REPORT

To provide Council with a review of the “Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy” and readopt such policy, as required by the *Local Government Act 1993 (the Act)*.

BACKGROUND

In 2006, the Act was amended to provide a more rigid regime for adopting a policy for the payment of expenses and the provision of facilities to the Mayor and Councillors, ensuring that a level of consistency is maintained across all Councils.

Council initially adopted the Policy in 2007, and, as required by the Act, has reviewed and readopted the Policy annually.

MAIN REPORT

The Division of Local Government recently conducted a review of the Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy to assess compliance with the relevant legislation and Guidelines issued by the Division.

Following review by Council staff, in accordance with the Division of Local Governments’ suggestions, and a memorandum sent to Councillors seeking input, several minor changes to the policy were implemented including:

1. Indexation of the monetary limits since the Policy was first adopted;
2. Expansion of child care and care of elderly, disabled and/or sick immediate family members provision;
3. Table of Contents page, clause numbering and annexures detailing monetary limits on expenses and available facilities for easy reference; and
4. Addition of requirement for Deputy Mayors’ approval if expense/facility provision is for the Mayor.

In accordance with the requirements of the Act, the Policy including draft amendments was also placed on public exhibition seeking written comments or submissions. No submissions were received.

A copy of the Policy is attached to the end of this report.

CONCLUSION

The “Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy” is required to be readopted annually.

The Policy as submitted fully complies with the Division of Local Government review and Guidelines and ensures Councillors are provided with adequate and reasonable expenses and facilities to enable them to carry out civic duties as elected representatives of their local communities, whilst also providing an adequate level of accountability.

RECOMMENDED

That Council adopt the “Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy” for the ensuing twelve (12) month period, in accordance with the provisions of the *Local Government Act 1993*.

ATTACHMENTS

1. Expenses and Facilities Policy



ORD06

**PAYMENT OF
EXPENSES &
PROVISION OF
FACILITIES TO THE
MAYOR &
COUNCILLORS
POLICY
POLICY 5.57**

Attachment 1

ORD06

Attachment 1

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PAYMENT OF EXPENSES & PROVISION OF FACILITIES

DIVISION: GOVERNANCE

PILLAR: GOVERNANCE

FILE / BINDER:

Part 1 - INTRODUCTION

This document is to be referred to as the “Payment of Expenses and Provision of Facilities to the Mayor and Councillors” Policy.

The Policy will commence from 12 February 2007.

1 Purpose of Policy

- 1.1 The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.
- 1.2 The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

2 Objectives and coverage of the Policy

- 2.1 The objectives of the Policy are to:
 - Ensure there is consistency in the application of reimbursement of expenses and provision of facilities to Councillors in an equitable and non-discriminatory manner.
 - Assist Councillors to represent the interests of residents and ratepayers of Camden and to facilitate communication between the community and Council.
 - Provide a level of support which will serve to encourage residents to seek election to civic office.
- 2.2 The Policy applies equally to the Mayor and all Councillors.

3 Reporting Requirements

- 3.1 The Local Government Act requires Council to adopt and publicly advertise in local papers the Expenses and Provision of Facilities Policy each year and to then submit a copy of the Policy to the Division of Local Government by 30 November. (Section 252 and Section 253)
- 3.2 The Act also requires Council to include details of monies expended on Mayoral and Councillor fees and details of this Policy in the Annual Report. (Section 428(2)(f)).
- 3.3 The Local Government (General) Regulation also requires Council to report annually on details of any overseas visits undertaken during the year by

ORD06

Councillors, staff or other persons representing Council (including visits sponsored by other organisations). (Clause 217).

- 3.4 Any reference in this Policy to “the Act” refers to the Local Government Act, 1993 as amended.

4 Relevant Legislation and Policies

- Local Government Act, 1993.
- Division of Local Government Guidelines for payment of expenses and provision of facilities.
- Code of Conduct.
- Division of Local Government Circulars to Councils –2005/08 and 2002/38.
- ICAC publications – “No Excuse for Misuse” and “Preventing the Misuse of Council Resources.”

5 Approval arrangements

- 5.1 Various approval arrangements are indicated throughout the Policy and vary from full Council meeting approval to Mayor and General Manager.

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Part 2 - PAYMENT OF EXPENSES

GENERAL PROVISIONS

- 6.1 The payment of expenses to Councillors is outside the provisions of the annual fee determination made by the Local Government Remuneration Tribunal which are paid to Councillors.
- 6.2 This Policy is applicable to any Council Administrator, should such Administrator act in that capacity from time to time.

6.3 Payment of expenses generally

- 6.3.1 Any expenses claimed must be related to representing Council at official or ceremonial functions, meetings, conferences/seminars as approved by Council in carrying out the civic duties of the Councillor.
- 6.3.2 Claims for reimbursement of these expenses will only be made on production of receipts for such amounts where indicated in this Policy and on completion of the appropriate "Councillor Travel and/or Expense Claim" form, itemising the expenses. Reimbursement of general expenses will not be allowed.
- 6.3.3 Payment of expenses will not be made to support a Councillor's attendance at political fund raising functions.

6.4 Allowances and expenses

- 6.4.1 All claims for reimbursement must be made to the General Manager, within one month of the date of the receipt and on the appropriate "Councillor Travel and/or Expense Claim" for Reimbursement form (Appendix A), together with production of relevant receipts.
- 6.4.2 Following receipt, the claim will be reconciled with the receipts and reimbursed as appropriate, [following authorisation from the Mayor \(or Deputy Mayor in the case of a claim by the Mayor\) and the General Manager](#).

CONFERENCES AND SEMINARS, ETC

7 Attendance

- 7.1 Any Councillor may attend a conference, approved by Council, either as a formal representative of Council or as part of learning and skill development to assist Councillors to discharge the functions of civic office. Requests for attendance at such events, interstate or overseas, must be approved by Council prior to attendance. The report to Council should outline the benefits of attendance by the Councillor.
- 7.2 The Mayor [\(or Deputy Mayor in the case of a claim by the Mayor\)](#) and General Manager may approve attendance by Councillors at conferences, seminars, meetings or similar functions within the State (ACT is taken to be included as part of NSW due to the proximity and ease of travel) without the need for prior reference to Council.

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7.3 Councillors nominated to attend any conference who withdraw from attendance at the conference without reasonable cause will be liable for any costs incurred by Council. The Mayor (or Deputy Mayor in the case of a withdrawal by the Mayor) and General Manager will assess and determine the appropriateness of such withdrawal and liability for costs. (Council Meeting 25/11/08, ORD301/08)

8 Costs

8.1 Council will pay all normal registration costs, including registration, official luncheons, dinners, tours.

9 Accommodation

9.1 Council will pay accommodation in relation to the conference/seminar.

9.2 Accommodation will be approved by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager at the "standard" room rate after taking into account the type and location/venue of conference/seminar.

9.3 A Councillor wishing a higher level of accommodation will be responsible for the gap cost between the "standard" room rate and the higher level.

10 Travel

10.1 Council will pay travel expenses associated with attendance at conferences/seminars and the like. The most economic method of transport will be undertaken. This Policy provides for the standard of air ticket to be purchased as economy class.

10.2 Private vehicles may be used subject to approval by the Mayor (or Deputy Mayor in the case of a request by the Mayor) and General Manager and reimbursement is in accordance with this Policy and calculated at the rate specified in the Local Government State Award, as varied from time to time.

11 Advance payments

11.1 Councillors may request payment in advance in anticipation of expenses being incurred for such matters as attending conferences, seminars and/or training.

11.2 On return Councillors must produce all receipts for the expenditure of those funds, with a full reconciliation to be completed and be authorised by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.

11.3 Councillors are to produce the receipts and complete the reconciliation within one month of the expenditure being incurred.

12 Spouse and Partner Expenses

12.1 Where a Councillor is accompanied to a conference/seminar by a spouse/partner costs incurred for the attendance of the spouse/partner shall

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be the responsibility of the Councillor. These costs relate to travel, partner's programme and out of pocket expenses.

