



Camden Council

Business Paper

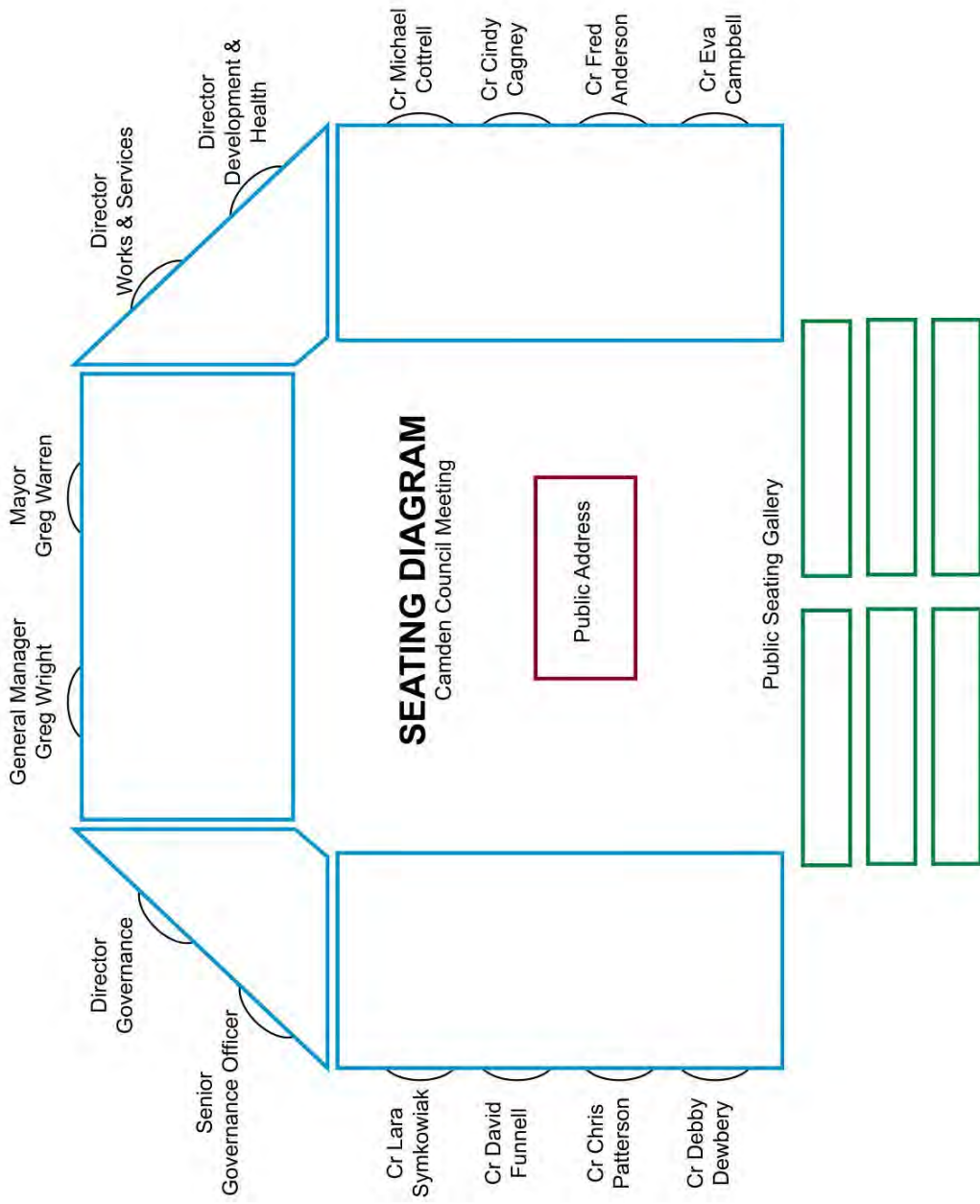
Ordinary Council Meeting
27 March 2012

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
RMS	Roads & Maritime Services (incorporating previous 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

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ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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



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.

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 13 March 2012.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 13 March 2012 copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

Mayoral Minute

Mayoral Minute

SUBJECT: MAYORAL MINUTE - EARTH HOUR 2012
FROM: Director Works & Services
BINDER: Energy Efficiency

There is substantial evidence which suggests that continued reliance on fossil fuel energy sources contributes to climate change. The effects of climate change are expected to cause an increase in the Earth's temperature, resulting in rising sea levels, an increase in drought and severe storms and massive changes to the environment we all rely on to survive.

The Earth Hour climate change initiative began in 2007 as a campaign to get Sydneysiders to turn off all household lights for one hour to demonstrate how small personal behaviours can collectively make a difference. This event has reportedly continued to grow year by year, becoming a global sustainability movement with up to 500 million people participating across 4000 towns and cities in 88 countries.

Earth Hour 2012 promoted as 'Earth Hour Unplugged' officially takes place at 8:30pm on Saturday 31 March 2012. The goals this year are to again include as many people and places as possible, and to "go beyond the hour"

As in previous years, with Council's endorsement, Camden Council will be participating in Earth Hour by turning off all non essential lighting at Council premises. Council will also invite all households and businesses within the Camden LGA to participate in Earth Hour by turning off their lights for one hour – and preferably longer, from 8.30pm on Saturday 31 March 2012.

Additionally, several other awareness raising activities are planned in the lead up to Earth Hour to promote the initiative. These activities include:

- An Earth Hour inspired Artisan and Designer Market on Saturday 31 March 2012 at Narellan Library Plaza. This event is encouraging stallholders to focus on sustainable and energy saving creations and to feature acoustic performances amplified by the solar powered wheelie bin beat box;
- Earth Hour inspired Storytime sessions at the Camden and Narellan libraries;
- Promotion of the Save Power Kits through Camden and Narellan libraries; and
- A pilot staff event, 'No Cook Cook Off!' challenging staff of the Narellan administration office to create dishes that require little or no cooking to share with other participating staff during a lunch gathering.

RECOMMENDED

That Council:

- participate in Earth Hour on Saturday 31 March 2012 by switching off all non-essential lighting and equipment in all Council buildings;**
- invite residents and businesses within the Camden local government area to participate in Earth Hour 2012; and**
- encourage and promote participation, by way of the intranet and other communication means and events.**



ORD01

ORDINARY COUNCIL

ORD01

SUBJECT: SITE SELECTION - NEW CENTRAL ADMINISTRATION BUILDING
FROM: Director Governance
BINDER: Council Properties

PURPOSE OF REPORT

The purpose of this report is to present to Council the findings of an assessment into the most appropriate site for a new central administration building and to recommend a preferred site as well as outline the next steps in the process.

BACKGROUND

A review of the future office accommodation needs of Council commenced in the latter part of 2007 with a preliminary needs analysis which predicted that Council's office based accommodation needs would grow from approximately 3,000 square metres to 8,400 square metres of floor space over the next 30 years. This increase in the amount of future office space is required to accommodate the projected increase in staff required to service the needs of the Camden Local Government Area (LGA) as a result of the State Government's plans to concentrate a large proportion of development in the South West Sydney region. The Camden LGA population is forecast to increase from 55,000 to 275,000 over the next 30 years.

In late 2008, Council engaged independent experts to assist with the selection of the most appropriate site to accommodate a new central administration building. The scope of the investigation and assessment was limited to three (3) key sites; Camden (of which there was 2 options explored), Narellan and Oran Park.

In 2009, Council appointed consultants, Hassell in conjunction with Jones Lang LaSalle, Davis Langdon and Arup, to evaluate the suitability of each of the three (3) proposed sites being considered, to enable a recommendation of the most appropriate site for a new central administration building for Camden Council. The study covered technical, locational and feasibility aspects of each of the three (3) sites.

The findings from this review were presented to Councillors at a workshop in late 2009 and again in early 2011, culminating in a report to Council on 12 July 2011.

The results of the study review found that there was very little difference between Narellan and Oran Park as the preferred site for a new administration building but that Camden was the least preferred site of the 3 sites assessed.

At the meeting of Councillors on 12 July 2011, Council:

- A. endorsed the findings of the site selection study for the central administration centre;
- B. agreed that Council officers should pursue what opportunities might exist at Oran Park and explore alternative options for Narellan; and
- C. alternative opportunities and/or uses for the existing Camden site should be investigated.

MAIN REPORT

In order to pursue what opportunities might exist at Oran Park and explore alternative options for Narellan (essentially, Part B of Council's Resolution), a Project Plan was developed. This was to guide and assist Council through the selection process in order to ensure that the site selection process was undertaken prudently and transparently and to ensure that Council achieves its objectives.

Progress to Date

The timetable outlined in the Project Plan has been met to date with the following milestones having been achieved:

- a comprehensive selection process and governance framework (comprising a Project Plan, Probity Plan, Risk Management Plan, Communications Strategy and Financial Overview) were developed before any engagement with the proponents for Oran Park and Narellan commenced;
- the selection criteria along with an explanation of the evaluation and negotiation process was developed and then provided to each of the proponents;
- proposals were submitted by both proponents on the due date, 25 November 2011;
- detailed assessment of the proposals was undertaken and the results presented to the Executive Management Team on 7 February 2012; and
- a workshop with Councillors was held on 21 February 2012 at which each of the proponents made a presentation and the preliminary assessment was presented.

These steps are outlined in more detail below.

Process and Framework

A comprehensive selection process and governance framework was developed comprised of the following:

- **Project Plan** – this is the primary project control document covering: objectives, responsibilities, timeframes, assessment criteria and the decision making process.
- **Risk Management Plan** – analyses project risks and identifies appropriate treatment plans for each as well as identifies site specific opportunities.
- **Probity Plan** – to ensure ethical conduct of the project.
- **Communications Plan** – a set of strategies used to ensure clear communication of the project among stakeholders.
- **Financial Overview** – details the project cost and the various financing options available.

NOTE: A copy of the New Central Administration Building project package containing the above documents was distributed to Councillors at the workshop.

Primary Project Stakeholders – Site Selection Phase

The ultimate decision making body is Council with the Executive Management Team (Manex) acting as the Project Sponsor.

As outlined in the Project Plan, a Project Control Group (PCG) comprising the Director of Governance and 2 external consultants was established. In addition, the PCG engaged Council's Risk Management Officer to assist in relation to the risk assessment/management aspects.

The role of the PCG was to assess the proposals submitted and provide recommendations to Manex and, in turn, make recommendations to Council.

The proponents were as follows:

- **Landcom and Greenfield Development Corporation** – proponents for the Oran Park site; and
- **Camden Council Capital Works Branch (with the assistance of consultants, Hassell)** – acting as proponents for the site at Narellan.

Probity

In order to ensure that, in relation to the site selection process, Council and the PCG maintain the utmost level of integrity and observe the highest degree of probity, a comprehensive Probity Plan was prepared and has been strictly adhered to and enforced.

ASSESSMENT CRITERIA PACKAGE

Assessment Criteria

In order to select the site for the Project a competitive process has been undertaken based on the Site Assessment Criteria as set out in Table 6.2 of the *Camden Council - Central Administration Centre Report* prepared by Hassell Limited and dated September 2009.

The selection criteria were provided to both the proponents of the site at Oran Park (Landcom and Greenfield Development Corporation) and the site at Narellan (Camden Council Capital Works Branch). In addition to the selection criteria, an explanation of the evaluation and negotiation process was also provided to each of the proponents.

Costing Analysis

One component of the selection process was an analysis of the likely / expected costs for the project. Whilst no design work has been undertaken to date, indicative costs based on Council's office based accommodation needs of approximately 8,400 square metres were prepared using estimates provided by quantity surveying experts, David Langdon, and site specific differences identified and analysed.

In addition, various capital financing strategies were identified and preliminary analysis undertaken.

Risk and Opportunity Analysis

In order to ensure that Council is able to make a fully informed decision regarding the selection of the most appropriate site for Council's future administration building, a comprehensive Risk Management Plan has been prepared.

This work included the identification and analysis of:

- **General project risks** – those risks common to all sites and inherent in a project of this type;
- **Site specific risks** – those risks particular to the sites being considered; and
- **Site specific opportunities** – those opportunities particular to the sites being considered.

Oran Park Proposal

The proponents of the site at Oran Park, Landcom and Greenfield Development Corporation, submitted a proposal to Council which has the following key attributes:

- gifting to Council of a 10,000 square metre (1 ha) parcel of land which when combined with the existing Voluntary Planning Agreement (VPA) commitment for a new library provides Council with a 16,805 square metre (1.68 ha) 'civic precinct' (excluding the Town Park).
- a site fully warranted as "fit for purpose", including all services.
- roads completed to three frontages to facilitate construction of the Administration building.
- a proposal to bring forward certain VPA commitments such as the Library and Town Park to open in conjunction with the Administration building as well as acceleration of the Leisure Centre and Mick Doohan Reserve..

The proposal to gift land to Council was first documented in early 2011 with correspondence received from Landcom and Greenfields Development Corporation outlining a commitment to develop a Probity Plan to ensure the proposal was transparent and would not influence future development decisions within the Oran Park Town Centre. This Probity Plan has since been developed and reviewed by Council's external probity auditor.

Narellan Proposal

Camden Council's Capital Works Branch, with assistance from Hassell, submitted a proposal to Council which comprised two parts:

Narellan 'A' - Construction of a new building fronting Elyard Street. This proposal:

- Delivers the capacity to redevelop, lease or sell Narellan B site.
- Will require the accelerated relocation of the Parks Depot

Narellan 'B' - Adaptive re-use of the current building with capacity to expand in several directions. This proposal:

- Delivers the capacity to redevelop, lease or sell Narellan A site
- Is likely to require the relocation of the SES

Assessment Scoring

Each of these proposals (including the 2 options for Narellan) was assessed using the Site Assessment Criteria as set out in Table 6.2 of the *Camden Council - Central Administration Centre Report* prepared by Hassell Limited and dated September 2009 as set out below:

CRITERIA	Weighting
Site is sufficient size to accommodate an 8,400sqm building plus 250 car spaces (12,250sqm)	Y/N
1 TRANSPORT AND ACCESS	11
1.1 Minimal impact on surrounding road network.	2
1.2 Site location is accessible to current and future residents. Site easily accessed for private and service vehicles, as well as cyclists and	5
1.3 Site is in proximity (100m) to public transport	4
2 PHYSICAL, NATURAL & LANDSCAPE ATTRIBUTES	8
2.1 Site is not affected by flood	3
2.2 Development of the site will not impact any significant vegetation.	2
2.3 Site is not constrained by soil types, contamination, or sub-surface issues (i.e.	2
2.4 Site can take advantage of views and vistas	1
3 SITE ATTRIBUTES	15
3.1 Any current land uses can easily be relocated to alternate site.	2
3.2 Heritage significance of built form on the site (will it create an opportunity or constraint to development?).	3
3.3 Site contains all hard infrastructure services and IT and communication infrastructure including remote link capability.	6
3.4 Site is prominent and visible from surrounding road network.	3
3.5 Site provides an opportunity for co-location and shared usage with civic and community facilities.	1
4 SUSTAINABLE DESIGN	11
4.1 Orientation and layout of site provides solar access, to increase natural light into a future building	3
4.2 Orientation and layout of site enables natural ventilation.	3
4.3 Site has access to recycled water systems	3
4.4 There are existing buildings on site that can be reused	2
5 PLANNING CONSIDERATIONS	10
5.1 Compatible with current strategic or policy designations/requirements for each site.	4
5.2 Limited constraints to site amalgamation.	2
5.3 Opportunities to enhance site and surrounding environment.	2
5.4 Site interfaces with compatible uses; future building would be compatible with existing scale and pattern as well as create linkages with of surrounding built form.	2
6 COMMERCIAL and EXPANSION POTENTIAL	10
6.1 Site has good rental returns and attractive to prospective commercial tenants.	5
6.2 Site offers the opportunity to expand facilities in the future.	5
7 TIMING, OPERATIONS & COST	35
7.1 Total development costs are minimised.	13
7.2 Location minimises operational costs	13
7.3 Site provides certainty regards being able to be developed in the next 3-5 years.	6
7.4 Business interruption, relocation and temporary accommodation costs are minimal.	3
Total achievable points	100

However, as outlined to Councillors at the workshop held on 21 February 2012, criteria 6.1 was considered no longer applicable given the fact that this project will be staged and therefore no excess space will be leased to a third party. As such, the weighting for this criteria was reduced from five points to zero. Accordingly, there were 27 criteria assessed with differences in scores in 14 of those criteria.

The preliminary assessment reveals that there is very little that separates each of the options:

- Narellan Option A (new building) 76.0 / 95.0
- Narellan Option B (refurbish & extend) 77.5 / 95.0
- Oran Park (new building) 78.0 / 95.0

The above scores are considered high. These 'absolute' scores together with the closeness of the scores indicate that **both the Oran Park and Narellan sites are suitable to construct Council's future administration building.**

Financial Modelling

In order to inform Council about the financial implications of the proposal, preliminary financial modelling has been undertaken.

Limitations

There are a number of obvious limitations with the preliminary financial modelling as follows:

- the estimated costs have been based on a quantity surveyor's estimate but without a detailed design and those costs will need to be refined and updated as the building design or specification are being completed; and
- input assumptions have been based on estimates of market rates in many cases and need to be market tested in due course.

Indicative Results

The indicative construction costs show that:

- Narellan A has the highest cost and is slightly more expensive than for Oran Park due to the need to enhance existing services to the Narellan site; and
- Narellan B has the lowest cost.

The following table highlights the differences between the indicative construction costs associated with each of the options and a breakdown by stage. It is intended that the project be constructed in 2 stages – the first stage to be operational in 2016 and the second stage by 2031.

	Narellan A	Narellan B	Oran Park
Stage 1 (5,800 m ²)	\$29.4M	\$27.0M	\$28.9M
Stage 2 (2,581 m ²)	\$14.7M	\$15.3M	\$14.7M
Total Construction Cost	\$44.1M	\$42.3M	\$43.6M

Note: Construction estimates have been derived from Quantity Surveyors, David Langdon, using 2011 construction prices. All figures quoted in the above table have been inflated to 2014 dollars to coincide with the construction commencement date.

The indicative results are not based on Council disposing of other assets although the potential value of these has been reviewed as part of the analysis. In addition, the value of retaining the existing building at Narellan was also assessed. However, after investigation the benefits of retaining the existing building at Narellan (Narellan B) were not significant once the costs of refurbishment were taken into account.

Accordingly, the indicative results can be categorised as conservative and show the 'worst case' financial contribution required to be made by Council for this project.

In addition, indicative financial outcomes were modelled for 2 different financing strategies over a 30 year period – Council borrowing to build the new Administration building and Council being a tenant in an Administration building constructed and owned by a third party.

The indicative results showed that the strategy of Council borrowing and building had the lowest overall cost although there were a number of risks associated with that strategy, primarily in relation to interest rate risk management.

Leasing was more expensive although potentially provided more certainty to Council.

In particular, the leasing proposal put forward by the proponents for Oran Park was assessed and found to be significantly more expensive than the option of borrowing. Consequently, it is recommended that this alternative not be pursued further.

Project Risks

As outlined above, a comprehensive Risk Management Plan has been prepared in order to ensure that Council is able to make a fully informed decision regarding the selection of the most appropriate site for the project.

General Risks

The project has a number of inherent risks irrespective of the site chosen and these include:

- Size and scope of project and its impact on Council resources.
- Community response.
- Threat of amalgamation.
- Impact on other Council funded projects.
- Capacity to finance the project including a Special Rate Variation.
- Political cycle risks.

Site Specific Risks

In addition to the general risks, the risks associated with and particular to the sites being considered were identified.

Narellan

The risks identified as being specific to this site were as follows:

- Active construction site – impacts on community & disruption to staff.
- Increase in traffic congestion around Narellan CBD.
- Potential for soil contamination on existing Narellan site.
- Potential issues with retrofit quality (Narellan B).
- Loss of ability to re-develop, lease or sell the existing Narellan site.
- Passing up the proposal of gifted land at Oran Park (and acceleration of VPA commitments) – indirectly linked to Narellan.

Oran Park

The risks identified as being specific to this site were as follows:

- Alienation of current populated suburbs.
- Development at Oran Park not proceeding at the projected pace.
- Counter-party risk (the risk of being involved with a third party).

Site Specific Opportunities

In addition to identifying the general and site specific risks, the opportunities afforded by and specific to each of the sites were identified and assessed.

Narellan

The opportunities identified as being specific to this site were as follows:

- Releases the existing Narellan site (A or B) for redevelopment, lease or sale. (estimated value \$2.5m)
- Provides capacity to act as a catalyst for change in Narellan.
- Council remains central to current populated suburbs (10 to 15 years maximum)

Oran Park

The opportunities identified as being specific to this site were as follows:

- The gift of a 10,000 square metre (1 ha) parcel of land with an estimated current value of \$2.25m.
- A site fully warranted as “fit for purpose”, including all services.
- Opportunity to lease, develop or sell both the Narellan A and Narellan B sites providing Council with an estimated current value of approximately \$5m.
- Ability to construct the long term solution in terms of proximity to future population.
- Ability to integrate new Administration Building & Library on one site.
- Capacity to act as a catalyst for the early delivery of certain Oran Park VPA commitments.

Outcome of assessment process

Given the findings from the study, it is clear that there is not a great deal of difference between Narellan A (76/95), Narellan B (77.5/95) and Oran Park (78/95) as the preferred site for a new administration building. Accordingly, both the Oran Park and Narellan sites are more than capable of satisfying Council’s future service delivery and accommodation needs.

However, once the site specific risks and opportunities are taken into consideration, Oran Park is considered the most appropriate site based on significantly greater opportunities which include:

- the land gift of a 10,000 square metre (1 ha) site fully warranted as “fit for purpose” including all services together with the opportunity to lease, develop or sell both the Narellan A and Narellan B sites (Total estimated current value \$7.25m); and
- the ability to construct the long term solution at the geographic centre of the Council’s future population.

In particular, acceptance of the Oran Park proposal provides both Council and the community with the opportunity to realise not only the highest monetary value (a difference of some \$5M) but also allows the Narellan sites to be developed for their “highest and best use” so as to add to the success of the Narellan CBD.

Where to from here

It is recommended to Council that negotiations now take place with the owners/developers of Oran Park to convert their proposal into a legally binding commitment to provide the site for the new council administration building in the Oran Park Town Centre on terms and conditions satisfactory to Council. A timetable for these negotiations would be agreed with the proponents for Oran Park and reported back to Council at a future meeting.

It will be important to ensure that negotiations with the owners/developers of Oran Park are undertaken within a framework that can withstand public scrutiny. To this end, the primary governance documents (including Probity Plan) have been:

- reviewed by an external probity advisor;
- sent to and discussed with the Division of Local Government; and
- sent to and discussed with ICAC.

NOTE: Please refer to information provided to councillors dated 13 March 2012, titled ‘Probity Matters relating to New Central Administration Building – Progress Report’, attached at the end of this report.

Following the formalisation of the site negotiations, it will be necessary to proceed to the design phase of the building and further reports will be provided to Council on the process and timelines of that project, including necessary budgetary allocations.

With respect to the existing Council buildings at both Camden and Narellan, there exists the opportunity to explore the alternative uses for these sites. This was not part of the study brief but was contemplated by officers throughout the latter part of the project. Considerable work will be required to formulate appropriate plans to maximize the economic opportunities for the community of freeing up both sites. Those economic opportunities are not restricted to maximizing Council’s financial return but also encompass generating alternate uses for the sites that contribute to the wellbeing of the two commercial centres of Camden and Narellan.

CONCLUSION

This report summarises the detailed analysis undertaken by the PCG. The study analysed three options on two sites from a technical, locational and feasibility viewpoint. A rigorous selection process and governance framework were developed along with a set of criteria and indicators upon which to base the analysis to determine the best possible site developed prior to any assessment being undertaken.

A comprehensive and thorough assessment and selection process has been undertaken by Council to ensure that the recommendation presented is made prudently and transparently in order to ensure that Council achieves its objectives.

The technical assessment reveals that there is very little that separates each of the options but once site specific risks and opportunities are included Oran Park is considered the most appropriate site for the reasons outlined above.

RECOMMENDED

That Council:

- **endorse and accept the recommendation of Oran Park as the site for the new central administration building;**
- **pursue negotiations with the owners/developers of Oran Park to convert their proposal into a legally binding commitment on terms and conditions satisfactory to Council;**
- **not accept the leasing proposal put forward by the owners/developers of Oran Park;**
- **investigate alternate opportunities and/or uses for the existing Camden and Narellan sites with a view to maximising economic opportunities for the community within those town centres; and**
- **proceed to formulate a project plan for the specification and design of the new central administration building.**

ORD01

ATTACHMENTS

1. Councillor Memo Probity Issues - New Admin Building
2. Final Probity Report - New Building Site Selection

ORD01

Attachment 1

13 March 2012

PROBITY MATTERS RELATING TO NEW CENTRAL ADMINISTRATION BUILDING**PROGRES REPORT**

As Councillors will be aware, at the presentation night of the 21 February 2012, some concerns were raised as to the "probity" surrounding any potential land gift to Council as proposed in the Oran Park bid.

Also, some concern was raised regarding the possibility of a perceived "conflict of interest", between Council's role as a developer seeking to obtain the best deal it can for the community while also acting as the consent authority for future dealings at Oran Park.

For the purpose of clarity I will address those questions in order:

PROBITY

To provide all Councillors with a degree of comfort in relation to the question of probity, I advised on the night of the presentation that all four of the "Primary Governance Documents" relating to the project would be forwarded to both the ICAC and The Division of Local Government for their perusal and comment as a follow up measure to previous conversations/correspondence with those two agencies. The Primary Governance Documents are:

- Administration Centre Project Plan.
- Probity Plan
- Risk Management Plan
- Communication Plan

My intention in providing the documents to each authority is to demonstrate Camden Council's desire to conduct this project using "best practice" business/governance models. Also, it was my intention to give reassurance that Council will seek assistance from them as mentors as the project proceeds.

The benefits of this approach include:

- Assurance for Councillors that two external agencies have full knowledge and oversight of our activity.
- Allows Council to reassure the wider community of the bona fides of the project and its participants.
- Makes the project (and all its dealings), transparent.
- Provides an external quality check for our business models to insure they are best practice.

Given that the foundation documents Council used to develop the "Primary Governance Documents" are those put forward by the ICAC and Division of Local Government for exactly this type of project, I am very confident that the response from each entity, as to Council's practices so far, will be very positive.

In the event that either authority feels that our efforts require further embellishment, the Primary Governance Documents will certainly be amended to reflect that.

In addition to these measures I have also secured the services of Mr Gary Clarke as probity advisor to the project. As Councillors may be aware, Gary held senior management roles in Local Government for many years and now operates a consultancy specialising in Probity, a business he has grown over the past 10 years. The four Primary Governance Documents were provided to Gary for critique. ***His advice is attached to this report.***

DEVELOPER v CONSENT AUTHORITY.

The question of Council acting as a developer (seeking to get the best deal it can in relation to the Admin Centre) and as consent authority (in assessing any DA's in the future that involve Oran Park), is a valid one and must be addressed.

To assist in minimising the perception of Council "wearing two hats", the PCG is in the process of developing a framework that satisfies internal requirements and those of council's external probity advisor. The framework may include the following:

- No staff member involved in assessment of DA's will serve on the PCG or provide advice that may influence the PCG.
- Specific Oran Park Town Centre DA's involving Council may be externally peer reviewed prior to approval/reporting to Council.
- Council's external probity advisor (Gary Clarke) may provide probity oversight of specific Oran Park Town Centre DA's as key milestones arise.

It is my view that these measures together with the rigorous probity guidelines in place will ensure the transparency and probity of the project, together with the reputation of Council, are preserved.

Steve Kludass

Project Control Group (PCG) Chairman.

ORD01

9 March 2012

Steven Kludass
Director Governance
Camden Council
PO Box 183
CAMDEN NSW 2570

Dear Steven

**PROBITY AUDITOR REPORT
CAMDEN COUNCIL NEW CENTRAL ADMINISTRATION BUILDING
PHASE 1 SITE SELECTION
(NARELLAN vs ORAN PARK)**

Attachment 2

Introduction and Scope

Gary Clarke Consulting was engaged by Camden Council to conduct an independent desktop Probity Review of the framework established and processes followed in the assessment of site proposals for Camden Council's proposed new Central Administration Building.

The scope of this review was limited to the Camden Council New Central Administration Building Probity Plan and following documents, which are regarded as 'Commercial in Confidence' due to the content containing sensitive commercial and financial information:

- Councillor Workshop Package for 21 February 2012;
- Workshop presentation slides;
- Proposal for the Narellan Site dated 21 February 2012;
- Proposal for the Oran Park Site dated 21 February 2012; and
- Formal Offer to Camden Council in relation to the Oran Park Site dated 25 November 2011.

Focus areas in ensuring probity and promoting integrity, based on the ICAC best practice model are:

- obtaining best value for money;
- transparency of process;
- maintaining confidentiality;
- dealing with conflicts of interest;
- accountability; and
- monitoring and evaluating the process.

Probity Review Findings

As Probity Auditor, I express my satisfaction with the conduct of the site selection process, as presented by the documentary evidence provided, from the probity perspective. The documentation provides clear evidence to support the establishment of a robust framework and conduct of a fair, equitable and impartial process with no party being given advantage over another or unfairly discriminated against. The comprehensive suite of supporting documents created effective probity and risk management controls providing accountability and transparency of process, and includes:

- Project Control Group (PCG) Report including a transparent record of scores and comments against each assessment criteria. The assessment criteria was established in September 2009 and has remained unchanged;
- Project Plan for Phase 1 – Site Selection;
- Risk Management Plan – Phase 1 Site Selection;
- Communication Plan – Phase 1 Site Selection;
- Evaluation/Negotiation Process for Site Selection; and
- other related reports/documents.

The site selection framework and process followed complied with probity requirements with no findings or deviations from the established framework or process noted. Processes and controls for managing probity risks have been implemented in accordance with the Probity Plan of October 2011 and related documents.

I am unaware of any outstanding probity consideration that would adversely affect the integrity of the site selection process.

Probity Management

Camden Council is to be commended for providing the NSW Division of Local Government and ICAC details of the site selection process and inviting comments/guidance to heighten the integrity and defensiveness of the project. I understand that a response from both organisations is due this month.

The following probity considerations are listed for Council's information and ongoing management of the process:

- There is no apparent gift of influence in the proposed dedication of the Oran Park site at no cost to Council. The offer is made with transparency and openness with no evidence of any obligation on Council or intent to win favour.
- Council must ensure that the proposed 'gifting' of the Oran Park site does not result in Council losing effective control of the process in any way and sacrifice its objective/plan by being locked in to the Developer's plan. This potential risk has been effectively addressed in the proposal and assessment considerations. Assurance against this risk will also need to be covered in the drafting of a legal agreement based on the formal offer.
- Any legal agreement drafted as a result of acceptance of a formal offer will need to ensure that there are no contractual arrangements which purport to guarantee outcomes that are subject to a separate regulatory process. There is no evidence of any such matters at this stage. Camden Council has established protocols for the clear separation of duties within Council staff in relation to the PCG headed by the Director Governance and the Assessments Team headed by the Director Development and Environment.

ORD01

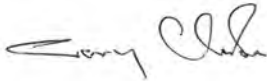
- Council will need to ensure that any conditions precedent associated with the formal offer are achievable with reasonable contingency allowance and form an integral part of its Management Plan for budgeting purposes. I am advised that the proposed timeframes/milestones align well with Council's requirements.
- Evidence was provided to demonstrate a heightened awareness of conflict of interest management. To further strengthen the established process, a standing order should be placed on PCG meetings to ensure that any changes to conflicts of interest status are raised and/or declared at the commencement of all such meetings.

On request, I would be happy to provide a more detailed response to any aspect of this report and review any further probity matters that may arise. As intended by Camden Council a Probity Review should be conducted at each key project milestone in order to provide independent scrutiny and probity assurance for Camden Council

Accountability and Responsibility

Attachment 2

Gary Clarke Consulting takes responsibility for this report. The matters raised are only those which came to my attention during the course of my involvement. This report has been prepared solely for the use of Camden Council and should not be quoted in whole or in part without my prior written consent. No responsibility to any third party is accepted as this report has not been prepared, and is not intended, for any other purpose.



Gary Clarke
Probity Auditor
Gary Clarke Consulting

ORDINARY COUNCIL

ORD02

ORD02

SUBJECT: GREGORY HILLS VOLUNTARY PLANNING AGREEMENT
FROM: Director Governance
BINDER: Turner Road

PURPOSE OF REPORT

The purpose of this report is to provide feedback to Council from the public exhibition of the Draft Voluntary Planning Agreement (VPA) offered by Dart West Developments Pty Ltd (the developer) and the Trustees of the Marist Brothers (the landowner) to support the future development of its land at Gregory Hills, and to seek a Council resolution to enter into the VPA. The Draft VPA (with post-exhibition amendments) is included as **Attachment 1 to this report**.

BACKGROUND

The Draft VPA applies to land within the Turner Road precinct of the South West Growth Centre (SWGCG) and comprises the residential component of the Gregory Hills development. The Gregory Hills Business Park sits between the site and Camden Valley Way, while St Gregory's College lies to the east. A Locality Map is included as **Figure 1 below**.



Figure 1 – Locality Map

At the meeting of 31 January 2012, Council resolved to exhibit the Draft VPA offered by Dart West Developments Pty Ltd and the Trustees of the Marist Brothers.

Dart West is offering to enter into a VPA with Council to deliver all of the infrastructure, services and facilities related to the Gregory Hills development in accordance with the Oran Park and Turner Road Contributions Plan (OPTR CP). The total package includes \$64,298,200.60 worth of works, land dedication and monetary contributions and features:

- the works already delivered under the Works in Kind Agreement (WIKA);
- a double sports playing field;
- a multi-purpose community centre;
- local parks and playgrounds;
- a two lane road bridge over South Creek;
- riparian and electricity corridors embellished with pathways;
- water detention and treatment basins and swales; and
- monetary contributions to offsite works and project management costs.

The VPA offer is in accordance with the OPTR CP and has been reviewed and is supported by Council officers, including the Development Contributions Management Committee (DCMC).

This VPA offer is being made voluntarily by the landowner and the developer and represents their commitment to working in partnership with Council to deliver high quality facilities and environments to the future residents of Gregory Hills.

MAIN REPORT

The Draft VPA was placed on public exhibition for a period of 28 days from 8 February to 7 March 2012. Hard copies of the exhibition material were made available at the Camden and Narellan Libraries and the Camden and Narellan Customer Service Centres, and an electronic version was included on Council's website. In addition, the public exhibition was included in the Camden Advertiser on 8 February and 22 February 2012.

Submissions Received and Minor Amendments Required

No public submissions were received during the public exhibition period. A detailed review of the VPA by Council officers identified two minor amendments required to the VPA as outlined below.

- (a) Item 136 of Schedule 3 of the VPA relates to the monetary contributions to be paid by Dart West to Council towards project management costs as outlined in the OPTR CP. The Draft VPA was worded so that the commencement of these payments would occur prior to the release of the subdivision certificate for the 2000th final lot.

To ensure that Council receives progressive project management payments throughout the life of the Gregory Hills development, Item 136 has been amended so that Dart West will pay a 'per lot' contribution prior to the release of the subdivision certificate for each and every final lot, including those to be created before the 2000th final lot.

- (b) Item 17 of Schedule 3 of the VPA relates to passive open space land within Stage 3 of the development. A drafting error resulted in the land area of the passive open space being shown as 10,710m² and the item value being shown as \$877,502.39. To correct this error, Item 17 has been amended to show a land area of 7,471m² and an item value of \$546,130. This ensures consistency with Item 84 of Schedule 3 of the VPA which relates to the dedication of this land to Council.

It is noted that the amendment to the item value has not altered the total contribution value of the VPA as the correct item value was used when originally calculating the total contribution value of the VPA.

The proposed amendments are minor in nature and do not affect the objectives, intent or scope of works provided for in the VPA. Council's solicitor has advised that due to the minor nature of these changes, Council could make the changes without the need to re-exhibit the VPA.

Provision of Security

VPA's must provide Council with a suitable means of enforcement to ensure that the developer fulfils its obligations under the VPA. The Gregory Hills VPA includes the construction and dedication of the double playing field and multi-purpose community centre by the developer. These are significant community assets which will be constructed at later stages of the development, with the multi-purpose community centre to be completed by the 1050th lot and the double playing field to be completed by the 2000th lot.

To ensure that Council is able to step in and complete these works if the developer becomes unable to do so, Dart West will be required to provide appropriate security throughout the life of the VPA. This includes the provision of bank guarantees at certain stages of the development as outlined in the table below. It is noted that the amount of security required prior to the 1051st lot is lower than that required at the 501st lot. Given that the multi-purpose community centre is to be completed by the 1050th lot, security is no longer required for the cost of construction of this item, hence the reduction in the amount of the bank guarantee. It is noted that the amount of security required is indexed to CPI with a base date of September 2011.

Timing	Amount
On execution of the VPA	\$717,040
Prior to the issue of the subdivision certificate that creates the 501 st lot	\$1,505,784
Prior to the issue of the subdivision certificate that creates the 1051 st lot	\$1,363,335
Prior to the issue of the subdivision certificate that creates the 1501 st lot	\$1,817,780

In accordance with the table above, Dart West will be required to submit a bank guarantee for the amount of \$717,040 (subject to CPI indexation) to Council before or at the execution of the VPA. This will ensure compliance with the requirements of Clause 25 of the VPA.

Council is also considering a report on potential locations for a PCYC facility in the Camden LGA. The report recommends that the facility be located on open space land which adjacent to the future double playing fields at Gregory Hills. The subject land will be dedicated to Council as part of this VPA.

During preliminary discussions with Council officers, Dart West have indicated a willingness to consider developing parts of Stage 15 of the development (in which the proposed PCYC site is located) earlier than anticipated if it will assist in the delivery of the PCYC site and surrounding infrastructure. Clauses 10, 36 and 48 of the VPA provide sufficient flexibility to allow variations to the VPA (when approved by Council in writing) if the early development of Stage 15 is required, along with the early dedication of the land to Council to facilitate the construction of the PCYC facility.

CONCLUSION

The landowner and developer of the Gregory Hills land are proposing to enter into a VPA to deliver over \$53 million worth of infrastructure, services and facilities and over \$10 million worth of monetary contributions related to their development in accordance with the OPTR CP. This includes the construction of a multi-purpose community centre, double sports field, local parks, an open space network which includes existing riparian and electricity corridors, a road bridge over South Creek, six (6) bus stops, cycle paths and monetary contributions towards off-site facilities and project management. The embellished riparian corridor and transmission easement land will be dedicated to Council and will become a significant community asset.

The VPA will ensure that infrastructure, services and facilities are delivered in a timely manner whilst significantly reducing the future construction and Section 94 management obligations upon Council for the Gregory Hills development. The VPA represents a commitment by the developers to establish a high quality urban environment for future residents.

The VPA and Explanatory Note have been publicly exhibited for 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act* and no public submissions were received.

RECOMMENDED

That Council:

- i. adopt the Gregory Hills Voluntary Planning Agreement, including the minor amendment as outlined in this report; and**
- ii. authorise the General Manager and Mayor to sign the Voluntary Planning Agreement (as amended) and affix the Common Seal of Council, subject to the developer satisfying the security provisions of the Voluntary Planning Agreement as outlined in this report.**

ATTACHMENTS

1. Gregory Hills VPA

**Gregory Hills
Planning Agreement**

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

**Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers**

Date:

ORD02

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Dart West Gregory Hills Planning Agreement

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Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

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Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Dart West Gregory Hills Planning Agreement

Summary Sheet

Council:

Name: Camden Council
Address: 37 John Street, CAMDEN NSW 2570
Telephone: (02) 4654 7777
Facsimile: (02) 4654 7829
Email: mail@camden.nsw.gov.au
Representative: Mr Greg Wright – General Manager

Developers:

Name: Dart West Developments Pty Limited
Address: PO Box 228, NARELLAN NSW 2567
Telephone: (02) 4648 5511
Facsimile: (02) 4623 8925
Email: david.taylor@dartwest.com.au
Representative: Mr David Taylor – General Manager, Property

Landowner:

Name: Trustees of the Marist Brothers
Address: PO Box 138, DRUMMOYNE NSW 1470
Telephone: (02) 9819 6622
Facsimile: (02) 9819 6184
Email: anthony.robinson@marists.org.au
Representative: Br Anthony Robinson – Provincial Secretary

Land:

See definition of *Land* in clause 1.1.

Attachment 1

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Development:

See definition of *Development* in clause 1.1.

Development Contributions:

See Schedule 3.

Application of s94, s94A and s94EF of the Act:

See clause 5.

Security:

See clauses 11.1.2, 25 and 33.

Registration:

Yes. See clause 32.

Restriction on dealings:

See clause 34.

Dispute Resolution:

Expert determination and mediation. See clauses 30 and 31.

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Attachment 1

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Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Dart West Gregory Hills Planning Agreement

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

Parties

Camden Council ABN 31 117 341 764 of 37 John Street, Camden, New South Wales
(Council)

and

Dart West Developments Pty Limited ABN 32 107 685 370 of PO Box
 228, Narellan NSW 2567 **(Developer)**

and

Trustees of the Marist Brothers ABN 91 064 875 510 of PO Box 138,
 Drummoyne NSW 1470 **(Landowner)**

Background

- A The Landowner is the owner of the Land.
- B The Developer proposes to carry out the Development.
- C The Developer and the Landowner propose to make Development Contributions in connection with the carrying out of the Development in accordance with this Agreement.

Operative provisions

Part 1 - Preliminary

1 Definitions & Interpretation

- 1.1 In this Agreement the following definitions apply:

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

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

Attachment 1

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

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

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

Construction Certificate has the same meaning as in the Act.

Contribution Item or **Item** means an item or part of an item specified or described in Column 1 of Schedule 3.

Contribution Value means:

- (a) the amount contained in Column 7 of Schedule 3, in respect of Contribution Items contained in Schedule 3 as at the date of this Agreement; or
- (b) the amount agreed between the Parties in respect of any Contribution Items not included in Schedule 3 at the date of this Agreement,

indexed from September 2011 in accordance with the *Consumer Price Index (All Groups - Sydney)* published by the Australian Bureau of Statistics

CP means the *Oran Park and Turner Road Precincts Section 94 Contributions Plan*.

Defects Liability Period means the period commencing on the date on which a Work is taken to be complete under clause 20 of this Agreement and ending 12 months after that date.

Deferred Work Security means the Security provided under clause 11.1.2 of this Agreement.

Development means the development specified or described in Schedule 2.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards a public purpose.

Facilities means Contribution Items 1 to 77 inclusive but excluding Items 21 and 22.

Final Lot means a lot which is not intended to be further subdivided (by any means including strata subdivision) for the purposes of the Development.

GST has the same meaning as in the GST Law.

Attachment 1

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Attachment 1

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

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

Indicative Staging Plan means the Plans entitled *VPA Plan 1 – Gregory Hills, VPA Plan 2 – Gregory Hills, VPA Plan 3 – Gregory Hills*, as varied by agreement between all of the Parties from time to time.

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

Land means the land shown edged in heavy red on the Plan entitled *Land Covered by VPA – Gregory Hills*.

LG Act means the *Local Government Act 1993*.

LPI means Land and Property Information.

Maintenance Period means, in relation to a Contribution Item, a period of 5 years from the date of completion of the Contribution Item within the meaning of this Agreement.

Major Facilities means Contribution Items 21 and 22.

Masterplan means the Plan entitled *Gregory Hills Masterplan*.

Party means a party to this agreement, including their successors and assigns.

Plan means a plan in the Plan Package.

Plan Package means the suite of plans contained in Schedule 1.

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

Rectification Notice means a notice in writing that identifies a defect in a Work and requires rectification of the defect within a specified period of time.

Registrar-General means the Registrar-General referred to in the *Real Property Act 1900*.

Registration Security means a Security provided under clause 32.3 of this Agreement.

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

Relevant Stage means:

- (a) in respect of a Contribution Item that is located wholly within a Stage, the Stage within which that Contribution Item is located,
- (b) in respect of a part of a Contribution Item where that Item is located in more than one Stage, the Stage within which the part of the Contribution Item is located,

as identified in the Indicative Staging Plan and Column 2 of the Table to Schedule 3.

Security means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council.

Stage means a stage of the Development, as shown on the Indicative Staging Plan.

Subdivision Certificate has the same meaning as in the Act.

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

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Superlot means any part of the Land in relation to which the Developer proposes to sell Final Lots which are not yet created, and which does not include any part of the Land to be dedicated under this Agreement.

Surplus Credit means \$426,459.00 indexed in accordance with clause 9.3 in the same manner as monetary Development Contributions.

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

WIK Agreement means the works-in-kind agreement entered into between the Developer and the Council on 12 January 2011.

Work means the physical result of any building, engineering or construction work in, on, over or under land required to be carried out by the Developer under this Agreement.

- 1.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:
- 1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Agreement.
 - 1.2.2 A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
 - 1.2.3 If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
 - 1.2.4 A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
 - 1.2.5 A reference in this Agreement to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
 - 1.2.6 A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
 - 1.2.7 A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
 - 1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
 - 1.2.9 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
 - 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
 - 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
 - 1.2.12 References to the word 'include' or 'including' are to be construed without limitation.

Attachment 1

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Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

- 1.2.13 A reference to this Agreement includes the agreement recorded in this Agreement.
- 1.2.14 A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns, but does not include the owner of a Final Lot.
- 1.2.15 Any schedules, appendices and attachments form part of this Agreement.
- 1.2.16 Notes appearing in this Agreement are operative provisions of this Agreement.

2 Application of this Agreement

- 2.1 This Agreement applies to the Land and to the Development.

3 Further agreements relating to this Agreement

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

4 Surrender of right of appeal, etc.

- 4.1 The Developer or the Landowner are not to commence or maintain, or cause to be commenced or maintained, any proceedings in the Land and Environment Court involving an appeal against, or questioning the validity of, a Development Consent relating to the Development or an approval under s96 of the Act to modify a Development Consent relating to the Development to the extent that it relates to the existence of this Agreement or requires any aspect of this Agreement to be performed according to the terms of this Agreement.

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

- 5.1 This Agreement excludes the application of s94 to the Development.
- 5.2 This Agreement excludes the application of s94A to the Development.
- 5.3 This Agreement does not exclude the application of s94EF to the Development.

6 Conditions of Consent

- 6.1 Nothing in this Agreement, other than clauses 5.1 and 5.2, limits or restricts the ability of Council to impose conditions on Development Consents pursuant to the Act, and no action which the Developer takes in compliance with any such conditions constitutes a breach of this Agreement.

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Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

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Part 2 – Development Contributions

7 Provision of Development Contributions

- 7.1 The Developer is to make Development Contributions to the Council in accordance with this Agreement and otherwise to the satisfaction of the Council, other than Development Contributions which comprise the dedication of land owned by the Landowner.
- 7.2 The Landowner is to make Development Contributions comprising the dedication of land to the Council in accordance with this Agreement and otherwise to the satisfaction of the Council.
- 7.3 Schedule 3 has effect according to its terms.
- 7.4 The Council is to apply each Development Contribution made by the Developer or Landowner under this Agreement towards the public purpose for which it is made and otherwise in accordance with this Agreement.
- 7.5 Despite clause 7.3, the Council may apply a Development Contribution made under this Agreement towards a public purpose other than the public purpose specified in this Agreement if the Council considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.

8 WIK Agreement and application of Surplus Credit

- 8.1 Subject to clause 8.2, for the purposes of s94(5)(b) of the Act, the Council accepts the Development Contributions made by the Developer under the WIK Agreement in full satisfaction of the obligations imposed on the Developer under s94 of the Act by the following conditions of the following Development Consents:
 - 8.1.1 condition 6.15 of the Development Consent granted to DA No. 140/2010 by the Council on 6 April 2011,
 - 8.1.2 condition 4.25 of the Development Consent granted to DA No. 81/2009 by the Council on 28 September 2009,
 - 8.1.3 condition 4.8 of the Development Consent granted to DA No. 797/2010 by the Council on 12 October 2010, and
 - 8.1.4 condition 6 of the Development Consent granted to DA1193/2007, in relation to stage 1A of that development, and
 - 8.1.5 condition 7 of the Development Consent granted to DA1193/2007, in relation to stage 1B of that development.
- 8.2 The Parties agree that the Development Contributions made by the Developer under the WIK Agreement satisfy the Developer's obligation to pay the project management component of the contributions required by the conditions referred to in clauses 8.1.
- 8.3 The Parties agree that on and from the date of this Agreement, the Council holds the Surplus Credit in favour of the Developer which is to be applied in satisfaction of:

Attachment 1

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Attachment 1

Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

- 8.3.1 any requirement imposed on the Developer under s94 of the Act by a Development Consent relating to the Development that has not yet been complied with, or
- 8.3.2 any monetary Development Contributions required to be made under this Agreement,
but only to the extent of the Surplus Credit.
- 8.4 The Parties agree that on and from the date of this Agreement:
 - 8.4.1 all works required to be carried out under the WIK Agreement have been completed;
 - 8.4.2 any land required to be dedicated to Council under the WIK Agreement which has not already been dedicated to Council is to be dedicated to Council free of cost, pursuant to this Agreement; and
 - 8.4.3 the WIK Agreement will be terminated.

9 Procedures relating to payment of monetary Development Contributions

- 9.1 A monetary Development Contribution is made for the purposes of this Agreement when the Council receives the full amount of the contribution payable under this Agreement in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.
- 9.2 The Developer is to give the Council not less than 2 business days written notice of its intention to pay a monetary Development Contribution.
- 9.3 Monetary Development Contributions are to be indexed in accordance with the methodology for indexing contributions under the CP between the date of this Agreement, and the date of payment of the monetary Development Contributions.

10 Procedures relating to the dedication of land

- 10.1 A Development Contribution comprising the dedication of land is made for the purposes of this Agreement when:
 - 10.1.1 a deposited plan is registered in the register of plans maintained by the Registrar-General, that dedicates land as a public road (including a temporary public road) under the *Roads Act 1993* or creates a public reserve or drainage reserve under the LG Act, or
 - 10.1.2 the Council is given an instrument in registrable form under the *Real Property Act 1900* that is effective to transfer the title to the land to the Council when registered.
- 10.2 For the purposes of clause 10.1.2:
 - 10.2.1 the Landowner is to give the Council, for execution by the Council as transferee, an instrument of transfer under the *Real Property Act 1900* relating to the land to be dedicated,
 - 10.2.2 the Council is to execute the instrument of transfer and return it to the Developer within 7 days of receiving it from Landowner,

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- 10.2.3 the Landowner is to lodge the instrument of transfer for registration with the Registrar-General within 7 days of receiving it from the Council duly executed, and
- 10.2.4 the Landowner is to do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- 10.3 If this Agreement requires the Landowner to dedicate land to the Council on which the Developer is required to carry out a Work under this Agreement, the Landowner is to give to the Council the instrument of transfer of the land under clause 10.2.1 not later than 7 days after the Work is taken to have been completed in accordance with this Agreement.
- 10.4 The Developer must notify the Landowner of any notices issued under clause 20 of this Agreement, so that the Landowner can determine when a Work is taken to have been completed in accordance with this Agreement.

Part 3 - Provisions regarding the Carrying out of Work

11 Deferral of Work

- 11.1 Notwithstanding any other provision of this Agreement, if the Developer forms the view at any time, that it is unable to make a Development Contribution comprising a Work by the time the Developer expects to apply for the issue of the Subdivision Certificate before which the Work is required to be completed under this Agreement, then:
- 11.1.1 the Developer must provide written notice to the Council to that effect;
- 11.1.2 the Developer must provide the Council with Security in an amount being 100% of the value of the uncompleted part of the Work (calculated with reference to and not exceeding the Contribution Value of the Work) before the date on which the application for the relevant Subdivision Certificate is made;
- 11.1.3 the Developer must provide to Council, for Council's approval, a revised completion date for the Work;
- 11.1.4 Council can approve, or not approve a revised completion date in its discretion, and if the Council does not approve the Developer's revised completion date for the Work, the Council and Developer must negotiate in good faith and agree upon a revised completion date for the Work; and
- 11.1.5 the time for completion of the Work under this Agreement will be taken to be the revised completion date approved by the Council under clause 11.1.4.
- 11.2 If the Developer complies with clause 11.1, then it will not be considered to be in breach of this Agreement as a result of a failure to complete a Work by the time for completion of the Work specified in Column 6 of Schedule 3.
- 11.3 If the Work is not completed by the revised date for completion of the Work agreed under clause 11.1.4, then the Council may call on the Security to meet any of its costs incurred under this Agreement in respect of the failure to complete the Work by the revised date for completion.

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- 11.4 The amount of Security is to be indexed annually from September 2011 in accordance with the *Consumer Price Index (All Groups - Sydney)* published by the Australian Bureau of Statistics.
- 11.5 The Developer is to ensure that a Security held by the Council at all times equals the amount of the Security so indexed.
- 11.6 The Developer need not provide any additional Security under this clause if at the time the Security would be payable under this clause, Council holds Security under the other provisions of this Agreement in an amount which covers the amount of Security required to be held under those other clauses, and the amount of Security required to be held under this clause.

12 Approval of design of Major Facilities

- 12.1 Council must approve the design and specifications for the Major Facilities.
- 12.2 Prior to commencing any work on the design of a Major Facility, the Developer must request that Council provide the Developer with its requirements for the location, design, materials, specifications, capacity and timing for the provision of the Major Facility.
- 12.3 The Council must act reasonably when specifying its requirements for any Major Facility for which specifications are contained in the CP.
- 12.4 Once the Developer receives Council's requirements for the Major Facility under clause 12.2, the Developer must prepare a concept plan for the Major Facility for Council's approval.
- 12.5 Council must advise the Developer whether it approves of the concept plan for a Major Facility within 1 month of its receipt.
- 12.6 Any approval granted by the Council under clause 12.5 must specify the requirements for the detailed design of the Major Facility.
- 12.7 The Developer must make any changes to the concept plan for the Major Facility requested by the Council.
- 12.8 Once a concept plan for the Major Facility has been approved by the Council, the Developer may proceed with the detailed design of the Major Facility.
- 12.9 The Developer must provide the detailed design for the Major Facility to Council for Council's approval.
- 12.10 The detailed design submitted to Council under clause 12.9 must be accompanied by:
 - 12.10.1 a draft Plan of Management for the land on which the Major Facility is to be located, if the Council has advised the Developer that, on its dedication to Council, that land will be classified as community land within the meaning of the LG Act; and
 - 12.10.2 a detailed maintenance regime for the Major Facility, and detailed costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.
- 12.11 Council must advise the Developer whether it approves of the detailed design of a Major Facility within 2 months of its receipt.
- 12.12 The Developer will make any reasonable change to the detailed design for the Major Facility required by the Council.

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- 12.13 Within 21 days of being provided with a copy of the Development Application by the Developer, the Council must provide a written certification that the Development Application is consistent with the approved detailed design of the Major Facility, unless the Council forms the view that the Development Application is not consistent with the approved detailed design of the Major Facility.
- 12.14 The Developer must not lodge any Development Application for a Major Facility unless the Council has first approved of the detailed design for the Major Facility, and provided the written certification referred to in clause 12.13.
- 12.15 A Development Application for a Major Facility must be accompanied by the written certification referred to in clause 12.13 when lodged with Council, as the consent authority.
- 12.16 For the avoidance of doubt, nothing in this clause can be construed as fettering the Council's discretion, as consent authority, in determining any Development Application for a Major Facility.
- 12.17 The Developer is to bear all costs associated with obtaining the Council's approval to the detailed design of a Major Facility under this clause.

13 Approval of design of other Facilities

- 13.1 Council must approve the design and specifications for the Facilities.
- 13.2 Prior to commencing any work on the design of a Facility, the Developer must request that Council provide the Developer with its requirements for the location, design, materials, specifications, capacity and timing for the provision of the Facility.
- 13.3 The Council must act reasonably when specifying its requirements for any Facility for which specifications are contained in the CP.
- 13.4 Once the Developer receives Council's requirements for the Facility under clause 13.2, the Developer must provide the detailed design for the Facility to Council for Council's approval.
- 13.5 The detailed design submitted to Council under clause 13.4 must be accompanied by:
 - 13.5.1 a draft Plan of Management for the land on which the Facility is to be located, if the Council has advised the Developer that, on its dedication to Council, that land will be classified as community land within the meaning of the LG Act; and
 - 13.5.2 a draft Vegetation Management Plan for the land on which the Facility is to be located, if the Council has advised the Developer that a Vegetation Management Plan is required,
 - 13.5.3 a detailed maintenance regime for the Facility, and detailed costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.
- 13.6 Council must advise the Developer whether it approves of the detailed design of a Facility within 2 months of its receipt.
- 13.7 The Developer will make any reasonable change to the detailed design for the Facility required by the Council.