- 12.2 There may be limited instances where certain costs incurred by a Councillor on behalf of their spouse/partner are properly those of the Councillor expended in the performance of civic duties. Accordingly, Council will reimburse reasonable expenses in attending these functions. Such functions could include those which a Councillors spouse/partner would be reasonably expected to attend such as Council civic and ceremonial receptions, Australia Day ceremonies or on occasions Citizenship ceremonies.
- 12.3 Any further expenses incurred in relation to spouses/partners will not be reimbursed by Council.
- 12.4 Outside of these provisions, the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager may approve payment for the attendance of a spouse/partner as part of a Council group booking to a local Charity event or similar function as may occur from time to time.
- 12.5 Where a Councillor is accompanied by spouse/partner to the Local Government Association Conference, Council will meet the cost of registration and the official dinner for the spouse/partner. Travel expenses and any additional accommodation expenses will be the personal responsibility of the Councillor.

13 Incidental expenses

- 13.1 Out of pocket expenses or incidental expenses associated with attending conferences, seminars or training will be reimbursed on presentation of receipts and completion of a claim form as provided above.
- 13.2 Examples of incidental expenses include telephone or facsimile calls, laundry, taxi fares, parking fees or meals, where not part of the conference or function. These are over and above, the cost of registration, accommodation and travel to the event. Councillors may claim such expenses by completing the "Councillor Travel and/or Expense Claim" Form (Appendix A) together with relevant receipts. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of incidental expenses.

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SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

14 Attendance at seminars and conferences

- 14.1 Council will provide normal conference/seminar registration fees, transport, accommodation, official lunches and dinners relevant to the conference/seminar and reasonable out of pocket expenses.
- 14.2 Out of pocket/incidental expenses claims will be capped at ~~\$50~~ \$60 per day (inclusive of GST). Any claims above ~~\$50~~ \$60 must be approved by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager. The claims must be made within one month of the date of the receipt.
- 14.3 If approved, after returning, Councillors or an accompanying member of staff, must provide a detailed written report on the beneficial aspects of the conference or seminar.

15 Local travel arrangements and expenses

- 15.1 Councillors will be reimbursed for travel expenses incurred relating to Council business and/or representing Council. Examples are attending conferences, seminars, MACROC meetings, etc. and may include the use of private motor vehicle, public transport, taxi, parking fees and road tolls.
- 15.2 If a Councillor's private vehicle is used for transport, the amount reimbursed will be calculated at the rate specified in the Local Government State Award, as varied from time to time.
- 15.3 Under this Policy, Councillors are personally responsible for all traffic or parking fines incurred while traveling in private or Council vehicles on Council business.

16 Interstate travel

- 16.1 Council approval is required prior to any interstate travel being undertaken by Councillors. The report to Council should include all details of the travel, including itinerary, costs and expected benefits. If required to travel by air, economy air fares only will be provided. If approved, Council will pay costs as per "Attendance at Seminars and Conferences" and incidental expenses.

17 Overseas travel

- 17.1 Council approval is required prior to any overseas travel being undertaken by Councillors. Council needs to scrutinise the value and need for such travel. If approved, economy air fares only are to be provided.
- 17.2 After returning from any overseas travel, Councillors or an accompanying member of staff must provide a detailed written report to Council on the aspects of the trip.

18 Training and educational expenses

- 18.1 Council provides an amount in the annual Budget for "Councillor Training and Education" expenses to support and encourage active learning and skill

development and for attendance at Conferences and seminars relating to Council activities. Expenses for this item is limited to the annual Budget allocation in any one year and is separate to this Policy. Payment of additional expenses/costs in relation to such training will be as per this Policy.

19 Telephone costs and related expenses

- 19.1 Council will provide a Mobile phone for use in order to carry out the Councillor's civic functions and responsibilities as provided in this Policy under "Provision of Equipment" below.
- 19.2 Call charges for Mobile phones associated with *private business* must be met by the Councillor. Council will reimburse an amount up to ~~\$250~~ \$285 per month (inclusive of GST) for *Council related business*.
- 19.3 Councillors must complete a "Councillor Travel and/or Expense Claim" form for each billing period in relation to call charges associated with official calls. All claims for reimbursement for telephone costs must be made within one month of the date of the providers' invoice. Any amounts exceeding the limit must be approved for payment by the Mayor (or Deputy Mayor in the case of a claim by the Mayor) and General Manager.
- 19.4 If an individual landline is installed to the Councillor's premises, Council will reimburse an amount up to ~~\$100~~ \$115 per month (inclusive of GST) to cover rental as well as call charges for *Council related business*. Call charges associated with *private business* must be met by the Councillor.

20 Child care and care of elderly, disabled and/or sick immediate family members

- 20.1 Councillors will be reimbursed fees for the reasonable cost of care arrangements including child care expenses and the care of immediate family members who are elderly, disabled and/or sick in order to allow Councillors to attend Council and other official meetings/functions or to attend to their responsibilities and duties as a Councillor. Carer costs will be paid to cover the period 30 minutes prior to the scheduled commencement time of the meeting/function and one hour after the conclusion of the meeting/function.
- 20.2 The rate of reimbursement for care will be to a maximum of \$15 per hour or as varied by Council from time to time, payable on the provision of receipts or a declaration by the Councillor for such payments (Reimbursement Form-Appendix A), within 3 months of the period being claimed. The Mayor (or Deputy Mayor in the case of a claim by the Mayor) and the General Manager will authorise payment of care and other related expenses.

21 Legal expenses and obligations

- 21.1 Council may, by way of resolution specifying the amount involved, indemnify or reimburse the reasonable legal expenses:
- (a) of a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act, 1993 or any other Act for and on behalf of Council; or

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- (b) of a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Local Government Act, 1993; or
 - (c) of a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, the Independent Commission Against Corruption, Office of Ombudsman, Division of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions or Council's Conduct Review Committee/Reviewer, provided, the subject of the proceedings arises from the performance in good faith by the Councillor of a function under the Local Government Act, 1993; and
 - (d) only if the enquiry, investigation, hearing or proceedings taken against a Councillor results in a finding substantially favorable to the Councillor.
- 21.2 In addition, the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis.

22 Insurance expenses and obligations

- 22.1 Council complies with the requirements of the Local Government Act, 1993 (Section 382) and Councillors are covered by current insurance policies for various amounts in respect of:
- Public Liability – for matters arising out of Councillors performance of civic duties or exercise of functions as Councillors but are subject to any limitations or conditions set out in the policy;
 - Professional Indemnity – for matters arising out of Councillors performance of civic duties or exercise of functions provided the performance or exercise of the relevant civic duty or function is in the opinion of Council, bona fide and/or proper.
 - Personal accident – Coverage where personal injury occurs whilst on Council business Australia wide.
- 22.2 Travel Insurance may be paid, if considered appropriate, for any approved overseas travel on Council business.

ADDITIONAL MAYORAL EXPENSES

Nil.

Part 3 –PROVISION OF FACILITIES

GENERAL PROVISIONS

- 19.1 Council will provide facilities, equipment and services that are appropriate to support the Mayor and Councillors in undertaking the role of elected members.

PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

20.1 Equipment

- 20.1.1 Council will provide the following equipment to Councillors, if requested, subject to the reimbursement of expenses limitations mentioned elsewhere in this Policy:

- Mobile telephone (standard as provided to staff) or Blackberry mobile phone with internet and email capability.
- Computer equipment (standard as provided to staff) or laptop (~~the equivalent of a Toshiba 6000 series~~) and printer/fax multi function machine, together with printer cartridges and replacements.

20.2 Facilities

- 20.2.1 The following facilities are provided

- A Councillors' Room is provided in the Council Offices to assist Councillors in dealing with resident and ratepayer matters and Council business generally. ~~The room is equipped with a telephone, computer, printer and internet connection;~~
- Councillors' letterhead;
- Sustenance only is provided to Councillors at Council/Committee Meetings. Meals are provided at civic functions and the like for Councillors and/or partners.

PROVISION OF ADDITIONAL EQUIPMENT AND FACILITIES FOR MAYOR

- 21.1 The role of the Mayor is:

- To exercise, in the case of necessity, the policy making functions of the governing body of the Council between meetings;
- To exercise such other functions of the Council as the Council determines;
- To preside at meetings of the Council; and
- To carry out the civic and ceremonial functions of the mayoral office.

- 21.2 In order to reflect the additional time and commitment required to carry out the responsibilities of the Mayor, in addition to the support provided to Councillors, the follow is provided to the Mayor:

- Mayoral Office provided to assist in carrying the Mayoral functions;

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- Secretarial support is also provided by the General Manager's secretary;
- Mayoral carparking space in the Council carpark adjacent to the Council Offices is also available.
- [A dedicated Mayoral vehicle is not provided for private or Council use, however](#) the Mayor may request the use of a Council pool vehicle for official Council business, if a vehicle is available.

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Part 4 – OTHER MATTERS

22 Personal Benefit

- 22.1 Councillors should not obtain private benefit from the reimbursement of expenses, provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes. It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment to Council.

23 Acquisition and returning of facilities and equipment by Councillors

- 23.1 All equipment provided to Councillors contained in this Policy, remain the property of Camden Council.
- 23.2 Such equipment will be returned on completion of the term of office, however, Councillors not seeking re-election or not returned may request the purchase of such property. The General Manager will consider each request and determine an appropriate fair market price.

24 General Dispute Resolution

- 24.1 Should a dispute arise as to payment of a claim for reimbursement of expenses or provision of facilities, the matter should be submitted in writing by the Councillor to the General Manager, who will determine the matter in conjunction with the Mayor in accordance with the terms of this policy.

* * *

RELEVANT LEGISLATION:

Division of Local Government Circulars to Councils – 2005/08, 2008/24, 2008/37, 2008/38 and 2009/36;
Division of Local Government Guidelines for payment of expenses and provision of facilities - October 2009;
Section 252 - Local Government Act, 1993.

RELATED POLICIES:

Policy 5.3 - Code of Conduct.

DELEGATIONS:

No

SUSTAINABILITY ELEMENT:

No

STAFF TRAINING REQUIRED?

No

Reviewed Cnl Mtg – 11/9/2007
Reviewed Cnl Mtg - 25/11/2008 ORD302/09
Reviewed Cnl Mtg – 27/10/2009 ORD252/09
Reviewed Cnl Mtg – 23/11/2010 ORD262/10

NEXT REVIEW DATE: November, 2011.

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PREVIOUS POLICY

ADOPTED: 12 February 2007 (initial
adoption date)

MINUTE: ORD25/07

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ANNEXURE B – Monetary Limits to Expenses

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EXPENSES	MAYOR & COUNCILLORS INDICATIVE EXPENSE LIMITS	CLAUSE OF POLICY
In House Training	N/A – Budget allocation	18.1
Conferences & Seminars	\$60 per day for incidental expenses	14.2
Local Travel	Private vehicle use - rates set out in Local Government State Award	15.2
Interstate Travel	N/A – Council resolution required to approve travel and expense limits	16.1
Overseas Travel	N/A – Council resolution required to approve travel and expense limits	17.1
Mobile phone call costs	\$285 per month	19.2
Telephone line rental and call costs	\$115 per month	19.4
Carer / Childcare	Up to \$15 per hour	20.2

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ANNEXURE C – Available Facilities

EXPENSE	MAYOR	COUNCILLORS
Computer Equipment	Available	Available
Laptop Computer	Available	Available
Multifunction Printer/Fax Facility	Available	Available
Council Pool Vehicle Use	Available	Not available
Car Parking Space	Available	Not available
Furnished Mayoral Office	Available	Not available
Secretarial & Administrative support	Available	Not available
Stationary, office supplies, postage, business cards & other similar consumables	Available	Available
Corporate clothing	n/a	n/a
Meals/refreshments related to Council Meetings, office functions and committee meetings	Available	Available
Ceremonial garb	Available	Not available
Councillors Room	Available	Available
Mobile Phone / Blackberry	Available	Available
Telephone line rental	Available	Available
Disabled Access	Available	Available

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ORDINARY COUNCIL

ORD07

SUBJECT: INVESTMENT MONIES
FROM: Manager Corporate Services
BINDER: Investment Monies

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 30 September 2011 is provided.

MAIN REPORT

It is 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.

The weighted average return on all investments was 5.89% p.a. for the month of September 2011.

The Principal Accounting Officer is the Manager Corporate Services.

RECOMMENDED

That Council:

- i. **Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act, Regulations, and Council's Investment Policy.***
- ii. **The list of investments for September 2011 be noted.**
- iii. **The weighted average interest rate return of 5.89% p.a. for the month of September 2011 be noted.**

ATTACHMENTS

1. Investment Report September

CAMDEN COUNCIL

Investments as at: 30th September 2011

INSTITUTION (Long term / short term credit ratings)	TYPE	IBD NO.	TERM	MATURITY DATE	INTEREST RATE (p.a.)	PORTFOLIO %	INVESTMENT AMOUNT
WESTPAC	TD	2448	164	22-Dec-11	6.03%		1,000,000
AA / A-1+	TD	2451	204	9-Feb-12	6.06%		2,500,000
	TD	2452	204	16-Feb-12	6.16%		1,000,000
	TD	2453	140	21-Dec-11	6.11%		1,000,000
	TD	2454	204	23-Feb-12	6.26%		1,000,000
	TD	2458	154	24-Jan-12	5.90%		2,500,000
						15%	<u>9,000,000</u>
CITIBANK	TD	2463	63	9-Nov-11	5.72%		3,000,000
A+ / A-1						5%	<u>3,000,000</u>
BANK WEST	TD	2455	58	6-Oct-11	5.85%		2,000,000
AA / A-1+	TD	2435	142	20-Oct-11	6.22%		1,000,000
	TD	2456	91	16-Nov-11	5.90%		2,000,000
	TD	2457	65	26-Oct-11	5.85%		1,500,000
	TD	2460	90	29-Nov-11	5.90%		3,000,000
						16%	<u>9,500,000</u>
NAB	TD	2443	183	22-Dec-11	6.18%		2,000,000
AA / A-1+	TD	2445	195	12-Jan-12	6.14%		1,500,000
	TD	2447	198	19-Jan-12	6.15%		1,400,000
	TD	2449	199	26-Jan-12	6.17%		1,500,000
	TD	2450	198	2-Feb-12	6.14%		2,000,000
	TD	2465	86	15-Dec-11	5.93%		2,500,000
						19%	<u>10,900,000</u>
ING DIRECT	TD	2442	156	24-Nov-11	6.00%		1,500,000
A+ / A-1	TD	2440	176	1-Dec-11	6.21%		2,000,000
	TD	2464	120	12-Jan-12	5.96%		2,000,000
	TD	2466	126	31-Jan-12	6.00%		2,400,000
						13%	<u>7,900,000</u>
SUNCORP METWAY	TD	2431	125	15-Nov-11	6.26%		1,500,000
A+ / A-1	TD	2433	140	5-Oct-11	6.11%		1,000,000
	TD	2434	142	13-Oct-11	6.14%		2,000,000
	TD	2437	146	27-Oct-11	6.14%		1,000,000
	TD	2438	149	3-Nov-11	6.15%		2,000,000
	TD	2439	183	8-Dec-11	6.21%		2,000,000
	TD	2441	148	10-Nov-11	6.07%		1,000,000
						18%	<u>10,500,000</u>
ST GEORGE	TD	2444	188	5-Jan-12	6.13%		1,600,000
AA / A-1+	TD	2446	167	15-Dec-11	6.00%		1,500,000
	TD	2459	93	30-Nov-11	5.86%		1,000,000
	TD	2462	93	7-Dec-11	5.80%		1,000,000
	TD	2461	91	1-Dec-11	5.81%		2,000,000
						12%	<u>7,100,000</u>
CBA	CALL			Call	5.25%	2%	1,362,000
AA / A-1+							
TOTAL INVESTMENTS HELD						100%	<u>59,262,000</u>

ORD07

Attachment 1

CAMDEN COUNCIL

Investments as at: 30th September 2011

SOURCE OF FUNDS INVESTED	
SEC 94 DEVELOPER CONTRIBUTIONS	24,115,000
RESTRICTED GRANT INCOME	745,500
EXTERNALLY RESTRICTED RESERVES	13,793,000
INTERNALLY RESTRICTED RESERVES	13,626,300
GENERAL FUND	6,982,200
TOTAL	59,262,000

Council's investment portfolio has increased by \$423,000 since the August reporting period. The increase primarily relates to the additional cash receipts from Section 94 Contributions and rate payments (General Fund). The source of funds invested are indicative only, due to Council's annual financial reports still being finalised for 30 June 2011.