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- 13.8 The Developer must not lodge any Development Application for a Facility unless the Council has first approved of the detailed design for the Facility, and provided its written certification that the Development Application is consistent with the approved detailed design of the Facility.
- 13.9 The Council must provide the written certification referred to in clause 13.8 within 14 days of being provided with a copy of the Development Application by the Developer, unless the Council forms the view that the Development Application is not consistent with the approved detailed design of the Facility.
- 13.10 A Development Application for a Facility must be accompanied by the written certification referred to in clause 13.8 when lodged with Council, as the consent authority.
- 13.11 For the avoidance of doubt, nothing in this clause can be construed as fettering the Council's discretion, as consent authority, in determining any Development Application for a Facility.
- 13.12 The Developer is to bear all costs associated with obtaining the Council's approval to the detailed design of a Facility under this clause.

14 Staging of Works

- 14.1 In order to ensure that the Developer can provide the Contribution Items comprising Works at the time required under this Agreement, the Developer must ensure that Development Applications are lodged which seek consent for the Works, in conjunction with the Relevant Stage.

15 Carrying out of Work

- 15.1 Any Work that is required to be carried out by the Developer under this Agreement is to be carried out:
- 15.1.1 in accordance with any design or specification specified by the Council,
- 15.1.2 any relevant Development Consent and any other applicable law,
- 15.1.3 in a good and workmanlike manner and to the accepted industry standards,
- 15.1.4 and otherwise to the satisfaction of the Council.
- 15.2 If the Developer is required by the Council to prepare or modify a design or specification relating to a Work for approval by the Council under clause 15.1, the Developer is to bear all costs relating to the preparation or modification and approval of the design and specification.

16 Access to the Land

- 16.1 The Landowner is to permit the Council, its officers, employees, agents and contractors to enter the Land or any other land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any Work or to remedy any breach by the Developer relating to the carrying out of a Work.
- 16.2 The Council is to permit the Developer to enter and occupy any land owned or controlled by the Council for the purpose of enabling the Developer to carry

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out any Work under this Agreement that is required to be carried out on such land or to perform any other obligation imposed on the Developer by or under this Agreement.

17 Protection of people and property

- 17.1 The Developer is to ensure to the fullest extent reasonably practicable in relation to the carrying out of any Work that:
- 17.1.1 all necessary measures are taken to protect people and property, and
 - 17.1.2 unnecessary interference with the passage of people and vehicles is avoided, and
 - 17.1.3 nuisances and unreasonable noise and disturbances are prevented.

18 Damage and repairs to Work

- 18.1 The Developer, at its own cost, is to repair and make good to the satisfaction of the Council any loss or damage to a Work from any cause whatsoever which occurs prior to the date on which the Work is taken to have been completed under this Agreement.

19 Variation of Work

- 19.1 A Work is not to be varied by the Developer, unless:
- 19.1.1 the Parties agree in writing to the variation, and
 - 19.1.2 any consent or approval required under the Act or any other law to the variation is first obtained, and
 - 19.1.3 the Developer bears all of the Council's costs of and incidental to agreeing to and approving the variation.
- 19.2 For the purposes of clause 19.1 a variation may relate to any matter in relation to the Work that is dealt with by this Agreement.
- 19.3 If Council requests a variation to a Work after a Construction Certificate has been issued for the Work, then the Council shall be liable to pay to the Developer an amount equal to the increase in the costs of completing the Work, which results from the variation requested by the Council.
- 19.4 Council shall pay the amount referred to in clause 19.3 to the Developer after the Work is complete, and within 28 days of receipt of:
- 19.4.1 a tax invoice for the amount claimed by the Developer; and
 - 19.4.2 documentation which demonstrates to Council's satisfaction the increase in costs as a result of the variation requested by the Council.
- 19.5 For the avoidance of doubt, a variation to a Work under this clause does not require the variation of this Agreement, provided the Council is satisfied that the variation is generally consistent with the intended objectives and outcomes of this Agreement at the date of this Agreement.

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20 Procedures relating to the completion of Work

- 20.1 A Development Contribution comprising the carrying out of a Work is made for the purposes of this Agreement when the Council accepts the completion of the Work in accordance with this clause.
- 20.2 Subject to this Agreement, when the Developer considers that a Work required to be carried out by the Developer under this Agreement is complete, the Developer is to give to the Council a notice in writing to that effect.
- 20.3 The Council is taken to have accepted the completion of a Work that is the subject of a notice referred to in clause 20.2, if the Council gives the Developer a notice to that effect.
- 20.4 On completion of the Work, the Council accepts responsibility for the Work subject to anything to the contrary in this Agreement.

21 Procedures relating to the rectification of defects

- 21.1 During the Defects Liability Period, the Council may give to the Developer a Rectification Notice.
- 21.2 The Developer is to comply with a Rectification Notice at its own cost according to its terms and to the satisfaction of the Council.
- 21.3 If the Developer breaches clause 21.2, the Council may have the relevant defect rectified and may recover its costs of so doing as a debt due in a court of competent jurisdiction.

22 Failure to carry out Work

- 22.1 If the Council considers that the Developer is in breach of any obligation under this Agreement relating to the carrying out of any Work, the Council may elect to give the Developer a notice requiring:
 - 22.1.1 the carrying out of further work relating to the Work to immediately cease except in relation to the rectification of the breach, and
 - 22.1.2 the breach to be rectified to the Council's satisfaction.
- 22.2 A notice given under clause 22.1 is to allow the Developer a period of not less than 28 days or such further period as the Council considers reasonable in the circumstances to rectify the breach.
- 22.3 Without limiting any other rights the Council has to enforce this Agreement, the Council may, if the Developer does not comply with a notice given under clause 22.1:
 - 22.3.1 call upon any Security, and
 - 22.3.2 carry out and complete the Work the subject of the Developer's breach.
- 22.4 Clauses 30 and 31 do not prevent a notice being given under clause 22.1 and do not apply to such a notice or the circumstances relating to the giving of that notice, and any procedure commenced under clause 30 or clause 31 ceases to apply when such a notice is given.

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- 22.5 The Council is not required to give the Developer a notice under clause 22.1 as a pre-condition to calling-up any Security in relation to the Developer's breach if the Council reasonably believes that the Developer is unlikely to comply with a Rectification Notice.
- 22.6 If the Council calls up a Security pursuant to clause 22.5, the Council is to notify the Developer in writing immediately following the calling up of that Security.

23 Works-As-Executed-Plan

- 23.1 No later than 60 days after a Work is taken to have been completed in accordance with this Agreement, the Developer is to submit to the Council a full works-as-executed-plan in respect of the Work the subject of the notice.

Part 4 – Indemnities and Insurances

24 Indemnity and Insurance

- 24.1 The Developer indemnifies the Council, its employees, officers, agents, contractors and workmen from and against all losses, damages, costs (including legal costs on a full indemnity basis), charges, expenses, actions, claims and demands whatsoever which may be sustained, suffered, recovered or made arising in connection with:
- 24.1.1 Council's approval of the design and specifications of any Major Facility or Facility;
- 24.1.2 the carrying out by the Developer of any Work; and
- 24.1.3 the performance by the Developer of any other obligation under this Agreement.
- 24.2 The Developer is to take out and keep current to the satisfaction of the Council the following insurances in relation to Work required to be carried out by the Developer under this Agreement up until the Work is taken to have been completed in accordance with this Agreement:
- 24.2.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,
- 24.2.2 public liability insurance for at least \$20,000,000.00 for a single occurrence, which covers the Council, the Developer and any subcontractor of the Developer, for liability to any third party,
- 24.2.3 workers compensation insurance as required by law, and
- 24.2.4 any other insurance required by law.
- 24.3 If the Developer fails to comply with clause 24.2, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the

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Developer to the Council and may be recovered by the Council as it deems appropriate including:

- 24.3.1 by calling upon any Security provided by the Developer to the Council under this Agreement, or
- 24.3.2 recovery as a debt due in a court of competent jurisdiction.
- 24.4 The Developer is not to commence to carry out any Work unless it has first provided to the Council satisfactory written evidence of all of the insurances specified in clause 24.2.

Part 5 - Security

25 Provision of Security

- 25.1 To secure the performance of the Developer's obligations in relation to Contribution Items 21, 22 and 61 the Developer is to provide the Council with Security such that the amount of Security held by the Council from the time set out in Column 1 of the Table to this clause equals the amount set out in Column 2 of the Table to this clause corresponding to that time.

Table

Column 1 Time	Column 2 Amount
On execution of this Agreement	\$717,040.00
Prior to the issuing of the Subdivision Certificate that creates the 501 st Final Lot in the Development.	\$1,505,784.00
Prior to the issuing of the Subdivision Certificate that creates the 1,051 st Final Lot in the Development.	\$1,363,335.00
Prior to the issuing of the Subdivision Certificate that creates the 1501 st Final Lot in the Development.	\$1,817,780.00

- 25.2 The amount of the Security is to be indexed annually from September 2011 in accordance with the Consumer Price Index (All Groups - Sydney) published by the Australian Bureau of Statistics and the Developer must ensure that the Security held by the Council at all times equals the indexed amount notified to the Developer by Council.

26 Release & return of Security

- 26.1 The Council is to return the Security or any remaining part of it to the Developer, within 28 days of the completion by the Developer of all of their obligations under this Agreement to the satisfaction of the Council.

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- 26.2 At any time following the provision of the Security, the Developer may provide the Council with a replacement Security in the amount of the Security required to be provided under this Agreement.
- 26.3 On receipt of a replacement Security, the Council is to release and return to the Developer as directed, the Security it holds which has been replaced.

27 Call-up of Security

- 27.1 The Council may call-up any Security provided under this Agreement if, in its absolute discretion and despite clauses 30 and 31, it considers that the Developer has breached this Agreement.
- 27.2 If the Council calls on the Security, it may use the amount so paid to it in satisfaction of any costs incurred by it in remedying the breach.
- 27.3 If the Council calls on the Security, the Council may, by notice in writing to the Developer, require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of the Security held by the Council, equals, but does not exceed the amount of the Security the Council is entitled to hold under this Agreement.
- 27.4 Notwithstanding clause 27.1 or any other provision of this Agreement:
 - 27.4.1 a Deferred Work Security can only be called-up in relation to a breach of this Agreement in respect of the carrying out of the Work in relation to which the Deferred Work Security was provided; and
 - 27.4.2 a Registration Security can only be called-up in relation to a breach of this Agreement in respect of the Development Contributions required in relation to the Superlot for which the Registration Security was provided.

Part 6 - Other Provisions

28 Recovery of cost of Work carried out by the Council

- 28.1 If the Council incurs a cost in carrying out, completing or rectifying a defect in a Work that is not met by a Security provided under this Agreement, the Council may recover the cost from the Developer in a court of competent jurisdiction.
- 28.2 For the purpose of clause 28.1, the Council's costs of carrying out, completing or rectifying a defect in a Work includes, but is not limited to:
 - 28.2.1 the reasonable costs of the Council's servants, agents and contractors reasonably incurred for that purpose,
 - 28.2.2 all fees and charges necessarily or reasonably incurred by the Council in order to have the Work carried out, completed or rectified, and
 - 28.2.3 without limiting clause 28.2.2, all legal costs and expenses reasonably incurred by the Council, by reason of the Developer's failure to comply with this Agreement.

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29 Enforcement in a court of competent jurisdiction

- 29.1 Without limiting any other provision of this Agreement, the Parties may enforce this Agreement in any court of competent jurisdiction.
- 29.2 For the avoidance of doubt, nothing in this Agreement prevents:
- 29.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Agreement or any matter to which this Agreement relates,
- 29.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates.

30 Dispute Resolution – expert determination

- 30.1 This clause applies to a dispute under this Agreement which relates to a matter that can be determined by an appropriately qualified expert.
- 30.2 Any dispute between the Parties as to whether a dispute to which this clause applies can be determined by an appropriately qualified expert is to be referred to the Chief Executive Officer of the professional body that represents persons with the relevant expertise for determination, which is to be final and binding on the Parties.
- 30.3 Such a dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the dispute.
- 30.4 If a notice is given under clause 30.3, the Parties are to meet within 14 days of the notice in an attempt to resolve the dispute.
- 30.5 If the dispute is not resolved within a further 28 days, the dispute must be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 30.6 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 30.7 Each Party must bear its own costs arising from or in connection with the appointment of the Expert and the expert determination.

31 Dispute Resolution – mediation

- 31.1 This clause applies to any dispute under this Agreement other than a dispute to which clause 30 applies.
- 31.2 Such a dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the dispute.
- 31.3 If a notice is given under clause 31.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the dispute.
- 31.4 If the dispute is not resolved within a further 28 days, the Parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and must request the President of the Law Society, or the President's nominee, to select a mediator.

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- 31.5 If the dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.

32 Registration of this Agreement

- 32.1 Subject to clauses 32.2 and 32.3, and subject to the Developer or Landowner obtaining the agreement of the persons specified in section 93H(1) of the Act, the Parties agree that this Agreement will be registered as a planning agreement with the Registrar-General on the title to the Land as permitted by s93H of the Act.
- 32.2 The Parties agree that:
- 32.2.1 this Agreement will not be registered on the title to any part of the Land which is a Final Lot; and
- 32.2.2 on lodgement of any plans of subdivision of the Land with the LPI that create Final Lots, the LPI will be directed not to register this Agreement on the title to the Final Lots being created by that plan.
- 32.3 The Parties also agree that the registration of the Agreement will be removed from the title to a Superlot, before the Developer has met its obligations under this Agreement in relation to the Superlot, if:
- 32.3.1 The Landowner or Developer has notified the Council that it wishes to commence selling Final Lots to be created on the Superlot;
- 32.3.2 The Landowner or Developer has provided Council with a copy of the proposed plan of subdivision for the Superlot;
- 32.3.3 The Landowner and Developer are not in breach of this Agreement; and
- 32.3.4 The Developer provides the Council with a Security in an amount equal to the Contribution Value of all Contribution Items involving the carrying out of Work and monetary Development Contributions which must be made under this Agreement in connection with the creation of Final Lots on that Superlot.
- 32.4 The Landowner agrees to sign all forms necessary, and do all things reasonably necessary to allow this Agreement to be registered under clause 32.1 including obtaining the consent of any mortgagee or other person with an interest in the Land to that registration, and having the certificates of title for the Land delivered to the Registrar-General.
- 32.5 The Parties agree to sign such documents and do such things as may be required to achieve the said registration within seven (7) days of the execution of this Agreement.
- 32.6 Upon completion of the obligations of the Developer and Landowner pursuant to this Agreement, the Parties must do such things as may be required to remove the recording of this Agreement as a planning agreement from the title of the Land, including removing the recording of the Agreement from the title to part of the Land in respect of this the Developer has met its obligations.
- 32.7 The Developer need not provide any additional Security under this clause if at the time the Security would be payable under this clause, Council holds Security under the other provisions of this Agreement in an amount which

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covers the amount of Security required to be held under those other clauses, and the amount of Security required to be held under this clause.

33 Compulsory Acquisition

- 33.1 In the event that the Landowner does not dedicate any land required to be dedicated under this Agreement, at the time at which it is required to be dedicated, the Landowner consents to the Council compulsorily acquiring that land, for compensation in the amount of \$1 without having to follow the pre-acquisition procedure under the Just Terms Act.
- 33.2 Council must only acquire land pursuant to clause 33.1 if to do so is reasonable, having regard to the circumstances surrounding the failure by the Landowner to dedicate the land required to be dedicated under this Agreement.
- 33.3 Clause 33.1 constitutes an agreement for the purposes of section 30 of the Just Terms Act.
- 33.4 If, as a result of the acquisition referred to in clause 33.1, the Council must pay compensation to any person other than the Landowner, the Developer or Landowner must reimburse the Council for that amount, upon a written request being made by the Council, or the Council can call on any Security.
- 33.5 Except as otherwise agreed between the Parties, the Landowner must ensure that the land to be dedicated under this Agreement is free of all encumbrances and affectations (whether registered or unregistered and including without limitation any charge or liability for rates, taxes and charges), on both the date that the Landowner is liable to transfer that land to the Council under this Agreement, and the date on which the Council compulsorily acquires the whole or any part of that land in accordance with the Just Terms Act.
- 33.6 The Developer and the Landowner indemnify and keep indemnified the Council against all claims made against the Council as a consequence of the acquisition by the Council of the whole or any part of the Land except in relation to any claim that arises from the manner in which the land so acquired is used or managed by the Council.
- 33.7 The Landowner will promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 33, including without limit:
- 33.7.1 signing any documents or forms;
- 33.7.2 giving land owner's consent for lodgement of any Development Application;
- 33.7.3 producing certificates of title to the Registrar-General under the *Real Property Act 1900*; and
- 33.7.4 paying the Council's costs arising from clause 33.
- 33.8 Notwithstanding clause 33.5, if, despite having used its best endeavours, the Landowner cannot ensure that the land to be dedicated is free from all encumbrances and affectations, then the Landowner may request that Council agree to accept the land subject to those encumbrances and affectations, and:
- 33.8.1 Council cannot withhold its agreement unreasonably if the encumbrance or affectation does not prevent the future use of the

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land for the public purpose for which it is to be dedicated under this Agreement, unless the encumbrance or affectation is a charge arising as a result of unpaid taxes or charges; and

- 33.8.2 in all other cases, Council may withhold its agreement in its absolute discretion.

34 Assignment, sale of Land, etc

- 34.1 Unless the matters specified in clause 34.2 are satisfied:
- 34.1.1 Landowner is not to transfer any part of the Land, other than a Final Lot, to any person, or
- 34.1.2 the Developer is not to assign to any person the Developer's rights or obligations under this Agreement or novate the Agreement to any person.
- 34.2 The matters required to be satisfied for the purposes of clause 34.1 are as follows:
- 34.2.1 the relevant Party has, at no cost to the Council, first procured the execution by the person to whom that Party's rights or obligations under this Agreement are to be assigned or novated, of an agreement in favour of the Council on terms satisfactory to the Council, and
- 34.2.2 the Council, by notice in writing to the relevant Party, has stated that evidence satisfactory to the Council has been produced to show that the transferee, assignee or novatee, is reasonably capable of performing its obligations under the Agreement,
- 34.2.3 the relevant Party is not in breach of this Agreement, and
- 34.2.4 the Council, acting reasonably, otherwise consents to the transfer, assignment or novation.

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35 Monitoring & review of this Agreement

- 35.1 The Developer is to provide to the Council by not later than each anniversary of the date on which this Agreement is entered into a report detailing the performance of its obligations under this Agreement.
- 35.2 The report referred to is to be in such a form and to address such matters as may be notified by the Council to the Developer from time to time.
- 35.3 The Council, at its own cost, is to keep a written register of the Development Contributions made by the Developer under this Agreement.
- 35.4 The register is to contain (but is not limited to) particulars of the following:
- 35.4.1 each Development Contribution made,
- 35.4.2 the form of the Development Contribution,
- 35.4.3 the Contribution Item to which the Development Contribution relates by reference to Schedule 3 of this Agreement,
- 35.4.4 the date on which the Development Contribution is made, and
- 35.4.5 particulars of any Development Contributions that are required by this Agreement to have been made that the Developer has not made.

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- 35.5 The Council is to allow the Parties to have access to the register during the ordinary business hours of the Council and at no cost.
- 35.6 The register is to be conclusive evidence of the matters it contains relating to the making of Development Contributions by the Developer under this Agreement.
- 35.7 The Parties agree to review this Agreement annually, and otherwise if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement.
- 35.8 For the purposes of clause 35.7, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.
- 35.9 For the purposes of addressing any matter arising from a review of this Agreement referred to in clause 35.7, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Agreement.
- 35.10 If this Agreement becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.
- 35.11 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 35.7 is not a dispute for the purposes of clauses 30 and 31 and is not a breach of this Agreement.

36 Variations to Contribution Items and Staging

- 36.1 The Developer may request that the Council approve a variation to the Contribution Items to be provided under this Agreement.
- 36.2 The Council may, in its absolute discretion agree to a variation of the Contribution Items, provided that the variation does not result in the sum of the Contribution Values of all Contribution Items falling below the sum of the Contributions Values of all Contribution Items as at the date of this Agreement and the variation is generally consistent with the intended objectives and outcomes of this Agreement at the date of this Agreement.
- 36.3 The Developer may request that the Council approve a variation to the staging of the provision of the Contribution Items.
- 36.4 The Council must act reasonably in determining whether to grant a variation to the staging of the provision of the Contribution Items.
- 36.5 If a variation is made to the Contribution Items pursuant to this clause, then Schedule 3 will be deemed to be amended to include the varied Contribution Items, and their Contribution Values.
- 36.6 A variation to the Contribution Items or the staging of the provision of Contribution Items under this clause does not require a variation to this Agreement.

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37 Notices

- 37.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- 37.1.1 delivered or posted to that Party at its address set out in the Summary Sheet,
- 37.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or
- 37.1.3 emailed to that Party at its email address set out in the Summary Sheet.
- 37.2 If a Party gives the other Party 3 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 37.3 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 37.3.1 delivered, when it is left at the relevant address,
- 37.3.2 sent by post, 2 business days after it is posted,
- 37.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or
- 37.3.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 37.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

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38 Approvals and Consent

- 38.1 Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party.
- 38.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

39 Legal costs

- 39.1 The Developer is to pay to the Council the Council's legal costs of preparing, negotiating, executing and stamping this Agreement, and any documents related to this Agreement within 7 days of a written demand by the Council for such payment.

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- 39.2 The Developer is also to pay to the Council the Council's costs of enforcing this Agreement within 7 days of a written demand by the Council for such payment.
- 39.3 The Developer is to pay the Council's costs of preparing, negotiating, executing and stamping any amendment to this Agreement.

40 Entire Agreement

- 40.1 This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with.
- 40.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

41 Further acts

- 41.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

42 Notations on section 149(2) Planning Certificates

- 42.1 The Parties agree that the Council may, in its absolute discretion, make a notation under section 149(5) of the Act regarding this Agreement on any certificate issued under section 149(2) of the Act relating to the Land, other than a Final Lot.

43 Governing law and jurisdiction

- 43.1 This Agreement is governed by the law of New South Wales.
- 43.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 43.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

44 Joint and individual liability and benefits

- 44.1 Except as otherwise set out in this Agreement:
- 44.1.1 any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and
- 44.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

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45 No fetter

- 45.1 Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

46 Representations and Warranties

- 46.1 The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

47 Severability

- 47.1 If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 47.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

48 Modification

- 48.1 No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

49 Waiver

- 49.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 49.2 A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given.
- 49.3 It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

50 GST

- 50.1 In this clause:
Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.

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GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

GST Law has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

- 50.2 Subject to clause 50.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 50.3 Clause 50.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Agreement to be GST inclusive.
- 50.4 No additional amount shall be payable by the Council under clause 50.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 50.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 50.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 50.5.2 that any amounts payable by the Parties in accordance with clause 50.2 (as limited by clause 50.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 50.6 No payment of any amount pursuant to this clause 50, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 50.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 50.8 This clause continues to apply after expiration or termination of this Agreement.

51 Explanatory Note relating to this Agreement

- 51.1 The Appendix contains the Explanatory Note relating to this Agreement required by clause 25E of the Regulation.

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- 51.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note in the Appendix is not to be used to assist in construing this Planning Agreement.

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Schedule 1

(Clause 1.1)

Plan Package

Plan Package on following pages.

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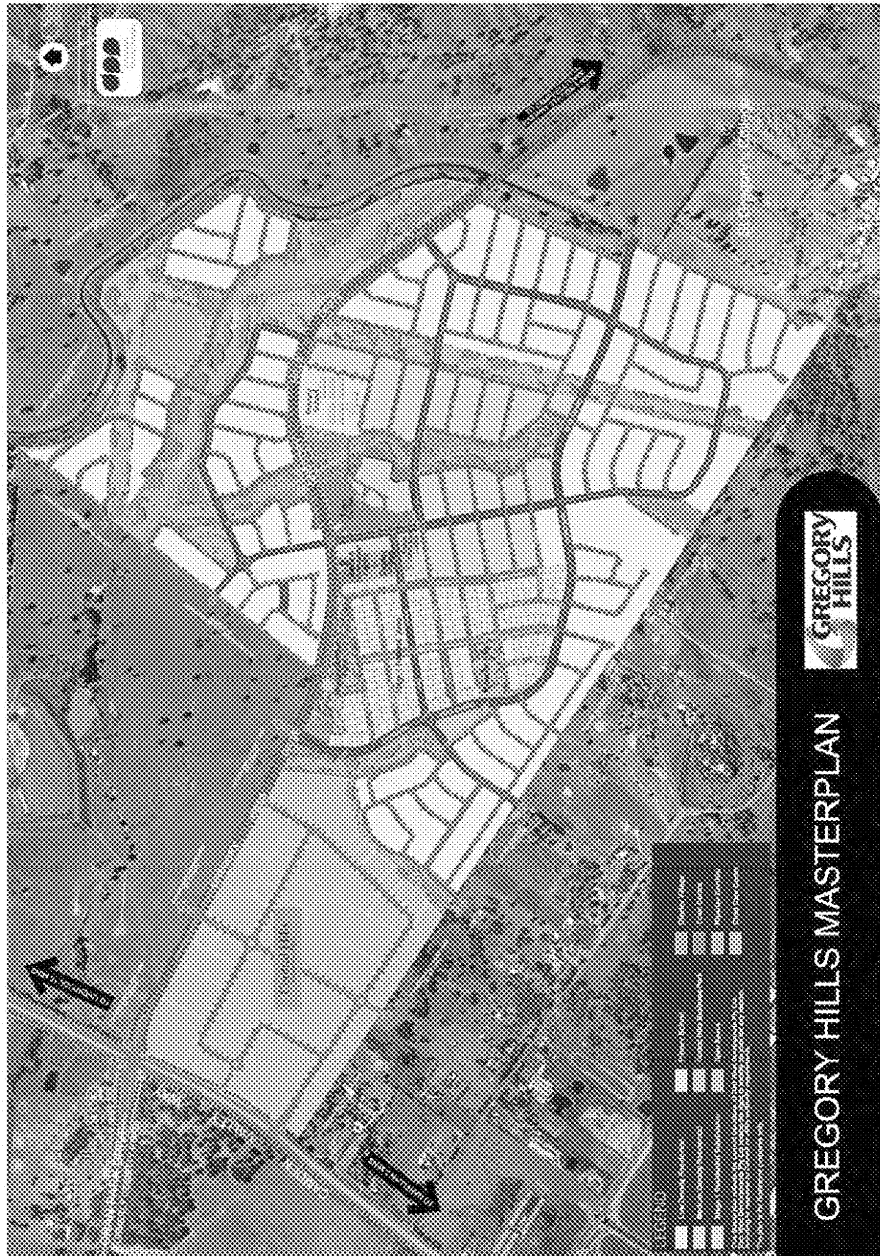
**Gregory Hills Planning Agreement
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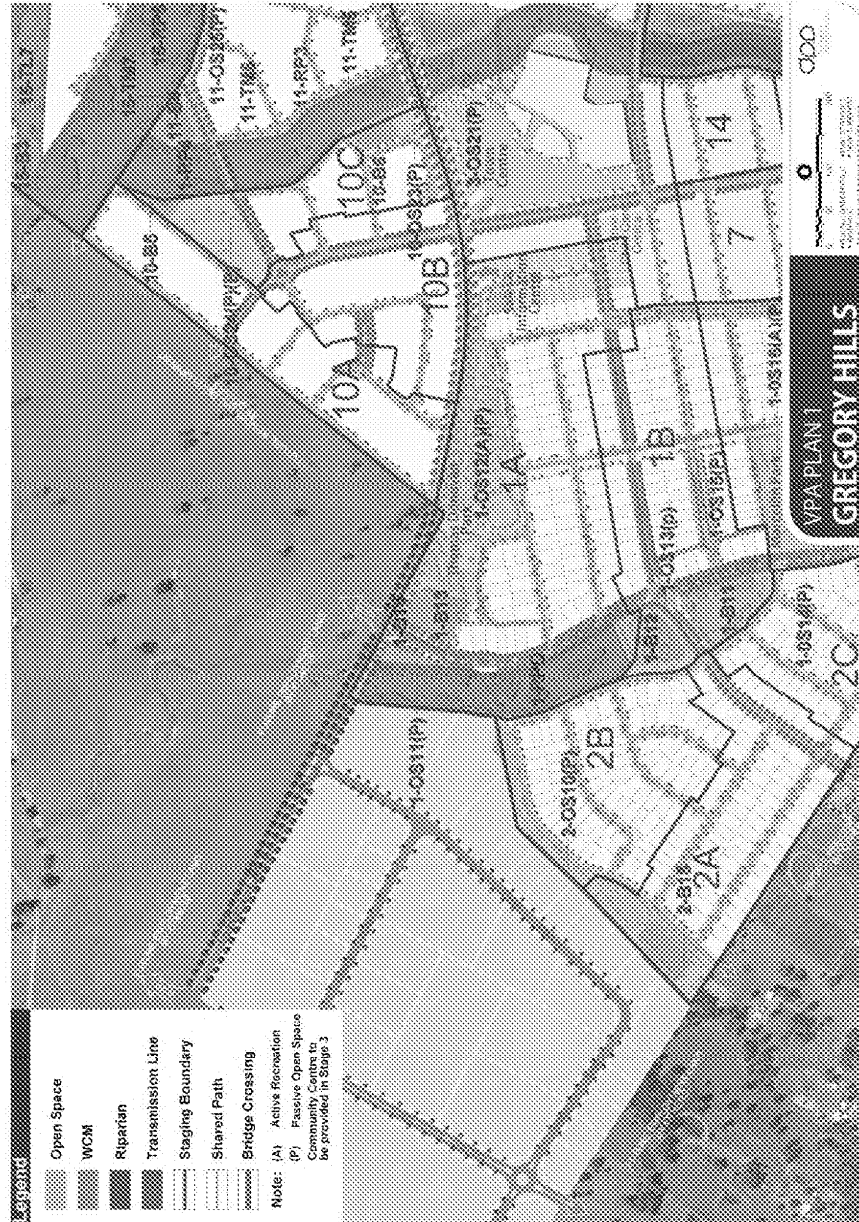
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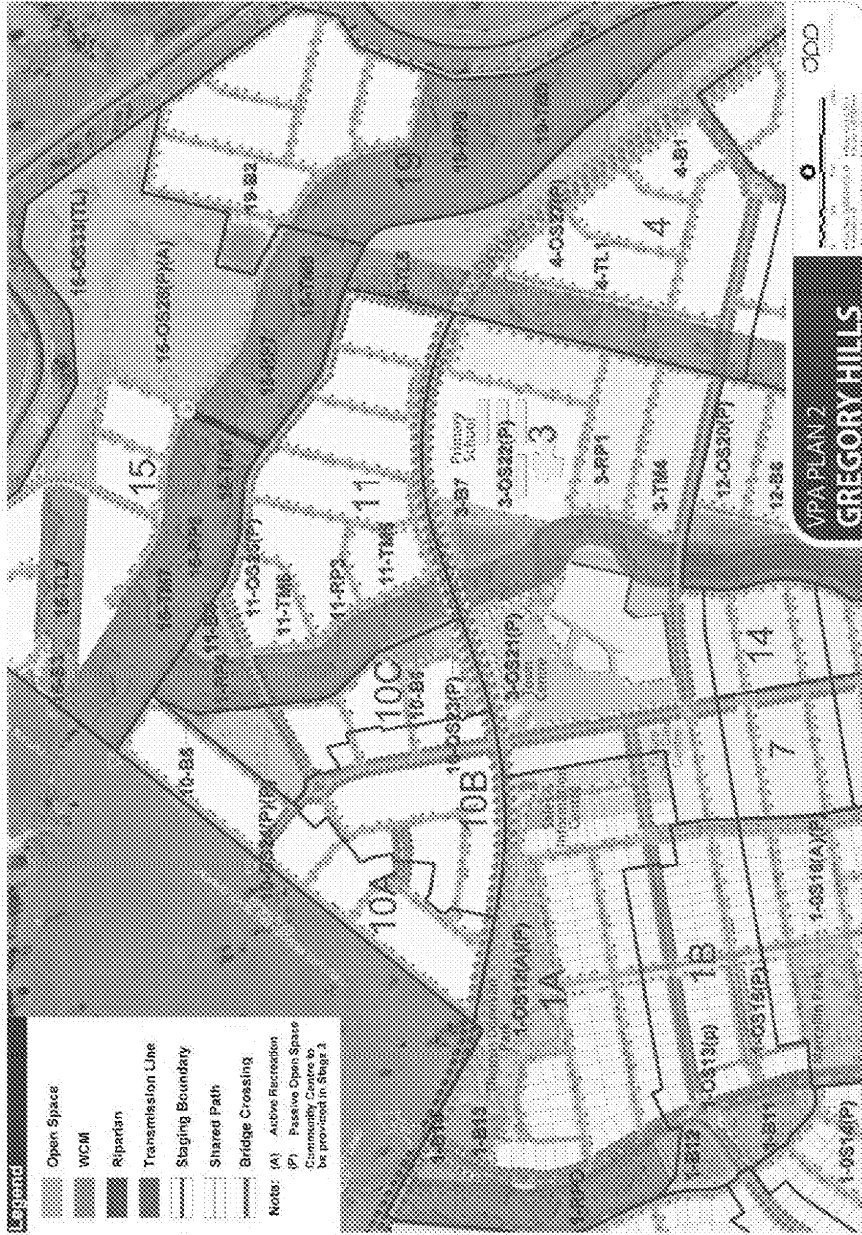
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Schedule 2

(Clause 1.1)

The Development

Development of the Land for urban purposes generally as shown on the Masterplan, involving:

- the subdivision of the Land to accommodate approximately 2,400 dwellings and
- establishment of a road, utilities and stormwater management network,
- provision of various types of open space and creation of recreation areas
- provision of community and other facilities
- construction of residential housing, and
- construction of non residential development, including a local shopping centre.

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Schedule 3

(Clause 7)

Development Contributions

Note: The following table sets out the Development Contributions that the Developer and Landowner are to provide under this Agreement. Items 1 to 77 inclusive relate to the carrying out of Work. Items 78 to 134 inclusive relate to the dedication of land, Items 135 and 136 relate to payment of monetary contributions.

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
Carrying out of Work						
1	1	OS 11 (OSR4.3)	Passive open space and recreation	603m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final	\$13,724.05

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
2	1	OS 12 (OSR3.3)	Active open space and recreation	One children's playspace on a 3,000m ² site near the centre of the Land south of Gregory Hills Drive, meeting the specifications provided in the CP.	Lot in the Relevant Stage. Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$227,591.66
3	1	OS 12 (OSR4.2)	Passive open space and recreation	22,300m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,827,105.82
4	1	OS 13 (OSR4.3)	Passive open space and recreation	766m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$17,661.47
5	1	OS 14 (OSR4.3)	Passive open space and recreation	2,633m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$59,926.08
6	1	OS 15 (OSR4.3)	Passive open	335m ² of embellished passive	Prior to the issue of the	\$7,624.47

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
7	1	OS 16 (OSR3.2)	Active open space and recreation	One children's playground on a 3,000m ² site in the south-western part of Gregory Hills, meeting the specifications provided in the CP.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$227,591.66
8	1	OS 16 (OSR4.3)	Passive open space and recreation	7,540m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$171,607.54
9	1	B11	Water management	5,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$559,558.48
10	1	B12	Water management	4,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$447,646.79

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
11	1	B13	Water management	2,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$223,823.39
12	1	B14	Water management	1,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$111,911.70
13	1	SWALES	Water management	5786.33m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$599,544.90
14	1	RP0	Riparian corridor protection & enhancement	24,500m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$367,500.00
15	2	OS 10 (OSR4.2)	Passive open space and recreation	10,710m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$877,502.39

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
16	2	B15	Water management	3,000m ² of water cycle management infrastructure	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$335,735.09
17	3	OS 22 (OSR 4.2)	Passive open space and recreation	7,471m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$546,130.00
18	3	OS 21 (OSR4.3)	Passive open space and recreation	400m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$9,103.85
19	3	B7	Water management	5,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$559,558.48
20	3	SWALES	Water management	2153m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$223,086.12

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
21	3	C2.2	Community facility	One 515m ² multi-purpose community centre on a 1,288m ² site generally in the central part of the Land, meeting Council's specifications.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,941,127.91
22	3	C2.2a	Community facility	One 773m ² car park and landscaped area located within the 1,288m ² site for the multi-purpose community centre.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$93,135.18
23	3	TM4	Transport management	762m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$87,219.39
24	3	RP1	Riparian corridor protection & enhancement	18,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$270,000
25	4	OS 27 (OSR4.2)	Passive open space and recreation	19,030m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final	\$1,559,184.92

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
26	4	B1	Water management	10,000m ² of water cycle management infrastructure.	Lot in the Relevant Stage. Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,119,116.96
27	4	SWALES	Water management	2825.5m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$292,763.64
28	4	TL1	Open space corridor and transmission line easement	20,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$143,490.35
29	4	TL5	Open space corridor and transmission line easement	17,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$121,966.79
30	5	TL2	Open space corridor and transmission line	19,200m ² of embellished transmission line easement land including	Prior to the issue of the Subdivision Certificate that creates the first Final	\$137,750.73

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
31	5	TL3	Open space corridor and transmission line easement	3,500m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$25,110.81
	6&7	-				
32	8	OS 17 (OSR4.2)	Passive open space and recreation	200m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$16,386.60
33	8	B10	Water management	10,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,119,116.96
34	8	TL4	Open space corridor and transmission line easement	5,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$35,872.59
	9	-				

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
35	10	OS23 (OSR4.3)	Passive open space and recreation	2,730m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$62,133.76
36	10	OS 24 (OSR4.1)	Passive open space and recreation	One community park/green space of 5,000m ² .	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,297,273.03
37	10	OS 24 (OSR4.2)	Passive open space and recreation	5,210m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$426,870.91
38	10	B5	Water management	2,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$223,823.39
39	10	B6	Water management	3,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$335,735.09

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
40	10	SWALES	Water management	1143.8m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$118,541.73
41	11	OS 25 (OSR4.3)	Passive open space and recreation	4,831m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$109,951.73
42	11	B4	Water management	5,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$559,558.48
43	11	SWALES	Water management	1149.35m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$118,514.73
44	11	TM5	Transport management	612m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$70,050.22

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
45	11	TM6	Transport management	313m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$35,826.34
46	11	RP3	Riparian corridor protection & enhancement	16,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$240,000.00
47	11	RP4	Riparian corridor protection & enhancement	10,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$150,000.00
48	12	OS 20 (OSR4.3)	Passive open space and recreation	3,676m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$83,664.37
49	12	B8	Water management	4,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$447,646.79

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
50	12	SWALES	Water management	1614.79m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$167,314.85
51	12	TM3	Transport management	1400m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$160,245.60
52	12	RP5	Riparian corridor protection & enhancement	20,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$300,000.00
53	13	OS 18 (OSR4.3)	Passive open space and recreation	680m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$15,476.54
54	13	OS 19 (OSR4.3)	Passive open space and recreation	824m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$18,753.93

Dart West Gregory Hills Planning Agreement
Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
55	13	B9	Water management	1,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$111,911.70
56	13	SWALES	Water management	2960.45m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$306,743.86
57	13	TM2	Transport management	163m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$18,657.17
58	13	RP2	Riparian corridor protection & enhancement	6,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$90,000.00
59	13	TL4	Open space corridor and transmission line easement	5,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$35,872.59

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Trustees of the Marist Brothers

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
60	13	TL6	Open space corridor and transmission line easement	15,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$107,617.76
	14	-				
61	15	OS 28 (OSR3.1)	Active open space and recreation	A 2.7ha double playing field on a site north of South Creek, meeting the specifications provided in the CP.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$3,359,232.92
62	15	OS 28 (OSR4.2)	Passive open space and recreation	11,518m ² of passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$943,704.25
63	15	OS 33	Passive open space	41,000m ² of embellished passive open space.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$759,000.00
64	15	B3	Water management	3,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final	\$335,735.09

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
65	15	SWALES	Water management	1614.79m ² of water quality swales.	Lot in the Relevant Stage. Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$167,314.85
66	15	TM1	Transport management	A two lane bridge crossing of South Creek in the northern part of the Land, meeting the specifications provided in the CP.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$1,408,173.31
67	15	TM7	Transport management	1,025m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$117,322.67
68	15	TM8	Transport management	638m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$73,026.21
69	15	RP6	Riparian corridor protection &	43,500m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate	\$652,500.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
70	15	RP7	Riparian corridor protection & enhancement	27,500m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$412,500.00
71	15	TL7	Open space corridor and transmission line easement	12,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$86,094.21
72	17	TL9	Open space corridor and transmission line easement	7,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$50,221.62
73	18	SWALES	Water management	2422.18m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$205,972.28

Dart West Gregory Hills Planning Agreement
Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
74	19	B2	Water management	4,000m ² of water cycle management infrastructure.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$447,646.79
75	19	TM9	Transport management	1,587m ² of bike paths with a width of 2.5m.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$181,649.84
76	19	RP8	Riparian corridor protection & enhancement	57,000m ² of embellished riparian land.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$855,000.00
77	20	SWALES	Water management	538.26m ² of water quality swales.	Prior to the issue of the Subdivision Certificate that creates the first Final Lot in the Relevant Stage.	\$55,771.61
Dedication of Land						
78	1	OS 11 (OSR4.3)	Passive open	Dedication of a 603m ² site on	On completion, within the	\$64,219.50

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Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
79	1	OS 12 (OSR3.3)	space and recreation	which Item 1 is to be provided.	meaning of this Agreement, of Item 1, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council.	\$285,000.00
80	1	OS 12 (OSR4.2)	Active open space and recreation	Dedication of a 3,000m ² site near the centre of the Land south of Gregory Hills Drive, on which Item 2 is to be provided.	On completion, within the meaning of this Agreement, of Item 2, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$2,118,500.00
81	1	OS 13 (OSR4.3)	Passive open space and recreation	Dedication of 22,300m ² of passive open space.	On completion, within the meaning of this Agreement, of Item 3, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$73,270.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
82	1	OS 14 (OSR4.3)	Passive open space and recreation	Dedication of 2,633m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 5, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$250,135.00
83	1	OS 15 (OSR4.3)	Passive open space and recreation	Dedication of 335m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 6, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$31,825.00
84	1	OS 16 (OSR3.2)	Active open space and recreation	Dedication of land containing one children's playground on a 3,000m ² site near the south-	On completion, within the meaning of this Agreement, of Item 7, and	\$285,000.00

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Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
85	1	OS 16 (OSR4.3)	Passive open space and recreation	western part of Gregory Hills, meeting the specifications provided in the CP. Dedication of 7,540m ² of embellished passive open space.	otherwise in accordance with this Agreement, or at such later date as agreed to by Council On completion, within the meaning of this Agreement, of item 8, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$716,300.00
86	1	B11	Water management	Dedication of 5,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of item 9, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$475,000.00
87	1	B12	Water management	Dedication of 4,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of item 10, and otherwise in	\$380,000.00

**Dart West Gregory Hills Planning Agreement
Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
88	1	B13	Water management	Dedication of 2,000m ² of water cycle management infrastructure.	accordance with this Agreement, or at such later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 11, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$190,000.00
89	1	B14	Water management	Dedication of 1,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 12, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$95,000.00
90	1	RPO	Riparian corridor protection &	Dedication of 24,500m ² of embellished riparian land.	On the expiration of the Maintenance Period for	\$367,500.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
91	2	OS 10 (OSR4.2)	enhancement Passive open space and recreation	Dedication of 10,710m ² of passive open space.	Item 14. On completion, within the meaning of this Agreement, of Item 15, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$1,017,450.00
92	2	B15	Water management	Dedication of 3,000m ² of water cycle management infrastructure	On completion, within the meaning of this Agreement, of Item 16, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$285,000.00
93	3	OS 22 (OSR 4.2)	Passive open space and recreation	Dedication of 7,471m ² of passive open space.	On completion, within the meaning of this Agreement, of Item 17, and otherwise in accordance with this	\$709,745.00

**Dart West Gregory Hills Planning Agreement
Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
94	3	OS 21 (OSR4.3)	Passive open space and recreation	Dedication of 400m ² of embellished passive open space.	Agreement, or at such later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 18, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$38,000.00
95	3	B7	Water management	Dedication of 5,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 19, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$475,000.00
96	3	C2.2	Community facility	Dedication of a 1,288m ² site containing one 515m ² multi-purpose community centre and	On completion, within the meaning of this Agreement, of Item 21,	\$122,360.00

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Camden Council
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Trustees of the Marist Brothers

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
97	3	RP1	Riparian corridor protection & enhancement	one 773m ² car park and landscaped area.	and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	Nil
98	4	OS 27 (OSR4.2)	Passive open space and recreation	Dedication of 18,000m ² of embellished riparian land. Dedication of 19,030m ² of passive open space.	On the expiration of the Maintenance Period for Item 24. On completion, within the meaning of this Agreement, of Item 25 and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$1,807,850.00
99	4	B1	Water management	Dedication of 10,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 26, and otherwise in accordance with this Agreement, or at such	\$950,000.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
100	4	TL1	Open space corridor and transmission line easement	Dedication of 20,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	later date as agreed to by Council On the expiration of the Maintenance Period for Item 28.	Nii
101	4	TL5	Open space corridor and transmission line easement	Dedication of 17,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 29.	Nii
102	5	TL2	Open space corridor and transmission line easement	Dedication of 19,200m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 30.	Nii
103	5	TL3	Open space corridor and transmission line easement	Dedication of 3,500m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 31.	Nii
	6&7	-				

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
104	8	OS 17 (OSR4.2)	Passive open space and recreation	Dedication of 200m ² of passive open space.	On completion, within the meaning of this Agreement, of Item 32, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$19,000.00
105	8	B10	Water management	Dedication of 10,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 33, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$950,000.00
106		TL4	Open space corridor and transmission line easement	Dedication of 5,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 34.	Nil
	9	-				

**Dart West Gregory Hills Planning Agreement
Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
107	10	OS23 (OSR4.3)	Passive open space and recreation	Dedication of 2,730m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 35, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$259,350.00
108	10	OS 24 (OSR4.1)	Passive open space and recreation	Dedication of one community park/green space of 5,000m ² .	On completion, within the meaning of this Agreement, of Item 36, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$475,000.00
109	10	OS 24 (OSR4.2)	Passive open space and recreation	Dedication of 5,210m ² of passive open space.	On completion, within the meaning of this Agreement, of Item 37, and otherwise in accordance with this Agreement, or at such	\$494,950.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
110	10	B5	Water management	Dedication of 2,000m ² of water cycle management infrastructure.	later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 38, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$190,000.00
111	10	B6	Water management	Dedication of 3,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 39, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$285,000.00
112	11	OS 25 (OSR4.3)	Passive open space and recreation	Dedication of 4,831m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 41, and otherwise in	\$458,945.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
113	11	B4	Water management	Dedication of 5,000m ² of water cycle management infrastructure.	accordance with this Agreement, or at such later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 42, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$475,000.00
114	11	RP3	Riparian corridor protection & enhancement	Dedication of 16,000m ² of embellished riparian land.	On the expiration of the Maintenance Period for Item 46.	Nil
115	11	RP4	Riparian corridor protection & enhancement	Dedication of 10,000m ² of embellished riparian land.	On the expiration of the Maintenance Period for Item 47.	Nil
116	12	OS 20 (OSR4.3)	Passive open space and recreation	Dedication of 3,676m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 48,	\$349,220.00

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
117	12	B8	Water management	Dedication of 4,000m ² of water cycle management infrastructure.	and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$380,000.00
118	12	RP5	Riparian corridor protection & enhancement	Dedication of 20,000m ² of embellished riparian land.	On the expiration of the Maintenance Period for Item 52.	Nii
119	13	OS 18 (OSR4.3)	Passive open space and recreation	Dedication of 680m ² of embellished passive open space.	On completion, within the meaning of this Agreement, of Item 53, and otherwise in accordance with this Agreement, or at such	\$64,600.00

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Camden Council
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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
120	13	OS 19 (OSR4.3)	Passive open space and recreation	Dedication of 824m ² of embellished passive open space.	later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 54, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$78,280.00
121	13	B9	Water management	Dedication of 1,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 55, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$95,000.00
122	13	RP2	Riparian corridor protection & enhancement	Dedication of 6,000m ² of embellished riparian land.	On the expiration of the Maintenance Period for Item 58.	Nil

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Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
123	13	TL4	Open space corridor and transmission line easement	Dedication of 5,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 59.	Nil
124	13	TL6	Open space corridor and transmission line easement	Dedication of 15,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 60.	Nil
	14	-				
125	15	OS 28 (OSR3.1)	Active open space and recreation	Dedication of a 2.7ha double playing field on a site north of South Creek.	On completion, within the meaning of this Agreement, of Item 61, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$2,565,000.00
126	15	OS 28 (OSR4.2)	Passive open space and recreation	Dedication of 11,518m ² of passive open space.	On completion, within the meaning of this Agreement, of Item 62, and otherwise in	\$1,094,210.00

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Trustees of the Marist Brothers**

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
127	15	OS 33	Passive open space	Dedication of 41,000m ² of embellished passive open space.	accordance with this Agreement, or at such later date as agreed to by Council On completion, within the meaning of this Agreement, of Item 63, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$2,665,000.00
128	15	B3	Water management	Dedication of 3,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 64, and otherwise in accordance with this Agreement, or at such later date as agreed to by Council	\$285,000.00
129	15	RP6	Riparian corridor protection &	Dedication of 43,500m ² of embellished riparian land.	On the expiration of the Maintenance Period for	Nil

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Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
130	15	RP7	enhancement Riparian corridor protection & enhancement	Dedication of 27,500m ² of embellished riparian land.	Item 69. On the expiration of the Maintenance Period for Item 70.	Nil
131	15	TL7	Open space corridor and transmission line easement	Dedication of 12,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 71.	Nil
132	16 17	- TL9	Open space corridor and transmission line easement	Dedication of 7,000m ² of embellished transmission line easement land including cycle/pedestrian/access path.	On the expiration of the Maintenance Period for Item 72.	Nil
133	18 19	- B2	Water management	Dedication of 4,000m ² of water cycle management infrastructure.	On completion, within the meaning of this Agreement, of Item 74, and otherwise in accordance with this	\$380,000.00

Dart West Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
134	20	RP8	Riparian corridor protection & enhancement	Dedication of 57,000m ² of embellished riparian land.	Agreement, or at such later date as agreed to by Council On the expiration of the Maintenance Period for Item 76.	Nil
Monetary Contributions						
135	N/A	N/A	Various	An amount determined by deducting the Contribution Value for all Contribution Items comprising Works (other than Items 14, 24, 28 to 31 inclusive, 34, 46, 47, 52, 58 to 60 inclusive, 69 to 72 inclusive and 76) from the amount that would otherwise be payable by the Developer in respect of the Development, under the CP.	Payment of an amount per lot prior to the issuing of the Subdivision Certificate for each Final Lot created after the 2000 th Final Lot The amount payable per lot will be determined by dividing the value of Item 135 (minus any early cash contributions towards Item 135 made	\$10,499,155.35

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 Camden Council
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 Trustees of the Marist Brothers

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
136	N/A	N/A	Administration	An amount which is one third of the total project management costs allowed for in the CP, in respect of all Items involving Works provided to Council under this Agreement.	by the Developer before the issuing of the Subdivision Certificate for the 2001 st Final Lot) by the number 375. Payment of an amount per lot prior to the issuing of the Subdivision Certificate for each Final Lot. The amount payable per lot will be determined by the following formula: \$N = Balance / L Where \$N is the contribution amount for the 'N'th lot Balance is the amount of Item 136 that remains to be paid at the date of	\$268,638.00

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Camden Council
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Trustees of the Marist Brothers**

Column 1 Item	Column 2 Relevant Stage	Column 3 Identifier on Indicative Staging Plan	Column 4 Public Purpose	Column 5 Description	Column 6 Timing	Column 7 Contribution Value
					calculation (being the value of Item 136 minus any previous cash contributions towards Item 136 before the date of calculation) L is the number of lots for which Item 136 remains to be paid, including the lot the subject of the payment (being 2,375 - N + 1)	

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Dart West Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Execution

Executed as an Agreement

Dated:

Executed on behalf of the Council

General Manager

Witness/Name/Position

Executed on behalf of Dart West Developments Pty Limited in
accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

Attachment 1

Dart West Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Executed on behalf of Trustees of the Marist Brothers. Each attorney signing this document under a power of attorney certifies, by the attorney's signature, that the attorney has no notice of the revocation of the power of attorney.

I certify that the person signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed the instrument in my presence.

Signed, sealed and delivered by the persons named below who signed this instrument on behalf of **Trustees of the Marist Brothers** pursuant to power of attorney dated 12 May 2008 registered with Land & Property Information (NSW) Book 4543 No. 900.

 Witness (Signature)

 Attorney (Signature)

 Name of Witness (Print Name)

 Name of Attorney (Print Name)

I certify that the person signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed the instrument in my presence.

Signed, sealed and delivered by the persons named below who signed this instrument on behalf of **Trustees of the Marist Brothers** pursuant to power of attorney dated 12 May 2008 registered with Land & Property Information (NSW) Book 4543 No. 900.

 Witness (Signature)

 Attorney (Signature)

 Name of Witness (Print Name)

 Name of Attorney (Print Name)

ORD02

Attachment 1

ORD02

Dart West Gregory Hills Planning Agreement
Camden Council
Dart West Developments Pty Limited
Trustees of the Marist Brothers

Appendix

(Clause 51)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Explanatory Note is on the following pages.

Attachment 1

Dart West Gregory Hills Planning Agreement

Explanatory Note

ORD02

Attachment 1

Prepared by:

Camden Council
Dart West Developments Pty Ltd
Trustees of the Marist Brothers

ORD02

Gregory Hills Planning Agreement Explanatory Note

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Attachment 1

Executive summary

Dart West Developments Pty Ltd (**Dart West**) is developing the Gregory Hills estate within the Turner Road Precinct.

When completed, Gregory Hills will be home to about 7,000 people, and include 2,375 dwellings, a local shopping centre and community and recreation facilities.

Dart West, the owner of the land (Trustees of the Marist Brothers) and Camden Council (**Council**) propose to enter into a planning agreement under section 93F of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) to facilitate the provision of local infrastructure to meet the Gregory Hills development.

In summary, the proposed planning agreement requires the developer and land owner to:

- dedicate land to the Council and construct facilities identified in Council's Contributions Plan;
- make 'settle-up' and 'project management' monetary contributions to the Council that can then be used by the Council to deliver other infrastructure included in the Contributions Plan and required by the development;
- embellish and dedicate to the Council over 22 hectares of land within riparian corridors in accordance with Council's Dedication of Riparian Corridors Policy; and
- embellish and dedicate to the Council over 13 hectares of land within high voltage electricity easements (including approximately 4 hectares identified within the Contributions Plan) in accordance with Council's Dedication of Land Burdened by Transmission Easements Policy.

There are considered to be many public benefits that would accrue as a result of the proposed planning agreement, some of which include:

- utilisation of the developers' expertise in infrastructure provision;
- timely completion of many Turner Road Precinct infrastructure items included in the Contributions Plan through the developer delivering the infrastructure at the same time as land is subdivided and developed;
- shifting the infrastructure project risk from Council to the land developer;
- allowing the Council to concentrate its planning effort on other parts of the Turner Road Precinct that will need a more proactive approach to infrastructure provision;
- streamlining contributions arrangements and minimising the resources required by Council to manage development contributions over the life of the development; and
- clarity for the Council and the community on the future development and management of substantial sections of riparian corridors and electricity transmission easements located within the Turner Road Precinct.

There are not considered to be any negative impacts of the proposed planning agreement.

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Attachment 1

Gregory Hills Planning Agreement Explanatory Note

1. Introduction

The Trustees of the Marist Brothers owns the Gregory Hills site. Dart West is currently developing the Gregory Hills site.

The Gregory Hills site is situated in the Turner Road Precinct, which is located in the north east part of the Camden Local Government Area. The Turner Road Precinct will ultimately accommodate around 4,020 new dwellings. The Gregory Hills development will accommodate 2,375 new dwellings, or around 59 percent of the Precinct's planned residential development.

There is a significant amount of local infrastructure that is required to be provided to meet the demands of the urban development expected in the Turner Road Precinct.

Council's Oran Park and Turner Road Precincts Section 94 Contributions Plan (the **Contributions Plan**) addresses the local infrastructure necessary to support future development in the Precinct, including infrastructure planned for the Gregory Hills site.

Dart West, the Trustees of the Marist Brothers and Council propose to enter into a planning agreement under section 93F of the EP&A Act to provide public purposes.

The proposed planning agreement will be a mechanism for implementing the Contributions Plan to the extent that the developer and land owner have an interest in that plan. The proposed agreement will also establish how riparian corridors and transmission easements on the Gregory Hills site will be managed.

This document (the **Explanatory Note**) has been prepared to assist in the public's understanding of the proposed agreement and its impacts, and has been prepared to meet the requirements of Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**).