NUMBER OF INVESTMENTS	34
AVERAGE DAYS HELD	144
AVERAGE PERCENTAGE	6.04% p.a.
WEIGHTED PORTFOLIO RETURN	5.89% p.a.
CBA CALL ACCOUNT *	5.25% p.a.
HIGHEST RATE	6.26% p.a.
LOWEST RATE	5.72% p.a.
BUDGET RATE	6.30% p.a.
AVERAGE BBSW (30 Day)	4.87% p.a.
AVERAGE BBSW (90 Day)	4.92% p.a.
AVERAGE BBSW (120 Day)	4.83% p.a.

***Note: CBA call account is not included in the investment performance calculations**

TD - Term Deposit - This is a secure investment with a fixed interest rate for the term of the investment.

BB - Bank Bills - This is a negotiable security that is sold at a discount to face value with the full face value paid on maturity.

NCD/TC - Negotiable/Transferable Certificate of Deposit - Very similar to Bank Bills but often have a higher minimum investment and can have longer maturity dates.

CRI - Committed Rolling Investment - For terms of 1-3 years. The interest rate is set at a margin above the bank bill swap rate for the term of the investment. The investment rolls monthly or quarterly and the BBSW is reset at roll date.

FRN - Floating Rate Note - Generally have 5-10 year terms but are tradable securities that can be bought & sold at prevailing market rates. The interest rate is set at a margin above the bank bill swap rate. Interest coupon is paid quarterly and the rate is reset on coupon date.

BBSW - Bank bill swap rate

LONG-TERM AND SHORT-TERM CREDIT RATINGS AS ISSUED BY STANDARD & POOR'S

A credit rating is a current opinion of an obligor's overall financial capacity (its creditworthiness) to pay its financial obligations.

Long-Term Issuer Credit Ratings

AAA - An obligor rated 'AAA' has an extremely strong capacity to meet its financial commitments. 'AAA' is the highest issuer credit rating assigned.

AA - An obligor rated 'AA' has very strong capacity to meet its financial commitments. It differs from the highest-rated obligors only to a small degree.

A - An obligor rated 'A' has a strong capacity to meet its financial commitments but is somewhat more susceptible to the adverse effects of changes in circumstance and economic conditions than obligors in higher rated categories.

BBB - An obligor rated 'BBB' has adequate capacity to meet its financial commitments. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitments.

Short-Term Issuer Credit Ratings

A-1 - An obligor rated 'A-1' has strong capacity to meet its financial commitments. It is rated in the highest category.

A-2 - An obligor rated 'A-2' has satisfactory capacity to meet its financial commitments. However, it is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligors in the highest rating category.

Plus (+) or Minus (-)

Both long-term and short-term ratings may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the rating categories.

ORDINARY COUNCIL

ORD08

ORD08

SUBJECT: ADOPTION OF UPPER SOUTH CREEK FLOOD STUDY
FROM: Director Works & Services
BINDER: Land Use Planning

PURPOSE OF REPORT

To seek Council approval to adopt the Upper South Creek Review Flood Study Final Report, 2011.

BACKGROUND

Camden Council uses flood studies to help inform the Floodplain Risk Management Studies and Plans which support Council's Flood Risk Management Policy, which in turn applies to development and land use planning in the Camden LGA. The current Flood Study used by Council is the study done by the Department of Water Resources (DWR) in 1991 (the Current Study), based on flood levels currently determined for the Upper South Creek catchment. A new study has been completed by WMAWater (consultant) in September 2011 (the Revised Study).

Current Flood Study

The Current Study was prepared by DWR for various councils within the South Creek (sometimes described as Wianamatta Creek) catchment, to define flood behaviour under conditions that prevailed at that time. That study was completed in 1991 using one dimensional (1D) modelling for the entire South Creek from Camden to Windsor (DWR, 1991). In the study six tributaries of South Creek, including Rileys and Kemps Creeks, were separately modelled and connected to the South Creek model. The model was developed based on ground contours and cross sections taken at intervals varying from 200 to 800 metres. There are a number of water courses in the Upper South Creek catchment in Camden LGA and the flood behaviour of these water courses were not modelled in detail. A Flood Risk Management Plan was prepared for Upper South Creek Catchment, however Council's Flood Risk Management Policy prepared for the Nepean River Floodplain applies to all catchments in the LGA.

Why a Review of current Flood Study?

With the South West Growth Centre development, the Growth Centre Commission undertook flood studies for parts of the Upper South Creek catchment, Oran Park and Turner Road. These flood studies indicated flood behavioural changes compared to the Current Study.

Section 2.7 of New South Wales Floodplain Development Manual, 2005 (FDM) specifies the instances when a review of an existing Flood Study and Floodplain Risk Management Plans are required. The instances relevant to Camden LGA are:

1. Where changes in future land use trends outside those considered in the Management Plan are proposed;
2. Regular reviews around every 5 years; and
3. Urbanisation during last two decades.

Council's Role and Responsibility

As with other local planning processes, formulation and implementation of a Floodplain Risk Management Plan is primarily the responsibility of the Council as outlined in New South Wales Flood Prone Land Policy (Flood Policy). The FDM and the Flood Policy outline the flood risk assessment method and floodplain management strategies through the Flood Risk Management Process to:

- (i) reduce social and financial costs from the risks in occupying the floodplain;
- (ii) increase the benefits of using the floodplain appropriately; and
- (iii) improve or maintain floodplain ecosystems, dependent on floodplains.

The Flood Risk Management Process is directly linked to Council's strategic planning process. Formulation of strategic plans provides proper and full consideration of the complete range of land use and management options, and their interaction with flood risk. The Flood Risk Management Process is given in Attachment 1.

Flood Studies are very technical in nature, and use a lot of technical terminology. To assist in some understanding, the following terminology contained this report and the studies is outlined below:

- AEP mean annual exceedance probability – the probability that the amount of rainfall over a 12 month period will exceed the long term average. Usually referred to in percentage terms, reflecting the frequency at which such a rainfall amount is likely to be encountered;
- 1% AEP means a rainfall event that is likely to happen, over a very long term, an average of once in 100 years. However, it is possible for such events to occur close together, event more than once in the same year;
- 5% AEP means a rainfall event that is likely to happen, over a very long term, an average of once in every 20 years. However it is possible for such events to occur close together, even more than once in the same year;
- 0.2% AEP means a rainfall event that is likely to happen, over a very long term, an average of once in every 500 years; and
- PMF mean probable maximum flood, describing the highest expected level of flooding given the physical conditions which dictate the flow off volume, speed, direction etc.

MAIN REPORT

Revised Flood Study

The Revised Study for the Upper South Creek catchment commenced in 2008 and was conducted in two stages.

- Stage 1 - the Aerial Laser Scanning (ALS) and photography of the catchment - completed in 2008; and
- Stage 2 - the hydrologic and hydraulic modelling of the catchment commenced in 2009.

The area covered by the study is show in Attachment 2.

The Office of Environment and Heritage (OEH), the former Department of Climate Change and Water (DECCW) and the Growth Centres Commission funded the study in full. The Revised Flood Study was conducted by WMA Water (consultant) and completed in September 2011. The final report of the Revised Study has been submitted by the consultant for Council approval. The results include flood levels,

extent velocities and potential hydraulic and hazard categories to be adopted by the Council.

The two dimensional (2D) hydraulic modelling, based on the ALS, was used in the Revised Study. The Revised Study provides more details with the use of new technology, Digital Terrain Model (DTM) based on ALS data and 2D hydrologic and hydraulic modelling, compared to the Current Study. The Current Study of 1991 was based on river cross section surveys, existing contours for catchments and 1D modelling. The ALS is more accurate in flood modelling compared to the use of contours as applied at that time.

It was also learned from 1986 and 1988 floods that a major contributor to flooding in New South Wales, including Camden LGA, is from blockages of major structures such as culverts and bridges. In the Revised Study a 50% blockage has been considered and this percentage is derived from historical flood data for Upper South Creek Catchment. The current review of Australian Rainfall and Runoff (ARR) has also identified the importance of blockages of structures and recommended the inclusion of blockages in the models.

A Technical Working Group (TWG) which included Council staff, consultant and the OEH worked closely throughout the entire study period (as required in FDM 2005), undertaking reviews of the consultant's hydrologic and hydraulic modelling and providing comments and suggestions at each critical stage. Furthermore, the TWG followed the Flood Risk Management Process specified in FDM.

The study is based on the contemporary flood modelling techniques and the Revised Study provides flood data for all water courses in Upper South Creek Catchment. At present the properties on water courses (other than South Creek and its tributaries Rileys and Kemps Creeks) have no information on the severity of flood affectation from the water courses. The Revised Study provides floodplain details of the extent, flows, flood levels and velocities of these water courses up to Probable Maximum Flood (PMF). The potential hydraulic categories (floodway and flood storage for 1% AEP, 5% AEP 2% AEP, 0.2% AEP and PMF events) and potential flood hazards (high and low risk) also have been identified and mapped in the Revised Study. The Revised Study has been provided to Councillors separately.

Results of the Upper South Creek Review Flood Study, 2011

The Revised Study provides flood data for South Creek and its tributaries Rileys, Kemps, Bonds (Scalibrini) and Thompsons Creeks and their tributaries.

The Final Report includes the following maps:

- Flood extent and peak flood depths for a range of storm events (1% AEP, 5% AEP and PMF);
- Provisional Hydraulic categories; Floodway and Flood storage (1% AEP, 5% AEP, 2% AEP, 0.2% AEP and PMF events); and
- Provisional Hazard categories; High Hazard and Low Hazard (1% AEP, 5% AEP, 2% AEP, 0.2% AEP and PMF events).

- **Comparison of Review Study 2011 (WMA Water) with Current Study 1991 (Water Resources) and / or Growth Centre New Release Area Flood Studies.**

- The Revised Flood Study, 2011 results (Flood Levels and Flows) were compared with the Current Study and Growth Centre Development flood modelling results. The Growth Centre Development flood studies used in this comparison are Turner Road (GHD, 2007), Oran Park (Brown Consulting, 2007), and Austral and Leppington (Cardno 2011).

- The key findings of the Revised Study, partly summarised in Attachment 3 are:

- the volume of water able to be carried within the South Creek catchment is slightly more than previously modelled, based on more accurate mapping of contours;
- flood behaviour modelling indicates some properties are more affected by flooding than previously indicated, others less so;
- the projected peak levels are generally consistent with previous studies, except where Camden Valley Way and Bringelly Roads cross South Creek, where projections are for higher flood levels (Attachment 3 – Table 1); and
- flood velocity projections are generally the same or lower across the catchment, except for Bonds Creek in the Rickard Road area (Attachment 3 – Table 2).

Implications of the Revised Study

- The Revised Study highlights the importance of key road crossing levels and ‘upstream’ development. These aspects have been discussed in the Turner Road Development Flood Study and will be addressed in the next steps.

- However, preliminary findings will be made available to property owners within affected areas (both under Current and Revised Studies), the RTA and SES.

The process after adoption of the flood study

- Once the flood study is adopted by the Council, the following process will be:

- the Revised Study report and the maps will be made available at Council offices at Narellan and Camden for 30 days;
- letters to flood-affected (up to PMF) property owners and occupiers will be sent notifying them about the Revised Study, 2011 and estimated flood affectation;
- adoption of Revised Study, 2011 will be advertised in local newspapers and Council’s website;
- based on the feedback Council will determine whether further community consultation is necessary; and
- Council will investigate the opportunity to have the flood maps placed on Council’s website for earlier public access.

Continuation of Flood Risk Management Process

- The next step in the process is to undertake Floodplain Risk Management Study and Plan of the Upper South Creek Catchment. The State Government (OEH) has provided a grant to commence Floodplain Risk Management Study and Plan in 2011 – 2012 financial year, and this is the subject of a separate report.

-
- Floodplain Risk Management Study and Plan are steps 3 and 4 of the Flood Risk Management Process. The Floodplain Risk Management Study involves determining various options in consideration of social, economic and ecological factors relating to flood risk. These options are:
 - flood modification (flood mitigation works and planning controls);
 - public response modification (flood warnings, flood readiness and evacuation plans); and
 - property modification (house raising, use of flood compatible materials and planning controls).
-
- A Flood Risk Management Committee (FRMC) will be established as specified in the FDM during the preparation of the Floodplain Risk Management Plan. The Plan will be prepared with preferred options, and working with FRMC. The Floodplain Risk Management Plan will be formally approved by the Council after a public exhibition of the Plan.

CONCLUSION

The Upper South Creek Revised Flood Study was completed in two stages;

- Stage 1 - ALS (Aerial Laser Survey); and
- Stage 2 – Two dimensional Flood Modelling.

The final Revised Flood Study has been received for Council approval. The final results include flood levels, extent velocities and potential hydraulic and hazard categories of the floodplain up to PMF.

It is proposed to use this Revised Study to form the basis of further advice to the community and to move into the development of a Floodplain Risk Management Study and associated Plan.

RECOMMENDED

That Council:

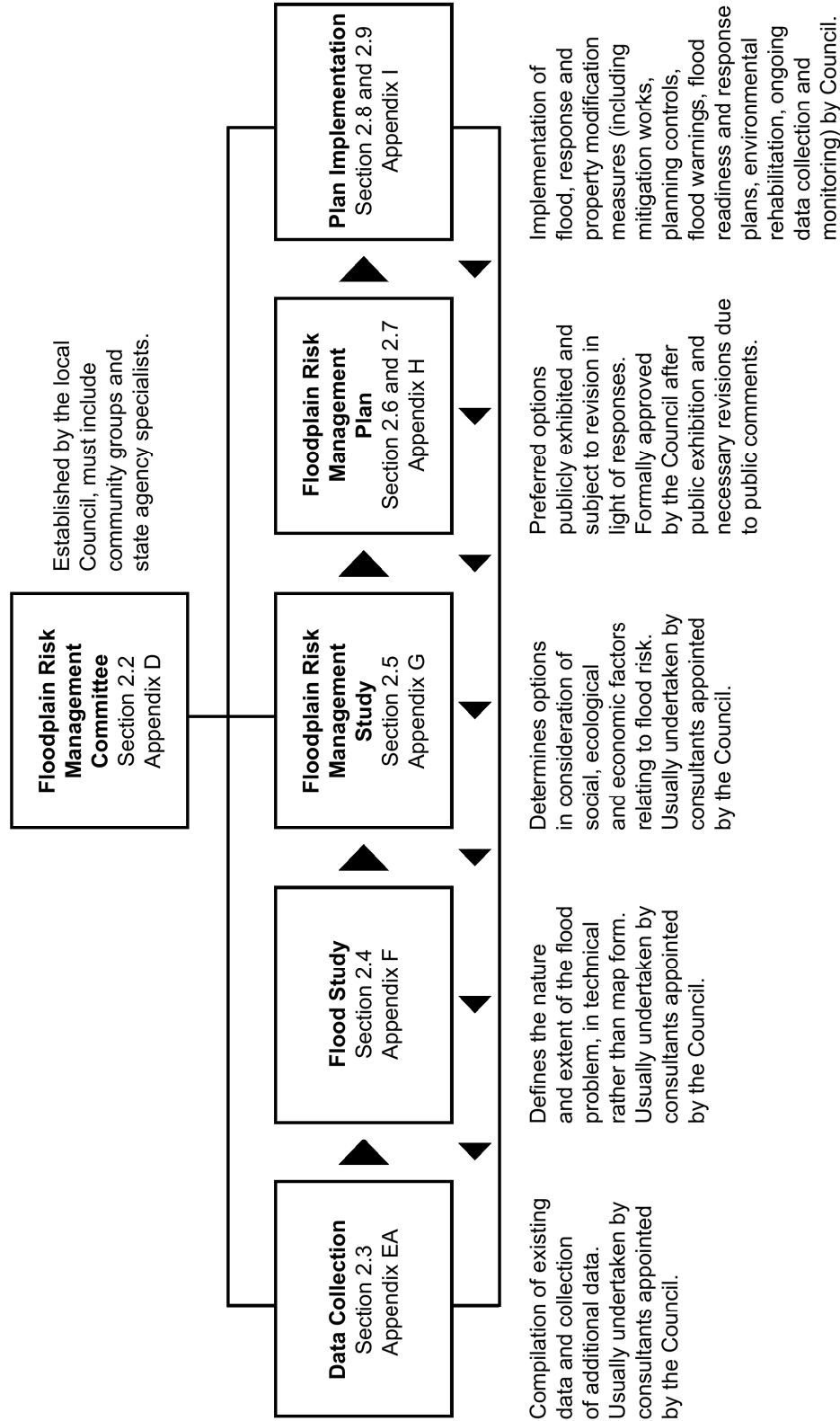
- i. adopt the Upper South Creek Flood Study;**
- ii. make available the Upper South Creek Flood Study report and the maps in Council offices at Narellan and Camden;**
- iii. notify flood-affected (up to PMF) property owners and occupiers by sending letters about the Upper South Creek Flood Study, 2011 and flood affectation;**
- iv. advertise the adoption of Upper South Creek Flood Study, 2011 in local newspapers and Council's website;**
- v. assess whether any further community consultation is necessary; and**
- vi. investigate the use of Council website allowing for the public to access flood maps and information as required.**