2. Objectives of the planning agreement

(This matter is required under clause 25E(1)(a) of the EP&A Regulation to be addressed in the Explanatory Note)

The objectives of the proposed planning agreement are as follows:

- To deliver the local infrastructure included in the Contributions Plan insofar as it relates to the Gregory Hills site.
- To ensure that local infrastructure is delivered in a timely manner, harmonising the delivery of public assets with the delivery of subdivided lots for sale.
- To maximise provision efficiencies by supporting the delivery of local infrastructure by the developer at or around the same time as land is subdivided and developed.
- To minimise the potential exposure to Council of infrastructure cost overruns involving Contributions Plan infrastructure situated on the Gregory Hills site.
- To remove the need for piecemeal and incremental calculation of section 94 contributions with every affected development application involving the Gregory Hills site.
- To lock-in the infrastructure program for a large part of the Turner Road Precinct, thereby allowing the Council to concentrate its planning effort on those parts of the Precinct that will need a more proactive approach to infrastructure provision (i.e. smaller landholdings and fragmented ownership areas).
- To provide clarity on the future development and management of the riparian corridors and electricity transmission easements located within the Gregory Hills site.

3. Nature and effect of the planning agreement

(This matter is required under clause 26E(1)(a) of the EP&A Regulation to be addressed in the Explanatory Note)

3.1 Summary

The proposed agreement imposes the following obligations on Dart West and the Trustees of the Marist Brothers:

- Dedicate land and undertake works located on the Gregory Hills site that are identified in the Contributions Plan.
- Make a cash contribution to the Council that is the amount calculated by the following general formula:

<p>The total cash contribution for the Gregory Hills development calculated in accordance with the Contributions Plan</p> <p style="text-align: center;"><i>less</i></p> <p>The total attributable value of the land and works to be provided under the proposed planning agreement (based on the values contained in the Contributions Plan)</p>

- Make a cash contribution to the Council for the purposes of Contributions Plan project management. The contribution amount will be 1/3 of the total project management costs attributable to the open space and recreation, community and transport management facilities to be provided under this agreement.
- Restore and / or embellish riparian corridor and transmission easement land situated within the Gregory Hills site, and dedicate that land to the Council.

3.2 Land and works contributions

Type of provision	Details
Open space and recreation facilities identified in the Contributions Plan (land and works)	<ul style="list-style-type: none"> • One double playing field • One children's playground • One children's play space • One community park / green space • A total open space provision of 18.07 hectares, comprising 3.8 hectares representing the above facilities, and 14.27 hectares representing passive open space.
Community facilities identified in the Contributions Plan (land and works)	One multi-purpose community centre on a site of 1,288m ² .
Transport management facilities identified in the Contributions Plan	<ul style="list-style-type: none"> • One 2 lane water crossing • 2,600 linear metres of shared cycleway along riparian corridors • 6 bus shelters
Water cycle management facilities (land and	A total of 6.2 hectares of land accommodating a network of

Gregory Hills Planning Agreement Explanatory Note

Type of provision	Details
works)	detention and bio-retention facilities that serve the entire development.
Embellished riparian corridor land (land and works)	A total of 22.3 hectares of riparian corridor land embellished and gradually handed over to Council in accordance with its requirements.
Embellished transmission easement land (land and works)	A total of 9.9 hectares of electricity transmission easement land embellished and gradually handed over to Council in accordance with its requirements.

Maps showing the extent and staging of proposed land and works are shown in Schedule 1 of the proposed planning agreement.

Details regarding the staging of these contributions are included in Schedule 3 to the proposed planning agreement.

3.3 Monetary contributions

In the absence of the proposed planning agreement, developers of land in the Gregory Hills site would have been required under development consents to provide to the Council section 94 monetary or land contributions towards the provision of local infrastructure.

The proposed agreement instead requires Dart West and the Trustees of the Marist Brothers to dedicate land and undertake works (or equivalent works) identified in the Contributions Plan.

The difference between the developers' obligations under the Contributions Plan and the value of the land and works to be provided by Dart West and the Trustees of the Marist Brothers will be paid as monetary contributions.

The monetary contributions payable by the developers are shown in Items 21 and 22 of Schedule 3 to the agreement, and may be summarized as follows:

- A total 'settle-up' amount of approximately \$10.2 million determined by deducting the contribution value of all the land and works to be provided by Dart West and the Trustees of the Marist Brothers from the amount that they would otherwise have been required to pay under the Contributions Plan.
- A total 'project management' amount of approximately \$268,000 which is one third of the total project management costs incurred by Dart West in respect of all items involving works to be provided to the Council.

These amounts:

- account for the whole Gregory Hills development and account for surpluses related to contributions made under recent development consents and recently negotiated works-in-kind agreements; but
- have been indexed to CPI as of September 2011.

Both settle-up and project management cash contributions will be used by the Council to deliver other infrastructure required by the development and included in the Contributions Plan, or another public purpose if the Council considers that the public interest would be better served by applying the contribution towards that other purpose.

Details regarding the staging of the payment of these amounts are included in Schedule 3 to the agreement.

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Gregory Hills Planning Agreement Explanatory Note

3.4 Inclusion of riparian corridors and lands burdened by transmission easements

In addition to the Contributions Plan items, the proposed planning agreement is to include the rehabilitation, embellishment and hand over of land within riparian corridors and areas burdened by transmission easements.

Council has adopted policies that require the merits of transferring these types of land to be assessed against a range of criteria, before it considers whether to accept responsibility for such lands.

An analysis of the developers' offer of riparian corridor land against Council's Dedication of Riparian Corridors Policy is included as Attachment A.

An analysis of the developers' offer of transmission easement land against Council's Dedication of Land burdened by Transmission Easements Policy is included as Attachment B.

These analyses show how these lands integrate with the wider planning objectives for the Precinct. The Gregory Hills site's riparian corridor and transmission easements lands will support achievement of the Precinct's:

- environmental conservation objectives;
- visual amenity objectives;
- passive recreation and pedestrian and cycle access; and
- water cycle management planning objectives.

Attachment 1

4. Merits of the planning agreement

(This matter is required under clause 25E(1)(b) of the EP&A Regulation to be addressed in the Explanatory Note)

The merits of the proposed planning agreement are evident in:

- its promotion of the public interest (Part 4.1 of the Explanatory Note);
- its promotion of the Council's charter (Part 4.2);
- its delivery of planning purposes (Part 4.3);
- its delivery of Council's works program (Part 4.4); and
- its provisions require developer commitments to be provided prior to the issue of certificates (Part 4.5).

4.1 Promotion of the public interest

(This matter is required under clause 25E(2)(a) of the EP&A Regulation to be addressed in the Explanatory Note)

The public benefits to be secured by this planning agreement will flow from the achievement of the planning agreements' objectives (refer to Part 2 of the Explanatory Note).

Significant efficiencies will be achieved through the agreement by allowing Dart West and the Trustees of the Marist Brothers both:

- greater involvement in the timing and scope of the Contributions Plan infrastructure items that affect their development; and
- the ability to coordinate the concurrent roll-out of urban lots and local infrastructure.

The expected efficiencies, together with anticipated public benefits of the proposed agreement, are described below:

- The entering into a proposed planning agreement would continue the cooperative approach to infrastructure provision has already been initiated through Council's approval of Gregory Hills Stage 1A works in kind agreement, and Council's agreement to accept responsibility for a section of riparian corridor land ('Tributary 1') abutting Stage 1A.
- The agreement relieves Council of the project risk associated with the provision of local infrastructure on the Gregory Hills site. Any cost overruns, rather than being met by the Council or other developers in the Contributions Plan area, would be met by Dart West.
- The agreement is likely to result in, over the development life, a significant reduction in the resources required by the parties to calculate and administer development contributions associated with the development.
- The agreement allows the Council to concentrate its planning effort on those parts of the Precinct that will need a proactive approach to infrastructure provision. Small landowners comprise a small, yet not insubstantial, portion of the Turner Road Precinct development. By entering into the agreement Council is relieved of the obligation of delivering infrastructure in Gregory Hills (which is more ably delivered by the developers) and can instead focus on providing infrastructure in locations where it is less likely that developers would directly provide that infrastructure.

Gregory Hills Planning Agreement Explanatory Note

- The Gregory Hills riparian corridor land comprises significant environmental value and is also integral to the achievement of the Precinct's pedestrian and cycle access and water cycle management planning objectives. Appropriate arrangements for the sustainable ongoing management of the riparian corridors are therefore in the interests of the wider community. The planning agreement addresses these matters. A specific analysis of the merits of the proposed dedication of riparian land (as well as electricity easement land) to the Council is included in the Attachments to this Explanatory Note.

There are various provisions in the proposed planning agreement relating to the implementation of the agreement that protect and uphold the public interest. These include the following:

- Under clause 7.5 of the agreement the Council has discretion in the way it may apply contributions it receives under the agreement.
- Provisions (including clauses 18 and 21) requiring the developer to repair and make good works or rectify defects in works provided under the agreement.
- Under clause 35 of the agreement Dart West is required to prepare, at least annually, a report detailing the performance of its obligations under this Agreement; and the Council is to keep a written register of the development contributions made by Dart West under the agreement.
- Various provisions relating to security including:
 - (i) Where the developer proposes a deferral of work (clause 11 of the agreement);
 - (ii) Provision of a security amount covering the outstanding contributions obligations under the agreement (clause 25); and
 - (iii) Compulsory acquisition of land by Council for a nominal amount in the event the land is not dedicated at the time required under the agreement (clause 33).

4.2 Promotion of the Council's charter

(This matter is required under clause 25E(2)(d) of the EP&A Regulation to be addressed in the Explanatory Note)

A planning agreement should promote elements of the Council's charter, which is established under section 8 of the Local Government Act 1993.

It is considered that the proposed planning agreement would further a number of elements of the charter, as shown below:

Element of the Council's charter (section 8 of the Local Government Act 1993)	How does the agreement promote the element?
To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.	<p>This element is embedded in the purposes and objectives of the proposed planning agreement. That is:</p> <ul style="list-style-type: none"> • the proposed agreement will be the subject of community input prior to its consideration by the Council; • the services and facilities to be provided reflect the objectives of the Contributions Plan and the Council's Dedication of Riparian Corridors and Dedication of Land burdened by Transmission Easements Policies; and • the proposed agreement includes arrangements for the staged handover of completed facilities following a developer-sponsored maintenance period.

Gregory Hills Planning Agreement Explanatory Note

Element of the Council's charter (section 8 of the Local Government Act 1993)	How does the agreement promote the element?
To exercise community leadership.	<p>The proposed agreement:</p> <ul style="list-style-type: none"> • Secures the means of providing local infrastructure to meet the needs of a major development in one of Camden's key growth areas. • Taps into and applies the expertise offered by land developers towards providing substantial public benefits for the future Turner Road Precinct community. • Together with other similar agreements that have been negotiated, establishes Camden Council as an innovative facilitator of greenfield urban development schemes.
To promote and to provide and plan for the needs of children.	<p>The proposed agreement provides for the delivery of various facilities focused on the needs of children, including various sports facilities, a playgrounds and a play space, cycleways, natural areas for exploring, and a multi-purpose facility.</p>
To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.	<p>The development site's more significant natural areas include its extensive riparian corridors. It is considered the optimum long term management regime for most of the riparian corridor land will be achieved if the land is embellished and dedicated to Camden Council in accordance with its standards, specifications and policies.</p> <p>As a result, over 22 hectares of the development site's riparian corridor lands are proposed to become public assets under the proposed agreement.</p> <p>Response to ESD principles:</p> <ul style="list-style-type: none"> • The precautionary principle, inter-generational equity; and conservation of biological diversity and ecological integrity: Proposed agreement supports natural areas being retained, protected and integrated into the development scheme. • Improved valuation, pricing and incentive mechanisms: Proposed agreement establishes a framework whereby infrastructure users are accountable for the provision of that infrastructure; allows earlier provision of the infrastructure (by the developer) than would be the case with 'business as usual'; and allows the most efficient means of delivering that infrastructure (i.e. by the developer).
To have regard to the long term and cumulative effects of its decisions.	<p>The development has a life of at least 10 years. The proposed agreement sets out a framework for the efficient delivery and sustainable ongoing management of a substantial amount of public infrastructure on the development site.</p> <p>The agreement would relieve Council of the project risk associated with the provision of local infrastructure on the development site and allows the Council to concentrate its planning effort on other parts of the</p>

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Gregory Hills Planning Agreement Explanatory Note

Element of the Council's charter (section 8 of the Local Government Act 1993)	How does the agreement promote the element?
To bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible.	Turner Road Precinct that will need a proactive approach to infrastructure provision. The proposed agreement includes provisions placing asset maintenance obligations on the developers for a period after the works are completed. The proposed agreement also includes appropriate asset handover and defects liability provisions.
To engage in long-term strategic planning on behalf of the local community.	The proposed agreement spans at least a 10 year time frame, assuring the long-term provision and management of public assets and infrastructure.
To exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights.	The proposed agreement creates spaces and places for public interaction and provides facilities for the delivery of public services to the local community.
To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants.	The proposed agreement includes the payment of monetary contributions to the Council for its management of infrastructure projects and for the provision of other Turner Road Precinct infrastructure not proposed to be delivered under this agreement. The monetary contribution amounts reflect the total value of the balance of the infrastructure needs that will not be provided directly by the developer.

4.3 Planning purposes and the objects of the EP&A Act

(This matter is required under clause 25E(2)(a), (c) and (e) of the EP&A Regulation to be addressed in the Explanatory Note)

The planning purposes served by the planning agreement can best be addressed by reference to the objects of the EP&A Act.

It is considered that this planning agreement would further each of the following objectives of the EP&A Act:

Objective of the EP&A Act (section 5)	How does the agreement promote the objective?
To encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.	The proposed agreement provides a basis for the comprehensive management of the delivery of the local infrastructure requirements of the Gregory Hills development. The proposed agreement also establishes land use management arrangements for the site's riparian corridor lands and electricity easements lands.
To encourage the promotion and co-ordination of the orderly and economic use and development of land.	Orderly development of land is encouraged by (through the agreement) establishing a basis whereby local infrastructure is delivered at or around the same time as surrounding development.

Gregory Hills Planning Agreement Explanatory Note

Objective of the EP&A Act (section 5)	How does the agreement promote the objective?
To encourage the provision of land for public purposes.	The proposed agreement includes provision of around 55 hectares of land for public purposes.
To encourage the provision and co-ordination of community services and facilities.	The proposed agreement will sustain provision and coordination of local infrastructure (which includes, community, open space, recreation, transport management and water cycle management facilities) delivered at or around the same time as surrounding development. Additionally, the proposed agreement would result in some of the facilities planned for the Turner Road Precinct development (for example, the community centre and sports fields) occurring sooner than would have been achieved with a business-as-usual approach.
To encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats.	Refer to comments on ecologically sustainable development in Part 4.1.2.
To encourage ecologically sustainable development	Refer to comments on ecologically sustainable development in Part 4.1.2.

4.4 Conformity with Council's works program

(This matter is required under clause 25E(2)(f) of the EP&A Regulation to be addressed in the Explanatory Note)

By adopting the Oran Park and Turner Road Precincts Section 94 Contributions Plan, Council effectively adopted the works included in that plan into its long term works program.

The proposed agreement is a vehicle for the Council to complete a significant part of its Turner Road Precinct works program in a more timely and efficient fashion.

4.5 Requirements to be complied with before a certificate is issued

(This matter is required under clause 25E(2)(g) of the EP&A Regulation to be addressed in the Explanatory Note)

Schedule 3 of the agreement contains details of when contributions of land, works or money are to be met by the developers.

The Schedule states that land will be required to be dedicated, works will be required to be completed, and cash contributions will be required to be paid before the issue of a Subdivision Certificate for stages of development. If the developer seeks the issue of a Subdivision Certificate prior to the completion of these works, Clause 11 of the planning agreement requires the payment of security against the value of the incomplete works within the relevant stage.

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Attachments

Attachment A	Dedication of Riparian Corridors Policy Assessment
Attachment B	Dedication of Land burdened by Transmission Easements Policy Assessment

Attachment 1

Attachment A

Dedication of Riparian Corridors Policy Assessment

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Attachment 1

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Attachment 1

Offer to enter into a Voluntary Planning Agreement for the
Embellishment and Dedication of Riparian Corridors in the
Gregory Hills development



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Summary

The developer of the Gregory Hills site, Dart West Developments Pty Ltd, proposes to dedicate riparian corridor land as public open space to Camden Council.

The developer considers that effective long-term management of the riparian corridors land on the site will be achieved if the land is appropriately embellished and is dedicated to Camden Council in accordance with its standards, specifications and policies. Council's Riparian Corridors Policy states that the Council and the developer should enter into a Voluntary Planning Agreement (VPA) under section 93F of the Environmental Planning and Assessment Act 1979 to enable this to occur.

This document constitutes the formal submission, in accordance with the provisions of 'Camden Council Policy 1.18 Dedication of Riparian Corridors' (**Riparian Corridors Policy**).

The proposal is generally as follows:

- The developer will rehabilitate / embellish the riparian corridor lands to Council's satisfaction.
- The developer will maintain those lands for a period of 5 years following the completion of the embellishment works.
- The developer seeks Council approval for the transfer / dedication of the lands to Council after that period.

The subject riparian corridors are lands in and adjacent to both South Creek and one of its tributaries (this tributary shall be referred to in this document as Tributary 2).

Council has already approved acceptance of the dedication of Tributary 1 in the same site, from the developer, pursuant to the provisions of the Riparian Corridors Policy. The proposal contained in this document reflects the Tributary 1 proposal, however relates to the remaining Gregory Hills riparian corridor lands.

The riparian areas of the site integrate with the water cycle management and open space networks established in the section 94 contributions plan for the Turner Road Precinct. No credit is being sought in relation to section 94 contributions as a result of the proposed dedication of the riparian corridor land.

The Gregory Hills site includes substantial linear areas of riparian corridor land that can integrate with the existing linear electricity transmission easements into a public pedestrian and cycle access network. A separate submission is being prepared that proposes the dedication of these transmission easements pursuant to the relevant Council policy.

This document:

- sets out the proposal to enter into a VPA regarding riparian corridors land;
- outlines Council's policy framework for the dedication of such land and in doing so, framing the case for the Council to agree to enter into the VPA; and
- responds to the specific requirements contained in that policy as they relate to the VPA offer.

Inquiries regarding the proposal should be directed to the developer's General Manager, Property (Mr David Taylor).

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Council's Policy Framework

Council's Riparian Corridors Policy establishes "the terms and conditions upon which Council will consider proposals to accept dedication of riparian corridor land to Council".

In the 'Policy Statement' (p3), it is stated that:

Camden Council may accept riparian corridor land as public open space only where community and environmental benefits are adequately demonstrated, such as:

- *Protection of significant environmental features of the land;*
- *Recognition of cultural landscapes;*
- *Retention of significant view lines;*
- *Use of an appropriate Community purpose, such as cycle/ walkway, passive open space, environmental education etc.;*
- *Providing linkages between areas of open space that are unencumbered by the riparian corridor at regular intervals along the corridor.*

The Riparian Corridors Policy then states that:

The onus will be on the proponent to demonstrate that any proposal to dedicate a riparian corridor to Council complies with this Policy, in particular with regard to demonstrating that the on-going costs and activities for Council of managing and maintaining the land will be minimal.

The proposal to dedicate riparian land to Council is consistent with Council's plans for the Turner Road Precinct, and considered critical in achieving a high quality release area development.

Dedication of completed and embellished riparian corridors land to Council will:

- allow the land to be held and managed "in single ownership and as a continuous corridor" in accordance with objective (4) of Clause 6.1 of the Turner Road Precinct Development Control Plan 2007 (**Turner Road DCP**);
- provide for the protection of significant remnant vegetation identified in Figure 22 of the Turner Road DCP;
- form a significant portion of the site's open space network as illustrated in Figure 16 of the Turner Road DCP;
- allow for its use for appropriate community purposes, such as pedestrian and cycle ways as identified in Figure 14 of the Turner Road DCP and included as Transport Management Facilities in the Oran Park and Turner Road Precincts Section 94 Contributions Plan (**OPTR s94 Plan**);
- provide linkages between ten (10) passive and active open space areas identified in the OPTR s94 Plan; and
- complement the water cycle management facilities proposed to serve the Turner Road Precinct development and included in the OPTR s94 Plan.

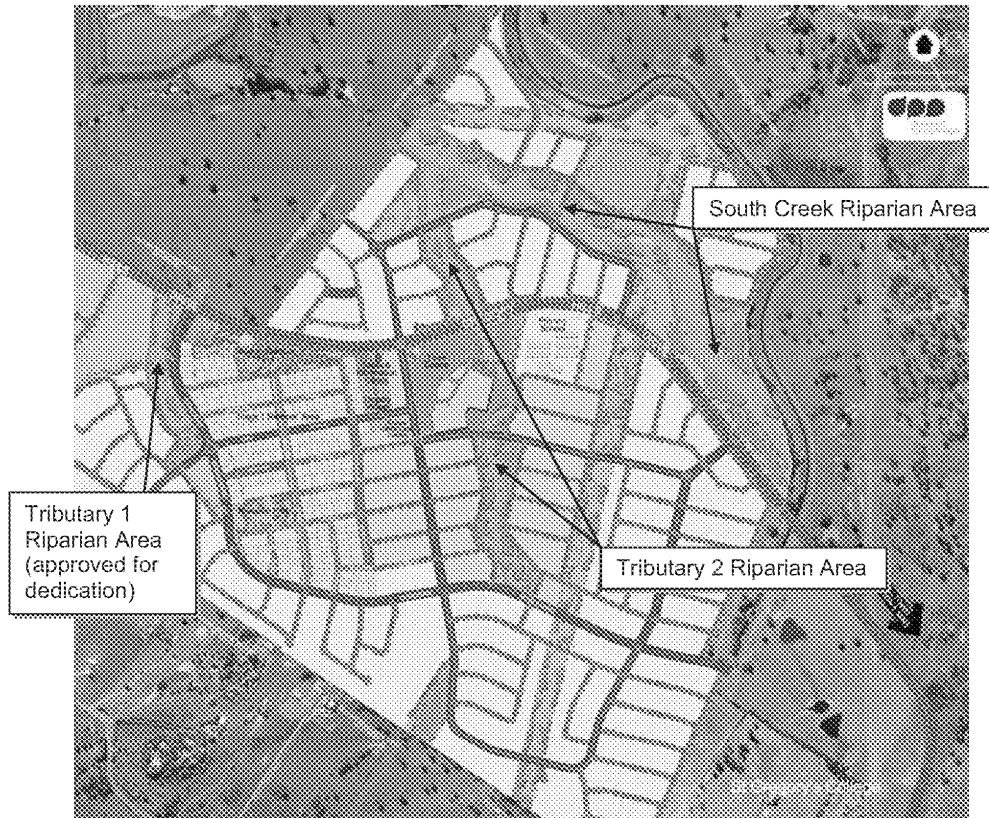
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Assessment of Offer against Council's Policy

Identification of land

Figure 1 shows the location of the riparian land that comprises part of the Gregory Hills master plan, and which is proposed to be dedicated to the Council.

Figure 1 Land to be dedicated to Council



A detailed map and a schedule identifying the areas of these lands (by development stage) are included as an attachment to the Gregory Hills Planning Agreement Proposal prepared by Dart West Developments Pty Ltd.

Consultation

The policy provides that in circumstances where a Waterfront Land Strategy has been prepared there is no need to consult with the Department of Environment, Energy and Climate Change.

The Oran Park and Turner Road Waterfront Land Strategy was gazetted on 17 July 2009 in Government Gazette No. 105. Accordingly, the developer intends to consult only with Camden Council.

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Community and environmental benefits

The community and environmental benefits that are expected to result from having the riparian land being maintained in single ownership by a public authority are identified in Table 1.

Table 1: Community and environmental benefits

Benefit	Description
Passive surveillance of corridor land from streets and open spaces	<p>Single public ownership is consistent with the public Street Network Plan included as Figure 5 in the Turner Road DCP.</p> <p>The plan shows sub arterial roads, collector roads and local streets directly abutting the riparian corridors for most of their length. These roads will be public land. Where not interfacing public roads, the corridors interface the planned public open space network.</p> <p>The only major private land interface with the riparian corridor shown on the DCP is on the eastern side of the local neighbourhood centre.</p>
Supports the delivery of the section 94 contributions plan	<p>Single public ownership will facilitate the delivery of linear public amenities and services identified in the OPTR s94 Plan, especially pedestrian and cycle paths, which in turn provide linkages between many of the proposed open space areas included in that plan.</p> <p>Without the land being held in public ownership the pedestrian and cycle paths may need to be accommodated on adjoining public roads. This would potentially reduce the safety and amenity of these public facilities.</p>
Integral to the planned open space network; Sustainable transport	<p>Further to the above point, and despite its exclusion from the section 94 plan, it is plain that the riparian corridor land on the site is critical to the planned recreation network for Turner Road Precinct.</p> <p>The riparian corridor forms part of an integrated open space and recreation network across Gregory Hills and linking to adjacent areas to the east, north, west and south.</p> <p>It provides the means for future residents to safely navigate through various parts of the Precinct and its facilities (and beyond to Scenic Hills, Oran Park, Harrington grove and Smeaton Grange) using non motorised transport means.</p>
Improved community health outcomes	<p>The attraction of an extensive pedestrian / cycle way network would likely result in high levels of public use, and contribute to improved community health outcomes.</p>
Improved water quality; Conservation of catchment ecological values	<p>Single public ownership will more readily allow the land to be managed as a single coherent system so as to protect the remnant vegetation and other environmental features.</p> <p>The multiple-ownership alternative is likely to yield inconsistent (and therefore inferior) conservation outcomes that, ultimately, will lead to a substandard riparian corridor in the upper reaches South Creek.</p> <p>If riparian systems in the upper reaches of the system are not satisfactorily managed, this will have negative cumulative effects throughout the Growth Centre precincts downstream of the site.</p> <p>Council ownership would enable perpetual protection of a corridor which Dart West is in the process of restoring from its historic agricultural use. This would have consequent short and long term environmental improvements arising from the removal of stock from the corridor, thereby enabling re-establishment of a range of native fauna and flora, which in turn will deliver improved water quality outcomes.</p>
Conservation of	<p>The Turner Road DCP (Figure 19) identifies a discreet Aboriginal archaeological</p>

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Benefit	Description
archaeological heritage	conservation area in the riparian corridor land in the eastern section of the South Creek riparian corridor land. The riparian corridor will be a key cultural marker for the future community of Gregory Hills. Single public ownership will more readily allow the protection and ongoing management of conservation area
Environmental education	Creation of the riparian corridor as a cohesive environmental unit will be assisted by provision of interpretive signage that described and celebrated the corridor's ecological and archaeological values.
Bushfire protection	Single public ownership will more readily allow the establishment of appropriate Asset Protection Zones (APZ) for the purposes of bushfire hazard management, in accordance with clause 6.6 of the Turner Road DCP and ongoing management of those APZ by public authorities without unnecessary interference.
Safeguard view corridors	Single public ownership will more readily allow the retention of significant view corridors and reduce the potential of unauthorised clearing of natural vegetation.

For these reasons, it is considered that single public ownership is the preferred approach and this is consistent with the objective (4) of Clause 6.1 of the Turner Road DCP, which states:

To manage riparian corridors, wherever possible, in single ownership and as a continuous corridor.

Consideration of other ownership options

There are two broad ownership paradigms available for riparian land. That is, they can be held in single ownership as public land or, in multiple ownership by each of the adjoining land-holders. Although multiple-ownership could reduce the public cost, at least for the short term, it would be less likely to achieve the significant community and environmental benefits that the land potentially offers.

Table 2 examines these options.

Table 2: Other ownership options

Option	Comments
Incorporation into rear of private housing lots	Much of the corridor adjoins planned local open space or planned local subdivision roads in accordance with the Turner Road DCP. Location of planned open space and roads prevents lots being located to incorporate corridor in private ownership. The OPTR s94 Plan establishes that Council will be managing numerous parcels of public open space adjoining the Turner Road Precinct riparian corridors. A seamless interface between these areas is appropriate on public amenity and environmental conservation grounds. The pedestrian and cycleway network in the OPTR s94 Plan is focused entirely on the riparian corridors. While the network could be achieved through individual private lots (say through creation of a right of public access), the amenity of that facility is likely to be compromised by the likely variable commitment to maintenance of the corridor by those owners.

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Option	Comments
Incorporation into a major development with substantial frontage to the corridor	<p>The following possible opportunities were considered:</p> <ul style="list-style-type: none"> • The local neighbourhood centre development. • Land in the vicinity of the local neighbourhood centre along the Tributary 2 riparian corridor may in the future be developed for a Seniors' Living development. <p>There are drawbacks to limiting the transfer of corridor to public ownership in these cases.</p> <p>In the case of the neighbourhood centre site:</p> <ul style="list-style-type: none"> • it is likely that only one side of the corridor could be managed in private hands, leaving other parties being responsible for the other side of the watercourse. This piecemeal outcome would likely lead to unsatisfactory environmental conservation outcomes; and • it is doubtful whether a local retail centre proprietor would result in satisfactory ongoing management of the adjoining riparian corridor. <p>Larger seniors living developments are established on sites of several hectares in size. A single development site of this size may be able to absorb and manage a section of the Tributary 2 riparian corridor in walking distance of the neighbourhood centre. However, no operator wishing to develop a seniors site in this location has yet been identified. In keeping with prudent development practice, it is also Dart West's intention to not 'lock-in' a particular development outcome and keep development options for this later development area as flexible as possible.</p>
Single ownership by a non-Council entity	<p>No environmental trust or other non-government organisation has expressed interest in the land and the developer understands that, with limited resources, such organisations would focus on more significant or higher profile projects. The situation with government departments and authorities reflects the same shortage of resources.</p>

Information in Table 2 suggests that while in theory certain sections of the riparian corridor could be managed by private landowners, in practice such an arrangement likely to result in an unsatisfactory outcome for Council, the community, or the developer, or all of these.

Dart West submits that the maximum community and environmental benefits associated with the riparian corridors can only be achieved by public ownership, but understands that Council and the community will be concerned at the ongoing costs of accepting this responsibility.

As the riparian land will emulate as closely as possible the native vegetation communities, it is considered that these areas should, in large part, be self-managing in terms of the landscape and ecosystem. Costs that are contemplated would relate to managing the human impacts of the surrounding urban environment (for example, rubbish dumping, companion animals). The private ownership alternative would still mean human impacts would need to be managed, but by private interests instead of the Council. Private land owners would have varying levels of interest in maintaining riparian areas and it is quite likely that a costly and cumbersome system of compliance would result from implementation of a private ownership model (for example, by formal orders and other legal means initiated by the Council).

Dart West has obtained costs of managing riparian land for Council's consideration of this issue. The following information has been provided by Mr Steven House, Director, Eco Logical Australia:

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- For bush regeneration maintenance average costs recorded in places like Harrington Grove are in the order of \$2,000 / ha / annum – i.e. \$0.20 per square metre.
- Creeks tend to be more expensive due to water availability, higher nutrients and edge effects from the urban environment, i.e. about \$0.50 per square metre. This would equate to one person hour per 100 square metres per annum (@\$50/hr). This is sufficient to undertake spot spraying of weeds and minimal hand removal.
- Prices would reduce from these rates over the long term.

Other terms and conditions

The following table identifies from the Riparian Corridors Policy the terms and conditions of Council's acceptance of the riparian land into public ownership that have not already been dealt with, and comments on the compliance of this proposal with those terms and conditions.

Term or condition	Comment regarding compliance
No Section 94 credits will be granted relating to the land or to any embellishments proposed upon the land (unless a portion of the land is approved for a use associated with a Section 94 facility, e.g. open space, cycle way, road crossing, drainage).	<p>The developer proposes to provide the following works within or affecting the riparian areas as identified in the section 94 contributions plan:</p> <ul style="list-style-type: none"> • pedestrian paths/ cycleways; • water cycle management facilities. <p>The developer intends to obtain a contributions offset for these works.</p> <p>No other monetary section 94 contribution offsets are sought as part of the proposed dedication and embellishment of riparian corridors land.</p>
Development adjoining the corridor must be designed in accordance with Safer by Design principles (such as through the provision of perimeter roads, landscape design that maintains sight lines and lighting appropriate to the intended use).	The developer does apply the Safer by Design principles in its design of open space and adjoining land. Much of the adjoining development is public roadways and so generally provides high levels of surveillance. Council will have the opportunity during the assessment of each application in relation to the staged hand over of riparian corridor land to provide further advice or guidance as necessary to ensure such principles are implemented.
The developer will pay for the maintenance costs of the land for a minimum period of five years from the date of practical completion of the embellishment works, or such longer period as is required to achieve the outcomes stated in the Vegetation Management Plan (VMP) for the land. However, the land may be dedicated to Council at an earlier time, when it is agreed that the outcomes stated in the VMP for the land have been achieved (but no less than 2 years from the commencement of the maintenance period) subject to the continued funding of the minimum 5 year maintenance period by the developer.	<p>The developer is prepared to meet the full cost of maintenance of the riparian corridor land for a period of five years from the date of practical completion of the embellishment works.</p> <p>A VMP will be prepared by the developer, for approval by Council, as part of the DA for adjoining subdivision of land. The VMP will provide the relevant statement of outcomes and performance measures to ensure that these outcomes are achieved.</p> <p>Opportunities for early handover will be considered at a later stage once restoration works are complete and maintenance is underway.</p>
The land will be dedicated in a staged fashion corresponding with the staging of development	The developer agrees to the staged dedication of riparian corridor land to align with the adjoining

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Term or condition	Comment regarding compliance
adjacent to the riparian corridor; dedication will not be accepted despite the above provisions, until the adjoining land has been developed.	development.
The land will be landscaped in a manner that considers salinity impacts and minimises bushfire risk.	Salinity and bush-fire risk will be considered in the preparation of (and subsequent iterations of) the VMP, including in the choices of plant species.
The land will be landscaped or otherwise embellished in consultation with Council and in a manner that will ensure minimal on-going maintenance and management costs and in accordance with the requirements of an approved Vegetation Management Plan for the land.	The developer will adhere to the requirement by specifying suitable landscaping and other embellishments consistent with a passive recreation and riparian environment. The developer will coordinate with Council's landscaping, recreation and environmental sustainability professionals prior to lodging development applications for the work.
NOTE: The subject land and any proposed embellishments must be provided at no cost to Council as negotiated through a Voluntary Planning Agreement (VPA) process.	The developer agrees to this approach subject to section 94 contribution offsets being granted for the cycleway and water cycle management works that are identified in the section 94 contributions plan and that are within the riparian corridors.
NOTE: Council may modify or add to the above general terms and conditions having regard to the circumstances of each case.	Noted, although it would be considered more appropriate to incorporate any additional requirements within the provisions of the VMP.
NOTE: Council encourages innovative management and maintenance solutions, including offers of joint or developer-funded maintenance for an appropriate period post dedication of land.	The developers are happy to discuss any alternative or additional management options that are suggested by the Council for the riparian corridors lands, provided it is consistent with the principle of single public authority management.
NOTE: Acceptance of land in accordance with this policy will be at the sole discretion of Council.	Noted.

Works schedule

The Riparian Corridors Policy provides, in addition to the general terms and conditions, the following requirements:

The proponent is to provide (in the approved Vegetation Management Plan and Draft Plan of Management for the land) a schedule of works with a cost estimates for all components of the works for the ongoing management and maintenance of the land.

Any riparian corridor proposed to be dedicated to Council must be designed, constructed and maintained in accordance with the relevant Vegetation Management Plan approved for the subject land and in accordance with all relevant conditions of development consent for works on the subject land.

The schedule of works and estimate of ongoing costs will be provided in the relevant VMP as part of the development application for the subdivision of adjoining land.

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Conclusion

This submission represents a formal application by Dart West on behalf of the Trustees of the Marist Brothers for Council to accept ownership of the Tributary 2 and South Creek riparian lands. Dart West recognises that the application will lead to further discussion with Council.

Dart West is committed to the implementation of a significant proportion of the Turner Road Precinct development over the long term. This commitment:

- is comprehensive and covers both private land and the public infrastructure networks necessary to sustain a high quality of life for the future residents; and
- has been demonstrated by the high quality of infrastructure completed for Stage 1A of the Gregory Hills development.

The developer seeks to sustain the infrastructure delivery partnership with Council by entering into a VPA with the Council addressing all local infrastructure requirements on the Gregory Hills site, including the ongoing use, ownership and management of land in riparian corridors.

There is a significant public interest in achieving satisfactory outcomes for these lands. The riparian lands adjacent to South Creek and Tributary 2 are integral to the achievement of the Turner Road Precinct's environmental conservation, pedestrian and cycle access, open space and recreation, and water cycle management objectives.

Appropriate and sustainable ongoing management of the riparian corridors of Turner Road Precinct, including the gradual handover of these areas to the Council with appropriate maintenance commitments, is considered to be the optimum outcome for the future Turner Road Precinct community.

It is considered that this proposal is consistent with Council's Riparian Corridors Policy, and is the optimum management model to best achieve the Policy Statement.

The proposal to have the Council own and manage the land would:

- deliver long term protection of significant environmental features of the land, as well as assist in conservation outcomes further downstream in South Creek;
- assist in the retention of significant view lines and in the management of bushfire risk, than if the land was retained in private ownership;
- represent the most appropriate means of conserving significant archaeological heritage features on the site;
- result in the land being used for a range of worthwhile community purposes, including being part of a wider integrated cycle/walkway and passive open space network and, through its prominent location, it will contribute to environmental education;
- provide linkages between planned areas of open space in the Turner Road Precinct that are unencumbered by the riparian corridor; and
- have net community benefits in terms of sustainable transport, community health and environmental education outcomes.

Dart West recognises that the Policy requires it to prepare a Plan of Management under the Local Government Act for the land proposed to be dedicated. Dart West will commence this work after further discussion with Council about this application, including

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being provided with guidance by Council as to the requirements of the Plan of Management.

Accordingly, the developer seeks Council's in-principle endorsement of the proposal to dedicate riparian corridors land to the Council.

Attachment 1

Attachment B

**Dedication of Land burdened by Transmission Easements
Policy Assessment**

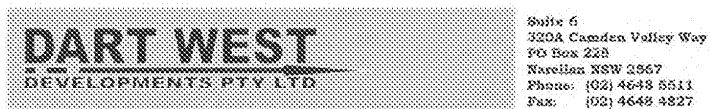
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Attachment 1

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Attachment 1

Offer to enter into a Voluntary Planning Agreement for the
Embellishment and Dedication of Land burdened by
Transmission Easements in the Gregory Hills development



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Summary

The developer of the Gregory Hills site, Dart West Developments Pty Ltd, proposes to dedicate land burdened by transmission easements as public open space to Camden Council.

The developer considers that effective long-term management of the land will be best achieved if the transmission easements that traverse the site are embellished as a new 'linear park' in accordance with Council's standards, specifications and policies, and then dedicated to the Council after a suitable maintenance period. Council's Transmission Easements Policy states that the Council and the developer should enter into a Voluntary Planning Agreement (VPA) under section 93F of the Environmental Planning and Assessment Act 1979 to enable this to occur.

This document also constitutes Dart West's formal submission in accordance with the provisions of 'Camden Council Policy 1.19 Dedication of Land Burdened by Transmission Easements' (**Transmission Easements Policy**).

The proposal is generally as follows:

- The developer will create the linear park along the transmission easement lands to Council's satisfaction.
- The developer will maintain those lands for a period of 5 years following the completion of the embellishment works.
- The developer seeks Council approval for the transfer / dedication of the lands to Council after that period.

There are two transmission easements passing through the site and they intersect at the northern edge of the site, adjacent to the main active recreation facility (playing fields) planned for the Turner Road Precinct.

The proposed linear park will provide for a substantial expansion of the open space network in Gregory Hills; provide the opportunity for public car parking to support the active recreation uses; and also extend the pedestrian/ cycleway networks established in the section 94 contributions plan for the Precinct. No credit is being sought in relation to section 94 contributions as a result of the proposed dedication of the transmission easement land, apart from those areas identified for acquisition and embellishment under the contributions plan.

The proposed linear park complements, and would integrate with, substantial linear areas of riparian corridor land that is within the Gregory Hills site. A separate submission will be made proposing the dedication of these lands pursuant to the relevant policy.

This document:

- sets out the proposal to enter into a VPA regarding transmission easements land;
- outlines Council's policy framework for the dedication of such land and in doing so, framing the case for the Council to agree to enter into the VPA; and
- responds to the specific requirements contained in that policy as they relate to the VPA offer.

Inquiries regarding the proposal should be directed to the developer's General Manager, Property (Mr David Taylor).

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Council's Policy Framework

Council's Transmission Easements Policy establishes "the terms and conditions upon which Council will consider proposals to accept dedication of land burdened by transmission easement land to Council".

In the 'Policy Statement' (p3), it is stated that:

Camden Council may accept land burdened by transmission easements as public open space only where community and environmental benefits are adequately demonstrated, such as:

- *Recognition of cultural landscapes;*
- *Retention of significant view lines;*
- *Protection of significant environmental features of the land;*
- *Use for an appropriate community purpose, such as cycle/ walkway, a dog off-leash area, car parking, native plant nursery, community garden etc;*
- *Providing linkages between areas of open space that are unencumbered by the power easement at regular intervals along the easement corridor.*

The policy then states that:

The onus will be on the proponent to demonstrate that any proposal to dedicate land burdened by a transmission easement to Council complies with this Policy, in particular with regard to demonstrating that the on-going costs and activities for Council of managing and maintaining the land will be minimal.

The proposal to dedicate transmission easements land to Council is consistent with achieving a high level of residential design and amenity enunciated in development plans and policies prepared for the Turner Road Precinct.

The proposal comprises part of an overall plan for a single entity (i.e. Council) to manage the site's open space, riparian lands and easement lands.

Dedication of completed and embellished transmission easement land will:

- provide for a well-located and extensive addition to the Precinct's access and movement network, thereby significantly enhancing the permeability, interconnectedness and convenience of the network. This is consistent with the objectives of clause 3.1 of the Turner Road Precinct Development Control Plan 2007 (**Turner Road DCP**);
- allow for its use for appropriate community purposes, such as pedestrian and cycle ways along the entire easement length, car-parking areas to support the sports fields, recreational activities such as dog off-leash areas, viewing and seating spaces and a public art project to support the creation of a local (i.e. Gregory Hills) identity. These will be in addition to works identified in the Oran Park and Turner Road Precincts Section 94 Contributions Plan (**OPTR s94 Plan**);
- create new linkages between planned community facilities on the site including, for example, between the new public school and the proposed sports fields; and
- create a significant expansion of the site's open space network compared to that illustrated in Figure 16 of the Turner Road DCP at no further capital cost to Council.

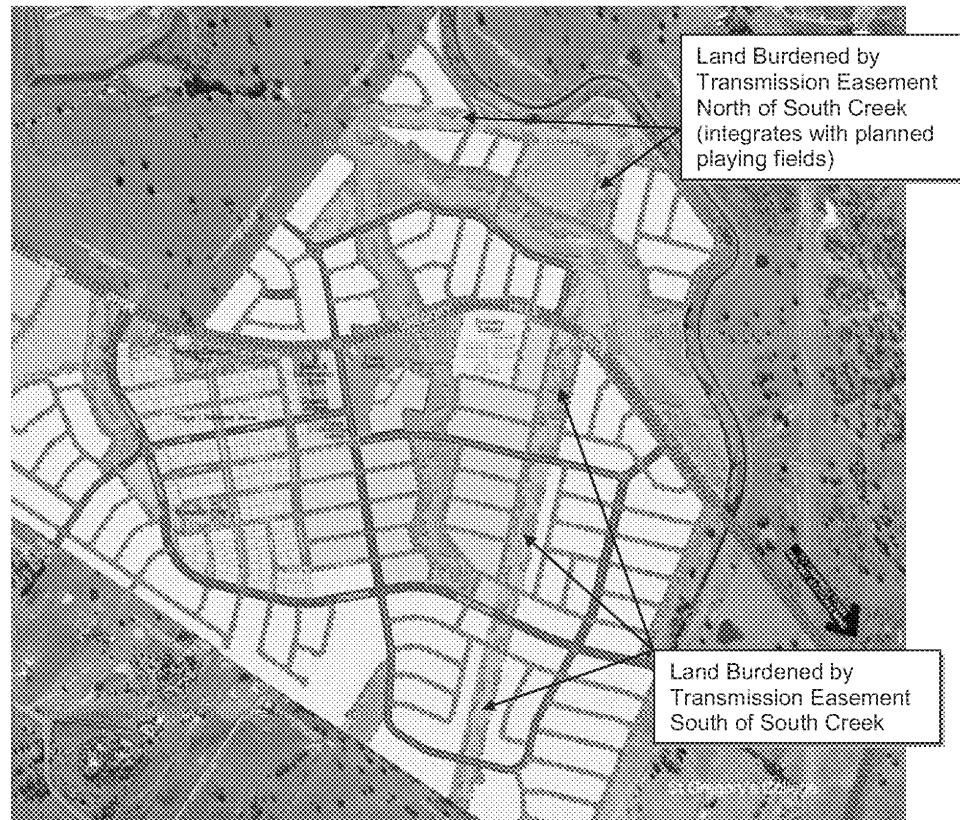
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Assessment of Offer against Council's Policy

Identification of land

Figure 1 shows the location of the electricity transmission easement land that comprises part of the Gregory Hills master plan, and which is proposed to be dedicated to the Council.

Figure 1 Land to be dedicated to Council



A detailed map and a schedule identifying the areas of these lands (by development stage) are included as an attachment to the Gregory Hills Planning Agreement Proposal prepared by Dart West Developments Pty Ltd.

Concept plans

Preliminary concept plans and indicative images for the landscaping and embellishment of the transmission easements and the creation of the linear park are attached to this submission.

Features of the proposed treatment of the lands include:

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- continuous and direct pedestrian and cycle connection between the southern residential areas and the proposed Turner Road playing fields;
- integration with pedestrian and cycle ways proposed for the riparian corridors, including provision of at least one crossing of South Creek not envisaged in the OPTR s94 Plan;
- provision of opportunities for passive surveillance by positioning local roads as an interface between the transmission easement and residential dwellings; and
- provision of dog off leash areas, public art elements, and a southern lookout.

Consultation

The Transmission Easements Policy provides that the proponents shall consult with Camden Council and the relevant energy companies with regard to the use, embellishment, ownership and management of the land burdened by the transmission easement. The relevant energy company is TransGrid.

The concept design of the easement embellishments have taken account of commonly used / best practice guidelines in the treatment of transmission easement lands, that is:

- ISSC 3 - Industry Safety Steering Committee, NSW; Guideline for Managing Vegetation Near Power Lines (Integrating Community, Safety and Environmental Values); December 2005
- Integral Energy - Tree Management Plan; June 2007
- SP AusNet - A Guide to Living with Transmission Line Easements; February 2007
- SP AusNet - Easement Use: Planting on Easements; February 2007

Formal consultation with TransGrid is proposed to take place during the development application preparation process, following in-principle agreement to continue VPA negotiations to dedicate easement lands to Council.

Community and environmental benefits

The community and environmental benefits that are expected to result from having the easement lands being maintained in single ownership by a public authority are identified in Table 1.

Table 1: Community and environmental benefits

Benefit	Description
Passive surveillance of easement land from streets and open spaces	<p>Single public ownership is consistent with the public Street Network Plan included as Figure 5 in the Turner Road DCP.</p> <p>The plan shows local and collector roads and planned open space directly abutting the easements for most of their length. These roads will be public land. Where frontage roads are not shown, the master plan can readily be modified to ensure all easement lands have a public land interface.</p> <p>The arrangement of houses fronting onto these roads, and the public use of the open space lands, creates the opportunity for public use of the easement lands, and therefore passive surveillance of the lands.</p>
Increased value of and access to the local	<p>Single public ownership would, through creation of a major linear park, maximise the amount of publicly accessible open space and also the maximum range of additional facilities such as pedestrian and cycle paths, car-parking areas to support the sports</p>

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Benefit	Description
open space network	fields, recreational activities such as dog off-leash areas, viewing and seating spaces and public art.
Supports the delivery of the section 94 contributions plan	A portion of the transmission easement land is identified for acquisition and embellishment as part of the OPTR s94 Plan (i.e. land adjacent to the playing fields in the north east part of Gregory Hills. Additionally, the provision of further pedestrian and cycle ways will significantly enhance the OPTR s94 Plan network (based on the riparian corridors) in the eastern side of the Turner Road Precinct.
Fully integrated with the planned open space network; Sustainable transport	The easement lands, with embellishment for passive and pedestrian / cycle way purposes, will form part of a comprehensive and integrated open space and recreation network across Gregory Hills and linking to adjacent areas to the east, north, west and south. It therefore enhances the opportunities for future residents to safely navigate through various parts of the Precinct and its facilities (and beyond to Scenic Hills, Oran Park, Harrington grove and Smeaton Grange) using non motorised transport means.
Improved community health outcomes	The attraction of an extensive pedestrian / cycle way network would likely result in high levels of public use, and contribute to improved community health outcomes.
Safeguard view corridors	Single public ownership would create an internal view corridor south to north and north to south through the release area unimpeded by fencing and other structures that may detract from the views and the general experience of the facilities provided on the land. At its southern extent, provision will also be made for a public place for residents to obtain views toward Mount Annan to the south and to Scenic Hills area generally.
Conservation of catchment ecological values	Single public ownership would allow for the protection of significant environmental features of the Turner Road Precinct landscape by providing additional connections between riparian corridors and internal pocket parks, where established Cumberland Plain Woodland species have been retained. This allows for increased pollinator activity across and through the site through significant plantings of endemic vegetation within the transmission easement. This was an objective of the initial 'LVIA – Landscape Visual Impact Assessment, 2005' prepared by the Growth Centres Commission, NSW; and one of the key recommendations of the future planning of Gregory Hills.
Reduced cost to community over the longer term	Single public ownership will more readily allow the land, together with riparian lands and other Council owned public open space, to be managed as a single coherent network. In Dart West's view, this would significantly reduce the overall cost to the community when compared to the establishment of parallel management systems by different organisations.

Dart West is of the view that these benefits, together with the absence of a suitable and viable alternative ownership model (discussed below), suggest a strong case for Council's future ownership and management of all of the transmission easement lands within the Gregory Hills site.

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Attachment 1

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Consideration of other ownership options

The OPTR s94 Plan establishes that Council will own and manage numerous parcels of public open space adjoining the land burdened by transmission easements in the Turner Road Precinct, including the playing fields facility north of South Creek.

In fact, the OPTR s94 Plan provides for over 4 hectares of electricity transmission easement land adjacent to the playing fields to be acquired and embellished by Council. There is therefore no argument about the future ownership model for this portion of the easement land. The proposed VPA will enable realisation of this part of the OPTR s94 Plan to be achieved.

Apart from the above land, there are two broad ownership paradigms available for the easement land. That is, the land can be held in single ownership as public land or in multiple ownership by each of the adjoining land-holders. Although multiple-ownership could reduce the public maintenance cost, at least for the short term, it would be less likely to achieve the public benefits that the land potentially offers.

Table 2 examines alternative ownership models.

Table 2: Other ownership options

Option	Comments
Incorporation into rear of private housing lots	<p>Possible for that section of the easement land in the north of the Gregory Hills site (i.e. west of the playing fields); and easement land south of Gregory Hills Drive; to be developed for large-lot residential development in accordance with the R1 zoning.</p> <p>The positive aspects of this approach are that provides for a different house product for the area (i.e. large lots well in excess of 2,000m²), and avoids the public having to be responsible for the maintenance of the land. The negative impacts of this approach are mainly visual with the location of numerous boundary fences situated perpendicular to the easement line likely to provide an inferior urban outcome.</p> <p>Compounding the likely negative visual impact is that this form of use of the easements is a 'wasted opportunity' for the local community. The public single ownership model is the only one that can realistically provide all of the community and environmental and community benefits described previously in this submission.</p>
Incorporation into a major development with substantial frontage to the corridor	<p>The following possible opportunities were considered:</p> <ul style="list-style-type: none"> • A higher density housing development on land south east of the local neighbourhood centre. • A seniors living development. <p>The first of these options was discounted as the market for such development is likely to involve sites no larger than 5,000m². Such development would result in similar outcomes to those envisaged for detached housing lots above.</p> <p>Larger seniors living developments are established on sites of several hectares in size. A single development site of this size may be able to absorb and manage a section of the transmission easement corridor. The market for developing such a site encumbered by a transmission easement is untested, but is likely to be extremely limited.</p> <p>This option is therefore unlikely to be viable.</p>
Single ownership by a non-Council entity	<p>TransGrid enjoys the benefits of access to the easement which is all that it requires to maintain the transmission line. No non-government organisation has expressed</p>

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Option	Comments
	interest in the land nor is likely to.
	Single ownership by a non-Council entity is therefore not viable.

Dart West submits that the maximum community and environmental benefits associated with the easement lands can only be achieved by public ownership, but understands that Council and the community will be concerned at the ongoing costs of accepting this responsibility.

The concept plans included in the attachments show minimal embellishment of the space and low-maintenance native vegetation planting. Dart West has only recently commenced Gregory Hills development and does not have the experience that Council would have in maintenance cost matters. Dart West would therefore seek advice from Council's open space asset managers on their estimate for maintaining passive parks with similar planting and embellishment to that proposed in the easement lands.

Other terms and conditions

The following table identifies from the Transmission Easements Policy the terms and conditions of Council's acceptance of the easement land into public ownership that have not already been dealt with, and comments on the compliance of this proposal with those terms and conditions.

Term or condition	Comment regarding compliance
No Section 94 credits will be granted relating to the land or to any embellishments proposed upon the land (unless a portion of the land is approved for a use associated with a Section 94 facility, e.g. car parking for a sports field, subject to the concurrence of the energy company).	The developer will only seek section 94 contribution offsets that part of the easement land identified for acquisition and embellishment as open space in the OPTR s94 Plan. No offsets will be sought for other easement lands.
The land will be additional to the normal open space requirements and will not be permitted to be used for the primary components of the section 94 facilities (i.e. not for sports fields or play grounds but may be used for car parking) and shall not reduce the total area of land to be dedicated under the plan.	Noted and agreed. It is intended to expand both land and facilities associated with passive open space embellishments only (such as seating and public art).
Development adjoining the easement must be designed in accordance with Safer by Design Principles (such as through the provision of perimeter roads, landscape design that maintains sight lines and lighting appropriate to the intended use and opportunities to provide passive surveillance).	The developer does apply the Safer by Design principles in its design of open space and adjoining land. Much of the adjoining development is public roadways and so generally provides high levels of surveillance. Council will have the opportunity during the assessment of each application to provide further advice or guidance as necessary to ensure such principles are implemented.
The developer will pay for the maintenance costs of the land for a minimum period of five years from the date of practical completion of the embellishment works, or such longer period as is required to achieve the outcomes for the land. However, the land may be dedicated to Council at an earlier time, when it is	The developer is prepared to meet the full cost of maintenance of the transmission easement land for a period of five years from the date of practical completion of the embellishment works. Further development of the concept plans will assist in providing a statement of outcomes and performance

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Attachment 1

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Term or condition	Comment regarding compliance
agreed that the outcomes for the land have been achieved (but no less than 2 years from the commencement of the maintenance period) subject to the continued funding of the minimum 5 year maintenance period by the developer.	measures to ensure that these outcomes are achieved. Opportunities for early handover will be considered at a later stage once works are complete and maintenance is underway.
The land will be dedicated in a staged fashion corresponding with the staging of development adjacent to the easement corridor. Dedication will not be accepted despite the above provisions, until the adjoining land has been developed.	The developer agrees to the staged dedication of transmission easement land to align with the adjoining development.
The land will be landscaped or otherwise embellished in consultation with Council and in accordance with the requirements of the relevant energy companies.	Upon receipt of, in principle, advice from Council that it will accept ownership of the easement lands, the developer proposes to refer this plan, concept designs and a draft Plan of Management (PoM) to TransGrid to gain their general concurrence. Once that is obtained the developer will further develop the draft PoM as necessary and provide any relevant details to fully articulate the proposal.
The land will be landscaped in a manner that considers salinity impacts and minimises bushfire risk.	Salinity and bush-fire risk will be considered in the preparation of the relevant concept details, including in the choices of plant species.
The design and embellishment must ensure minimal on-going maintenance and management costs.	Noted and agreed. Preferred species and landscape design approaches incorporated into the concept plans are low maintenance cost solutions. The suitability of public art installations and passive open space embellishments can be the subject of further discussion with Council officers.
Drainage of the land is designed to Council's satisfaction and to ensure no detrimental impacts on private property or usable open space land.	Noted and agreed.
NOTE: The subject land and any proposed embellishments must be provided at no cost to Council as negotiated through a Voluntary Planning Agreement (VPA) process.	The developer agrees to this approach subject to section 94 contribution offsets being granted for the land and works that are identified in the OPTR s94 Plan.
NOTE: Council may modify or add to the above general terms and conditions having regard to the circumstances of each case.	Noted.
NOTE: Council encourages innovative management and maintenance solutions, including offers of joint or developer-funded maintenance for an appropriate period post dedication of land.	The developer is happy to discuss any alternative or additional management options that are suggested by the Council for the easement lands, provided it is consistent with the principle of single public authority management.
NOTE: Acceptance of land in accordance with this policy will be at the sole discretion of Council.	Noted.