ATTACHMENTS

ORD08

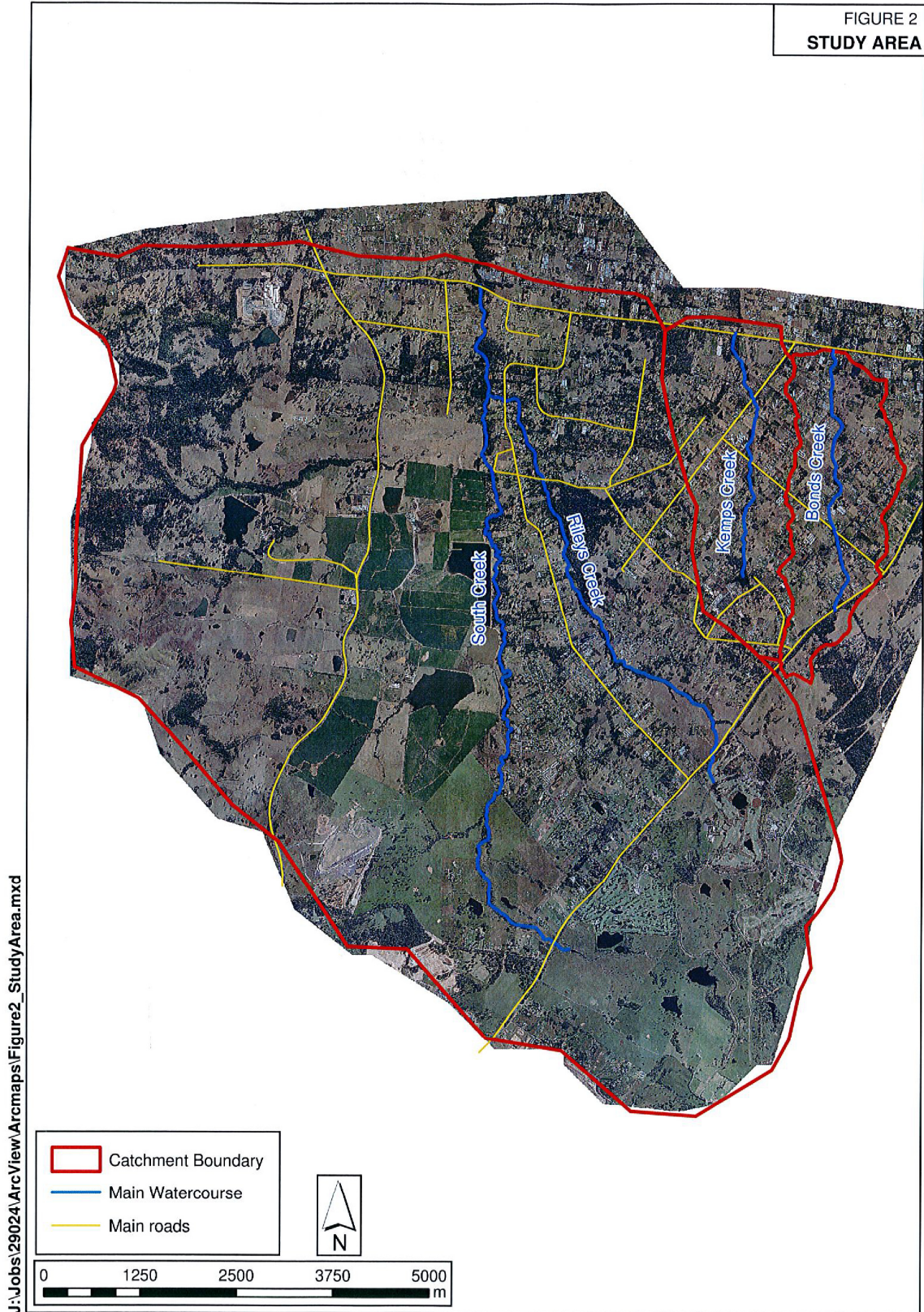
1. Attachment 1 - Floodplain Risk Management Process
2. Attachment 2 - Study Area
3. Attachment 3 - Upper South Creek Flood Study

Attachment 1 - The Floodplain Risk Management Process (from Floodplain Development Manual, 2005)



ORD08

Attachment 2



80RD00 Attachment 3

Attachment 3

Upper South Creek Flood Study Comparison of WMAWAter - Sep 2011 model results with previous flood study/ results

Table 1

Flood levels at road crossings of Upper South Creek and Kemps Creek

Flow levels at road crossings with South Creek & Kemps Creek	Flood Levels (m AHD)		
	Sep 2011 WMAWAter Results	1991 Water Resources Study	Subdivision Flood Study
Camden Valley Way & South Creek	92.35 (1% AEP), 95.8 (PMF)	90.48 (1% AEP), 91.18 (PMF)	U/S - 92.2 (1% AEP), 96.7 (PMF)** D/S - 91.8 (1% AEP), 92.7 (PMF)**
Curtis Lane & South Creek	78.2 (1% AEP), 79.1 (PMF)	78.79 (1% AEP), 79.68 (PMF)	78.02 (1% AEP), 78.84 (PMF)***
Catherine Fields Road /Cnr Barry Avenue/ South Creek	66.3 (1% AEP), 67.4 (PMF)	67.47 (1% AEP), 68.53 (PMF)	66.77 (1% AEP), 67.37 (PMF)***
Rodens Cr / South Creek	64.0 (1% AEP), 64.7 (PMF)	63.93 (1% AEP), 64.52 (PMF)	64.20 (1% AEP), 64.8 (PMF)***
Barry Ave, Cnr Allendy Road / South Creek	60.3 (1% AEP), 62.0 (PMF)	60.55 (1% AEP), 61.9 (PMF)	
Birngelly Road U/S / South Creek	59.8 (1% AEP), 61.0 (PMF)	59.36 (1% AEP), 60.28 (PMF)	
Philip Road / Kemps Creek	88.5 (1% AEP), 89.3 (PMF)	87.88 (1% AEP), 88.52 (PMF)	
Heath Road / Kemps Creek	84.4 (1% AEP), 85.15 (PMF)	84.7 (1% AEP), 85.18 (PMF)	
Birngelly Road /Kemps Creek	74.20 (1% AEP), 74.8 (PMF)	74.47 (1% AEP), 74.81 (PMF)	74.3 (1% AEP), 74.95 (PMF)*

Table 2

Peak flow rates at different locations within Upper South Creek, Kemps Creek and Bonds Creek (Scalibini) catchments

Location	Flow rates (m ³ /s)		
	1% AEP Review Flood Study WMAWAter 2011	1% AEP Current Flood Study DWR, 1991	1% AEP Growth centre Development Flood Studies
Kemps Creek D/S of Birngelly Rd	41	40	41.3*
Kemps Creek D/S of Eastwood Rd	36	32	37.5*
Kemps Creek U/S of Eastwood Rd	28	32	30.3*
Kemps Creek D/S of Heath Rd	23	24	26*
Lewes Creek & South Creek confluence		199	195.0**
Riley Creek & South Creek confluence, U/S		279	277.1***
Bonds (Scalibini) Creek D/S of Birngelly Rd	38	Not Available	39*
Bonds (Scalibini) Creek D/S of Ingleburn Rd	30	Not Available	29.9*
Bonds (Scalibini) Creek D/S of Rickard Rd	23	Not Available	16.7*