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Works schedule

The policy provides, in addition to the general terms and condition, the following detailed requirements:

"The proponent is to provide (in the Draft Plan of Management for the land) a schedule of works with a cost estimate for all components of the works for the ongoing management and maintenance of the land."

The draft PoM (currently in preparation) will identify the various management issues and provide a recommendation as to how these can be addressed. A draft landscape maintenance timetable will also comprise part of the draft PoM.

As stated previously, the ongoing management regime for the space would resemble that of other passive parks in the LGA. Dart West submits that Council's asset managers would have access to comprehensive data on costs of maintenance for these spaces.

Conclusion

Dart West is committed to the implementation of a significant proportion of the Turner Road Precinct over the long term. This commitment:

- is comprehensive and covers both private land and the public infrastructure networks necessary to sustain a high quality of life for the future residents; and
- has been demonstrated by the high quality of infrastructure completed for Stage 1A of the Gregory Hills development.

The developer seeks to sustain the infrastructure delivery partnership with Council by entering into a VPA with the Council addressing all local infrastructure requirements on the Gregory Hills site, including the ongoing use, ownership and management of land burdened by transmission easements.

There is significant public interest in ensuring quality design and planning outcomes for these lands are achieved, and that poor design and visual outcomes are avoided.

At the same time there are significant opportunities for public use and enjoyment of the land. The transmission easement lands represent a great opportunity to enhance the liveability of Turner Road Precinct by the creation of an outstanding 'linear park'.

It is considered that this proposal is consistent with Council's Transmission Easements Policy and is the optimum management model to best achieve the Policy Statement.

The proposal to have the Council own and manage the land would:

- implement the OPTR s94 Plan in so far as the areas surrounding the proposed playing fields is concerned;
- represent a valuable and worthwhile addition to the other public infrastructure being provided on the Gregory Hills site;
- enhance the quantity and quality of open space in the area, and substantially improve the access and movement networks, particularly in the south eastern part of the Turner Road Precinct;
- have much less negative visual impact than the likely alternative development; and

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- have net community benefits in terms of sustainable transport, and community health outcomes.

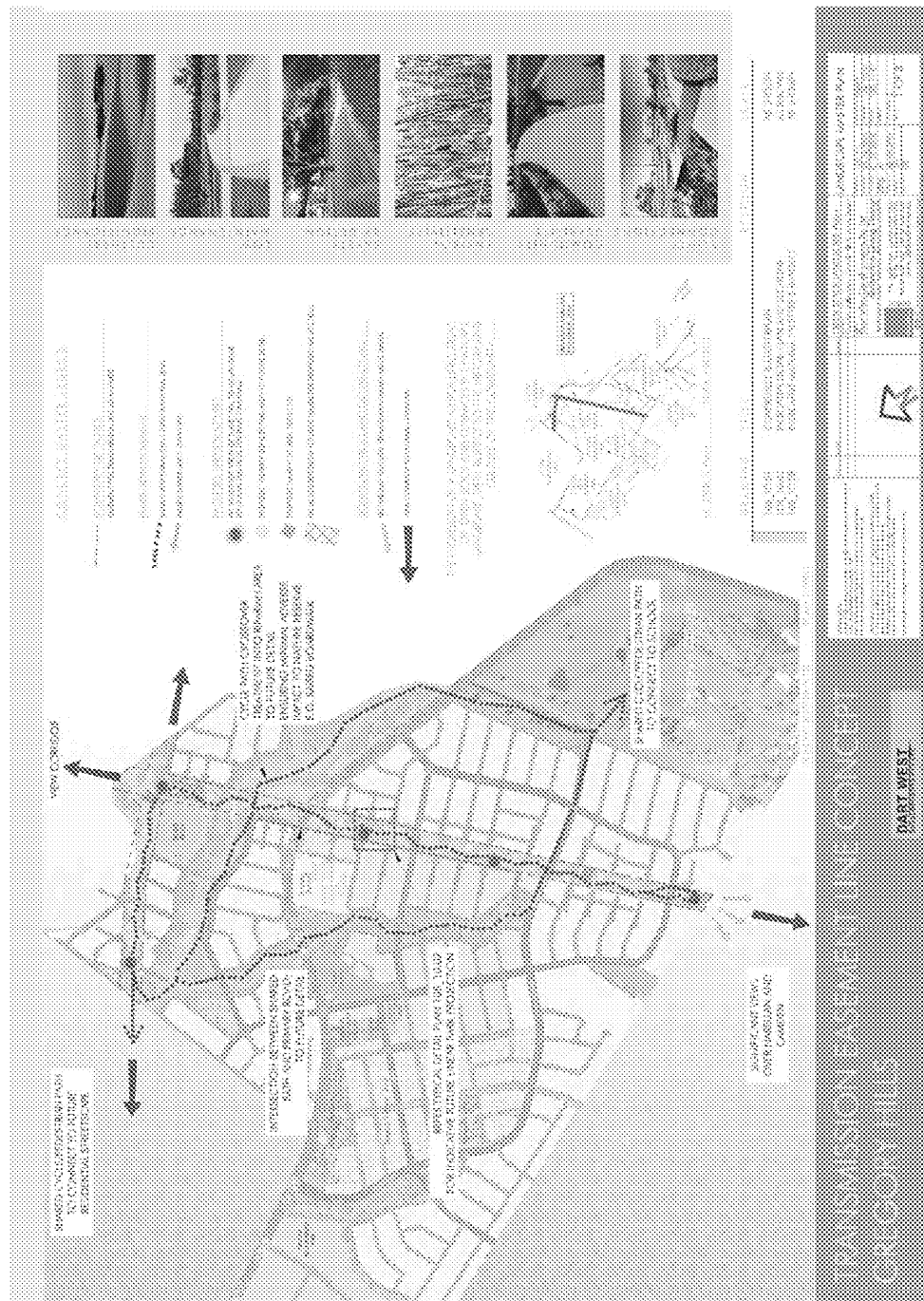
Appropriate and sustainable ongoing management of the transmission easements land at the Gregory Hills site, including the gradual handover of these areas to the Council with appropriate maintenance commitments, is considered to be the optimum outcome for the community.

Accordingly, Dart West seeks Council's in-principle endorsement of its proposal to dedicate transmission easements land to the Council.

Attachments

Preliminary concept plans and images

Attachment 1



Attachment 1

ORD02



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: KIRKHAM PLANNING PROPOSAL - AMENDMENT 9

FROM: Director Governance

BINDER: Amendment No. 9 Kirkham

PURPOSE OF REPORT

The purpose of this report is to consider a Planning Proposal for land situated at Lot 1 in DP 882365 and Lot 1 in DP 554326 Macquarie Grove Road, Kirkham. The Planning Proposal is **shown as Attachment 1 to this report**

BACKGROUND

Council previously considered a planning proposal on this land for a 15 lot subdivision layout at its meeting of 23 November 2010 where it resolved not to proceed with the proposal.

The applicant then resubmitted the original planning proposal on 27 June 2011. This was presented to a Councillor Workshop held on 27 September 2011. Following this workshop, the applicant amended the proposal to a 13 lot subdivision layout.

This was then presented to a Councillor Workshop on 28 February 2012. The applicant has now withdrawn the original 13 lot layout and has resubmitted the original 15 lot layout for consideration.

MAIN REPORT

The subject site is currently zoned RU1 Primary Production which has a minimum lot size of 40ha. The proponents are seeking a R5 Large Lot Residential zoning with a minimum lot size of 4000m².

The site has an area of approximately 8 ha and is currently vacant, except for a recently constructed two storey house in the south east corner. The site is currently not used for agricultural purposes and may not be suitable for any significant agriculture or grazing as the zoning intends. The land immediately east of the site, the estate known as Kirkham Meadows has a minimum lot size of 4000m². Other rural residential lots in close proximity to the subject site also have a minimum lot size of 4000m². While residential land in the vicinity has a minimum lot size of 800m².

Previously, a number of Kirkham Meadows residents have had concerns about the proposed development on this site. The concerns of these residents included: drainage with related safety and water quality issues; building footprints and setbacks; height of dwellings with related privacy impacts; impacts on rural character; and over development.

A drainage assessment has been undertaken and previously reported to Council at its meeting of the 23 November 2011. This drainage assessment is **shown in Attachment 2** to this report. This assessment was reviewed by Council officers. In summary, this assessment considered a 15 lot subdivision layout that would drain across easements already created through lots on Kirkham Meadows. Both pre and post development situations were considered. Above average rainfall and average

rainfall events were used in assessing drainage. The assessment shows that any impact on drainage from the development can be mitigated by detention on the new development lots through rainwater tanks and rain gardens. The assessment also shows these treatment measures will ensure Council water quality objectives are met.

It is important to note that the indicative 15 lot subdivision layout was used only for the purposes of the drainage assessment. It is not conclusive that the development will include this indicative subdivision layout. Any subdivision layout will need to be assessed as a Development Application (DA) and should not be assessed as part of a Planning Proposal.

All other previously mentioned resident concerns could be assessed during the LES stage or through a site specific DCP which will be developed if the Planning Proposal receives Council and Gateway Determination to proceed.

A range of issues were also identified during a previous rezoning application process. These are: heritage; contamination; service provision; bushfire risk; aircraft noise; visual analysis; access; and vegetation. The proponent has previously submitted reports assessing some of these issues and these can be **provided in CD format if requested**. These reports are sufficient for this stage of the Planning Proposal process. Further assessment of these reports and any remaining issues will be required as part of the LES process if Council and Gateway Determination to proceed is received.

The previously submitted reports include

- Access - Road Safety Audit of Macquarie Grove Road (site access) – Transport & Urban Planning;
- Contamination - Stage 1 Environmental Site Assessment – Environmental Investigations Australia;
- Vegetation - Arboriculture Assessment Report – Horticultural Management Services.
- Visual analysis and Heritage - Visual Impact Assessment – Richard Lamb & Associates;

Previously internal assessment of the above reports has been undertaken by Council officers. Comments from these assessments include:

- Access to the site - it is believed that traffic impacts will be minimal and that the traffic generated by the development can be satisfactorily absorbed into the current traffic flows. However further assessment needs to be undertaken at the submission of a DA for any subdivision layout for the site;
- Contamination – 5 Areas of Concern (AECs) were identified in the Phase 1 Assessment. One additional location needs to be included as an AEC. Where contamination is identified a suitable Remediation Action Plan (RAP) would be required. Salinity and acoustic assessments will also be required if Council and Gateway Determination to proceed is received;
- Vegetation – while an assessment of the vegetation on the site was extensive, an assessment of the trees along Macquarie Grove Road needs to be undertaken. This should occur if Council and Gateway Determination to proceed is received;
- Visual Analysis – while a preliminary assessment has been undertaken of this report, a more comprehensive assessment will need to be undertaken if Council and Gateway Determination to proceed is received. A heritage analysis will also need to be undertaken at this time.

In addition to these comments it is important to note that previously the RL90 line has been used as a default tool to protect the hills in Camden. However, a detailed assessment of the specific site and surrounds would appear to be a more comprehensive and practical way to address this issue. This will occur if Council and Gateway Determination to proceed is received.

If Council resolves to proceed with the Planning Proposal, it will be sent to DPI for Gateway Determination. If there is Gateway Determination to proceed the following studies will need to be undertaken:

- Phase 2 Contamination Assessment
- Heritage Analysis
- Acoustic Study
- Salinity Study
- Development Control Plan (DCP)

It is estimated that these studies and internal Council assessment of them would take approximately 6 months. Once these studies have been undertaken the Planning Proposal and studies should be public exhibited for 28 days. The Office of Environment and Heritage, RMS should also be consulted at this time. As part of Gateway Determination other public agencies may be required to be consulted.

It is acknowledged that Council had previous concerns regarding the rezoning of this property. Council, at its meeting of the 23 November 2010 resolved to not proceed with a previous Planning Proposal on the subject land.

CONCLUSION

Applications for rezoning of this site have been submitted over a number of years. Studies for various issues have also been submitted during this time, including a drainage assessment for an indicative 15 lot subdivision layout. Should Council resolve to proceed to Gateway Determination further studies would need to be undertaken if Gateway Determination is received. A site specific DCP would also need to be developed to prescribe building footprints, setbacks and height of dwellings

RECOMMENDED

Council reaffirm its decision of 23 November 2010.

ATTACHMENTS

1. Planning Proposal
2. Drainage Assessment

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**CAMDEN COUNCIL
PLANNING PROPOSAL**

Amendment No. 9 - Kirkham

**Land Situated at Lot 1 in DP 882365 & Lot 1 in DP 554326
Macquarie Grove Road, Kirkham**

Attachment 1



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Annexure A – Section 117 Compliance Checklist

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Attachment 1

Kirkham Planning Proposal - Amendment 9

Executive Summary

OVERVIEW

The purpose of this Planning Proposal is to rezone land at Lot 1 DP 882365 and Lot 1 DP 554326 Macquarie Grove Road from RU1 Primary Production to R5 Large Lot Residential. The RU1 zoning does not reflect the use of the land as it is unsuitable for primary production and if used for this purpose would potentially conflict with residential development adjoining the site.

In brief, this report seeks an amendment to LEP 2010 to reflect future development aspirations of the owners to develop the land generally for large lot residential development. Under Camden LEP 2010, Council has maintained the same zoning that previously applied under LEP 48, but reflecting the zones under the Standard Template and accordingly an RU1 (Primary Production) applies, basically to reflect the status quo, although it is noted that some parts of the land were zoned Rural 1(c) under LEP 48, with a minimum subdivision standard of 4000m².

In October 2008, a submission was made to Council requesting that Council give consideration to rezoning the land for 4000m² subdivision standard under LEP 48.

Council originally considered the rezoning of the land on 24 March 2009 and resolved to proceed to prepare a draft LEP, LES and DCP, and provided information to support the proposal.

On 7 September 2009 Council received notification from DoPI under S54 to proceed with the rezoning process.

At the Council meeting of 22 September 2009, the Council considered the submission and the report recommended that:

- i. Council note the advice from the Department of Planning which allows the preparation of a draft LES, LEP & DCP to proceed for Lot 1 DP 882365 and Lot 1 DP 554326 to consider rezoning the land to permit a Rural 1(c) zone for rural residential development, subject to matters raised by the Department of Planning being addressed.
- ii. Council reaffirm its intention to proceed with the preparation of draft LES, LEP & DCP.
- iii. The draft LES, LEP & DCP be reported back to Council prior to proceeding to public exhibition to seek further direction.

A drainage study was undertaken of the proposed development and submitted to a Councillor workshop in November 2010. Following the workshop a report was submitted to the Council meeting of 23 November 2010. There was no recommendation provided to the Council. Subsequently, the Council resolved not to support the rezoning proposal.

The intention of the planning proposal is to allow the lands to be developed in a form or manner compatible with the site's context and that within the immediate area.

SCOPE OF REPORT

This Report has been prepared in accordance with the NSW Department of Planning's (DoP) documents 'A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals' and the abovementioned Practice Note. These documents require the Planning Proposal to be provided in four (4) parts, being:

- Part 1 – A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP
- Part 3 – The justification for those objectives, outcomes and provisions and the process for their implementation
 - Section A – Need for Planning Proposal
 - Section B – Relationship to strategic planning framework
 - Section C – Environmental, social and economic impact

Kirkham Planning Proposal - Amendment 9

- Section D – State and Commonwealth interests
 - Part 4 – Details of the community consultation that is to be undertaken on the Planning Proposal.

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Attachment 1

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Attachment 1

Kirkham Planning Proposal - Amendment 9

The Subject Lands

LAND DESCRIPTION

The subject land is described as Lot 2 in DP 882365 and Lot 1 in DP 554326 Macquarie Grove Road, Kirkham, located in the Camden Local Government Area. The site is currently zoned RU1 Primary Production.

CONTEXT

Legal access to the site is from Macquarie Grove Road and also from The Meadows via existing gates. An aerial photograph in Figure 1 shows the context of the site to adjoining properties. The subject property is located opposite land zoned for general residential purposes, as part of the Mater Dei lands. These lands were recently rezoned from E4 Environmental Living to R2 - Low Density Residential to permit a seniors living proposal.

In terms of services, the subject property has all utility services available, including sewer.

The subject land is located within the suburb of Kirkham. This suburb is well-established in terms of housing, with development mainly on 4000m² parcels of land. Macquarie Grove Road is a local collector road within the Council road hierarchy and provides access between Camden and Cobbitty and links to Camden Valley Way via Kirkham Lane.

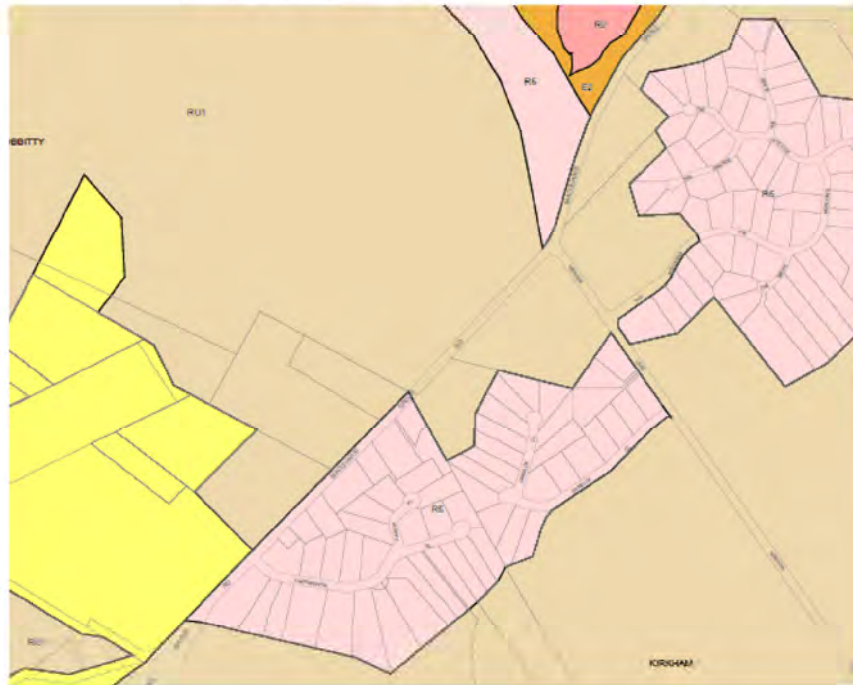
In terms of roads, Camden Valley Way is a regional road with two travelling lanes. Camden Valley Way links Camden with Liverpool to the north. Further to the north, this road changes to a sub-arterial road and is being upgraded due to development within the urban release areas of Oran Park and Gregory's Hills.

FIGURE 1 - LOCATION OF SUBJECT SITE - AERIAL PHOTO



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FIGURE 2 – CURRENT ZONING OF LAND UNDER LEP 2010

**Part 1 – Statement of Objectives or Intended Outcomes**

This Planning Proposal has the express purpose of facilitating the rezoning of the land from RU1 Primary Production to R5 Large Lot Residential.

The stated objectives or intended outcomes are as follows:

To enable the subdivision of Lot 2 in DP 882365 and Lot 1 in DP 554326 Macquarie Grove Road, Kirkham as R5 – Large Lot Residential.

Such zoning is in line with the lands immediately adjoining the subject land.

Part 2 – Explanation of Provisions

It is proposed by this proposal to rezone the subject land under LEP 2010 from RU1 Primary Production to R5 – Large Lot Residential. The objectives of the proposed zone are as follows:

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

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- To minimise conflict between land uses within the zone and land uses within adjoining zones.

The objectives of this Planning Proposal are to be achieved by amending selected Camden LEP 2010 maps. The following maps will require amendment under this proposal:

1. Zoning Map:
 - Sheet LZN_008
2. Minimum Lot Size Map
 - Sheet LSZ_008
3. Height of Building Map
 - Sheet HOB_008
 - This change should be to 5 metres (c)

Attachment 1

Kirkham Planning Proposal – Amendment 9

Part 3 – Justification Overview

SECTION A – NEED FOR THE PLANNING PROPOSAL

IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT

The Planning Proposal is not a result of any strategic study or report. The Planning Proposal seeks to rezone an area zoned RU1 Primary Production to R5 Large Lot Residential.

The site has an area of approximately 8 ha and is currently vacant, except for a recently constructed two storey house in the south east corner. The site is not used and may not be suitable for any significant agriculture or grazing as the current zoning intends. The land immediately east of the site has a minimum lot size of 4000m². Other rural residential lots in close proximity to the subject site also have a minimum lot size of 4000m². Residential land across the road has a minimum lot size of 800m². The land is located close to Camden Town Centre and other centres.

Much of the growth that will occur in Camden over the next few years will be on smaller lots with some medium density. Therefore it is considered any small infill rural residential development is appropriate to balance influx of smaller lot development.

When last surveyed in 2009 there were a total of 104 vacant existing rural residential lots (4000m²) in the Camden Local Government Area, with a potential for an additional 100 lots. However many lots cannot be developed because of current issues (eg lots affected by odour from adjoining poultry farms). At the time of survey of these lots Camden was achieving approximately 20 dwellings per year take up of the 4000m² land. However this is dependent upon a variety of factors such as location of the land and marketing.

The land at Kirkham, which is the subject of this proposal, has potential for 15 lots. There are only a handful of vacant lots on the adjoining rural residential estate and it is expected that demand for this land will be higher than other 4000m² areas.

No specific areas were identified for development in Camden's Residential Strategy because of the level of growth identified in the MDP Program and the South West Growth corridor. This strategy focussed on issues that Camden is facing now and will face in the future because of the level of this growth. However certain recommendations within the strategy can be applied to rural residential or large lot residential development. These recommendations are:

- *Supporting a greater distribution of diverse housing in appropriate locations through a review of the LEP and DCP controls;*
- *That Council, when considering any applications for rezoning of land to permit rural residential or large lot residential development, have regard to the on going viability of Camden's rural landscapes and economy.*

Notwithstanding the above, a number of studies have been undertaken of the subject site in respect of the following:

- *Drainage assessment – Storm Consulting*
- *Road safety audit of Macquarie Grove Road (site access) – Transport & Urban Planning*
- *Stage 1 Environmental Site Assessment – Environmental Investigations Australia*
- *Visual Impact Assessment – Richard Lamb & Associates*
- *Arboricultural Assessment Report – Horticultural Management Services*

Each of these reports provided investigation of the site and will, if Gateway Determination to proceed is received, form part of a package of studies of the site.

IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

It is considered that the Planning Proposal provides the best way of achieving the objectives as the approach is site specific. This will be achieved through the amendments to the LEP maps outlined above.

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Attachment 1

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IS THERE A NET COMMUNITY BENEFIT?

The following **Table 1** addresses the evaluation criteria for conducting a "net community benefit test" within the Draft Centres Policy (2009), as required by the guidelines for preparing a PP.

TABLE 1 – COMMUNITY BENEFIT CRITERIA

Evaluation Criteria	Y/N	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	N/A	N/A
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	N	The subject Site is not identified within a key strategic centre and corridor.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landowners?	N	The proposed rezoning is unlikely to create a precedent within the locality or change the expectations in respect of the land. Council has rezoned lands within the immediate area to permit a seniors living proposal.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	All other spot rezonings before Council in the Camden Local Government Area generally comply with Council's strategic direction.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	N	The proposal will not create employment.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	N	The proposal will create alternative lots for rural-residential life style choices.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Y	The existing public infrastructure is adequate to meet the needs of the proposal. A regional cycleway is proposed along Macquarie Grove Road.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	N	The site is located a short distance to the Camden Township, which provides a range of services for the community.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	No.
Will the proposal impact on land that the Government has identified a need to protect (e.g. and with high biodiversity values) or	N	The site has not been identified for conservation purposes. The land is generally cleared of vegetation.

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Evaluation Criteria	Y/N	Comment
have other environmental impacts? Is the land constrained by environmental factors such as flooding?		
Will the LEP be compatible or complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	The proposal is compatible with adjoining rural-residential land uses and future uses adjoining the land.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A	N/A
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	The net community benefits show clearly the development of the site would address the drainage issues that appear to be experienced by downstream properties. Without an implemented drainage strategy, as recommended by Storm Consulting, downstream properties will continue to experience drainage issues. The supply of rural residential land will help in the supply of a diversity of housing.
Will the public domain improve?	Y	Yes.

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY?

As stated above, the subject lands are on the fringe of the Camden Township and within the established suburb of Kirkham. The subject site is also located a short distance to urban release areas of Oran Park, Elderslie, etc. These Release Areas have been identified for a number of years for development for urban release purposes and currently these lands are being subdivided. However, they do not provide for larger residential lots, such as proposed and therefore are limited in providing rural lifestyle lots. This proposal helps to address this shortfall.

METROPOLITAN STRATEGY

The Metropolitan Strategy aims to concentrate development to strengthen Strategic Centres, Towns, Villages and Neighbourhoods and establish a balanced approach to accommodating more residential growth in new release areas and existing urban areas over the next 25 years (30–40 and 60–70 per cent respectively). Currently greenfield sites account for only around ten per cent of new dwellings in Sydney, however this is considered a cyclical low, and is expected to increase significantly.

The Metropolitan Strategy set draft housing targets for the 10 metropolitan subregions. For the South West, a subregional dwelling target of 155,000 additional dwellings was set for 2004 to 2031, increasing the number of dwellings from 128,570 to 283,570. This represents approximately 25 per cent of the total

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dwelling target for the Sydney metropolitan region and would see the subregion's share of total dwelling stock in Sydney increase substantially from 8 to 13 per cent.

To 2031 the subregional target would equate to approximately 5,740 new dwellings per annum, which will be a much higher rate of development than has been experienced over the last 10 years (2,900 new dwellings per annum). The major contributor to growth in dwelling numbers is the development of the South West Growth Centre, which has a target of 100,000 new dwellings by 2031.

5.2.1.1 SOUTH WEST SUB-REGIONAL STRATEGY

Subregional planning is an important aspect of the planning and implementation of the 2005 Metropolitan Strategy, *City of Cities: A Plan for Sydney's Future*. The metropolitan area is too large and complex to resolve all the planning aims and directions down to a detailed local level through one Metropolitan Strategy.

Subregional planning is an intermediate step in translating the Metropolitan Strategy to a local level, and recognises that some issues extend beyond local government boundaries and require a 'subregional' approach. The Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

The aims of the subregional planning are:

- To provide a forum for councils to allocate the local distribution of housing and employment capacity targets based on the principles of the Metropolitan Strategy, and to work together on complementary future directions especially in centres crossing LGA boundaries.
- To provide for balanced growth among LGAs to build upon regional strengths and bolster opportunities.
- To identify the future role of Strategic Centres and Corridors, as well as Towns, Villages and Neighbourhood Centres in relation to the overall metropolitan structure.
- To focus coordinated State agency involvement and asset management with respect to Strategic Centres and corridors including providing a basis for the prioritisation of investment.
- To assist planning for regional facilities, within and between subregions.

The Strategy has several areas of matters for consideration in local planning matters; namely:

- Economy and Employment
- Centres and Corridors
- Housing
- Transport
- Environment, Heritage and Resources
- Parks, Public Places and culture
- Implementation and Governance

The South West Sub Regional Strategy applies to Liverpool, Campbelltown, Camden and Wollondilly local government areas. The South West Sub Regional Strategy aims to foster sustainable growth in the sub region, including housing and employment growth, over the next 25 years. Camden LGA, which currently has a population of 49,645, is projected to have an eventual population of 240,000 residents, equivalent to the size of Canberra.

The successful development of the site is important if the high level of ongoing housing demand in western Sydney is to be met. Strong population growth is anticipated over the coming decades, particularly in the major cities, and as outlined above, current projections suggest that Camden LGA must accommodate a significant proportion of Sydney's growth.

It is our opinion that there is a need for greater diversity in the housing market in the LGA, including the provision of lot large lot residential development. Larger "greenfield" residential developments in the LGA will contribute to the fulfillment of targets for the overall numbers of dwellings in the LGA. However, it is considered that a planning response is required in order to meet likely future demand for this form of subdivision.

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The subject document does not specifically identify the subject land; however, Camden is identified as a centre for housing and employment (refer to **Figure 3** below). The subject land is on the fringe of the Camden CBD and located just southwest of the Narellan CBD. These centres defined as local and sub-regional centres within Council's Retail/Commercial Hierarchy, respectively.

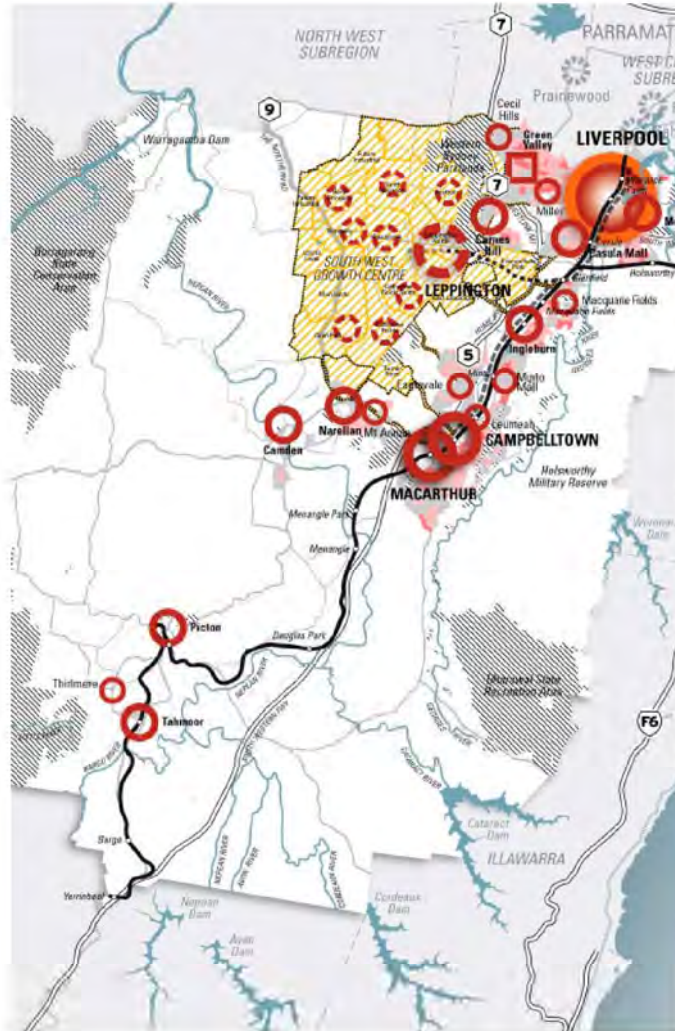
Therefore could be considered as part of this document. However, the subject land provides opportunities to be consistent with a number of the above in terms of economy and employment. Therefore the planning proposal is consistent with this Draft Strategy document.

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Attachment 1

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FIGURE 3 – IDENTIFICATION OF RELEASE AREA LAND WITH STRATEGY



SOUTH WEST GROWTH CENTRE STRUCTURE PLAN

The South West Sydney Growth Centres Structure Plan is part of the SEPP (Sydney Region Growth Centres) 2006 and applies to the precincts identified on the "Sydney Region Growth Centres Precinct Boundaries Map – South West Growth Centre". The Structure Plan identifies:

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- The general pattern and strategic direction of development in the growth centre over the next 30 years;
- The areas of future urban and employment development that are potentially available for release;
- The areas of future regional open space and of environmentally constrained land; and
- Future major infrastructure and transport routes.

The entire south-west region, including Camden, Liverpool and Camden LGA's, are currently facing unprecedented growth and will continue to do so over the next 20-30 years. The LGA's face significant challenges in delivering this growth and meeting the challenges of the impacts on infrastructure.

The provision of housing is consistent with this Structure Plan. The land is located with access to Camden Valley Way and has good accessibility to transport routes.

IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN, OR OTHER LOCAL STRATEGIC PLAN?

CAMDEN COUNCIL STRATEGIC PLAN: CAMDEN 2040

The Camden Strategic Plan portrays a vision of Camden in the year 2040, as adopted at the Council meeting of 14 December 2010. To realise this vision 6 key direction areas are established around which strategies and actions are fashioned.

The areas of most relevance include:

- Actively Managing Camden's Growth.
- Healthy Urban and Natural Environments.
- A Prosperous Economy.
- Effective and Sustainable Transport.
- An Enriched and Connected Community
- Strong Local Leadership

ACTIVELY MANAGING CAMDEN'S GROWTH

The development proposal is consistent with the relevant aspects of the Growing Pains – Key Challenges Objectives. The subject site is located within close proximity to Camden Township and other centres providing a full range of services and facilities.

HEALTHY URBAN AND NATURAL ENVIRONMENTS

The proposal will not impact on any nearby natural system.

A PROSPEROUS ECONOMY

The development proposal is focused upon contributing to a positive urban design outcome. The development will provide housing choice through the provision of alternative lifestyle lots. The site is also well located near the Camden and Narellan Town Centres.

EFFECTIVE AND SUSTAINABLE TRANSPORT

The development proposal provides development that is readily accessible to public transport. A bus service operates along Camden Valley Way servicing the immediate area and providing transport connections to Camden and Campbelltown and other areas.

AN ENRICHED AND CONNECTED COMMUNITY

The applicant will be required to make contributions to Council in respect of section 94 and other service infrastructure provision, including State Infrastructure Funds/Levies.

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A STRONG LOCAL LEADERSHIP

The proposed development of the site is in accordance with the State Government strategy for this form of development.

IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The site is subject to the provisions of a raft of State Environmental Planning Policies. The policies are noted below in **Table 2** and importantly do not prohibit and/or significantly constrain the Planning Proposal.

TABLE 2 – APPLICABLE STATE POLICIES

SEPP	Comment
State Environmental Planning Policy No 1 – Development Standards	No applicable.
State Environmental Planning Policy No 4 – Development without Consent and Miscellaneous Exempt and Complying Development	Not inconsistent.
State Environmental Planning Policy No 6 – Number of Storeys in a Building	Not applicable.
State Environmental Planning Policy No 15 – Rural Landsharing Communities	Not applicable.
State Environmental Planning Policy No 19 – Bushland in Urban Areas	Not applicable.
State Environmental Planning Policy No 21 – Caravan Parks	Not inconsistent (Caravan Parks are permissible under the proposed RU1 zone as currently prevailing in LEP 2010)
State Environmental Planning Policy No 22 – Shops and Commercial Premises	Not applicable.
State Environmental Planning Policy No 26 – Littoral Rainforests	Not applicable.
State Environmental Planning Policy No 29 – Western Sydney Recreational Area	Not applicable.
State Environmental Planning Policy No 30 – Intensive Agriculture	Not inconsistent.
State Environmental Planning Policy No 32 – Urban Consolidation (Redevelopment of Urban Land)	Not applicable.
State Environmental Planning Policy No 33 – Hazardous and Offensive Development	Not applicable.
State Environmental Planning Policy No 36 – Manufactured Home Estates	Not inconsistent.
State Environmental Planning Policy No 44 – Koala Habitat Protection	Not applicable.
State Environmental Planning Policy No 50 – Canal Estate Development	Not applicable.
State Environmental Planning Policy No 52 – Farm Dams and Other Works in Land and Water Management Plan areas	Not applicable.
State Environmental Planning Policy No 53 – Metropolitan Residential Development	Not applicable.
State Environmental Planning Policy No 55 – Remediation of Land	This Planning Proposal does not contain provisions that would affect the application of the SEPP.
State Environmental Planning Policy No 59 – Central Western Sydney Regional Open Space	Not applicable (Land not located in Central Western Sydney).
State Environmental Planning Policy No 60 – Exempt and Complying Development	This Planning Proposal does not contain provisions that would affect the application of the SEPP.

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SEPP	Comment
State Environmental Planning Policy No 62 – Sustainable Aquaculture	Not inconsistent.
State Environmental Planning Policy No 64 – Advertising and Signage	Not inconsistent.
State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development	Not applicable.
State Environmental Planning Policy No 70 – Affordable Housing (revised schemes)	Not applicable.
State Environmental Planning Policy No 71 – Coastal Protection	Not applicable.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not inconsistent.
State Environmental Planning Policy (Exempt and Complying Codes) 2008	Not inconsistent.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Not inconsistent.
State Environmental Planning Policy (Infrastructure) 2007	Not inconsistent.
State Environmental Planning Policy (Major Development) 2005	Not inconsistent.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
State Environmental Planning Policy (Rural Lands) 2008	Not inconsistent.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable.
State Environmental Planning Policy (Temporary Structures) 2007	Not inconsistent.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable.
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not applicable.
Deemed State Environmental Planning Policy No 20 (SREP 20)	Yes.
Sydney Regional Environmental Plan No. 9 (No.2) (Extractive Industries)	Not applicable

IS THE PLANNING CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S 117 DIRECTIONS)?

Attached as **Annexure A** is a compliance table addressing these Directions.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The subject site is generally devoid of vegetation and therefore it is unlikely that there will be an impact of critical habitat. An arborist report has been prepared in respect of the trees, noting that Council has already approved the removal of a number of these trees.

ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

There are no impediments to the land to be developed for large lot residential that could not be managed.

HOW HAS THE PLANNING ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The proposal has positive social and economic contributions in terms of providing lifestyle lots for persons

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seeking large residential lots, which are not readily available within the Camden LGA.

SECTION D – STATE AND COMMONWEALTH INTERESTS

In addition to Council requiring consultation with the Office of Environment and Heritage and the Roads and Maritime Service, Gateway Determination will identify any consultation required with State or Commonwealth Public Authorities. This will include:

- Consultation required in accordance with a Ministerial Direction under section 117 of the EP&A Act; and
- Consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

No additional infrastructure is required to accommodate the planning proposal. All services are readily available to the site. The site also has good road access.

WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

The relevant State and Commonwealth public authorities would be consulted following the outcome of the Gateway Determination. Council would be responsible for carrying out this consultation in accordance with Section 57 of the EP&A Act.

Part 4 – Community Consultation

The Planning Proposal is considered to be 'low impact' as it is consistent with the surrounding land uses and the strategic planning framework, and presents no infrastructure issues. Regardless of this 'low impact' status, an exhibition period of 28 days is required.

Community consultation will consist of:

- Two notices of exhibition in a local paper over the exhibition period
- Exhibition material on Council's website
- Exhibition material located at Council's Camden and Narellan Customer Service Counters and at Camden and Narellan Libraries.

Conclusion

The Planning Proposal seeks to rezone the subject land from RU1 Primary Production to R5 Large Lot Residential. This rezoning will contribute to the diversity of housing in the Camden Local Government Area.

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Annexure "A"
Section 117 Direction – Compliance Checklist

1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of the land.	Whilst the subject land is zoned RU1 Primary Production it is only an 8ha parcel of land surrounded by land zoned either R5 Large Lot Residential or R2 Low Density Residential. If the land was used for the purpose it is zoned for it may not be compatible with surrounding land use.	Yes
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	An Arboricultural Assessment Report has been submitted to Council regarding this land. This included an assessment of all trees on the site. While some of these trees will be targeted to remain the area is not part of an Environmental Protection Zone.	Yes
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	There are two State Heritage Listed items in the vicinity of the subject land – these are Kirkham Stables and Camelot. Kirkham Lane is listed in Camden DCP 2011 as a potential heritage item as a cultural and visual landscape. These will be considered when developing a site specific DCP for this site.	Yes
3.1 Residential Zones	The objectives of this direction are: a) to encourage a variety and choice of housing types to provide for existing and future housing needs; b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and c) to minimise the impact of residential development on the environment and resource lands.	Much of the growth that will occur in Camden over the next few years will be on smaller lots with some medium density. Therefore it is considered any small infill rural residential development is appropriate to balance influx of smaller lot development. Development of this site will help in the supply of a diversity of housing types in the LGA	Yes
3.5 Development near licensed Aerodromes	The objectives of this direction are: a) to ensure the effective and safe operation of aerodromes; b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and c) to ensure development for residential purposes or human occupation, if situated	Camden Airport is located a short distance away from the subject site. The site is within the 20 to 25 ANEF zone. Controls will be imposed relating to acoustic treatment. The site is located within the "Inner Horizontal Surface (115 AHD)" on the Camden Airport Obstacle Limitations Surfaces map. However, there are many developed areas with similar proposed building heights located within this zone.	Yes

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	on land within the ANEF contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	This Planning Proposal is requesting that building heights be limited to 5 metres.	
4.1 Acid Sulphate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The subject site is not known to be affected by acid sulfate soils but can be addressed in the technical reports.	Yes
4.4 Planning for Bushfire Protection	The objectives of this direction are: a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and b) to encourage sound management of bush fire prone lands.	A small area in the west of the subject site contains land that is identified in Council's maps as being bushfire prone. Any development on the site will be required to meet the requirements for Planning for Bushfire Protection 2006.	Yes
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The development of the subject site will require referral to the OEH and RMS	Yes
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The proposal will not introduce new standards other than a site specific DCP.	Yes

Kirkham Planning Proposal - Amendment #

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**Macquarie Grove Rd,
Kirkham**
Drainage Assessment

Report Prepared for:
Camden Council

Project No. 1109

Prepared by:
STORM CONSULTING PTY LTD

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Document Verification

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Document title	Drainage Assessment	Project number 1109
Description	Drainage assessment for Lot 1 DP 882365 and Lot 1 DP 554326 Macquarie Grove Rd, Kirkham	
Client Contact	Mary-Anne Madden	

	Name	Signature	Issue:	Date
Prepared by	David Stone		C	8/11/10
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Issue to:	Issue A		Issue B		Issue C	
	Date	No. Copies	Date	No. Copies	Date	No. Copies
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APPENDICES

APPENDIX A

DRAINS Results

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Preliminary Lot Layout

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1.0 INTRODUCTION

1.1. Background and Context

Camden Council is assessing the development capability of Lot 1 DP 882365 and Lot 1 DP 554326 Macquarie Grove Road, Kirkham. STORM CONSULTING (STORM) has been engaged to assess any impacts on the downstream drainage system from both water quantity and water quality perspectives.

The land use of the site is currently agricultural and it is situated uphill from an area of existing low density, residential development (refer **Figure 1**). The proposed subdivision will be of similar form to the adjacent development and will consist of approximately 15 new lots.

This assessment includes consideration of impacts on the environment and existing drainage systems and the resultant social acceptance by neighbours and other stakeholders. Drainage from the proposed development must pass through existing drainage easements and existing residents have some specific concerns that need to be addressed.

This report has been prepared in accordance with Council's design requirements, as detailed in 'Camden Council Engineering Design Specification' (February, 2009)

1.2. Objectives

The objectives of this investigation are to identify any impacts of the proposed development on the environment and existing development, particularly in relation to stormwater runoff.

1.3. Scope

Tasks undertaken as part of this investigation included:

- Inception and background review
 - Meeting with Council; and
 - Review of background data, including Works As Executed (WAE) drawings for the existing residential development.
- Site investigation
 - Define catchment boundaries and characteristics.
- Drainage capacity assessment
 - Build a DRAINS hydrologic and hydraulic model for existing and proposed conditions;
 - Analyse the stormwater network for 1, 5, 10, 20, 50 and 100 year Average Recurrence Intervals (ARI's) and the PMF; and
 - Identify mitigation options if necessary.
- Water quality assessment
 - Build a MUSIC model (Model for Urban Stormwater Improvement Conceptualisation) for existing and proposed conditions
 - Assess pollutant generation for nutrients, suspended solids and gross pollutants under existing and proposed conditions
 - Assess the potential for treatment options to give no net increase in pollutant discharge from the proposed development.



2.0 EXISTING DRAINAGE SYSTEM

2.1. Description

The existing drainage network consists of:

- A pit and pipe network throughout the existing development, located predominantly in the road reserve;
- An overland flow path running through the centre of the existing development;
- 4 headwalls/inlets capturing flows from the currently undeveloped upstream catchments; and
- A dam and channel at the downstream boundary.

2.2. Site Inspection

A site inspection was undertaken on 3rd June 2010. The following photos show key features of the drainage system.

2.2.1. Proposed Development Area



Photo 1: Proposed Development Site (looking west from The Meadows)



Photo 2: Proposed Development Site (Looking East from Macquarie Grove Road)

2.2.2. Upstream Catchments



Photo 3: Upstream Catchment from the Corner of Macquarie Grove Rd and The Lanes (Looking Towards Existing Development)



Photo 4: Upstream Catchment from The Lanes (Looking Towards Existing Development)

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2.2.3. Existing Development Drainage System



Photo 5: Typical Road Drainage



Photo 6: Overland Flow path Looking North West (Upstream) from The Meadows



Photo 7: Large Stormwater Pit Upstream of The Meadows (Collects all Flows from the Central Overland Flowpath)



Photo 8: Overland Flowpath Through 10 and 12 The Outlook (Looking Downstream)

2.2.4. Downstream Drainage System



Photo 9: Headwall With Culverts Discharging Downstream of The Meadows



Photo 10: Existing Channel and Dam Downstream of The Meadows

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Photo 11: Channel Downstream of the Dam (looking upstream towards the dam outlet)

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Photo 12: Discharge Point Towards Narrelan Creek at the Southern Boundary of 9 The Meadows



3.0 DRAINAGE CAPACITY ASSESSMENT

3.1. Methodology

DRAINS was used for the hydrologic and hydraulic modelling component of this study. DRAINS is a computer simulation model that incorporates the ILSAX hydrologic model for calculating peak flows and then performs hydraulic modelling of the drainage network including pits, pipes, open channels, culverts and basins.

A number of information sources were used to define the sub-catchments for the drainage system (refer **Figure 2**):

- Works as Executed (WAE) drawings
- GIS layers including contours and aerial photos
- Site inspection

The stormwater network (pits, pipes, open channels, culverts and basins) was built from the WAE drawings provided by Council. The approximate location of the pits and pipes was confirmed during the site inspection, however no survey was undertaken for this study.

The model was run for the 1, 5, 10, 20, 50 and 100 year ARI events and the PMF.

In addition, a two node model, representing an average sized lot (approx. 4100 m²) and the area of road per lot (40m²), was built to determine the approximate on-site detention (OSD) requirements if flows are required to be brought back to existing levels.

3.2. Model Parameters

The following model parameters/assumptions were used in the modelling:

- Existing and proposed development assumed 30% impervious;
- Undeveloped catchments assumed 0% impervious;
- Rainfall intensities (IFD Data) were obtained from The Bureau of Meteorology website;
- A range of storm durations from 5 minutes to 72 hours were run in the model;
- Soil type for the ILSAX model was 3, indicating slow infiltration rates;
- Antecedent moisture condition (AMC) was 3, representing relatively wet conditions of 12.5 to 25mm of rainfall in the previous 5 days;
- Impervious depression storage – 1mm;
- Pervious depression storage – 5mm;



3.3. Results

3.3.1. Pipe Capacity

The 5 year ARI is the current Camden Council design standard for a piped drainage network in rural and residential areas. While the 1 year through to the 100 year ARI events were modelled, the 5 year was taken as the basis for the capacity assessment for the piped drainage network. **Figure 4** provides a graphical representation of where the pipe system has capacity limitations under both existing and proposed (without OSD) conditions for the 5 year ARI (other ARI's are included in **Appendix B**). **Figure 4** shows a number of areas where the pipe capacity is limited for the 5 year ARI event, in particular Line 3 and the lower reach of Line 11. No additional pipes were found to have exceeded their capacity with the addition of the proposed development upstream.

Upgrading the existing system could be considered, however if no existing flooding problems have been identified then this is not recommended. An alternative would be to provide increased detention within the proposed development, particularly the areas that drain to Line 3. Again, this would only be recommended if existing flooding problems have been experienced.

Full results for all events are provided in **Appendix A**.

3.3.2. Overland Flow Capacity

Overland flowpaths forming the major drainage system are required to be designed to convey the 100 year ARI event flows.

Peak overland flows in the 100 year ARI event in the central overland flowpath (upstream of The Meadows) increase from 4.76 m³/s to 4.93 m³/s (0.17 m³/s) under the proposed development conditions (excluding any detention). This increase in flow equates to an increase in flow depth (assuming a uniform trapezoidal channel shape) from approximately 0.70 m to 0.71 m (0.01 m).

Table 3-1: Peak Flow Rate Comparison in Central Overland Flowpath

ARI (years)	Overland Flowpath (Upstream of The Meadows)		Upstream of Dam	
	Existing	Proposed	Existing	Proposed
1	0.92	1.15	2.69	2.91
5	2.33	2.45	6.59	6.60
10	3.02	3.11	7.35	7.44
20	3.64	3.79	8.56	8.63
50	4.20	4.35	9.57	9.61
100	4.76	4.93	10.6	10.8

3.3.3. Detention

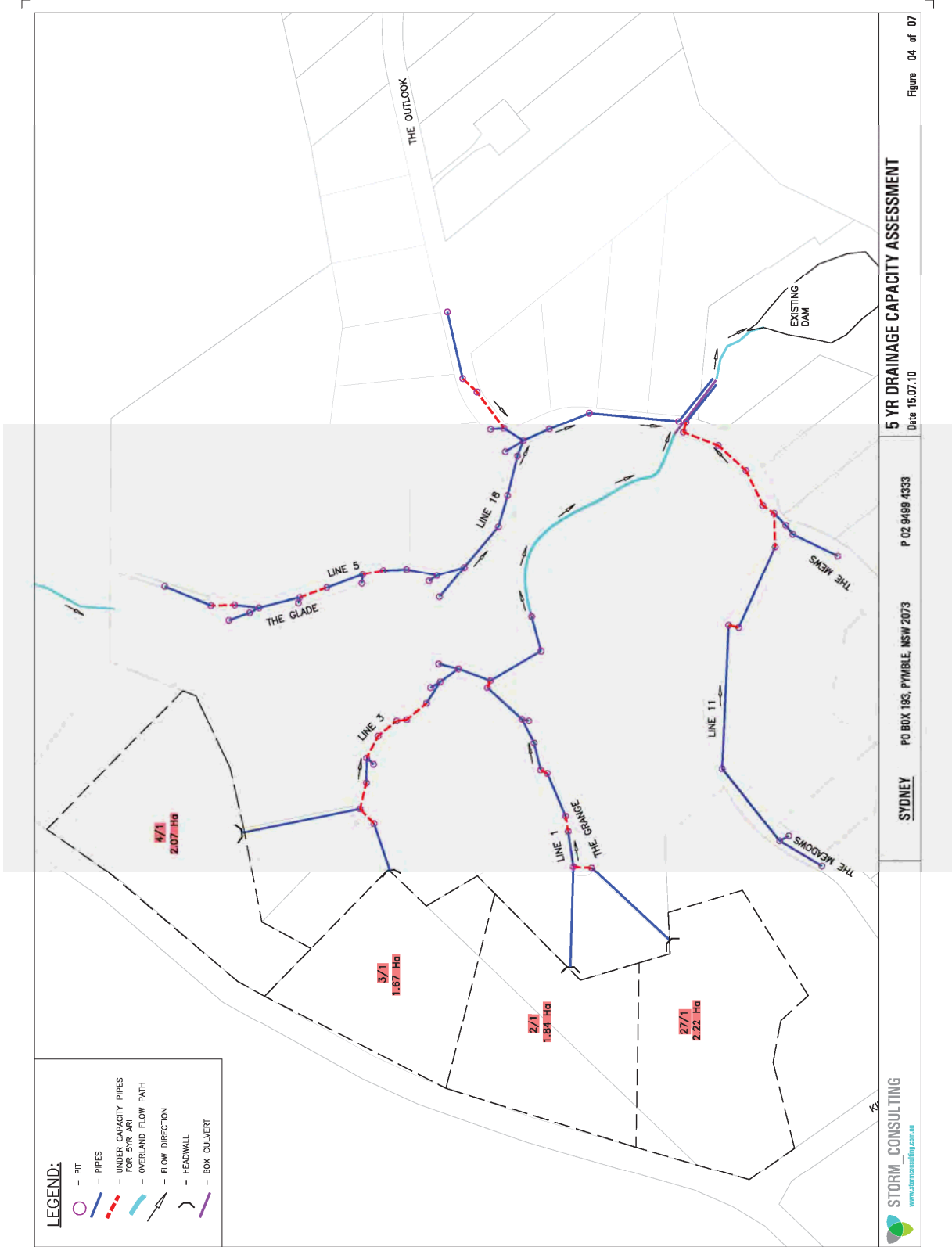
If flows from the proposed development are to be reduced to existing levels then approximately 10 m³ of detention per lot is required. This can be partially accounted for by rainwater tanks and the remainder can be incorporated into landscaped areas and potentially within stormwater quality improvement measures such as rain gardens.



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4.0 WATER QUALITY ASSESSMENT

4.1. Background

A change in land use from rural to semi-urban will have an impact on pollutant loads and the increase in effective impervious area will modify the local hydrology. The purpose of this section is to assess what these impacts may be and outline what mitigating measures may be necessary to meet relevant guidelines and provide an acceptable level of protection.

Water quality has been examined from two different angles:

1. Maintaining pollutant levels at or below existing levels
2. Meeting Council's stormwater management objective (as detailed in Table 3.3.9 of Council's Engineering Design Specification. ie. Remove 90% of Gross Pollutants (GP), 85% Total Suspended Solids (TSS), 65% Total Phosphorus (TP) and 45% Total Nitrogen (TN))

In addition, of concern to existing residents, is the potential for increased flow frequency as a result of the development and hence more frequent saturation of overland flow areas.

The Model for Urban stormwater Improvement Conceptualisation (MUSIC) has been used to assess both the impacts of the change in land use and the effect of proposed mitigation measures.

4.2. Modelling Approach

4.2.1. MUSIC

MUSIC v4 (the Model for Urban Stormwater Improvement Conceptualisation) was adopted to model the water quality of the existing and proposed developments. This model was developed by the Cooperative Research Centre for Catchment Hydrology (CRCH) and is a standard industry model for this purpose. MUSIC is suitable for simulating catchment areas of up to 100 km² and utilises a continuous simulation approach to model water quality.

By simulating the performance of stormwater management systems, MUSIC can be used to determine if these proposed changes to land use are capable of meeting specified water quality objectives (CRC, 2002). The primary water quality constituents modelled in MUSIC and of relevance to this report include Total Suspended Solids (TSS), Total Phosphorus (TP) and Total Nitrogen (TN).

4.2.2. Modelling Process

A pre-development model was set up based on existing land use conditions. The next step was to build a post-development model to estimate the increase in pollutant loads from the site as a result of the proposed development.

To mitigate the increase in pollutant load, a model was then developed incorporating rainwater tanks for each new dwelling. Rainwater tanks are an effective treatment measure in reducing the quantity of runoff and, by association, removing pollutants.

A further model was developed, incorporating rain gardens (bioretention systems) or infiltration systems, to show what would be necessary to give no net increase in pollutant loads by further treating the stormwater.

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A final model was developed which included grassed swales to treat the new road surfaces. This meant that the on-lot treatment systems were not required to work so hard and could be reduced in size.

Figure 8 shows the model layout used to analyse the development. It shows that the proposed lots and treatment measures were lumped together within the model.

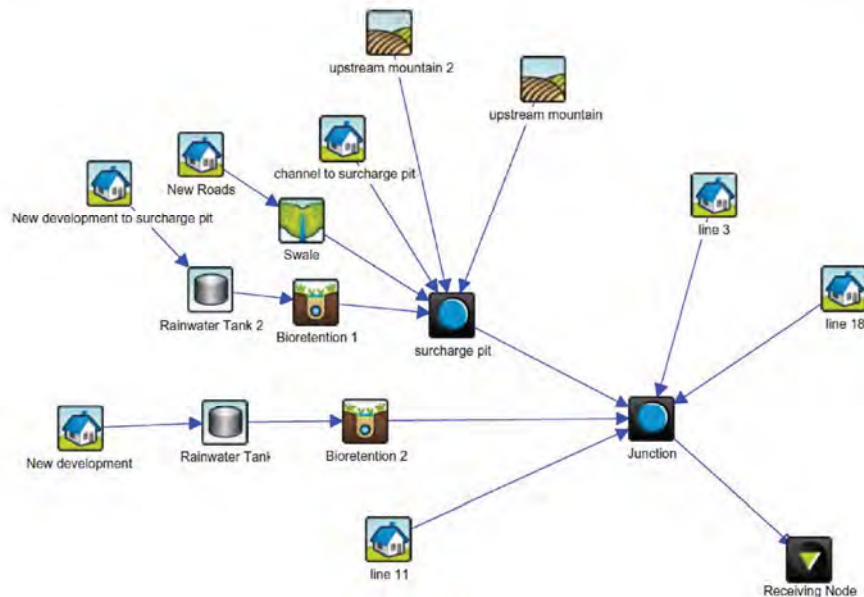


Figure 8: MUSIC Model Layout

4.3. Model Inputs

4.3.1. Meteorological Data

The closest continuous rainfall data gauge (6 minute) is located at Lucas Heights (Bureau of Meteorology station no. 66078). The longest continuous record of 6 minute data available, 1959 to 1968, was used with an average annual rainfall from this period of 992 mm. The average annual rainfall for Camden is 765 mm. The data set used in the model presents a wetter period than average. However, it was the longest continuous set of data available and will give a conservative estimate of the pollutant loads (ie. It will slightly overestimate the pollutant loads).

A subset of this data was also used (1964-1968) which had an annual average rainfall of 747 mm to also provide results for an average rainfall period.

4.3.2. Soil Properties

The MUSIC model uses an impervious store, pervious store and groundwater store to calculate surface runoff and base flow (interflow). Soil properties used in the model were typical values used for Sydney.



The parameters used include:

- Soil Storage Capacity = 120 mm
- Field Capacity = 80mm
- Infiltration Capacity Coefficient 'a' = 200
- Infiltration Capacity Exponent 'b' = 1.0

4.3.3. Event Mean Concentrations

The default MUSIC Event Mean Concentration (EMC) values have been adjusted to reflect more recent data available by Fletcher (2004) which are currently recommended for use by the Sydney Catchment Authority (A Guide to the Use of MUSIC in Sydney's Drinking Water Catchments, Draft Training Version 2009). The parameter concentrations adopted are shown in Table 4-1.

Table 4-1: Event Mean Concentrations

Land use	TSS		TP		TN	
	Dry weather concentration (mg/L)	Wet weather concentration (mg/L)	Dry weather concentration (mg/L)	Wet weather concentration (mg/L)	Dry weather concentration (mg/L)	Wet weather concentration (mg/L)
Residential	16	141	0.14	0.25	1.3	2
Agricultural	25	200	0.13	0.54	1.2	3.9

Fletcher, T., Duncan, H., Poelsma, P. & Lloyd, S. (CRCCH, 2004)

4.4. Model Results

4.4.1. Above Average Rainfall

The model was initially run for the pre development and post development (no treatment measures) conditions for the entire study area for the above average rainfall period (1959-1968). As expected, due to the increase in impervious (hard) surfaces from the development, increases in flow volumes and hence pollutant loads were identified in the post development model (refer Table 4-2).

Table 4-2: Comparison of Pre- and Post-Development (No Treatment) Pollutant Loads (Above Average Rainfall)

	Pre-Dev.	Post-Dev.	Change	% Change
Flow (ML/yr)	202	219	+17	+8%
Suspended Solids (kg/yr)	28,800	32,500	+3,700	+11%
Total Phosphorus (kg/yr)	64.5	68.2	+3.7	+5%
Total Nitrogen (kg/yr)	487	484	-3	-0.6%

In order to reduce the pollutant load to existing levels two water quality control measures were modelled. Firstly, 5KL rainwater tanks (RWTs), assumed to provide supply to toilet flushing, laundry and garden irrigation, were added to each lot.

Then, in addition to the rainwater tanks, 100 m²/lot of rain gardens (bioretention systems) was added. This brought the pollutant loads back below existing levels. However, there was still a minor increase in runoff volume.



In order to simply meet Council's stormwater management objectives, only 50m²/lot of rain garden was required, compared to the 100 m²/lot required to bring the pollutant levels back to existing. This significant difference reflects the difficulty of removing a very high percentage of pollutants using existing technologies.

The results of these models are summarised in Table 4-3 and Table 4-4 below. These show that even though the increase in impervious area leads to an increase in the total runoff volume of 8% (excluding any treatment measures), the Total Nitrogen (TN) load is actually reduced. This is due to the reduced EMC's for TN in residential areas when compared to agricultural areas. Without any treatment, the Total Phosphorus (TP) and Total Suspended Solids (TSS) loads increase. Once the treatment measures are applied then they are capable of meeting various objectives.

Table 4-3: Pollutant Loads with Treatment Measures (Above Average Rainfall 1959-1968)

Pollutant Load	Pre-Dev	Post-Dev	Post-Dev with RWT	Post-Dev with RWT+ Rain Gardens(50m ² /Lot)	Post-Dev with RWT+ Rain Gardens(100m ² /Lot)
Flow (ML/yr)	202	219	214	211	210
Total Suspended Solids (kg/yr)	28,800	32,500	31,300	26,800	26,500
Total Phosphorus (kg/yr)	64.5	68.2	63.5	58.8	58.2
Total Nitrogen (kg/yr)	487	484	472	457	452

Table 4-4: Percent Change in Pollutant Loads Compared to Pre-Development Loads (Above Average Rainfall 1959-1968)

% Load Change	Post-Dev	Post-Dev with RWT	Post-Dev with RWT+ Rain Gardens(50m ² /Lot)	Post-Dev with RWT+ Rain Gardens(100m ² /Lot)
Flow	+8%	+6%	+4%	+4%
Total Suspended Solids	+11%	+9%	-7%	-8%
Total Phosphorus	+5%	-2%	-9%	-10%
Total Nitrogen	-0.6%	-3%	-6%	-7%

In addition, if road drainage is conveyed in grassed swales (3 m wide x 0.3 m deep), rather than going directly into a pit/pipe system, then the areas of the on-lot bioretention systems can be reduced by 10% and still achieve the same outcome (ie. 90m²/lot of rain gardens to achieve pre-development loads).

Infiltration systems were also modelled in place of rain gardens, however the size required to achieve the same result was greater than twice that of a rain garden. This is mainly due to the much greater efficiency of a rain garden at removing TSS, which remove approximately 95% of the TSS load. To achieve the same result from an infiltration system would require 95% of the runoff volume to be removed which is extremely high. An infiltration rate of 36 mm/hr (representative of a sandy clay) was used in the analysis.

When the proposed development is analysed in isolation, summarises the reductions in pollutant loads achieved by the treatment measures. This shows that the combination of treatment measures is going well beyond Council's stormwater management objectives of 85% reduction in TSS, 65% TP and 45% TN and even goes a



significant way to meeting Council's 'Ideal' stormwater outcome targets to protect the receiving environment of 95% TSS, 95%TP and 85% TN, meeting it for TSS, but falling short for TP and TN.

Table 4-5: Proposed Development Site Loads with Rainwater Tanks and Rain Gardens (100m²/lot)

Load	Sources	Residual Load	%Reduction
Flow(ML/yr)	32	24	25%
Total Suspended Solids(kg/yr)	4660	239	95%
Total Phosphorus(kg/yr)	8.9	1.8	80%
Total Nitrogen(kg/yr)	65	29	55%

Gross pollutants have not been included in the model results as gross pollutant generation from this type of development is expected to be very low. Rainwater tanks and rain gardens would be expected to remove 100% of these pollutants as they form a physical barrier which prevents them passing downstream.

4.4.2. Average Rainfall

For an average rainfall data set (1964-1968), the results for the same scenarios as described above are summarised in the tables below. In addition, the models were also run with an exfiltration rate of 3.6mm/hr (a relatively low value) from the raingardens which further improves their performance, particularly in relation to reducing the quantity of runoff.

Table 4-6: Pollutant Loads with Treatment Measures (Average Rainfall 1964-1968)

Pollutant Load	Pre-Dev	Post-Dev	Post-Dev with RWT	Post-Dev with RWT+ Rain Gardens(50m ² /Lot)	Post-Dev with RWT+ Rain Gardens(100m ² /Lot)
Flow (ML/yr)	131	144	140	138	137
Total Suspended Solids (kg/yr)	16,400	20,500	18200	16,100	16,000
Total Phosphorus (kg/yr)	35.2	39.5	36.1	32.9	32.7
Total Nitrogen (kg/yr)	281	293	284	270	269

Table 4-7: Pollutant Loads with Treatment Measures (Average Rainfall 1964-1968) and exfiltration (3.6mm/hr)

Pollutant Load	Pre-Dev	Post-Dev	Post-Dev with RWT+ Rain Gardens(50m ² /Lot)	Post-Dev with RWT+ Rain Gardens(100m ² /Lot)	Post-Dev with RWT+ Rain Gardens(150m ² /Lot)
Flow (ML/yr)	131	144	135	133	131
Total Suspended Solids (kg/yr)	16,400	20,500	15600	15500	15400
Total Phosphorus (kg/yr)	35.2	39.5	33.2	32.9	32.6
Total Nitrogen (kg/yr)	281	293	258	255	251



These tables show that if the post development annual flows are required to be reduced to existing levels then a 150 m²/lot rain garden would be required. However, while a smaller rain garden does not reduce annual flows to existing levels, this does not necessarily mean there would be an increase in regular flows as discussed further in the following section.

4.4.3. Flow Frequency

While the total volume of runoff has been shown to increase slightly from pre-development levels for an average year once treatment measures have been applied as a result of the new development (approximately 3% for the rainwater tank and 50 m²/lot raingarden scenario), given that there is already a similar type of development within the catchment, the frequency of runoff events will not actually increase.

Further, **Figure 9** shows that flow events with a mean daily flow less than 0.015 m³/s will actually be less frequent under the proposed conditions. This is a result of the effect of the rainwater tanks and rain gardens which remove a significant portion of the runoff from small, frequent flow events.

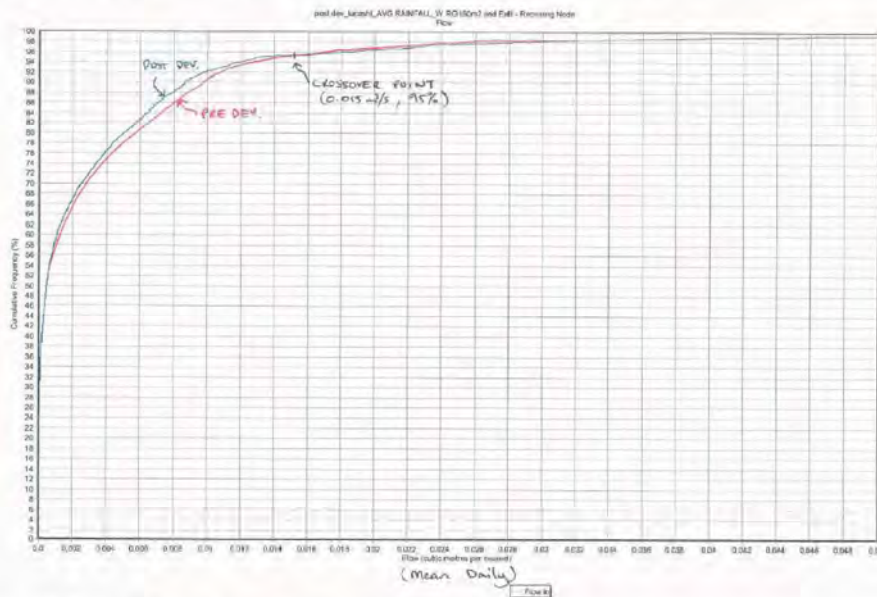


Figure 9: Mean Daily Flow Cumulative Frequency Graph

In addition, the same number of runoff events would be expected each year, regardless of whether the new development goes ahead, because there are already impervious areas within the existing development which contribute to flows during almost every rain event. The quantity of runoff will marginally increase but this should have little, if any, noticeable effect on the frequency of saturation of the overland flow path.



5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1. Drainage Capacity

1. The existing drainage system has a number of areas of insufficient capacity for the 5 year ARI event under existing conditions;
2. The proposed development does not increase the number of pipes which are under capacity, even without OSD;
3. Upgrade of the existing system should be considered if existing flooding problems have been identified;
4. A detention volume of approximately 10 m³/lot is required to maintain flows from the proposed development at existing levels, up to the 100 year ARI event; and
5. Detention can be provided in combination with rainwater tanks and stormwater quality improvement measures.

5.2. Water Quality

1. The proposed development, without any treatment measures, would lead to an increase in runoff volume and TSS loads and a reduction in nutrient (TP and TN) loads;
2. Treatment measures, including rainwater tanks (5 kL/lot) and rain gardens (100 m²/lot), bring the TSS loads back to existing levels, also meet Council's pollutant load reduction objectives;
3. Rainwater tanks (5 kL/lot) and raingardens (50 m²/lot) are sufficient to meet Council's stormwater management objectives;
4. Gross pollutant generation is expected to be low and the proposed treatment measures would be expected to remove 100% of these; and
5. Flow frequency is expected to remain unchanged as a result of the development.

ORD03



Attachment 2

APPENDIX A

DRAINS Results



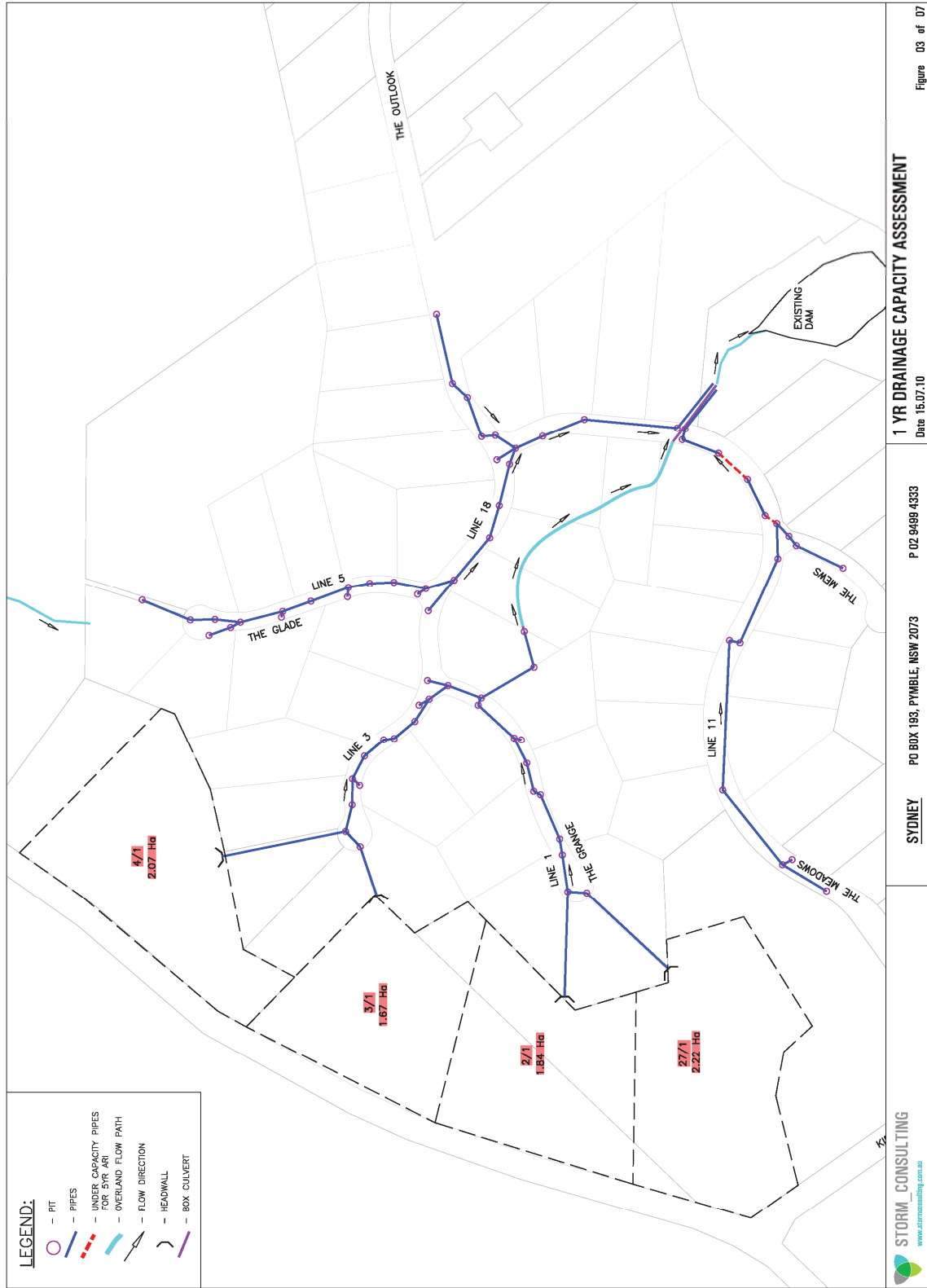
ORD03

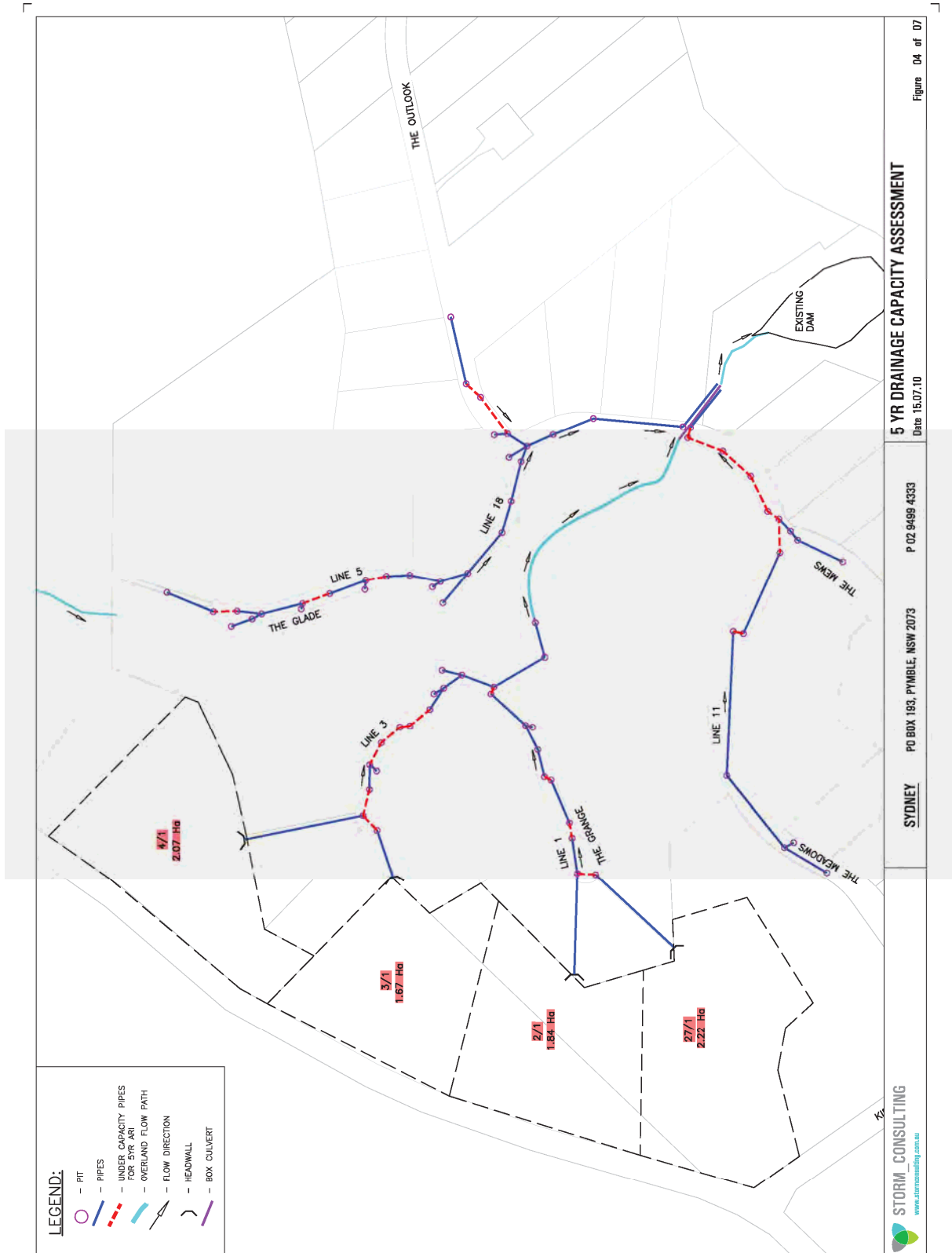
APPENDIX B

Drainage Capacity Figures

Attachment 2

Attachment 2
ORD03



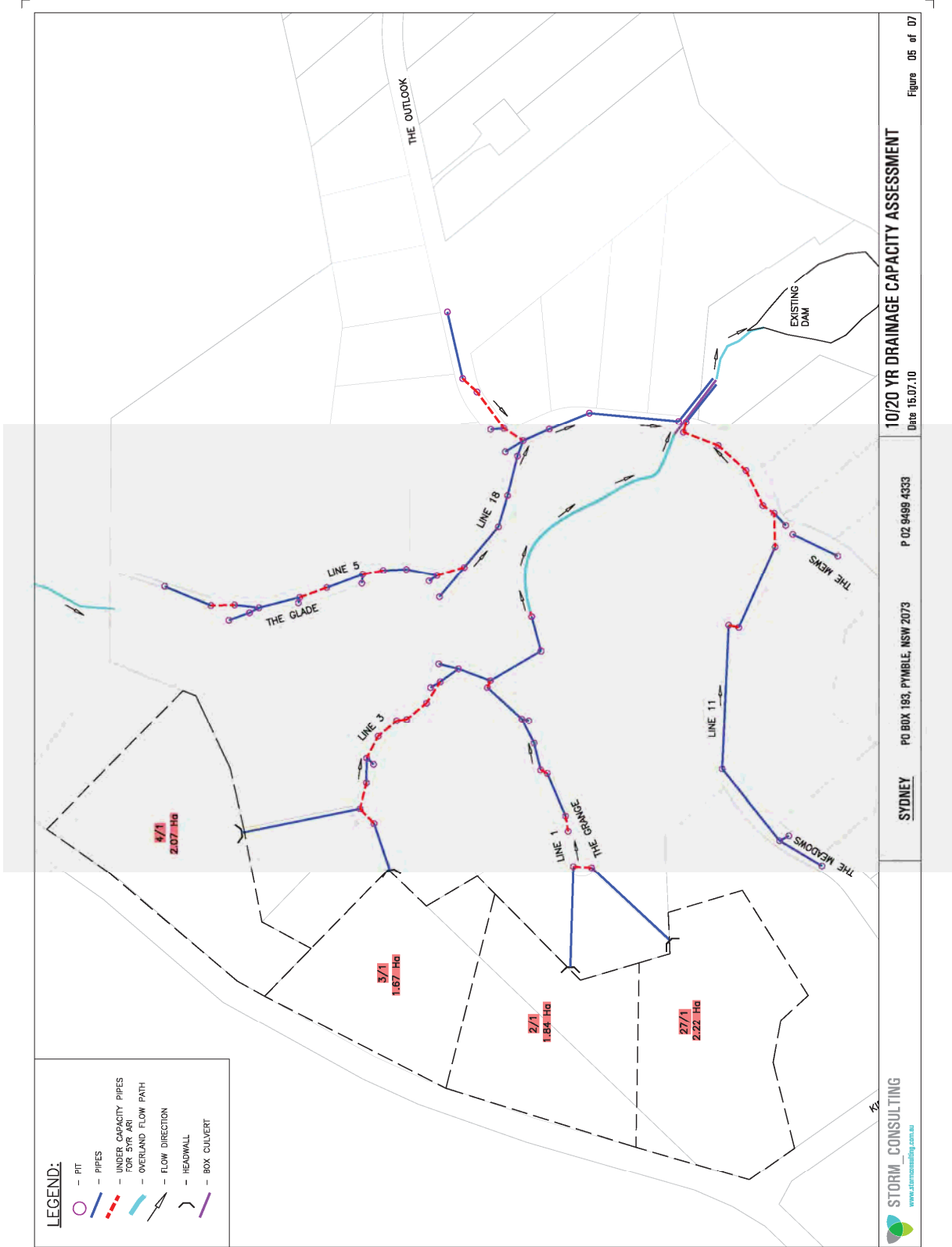


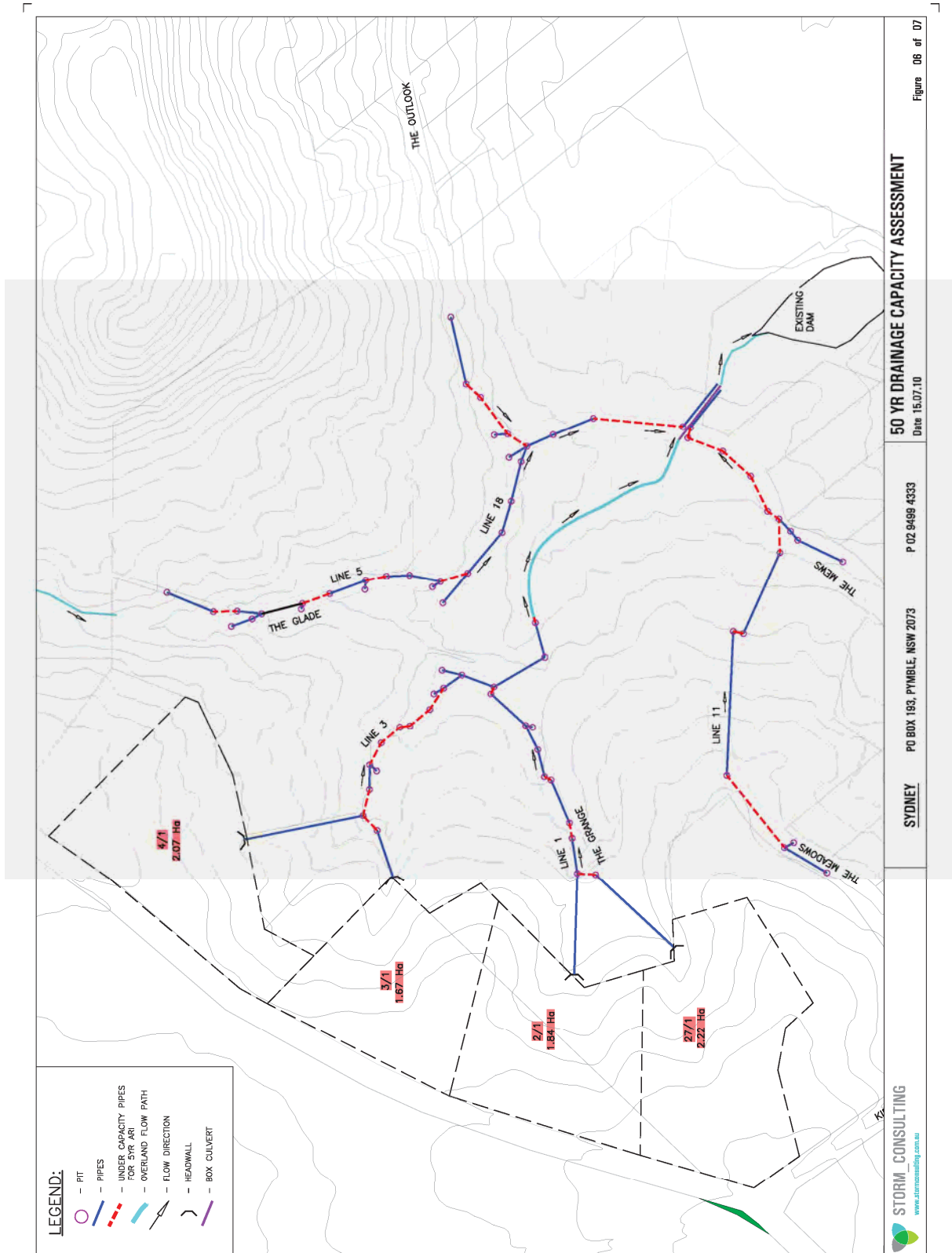
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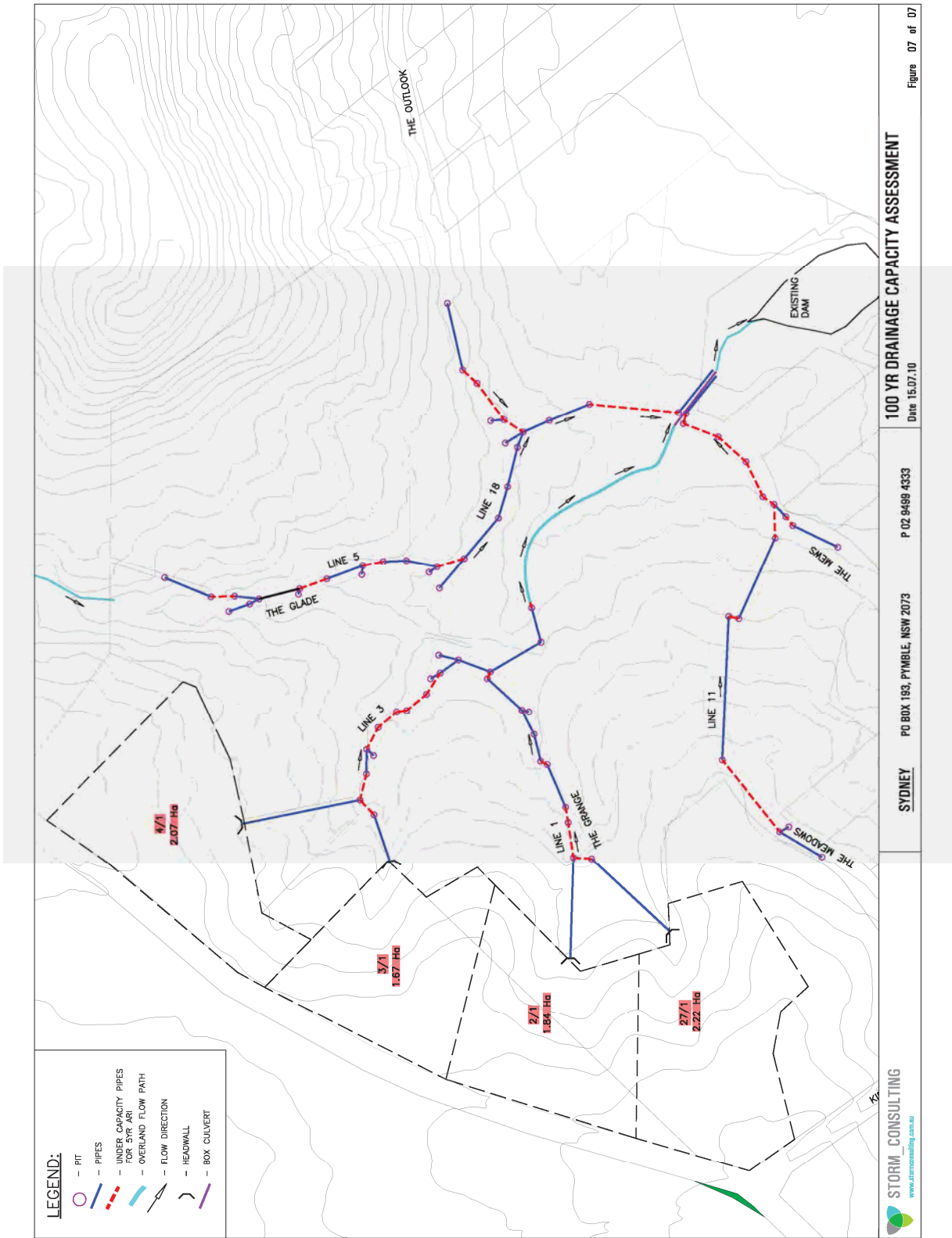


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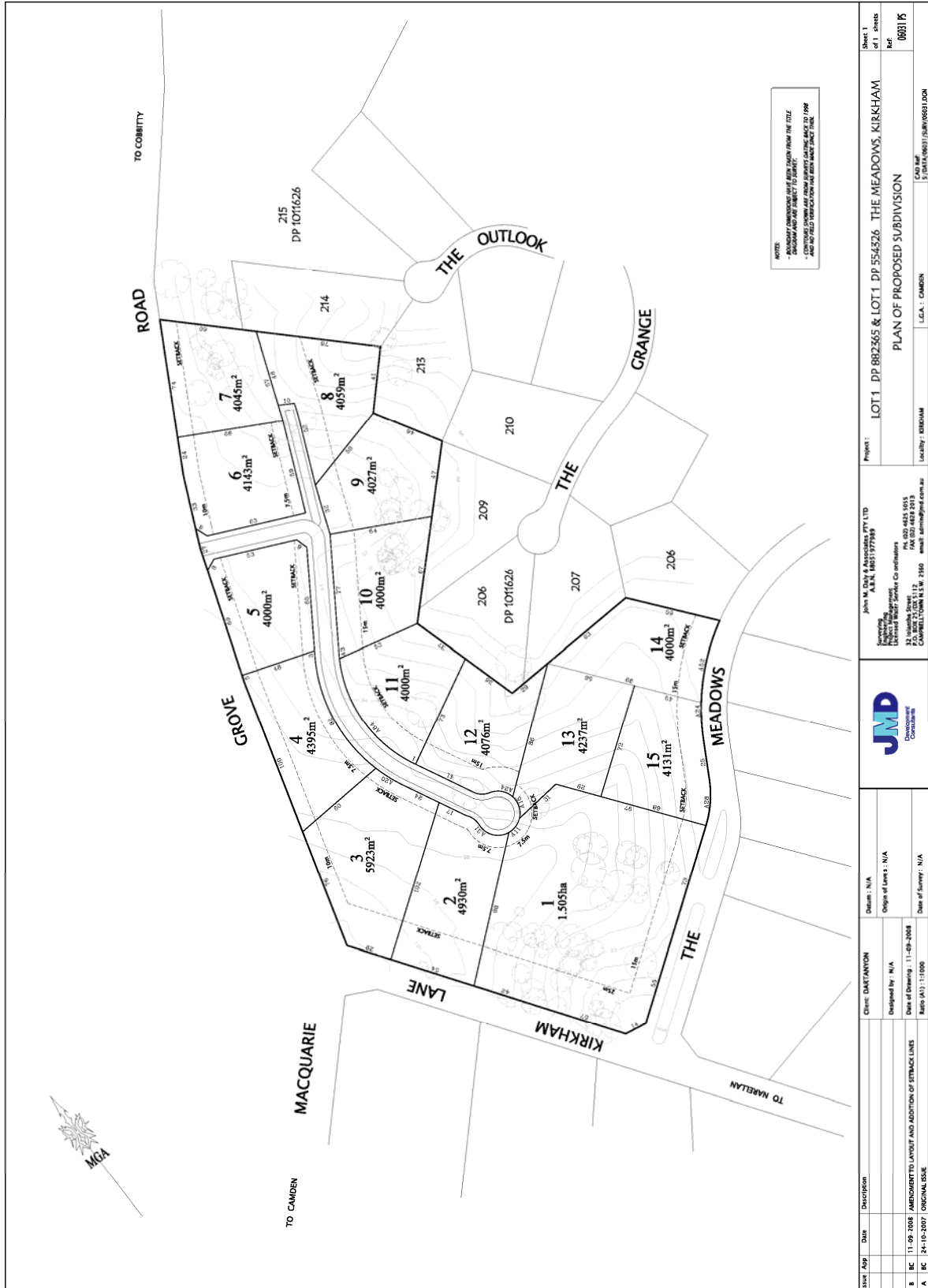
APPENDIX C

Preliminary Lot Layout

Attachment 2

ORD03

Attachment 2



ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: MATER DEI BOUNDARY ANOMALIES PLANNING PROPOSAL - AMENDMENT 5

FROM: Director Governance

BINDER: Planning Proposals - Amendment 5

PREVIOUS ITEMS: ORD08 - Mater Dei Boundary Anomalies Planning Proposal - Ordinary Council - 22 November 2011

PURPOSE OF REPORT

The purpose of this report is to provide feedback to Council on the public exhibition and government agency consultation of the Mater Dei Boundary Anomalies Planning Proposal (Amendment 5) and seek resolution to send the Planning Proposal to the DPI for the plan to be made. The exhibited Planning Proposal is **included as Attachment 1 to this report**.

BACKGROUND

At its meeting of the 22 November 2011, Council resolved to place the Mater Dei Boundary Anomalies Planning Proposal on public exhibition if Gateway Determination to proceed was received. Gateway Determination to proceed was received on 13 December 2011. The determination required Council to consult with the NSW Rural Fire Service (RFS) prior to undertaking community consultation and with the Environment Branch of the Office of Environment and Heritage (OEH) during consultation and to publicly exhibit the proposal for 14 days. Subsequently, the proposal was exhibited from 1 February to 20 February and the RFS and the OEH were consulted. There were no submissions received from the public.

MAIN REPORT

The exhibited Planning Proposal seeks minor adjustments to residential precincts within the Mater Dei residential development area. These are:

- Slight boundary adjustments for the three E4 zoned residential precincts due to mapping anomalies. Figure 2 (map attached to letter from Ecological Australia) within the Planning Proposal highlights these proposed changes.
- Slight boundary adjustments for the R2 zoned Seniors Living Precinct due to mapping anomalies. Figure 2 within the Planning Proposal highlights these proposed changes.

In both cases the E2 Environment Conservation zoned areas that are proposed to be rezoned to E4 and R2 have been assessed as having little conservation value. A letter from an ecological expert (the consultant that prepared the adopted Bushland Conservation Management Plan for this area) attesting to the minimal conservation value of these areas is shown in Figure 2 in the Planning Proposal.

Public Exhibition

The public exhibition of the Planning Proposal was from 1 February 2012 to 20 February 2012 and was exhibited at Narellan and Camden Customer Service Centres

and Libraries and on Council's website. A notice of exhibition was also placed in the local paper on the 1 February 2012 and the 15 February 2012.

No submissions were received as a result of the public exhibition.

Agency Consultation

As part of the consultation process and a requirement of the Gateway Determination the RFS were consulted prior to the public exhibition. The RFS had advised in writing that they had no concerns regarding the proposal therefore the Planning Proposal could be exhibited without changes. The OEH were contacted to provide comment on the proposal during the public exhibition period. The OEH have also advised in writing that they have no concerns regarding the proposal.

The Process from Here

If Council determines to proceed with the proposal, the Planning Proposal package will be sent to the DPI for final assessment with a request for the plan to be made.

CONCLUSION

The Mater Dei Boundary Anomalies Planning Proposal (Amendment 5) was required to be exhibited for at least 14 days. The public exhibition of the proposal was for 20 days. No public submissions were received during this time. The RFS and the OEH have no concerns regarding the proposal.

The changes proposed are minor in nature and are a result of mapping anomalies and will ensure that development of the Mater Dei residential and seniors living precincts occur in a timely and orderly fashion.

RECOMMENDED

That Council:

- i. adopt the Mater Dei Boundary Anomalies Planning Proposal (Amendment 5) as exhibited; and**
- ii. resolve to send the adopted Planning Proposal to the DPI so that the plan can be made.**

ATTACHMENTS

1. Planning Proposal

Attachment 1



CAMDEN COUNCIL

PLANNING PROPOSAL

Amendment No. 5 – Mater Dei Boundary Anomalies

November 2011

ORD04

Attachment 1

ORD04

Attachment 1

Attachment

Amendment No. – Maree De Boursacay Resonance

Contents

Background..... 3

Part 1 - Objectives or Intended Outcomes..... 4

Part 2 - Explanation of Provisions..... 5

Part 3 - Justification..... 6

Part 4 - Community Consultation..... 8

Appendix A - Applicable section 117 Directions..... 9

Attachment

Amendment No. – Mater Dei Boundary Amendment

Background

The Mater Dei release area is located at Kirkham and is bounded by Macquarie Grove Road to the west and Cobbitty Road to the north.

The portion of the land intended for residential development is zoned E4 Environmental Living and R2 General Residential, an area of heritage significance is zoned R5, whilst the remainder of the land which is intended to be conserved is zoned E2 Environmental Conservation.

A diagram showing the location of the subject land, and existing zones is **shown in Figure 1** at the end of this Planning Proposal.

Camden LEP 2010 (LEP 2010) was gazetted on 3 September 2010 and became the principal planning instrument covering land use and zoning in the Camden LGA.

Following the exhibition of the then-draft Camden LEP, at the meeting of 24 November 2009 Council resolved to incorporate numerous minor amendments to address matters raised in submissions. One of these matters related to a minor adjustment of the boundaries on the maps applying to the Mater Dei release area. Since then further additional minor adjustments of the boundaries applying to the Mater Dei release area have been identified. It is proposed that these boundary adjustments be incorporated into a joint Planning Proposal and assessed as a package. The following section will outline the changes proposed in the Planning Proposal.

Part 1 – Objectives or Intended Outcomes

Council is seeking a range of minor boundary adjustments to the Mater Dei release area. These changes are as follows:

1. Minor adjustments to the LEP boundaries for the residential precincts, currently zoned E4 Environmental Living, this will also require minor adjustments to the E2 zoned area;
2. Minor adjustment to the LEP boundary for the precinct currently zoned R2 Low Density Residential. This will also require minor adjustments to the E2 zoned area;

Part 2 – Explanation of provisions

The objectives of this Planning Proposal are to be achieved by amending selected Camden LEP 2010 maps. The following maps will require amendment under this proposal and should be in accordance with the new boundaries **shown in Figure 2** at the end of this Planning Proposal:

1. Zoning Maps

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ORD04

Attachment 1

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Attachment 1

Attachment

Amendment No. – Mater Dei Boundary Revisions

- Sheet LZN_007
- Sheet LZN_008
- 2. Height of Building Maps
 - Sheet HOB_007
 - Sheet HOB_008
- 3. Minimum Lot Size Maps
 - Sheet LSZ_007
 - Sheet LSZ_008

The specific amendments are outlined below:

E4 Residential Precincts

Due to further ground truthing of the E4 Residential precincts on the Mater Dei site minor boundary adjustments are sought to align the boundaries more correctly. This will include small areas of E2 Environmental Conservation land rezoned to E4, and small areas of E4 rezoned to E2. This planning proposal seeks to amend the land zoning, lot size and height maps applying to these precincts in the Camden LEP 2010. **Figure 2** shows the area proposed to be rezoned to E4 for these precincts in red and area proposed to become E2 in blue.

R2 Seniors Living Precinct

Also due to further ground truthing and detailed planning of the R2 Seniors Living precinct on the site minor boundary adjustments are sought for this precinct. These will align the boundary more correctly with the JRPP approved Seniors Living Subdivision. This will include small areas of E2 Environmental Conservation land rezoned to R2 and small areas of R2 rezoned to E2. This Planning Proposal seeks to amend the land zoning, lot size and height maps applying to these precincts in the Camden LEP 2010. **Figure 2** shows the area proposed to be rezoned to R2 in purple, and area proposed to be rezoned to E2 in blue.

The E2 zoned areas that are proposed to be zoned E4 and R2 have been assessed as having little conservation value. A letter from an ecological specialist (the company that prepared the adopted Conservation Management Plan for this area) attesting to the minimal conservation value of these areas is **shown in Figure 2**.

Attachment

Amendment No. – Water Der Boundary Amendment

Part 3 – Justification**Section A – Need for the planning proposal.****1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not a result of any strategic study or report. The planning proposal seeks minor boundary adjustments of the land zoning map, height of buildings map and lot size map. These minor adjustments are a result of further ground truthing of the residential precincts, a boundary inadvertently changed and carried over to Camden LEP 2010, and an inclusion of a heritage item into the same zone as the other heritage items on the site.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the planning proposal provides the best way of achieving the intended outcome via a minor amendment to the land zoning map, height of buildings map and lot size map.

3. Is there a net community benefit?

Given the minor and administrative nature of the amendment to the land zoning map, height of buildings map and lot size map, it is not considered that a Net Community Benefit Test needs to be undertaken in this instance. However, given that the proposed amendments will refine Camden LEP 2010 and ensure that it is accurate and robust, it may be considered that there is a positive net community benefit gained by proceeding with this planning proposal.

Section B – Relationship to strategic planning framework.**4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The planning proposal is consistent with both the draft South Western Regional strategy and the Sydney Metro Strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2040.

6. Is the planning proposal consistent with applicable state environmental planning policies?

Page 5 of 8

ORD04

Attachment 1

ORD04

Attachment 1

Attachment

Environment No. – Maté Dle Boursary Resonance

The planning proposal is consistent with applicable state planning policies.

- 7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The planning proposal is consistent with applicable Ministerial Directions.

Section C – Environmental, social and economic impact.

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

The proposal involves minor amendments to the boundaries between the E2 Environmental Conservation and E4 Environmental Living zones. These amendments are the result of detailed investigations which ground-truthed the location of the zone boundaries and informed the final subdivision layout. There is no likelihood of any adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

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

There are no likely environmental effects as a result of this planning proposal.

- 10. How has the planning proposal adequately addressed any social and economic affects?**

Not applicable.

Section D – State and Commonwealth interests.

- 11. Is there adequate public infrastructure for the planning proposal?**

Not applicable.

- 12. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?**

Given the minor nature of the issues listed in this planning proposal no state or Commonwealth public authorities have been consulted.

Attachment

Amendment No. – Mater Dei Boundary Amendment

Part 4 – Community Consultation

Background and Strategy

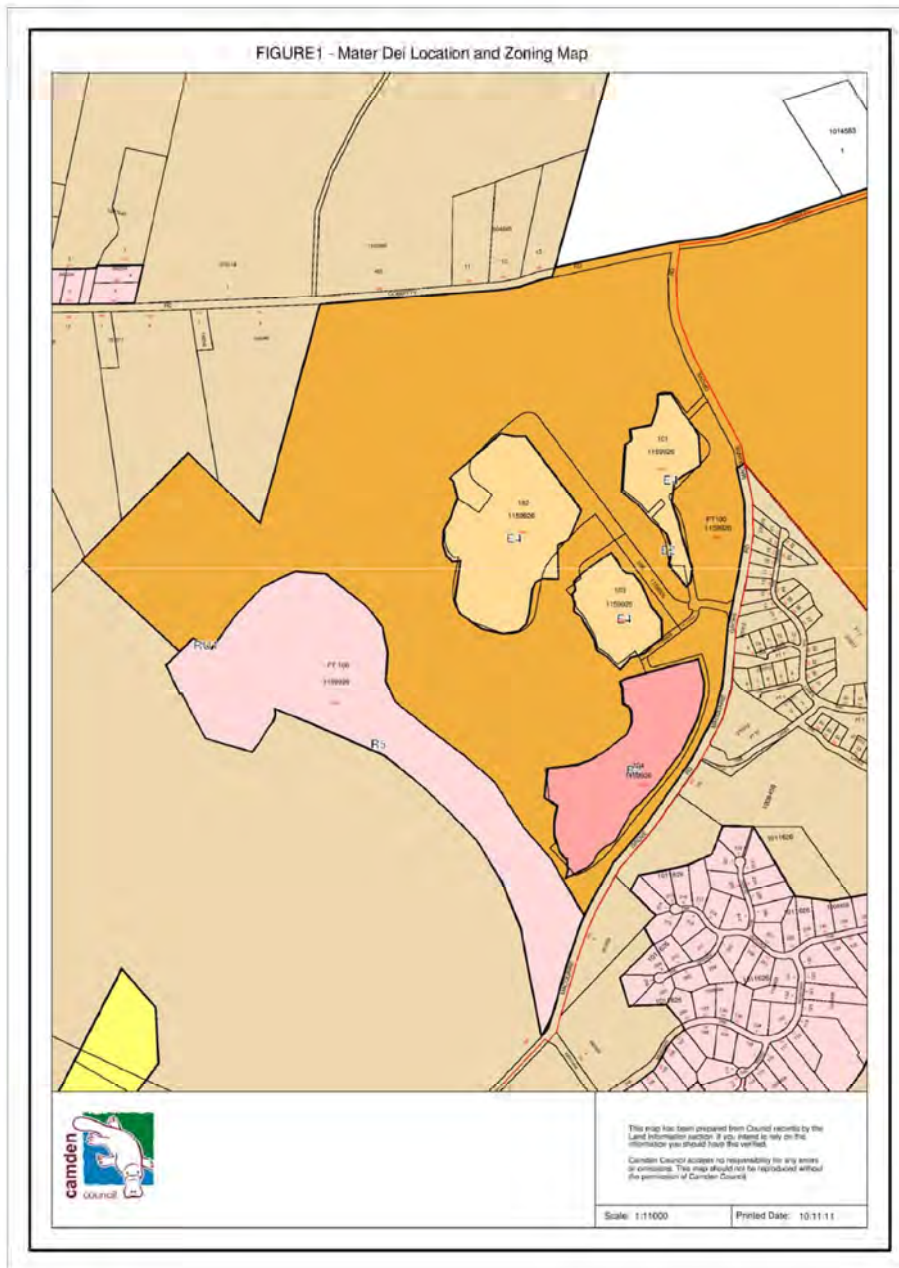
Given the minor nature of the proposed amendments to the maps for the Mater Dei release area, it is considered that no public exhibition period or consultation with state and Commonwealth public authorities is warranted.

Amendment No. – Miller Dale Boundary Anomalies

Appendix A – Applicable section 117 directions

Direction	Objective	Response
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	The planning proposal includes minor adjustments to the zone boundary between the E2 Environmental Conservation and E4 Environmental Living zones. These amendments ensure these boundaries correspond with the actual location of environmentally sensitive areas on the site, as ground-truthed via the post-rezoning development process.
4.4 Planning for Bushfire Protection	The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.	The amendments to the zone boundaries are minor and do not impact upon the provision and maintenance of appropriate asset protection zones for future residential lots.
7.1 Implementation of the Metropolitan Strategy	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	The proposal is compatible with the Metropolitan Strategy in that it assists in the delivery of residential greenfield development.

Attachment



ORD04

Attachment 1

ORD04

Attachment 1

Attachment

Figure 2 - letter from ecology specialist

Your reference:
Our reference: 10SUTECO-0007

9 November 2011

Wivenhoe Camden Pty Ltd
Level 15, 2 Bulletin Pl
Sydney NSW 2000



ECO LOGICAL AUSTRALIA PTY LTD
ABN 87 096 512 088
www.ecoaus.com.au

Re: Wivenhoe LEP - mapping refinements

Eco Logical Australia is aware that a planning proposal has been prepared to facilitate the amendment of the maps for the zoning of the Mater Dei release area. ELA understands that the amendments are a result of macro level map boundaries, created during the rezoning process, being refined during the micro level subdivision layout preparation and this follows extensive ground-truthing and refinement during the development application process.

From the map provided (see attachment 1) it appears that the amendments to the zoning boundaries will have no implications for the intention and management of the Conservation Management Plan for Mater Dei. We note the application of R5 zoning over the heritage curtilage lands (shown in attachment 1), and your confirmation from Council that this is a result of the best fit transfer process, as the school use is not permitted in the environmental zones which would usually be applied to such heritage lands.

From the information provided the mapping amendments will see no adverse impacts on the conservation lands, as the changes reflect mapping refinement through further ground truthing.

Yours sincerely,

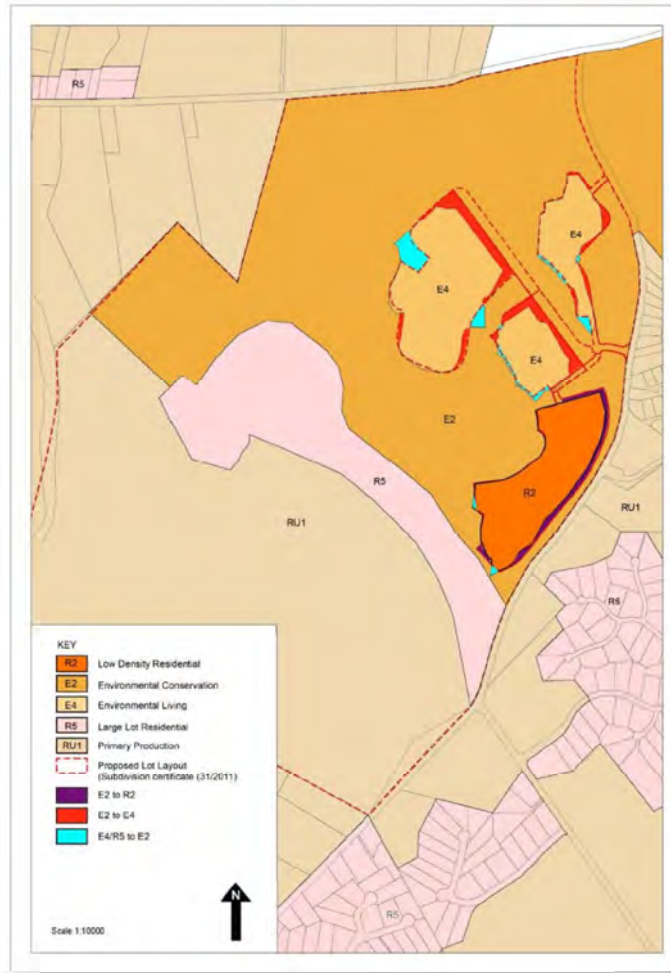
Julie Holden
Manager - NSW South Coast

Attachments:
1: LEP Map (Taylor Brammer)

8/128 ISLAND POINT ROAD ST GEORGES BASIN NSW 2840 | PO BOX 106 ST GEORGES BASIN NSW 2840 T | 02 4443 5555 F | 02 4443 4658
ARMIDALE | CANBERRA | COFFS HARBOUR | GOSFORD | MUDGEE | NAROOMA | NEWCASTLE | PERTH
ST GEORGES BASIN | SUTHERLAND | SYDNEY | WOLLONGONG

Attachment

ECOLOGICAL AUSTRALIA PTY LTD



ORD04

Attachment 1



ORD05

ORDINARY COUNCIL

ORD05

SUBJECT: DRAFT CAMDEN SECTION 94 CONTRIBUTIONS PLAN (LEPPINGTON NORTH PRECINCT)

FROM: Director Governance

BINDER: Leppington North Development Contributions

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit the Draft Camden Section 94 Contributions Plan (Leppington North Precinct) and to submit the Draft Section 94 Plan to IPART so that its review can occur concurrently with its public exhibition.

BACKGROUND

The Austral and Leppington North Precincts were released for precinct planning purposes by the Minister for Planning in October 2009. The Austral Precinct is wholly located in the Liverpool LGA, while the Leppington North Precinct is located partly in the Liverpool LGA and partly in the Camden LGA. This Section 94 plan relates to that part of the Leppington North Precinct that is within the Camden LGA which is the majority of land that will comprise the Leppington Major Centre.

The Leppington Major Centre will be the primary focus for employment, retailing, entertainment and community services in the South West Growth Centre. It will progressively become a major centre as established in the State Government's Metropolitan Plan for Sydney 2036. The centre will be focused on the rail station which will reinforce its role as a regional employment hub.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development. The infrastructure will be delivered or coordinated by a number of parties including State Government public authorities; State owned corporations, Councils, developers and private providers.

Government Special Infrastructure Contribution

The South West Growth Centre is supported by the State Government Special Infrastructure Contribution (SIC) toward the provision of state and regional infrastructure including roads (relevant roads for the precinct are listed below); land for education, health and emergency service facilities; environmental conservation purposes; and planning delivery.

The SIC funds (at least in part) the upgrade of the following roads:-

- Eastwood Road;
- Ingleburn Road;
- Rickard Road;
- Bringelly Road (Cowpasture Road);
- Camden Valley Way.

Council's Previous Consideration of the Draft Precinct Planning Package

The Department of Planning & Infrastructure (DPI) conducted the public exhibition of the Draft Precinct Planning Package from 26 October until 2 December 2011.

On 13 December 2011, Council considered the Austral Leppington North Draft Precinct Planning Package and resolved that Council:

- i. Endorse a submission that supports the vision for the Austral Leppington North Precinct Plan however objects to the rezoning of the Austral Leppington North Precinct Plan at this time, on the basis of the uncertainty for Council to be able to fund local infrastructure above the Section 94 contributions cap, fund “non-essential” infrastructure and fund regional level infrastructure;*
- ii. continue to work with the Department of Planning & Infrastructure seeking a resolution of Council’s infrastructure funding gap;*
- iii. make representations to the Minister for Planning and Infrastructure and the State Member for Camden seeking a resolution of Council’s infrastructure funding gap;*
- iv. make representations to the State or Federal Government to discuss interim funding opportunities to meet its future Section 94 funding obligations and facilitate precinct development and that this matter be reported back to Council;*
- v. accept long term ownership of identified creeks and riparian land subject to Section 94 funding land acquisition and embellishment works;*
- vi. continue to advance the Precinct Planning Project and Draft Section 94 Plan in partnership with the Department of Planning & Infrastructure and Liverpool Council.*

This report deals with some aspects of the Council resolution.

MAIN REPORT

The Department of Planning & Infrastructure (DPI) and Council have jointly prepared a Draft Section 94 Plan (funded by the DPI). The DPI engaged a consultant firm, Newplan, to develop two Draft Section 94 Plans for the Austral and Leppington North Precincts (one for each LGA). Camden’s Section 94 Plan is at a more advanced stage of preparation compared to Liverpool’s.

The Section 94 Plans have been prepared using various sources of documentation including information gathered from recent planning studies undertaken for the two precincts, including Integrated Water Cycle Management Reports, Traffic Reports and Social Infrastructure Reports. The Draft Section 94 Plan is provided as **Attachment 1 to this report**.

Once adopted, the Section 94 Plan will enable Council to levy contributions on residential and employment generating development within the Precincts. Funding sourced from these contributions will be used by Council (or a third party on behalf of Council) to deliver essential infrastructure required by the Precincts. This will typically include:

- Major local road infrastructure such as sub arterial roads, creek crossings and parts of collector roads and the necessary land to build them;
- Drainage infrastructure including detention basins, parts of riparian corridors used to convey stormwater and new drainage channels and the necessary land to build them;
- Open space including embellishment of new parks, playgrounds and sporting fields and the necessary land to establish them; and
- The land for community facilities (construction of the facilities can’t be delivered from Section 94 contributions, Council in partnership with the State Government will need to find alternative funding for these).