* Austral and Leppington North Precincts Riparian Corridor and Flood Assessment, Cardno, February 2011
 ** Turner Road Precinct Planning, GHD March 2007
 *** Oran Park Precinct Master Plan, Stormwater Quantity Management & Flooding, Brown Consulting, March 2007

ORDINARY COUNCIL

ORD09

SUBJECT: OFFICE OF ENVIRONMENT AND HERITAGE GRANT
FROM: Director Works & Services
BINDER: Land Use and Planning

PURPOSE OF REPORT

To seek Council acceptance of the recent Office of Environment and Heritage (OEH) grant for \$90,000 (GST exclusive), for the following floodplain management projects for the 2011/2012 financial year:

- Upper South Creek Floodplain Risk Management Study and Plan;
- Nepean River Flood Study and Floodplain Risk Management Study and Plan Review; and
- Narellan Creek Flood Study Review and Climate Change Impact Analysis

BACKGROUND

Council lodged a grant application requesting funding of \$242,000 (GST exclusive) to undertake and complete the above flood management projects in the 2011/2012 financial year. The application details are given in Table 1 below.

Table 1 – Details of Grant Application

Project	Council Contribution	NSW Government Grant	Total Funds
Upper South Creek Floodplain Risk Management Study and Plan	\$21,000	\$42,000	\$63,000
Nepean River Flood Study and Floodplain Risk Management Study and Plan Review	\$50,000	\$100,000	\$150,000
Narellan Creek Flood Study Review and Climate Change Impact Analysis	\$50,000	\$100,000	\$150,000
TOTAL	\$121,000	\$242,000	\$363,000

OEH has offered a grant for \$90,000 for the above three floodplain management projects for the 2011/2012 financial year. The commencement and completion dates of the funding term are 21 September 2011 and 30 June 2012 respectively.

Under the terms of these grants the grant recipients are expected to contribute funds toward the projects on the basis of \$1 for every \$2 from OEH. These grants will allow the proposed projects to be commenced.

MAIN REPORT

Council has a number of flood management studies which currently are used for land use and development planning and for consideration for emergency management planning. However these studies need to be updated to reflect changes over time and the potential effects of climate change considerations.

Details of Proposed Flood Management Projects

Upper South Creek Floodplain Risk Management Study and Plan - Floodplain Management Project 1

History of Studies

In response to severe flooding experienced in the South Creek catchment in the late 1980s, the former Department of Water Resources (DWR) undertook to revise an earlier study of flooding in the South Creek catchment entitled "South Creek Flood Study Report 1985". The major flood in April 1988 showed that the 100 year Average Recurrence Interval (ARI) flood levels published in 1985 were exceeded at certain locations throughout the catchment area. In addition, plans for large scale development in the west of Sydney necessitated an update of the hydrologic and hydraulic modelling of the catchment. The flood data available from the August 1986 and April 1988 floods formed the basis of the study which was completed by Department of Water Resources (DWR) in 1991. This is the current Flood Study that is used by Camden Council.

With the South West Growth Centre development, Council undertook to review the current Flood Study for the Upper South Creek Catchment in 2008 with completion in September 2011. The OEH, former Department of Climate Change and Water (DECCW) and Growth Centres Commission funded the study in full. The revised study is the subject of a separate report to this meeting.

Project objective

The primary objective of the Floodplain Risk Management Study and Plan is to provide a strategic framework for the development within the South Creek catchment and the South West Growth Centre. Council recognises the issues arising from nominating large portions of the South Creek catchment for urban development as part of the South West Growth Centre and the need to develop a catchment wide policy. This is essential to ensure that subdivisions are not assessed in an individual manner.

The Floodplain Risk Management Study and Plan is a continuation of Flood Risk Management Process after the new Flood Study is adopted by the Council. The Floodplain Risk Management Study and Plan are Steps 3 and 4 of the Flood Risk Management Process as specified in Floodplain Development Manual, 2005. The Floodplain Risk Management Study and Plan will provide the basis for managing future development of flood prone land within the Upper South Creek Catchment.

Project outcomes

The Project outcomes are:

- an adopted Floodplain Risk Management Study and Plan for the Upper South Creek floodplain that addresses existing, future and continuing flood problems; and

- a basis for sound management of land within the South Creek floodplain, to ensure Council's flood management policies are consistent with current legislation and best practice in relation to floodplain management.

The final output will be a Floodplain Risk Management Policy for the Upper South Creek Catchment in the Camden LGA.

Nepean River Flood Study and Floodplain Risk Management Study and Plan Review - Floodplain Management Project 2

History of Studies

The existing Flood Study and Floodplain Risk Management Study and Plan were completed in 1995 and 2000 respectively by the Department of Land and Water Conservation. The existing Flood Study requires revision due to:

- additional modelling needed to be undertaken which incorporates the potential impacts of climate change;
- the Floodplain mapping that was produced in 2000 has inconsistencies and deficiencies for the Probable Maximum Flood (PMF);
- changes in land use trends and urbanisation which will identify flood behavioural changes; and
- the need to conduct regular reviews every 5 years.

Regional significance

The Nepean River has regional significance and dominates the townships of Camden and Elderslie. Floods have the potential to cause significant damage to property in the area, and cause disruption to services and main roads including The Northern Road and Camden Valley Way. Flood damage would be expected in the Camden, Elderslie, Camden South, Grasmere, Ellis Lane and Cobbitty areas. New subdivisions adjacent to the Nepean River include 4,000 lots in Spring Farm and a proposed redevelopment at Glenlee.

Project objective

The main objective of the Study is to build on existing data and information, to adequately define the flood behaviour in the Nepean River catchment within the Camden LGA and to incorporate the potential impacts of climate change. The study will produce information on flood levels, velocities, flows, provisional hydraulic and hazard categories, and a sensitivity analysis for a full range of potential flood events under existing and developed catchment conditions. The revised Flood Study will then be used to prepare a revised Floodplain Risk Management Study and Plan.

Project outcomes

The Floodplain Risk Management Study and Plan will provide:

- a revised flood study incorporating the impact of climate change;
- modern and accurate flood mapping including hydraulic and hazard categories;
- a revised Floodplain Risk Management Study and Plan for the Nepean River floodplain that addresses existing, future and continuing flood problems;

- a basis for sound management of land within the Nepean River floodplain, and ensure that Council's flood management policies are consistent with current legislation and best practice in relation to floodplain management; and
- an adopted Floodplain Risk Management Study and Plan from which funding assistance can be sought from various State and Commonwealth agencies to enable implementation of the plan.

Narellan Creek Flood Study Review and Climate Change Impact Analysis - Floodplain Management Project 3

History of Studies

The Council has several flood studies of Narellan Creek. These studies are as follows:

- Upper Nepean River Flood Study by the Department of Land and Water Conservation September 1995 – Nepean River up to The Northern Road. This study considered the 20, 50, 100 year Average Recurrence Intervals (ARIs) and Probable Maximum Flood (PMF);
- Upper Nepean River Tributaries Flood Study by Lyall and Macoun Consulting Engineers 1999 – Upstream of The Northern Road. This study considered the PMF study only;
- Harrington Park Hydrological and Hydraulic Report by SMEC 2000. This study covered the Northern Road to Camden Valley Way catchment for the PMF flood event; and
- Smeaton Grange Industrial Estate by ARUP 2004. This study considered the Kenny and Narellan Creeks for the 1 in 100 year ARI storm event.

The proposed flood study will provide an holistic flood study for the entire Narellan Creek and 'fill in the gaps' of the existing studies, including the Probable Maximum Flood (PMF) levels through Smeaton Grange and provide the basis of subsequent Floodplain Management Studies and Plans.

Project Objective

The main objective of the Flood Study is to provide Camden Council with hydrologic hydraulic models along with comprehensive design flood behaviour information for the areas within the Narellan Creek catchment. The outputs from the study will enable Council to more confidently undertake and perform its floodplain management related responsibilities in accordance with the NSW Government's Flood Policy.