Governance Structure

The Minister for Planning and Infrastructure has the responsibility for recommending (or not) to the Governor the Publication (formerly gazettal) of the proposed amendment to the Growth Centres State Environmental Planning Policy (SEPP). The Director-General of Planning and Infrastructure has the authority to adopt the proposed Development Control Plan (DCP). The Councils (Camden and Liverpool) are the consent authority for future development and have responsibility for the implementation of the DCP and Section 94 Plan.

The Section 94 Plan needs to be exhibited and ultimately approved by Council. However, Council may choose to ask the Minister for Planning and Infrastructure to approve the Section 94 Plan. A Section 94 Plan approved by the Minister for Planning and Infrastructure, including a condition of consent imposed under such plan, would not be subject to court appeals.

Future Camden Growth Centres Contribution Plans

Precinct Planning for the adjoining East Leppington and Leppington Precincts will require associated Section 94 Contribution Plan/s. In order to rationalise the number of Section 94 Plans required for Growth Centre Precincts within the Camden LGA, rather than prepare individual Section 94 Plans for each Precinct, it is proposed that the draft Leppington North Section 94 Plan be amended as necessary, at least for the Leppington and East Leppington Precincts. This approach would have the following benefits:

- Agreement to general embellishment and construction cost rates (subject to IPART and Quantity Surveyor review) has been reached;
- Would only require preparation of new infrastructure schedules and maps for new precincts and minor amendment to the current Section 94 Plan as opposed to preparing new contribution plans from scratch;
- Allow for better recognition and management of contributions for the regional community facilities;
- Unless drainage catchments are remarkably different (to be determined during Precinct Planning), can allow for same base contributions between the Precincts;
- May allow for open space provision within the Leppington Major Centre to be shared across a larger catchment without the need for apportionment between different Precinct Plans and
- Likely reductions in preparation time and potential for a more streamlined review by IPART/DPI to better align exhibition and gazettal of Precinct Plans and contributions plans.

Draft Section 94 Plan

The tables below summarises the total infrastructure costs and Section 94 contribution rates of the Draft Section 94 Plan. The red column of the table below is considered to be representative of the contributions applicable to residential development in the Leppington North Precinct. Whilst a developer could choose to build a detached dwelling, given the dwelling densities proposed in the State Environmental Planning Policy amendment, the total contribution for the R3 medium density land is considered to be more representative of average lot contributions rates.

Average Section 94 Rates Summary Table: Residential Development

	Detached Dwelling	Villa, town house and attached dwelling	Apartment
Dwelling Type (costs are \$/dwelling)			
Assumed Lot Size m2 (including local road construction)	400	400	300
Typical Zone for Development	R3 Medium Density Residential	R3 Medium Density Residential	B4 Mixed Use
Dwelling Density (dwellings/ha)	25	25	20
Dwelling Occupancy Rate (Persons/Dwelling)	3.4	2.6	1.8
Contributions Rates Summary			
Open Space (per person)	\$19,949	\$15,255	\$10,561
Community Facilities (per person)	\$4,435	\$3,392	\$2,348
Roads (per ha of NDA)	\$11,888	\$11,888	\$8,916
Drainage (per ha of NDA)	\$7,940	\$7,940	\$5,955
Plan Administration (per ha of NDA)	\$270	\$270	\$202
Non-Essential Community Facilities Works (per person)	\$4,036	\$3,087	\$2,137
Non-Essential Roadworks (per ha of NDA)	\$17	\$17	\$13
TOTAL CONTRIBUTION	\$44,483	\$38,745	\$27,983

Indicative Section 94 Rates Summary Table: Non- Residential Development

Development Type	\$ per hectare of net developable area (NDA)
Light Industrial	\$502,019
Business, Commercial, Retail Development	Ranging from \$554,919 to \$607,819

It must be noted that these are indicative rates provided for information purposes. Until individual development applications are received and development floor spaces are confirmed, the contribution rates are variable.

A summary of the total contribution costs for all development is provided below.

Total Contribution All Development

Item	Item Total Cost	\$ per person or hectare of NDA
Open Space (per person)	\$32,341,680	\$5,867
Community Facilities (per person)	\$5,490,311	\$1,305
Roads (per ha of NDA)	\$68,117,584	\$297,210
Drainage (per ha of NDA)	\$45,495,245	\$198,504
Plan Administration (per ha of NDA)	\$1,544,325	\$6,738
Non-Essential Community Facilities Works (per person)	\$4,996,358	\$1,187
Non-Essential Roadworks (per ha of NDA)	\$99,317	\$433
TOTAL CONTRIBUTION	\$152,989,145	\$509,625

Key Issues for Council

The key issues to do with the Section 94 Plan were outlined in the report to Council dated 13 December 2011 that dealt with the exhibition of the Austral Leppington North Draft Precinct Planning Package. The key issues that relate to the Section 94 Plan and infrastructure are expanded upon below:

Key Issue 1 – Council’s Adopted Position on the Precinct Planning Project

Council’s objection to the rezoning of the precinct is a direct result of the uncertainty around being able to fund infrastructure that is currently unfunded. This stems from the State Government policy position to do with development contributions.

Comment - This Draft Section 94 Plan is prepared and funded by the DPI and is considered to represent the true cost of funding the required infrastructure for the Precinct (noting further costing refinements will be completed). In summary, the intent of the State Government to stimulate housing construction, increase housing supply and improve housing affordability in NSW is supported however the means that it has utilised to achieve this is not.

Key issue 2 – Financial risk to Council

Council’s response to the DPI concerning the exhibition of the Draft Precinct Planning Package stressed to the DPI that whilst the overall vision for the Precinct development is generally supported, the Precinct Planning process holds significant financial risk for Council.

Key issue 3 – Timeline for Gazettal of Rezoning & Adoption of the Section 94 Plan

The project timeline for the rezoning of the Precinct Plan to take effect is by mid-2012. The Section 94 Plan is not projected to be ready for adoption by Council at the time rezoning takes effect.

If the rezoning takes effect without a new Section 94 Plan in place, development would be levied under Camden Contribution Plan 2004, which would levy a lower rate than

the expected \$30,000 State Government cap amount (discussed further below). During project discussions, staff has advised the DPI that it does not support the rezoning of the land without the Section 94 Plan in place. The DPI has confirmed that they are committed to the rezoning target timeline of mid-2012. As a result Council staff and the DPI have been working to reduce the “time gap” between the rezoning taking effect and the adoption of the Section 94 Plan.

The General Manager has written to the Minister for Planning and Infrastructure seeking approval from the DPI to proceed to the public exhibition of the Draft Section 94 Plan, should Council resolve to proceed to this stage. The DPI has issued approval for Council to proceed with the public exhibition of the Draft Section 94 Plan subject to the following conditions:-

- 1. The draft Contribution Plan and supporting information is submitted to IPART for review prior to commencing exhibition;*
- 2. Prior to finalisation and adoption of the Contribution Plan by Council, any reasonable changes to works construction rates or land acquisition rates identified by the Department's independent review are incorporated into the Contribution Plan;*
- 3. Prior to finalisation and adoption of the Contribution Plan by Council, any recommendations made by IPART are incorporated into the Contribution Plan.*

The Draft Section 94 Plan would be submitted to IPART prior to the public exhibition process commencing so that its required review can occur concurrently with the public exhibition.

Key issue 4 – State Government Section 94 Cap

As part of the State Government's strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government now imposes limits on the total monetary section 94 contributions that a Council may impose on developments.

The former Minister for Planning issued a direction to the Council under section 94E of the Environmental Planning & Assessment Act effective from 4 March 2011 that restricts Council from imposing conditions of consent requiring monetary section 94 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is \$20,000 per lot or dwelling. However, the Government's policy is to allow a cap of \$30,000 per lot or dwelling to apply to “greenfield development” in recognition of the greater infrastructure costs of those developments.

The Draft Section 94 Plan assumes that the Precinct will be declared a “greenfield area” and will be subject to a future Direction permitting monetary section 94 contributions up to \$30,000 per lot or dwelling.

The General Manager wrote to the Minister for Planning & Infrastructure on 27 February 2012 requesting that a revised Ministerial Direction be issued declaring the Austral and Leppington North a “greenfield area” and accordingly permits monetary contributions up to \$30,000 per lot or dwelling. The letter also requested that the Direction should be amended to enable Growth Centre precincts that have been released for precinct planning be automatically declared as a “greenfield area”. The letter argues that amending the Direction prior to gazettal of the Precinct Plan will avoid

the risk that Council can only collect levies up to \$20,000 per lot should development applications be lodged immediately following gazettal.

The Deputy Director General of the DPI responded on 7 March 2012, agreeing that the Austral Leppington North Precincts meet the criteria for definition as a greenfields area. Unfortunately the letter advises it is not possible for the DPI to amend the Ministerial Direction until such time as the Section 94 Plan has been adopted. The DPI acknowledges Council's concerns regarding this timing and advises DPI is currently examining ways in which the process can be improved. In the meantime the DPI has asked to be kept informed of the timing for adoption so that the Ministerial Direction can be amended accordingly.

The previous table summarising the average Section 94 rates demonstrates that medium density residential development rates exceed the \$30,000 cap limit. This means that funding for a proportion of land and capital works specified in the Draft Section 94 Plan is currently uncertain.

Council staff have made an attempt to quantify the magnitude of the infrastructure funding gap that Council is likely to be confronted with. This has involved making a number of assumptions including development density yields which means the figures provided below are of an indicative nature.

The total infrastructure funding gap is calculated at approximately \$14.5 million (9.5% of the total infrastructure cost). This total is comprised of approximately \$9.5 million worth of essential infrastructure works and approximately \$5 million worth of non-essential infrastructure works (these infrastructure categories are explained further below). It is also important to note the Section 94 cap does not apply to non-residential development which makes up a significant proportion of the Leppington Major Centre.

In the absence of an alternative funding source, a strategy will need to be devised to address the funding short-fall in a manner that best facilitates development in the precinct.

Key issue 5 – State Government Approach to “Essential Infrastructure” & “Non Essential Infrastructure”

Above the Section 94 cap amount, the State Government's policy also restricts the Council to applying to fund infrastructure from the “essential works list” which is a defined term. For example, the Section 94 Plan can levy for the land for a community facility but not for the construction of the facility. The Section 94 Plan can levy for “base level” embellishment of open space to make it safe and suitable for passive recreation use. The Draft Section 94 Plan identifies essential and non essential infrastructure consistent with State Government's policy.

This means that funding for a proportion of the land and capital works costs specified in the Draft Section 94 Plan is currently uncertain.

The State Government has identified two funding options to fund essential infrastructure above the \$30,000 cap:-

- Apply for funding under the Government's Priority Infrastructure Fund as an Interim measure, or
- apply for a Special Rate Variation.

The State Government has given IPART the authority to review the Draft Section 94 plans in these instances and determine applications for Special Rate Variations.

IPART's submission to Government on the NSW Planning System Review notes the Priority Infrastructure Fund has limited funding; it was set up in 2010 with \$50 million to be available over 2 years (2010/11 to 2011/12). In October 2011, IPART published reviews of 3 contributions plans for new development areas in north-west Sydney and noted the gap between the amount of revenue Councils can collect under the contributions caps and the costs in the 3 contribution plans that IPART examined exceeded the Priority Infrastructure Fund amount.

IPART's submission also points out the problems with the Special Rate variation funding option including equity issues for current and future ratepayers. For these reasons a Special Rate variation funding option is not favoured to be pursued. IPART goes on to request that the Government completely revise its development contribution policy which is agreed with.

Notwithstanding the State Government's policy, the Draft Section 94 Plan determines the maximum reasonable section 94 contribution due to expected development in the Precinct.

It is appropriate for the Section 94 Plan to do this in order:

- to allow IPART to review the extent to which the (capped) development contributions are likely to fund to the total cost of public amenities and services required by the development of the Precinct; and
- to provide information for the State Government, Council and the local community to determine a funding strategy to meet the cost of public amenities and services that will not be met (due to the cap) by section 94 contributions.

Key issue 6 – IPART Review Process

As per the conditions stipulated by DPI, the Draft Section 94 Plan is required to be submitted to IPART for review prior to public exhibition.

IPART's NSW Planning Review submission to Government points out the review of 3 Section 94 plans for new development areas in north-west Sydney show that the reasonable cost of providing infrastructure for new development in north-west Sydney is significant and can be well above the relevant caps. IPART point out their review would only reduce the total cost of each plan by relatively modest percentage amounts.

As per the DPI Practice Note, IPART's review will consider whether:

- the contributions plan complies with the requirements of the Environmental Planning and Assessment Regulation 2000 and the DPI's Development Contributions Practice Notes;
- each plan includes appropriate Essential Infrastructure as required for the proposed development; and
- the costs (including both land value and capital costs for construction / works) assigned to this infrastructure are reasonable.

The outcome of the public exhibition and IPART review will be reported to Council for further consideration.

An additional risk to Council is that IPART is not subject to any legislated timeframe to review and respond to a Draft Section 94 Plan. It is understood the IPART review process for the Section 94 Plans for The Hills and Blacktown Councils took several months to complete with the Section 94 Plans in question yet to be adopted.

Key issue 7 – Land acquisition matters

The Draft Section 94 Plan adopts base land costs and an average land acquisition contingency amount of 12% as determined in the land valuation report prepared by MJ Davis Valuations Pty Ltd and titled *Section 94 Contributions and Infrastructure Delivery Plan – Austral and Leppington North Precincts*.

Although Leppington North is “greenfield area” for the purposes of Government Policy it must be acknowledged that certain land required for roads, drainage and open space may contain a residence and in some cases there may be businesses impacted. The land rates in the Section 94 Plan are based on an assessment of general land values. Land to be acquired by Council will be the subject of detailed site specific valuations to determine market value plus all costs and in the case of businesses there may be a need for further compensation as a result of the need to relocate. In some cases, the full extent of property acquisition will not be known until detailed infrastructure design and survey is completed.

The average land acquisition contingency of 12% applied to the Section 94 Plan is intended to fund the total costs of land acquisition including additional matters set out in the terms of the various heads of consideration that arise when land is acquired under the NSW Land Acquisition (Just Terms Compensation Act) 1991.

Council’s contracted Property Officer (Valuer) has cautioned against the adoption of a blanket contingency amount because each land acquisition matter must be assessed under the Act. The Property Officer has advised that if a blanket contingency rate is to be applied, an allowance of 12% is inadequate with 15% considered to be more appropriate. This matter has been raised with the DPI with a request that this rate be reviewed as part of the post exhibition precinct planning works.

Council’s contracted Property Officer (Valuer) has further advised there is a need to review the rate for flood prone land between 1:20 – 1:100 flood level including the assumptions behind this. This matter has been raised with the DPI with a request that all land value rates be reviewed as part of the post exhibition precinct planning works.

At this concept level of the investigation, aerial photos have been overlaid with the Indicative Layout Plan to identify properties subject to land acquisition that may require building demolition and disposal. A demolition allowance has been included where this is the case. This will be further reviewed and updated if required as part of the Precinct Planning post exhibition works.

Key issue 8 – Land acquisition authority

To date Council has advised the DPI that it is not willing to being nominated in the Draft State Environmental Planning Policy as the land acquisition authority for Section 94 funded roads, drainage and open space on the grounds there is no certainty for Council to be able to fund the local infrastructure above the Section 94 Contributions cap.

To progress the Draft Section 94 Plan will require Council to agreeing to being the land acquisition authority for Section 94 funded roads, drainage and open space land.

Key issue 9 – Advancing the Draft Section 94 Plan

It is important that Council maintain its commitment to the Precinct Planning Project and in particular the preparation of the draft Section 94 Plan. This will assist to lessen the risk that the rezoning takes effect with no new Section 94 Plan in place.

Other issues

Infrastructure costings

Sub-consultants from the Precinct Planning project team have completed the infrastructure costings along with substantial input from DPI. Costing rates have been compared to similar recent Section 94 Plans and the rates have been adjusted where appropriate. Costing rates have been reviewed by Council staff with continuous feedback provided to DPI.

Project on-costs have been adopted consistent with those of Draft Camden Section 94 Contributions Plan 2012.

As part of its Precinct Planning post exhibition works, DPI has confirmed that it will commission concept design works to a strategic level for bridges, drainage basins, pedestrian bridges. DPI has engaged a Quantity Surveyor to review costing rates. Costing rates will also be reviewed by IPART. If necessary, further adjustment of costing rates will be made as part of the post exhibition works for the Section 94 Plan.

Indexation

Indexing of contribution rates is one strategy to help ensure that the monetary contributions received keep pace with the changing costs of delivering facilities. Indexation alone however will never substitute the need for Council to regularly revisit and review the specification and costing of works contained in a Section 94 Plan.

The Section 94 Consultant has recommended the use of two indices in the contributions plans. For works, it is recommended that the Consumer Price Index (CPI) for All Groups Sydney be used. For land acquisition, it is recommended that a Land Value Index (as set by Council) be used. The Draft Section 94 Plan contains a proposed methodology for Council to be able to revise the contribution rates to reflect increases in land values. The Section 94 Plan provides a procedure for Council to be able to obtain regular land valuations for the land to be acquired and publish a "Land Value Index" on Council's website. The Draft Plan states Council's intention to publish the Land Value Index and revise the contribution rates accordingly, without requiring amendment to the plan and a public exhibition process. This is consistent with the indexation provisions of the draft Camden Contribution Plan.

Long term ownership of creeks and riparian land

This matter was outlined in detail in the report to Council dated 13 December 2011 that dealt with the Precinct Planning exhibition package.

Where riparian lands serve a function that is able to be levied for under Section 94 (such as open space, pedestrian/cycle links or drainage), Council can utilise Section 94 funds to bring these lands into public ownership. The master planning response to

riparian zone management for the Precincts has been to locate some other elements of the public domain along key riparian corridors, to enable public uses that are compatible with the water quality, drainage, ecology and soil conservation functions of riparian zones. The channel and 10 metres either side of the banks has also been identified as drainage land, recognising the important role of creeks in managing urban stormwater.

Council's resolution of 13 December 2011 is to accept long term ownership of the identified creeks and riparian land subject to Section 94 funding land acquisition and embellishment works, although acquisition may need to be delayed or not proceeded with where impacted by the cap on contributions.

Land & Infrastructure to be delivered by Transport NSW (TNSW)

The Indicative Layout Plan shows roads and open space around the future Leppington station that will not be the responsibility of Council to fund or provide. It is expected to be the responsibility of TNSW or a developer to provide these at their expense. On this basis these lands and works have been omitted from the Section 94 Plan.

Council may be approached in the future to accept the dedication of open space and roads around Leppington Station. The decision to accept land dedication and the terms and conditions attached to such would be at Council's discretion. To date Council staff has advised the DPI that it would expect the land and works to be constructed to Council's standards and dedicated to it free of cost and would not be subject to offsets against the Section 94 Contributions payable on a development consent as the land is not identified in the Section 94 Plan.

Approach to delivery of collector roads

The Section 94 Plan proposes that the detailed road design costs for collector roads be included. Construction costs for these roads will be at the developer's cost and delivered in conjunction with surrounding development. The Draft Development Control Plan has been prepared in support of this approach. DPI has confirmed that this approach has been successfully implemented in fragmented ownerships elsewhere such as other Growth Centre Precincts in the Blacktown LGA.

This approach will be more resource intensive for Council to manage. It also requires an acceptance that the roads will be constructed in a staged manner.

Mixed use area

The Leppington Major Centre includes two areas of mixed use land adjoining the civic precinct and retail core. The purpose of these mixed use zones is to encourage dense residential development within close proximity to Leppington Station whilst also allowing for overflow civic, office or retail uses if necessary.

The mixed use area is projected to contain 369 dwellings (665 people) and this projected income has been included within the Draft Section 94 Plan.

Council staff initially expressed a need to have a minimum dwelling density control for the mixed use zone to ensure there is adequate coverage for the collection of Section 94 contributions.

After further discussion with DPI it has been agreed to adopt a conservative dwelling yield of 20 dwellings per hectare to manage the Section 94 income risk to Council and

to comply with the zone objectives which promote a flexible land use approach (which does not lend itself to a minimum density standard). It is envisaged that a denser residential outcome for this zone would be achieved but is ultimately at the discretion of the market.

Public Exhibition

It is proposed that the Draft Section 94 Plans be placed on public exhibition for 28 Days. The exhibition will include displays at the Council Administration Centres and the Camden and Narellan Libraries.

All exhibition material will also be provided on the Council's web site with a link from the DPI's web site directing people to Council's. All material placed on exhibition will be available in hard copy at exhibition venues for people to view and on CDs for people to take away.

Councillors will be notified under separate cover prior to the exhibition commencing. The matter will then be reported back to Council at the conclusion of the exhibition period and the IPART review process with comments received, any proposed changes and a recommendation on whether Council should make the Plan or otherwise.

Next Steps

As per the letter from the DPI, the Section 94 Plan will be forwarded to IPART for their review prior to the commencement of the public exhibition period.

During exhibition of the Section 94 Plan, further resolution of some detailed matters, such as checking the dimensions of the Indicative Layout Plan, completion of a detailed Water Cycle Management Strategy and a revised land valuation will take place.

DPI has commenced a review of the Austral Leppington North Precinct Plan ILP in response to submissions received to the exhibition that was held late last year. Changes to the ILP may trigger further changes being required to the Section 94 Plan. The nature and scope of changes will dictate if there is a need to re-exhibit the Section 94 Plan or not.

Following the consideration of submissions and IPART's recommendations, a final Section 94 Plan will be prepared, in conjunction with final versions of the other precinct planning documentation. The timeframe to report this matter to Council cannot be defined further until the IPART review process is completed.

CONCLUSION

The Draft Camden Section 94 Contributions Plan (Leppington North Precinct) is an important component in being able to realise the vision established for the Leppington Major Centre and the South West Growth Centre more broadly.

The report identifies the reasons why the Draft Section 94 Plan stops short of funding the infrastructure that is needed to support the precinct.

Council's position of lodging its objection to the rezoning and making political representations in this regard whilst maintaining its commitment to progressing the Precinct Plan and Section 94 Plan is considered to be the appropriate course of action to take.

RECOMMENDED

That Council:

- i. endorse the Draft Camden Section 94 Contributions Plan (Leppington North Precinct) for the purposes of public exhibition;
- ii. accept being nominated as the land acquisition authority for roads, drainage and open space land funded by the Section 94 Plan;
- iii. in accordance with the conditions stipulated by the DPI:
 - a) submit the Draft Plan and supporting documentation to IPART for review prior to commencing public exhibition;
 - b) incorporate any reasonable changes to works construction rates or land acquisition rates identified by the DPI's independent review prior to finalisation and adoption of the Section 94 Plan by Council;
 - c) incorporate any recommendations made by IPART into the Contribution Plan prior to finalisation and adoption of the Section 94 Plan by Council, and
- iv. consider a further report on the outcome of the:
 - a) public exhibition of the Section 94 Plan;
 - b) IPARTs review of the Section 94 Plan;
 - c) Precinct Planning post exhibition works.

ATTACHMENTS

1. Draft Section 94 Plan

**Camden
Section 94 Contributions Plan
(Leppington North Precinct)**

Exhibition Draft February 2012



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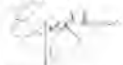
ORD05

Attachment 1

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Reviewer: G New



Signed:
Date: 20 February 2012
Distribution: Department of Planning & Infrastructure; Camden Council

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

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1. Summary of Plan

1.1 Preamble

The Leppington North Precinct is an urban release area in Sydney's South West Growth Centre. The Precinct traverses land in both Camden and Liverpool LGAs.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development.

The infrastructure will be delivered or coordinated by a number of parties including State Government public authorities, State owned corporations, councils, developers and private providers.

Councils typically fund the provision of local infrastructure through a combination of general revenue (from rates and other charges), development contributions under the Environmental Planning and Assessment Act, and grants from the State or Commonwealth government. Much of the capital cost of local infrastructure in new urban areas is funded by development (i.e. section 94) contributions as there is often a clear relationship between the need for new or upgraded infrastructure and population growth attributable to new development.

This Plan addresses the provision in the Precinct of those public amenities and public services - or local infrastructure - to be delivered by or on behalf of Camden Council. This infrastructure includes:

- open space and recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, walking trails and bike paths;
- community and cultural facilities, such as cultural centres and multi-purpose community centres;
- water cycle management facilities, such as detention basins and stormwater channels; and
- traffic and transport management facilities, such as new roads and intersections.

In order to rationalise the number of Contributions Plans within the South West Growth Centre to be administered by Council, it is intended that this Plan will be amended in the future to apply to adjoining Precincts.

1.2 Summary of contribution rates and works schedule costs

The tables on the following pages show the contribution rates applicable to development the subject of this Plan, and the total value of works to be funded by contributions anticipated under this Plan.

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MONETARY CONTRIBUTION RATES

ESSENTIAL INFRASTRUCTURE		RESIDENTIAL DEVELOPMENT					NON RESIDENTIAL ACCOMMODATION DEVELOPMENT LOCATED IN THE B3, B4, B5 AND B7 ZONES	ALL DEVELOPMENT
Item	Item Total Cost	\$ per additional resident	\$ per detached dwelling	\$ per villa, town house and attached dwelling	\$ per apartment	\$ per 100m ² of Non Residential Accommodation GFA	\$ per hectare of NDA	
Open Space								
Land	\$17,374,823	\$3,152	\$10,717	\$8,196	\$5,674	\$568		
Works	\$14,966,856	\$2,715	\$9,232	\$7,060	\$4,887	\$490		
Subtotal	\$32,341,680	\$5,867	\$19,949	\$15,255	\$10,561	\$1,058		
Community Facilities								
Land	\$493,953	\$117	\$399	\$305	\$211			
Subtotal	\$493,953	\$117	\$399	\$305	\$211			
Roads								
Land	\$12,634,004						\$55,125	
Works	\$55,384,262						\$241,652	
Subtotal	\$68,018,266						\$296,777	
Drainage								
Land	\$19,684,084						\$85,885	
Works	\$25,811,161						\$112,619	
Subtotal	\$45,495,245						\$198,504	
Plan Administration Allowance	\$1,544,325						\$6,738	
Subtotal	\$1,544,325						\$6,738	
TOTAL	\$147,893,469	\$5,985	\$20,348	\$15,560	\$10,773	\$1,058	\$502,019	

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NON ESSENTIAL INFRASTRUCTURE		RESIDENTIAL DEVELOPMENT					NON RESIDENTIAL ACCOMMODATION DEVELOPMENT LOCATED IN THE B3, B4, B5 AND B7 ZONES	ALL DEVELOPMENT
Item	Item Total Cost	\$ per additional resident	\$ per detached dwelling	\$ per villa, town house and attached dwelling	\$ per apartment	\$ per 100m ² of Non Residential Accommodation GFA	\$ per hectare of NDA	
Community Facilities								
Works	\$4,996,358	\$1,187	\$4,036	\$3,087	\$2,137			
Subtotal	\$4,996,358	\$1,187	\$4,036	\$3,087	\$2,137			
Roads								
Works	\$99,317							
Subtotal	\$99,317							
TOTAL	\$5,095,676	\$1,187	\$4,036	\$3,087	\$2,137		\$433	
							\$433	

LAND CONTRIBUTION RATES

(For land to be acquired only)

		RESIDENTIAL DEVELOPMENT					NON RESIDENTIAL ACCOMMODATION DEVELOPMENT LOCATED IN THE B3, B4, B5 AND B7 ZONES	ALL DEVELOPMENT
Item	Item Total Area (m ²)	m ² per additional resident	m ² per detached dwelling	m ² per villa, town house and attached dwelling	m ² per apartment	m ² per 100m ² of Non Residential Accommodation GFA	m ² per hectare of NDA	
Open Space								
Land	172,786	31.35	106.58	81.50	56.42	5.65		
Community Facilities								
Land	3,393	0.81	2.74	2.10	1.45			
Roads								
Land	86,428						377.10	
Drainage								
Land	200,737						875.85	
TOTAL	463,344	32.15	109.32	83.60	57.87	5.65	1252.96	

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1.3 Overview and structure of Plan

Section 94 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services to meet the development.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared to authorise the imposition of section 94 contributions on development expected to occur in that part of the Leppington North Precinct that is situated in the Camden LGA.

This Plan has been prepared:

- in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**); and
- having regard to the latest Practice Notes issued by the NSW Department of Planning.

There are minimum requirements for section 94 contributions plans set out in the EP&A Regulation. Each requirement, and reference to the clause or Part of this document that deals with that requirement, are listed below:

The purpose of the plan	Clause 2.6
The land to which the plan applies	Clause 2.8
The relationship or nexus between the expected development in the area and the community infrastructure that is required to meet the demands of that development	Part 4
The formulas to be used for determining the reasonable contributions required from expected development for different types of community infrastructure;	Clauses 4.2.2, 4.3.2, 4.4.2, 4.5.2, 4.6.2
The contribution rates for the anticipated types of development in the area;	Clause 1.2
The council's policy concerning the timing of the payment of monetary section 94 contributions, and the imposition of section 94 conditions that allow deferred or periodic payment,	Clauses 2.16 and 2.17
Maps showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds)	Part 5
If the plan authorises monetary section 94 contributions or section 94A levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule.	Part 5

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The Plan is structured in the following Parts:

- Part 1 (this Part) contains an introduction and summary schedules.
- Part 2 contains provisions that describe the contributions framework, essential details of the Plan, and how section 94 contributions for development in the Leppington North Precinct will be imposed, settled and managed.
- Part 3 documents the expected development in the Precinct and the likely demand for infrastructure arising from that development.
- Part 4 discusses infrastructure costs and delivery, and for each infrastructure category describes the relationship between development and infrastructure which culminates in a contributions formula.
- Part 5 contains schedules describing the proposed infrastructure addressed by the Plan; and also contains location maps of this infrastructure.
- Part 6 contains a list of background information that was sourced in the preparation of the Plan.
- Appendices to the Plan.

2. Administration and operation of the Plan

2.1 Definitions used in this Plan

Except where indicated in this clause, the definitions of terms used in this Plan are the definitions included in the EP&A Act, EP&A Regulation and the *Standard Instrument – Principal Local Environmental Plan*, are adopted by this Plan.

In this clause, 'existing' means at the date on which this Plan came into effect.

In this Plan, the following words and phrases have the following meanings:

Attributable cost means the estimated cost for each item in the works schedules set out in Part 5 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

Council means The Council of Camden.

CPI means the *Consumer Price Index (All Groups - Sydney)* published by the Australia Statistician.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2000.

ILP means the Austral and Leppington North Precincts Indicative Layout Plan.

LGA means local government area.

Net Developable Area means the area of land to which a development application relates and includes the area of any land that the development consent authorises, or requires, to be used as a road, or reserved or dedicated as a public road but excludes:

- existing roads to be used as part of the proposed road network;
- existing educational establishments (as defined in the *Standard Instrument - Principal LEP*);
- any part of the land that is below the level of a 1:100 ARI flood event, if that part of the land is unsuitable for development by virtue of it being at or below that level;
- any land that the development consent authorises, or requires, to be reserved, dedicated or otherwise set aside as, or for the purpose of, any of the following:
 - (a) a government school (within the meaning of the *Education Act 1990*);
 - (b) a tertiary institution, including a university or TAFE establishment, that provides formal education and is constituted by or under an Act;
 - (c) an emergency services facility;
 - (d) a health services facility owned and operated by a public authority;
 - (e) a golf course;

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- (f) a passenger transport facility;
- (g) a public reserve or a drainage reserve (within the meaning of the *Local Government Act 1993*);
- (h) a public transport corridor (other than a road corridor);
- (i) a public utility undertaking;
- (j) roads or other public amenities or public services, in connection with which development contributions have been imposed under section 94 or section 94A of the Act or may be imposed in accordance with a contributions plan approved under section 94EA of the EP&A Act;
- (k) roads or other infrastructure in connection with which special infrastructure contributions have been, or may be, imposed in accordance with section 94EF of the EP&A Act;

Planning agreement means a voluntary planning agreement referred to in section 93F of the EP&A Act.

Precinct means the area of land shown in Figure 2.1 of this Plan.

Residential Accommodation has the same meaning as in the Standard Instrument.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Social Infrastructure Assessment means the report *Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment*, prepared by Elton Consulting, July 2011.

Standard Instrument means the *Standard Instrument - Principal Local Environmental Plan* referred to in clause 3 of the *Standard Instrument (Local Environmental Plans) Order 2006* amended from time to time in accordance with section 33A of the EP&A Act.

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Works in kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan as a means of either fully or partly satisfying a condition of consent requiring development contributions to be made.

Works schedule means the schedule of the specific public facilities for which contributions may be required as set out in Part 5 of this Plan.

2.2 What are development contributions?

Development contributions are contributions made by those undertaking development approved under the EP&A Act toward the provision of public services and public amenities.

Development contributions are addressed under Divisions 6 and 6A of Part 4 of the EP&A Act and are imposed as conditions on a development consent.

Contribution requirements may be in the form of the dedication of land free of cost, or the payment of a monetary contribution.

There are different classes of development contributions provided for under the EP&A Act:

- Special infrastructure contributions;
- local infrastructure contributions, which may be either section 94 contributions or section 94A fixed rate levies;
- contributions included in voluntary planning agreements; and
- contributions toward the provision of affordable housing.

This Plan is principally concerned with the imposition of conditions of consent requiring development contributions for local infrastructure under section 94 of the EP&A Act.

More detail on the types of infrastructure levied for under this Plan is included in later Parts of this Plan.

2.3 Prerequisites for imposing contribution requirements in consents

2.3.1 Contributions must be authorised by a contributions plan

The EP&A Act provides that a council (or an accredited certifier) can require, through imposition of a condition or conditions on a development consent (or on a complying development certificate), development contributions if:

- there is a contributions plan applying to the development that is in force and that authorises the contribution (such as this Plan); and
- the contribution is imposed in accordance with the provisions of such a plan.

Accredited certifiers are further restricted to imposing only development contributions being monetary contributions on a consent.

As an alternative to, or in addition to, the levying of section 94 contributions, a council may negotiate a planning agreement with a developer for the provision of local infrastructure.

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Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial directions made under the EP&A Act or EP&A Regulation relating to planning agreements.

2.3.2 Section 94 contributions must be reasonable

Section 94 of the EP&A Act authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services (public facilities) to meet the development.

The power to levy a section 94 contribution relies on there being a clear relationship (or 'nexus') between the development being levied and the need for the public amenity or service for which the contribution is required.

Section 94 contributions may be imposed on developments to meet the cost of facilities yet to be provided; and to recoup the cost of facilities that have already been provided in advance of development occurring.

A condition may only be imposed under section 94 towards the future provision of public facilities:

- if the proposed development will or is likely to require the provision of, or increase the demand for, public facilities within the local government area; and
- to require only a reasonable dedication or monetary contribution for the provision, extension or augmentation of the public facilities concerned.

A condition may be imposed under section 94 towards the recoupment of the cost of public facilities if:

- the consent authority has, at any time, provided public facilities within the local government area in preparation for or to facilitate the carrying out of development in the area, and
- development for which development consent is sought will, if carried out, benefit from the provision of those public facilities.

A person entitled to act on a development consent may, under section 94B of the EP&A Act, appeal the reasonableness of a section 94 condition that is imposed in accordance with a contributions plan. Such condition may be disallowed or amended by the Land and Environment Court because it is unreasonable in the particular circumstances of that case, even if it was determined in accordance with the relevant contributions plan.

2.4 Cap on monetary section 94 contributions

As part of the State Government's strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government now imposes limits on the total monetary section 94 contributions that a consent authority may impose on developments.

The Minister for Planning issued a direction to the Council under section 94E of the EP&A Act effective from 4 March 2011 that restricts consent authorities from imposing conditions of

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consent requiring monetary section 94 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is \$20,000 per lot or dwelling. However, the Government's policy is to allow a cap of \$30,000 per lot or dwelling to apply to development in 'greenfield areas' in recognition of the greater infrastructure costs of those developments.

Consistent with that policy, this Plan assumes that the Precinct will be declared a greenfield area and will be subject to a future Direction permitting monetary section 94 contributions up to \$30,000 per lot or dwelling.

Notwithstanding the Government's policy, this Plan determines the maximum reasonable section 94 contribution due to expected development in the Precinct. The contributions for various types of residential development exceed \$30,000 per lot or dwelling.

This is appropriate in order:

- to allow IPART to review the extent to which the (capped) development contributions are likely to fund to the total cost of public amenities and services required by the development of the Precinct; and
- to provide information for the State Government, Council and the local community to determine a funding strategy to meet the cost of public amenities and services that will not be met (due to the cap) by section 94 contributions.

2.5 Name of the Plan

This Plan is called the Camden Section 94 Contributions Plan (Leppington North Precinct).

2.6 Purposes of the Plan

The primary purpose of the Plan is to authorise:

- Council, when granting consent to an application to carry out development to which this Plan applies; or
- an accredited certifier, when issuing a complying development certificate for development to which this Plan applies.

to require a contribution to be made towards either/both:

- the provision, extension or augmentation of public amenities and public services only where development is likely to require the provision of or increase the demand for those amenities and services; and
- the recoupment of the cost of providing existing public amenities and public services within the area to which this Plan applies.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of development contributions toward the provision of public amenities and public services generated by development within the Precinct;

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- to determine the demand for public facilities generated by the incoming population to the area and ensure that development makes a reasonable contribution toward the provision of public amenities and public services that are required for that population;
- to ensure that the existing community is not unreasonably burdened by the provision of public amenities and public services required (either partly or fully) as a result of development in the area; and
- to ensure Council's management of development contributions complies with relevant legislation and guidelines, and achieves best practice in plan format and management.

2.7 Commencement of the Plan

This Plan commences on **DDMMYYYY (yet to be determined)**.

2.8 Land to which Plan applies

This Plan applies to all of the land identified in Figure 2.1.

This Plan applies generally to all of the land situated within Leppington North Precinct that is also within the Camden local government area (LGA).

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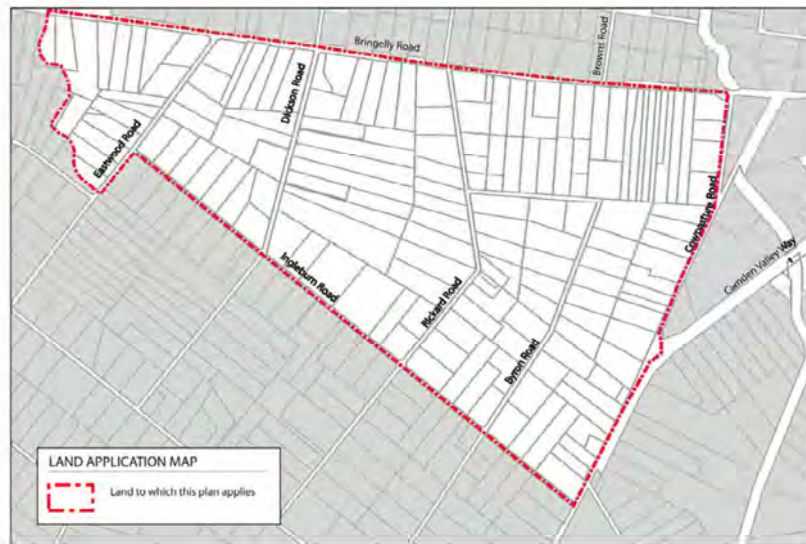


Figure 2.1 Land to which this Plan applies

2.9 Development to which this Plan applies

Except as provided for by this clause, this Plan applies to:

- Residential Accommodation development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.2 to 4.6 of this Plan;
- development other than Residential Accommodation development on land zoned B3 Commercial Core, B4 Mixed Use, B5 Business Development, B7 Business Park, or IN2 Light Industrial insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.2, 4.4, 4.5 and 4.6 of this Plan; and
- all other development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.4 to 4.6 of this Plan.

This Plan does not apply to development:

- for the sole purpose of affordable housing; or
- for the sole purpose of the adaptive reuse of an item of environmental heritage; or
- for the purposes of public infrastructure provided by or on behalf of State Government or the Council; or
- for the purposes of public amenities or public services under this Plan or another contributions plan prepared under section 94B of the EP&A Act; or
- for utility undertaking works to be carried out by Sydney Water, Endeavour Energy or equivalent water, sewer or energy provider; or
- residual lots, where no demand for public amenities or public services is generated; or
- superlots, where the final demand for public amenities or public services will be generated after a further subdivision of land; or that in the opinion of Council does not increase the demand for the categories of public amenities or public services addressed by this Plan.

2.10 Relationship to other contributions plans

This Plan repeals *Camden Contributions Plan 2004*, insofar as that plan applies to land to which this Plan applies.

This Plan does not limit or otherwise affect any requirements for the payment of special infrastructure contributions pursuant to Subdivision 4 of Division 6 of Part 4 of the EP&A Act.

2.11 Allowances for existing development in the calculation of open space and recreation, and community and cultural facilities contributions

Monetary contributions determined under this Plan will be calculated according to the estimated net increase in demand for the particular public amenities and public services that are included in this Plan and that a particular development is projected to generate.

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The Plan addresses the provision of:

- roads, transport, and drainage facilities (being 'economic infrastructure'); and
- open space, recreation, community and cultural facilities (being 'social infrastructure')

that have been designed to meet the needs of the urban development of the Precinct.

The planned economic infrastructure is to facilitate the conversion of the area from semi-rural development context to an urban development context. It is the wholesale re-development of the land for urban purposes (particularly through land subdivisions) that necessitates the provision of the economic infrastructure. The economic infrastructure currently available does not meet the needs of the planned urban development to any degree and entirely new road and drainage networks have to be designed and built to meet those needs. No allowance will therefore be made for the demand for economic infrastructure attributable to development that existed at the time this Plan was prepared.

The planned social infrastructure is also to facilitate that same conversion, however there are people already living in the area that demand and use social infrastructure. It is also likely that current populations will, to some extent, demand the recreation and community facilities that will be provided under this Plan.

Consistent with the above, in calculating contributions under this Plan an allowance will only be made for the demand for social infrastructure attributable to development that existed at the time this Plan was prepared on land that is zoned for residential purposes (including land zoned for Mixed Uses). This existing development for which credits may be granted is identified in Figure 2.2. This map also identifies the credits that may be applied for the identified land, while Table 2.1 identifies the occupancy rates to be used in calculating credits. More detail related to the calculation of credits is included in **Appendix A**.

Table 2.1 Occupancy rates for calculating credits

Demand Credit category	Assumed occupancy rate
Single dwellings	3.4 persons per lot
Dual occupancy	6.8 persons per lot
Special land use ¹	1.3 persons per dwelling

The contribution required from a development for social infrastructure will only be due to any net increase in population relating to the proposed development, which is the total proposed population increase less any credits calculated using the assumptions in Table 2.1 and Figure 2.2.

¹ Lot 36D DP 389451, Four Lanterns Estate (Seniors' Housing), which contains 102 dwellings (based on a Report for On-site Effluent Management at Four Lanterns Estate – 1481 Camden Valley Way Leppington, Blue Mountains Geological and Environmental Services Pty Ltd, Ref No: 110503 July 2011)

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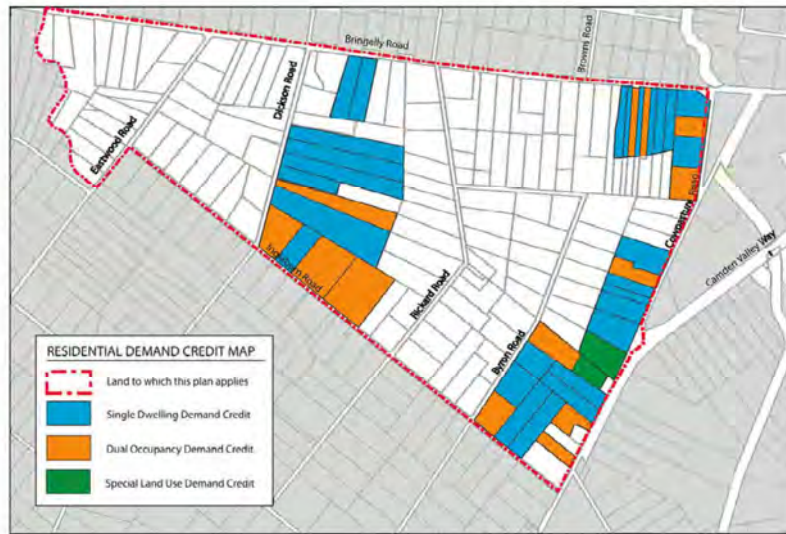


Figure 2.2 Land to which demand credits apply

2.12 Section 94 contributions may be required as a condition of consent

2.12.1 Monetary contributions

This Plan authorises the Council, when granting consent to an application to carry out development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution to the Council towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

This Plan requires the Council or an accredited certifier, when determining an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

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2.12.2 Land contributions

This Plan authorises the Council, by imposition of a condition of development consent, to require in connection with any development on land to which this Plan applies (and in addition to any monetary contribution that may be sought) the dedication free of cost to the Council of any part of the development site that is land that is to be acquired under this Plan.

The area of land that may be required in the consent shall not exceed the area equivalent to the monetary contribution otherwise authorised by this Plan. Council will credit only the amount provided in the Plan.

For the purposes of this clause, the value of the land is to be calculated in accordance with the value of the land as indexed by the Land Value Index established under this Plan.

The monetary development contribution otherwise authorised by this Plan shall be reduced by an amount corresponding to the value of the land required to be dedicated.

Where the value of the land exceeds the monetary development contribution otherwise authorised, the developer may offer to enter into a voluntary planning agreement dealing with an appropriate settle-up in exchange for the dedication of the remainder.

2.12.3 Variation to contributions authorised by this Plan

Council retains the right to reduce the development contribution otherwise calculated in accordance with the provisions of this Plan.

A developer's request for variation to a contribution calculated in accordance with this Plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

2.13 Obligations of accredited certifiers

In relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a section 94 contribution, if such a contribution is authorised by this Plan; and
- any such contribution may only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this Plan in respect of the development.

It is the responsibility of the principal certifying authority to accurately calculate and apply the local infrastructure contribution conditions to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of an accredited certifier issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

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The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.14 Adjustment of contribution rates under this Plan

The purpose of this clause is to ensure that the monetary contribution rates imposed at the time of development consent reflect the indexed cost of the provision of facilities included in this Plan. The Consumer Price Index is generally used as a measure to increase contribution rates. However, it is not a suitable index for adjusting contributions of land yet to be acquired as it is not related to fluctuations in land values. As a result, Council will prepare and publish a customised Land Value Index on a regular basis, and at least annually by engaging a registered valuer to prepare revised land valuations. The Land Value Index will be published on Council's website www.camden.nsw.gov.au.

Council may, without the necessity of preparing a new or amending contributions plan, make changes to the monetary section 94 contribution rates set out in this Plan to reflect quarterly changes to the Consumer Price Index (for all works schedule items identified in this Plan apart from the items comprising land yet to be acquired) and the customised Land Value Index (for works schedule items identified in this Plan involving land yet to be acquired).

2.14.1 Contribution rates for all works schedule items (other than land yet to be acquired)

The contribution rate for works schedule items (other than land yet to be acquired) will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current CPI}}{\text{Base CPI}}$$

Where:

$\$C_A$	is the contribution rate for works schedule items (other than land yet to be acquired) at the time of adoption of the Plan expressed in dollars
Current CPI	is the most recent quarterly level of the <i>Consumer Price Index (All Groups Index) for Sydney</i> as published by the Australian Statistician at the time of the review of the contribution rate
Base CPI	is the <i>Consumer Price Index (All Groups Index) for Sydney</i> as published by the Australian Statistician at the date of adoption of this Plan

Note: The contribution rate will not be less than the contribution rate specified at the date of the adoption of this Plan.

2.14.2 Contribution rates for works schedule items involving land yet to be acquired

The contribution rate for works schedule items involving land yet to be acquired will be indexed (subject to the Note) as follows:

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$\$C_A \times X$ Current LV Index

Base LV Index

Where:

$\$C_A$ is the land values within the Plan at the time of adoption of the Plan expressed in dollars

Current LV Index is the most recent level of the Land Value Index as published by the Council at the time of the review of the contribution rate

Base LV Index is the Land Value Index as published by the Council at the date of adoption of this Plan

Note: The contribution rate for land acquisition will not be less than the contribution rate specified at the date of the adoption of this Plan.

Process for publishing the Land Value Index

The Base LV Index relates to the estimated values of the types of land classification at the date of adoption of this Plan, as determined in the report prepared by MJ Davis Valuations Pty Ltd and titled *Section 94 Contributions and Infrastructure Delivery Plan - Austral and Leppington North Precincts*. The values are shown in Table 2.2.

Table 2.2 Assumed land values for various classifications

Land classification	Base assumed land cost (per sqm)	Land cost (per sqm) including average acquisition contingencies ² of 12 percent
Riparian corridors (constrained land and land below the 20 year Annual Recurrence Interval (ARI) event)	\$35	\$39
Residential and Commercial/ Retail land between the 20 year and 100 year ARI events	\$110	\$123
Residential and Commercial/ Retail (other than in the town centre) prime land above the 100 year ARI event	\$120	\$134
Commercial/ Retail prime land within the town centre and above the 100 year ARI event	\$130	\$148
Employment lands/ Industrial	\$125	\$140
Rural lands (below the 100 year ARI event)	\$45	\$50

The Base LV Index for all land categories is set at 100.00 at the time this Plan is adopted.

Council will, through the life of the Plan, engage a registered valuer on at least an annual basis to review and (if necessary) update the Land Value Index for each of the land categories listed above.

² Refer MJ Davis Valuations report for further detail but may include Special Land Value at date of acquisition, Severance, Spolium and Disturbance as required to be paid pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*.

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The updated Land Value Index will be obtained by dividing the value of the land at the time of the review by the value of the land at the date of adoption of this Plan and multiplying this figure by 100.

Council will publish updates to its Land Value Index on either its web site or in its Management Plan or both.

2.15 Adjustment of contributions required by a condition imposed under this Plan

The purpose of this clause is to ensure that the monetary contributions at the time of payment reflect the indexed cost of the provision of facilities included in this Plan.

A contribution required by a condition of development consent imposed in accordance with this Plan may require indexation of the contribution between the date of the grant of the consent and the date on which the contribution is made as follows.

2.15.1 Contributions for all works schedule items (other than land yet to be acquired)

The total contribution for all work schedule items (other than land yet to be acquired) at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

$\$C_C$ is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars.

CPI_P is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the payment of the contribution

CPI_C is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician which applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

2.15.2 Contributions for works schedule items involving land yet to be acquired

The total contribution for all work schedule items involving land yet to be acquired at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times LV\ Index_P}{LV\ Index_C}$$

Where:

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$\$C_C$ is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

LV Index_P is the *Land Value Index* as published by the Council at the time of the payment of the contribution

LV Index_C is the *Land Value Index* as published by the Council applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

2.16 Timing of payment of monetary contribution required under this Plan

Council's policy in relation to the timing of payments of monetary contributions required under this Plan is as follows:

- Development involving subdivision - prior to the release of the first subdivision certificate (linen plan) or strata certificate,
- Other development that requires the issuing of a construction certificate - prior to the release of the first construction certificate,
- Other development not requiring the issuing of a construction certificate – prior to the issuing of the first occupation certificate or commencement of the use, whichever occurs first.

2.17 Policy on deferred or periodic payments

Council may accept the deferred or periodic payment of part or all of a monetary contribution required under this Plan if the applicant, or any other person entitled to act upon the relevant consent, makes a written request and can satisfy the Council that non-compliance with the payment provisions is justified. Acceptance of any request for deferred or periodic payment is entirely at the discretion of the Council. Generally acceptance of deferred or periodic payments will only be accepted in exceptional circumstances and will be assessed on a case-by-case basis.

Deferred or periodic payments may be permitted in any one or more of the following circumstances:

- Compliance with the provisions of clause 2.15 of this Plan is unreasonable or unnecessary in the circumstances of the case.
- Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program.
- There are other circumstances justifying the deferred or periodic payment of the contribution.

If Council does decide to accept deferred or periodic payment, Council will require the applicant to provide a bank guarantee by a bank, with a minimum long term credit rating (Standard & Poors) of A, for the full amount of the contribution or the outstanding balance on condition that:

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- the bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus a provisional amount equal to 10 percent of the outstanding amount plus any charges associated with establishing or operating the bank security;
- the bank guarantee provides that the bank must pay the guaranteed sum on demand by the Council without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank or financial institution in writing that the guarantee is no longer required;
- where the bank guarantee contains an end date, the developer agrees that the Council is free to call on the guarantee in respect of the outstanding balance of the development contribution as indexed if the development contribution has not otherwise been paid prior to 14 days prior to the end date..

Council is also entitled to claim any charges associated with establishing or operating the bank security. The applicant is to be provided with the details of any such expenses.

2.18 Works-in-kind and other material public benefits offered in part or full satisfaction of contributions

A person may make an offer to the Council to carry out work or provide another kind of material public benefit in lieu of making a contribution in accordance with a section 94 condition imposed under this Plan, in the terms described below.

In addition to the requirements set out in this Section:

- the acceptance of any offer of works-in-kind or other material public benefits is entirely at Council's discretion;
- offers of works-in-kind shall be subject to any works-in-kind policy adopted by the Council; and
- a Works In Kind Agreement must be in place prior to commencing the works.

2.18.1 Offer of a material public benefit made after the imposition of a section 94 contribution condition under this Plan

The Council may accept an offer made in writing to the Council that provides for:

- a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition already imposed requiring the payment of a monetary contribution; or
- the dedication of land free of cost towards the provision of public facilities to meet the demands of the development.

Council will only consider offers of this type where the proposed work or dedication of land is contained in the works schedule included in this Plan (i.e. a works-in-kind offer).

Where the Council accepts such an offer, it is not necessary for the consent to be amended under section 96 of the EP&A Act.

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2.18.2 Offer of a material public benefit made before the imposition of a section 94 contribution condition under this Plan

An applicant for consent to carry out development to which this Plan applies may request that any consent granted to the development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

The applicant's request:

- may be contained in the relevant development application; or
- may constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The Council will consider the request as part of its assessment of the development application.

If the Council decides to grant consent to the development and agrees to a request made in the relevant development application, it may impose a condition under section 80A of the EP&A Act requiring the works to be carried out or the material public benefit to be provided.

If the applicant makes an offer to enter into a planning agreement, the Council will, if it proposes to enter into the agreement, publicly notify the draft agreement and an explanatory note relating to the draft agreement together with the development application in accordance with the requirements of the EP&A Act.

If the Council decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under s93(3) of the EP&A Act requiring the agreement to be entered into and performed.

It is Council's preference that voluntary planning agreements that it enters into be registered on the property title.

2.18.3 Matters to be considered by the Council in determining offers of material public benefits

In addition to any matters identified in clauses 2.18.1 and 2.18.2 Council will take into account the following matters in deciding whether to accept an offer of material public benefit:

- the requirements contained in any material public benefits or works-in-kind policy that the Council has adopted; and
- the standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction; and
- the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- the provision of the material public benefit will not unduly prejudice the timing or the manner of the provision of public facilities included in the works program.

Where the offer is made in accordance with clause 2.18.2 and relates to material public benefit that is not a works-in-kind proposal Council will take into account the following additional matters:

- the overall benefit of the proposal; and

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- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need make up for any shortfall in contributions by its acceptance of the offer); and
- the implications of funding the recurrent cost of the facility(s) the subject of the offer.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of works or the development. If the offer is made by way of a draft planning agreement under the EP&A Act, Council will require the agreement to be entered into and performed via a condition in the development consent.

Works in kind and material public benefit agreements shall be made between the Council and the developer and (if the developer is not the land owner) the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan, the program for delivering the works. Planning agreements shall address the matters included in the EP&A Act and Regulation.

2.18.4 Valuation of offers of works-in-kind and other material public benefits

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

The value of land will be the attributable cost of the land under this Plan indexed in accordance with this Plan to the time the agreement is entered into.

2.18.5 Provision of works-in-kind and other material public benefits in excess of contribution requirements

It is at Council's discretion whether it will accept from a developer the provision of works-in-kind (which is the attributable cost of the works indexed in accordance with the provisions of this Plan) or other material public benefits where the value of the works exceeds the value of development contribution required by conditions of consent.

Where Council does agree to accept works with a value greater than the contributions required, Council will hold the 'surplus value' of the works as a credit in favour of the developer and will apply this credit against future development contribution requirements for that particular type of work.

For example, if works are provided that relate to the provision of a community facility that have a value greater than the community facility contribution required, then the difference (being the 'surplus value') will be held as a credit and will only be used to offset future requirements imposed on that developer to make development contributions for the purposes of community facilities.

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That is, Council would not offset requirements to make contributions for the purposes of recreation facilities, open space land acquisition, plan administration or any other types of facilities required under this Plan or any other contributions plan against this 'surplus value', as the surplus value relates only to the provision of community facilities.

Developers providing works-in-kind and other material public benefits that are in excess of their contribution requirements should not expect 'settle-up' monetary payment from Council until all contributions toward the provision of the works identified in this plan have been received from other developers of land in the Precinct and the surplus contributions are available to meet the payment.

2.19 Pooling of funds

Council's ability to forward fund services and amenities identified in this Plan is very limited. Consequently their provision is largely contingent upon the availability of contributions funds.

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule in Part 5.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

2.20 Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office was that the payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST) under Division 81 of *A New Tax System (Goods and Services Tax) Act 1999* (Cwth).

Items in the works schedule of this Plan have been calculated without any GST component.

2.21 Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EP&A Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

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2.22 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections and amendments to rates resulting from changes in the indexes adopted by this Plan (see clause 2.14).

2.23 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

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3. Demand for public amenities and public services

3.1 Summary of this Part

The NSW State Government is planning for the development of land in the South West Growth Centre, of which the Austral and Leppington North Precincts form part.

A portion of the Leppington North Precinct is in the Camden LGA and so Camden Council will serve as a consent authority. Camden Council will also be the manager of most of the new public infrastructure that will be required to be delivered in its jurisdiction.

Planning for housing and other development requires the parallel planning for public infrastructure to support the development and the incoming population.

The incoming population is directly related to the expected number and type of residential dwellings and extent of non residential development floor space in an area.

The extent of public amenities and services required for the future development of an area is usually based on standards or benchmarks rates (e.g. per capita provision).

The application of the provision standards to the estimate of expected development enables a list of infrastructure requirements to meet that development to be compiled.

This connection between expected development, infrastructure standards, and the resultant infrastructure list directly informs the contribution requirements in this Plan.

A range of infrastructure studies have been prepared to inform the infrastructure list (or works schedule). The following part of this Plan, Part 4, provides more detail on the servicing requirements expressed in these studies.

3.2 Development and infrastructure planning context

3.2.1 Growth Centres Structure Planning

Leppington North Precinct is in Sydney's South West Growth Centre.

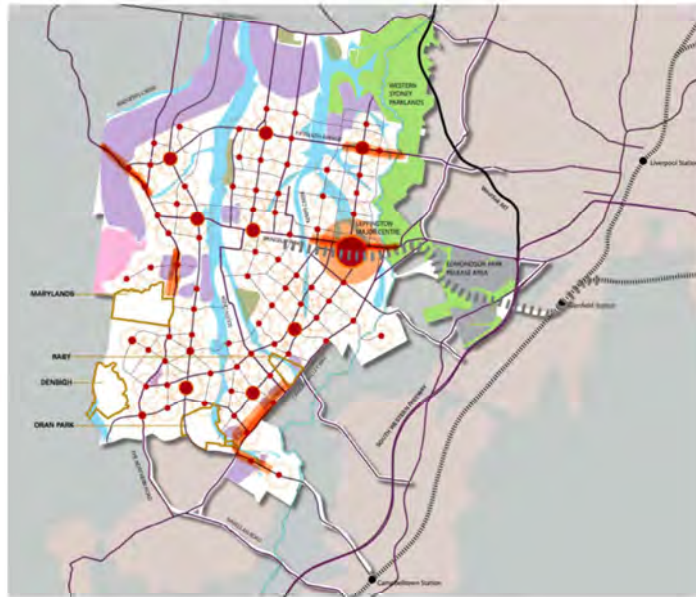
A structure plan has been prepared for the Growth Centre, a copy of which is included as Figure 3.1.

Apart from local neighbourhood centres, the structure plan proposes ten (10) new town or village centres in the South West Growth Centre. The largest of these is the planned Major Town Centre at Leppington that will be located in the Leppington North Precinct. Although the regional facilities for the Growth Centre will be provided at Liverpool, the next level of service for the entire release area will be provided from Leppington (together with other existing and adjoining Major Town Centres such as Camden). Infrastructure investment is underway to support the future Leppington Major Centre, including new rail line from Glenfield via Edmondson Park.

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Source: South West Growth Centres Structure Plan Edition 3, prepared by Department of Planning

Figure 3.1 South West Growth Centres Structure Plan

To facilitate planning and orderly development of the South West Growth Centre, this area has been divided into seventeen precincts. The locations of the early release precincts, including Leppington North Precinct, are shown in Figure 3.2.



Source: Department of Planning and Infrastructure

Figure 3.2 South West Growth Centre early release precincts

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The Austral and Leppington North Precincts were released for precinct planning purposes by the Minister for Planning in October 2009. The Austral Precinct is wholly located in the Liverpool LGA, while the Leppington North Precinct is located partly in the Liverpool LGA and partly in the Camden LGA. This contributions plan relates to that part of the Leppington North Precincts that is within the Camden LGA.

Table 3.1 provides a context for the area the subject of this Plan in terms of the planned dwellings and population.

Table 3.1 Estimated dwelling and populations

District	Area (ha)	Projected dwellings	Projected population
South West Growth Centre (17 Precincts)	17,000	110,000	300,000
Austral and Leppington North Precincts	2,025	20,000	55,000
Leppington North Precinct	1,089	12,000	33,000

Source: Growth Centres Commission (Structure Plan Explanatory Note), Department of Planning and Infrastructure

3.2.2 Precinct Planning

A package of information on anticipated development and required infrastructure has been prepared for the Austral and Leppington North Precincts, including:

- Indicative Layout Plan (ILP) to guide planning and assessment of the precincts.
- An amendment to State Environmental Planning Policy (Sydney Growth Centres) 2006 to facilitate the formal rezoning of the land to enable urban development
- Development Control Plan.
- Section 94 contributions plans prepared by Camden Council (this Plan) and Liverpool City Council.
- Infrastructure Delivery Plan (IDP).

Research and studies and the preparation of plans informing the Precincts' urban infrastructure needs and costs. Key information sources that have underpinned infrastructure planning and costing and this Plan in particular, are listed included in Table 3.2.

Table 3.2 Studies supporting infrastructure planning and costing

Public amenity or service	Studies informing infrastructure need and cost
Land acquisition for public amenities or services	MJ Davis Valuations Pty Ltd (2011), Section 94 Contributions and Infrastructure Delivery Plan - Austral and Leppington North Precincts
Stormwater drainage works	Cardno (NSW/ACT) Pty Ltd (2011), <i>Austral & Leppington North Precincts Water Cycle Management WSUD Report</i> , prepared for NSW Department of Planning and Infrastructure, April
Roads and transport works	AECOM Australia Pty Ltd (2011), <i>Austral and Leppington North (ALN) Precincts Transport Assessment</i> , prepared for NSW Department of Planning and Infrastructure, July
Open space and recreation, community and cultural facilities works	Elton Consulting (2011), <i>Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment</i> , July

More detail on the Precincts' infrastructure requirements is included in the Parts 4 and 5 of this Plan.

3.2.3 Infrastructure Delivery Plan

The IDP provides an overview of the urban infrastructure requirements for the Austral and Leppington North Precincts, and how those requirements will be met.

The IDP provides, amongst other things, a basis for ongoing discussion between planning and infrastructure agencies to guide, inform and improve the delivery of infrastructure. It also serves the purpose of acquainting owners and developers of land in the Precincts with how and when infrastructure is likely to be provided.

Coordination in infrastructure delivery will be critical to the timely roll-out of urban development of the Precincts. Coordination is even more critical in an environment where the land is comprised of relatively small parcels held by a large number of land owners. This is the case in Leppington North Precinct.

The IDP provides the following directions for the delivery of local infrastructure to the land to which this Plan applies:

- Identifies the need to prepare contributions plans for local infrastructure. This Plan addresses this requirement;
- Requires staging plans for local infrastructure to accord with the indicative priority development areas identified in the IDP. The staging outcomes in this Plan reflect the IDP.
- Identifies that total local infrastructure costs are likely to be higher than the likely contribution receipts, given the contributions caps that are in place. The funding of higher order recreation and community facilities is particularly uncertain. Council, in partnership with the State Government, will therefore need to explore other sources of funding or other delivery options.
- Provides that Councils have prepared, or are required to prepare, Community Strategic Plans as the key documents guiding Councils' activities in the coming decades. This is now the mandated way for councils in NSW to undertake and report their resource planning and the delivery of services and facilities to their communities. Supporting the implementation of the strategic plans will be the resourcing strategies (including long-term financial plans, workforce management plans and asset management plans), delivery plans and operational plans. Councils Community Strategic Plans must be prepared with due consideration of the various strategies and policies that impact on the local area from both the State (including the Metropolitan Strategy and the State Plan) and Federal Government levels.
- Provides that the effective management of development growth will require a significant ongoing commitment from State Government, particularly in the delivery of infrastructure and services. State Government's role will span a range of agencies and joint commitment and action through the Metropolitan and Subregional Strategy will be required to ensure consistent, timely and quality delivery of infrastructure and services to this part of the South West Growth Centre.
- Provides that funding constraints mean that there should be an even greater emphasis placed on partnering with developers to provide the necessary local infrastructure (through, for example, planning agreements and works-in-kind agreements).

3.3 Expected development outcomes

3.3.1 Existing development

Existing development in the area is characterised by mainly rural and rural residential land uses.

The majority of land in the Precincts is currently used for either small scale agricultural purposes such as market gardens or rural residences. Rural residences are often used as a place of business. This may include ownership of trucks, horses or running construction businesses.³

3.3.2 Net Developable Area

The capacity for development of land is restricted by a number of factors, including:

- natural constraints such as riparian and flood prone lands;
- man-made constraints such as existing infrastructure, easements and other legal restrictions, and existing infrastructure such as gas and transmission lines.

In addition to the constraints, there are future constraints. For example, certain land is needed to be set aside or reserved public purposes such as roads, government buildings, education and health facilities and so on.

Taking these matters into consideration allows a calculation of the amount of 'economic' land that is available for development. The planned development of this 'Net Developable Area' (or NDA) is the development that will generate the demand for the urban infrastructure such as parks, roads and drains that are required to sustain it. Net Developable Area is therefore one of the bases used to determine contributions under this Plan.

The portion of the Leppington North Precinct that is within the Camden LGA has an estimated Net Developable Area of approximately 229 hectares.

3.3.3 Overview of expected development

The Precinct Plan for both Austral and Leppington North Precincts has been prepared with reference to the Structure Plan and the indicative dwelling and town centre targets, and achieves the following outcomes:

- Leppington Major Centre and nearby employment land, with capacity for up to 13,000 jobs in retailing, light industrial, business park, human services and entertainment sectors.
- Approximately 16,250 dwellings and a population of approximately 51,000.
- A Town Centre in Austral with retail floor space in the order of 30,000 square metres.
- Three Neighbourhood Centres each with retail floor space in the order of 10,000 square metres.
- 6-7 primary schools and 1-2 high schools.
- 85 hectares of light industrial land for local jobs and local services.

³ Austral and Leppington North Precincts – Demographic and Social Infrastructure Assessment, prepared by Elton Consulting, page 28

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- A new TAFE college and Regional Integrated Primary Health Care centre located in Leppington Major Centre,
- Regional level community and cultural facilities in Leppington Major Centre.

Expected development in the Leppington North Precinct (Camden LGA portion) will be characterised by the following:

- Civic, cultural, health, education and other public uses in a civic precinct to the north of the railway station.
- Retail shopping centre forming the commercial core of the Leppington Major Centre to the south of the railway station.
- Mixed use retail / commercial and residential development on the western flanks of the civic precinct and retail core.
- Commercial / business park immediately to the east of the civic precinct and retail core.
- Open space and drainage facilities along the Scalabrini Creek and Bonds Creek corridors.
- Medium density residential interfacing with the Scalabrini Creek corridor, and to the east of the business park.
- A light industrial area to the west of Dickson Road.

The proposed arrangement of these component land uses is shown in Figure 3.3.

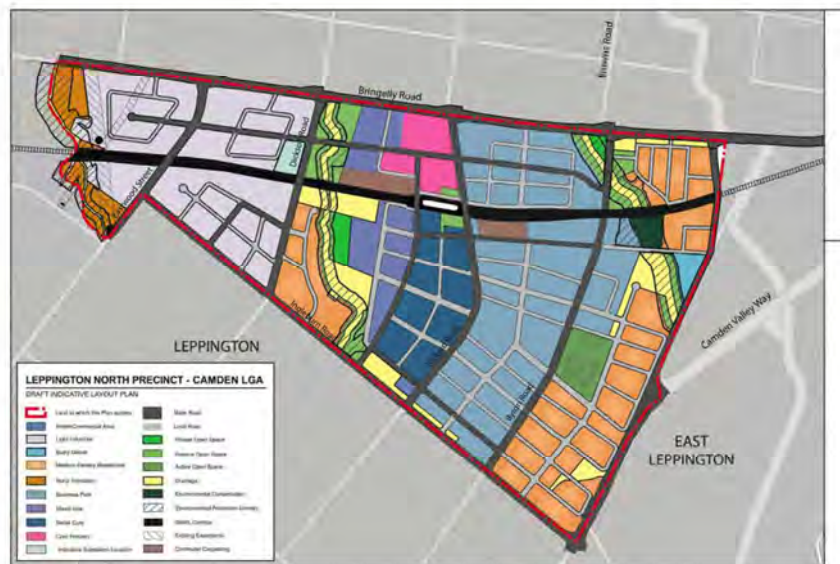


Figure 3.3 Expected land use in Leppington North Precinct (Camden)

Table 3.3 outlines the expected extent of development in the Camden LGA portion of the Leppington North Precinct.

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Table 3.3 Expected Net Developable Area - Leppington North Precinct (Camden)

Development type	Net Developable Area (ha)
Residential	
▪ Mixed use residential	18.47
▪ Medium density residential	59.28
Non residential	
▪ Bulky Goods	0.66
▪ Business Park	76.56
▪ Light Industrial	53.70
▪ Mixed Uses	Included in mixed use residential
▪ Retail Core	20.52
Total	229.19

Source: Department of Planning and Infrastructure

3.3.4 Demographic characteristics

The likely demographic characteristics of a development area is important for understanding and planning for the future social infrastructure needs of that area.

The demographic characteristics of the existing rural population do not provide a robust indicator of the future demography of the area.

The report *Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment* prepared by Elton Consulting analyses the demographics and housing market conditions in the Camden LGA generally and compares these to the adjoining Liverpool and Campbelltown LGAs.

The Social Infrastructure Assessment makes the following conclusions about the anticipated demography of the future release area:

- There will initially be a comparable proportion of young couples and families with children to other release areas in the region, but a greater range of family types, reflecting the wider range of housing types and price markets to be provided.
- Proportions of empty nesters and older people will be initially similar to that usually experienced in new release areas, but, given the differing housing stock, will rapidly increase to approximate those in the wider district once services and public transport become well established.
- Over time, the population will become more diverse. Increasing proportions of young adults and older people will be attracted to the area once Leppington Major Centre is established. The proportion of the population who are young children and young adults will decline as the population ages and the proportion of older children with older parents grows. The proportion of the population aged 55+ years will also increase considerably as the area matures.
- Owner occupiers are likely to provide a stable group that will age in place through the life cycle stages, while tenant households will experience greater turnover, thereby maintaining a similar age profile as in the initial stages.

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- Over time the population profile is likely to come to more closely approximate that of an established area with a variety of age and household characteristics, rather than a traditional new release area with particular age concentrations.

Changing demographic, cultural and lifestyle patterns that will occur through the life of the development; and the relative uncertainty about the future composition of the population and its precise needs, gives rise to a need to plan for flexibility in social infrastructure facilities to enable them to respond and adapt as the particular requirements and lifestyle preferences of the population are ascertained.⁴

3.3.5 Dwelling occupancy rates

The amount and mix of the types of expected residential development will inform estimate of the population of an area. The need for social infrastructure is usually based on per capita benchmarks. As section 94 contributions are levied on a development-by-development basis, in order for the contribution to be reasonable there needs to be an assumption of how many people are likely to live in the proposed development.

This Plan therefore adopts standard dwelling occupancy rates for the purpose of determining the estimated occupancy of development that is approved during the life of the Plan. Note that, for the purpose of determining net increase in infrastructure demand, different assumptions apply to determining occupancy for developments that existed at the time this Plan was prepared (refer clause 2.11).

The occupancy rates used to calculate contributions under this Plan are those determined by Elton Consulting in the report *Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment*. They are shown in Table 3.4.

Table 3.4 Dwelling occupancy rates assumed in this Plan

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy (each dwelling)	3.4
Semi-detached, town house, terrace, attached dual occupancy (each dwelling)	2.6
Flat, unit, apartment	1.8
Group homes and seniors' housing	1.5

3.3.6 Anticipated resident population

The anticipated population in the Leppington North Precinct has been determined on the basis of the Net Developable Area for various types of residential development, the minimum density of dwellings in those areas (specified in the draft SEPP amendment), and the assumed average occupancy rates for those dwellings.

The anticipated population is shown in Table 3.5.

⁴ Social Infrastructure Assessment, pp45-46

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Table 3.5 Calculation of anticipated resident population - Leppington North (Camden LGA) Precinct

Dwelling type	Projected dwellings	Assumed dwelling occupancy rate	Population
Mixed Use residential (apartments etc, in civic precinct)	369	1.8	665
Medium density residential (semi-detached etc.)	1,482	2.6	3,853
Less assumed existing population (see Appendix A)			-309
Expected net additional population			4,209

3.3.7 Anticipated non residential floor space

The predominant land use in the Precinct will be purposes other than residential, reflecting the location of the Leppington Major Centre near the centre of the Precinct.

Non residential floor space is anticipated to be developed in a variety of formats, including:

- retail shopping centre in the commercial core of the Leppington Major Centre
- ground and first floor retail and commercial space in a mixed use format with residential development
- business or office park developments
- bulky goods retail space with small office component
- light industry and warehousing space
- civic, cultural, health, education and other public uses

The scale of the anticipated non residential floor space in the Precinct is shown in Table 3.6. Figures for public uses have been excluded as these will not be subject to a contribution under this Plan.

Table 3.6 Anticipated non residential floor space - Leppington North (Camden LGA) Precinct

Land use category	Projected gross floor area (m ²)
Business/Office Park	600,000
Retail Core	120,000
Bulky goods	2,970
Light Industrial	241,650
Total	964,620
Total less Light Industrial (for use in calculating open space contributions)	722,970

Source: Department of Planning and Infrastructure.

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3.4 Infrastructure demand arising from the expected development

Future development in the South West Growth Centre (of which the Leppington North Precinct forms part) will result in an additional population of up to 300,000 people. Approximately half of the Growth Centre population will live in Camden LGA. Development of the Growth Centre precincts will thus have a profound effect on the Camden LGA and the demand for facilities offered in the LGA.

Existing public amenities and services in the Leppington North Precinct have been essentially designed to accommodate the existing rural living environment. A change in the development profile of the Precinct from rural to urban development is now planned. More particularly, the Precinct is planned to be the focus of district and regional services and facilities through the South West Rail Link (currently under construction) and the Leppington Major Centre.

The future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public amenities and services.

Research on infrastructure needs for the impending urban development have identified the following impacts on public services and public amenities:

- increased demand for active and passive recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, walking trails and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in the Precinct, such as cultural centres, multi-purpose community centres and libraries;
- increased demand for facilities that will support safe and convenient travel between land uses both within the Precinct and to and from destinations outside of the Precincts, such as new roads and public transport facilities; and
- increased demand for stormwater drainage facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to address the impacts of the expected development, including:

- open space and recreation facilities;
- community and cultural facilities;
- water cycle management facilities; and
- traffic and transport management facilities.

More detail on the demand for public services and amenities, the relationship with the expected development, and the strategies for the delivery of required infrastructure is included in Part 4 of this Plan.

The costs, indicative timing, and proposed location of individual items for the public amenities and public services included in this Plan are shown in Part 5 of this Plan.

4. Strategy plans

4.1 Infrastructure costs and delivery generally

4.1.1 How are the infrastructure costs apportioned to expected development?

The costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area (refer Table 3.3).

The section 94 monetary contribution for each of the facilities identified in this Plan is determined by dividing the total cost of the facility by the contribution catchment (which is expressed in persons or NDA). This process ensures that fair apportionment of facility costs is calculated for development expected to occur under this Plan.

The contribution catchments for each infrastructure type are:

- in the case of open space and recreation facilities land and works, the expected additional resident population of the Leppington North Precinct (Camden) area, plus the users of the projected commercial and retail floor space in the Leppington Major Centre;
- in the case of community and cultural facilities land and works, the number of people (or future residents) the respective facility has been designed for; and
- in the case of stormwater drainage, roads and transport land and works, the estimated Net Developable Area of the Leppington North Precinct (Camden) area.

The infrastructure included in this Plan has generally been sized to reflect the demand generated by the expected development under this Plan. Some facilities, such as district and regional community facilities, have been designed to serve a wider catchment and the contribution rate reflects that wider contribution catchment. Council will need to make arrangements to ensure that the cost attributable to the demand sources external to the Precinct is met (for example, by subsequent contributions plans, joint contributions plans, special rates, grants).

Also, the cost of certain facilities identified in this Plan has been apportioned to the expected non residential development in the Precinct.

More details on this apportionment are discussed in the remainder of Part 4 of this Plan.

4.1.2 How will the infrastructure be delivered?

Council will require contributions from developers under this Plan toward provision of the public amenities and public services identified in this Plan. These contributions may be in the form of monetary contributions, dedications of land free of cost, or a combination of these.

Developers may choose to provide, subject to the agreement of the Council, one or more infrastructure items identified in this Plan as works-in-kind or provide another type of material public benefit as means of satisfying development contributions required under the Plan (refer clause 2.18 of this Plan). A Works In Kind Agreement must be in place prior to commencing the works in accordance with the Council's Works In Kind Agreements Policy.

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Substantial research has been applied to the derivation of the Plan's works schedule and the planning for the location of all facilities has been completed but detailed design will be carried out in the development phase. The facilities will be developed in a manner that allows them to effectively serve the demand attributable to development envisaged under this Plan.

The facilities strategies included in Part 4 of this Plan are based on strategic information. It is likely that, as the planning process for the different development areas proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

Where alternatives to the works schedule are proposed in conjunction with the development of areas and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

4.1.3 Infrastructure staging and priority

The over-arching strategy that guides the staging and priority of infrastructure is the Infrastructure Delivery Plan. This will be developed and refined in accordance with the anticipated development program for the Austral and Leppington North Precincts. The provision of facilities included in this Plan will be programmed, as far as practicable, to align with these broader programs.

The initial development areas for these Precincts, as discussed in the Infrastructure Delivery Plan and section 3.2.3, includes:

- Land in and around the Leppington Major Centre.
- Land located north and south of Fifteenth Avenue on the eastern edge of the Austral Precinct.

The first of these areas is situated in the Leppington North Precinct.

Ideally, development will proceed outward from the railway station and retail core. The existing land ownership pattern and other influences (such as the demand for different land use types) however means that this order of development is unlikely to occur. The Infrastructure Delivery Plan strategies reflect this:

There should not be any assumption that services are 'reserved' for particular areas in the early stages. If owners and developers of land located outside the initial development areas consult and work cooperatively with infrastructure providers and owners of adjacent land, there is no reason why those lands could not also be developed.⁵

With these uncertainties, the facility staging and priorities details that are shown in Part 5 of this Plan are general in their scope, and will be subject to regular review.

⁵ Austral and Leppington North Precincts Infrastructure Delivery Plan, Draft Report for Exhibition, prepared by Newplan, August 2011, Section 4.2

4.2 Open space and recreation facilities

4.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for local, district and regional scale open space and recreation facilities as a result of the expected development of the Precincts are documented in the report *Austral and Leppington North Precincts – Demographic and Social Infrastructure Assessment*, prepared by Elton Consulting in July 2011.

The information below comprises a summary of sections of that report that describe the demand for new and upgraded public amenities and services:

Existing provision

There are limited open space and recreation facilities accessible to the current residents of the Precinct. However the extent of provision is consistent with the area's small population and semi-rural character.⁶

There are no areas of local public open space located within the Camden LGA part of the Leppington North Precinct. However, an area of active open space - Pat Kontista Reserve is located just south of the precinct on Byron Road. This facility serves the local open space demand for field sports and tennis courts.

In addition there is a significant area of active open space situated in the Leppington North Precinct immediately adjacent to Camden LGA (WV Scott Memorial Park). This park also provides for field sports and also contains a children's playground.

The absence of passive open space reflects the rural residential lifestyle of residents. That is, the demand for this type of open space is significantly reduced in locations where residents live on their own substantial parcel of land.

District level facilities are located in the newer suburbs further east around Horningsea Park and further south in Camden LGA, and have been designed to meet the needs of incremental urban growth in those locations, rather than any growth envisaged in the Austral and Leppington North Precincts.

Trends in facility provision

Current and emerging trends and factors that have been considered in the planning and specification of Leppington North Precinct recreation infrastructure included the following:

- Significant and ongoing popularity of informal recreation activities (e.g. walking), and activities requiring fixed commitments are declining in favour of informal and more flexible activities.
- Facilities that are flexible in their service provision.
- Growing awareness and interest in health and fitness as part of a balanced life-style rather than an emphasis solely on leisure.
- Increasing demand for outdoor recreation.

⁶ Social Infrastructure Assessment, page 16

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- Growing awareness of the importance of incidental exercise within employment and residential areas, increasing the demand for walking and cycling paths.
- An increasing emphasis on quality as well as quantity.
- An increasing demand for access for young people and improved accessibility more generally.
- An increased demand for natural areas and adventure based activities.
- The increased duration of playing seasons requiring consideration of alternative playing surfaces.

Planning principles for open space and recreation

Principles for the provision of sustainable open space and recreation infrastructure that have guided the selection of infrastructure items included in this Plan include the following:

- Open space should be largely publicly provided.
- Meet a diverse range of open space and recreation needs and opportunities.
- Avoid exerting pressure on open space and recreation facilities in surrounding areas.
- Quality of open space is more important than quantity.
- A physically and visually connected network; and represent a non-vehicular system that connects major activities and open spaces by walking and cycling.
- Comprise a local, district and regional hierarchy of spaces.
- Reflect and complement the natural, ecological, waterway and visual features of the area; and incorporate natural areas and riparian corridors into the open space system where possible.
- Integrate a network of open space with stormwater management and water-sensitive urban design.⁷

Recreation demand assessment based on forecast demographics

The size and characteristics of the population in the Leppington North Precinct is discussed in Part 3 of this Plan.

Implications for recreation demand as a result of the expected mix of residents is discussed in detail in Table 9.1 of the Social Infrastructure Assessment.

In summary:

- Future developments will initially contain a predominance of families with children, adolescents and young people, and only over time will there be a balance of more middle aged and older people.
- The major target groups for recreation planning in new release areas are children aged 0-14 years, and adults aged 25-40 years.

⁷ Social Infrastructure Assessment, Section 3.1

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- Local open space is important in encouraging informal interaction and creating opportunities for new and existing residents to come together, as well as for encouraging extended family activity, for walking and cycling as well as family gatherings.
- The level of local open space will in part be informed by prevailing council standards of provision.

In relation to the last point, demographic-related criteria that Camden Council has previously applied in its release area planning included the following:

- In (urban) residential areas, local and district public open space should be provided at the rate of 0.4 hectares and 3.24 hectares per 1,000 population respectively - although it is noted that the most recent release areas (Oran Park and Turner Road Precincts) a non-riparian open space planning standard of 2.8 hectares per 1,000 population has been used.
- Minimum area of any local public open space should be 2,000 square metres and no further than 500 metres walking distance from any dwellings.
- Minimum area of district public open space should be a total of 5 hectares, located near public transport and no further than 2 kilometres from all dwellings.

The above considerations have informed the open space and recreation requirements for the Leppington North Precinct development.

Local and district open space requirements

The total area of local and district open space land required was calculated in the Social Infrastructure Assessment on the basis of meeting the combined needs of the Austral and Leppington North Precincts developments.

The planning of open space areas was undertaken as part of the Precinct planning phase in an iterative manner. Earlier versions of the plan identified more extensive passive open space areas aligning with the numerous drainage lines traversing the Precincts. The size of the open space areas was reduced in acknowledgment of the very high cost of acquiring the substantial areas required for meeting open space demands.

The total additional local and district open space provision planned for the Precincts is approximately 2.92 hectares per 1,000 population.

For a forecast population of 51,130 people, application of this benchmark results in a requirement of approximately 149 hectares of district and local open space.

For the area to which this Plan applies the amount of open space land required is 17.28 hectares.

Based on an estimated net additional population for the Leppington North (Camden LGA) Precinct of 4,209 persons, this reflects a rate of provision higher than the combined Precincts provision at 3.84 hectares per 1,000 population.

Table 4.1 provides a breakdown of this open space.

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Table 4.1 Proposed provision of district and local open space - Leppington North Precinct

Open space type	Area (ha)
Local parks	3.4763
District parks	4.4362
Channel parks	3.8661
Local sports facility (active recreation)	5.5000
Total open space	17.2786

Source: Department of Planning and Infrastructure

The data in Table 4.1 show a weighting toward the provision of passive rather than active open space. The high percentage of passive open space arises in part because of the extensive creek networks that traverse the precinct.

The above land also does not include:

- Regional active open space available in Western Sydney Parklands;
- Riparian and other conservation land such as bushland;
- Open space under transmission lines; and
- Playing fields within school sites.

This provision of open space (benchmarked against the typical rates for provision for residential development) is partly a result of the extensive planned development of the precinct for retail, commercial and other employment purposes associated with the Leppington Major Centre. Workers and visitors to the Major Centre area will demand some of the open space and recreation facilities included in this Plan, and it is reasonable for such development to contribute towards the provision of this infrastructure.

Matters regarding the apportionment of infrastructure costs between land uses are discussed in Section 4.2.2.

Recreation facilities requirements

The facilities described in Table 4.2 (on the following pages) have been determined in the Social Infrastructure Assessment as being required to meet the needs of expected development in the Austral and Leppington North Precincts, and in some cases the wider Growth Centre catchment.

Most of the facilities are not located in the Camden LGA portion of the Leppington North Precinct and are therefore not included in the works schedules that comprise Part 5 of this Plan. The full list of Austral and Leppington North Precincts' requirements is shown for completeness.

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Table 4.2 Recreation facilities requirements

Facility	Size	Description	Provision across both Precincts	Provision in Leppington North (Camden LGA) Precinct?
Regional Indoor Sports and Aquatic Centre	5ha site, including 3ha facility and outdoor elements and 2ha for parking	<p>Major competition level facility</p> <p>Aquatic:</p> <ul style="list-style-type: none"> ▪ Indoor 50 metre x 10 lane Olympic pool ▪ Training pool ▪ 25 metre leisure pool ▪ Heated teaching pool ▪ Children's play pool / wave pool / whirl pool/ water slides ▪ Diving pool. <p>Indoor Sports:</p> <ul style="list-style-type: none"> ▪ 4 indoor sports courts each large enough for netball ▪ Fitness centre – weights, aerobics/Dance/Yoga/Pilates activity room with wooden floor, spin cycle room. ▪ Wellness / health services – physiotherapy, nutrition etc. ▪ Spa, sauna, steam room ▪ Retractable seating for 1,500 this would increase to 3,500 in stage 2. <p>General amenity:</p> <ul style="list-style-type: none"> ▪ Kiosk and cafe ▪ Equipment sales ▪ Amenities – change, lockers, toilets ▪ Crèche facilities for users ▪ Outdoor elements - may include water play park, BMX, skate, sports oval and netball, tennis, basketball courts. May be integrated with a youth recreation 	1 within the Leppington Major Centre	Nil - to be located in Liverpool LGA

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Facility	Size	Description	Provision across both Precincts	Provision in Leppington North (Camden LGA) Precinct?
Local passive parks	Min. 0.2ha up to 0.5ha	Local parks should have a range of play spaces and opportunities and cater to older children and young people as well as the traditional playground for young children. Grassed area for ball games, seats, shelter. May contain practice wall, fitness equipment, other elements.	Within 400-500m walking distance of 90% of dwellings	Several dispersed throughout the Precinct and also focused along the linear riparian corridors in the east and west of the Precinct
District (key suburb) parks	Min. 3ha	Something for everyone, family parks. Includes a combination of outdoor courts (basketball, netball), skate park, BMX track, shared pathways, children's play equipment, outdoor fitness equipment, performance space, specialised recreation facilities, water feature, picnic / barbecue facilities, unleashed dog exercise area.	6-7 parks	1 located on the eastern side of Dickson Road, south of Bringelly Road
Children's playgrounds (0-4 years)	Min. 0.3ha for standalone playgrounds	Co-located with parks, sportsgrounds, courts, schools, community facilities, conservation areas. Regional, district, local hierarchy in terms of play equipment and range of experiences. Each play area should offer a different experience. Include road safety bike track at regional playground. Include children's bike paths in district and regional playgrounds.	11 playgrounds	4 playgrounds or provided on local passive parks, plus a playground to be provided on the local sportsground
Playspaces (5 to 12 year olds)	Min. 0.3ha for standalone playgrounds. Where co-located the space may be reduced.	Can be co-located with playspaces for 5 to 12 year olds – within sight distance for carers but physically separated. Fencing if adjacent to water, road, steep slope. Seating, shade, water provided. Allows for more independent play, skill development and cognitive development. However they still require adult supervision. More challenging equipment. These may include bouldering features, climbing areas, 'lean to' cycleways through to cycle obstacle course, skate facility, BMX/mountain bike jumps and tracks. These areas could be co-located with children's playgrounds, school or community facilities for supervision and convenience of use by carers.	13 playspaces	See above
Local sportsground	Min. 4ha (ideally 5ha)	1 double field per 5,000 people. To accommodate demand for local sport and recreation training and competition. Rather than a series of single field facilities are grouped to provide economies of scale for infrastructure.	8 double playing fields or 20 single fields.	1 local sportsground on a 5.5ha site (inclusive of a playground) situated on the eastern side of Byron Road in the south east of

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Facility	Size	Description	Provision across both Precincts	Provision in Leppington North (Camden LGA) Precinct?
District sportsground	MIn. 6ha up to 10ha	<p>To be located close to schools. Inclusions :</p> <ul style="list-style-type: none"> -2 multi-purpose rectangular fields or 1-2 full-sized cricket/AFL ovals (plus practice nets) -2 tennis / netball courts - 2 half-court basketball courts, or 2 multi-purpose courts - Lights for training - Amenities with change rooms, canteen, meeting room - Parking co-located with a playground, school, community facility, play space. <p>The local sports park identified above may be expanded to incorporate one of the proposed district grounds dependent on location and access.</p> <p>Requirements - To be located near public transport routes, no further than 2 km from all dwellings - To be co-located, where possible, with other commercial, community and recreation space in neighbourhood activity hub - Provide for district standard adult competitions and training or junior regional or state school championships. - Amenity buildings, parking, storage core inclusions - Located on land without flooding or transmission line constraints.</p> <p>Given the timeframe before the population threshold warrants a district standard facility. The final mix of courts and fields will require community consultation and council input based on most recent open space planning principles and research.</p> <p>Inclusions: - 4 multi-purpose rectangular fields, parking and landscaped buffer - No flooding or transmission line restrictions - Higher quality fields than local - Maybe combined with playground, netball training courts or multi-purpose tennis/basketball/netball courts. Add practice nets if cricket wickets - May include lawn bowling club or similar.</p>	1 complex of four playing fields	Nil
Shared cycle-ways/ walkways	0.7 ha for each km of length (average width 7m)	<p>On flat to undulating land. In or adjacent to riparian corridors, water supply channel, drainage corridors.</p> <p>Minimum 2.5 metre width path for dual use.</p> <p>Include seats and bubblers along the cycleway and circular routes should be included where possible as well as bike storage for convenience of users. Access</p>	Sufficient to link open space, recreation facilities and services, schools, town neighbourhood and village centres.	1,525 metres in the area to which this Plan applies, in addition to roadway footpaths and works delivered by others, which will also

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Facility	Size	Description	Provision across both Precincts	Provision in Leppington North (Camden LGA) Precinct?
		points to be provided from employment and residential land.		contribute to the network.

Source: Social Infrastructure Assessment, pages 79-81

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Regional open space and recreation facilities requirements

The Leppington Major Centre will be located in the Precinct, which is the only Major Centre to be developed in the entire South West Growth Centre. This centre is being designed to serve a user catchment of around 300,000 residents.

Regional open space demands are expected to be met by the Western Sydney Parklands, which adjoin the Austral and Leppington North Precincts to the east. It is expected that the embellishment of the Parklands will be carried out in the manner of other regional parks in the Sydney region (e.g. Centennial Park in the Sydney City LGA).

The Growth Centre catchment, equivalent in scale to Canberra, will also require recreation facilities to meet the regional demand. The planning in this respect includes a regional stadium and an indoor sports and aquatic centre. The Western Sydney Parklands Trust has prepared an options paper in relation to the stadium and envisages that it will be located in the Western Sydney Parklands.⁸

This Plan does not require contributions toward a stadium or any embellishments in the Parklands.

The indoor sports and aquatic centre is proposed to be located within the Leppington major Centre. Current planning suggests that it would be located within the Liverpool LGA but would service all the area the subject of this Plan.

4.2.2 How are the contributions calculated?

Contributions will be collected from both residential and non residential development toward open space and recreation facilities identified under this Plan.

Residential development

Monetary contributions are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots (whether or not that development also comprises non residential floor space) is calculated as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF \times RAF}{P} \right)$$

Where:

\$INF = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the open space and recreation facilities (refer Part 5 – works schedule).

RAF = the residential development 'apportionment factor', i.e. the percentage of the total cost of each facility that is apportioned to residential development throughout the Leppington North (Camden LGA) Precinct. Refer to 'Apportionment of cost to residential and other development' below.

⁸ The Western Sydney Parklands Trust Plan of Management identifies a proposal for a regional sporting hub in the southern end of the Western Sydney Parklands, in the vicinity of the Austral and Leppington North Precincts, subject to funding.

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P = the estimated resident population (in persons) that will demand each facility - that is, the expected net additional population of the Leppington North (Camden) Precinct (refer Table 3.5)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.3.

Table 4.3 Assumed residential development occupancy rates

Development type	Assumed dwelling occupancy rate
Subdivided lots	3.4 persons per lot
Detached dwelling	3.4 persons per dwelling
Semi-detached, town house, terrace	2.6 persons per dwelling
Flat, unit, apartment	1.8 persons per dwelling
Seniors living dwellings	1.5 persons per dwelling

Non residential development in the Business Zones

Monetary contributions toward open space and recreation facilities will be levied on non-Residential Accommodation development situated on land in the following zones:

- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B7 Business Park

Monetary contributions are calculated on a gross floor area (GFA) basis.

The monetary contribution per square metre of GFA in a development containing non residential floor space (whether or not that development also comprises residential dwellings) is calculated as follows:

$$\text{Contribution per m}^2 \text{ GFA ($) = } \sum \left(\frac{\text{\$INF} \times \text{NRAF}}{\text{GFA}} \right)$$

Where:

\$INF = the total estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the open space and recreation facilities (refer Part 5 – works schedule).

NRAF= the non residential 'apportionment factor', i.e. the percentage of the total cost of each facility that is apportioned to non-residential development throughout the Leppington North (Camden LGA) Precinct. Refer to 'Apportionment of cost to residential and other development' below. 0.24

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GFA = the expected employment development that will demand each facility - that is, the expected employment GFA in the B3, B4, B5 and B7 Zones in the Leppington North (Camden) Precinct (in m²) (refer Table 3.6), 722,970 m².

The monetary contribution for different non residential development types is determined by multiplying the contribution per square metre of GFA by the amount of square metres of GFA proposed for non residential purposes in the development.

Apportionment of cost to residential and other development

A total of 17.28 hectares of land is planned to be provided in the Leppington North (Camden LGA) Precinct for open space. Based on the total future population for the Leppington North (Camden LGA) Precinct of 4,518 persons, this reflects a rate of provision higher than the combined Precincts provision at 3.82 hectares per 1,000 population.

However the proposed planned rate of open space provision across the entire Austral and Leppington North Precincts is 2.92 hectares. So whereas 17.28 hectares is provided, only 13.19 hectares would have been required to satisfy the demand and comply with the 2.92 ha / 1,000 rate of provision.

In addition, the extensive planned development of the precinct for retail, commercial and other employment purposes associated with the Leppington Major Centre means that workers and visitors to the area will also create demand for the open space and recreation facilities included in this Plan.

The Social Infrastructure Assessment establishes this basic nexus.⁹ However, at the time this Plan was prepared no evidence was available on the comparative demand for facilities between residential and non residential users.

In the absence of such data, it is reasonable to assume that the share of open space and recreation facilities costs that will be met by non residential development will be calculated by assuming that the residential demand is satisfied by complying with the required rate of 2.92 ha/1,000 population. This can be summarized as follows:

Total open space to be provided in area (A)	17.28ha	Or a rate of 3.82 ha/1,000 persons
Total open space required based on planned rate of provision across Austral and Leppington North Precincts (B)	13.19ha	Or a rate of 2.92 ha/1,000 persons
Assumed provision that is surplus to residential demands (C = A-B)	4.09ha	
Required provision as percentage of total (B/A)	76 percent	Attributed to residential uses
Surplus provision as percentage of total (C/A)	24 percent	Attributed to non residential uses

⁹ Social Infrastructure Assessment, section 7.9.4

4.3 Community and cultural facilities

4.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for community and cultural facilities as a result of the expected development of the Precinct are documented in the Social Infrastructure Assessment.

The following is summary of the information and approach used to arrive at the community and cultural facilities requirements of the Precinct.

Existing provision

There are limited open space, recreation, community and cultural facilities accessible to the current residents of the Precinct. The Leppington Progress Hall is located on Ingleburn Road on a site immediately adjacent to the Precinct. The hall provides meeting space local community groups and activities.

Other facilities are located further afield, including those in the Liverpool LGA. District level facilities are located in the newer suburbs further east around Horningsea Park and further south in Camden LGA, and have been designed to meet the needs of incremental urban growth in those locations, rather than any growth envisaged in the Austral and Leppington North Precincts.

The limited extent of provision is consistent with the area's small population and semi-rural character.¹⁰

Principles for sustainable community infrastructure

Principles for the provision of sustainable community facilities infrastructure described in the Social Infrastructure Assessment and that have guided the selection of infrastructure items included in this Plan include the following:

- Facilities should be provided in an efficient, timely and co-ordinated way to support the pattern of development; ensuring that services are available to residents as early as possible and they are not disadvantaged through delays in delivery.
- Efficient use of limited resources by designing facilities to be multipurpose, co-located with other facilities and able to accommodate shared and multiple use arrangements.
- Cluster related facilities and services to promote civic identity, safety and focal points for the community.
- Ensure that facilities, services and open space are accessible by public transport and located to maximise access for pedestrians and cyclists.
- Ensure flexibility in the design and use of facilities, so they can respond and adapt as needs change. Avoid arrangements for single uses or specific target groups that may quickly become outdated.

¹⁰ Social Infrastructure Assessment, page 16

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- Promote equitable access for all sections of the population, through the distribution, design and management (including cost) of facilities.
- Provide environmentally and economically sustainable buildings.
- Ensure viable levels of resourcing of facilities and services, both capital and recurrent funding.
- Promote innovation and creativity between agencies in services delivery and integration.
- Develop sustainable ownership, governance, management and maintenance arrangements for facilities.¹¹

Community facilities demand assessment based on forecast demographics

The anticipated size and characteristics of the resident population in the Leppington North Precinct is discussed in Part 3 of this Plan.

Various standards of provision for local and district community facilities have been adopted by the Department of Planning and Infrastructure, Camden Council and Liverpool Council. The standards have been used as a basis for determining facility needs in the Austral and Leppington North Precincts as a whole.

A summary of these standards is included in Table 4.4.

Table 4.4 Comparison of community facility provision standards

Facility type	Department of Planning & Infrastructure / Growth Centres Commission standard	Camden Council standard	Liverpool City Council standard
Libraries	<ul style="list-style-type: none"> ▪ 1 centre for each 33,000 persons 	39 square metres per 1,000 persons + 20% circulation space	42 square metres per 1,000 persons
<ul style="list-style-type: none"> ▪ Branch ▪ District 	<ul style="list-style-type: none"> ▪ 1 centre for each 40,000 persons 		
Multi-purpose community centre in smaller activity centre	<ul style="list-style-type: none"> ▪ 1 centre for each 6,000 persons ▪ Each centre with a size of 2,000-2,500 square metres 	<ul style="list-style-type: none"> ▪ 42 square metres per 1,000 persons ▪ 2.5 x floor area for land component 	<ul style="list-style-type: none"> ▪ Indicative 1 centre for each 10,000 people, with an average size of 600 square metres for each centre ▪ To be located in activity centres with shops, schools etc. ▪ Facilities are to provide flexible multipurpose spaces and spaces for outreach services. ▪ Smaller 600m² facilities contribute to the overall level of provision of 60-85m² per 1,000 people

¹¹ Social Infrastructure Assessment, Section 3.2

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Facility type	Department of Planning & Infrastructure / Growth Centres Commission standard	Camden Council standard	Liverpool City Council standard
Multipurpose community centres in larger activity centre	<ul style="list-style-type: none"> 1 centre for each 20,000 persons 1 community service centre for each 60,000 persons 	<ul style="list-style-type: none"> 22 square metres per 1,000 persons 2.5 x floor area for land component 	<ul style="list-style-type: none"> Indicative 1 centre for each 60,000 persons, with a built area of about 1,500 square metres To be located in larger activity centres and commercial and transport hubs to provide flexible multipurpose spaces and provide a base for organisations and the delivery of services Larger 1,500m² facilities contribute to the overall level of provision of 60-85m² per 1,000 people
Youth Centre	<ul style="list-style-type: none"> 1 centre for each 20,000 persons 	<ul style="list-style-type: none"> 89 square metres per 1,000 persons + outdoor space 	<ul style="list-style-type: none"> No longer provided by Council as a stand-alone purpose built facility. The size and layout of multipurpose community facilities now provide appropriate and designated spaces for delivering youth services, programs and activities. Outdoor spaces, like half court basketball courts and skate parks, are now provided as standard for informal activities and programs for young people.

Sources: Social Infrastructure Assessment Table 8.1

Community and cultural facility requirements

Given that this Plan addresses an expected additional resident population of approximately 4,209 residents, the demand for new community facilities of any significant scale is minimal. However, the Precinct will be a focus of many services and facilities centred on the proposed Leppington Major Centre. This centre will need to provide a range of community facilities to cater for both the local area residents and the large regional catchment of Growth Centre residents.

The methodology that the Social Infrastructure Assessment utilises in arriving at a set of district and regional level facilities required for the Leppington Major Centre may be summarised as follows:

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- Prevailing Australian benchmarks for provision of larger scale community and cultural facilities vary widely, and most are based on smaller catchments than the area intended to be served by the Leppington Major Centre.
- Planning for single facilities to serve a Growth Centre population of 300,000 is unrealistic - multiple facilities and services will be required.
- It is proposed that there be 3 catchments for South West Growth Centre community facilities planning; and that these facilities be focused on Oran Park Town Centre, Bringelly Town Centre (around 80,000 people each); and Leppington Major Centre (around 120,000 people).¹²

Infrastructure required in Leppington Major Centre that will need to serve a surrounding population of around 120,000, and include the following:

- A multi-purpose community centre of 2,500 square metres floor area, including spaces for large community events, gatherings, celebrations and civic functions; meeting spaces for community organisations and groups and for human services that have a district or regional focus; and spaces for adult education, workplace training and community learning programs.
- A central library of about 4,500 square metres floor area, co-located with the multi-purpose community centre.
- A performing arts cultural facility with floor area of about 5,000 square metres for staging major entertainment events or performing arts, spaces for visual arts, and spaces to display and celebrate the cultural heritage of the area.¹³

This Plan includes provision for the land and works associated with these facilities, but acknowledges that the demands for the facilities are spread over a large catchment (120,000 residents). This Plan therefore authorises contributions that are commensurate with the Leppington North (Camden) Precinct's level of demand for the district and regional facilities, i.e.:

4,209 persons / 120,000 persons = 3.5%,

Or an apportionment factor of 0.035.

Location and staging matters

Facilities should be clustered together or co-located in a 'Civic Precinct' in the Centre adjacent to open space. There are multiple ways to arrange the spaces and further planning should concentrate on combination and co-location options.

A site of approximately 2.5 hectares immediately north of the future Leppington Major Centre railway station has been identified for this purpose.

The design of facilities will depend upon a variety of factors, including the availability of funds, the aspirations of the responsible council, and evolving best practice. Detailed needs and feasibility assessments need to be undertaken as the population of the area grows.

The ultimate district / regional facility will not be warranted until the surrounding population reaches a threshold of about 50,000 people or more. Larger, more specialist components of the facility, in turn, will not be justified until the surrounding population has reached over

¹² Social Infrastructure Assessment, Section 7.1

¹³ Social Infrastructure Assessment, Section 7.2

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100,000 people. The facilities should therefore be built in stages with expansions occurring incrementally as the population grows.

Existing higher order facilities in the surrounding region (including those outside Camden LGA) offer some opportunity to meet interim needs either in their current form or through expansion (for example, the Narellan Library and Community Centre).

In accordance with this staged expansion process, an 'interim' multi-purpose community centre, capable of meeting the needs of the surrounding local population, is to be provided on the Civic Precinct site. This smaller interim facility can then be expanded into the major multipurpose community centre as the population within the catchment grows.

This Plan therefore authorises a contribution towards 100% of the cost of the interim facility to be met by the expected resident population of the Leppington North (Camden) Precinct.

4.3.2 How are the contributions calculated?

Contributions will be collected from residential development toward community and cultural facilities identified under this Plan.

Monetary contributions are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots (whether or not that development also comprises non residential floor space) is calculated as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

$\$INF$ = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the community and cultural facilities (refer Part 5 – works schedule).¹⁴

P = the estimated resident population (in persons) that will demand each facility - that is, the expected net additional population of the Leppington North (Camden) Precinct (refer Table 3.5)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.5.

Table 4.5 Assumed residential development occupancy rates

Development type	Assumed dwelling occupancy rate
Subdivided lots	3.4 persons per lot
Detached dwelling, detached dual occupancy (each dwelling)	3.4 persons per dwelling

¹⁴ In the case of the full district / regional facility, the cost is the cost fairly apportioned to the Leppington North (Camden) Precinct expected population - that is, 3.5% of the total cost (see section on 'Community and cultural facility requirements' above)

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Development type	Assumed dwelling occupancy rate
Semi-detached, town house, terrace, attached dual occupancy (each dwelling)	2.6 persons per dwelling
Flat, unit, apartment	1.8 persons per dwelling
Seniors living dwellings	1.5 persons per dwelling

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4.4 Water cycle management facilities

4.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Stormwater runoff in the Austral and Leppington North Precincts is proposed to be managed through a comprehensive Water Sensitive Urban Design (WSUD) approach.

Informed by a range of studies¹⁵, the report *Austral and Leppington North Precincts Water Cycle Management WSUD Report* (the 'WSUD Strategy') prepared by Cardno Pty Ltd. establishes the framework for the management of stormwater quantity and quality related to the expected urban development of the Precincts.

The WSUD Strategy acknowledges that development of an area:

- generates demand for water supply;
- requires management of wastewater as well as stormwater; and
- increases the area of impermeable surfaces and so exacerbates potential flooding issues, impacts on the quality of stormwater and potentially affects riparian corridors.

These water related issues are locality based and caused directly and solely by the development activity and so should be ameliorated by that same development activity.

To minimise the potential cost of the stormwater management scheme, the WSUD Strategy investigated the following:

- harvesting of rainwater for toilet laundry and garden use in residential lots; and
- treatment measures to improve stormwater quality, promote infiltration and attenuate runoff to emulate a more natural rainfall/ runoff regime.

Figure 4.1 is a schematic describing the approach taken with the WSUD strategy.

¹⁵ Cardno (2011), *Biodiversity Conservation Assessment*, Draft Final Report, prepared for the Department of Planning, January.
Cardno (2011), *Riparian Corridor and Flooding Assessment*, Draft Final Report, prepared for the Department of Planning, February.
GeoEnviro Consulting (2010), *Geotechnical, Salinity and Acid Sulfate Soil Investigation*, prepared for the Department of Planning, December.
JBS Environmental (2010), *Preliminary Environmental Site Assessment*, Final report, prepared for the Department of Planning, December.
Growth Centres Commission (2006), *Growth Centres Development Code*, November.

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Source: Austral and Leppington North Precincts Water Cycle Management WSUD Report, page 17

Figure 4.1 Concept Stormwater Treatment Train

The schematic illustrates that 'rainwater' works will be required in conjunction with development consents for individual dwellings, while other ('stormwater') works relate to the broader catchment and so will be funded through section 94 contributions obtained under this Plan.

The objectives of the WSUD Strategy include:

- Collection of rainwater from roofs to reduce runoff volumes particularly for small rainfall events;
- To reduce as far as possible the 2 year Annual Recurrence Interval (ARI) and 100 yr ARI peak flows downstream of the proposed development areas to no greater than peak flows under existing conditions;
- Reduction of stormwater pollutants according to best management practices.¹⁶

Features of the WSUD Strategy to achieve the above objectives include the following:

- Rainwater tanks to capture initial / small volume run-off.
- Reservation and dedication of land in drainage corridors to enable construction of drainage facilities and effective ongoing management of those facilities.
- Implementation of a series of retarding basins to manage stormwater flows. The basins are generally positioned adjacent to, but off-line from, the Category 1 and 2 streams that traverse the Precincts.
- Implementation of a combination of measures in conjunction with the retarding basins to manage the quality stormwater runoff, including gross pollutant traps, bio-filters, wetlands, and/or open water ponds.
- Integration of water management facilities with open space and recreation areas where appropriate.

¹⁶ WSUS Strategy, page 2

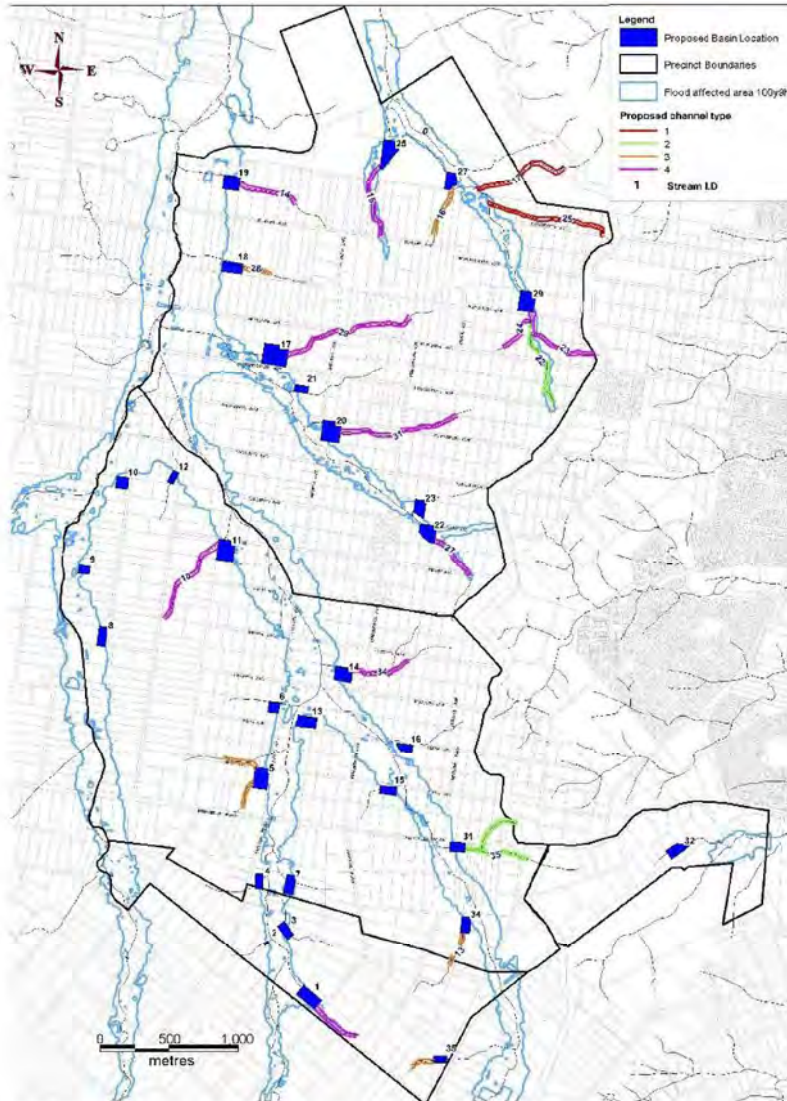
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The WSUD Strategy identified a series of stormwater basins and channels that, with other measures, would be required to be implemented on land across both Precincts to achieve the above objectives.

The drainage infrastructure described in the WSUD Strategy includes trunk infrastructure to support the development. Councils are responsible for ensuring trunk infrastructure that meets the needs of the entire development is in place, while land developers are required through conditions of consent to provide reticulation works within the development.