Project Outcomes

The Flood Study will provide:

- a new floodplain mapping and levels incorporating impacts of climate change; and
- the basis for a revised holistic Floodplain Risk Management Plan.

The Council will undertake all three flood management projects (refer Table 1) up to an expenditure of \$135,000 (excluding GST), utilising the OEH grant of \$90,000 (excluding GST) and Council's contribution of \$45,000 (excluding GST) in 2011/2012. The projects will be staged and continued in 2012/2013. The dates of commencement of projects will be staggered and projects will be programmed to optimise the available funding and resources.

The program for first stage of the flood management projects to be carried out in the 2011/2012 financial year.

FINANCIAL IMPLICATIONS

Table 2 – OEH Grant and Eligible Projects

Project	Grant Number	Funding Ratio (State:Recipient)
Upper South Creek Floodplain Risk Management Study and Plan	2011-12-FM-0048	2 : 1
Nepean River Flood Study and Floodplain Risk Management Study and Plan Review	2011-12-FM-0047	2 : 1
Narellan Creek Flood Study Review and Climate Change Impact Analysis	2011-12-FM-0046	2 : 1

Council has allocated the required funds, \$45,000 (GST exclusive), to match its contribution for these projects in the 2011/2012 budget under “Nepean River Flood mapping”.

CONCLUSION

As part of managing development and land usage across the LGA, Council needs to consider the impact of flooding and how this may change over time. Reviewing and updating flood studies and developing plans accordingly are an important part of managing these risks.

Council will undertake the following three flood management projects up to an expenditure of \$135,000 (excluding GST), utilizing the OEH grant \$90,000 (excluding GST) and Council’s contribution of \$45,000 (excluding GST) in 2011/2012 to commence the following projects:

- Upper South Creek Floodplain Risk Management Study and Plan;
- Nepean River Flood Study and Floodplain Risk Management Study and Plan Review; and
- Narellan Creek Flood Study Review and Climate Change Impact Analysis.

RECOMMENDED

That Council:

- accept the OEH Grant of \$90,000 (excluding GST) for the three eligible floodplain management projects for 2011/2012;**
- undertake the following flood management projects in stages and up to an expenditure of \$135,000 (excluding GST), utilising the OEH grant of \$90,000 (excluding GST) and Council’s contribution of \$45,000 (excluding GST) in 2011/2012:**

- **Upper South Creek Floodplain Risk Management Study and Plan,**

-
- **Nepean River Flood Study and Floodplain Risk Management Study and Plan Review, and**
 - **Narellan Creek Flood Study Review and Climate Change Impact Analysis; and**
- iii. **formally write to the Office Environment and Heritage thanking them for the contribution towards these projects.**

ORD09

ORDINARY COUNCIL

ORD10

**SUBJECT: ROUNDABOUT AT INTERSECTION OF WELLING DRIVE,
WATERWORTH DRIVE, AND MAIN STREET, MOUNT ANNAN**

FROM: Director Works & Services

BINDER: Traffic and Transport/Council Report

PURPOSE OF REPORT

To respond to Council's Notice of Motion in relation to identifying measures such as traffic calming, overhead lighting and landscape treatment to improve traffic flow and safety at the roundabout at the intersection of Welling Drive/Waterworth Drive/Main Street in Mount Annan.

BACKGROUND

A number of issues have been raised by residents concerning the movement of traffic in and around the Welling Drive/Waterworth Drive roundabout in Mount Annan.

At its meeting held 26 July 2011, Council resolved that a report be prepared with a view to identifying any measures such as traffic calming, overhead lighting and landscape treatment to improve traffic flow and safety at the roundabout at the intersection. The investigation has now been completed.

MAIN REPORT

To ensure that the range of issues relating to Welling Drive/Waterworth Drive/Main Street as raised by residents were considered, a thorough study of the intersection and traffic flows was undertaken. Detailed technical analysis is contained **in the Business Paper supporting documents.**

Speed and volume counts were carried out on all four legs of the intersection over a seven day period. The surveys indicated that approach traffic speeds on Waterworth Drive (northbound and southbound) and Welling Drive (westbound) were up to 10 percent higher than maximum desirable levels (the posted speed limit of 50 km/hr). Approach traffic speeds on Welling Drive (eastbound) were less than the posted speed limit. This leg of the roundabout is also referred to as Main Street.

Roundabout Design

The design of the roundabout has been assessed using the AUSTRROADS Guide to Road Design. The design of the roundabout is generally sound. However, it has been determined that the approach speeds were over the posted speed limits, which does not allow drivers enough distance to see and react to other drivers using the roundabout. The options to address speeding are enforcement, changing the design and rebuild the intersection and/or approaches or, related to this, installing traffic calming devices.

Enforcement options, using the NSW Police, would be difficult because the speeds in the approaches to the roundabout are only 3-5 km/hr over the speed limit. Amending the design and reconstructing the roadways is an expensive option.

It is therefore proposed to install devices designed to slow vehicles down prior to entering the roundabout.

Speed humps which cover most of the approach lane widths on all four approaches to the roundabout are recommended to address the high vehicle speeds. The aim is to reduce speed to around 30 km/hr. These speed humps are wide enough to be felt by cars, but are designed to have less impact on buses and heavy vehicles with wider tracks.

Landscaping

The presence of landscaping in the central island of the roundabout assists in providing a perception of a low speed environment.

For the speeds at which vehicles currently approach the roundabout, the landscaping can encroach on acceptable sight distances. However, drivers should not exceed the posted speed limits.

The reduction in vehicle speeds following the installation of speed humps results in a reduction of the area where clear lines of sight to other vehicles is required. It is therefore recommended that the existing landscaping and structures located around the roundabout are retained. It is further recommended that more regular maintenance is carried out to keep the vegetation at manageable heights and to allow easier pedestrian circulation as appropriate in the area.

Pavement Markings

Some of the pavement marking has become worn over time and is difficult to see at night. Repainting of the line marking on the central island and splitter islands will be undertaken to improve this visibility.

Lighting

On two of the four legs of the roundabout, drivers approach from well lit roads/areas. The lights around this roundabout are relatively low in height and are spaced well apart.

An investigation into the adequacy of the existing street lighting is required to ascertain compliance with the relevant current Australian Standards. It is recommended that an accredited Service Level 3 contractor is engaged to assess the current lighting design.

FINANCIAL AND ASSET IMPLICATIONS

The estimated cost of installing the speed humps, line marking and engagement of the lighting contractor is \$22,500. This cost excludes lighting changes, if required, which cannot be determined until a design is developed and approved by the appropriate authority.

CONCLUSION

An investigation into traffic flow and safety concerns at the Welling Drive/Waterworth Drive roundabout in Mount Annan has been completed. Traffic speed, where many drivers exceeded the posted speed limits, was identified as the major factor affecting

safety. A number of measures as outlined above, including the introduction of traffic calming devices for the enhancement of the roundabout for the safety of road users, are recommended.

RECOMMENDED

That Council approves:

- i. the installation of speed humps on each approach travel lane to the roundabout subject to Local Traffic Committee confirmation;**
- ii. engagement of a credited level 3 contractor to assess the current lighting design and prepare the necessary design to upgrade lighting at the roundabout; and**
- iii. funding of \$22,500 from the Capital Work Reserve for implementing recommendation number (i) and (ii).**

ATTACHMENTS

- 1. TR013-101 Waterworth Drive & Welling Drive assessment - *Supporting Document***

ORDINARY COUNCIL

ORD11

ORD11

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - RECORDING OF COUNCIL MEETINGS
FROM: Cr Anderson, Cr Campbell, Cr Cottrell
BINDER: Notice of Motion

“We, Councillors Fred Anderson, Eva Campbell and Michael Cottrell, hereby give notice of our intention to move the following at the Council Meeting of 8 November 2011:”

That:

In light of recent Councillor enquiries regarding the recording of Council meetings, we request that Council Officers prepare a report to Council outlining what has happened, why it has happened, what (if any) legislation may have been breached and how this matter might be addressed moving forward.

RECOMMENDED

That:

In light of recent Councillor enquiries regarding the recording of Council meetings, we request that Council Officers prepare a report to Council outlining what has happened, why it has happened, what (if any) legislation may have been breached and how this matter might be addressed moving forward.