Source: Austral and Leppington North Precincts Water Cycle Management WSUD Report, page 15

Figure 4.2 Proposed channels and basins - Austral and Leppington North Precincts

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The locations of proposed trunk infrastructure that comprises stormwater channels and basins for both Precincts are shown in Figure 4.2.

More detail on the basins and channels, the cost of which is to be met by contributions collected under this Plan, are included in the maps and schedules included in Part 5. Council will however encourage the provision of water cycle management works identified in this Plan as works-in-kind in conjunction with the civil works undertaken as part of land subdivision.

A range of 'non-trunk' reticulation works not addressed by this Plan will also be required to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EP&A Act. The facilities may include lot-scale OSD basins, rainwater tanks, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

4.4.2 How are the contributions calculated?

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left(\frac{\$INF}{NDA} \right)$$

Where:

\$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the water cycle management infrastructure items in the area to which this Plan applies (refer Part 5 – works schedule).

NDA = the total area of net developable land (in hectares) that will generate demand for facilities – refer to Table 3.3 of this Plan.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

4.5 Transport management facilities

4.5.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Occupants of expected development in the Leppington North Precinct will utilise a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including rail and bus facilities focused on the planned Leppington railway station; and
- facilities for walking and cycling.

The existing transport network has been planned to serve existing and approved developments (that is, predominantly rural developments) in the area, and not the future development envisaged for the Precinct. As an example, there are only minimal existing public transport services and walking/cycling facilities in the area but this is set to be transformed with the completion of the South West Rail Link. The limited existing (or absent) provision for walking and cycling will also not be appropriate to future demands.

The Indicative Layout Plan for the Austral and Leppington North Precincts and the *Austral and Leppington North (ALN) Precincts Transport Assessment* prepared by AECOM (the 'Transport Assessment') together identify a range of transport infrastructure works that will be required to mitigate the impacts and otherwise accommodate the expected development.

Details of:

- the assumptions of expected land use and development;
- the methodology used to determine the need for transport facilities attributable to the expected development in the Precincts; and
- the scope and specification of those facilities.

are contained in the Transport Assessment.

The following is a summary of the approach utilised in the Transport Assessment for planning for the transport needs in the Leppington North Precinct.

Proposed road and intersection hierarchy

The proposed road network complements a broader hierarchy envisaged for the South West Growth Centre.

The proposed hierarchy comprises 'principal arterial', 'transit boulevard', 'sub arterial' and 'collector' roads. These will connect to a network of existing and new roads in adjoining Growth Centre Precincts.

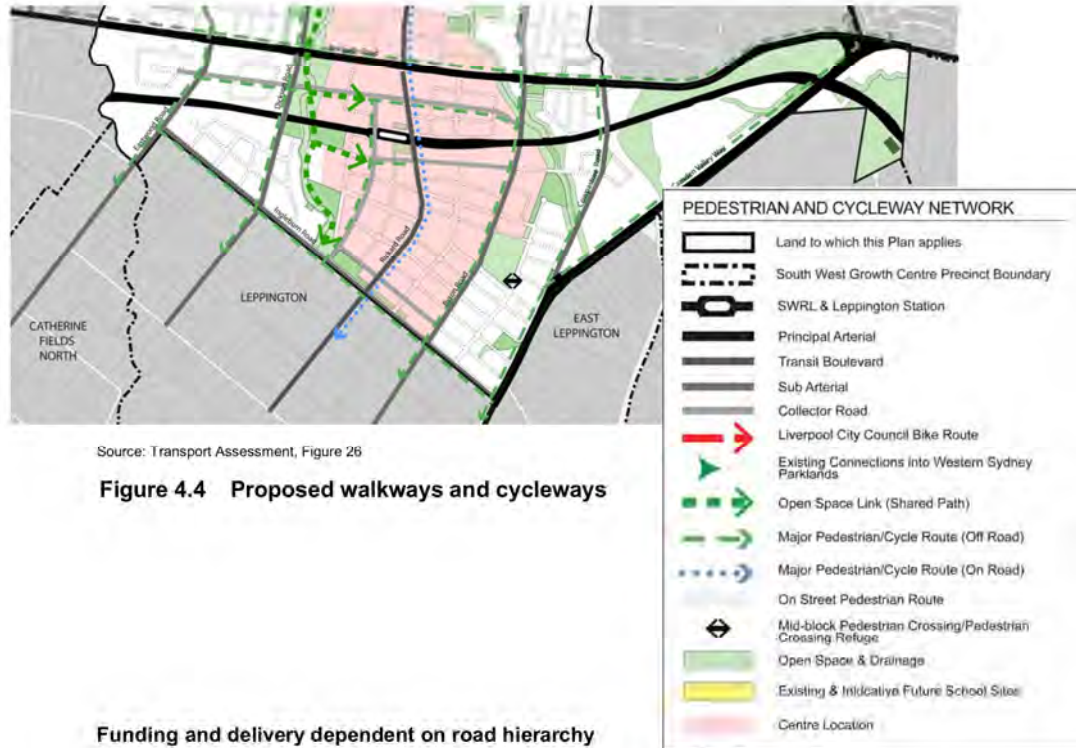
There are a number of higher order roads planned for the Leppington North Precinct due to the focus of higher density land uses in the Leppington Major Centre and the focus of trips on the Leppington transport interchange.

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Leppington North Precinct will be a focus for walking and cycling trips because of the location of the Leppington Major Centre within the Precinct. In addition, a key shared pedestrian and cyclist path will be provided in the open space network along Scalabrini Creek (included in Open Space embellishment costs). Figure 4.4 shows the proposed walking and cycle network for Leppington North Precinct.



Source: Transport Assessment, Figure 26

Figure 4.4 Proposed walkways and cycleways

Funding and delivery dependent on road hierarchy

Some of the required transport works are to meet a regional demand that extends beyond the Precinct boundary to the remainder of the South West Growth Centre.

The State Government has identified a number of works in the Precinct that are intended to be provided through the State budget or through Special Infrastructure Contributions under the EP&A Act.¹⁷ The works include arterial road and public transport links as well as rail and bus passenger transport facilities (such as interchanges and bus shelters on roads to be funded via Special Infrastructure Contributions).

Figure 4.5 shows the major road infrastructure planned to be provided across both the Austral and Leppington North Precincts, including delineation of those roads, at the time this Plan was prepared, that are intended to be funded via Special Infrastructure Contributions.

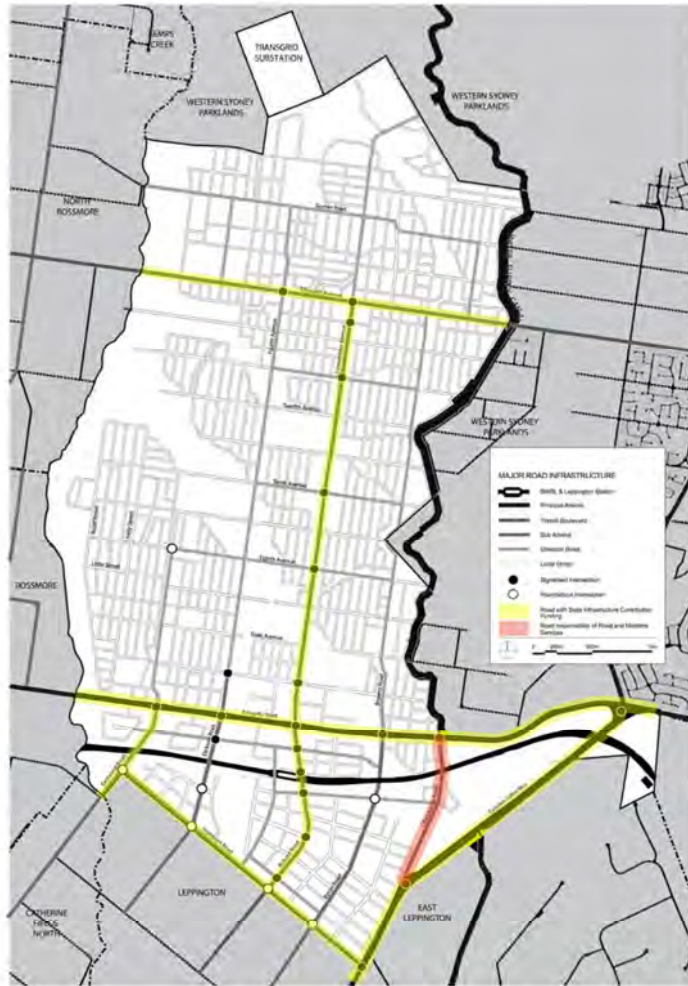
Special Infrastructure Contributions will be imposed via conditions of consent on developments in the Precinct. More details on the applicability of Special Infrastructure Contributions can be found by accessing the Department of Planning and Infrastructure's website.

Planned higher order roads for the Precinct not covered by State Government funding are to be provided by councils. They are usually funded either through land or monetary section 94

¹⁷ Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011

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contributions, and are often constructed as works in kind by the developer. Collector roads may be delivered by a mix of section 94 contributions and by developers. Usually, where private development lots front onto a collector road and that road is of a comparable standard to local roads, the road is usually provided by the developer as part of the subdivision works. Local roads are also usually provided by developers as they in most cases have private lots fronting onto them. Roads that do not have development fronting them such as bridges and crossings of open space are often funded through section 94 contributions, but can be constructed by the developer through a works-in-kind agreement at the time of subdivision and dedicated to the local council as public roads once constructed.



Source: Department of Planning and Infrastructure

Figure 4.5 Planned major road infrastructure - Austral and Leppington North Precincts

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The selection of facilities for inclusion in this Plan has also been based on the land ownership arrangement given that there may be difficulty in developers providing key transport links through parts of the Precinct where the ownership is fragmented. The integrated use of the different implementation mechanisms cited above will result in the transport infrastructure that is required as a consequence of the expected development in the Precincts being provided.

Works the subject of a section 94 condition that are addressed under this Plan include the following:

- Dickson Road upgrade.
- Byron Road (north-south) upgrade and northward extension across South West Rail Link to join Bringelly Road.
- Bridge crossings and local roads around proposed Civic Precinct and in other critical locations.
- Intersection treatments related to certain local roads.

Public transport facilities

The Precinct will benefit from good public transport accessibility through the South West Rail Line and a comprehensive proposed bus network and bus servicing strategy linking key centres, transport nodes, schools, employment opportunities and residential areas.

Specific public transport initiatives, apart from the roads and intersections that will cater for buses and other general traffic and bus shelters, are not addressed by this Plan. These initiatives will be delivered using funding and delivery mechanisms apart from section 94 contributions.

4.5.2 How are the contributions calculated?

Per trip versus per hectare of net developable land basis

The determination of reasonable contribution rates for transport facilities in section 94 contributions plans is often based on the number of vehicle trips generated by development. Apportionment to the different classes of development (that is, residential, commercial, employment, etc.) of the costs of facilities that are determined on a per trip basis is then derived by calculating the degree to which the traffic generated by each land use class will use the different road links and intersections included in the contributions plan.

This Plan instead determines contributions for traffic and transport facilities on a net developable land basis.

This results in all developments making the same contribution (based on land area) toward facilities included in this Plan, regardless of the projected level of use of the facilities by each development class.

The net developable land area approach for determining contributions is considered reasonable for the Precinct's transport management works on the basis of the limited knowledge of likely trip origins and destinations that was available at the time of the preparation of this Plan.

That is, a vehicle trip based contribution methodology relies on there being reasonably precise data on the different land use mix likely in the development area.

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At the time this Plan was prepared, the land use mix and employment numbers attributable to the different non residential land uses expected in the Precinct were assessed only at a strategic network level. In the absence of robust trip estimates segmented by land use, the levying of residential and employment development areas on a land area basis is considered reasonable.

Formula

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left(\frac{\$INF}{NDA} \right)$$

Where:

- \$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the transport management infrastructure items in the area to which this Plan applies (refer Part 5 – works schedule).
- NDA = the total area of net developable land (in hectares) that will generate demand for each facility – refer to Table 3.3 of this Plan.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

4.6 Plan management and administration

4.6.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Councils incur significant costs in the preparation and administration of contributions plans.

Council staff are deployed to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works in kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time in order to determine the value of land to be acquired, the design and cost of works, as well as to review the development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

As these costs arise directly as a result of the development in the Contributions Plan area, it is reasonable that the costs associated with preparing and administering this Plan be recouped through contributions from development.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to pay a development contribution.

Costs included in this Plan for these purposes are determined as follows:

- The estimate of legal expenses likely to be spent each year in relation to contributions matters (i.e. \$15,000), and extending this annual figure over the life of this Plan. This would principally relate to planning agreements and works-in-kind agreement negotiated with developers.
- The estimate of administration costs is equivalent to the current annual salary and on-costs (at the time the Plan is adopted) for 0.5 full time development contributions planning officer and 0.25 full time development contributions accounting officer, and extending this annual figure over the life of the plan.
- The estimate of costs to engage a land valuer to prepare and update at regular intervals the Land Value Index described in clause 2.15 of this Plan (i.e. \$8,000), and extending this annual figure over the life of this Plan.

4.6.2 How are the contributions calculated?

Contributions will be collected from all residential development toward Plan preparation and administration activities.

The monetary contribution per person is calculated as follows:

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$$\text{Contribution per person (\$)} = \sum \left(\frac{\$Admi}{NDA} \right)$$

Where:

\$Admin = the estimated cost - or if study work has been completed, the indexed, completed cost - of providing Plan preparation and administration activities (refer Part 5 – works schedule)

NDA = the total area of net developable land (in hectares) of the area to which this Plan applies as shown in Part 5 – works schedule.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

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5. Works schedules and maps

The schedules contained in this section are extracted from the following MSExcel spreadsheet:

- 20120214 Camden S94 Schedules V17.xls

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5.1 Open space and recreation facilities

5.1.1 Land

Summary

OPEN SPACE INFRASTRUCTURE LAND ACQUISITION - CAMDEN COUNCIL

Item	Facility	Area (ha)	Cost	Priority and Staging
Future Land Acquisition				
LALP	Local Parks	3.4763	\$2,974,215	As land affected by acquisition is developed or as required to service development.
LADP	District Parks	4.4362	\$4,585,885	As land affected by acquisition is developed or as required to service development.
LACP	Channel Parks	3.8661	\$1,353,135	As land affected by acquisition is developed or as required to service development.
LALS	Local Sports Facility	5.5000	\$6,600,000	As land affected by acquisition is developed or as required to service development.
	Subtotal	17.2786	\$15,513,235	
	Land Acquisition Contingency		\$1,861,588	
	Total Open Space Infrastructure Land Acquisition Cost	17.2786	\$17,374,823	

Note the table represents total land acquisition costs. Land acquisition costs for specific sites may vary.

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Detail

	Area	Cost
PASSIVE OPEN SPACE LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	5.87	
Total <100 ARI Land for Acquisition	3.90	
Total Residential Land for Acquisition	0.45	
Total Commercial Land for Acquisition	1.56	
Total Industrial Land for Acquisition	0.00	
PASSIVE OPEN SPACE TOTAL AREA	11.78	\$8,913,235.00
ACTIVE OPEN SPACE LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	0.00	
Total <100 ARI Land for Acquisition	0.00	
Total Residential Land for Acquisition	5.50	
Total Commercial Land for Acquisition	0.00	
Total Industrial Land for Acquisition	0.00	
ACTIVE OPEN SPACE TOTAL AREA	5.50	\$6,600,000.00
TOTAL OPEN SPACE ACQUISITION	17.28	\$15,513,235.00

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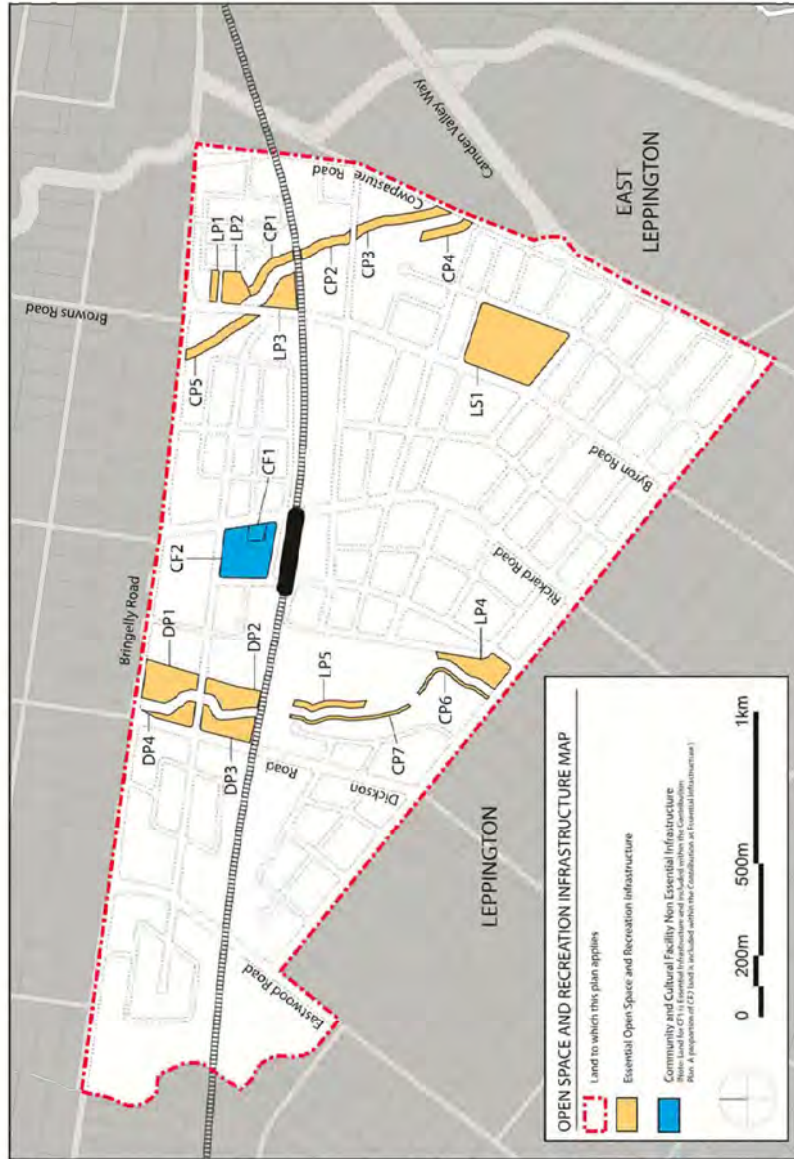
5.1.2 Works

Summary

Item	Facility	Area (ha)	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
Passive Open Space							
LP1		0.2355	\$160,452	\$40,113	\$0	\$200,565	All open space and recreation facilities land to be dedicated / acquired as and when surrounding development proceeds
LP2		0.7341	\$537,864	\$134,464	\$20,200	\$692,518	
LP3		0.7381	\$537,004	\$134,251	\$0	\$671,255	
LP4		1.2899	\$874,575	\$216,644	\$0	\$1,091,219	
LP5		0.4697	\$404,656	\$101,159	\$0	\$505,815	
DP1		1.6742	\$1,281,360	\$320,346	\$20,200	\$1,621,926	
DP2		1.0809	\$764,403	\$193,121	\$0	\$957,524	
DP3		1.0603	\$705,352	\$176,348	\$0	\$881,741	
DP4		0.6128	\$462,837	\$115,709	\$20,200	\$598,746	
CP1		0.6092	\$353,336	\$88,334	\$0	\$441,670	
CP2		0.5037	\$292,146	\$73,037	\$0	\$365,183	
CP3		0.836	\$484,300	\$121,075	\$40,400	\$645,775	
CPA		0.4798	\$278,284	\$66,571	\$20,200	\$365,055	
CP5		0.7497	\$434,828	\$108,707	\$0	\$543,535	
CP6		0.2812	\$168,896	\$42,224	\$0	\$211,120	
CP7		0.3075	\$200,550	\$57,038	\$0	\$257,588	
Subtotal		11.7788	\$7,910,672	\$1,892,716	\$13,280	\$10,064,732	
Active Open Space							
LS1	Combined local sportsfield and open space area	5.4997	\$3,144,528	\$766,132	\$60,000	\$3,970,660	As and when surrounding development proceeds.
Subtotal		5.4997	\$3,144,528	\$766,132	\$60,000	\$3,970,660	
Plan of Management							
PM1	Preparation of Plan of Management for all reserves	Not applicable	\$100,000	Not applicable	Not applicable	\$100,000	Incrementally as open space areas are embellished.
Subtotal			\$100,000			\$100,000	
Total Construction Costs			\$11,155,250	\$2,658,848	\$93,280	\$13,907,378	
Construction Contingency			\$790,804			\$790,804	
Total			\$11,946,154			\$14,698,182	

Leppington North Precinct (Camden) Section 94 Contributions Plan
 ALN CP Camden v15 Feb 2012

5.1.3 Map



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Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

5.2 Community and cultural facilities

5.2.1 Land

Item	Facility	Area (m2)	Area (ha)	Cost	Priority and Staging
Future Land Acquisition					
LALCF	Local Community Facility	2500	0.2500	\$325,000	As land affected by acquisition is developed or as required to service development.
LARCF	Regional Community Facility (3.5% for Population)	25501	0.0893	\$116,030	As land affected by acquisition is developed or as required to service development.
Subtotal			0.3393	\$441,030	
Land Acquisition Contingency					
Total Essential Community Facility Infrastructure Land Acquisition Cost			0.3393	\$52,924	
				\$493,953	

Note Cost and Area is adjusted to reflect Leppington North Precinct contributing to 3.5% of Regional Facility based on residential catchment.

Note the table represents total land acquisition costs. Land acquisition costs for specific sites may vary.

5.2.2 Works

Summary

Item	Facility	Area (m2)	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
Community and Cultural Facility							
CF1	Local Facility Construction	2500	\$2,278,713	\$569,928	\$0	\$2,848,641	Stage 1 to meet local demand at approximate 4,000 people
CF2	Regional Facility Construction	25501	\$1,365,647	\$341,362	\$40,400	\$1,747,208	Stage 2 as residential catchments in adjoining Precincts establish, serve 120,000 population.
Subtotal		28001	\$3,644,360	\$911,290	\$40,400	\$4,596,050	
Public Art							
PA1	Local Community Facility component		\$88,391	\$17,028	\$0	\$105,419	To be delivered in tandem with Stage 1 Regional Facility.
PA2	Regional Facility Component		\$40,883	\$10,541	\$0	\$51,424	To be delivered in tandem with Stage 2 Regional Facility.
Subtotal			\$109,355	\$27,573	\$0	\$136,928	
Total Construction Costs			\$3,753,715	\$938,863	\$40,400	\$4,732,978	
Contingency Costs			\$52,916				
Total Non Essential Road Infrastructure Costs			\$4,396,338				

Note Cost is adjusted to reflect Leppington North Precinct contributing to 3.5% of Regional Facility.

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v18 Feb 2012

Detail

Item	Measure	Rate	Notes
Construction Costs			
Local Facility Base Building Cost	Sqm	\$2,784	Elton cost with additional 16% for escalation as per Rawlinsons BPI to June 2011.
Regional Facility Base Building Cost	Sqm	\$3,000	Elton cost.
Specialty Fitout Cost	Sqm	\$1,500	Elton cost, 50% of performing arts space.
Carparking	Sqm	\$84	Elton cost, assumed 25sqm per space.
Town Centre paving	Sqm	\$200	CC cost.
Turfing	Sqm	\$25	Elton cost.
Planting	Sqm	\$65	Elton Cost.
Furniture	Item	\$40,000	Elton cost for District Parks
Additional Costs			
Public Art	%	3%	Percentage cost on base construction of facility. Rate based on CC advice and current policy. Rate based on Rawlinsons 2011 sqm rate for Demolition of Whole Structures - Houses Single/Two Storey, brick and tile and normal demolition periods, no site access problems and removal of all debris, grubbing up foundations, sealing off services. Excludes extra work carried outside of normal working hours and no allowance for credit value for demolished material. Average dwelling size of 250m2 and average outbuilding size of 110m2.
Demolition Allowance	Item	\$20,200	Based on CC advice
Project On Costs	%	25%	Based on CC advice
Contingency	%	7%	Based on CC advice

Local Community Facility Costs

Item	% of Site Area	Area (m2)	Cost
Base Building	30%	750	\$2,088,000
Carparking for 50 cars	50%	1250	\$105,000
Paving	6%	150	\$30,000
Turfing	6%	150	\$3,712.50
Planting	8%	200	\$13,000
Furniture	Item	Item	\$40,000
Total Cost	100%	2500	\$2,279,713

Regional Cultural and Community Facility Costs

Item	% of Site Area	Area (m2)	Cost
Multipurpose Area and Library	34.5%	6,250	\$18,750,000
Cultural Centre Space	19.6%	5,000	\$15,000,000
Performing Arts Specialty fitout	Not applicable	2,500	\$3,750,000
Carparking for 200 cars	19.6%	5,000	\$420,000
Paved area (42% remaining area)	15.2%	3,885	\$777,084
Turfed area (25% remaining area)	9.1%	2,313	\$57,241
Planted area (33% remaining area)	12.0%	3,053	\$198,434
Furniture	Item	Item	\$60,000
Total Cost	100%	25501	\$39,012,759

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Attachment 1

Lappington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.2.3 Map

Refer to Open Space and Recreation Facilities map.

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.3 Water cycle management facilities

5.3.1 Land

Summary

Item	Facility	Area (ha)	Cost	Priority and Staging
LAC	Future Land Acquisition			
LAB	Drainage Channels	9.0866	\$5,496,250	As land affected by acquisition is developed or as required to service development.
	Drainage Basins	10.9871	\$12,078,825	As land affected by acquisition is developed or as required to service development.
	Subtotal	20.0737	\$17,575,075	
	Land Acquisition Contingency		\$2,109,009	
	Total Essential Drainage Infrastructure Land Acquisition Cost	20.0737	\$19,684,084	

Note the table represents total land acquisition costs. Land acquisition costs for specific sites may vary.

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Attachment 1

Leppington North Precinct (Camden) Section 94 Contributions Plan
 ALN CP Camden v15 Feb 2012

Detail

	Area	Cost
DRAINAGE CHANNEL LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	6.4132	
Total <100 ARI Land for Acquisition	0.56	
Total Residential Land for Acquisition	1.1183	
Total Commercial Land for Acquisition	0.9953	
Total Industrial Land for Acquisition	0.00	
DRAINAGE CHANNELS TOTAL AREA	9.0866	\$5,496,250.00
DRAINAGE BASIN LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	1.32	
Total <100 ARI Land for Acquisition	3.64	
Total Residential Land for Acquisition	2.26	
Total Commercial Land for Acquisition	3.77	
Total Industrial Land for Acquisition	0.00	
DRAINAGE BASINS TOTAL AREA	10.99	\$12,078,825.00
TOTAL DRAINAGE ACQUISITION	20.0737	\$17,575,075.00

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

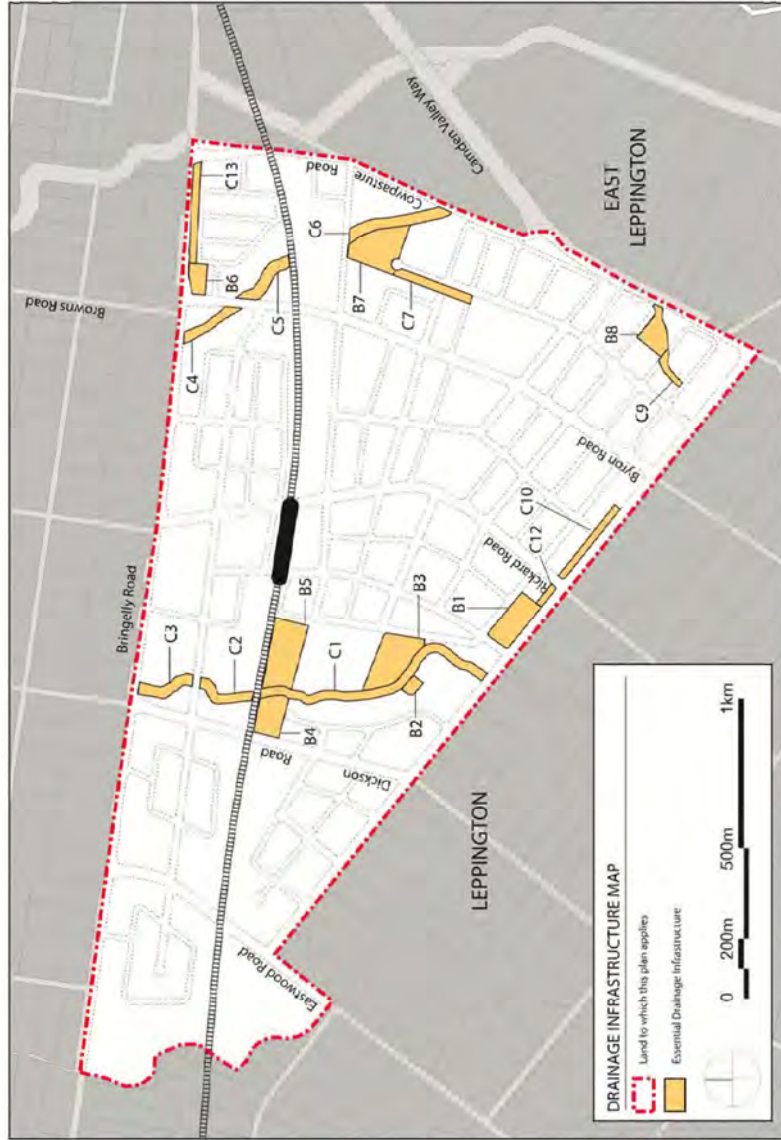
5.3.2 Works

Item	Facility	Length (m)	Width (m)	Area (ha)	Cost	Project On Costs (ex. Contingency)	Demolition Allowance	Total Cost	Priority/Staging
Stormwater Detention Basins									
B1	Basin Type B	Not applicable		1.5231	\$3,011,628	\$752,607	\$40,400	\$3,804,635	All facilities works to be carried out as and when surrounding development proceeds.
B2	Basin Type B	Not applicable		0.0646	\$192,920	\$45,720	\$0	\$238,640	
B3	Basin Type B	Not applicable		0.7827	\$1,348,912	\$336,702,96	\$0	\$1,685,615	
B4	Basin Type A	Not applicable		0.5902	\$363,468	\$213,387,04	\$40,400	\$1,107,235	
B5	Basin Type A	Not applicable		0.9844	\$1,444,831	\$391,132,78	\$0	\$1,835,964	
B6	Basin Type B	Not applicable		0.7843	\$1,894,839	\$473,709,75	\$40,400	\$2,408,948	
B7	Basin Type B	Not applicable		0.8967	\$1,728,488	\$432,222,04	\$0	\$2,160,710	
B8	Basin Type A	Not applicable		0.8902	\$1,339,659	\$334,914,82	\$20,200	\$1,694,774	
	Subtotal			6.5542	\$11,832,248	\$2,390,538	\$143,400	\$14,366,186	
Stormwater Drainage Channels									
C1	Stabilisation of existing watercourse	0	0	2.4977	\$1,448,096	\$362,022	\$0	\$1,810,108	As adjoining development occurs
C2	Stabilisation of existing watercourse	0	0	0.4076	\$352,408	\$86,102	\$0	\$438,510	As adjoining development occurs
C3	Stabilisation of existing watercourse	0	0	0.0025	\$400,190	\$100,123	\$0	\$500,313	As adjoining development occurs
C4	Stabilisation of existing watercourse	0	0	0.5944	\$344,757	\$86,198	\$0	\$430,940	As adjoining development occurs
C5	Stabilisation of existing watercourse	0	0	0.7898	\$439,084	\$114,821	\$0	\$553,905	As adjoining development occurs
C6	Stabilisation of existing watercourse	0	0	1.2342	\$715,838	\$178,000	\$0	\$893,838	As adjoining development occurs
C7	Channel Type 3	230	28	0.7151	\$172,900	\$43,125	\$0	\$216,025	When surrounding development proceeds.
C8	Channel Type 3	100	28	0.2851	\$75,000	\$18,750	\$0	\$93,750	When surrounding development proceeds.
C9	Channel Type 4	250	30	0.6604	\$268,750	\$67,188	\$0	\$335,938	When surrounding development proceeds.
C10	Channel Type 4	250	30	0.6604	\$268,750	\$67,188	\$0	\$335,938	When surrounding development proceeds.
C11	Channel Type 4	65	30	0.1796	\$79,325	\$19,831	\$0	\$99,156	When surrounding development proceeds.
C12	Channel Type 4	65	30	0.1796	\$79,325	\$19,831	\$0	\$99,156	When surrounding development proceeds.
C13	Channel Type 2	325	25	0.8125	\$176,150	\$44,036	\$0	\$220,186	When surrounding development proceeds.
	Subtotal			9.8466	\$4,431,881	\$1,107,846	\$163,600	\$5,703,327	
	Total Construction Costs			16.4008	\$16,264,129	\$4,058,822	\$307,000	\$20,630,051	
	Construction Contingency			\$1,157,871					
	PM Contingency			\$4,686,432					
	Total			\$25,811,161					

Attachment 1
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Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

5.3.3 Map



Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.4 Transport management facilities

5.4.1 Land

Summary

Item	Facility	Area (ha)	Cost	Priority and Staging
Future Land Acquisition				
LASA	Sub Arterial Roads	4.6811	\$6,376,586	As land affected by acquisition is developed or as required to service development.
LACR	Collector Roads	2.6133	\$3,681,010	As land affected by acquisition is developed or as required to service development.
LALR	Local Roads	0.4900	\$699,541	As land affected by acquisition is developed or as required to service development.
LACC	Creek Crossings	0.8584	\$523,225	As land affected by acquisition is developed or as required to service development.
	Subtotal	8.6428	\$11,280,361	
	Land Acquisition Contingency		\$1,353,643	
	Total Essential Road Infrastructure Land Acquisition Cost	8.64282	\$12,634,004	

Note the table represents total land acquisition costs. Land acquisition costs for specific sites may vary.

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Attachment 1

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

Detail

	Area	Cost
SUB ARTERIAL ROAD LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	0.0000	
Total <100 ARI Land for Acquisition	0.4468	
Total Residential Land for Acquisition	2.2830	
Total Commercial Land for Acquisition	0.4735	
Total Industrial Land for Acquisition	1.4678	
SUB ARTERIAL ROAD TOTAL	4.6811	\$6,376,585.60

	Area	Cost
COLLECTOR ROAD LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	0.0000	
Total <100 ARI Land for Acquisition	0.3404	
Total Residential Land for Acquisition	0.0000	
Total Commercial Land for Acquisition	2.0598	
Total Industrial Land for Acquisition	0.0000	
COLLECTOR ROAD TOTAL	2.4002	\$3,681,009.92

	Area	Cost
LOCAL ROAD LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	0.0000	
Total Commercial Land for Acquisition	0.3864	
Total Industrial Land for Acquisition	0.0000	
LOCAL ROAD TOTAL	0.3864	\$699,540.80

	Area	Cost
CREEK CROSSING LAND FOR ACQUISITION		
Total Riparian Land for Acquisition	1222765.6000	
Total <100 ARI Land for Acquisition	0.0000	
Total Residential Land for Acquisition	0.0000	
Total Commercial Land for Acquisition	0.0000	
Total Industrial Land for Acquisition	0.0000	
CREEK CROSSING TOTAL	1222765.6000	\$523,224.80

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.4.2 Works

Summary

Item	Facility	Length (m)	Cost	Project On Costs (ex. Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
Local Roads							
L1	Residential Channel Crossing less culvert crossing	50	\$117,500	\$25,140	\$0	\$146,640	As and when surrounding development proceeds
L2	Residential Park/Basin Road	100	\$235,000	\$58,280	\$0	\$293,280	As and when surrounding development proceeds
	Subtotal	150	\$352,500	\$83,420	\$0	\$438,920	
Collector Roads							
C1	Civic Precinct Road West	76	\$206,625	\$51,387	\$20,202	\$278,214	To be carried out as community facility, health facility or Tele campus is delivered
C2	Civic Precinct Road East	350	\$975,250	\$242,606	\$20,202	\$1,238,058	To be carried out as community facility, health facility or Tele campus is delivered
C3	Civic Road dog leg	360	\$1,006,200	\$249,538	\$40,404	\$1,296,142	To be carried out as community facility, health facility or Tele campus is delivered
C4	Business Park Road	160	\$447,200	\$110,606	\$40,404	\$598,210	As and when surrounding development proceeds
C5	Southern N-S Park/Basin Road	65	\$153,725	\$38,124	\$0	\$191,849	As and when surrounding development proceeds
D1	Collector Road Design NS Retail Road	Item	\$293,475	\$0	\$0	\$293,475	As and when surrounding development proceeds
D2	Collector Road Design EW Civic Commercial Road	Item	\$160,713	\$0	\$0	\$160,713	As and when surrounding development proceeds
D3	Upgrade Byron Road EW	Item	\$235,348	\$0	\$0	\$235,348	As and when surrounding development proceeds
D4	Southern EW Retail to Residential Road	Item	\$201,240	\$0	\$0	\$201,240	As and when surrounding development proceeds
D5	Industrial EW Road	Item	\$143,943	\$0	\$0	\$143,943	As and when surrounding development proceeds
	Subtotal	1000	\$3,620,718	\$603,160	\$121,212	\$4,345,090	
Sub Arterial Roads							
SA1	Byron Road Extension North full width	65	\$195,585	\$48,505	\$0	\$244,090	As and when surrounding development proceeds
SA2	Byron Road Extension South full width	165	\$466,485	\$123,128	\$0	\$589,613	As and when surrounding development proceeds. TNSW carrying out necessary rail line works to facilitate underpass.
SA3	Byron Road South upgrade existing road full width	1030	\$3,650,470	\$881,013	\$20,202	\$4,551,685	As and when surrounding development proceeds
SA4	Dickson Road South upgrade existing road full width	175	\$603,575	\$149,857	\$40,404	\$793,836	As and when surrounding development proceeds
SA5	Dickson Road South new road half width	125	\$206,898	\$51,303	\$0	\$258,201	As and when surrounding development proceeds
SA6	Dickson Road North upgrade existing road half width	360	\$1,241,840	\$307,927	\$0	\$1,549,767	As and when surrounding development proceeds
	Subtotal	1920	\$6,298,624	\$1,581,595	\$161,616	\$8,041,835	

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Attachment 1

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

Item	Facility	Length (m)	Cost	Project On Costs (ex-Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
BR1	Creek Crossings						
BR2	Scalabini Creek Crossing	m2	\$4,400,000	\$1,001,200	\$0	\$5,401,200	As and when surrounding development proceeds
BR3	Bonds Creek Crossing	1100	\$20,640,000	\$5,118,720	\$0	\$25,758,720	As and when surrounding development proceeds
BR4	Scalabini Creek Pedestrian Crossing	Item	\$92,230	\$22,873	\$0	\$115,103	As and when surrounding development proceeds
BR5	Scalabini Creek Pedestrian Crossing North	Item	\$62,230	\$22,873	\$0	\$85,103	As and when surrounding development proceeds
CC1	Crossing Type 1	Item	\$263,711	\$65,405	\$0	\$329,116	As and when surrounding development proceeds
CC2	Crossing Type 2	Item	\$336,911	\$83,551	\$0	\$420,462	As and when surrounding development proceeds
CC3	Crossing Type 2	Item	\$336,911	\$83,551	\$0	\$420,462	As and when surrounding development proceeds
CC4	Crossing Type 2	Item	\$336,911	\$83,551	\$0	\$420,462	As and when surrounding development proceeds
CC5	Crossing Type 2	Item	\$336,911	\$83,551	\$0	\$420,462	As and when surrounding development proceeds
CC6	Crossing Type 2	Item	\$336,911	\$83,551	\$0	\$420,462	As and when surrounding development proceeds
	Subtotal	6768	\$25,132,230	\$6,212,782	\$0	\$31,345,012	
	Intersections						
IN1	Traffic Lights Byron Road Extension/Burgully Road	Not applicable	\$391,025	\$97,123	\$0	\$488,148	As and when surrounding development proceeds
IN2	Roundabout Byron Road Existing and Edmondson	Not applicable	\$1,700,000	\$431,000	\$0	\$2,131,000	As and when surrounding development proceeds
IN3	Traffic Lights Residential/Business Park Road	Not applicable	\$303,750	\$206,750	\$0	\$510,500	As and when surrounding development proceeds
IN4	Roundabout Dickson Road	Not applicable	\$1,700,000	\$441,000	\$0	\$2,141,000	As and when surrounding development proceeds
IN5	Traffic Lights Dickson Road/Industrial Road/Chic Road	Not applicable	\$635,000	\$200,700	\$0	\$835,700	As and when surrounding development proceeds
	Subtotal		\$5,459,225	\$1,333,888	\$0	\$6,793,113	
	Public Transport Facilities						
NA	Allowance for 8 bus shelters location TBD	8	\$160,000	\$30,800	\$0	\$190,800	As and when surrounding development proceeds
	Subtotal		\$160,000	\$30,800	\$0	\$190,800	
	Electrical Service Infrastructure Relocation						
ES1	Byron Road Existing	1250	\$600,000	\$124,000	\$0	\$724,000	At same time as SA2 upgrade of Byron Road is carried out.
ES2	Dickson Road Existing	1010	\$404,000	\$100,100	\$0	\$504,100	At same time as SA4 and SA5 upgrade of Dickson Road is carried out.
	Subtotal		\$204,000	\$224,100	\$0	\$428,100	
	Construction Contingency						
	Subtotal		\$2,988,182.81	\$0	\$0	\$2,988,182.81	
	Total Essential Road Infrastructure Costs		\$65,384,203.09	\$0	\$0	\$65,384,203.09	

Item	Facility	Length (m)	Cost	Project On Costs (ex-Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
STP1	Street Tree Planting to Sub Arterial Roads						
STP2	Byron Road	1075	\$44,421	\$0	\$0	\$44,421	At same time as SA2 upgrade of Byron Road is carried out.
STP3	Dickson Road	920	\$24,336	\$0	\$0	\$24,336	At same time as SA4 and SA5 upgrade of Dickson Road is carried out.
STP4	CR1 Chic Precinct Road/West	75	\$1,989	\$0	\$0	\$1,989	At same time as CR1 road works are carried out.
STP5	CR2 Chic Precinct Road/East	350	\$2,252	\$0	\$0	\$2,252	At same time as CR2 road works are carried out.
STP6	CR3 Chic Road dog leg	380	\$9,547	\$0	\$0	\$9,547	At same time as CR3 road works are carried out.
STP7	CR4 Business Park Road	160	\$4,243	\$0	\$0	\$4,243	At same time as CR4 road works are carried out.
STP8	CR5 Southern N-S Park/Basin Road	66	\$1,459	\$0	\$0	\$1,459	At same time as CR5 road works are carried out.
STP9	LR1 Residential Channel Crossing less culvert crossing	50	\$1,326	\$0	\$0	\$1,326	At same time as LR1 road works are carried out.
STP10	LR2 Residential Park/Basin Road	100	\$2,652	\$0	\$0	\$2,652	At same time as LR2 road works are carried out.
	Subtotal		\$98,317	\$0	\$0	\$98,317	
	Total Non-Essential Infrastructure Costs		\$98,317	\$0	\$0	\$98,317	

Lampington Marsh, Precinct (Carmden) Section 94 Contributions Plan
ALN CP Camille v18, Feb 2012

Detail

Construction Rates			
Item	Measure	Rate	Notes
Local Roads			
Upgrade existing half road width	Linear m	\$1,555	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$75/m for street lighting (at 40m spacing one side only), \$50/m for Low Voltage conduits (one side only) and \$120/m (at \$15/m ³ for 8m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Construct new half road width	Linear m	\$1,315	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$75/m for street lighting (at 40m spacing one side only), \$50/m for Low Voltage conduits (one side only) and \$120/m (at \$15/m ³ for 8m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Upgrade existing full road width	Linear m	\$2,365	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$240/m (at \$15/m ³ for 16m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Construct new full road width	Linear m	\$2,350	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$240/m (at \$15/m ³ for 16m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Collector Roads			
Upgrade existing half road width	Linear m	\$1,850	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$75/m for street lighting (at 40m spacing one side only), \$50/m for Low Voltage conduits (one side only) and \$150/m (at \$15/m ³ for 10m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Construct new half road width	Linear m	\$1,580	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$75/m for street lighting (at 40m spacing one side only), \$50/m for Low Voltage conduits (one side only) and \$150/m (at \$15/m ³ for 10m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Upgrade existing full road width	Linear m	\$2,975	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$300/m (at \$15/m ³ for 20m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Construct new full road width	Linear m	\$2,795	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$300/m (at \$15/m ³ for 20m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Sub Arterial Roads			
Upgrade existing full road width	Linear m	\$3,449	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$399/m (at \$15/m ³ for 26.6m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.
Construct new full road width	Linear m	\$3,009	Based on AECOM costs. Plus additional allowance of \$15/m for intersection signage, \$150/m for street lighting (at 40m spacing), \$100/m for Low Voltage conduits and \$399/m (at \$15/m ³ for 26.6m ³ for road cross section) for earthworks. These costs are based on Oran Park CP and adjusted.

Attachment 1

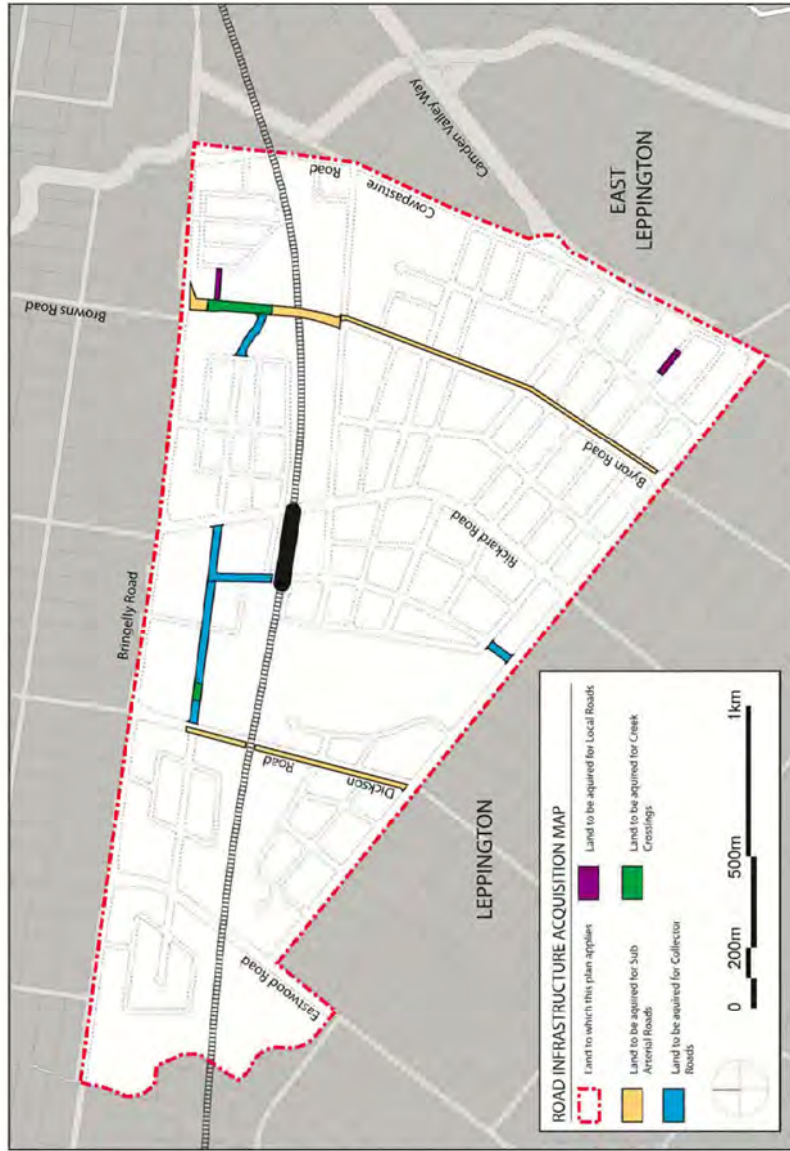
ORD05

Loppington Marsh, Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v18, Feb 2012

Creek Crossings					
New crossing culverts	m2	\$3,500	Based on cost allowances that informed Riverstone and Alex Avenue CP		
New crossing bridge	m2	\$4,000	Based on cost allowances that informed Riverstone and Alex Avenue CP		
Pedestrian Crossing	Item	\$92,230	Based on Camden CP cost for 21m span in Elderslie (\$69,815 supply and install bridge, \$9,030 for additional hand rail, \$5,000 for soil works and additional 10% for escalation over 5 years-costs in 2006)		
Culvert Crossing Type 1 (25m width)	Item	\$263,731.00	Cardno costs. Adjusted to include concrete slab for culvert base area of 168m2 as follows - Allowance for 25MPa concrete in ground slab including F72 fabric reinforcement, formwork to edges and joints to 150mm thickness. Inclusion of Polythene underlay. Unadjusted cost of \$62,20/m2, adjusted price by additional 2% as per Rawlinsons published BPI, final rate at \$63,44/m2.		
Culvert Crossing Type 2 (30m width)	Item	\$336,901.00	Cardno costs. Adjusted to include concrete slab for culvert base area of 225m2 as follows - Allowance for 25MPa concrete in ground slab including F72 fabric reinforcement, formwork to edges and joints to 150mm thickness. Inclusion of Polythene underlay. Unadjusted cost of \$62,20/m2 (Rawlinsons 2010), adjusted price by additional 2% as per Rawlinsons published BPI, final rate at \$63,44/m2.		
Intersections					
Roundabout	Item	Specific	Based on AECOM rates		
Sub Arterial Roundabout	Item	\$1,700,000	Based on CC recent tender for Richardson Road and Link Road Roundabout that is for upgrade of existing road to sub arterial standard with roundabout. Contingency and design fees have been removed from this allowance. Design includes allowance for 220m length of subarterial road and median works		
Traffic Signals	Item	Specific	Based on AECOM rates and additional \$25,000 per set of traffic lights allowed for to match LC advice.		
Public Transport Facilities					
Bus Shelters	Item	\$20,000	Rate based on Oran Park CP and adjusted.		
Demolition					
Dwelling and outbuilding demolition	Item	\$20,202	Rate based on Rawlinsons 2011 sqm rate for Demolition of Whole Structures - Houses Single Two Storey, brick and tile and normal demolition periods, no site access problems and removal of all debris, grubbing up foundations, sealing of services. Excludes extra work carried outside of normal working hours and no allowance for credit value for demolished material. Average dwelling size of 260m2 and average outbuilding size of 110m2.		
Collector Road Design					
Collector Road detailed design	%	10%	Based on Camden Council advice received 25/10/2011. Design costs to be based on 10% of road construction costs.		
Relocation of existing local supply power poles	Linear m	\$400	Based on CC advice based on current Loggies Road tender.		
Street Tree Planting	Item	\$132.60	Rate based on Rawlinsons 2010 unadjusted rate of \$130 for supply and planting of Average Size Trees (45 Litre), adjusted by 2% as per Rawlinsons published BPI to \$132.60. Applied as one tree every ten metres for length of Sub Arterial Roads and both sides of road.		
Project On Costs					
Project on costs	%	25%	Based on CC advice, includes prelims (6%), margin (5%), LSC (0.3%), approvals (1%), professional fees (1%) and project management costs (2.5%)		
Construction Contingency	%	7%	Based on CC advice.		

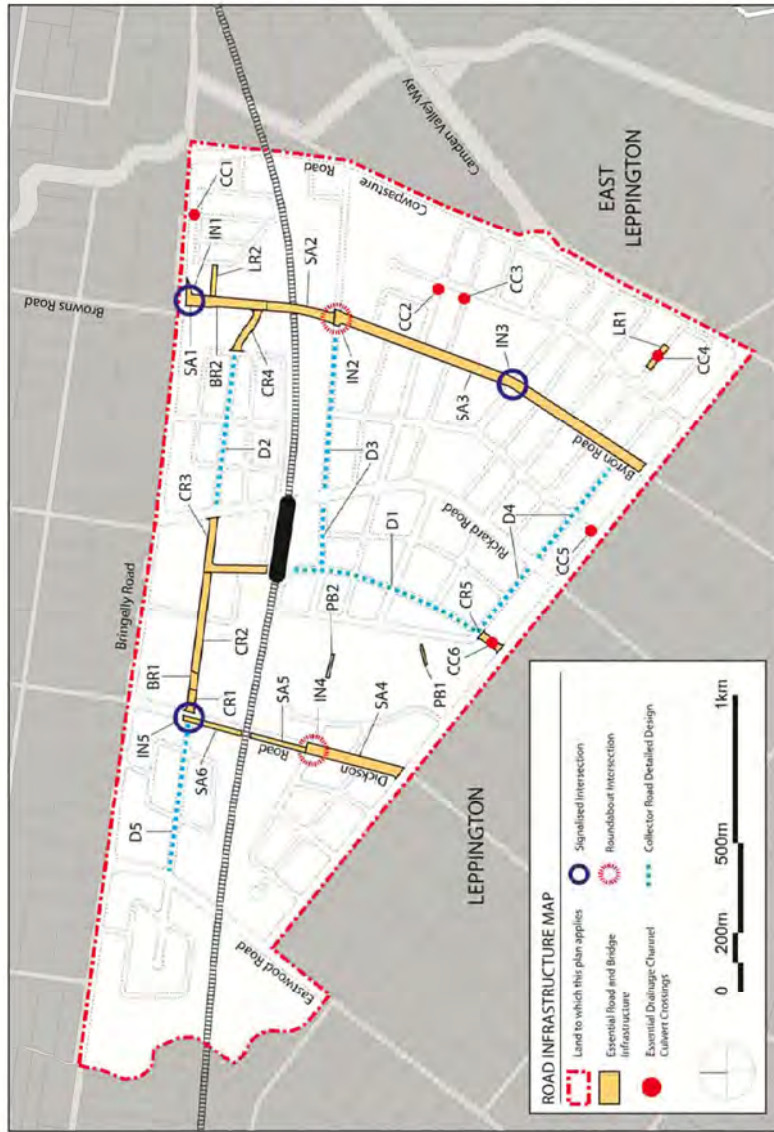
Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.4.3 Map



Attachment 1
ORD05

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012



Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15 Feb 2012

5.5 Plan management and administration

Item	Camden Yearly Cost	% of Yearly Cost	Adjusted Yearly Cost	Apportioned 15 Year Cost to expected development	Priority / Staging
Provision of S94 Contribution Officer over 15 years	\$108,350	50%	\$54,175	\$812,625	Progressively over the life of the Plan
Provision of S94 Accountant over 15 years	\$62,560	50%	\$31,280	\$469,200	Progressively over the life of the Plan
Provision of Legal Services in relation to implementation of the plan over 15 years	\$20,000	50%	\$10,000	\$150,000	Progressively over the life of the Plan
Provision of Valuation advice at least annually to maintain Land Value Index	\$15,000	50%	\$7,500	\$112,500	Progressively over the life of the Plan
Total	\$205,910		\$102,955	\$1,544,325	

ORD05

Attachment 1

Leppington North Precinct (Camden) Section 94 Contributions Plan
ALN CP Camden v15_Feb 2012

6. Background information

AECOM Australia Pty Ltd (2011), *Austral and Leppington North (ALN) Precincts Transport Assessment*, prepared for NSW Department of Planning and Infrastructure, July

Cardno (NSW/ACT) Pty Ltd (2011), *Austral & Leppington North Precincts Water Cycle Management WSUD Report*, prepared for NSW Department of Planning and Infrastructure, April

Elton Consulting (2011), *Austral and Leppington North Precincts - Demographic and Social Infrastructure Assessment*, July

Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011

MJ Davis Valuations Pty Ltd (2011), *Section 94 Contributions and Infrastructure Delivery Plan - Austral and Leppington North Precincts*

Newplan (2011), *Austral and Leppington North Precincts Infrastructure Delivery Plan*, Draft Report for Exhibition, prepared by Newplan, August

NSW Department of Planning (2010), *Local Development Contributions Practice Note for the assessment of contributions plans by IPART*, November

NSW Department of Urban Affairs and Planning (2005), *Development Contributions Practice Notes*

Department of Planning and Infrastructure (2011) *Precinct Planning Package*



ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: DELIVERY PROGRAM SIX MONTH REPORT
FROM: Director Governance
BINDER: Integrated Planning and Reporting

PURPOSE OF REPORT

To report Council's progress on its Delivery Program for the period July to December 2011.

BACKGROUND

The Integrated Planning and Reporting (IP&R) amendments to the Local Government Act came into effect in October 2009. All NSW councils were required to nominate into a group for compliance with the legislative amendment, being June 2010, June 2011 or June 2012. Camden Council elected to join Group 2 for compliance, and adopted the necessary elements of the IP&R requirements in June 2011.

These elements included Council's Community Strategic Plan, Camden 2040 (adopted 14 December 2010), its four year Delivery Program and Resourcing Strategy (comprising a Long Term Financial Plan, Workforce Plan and Asset Management Strategy and Plans), adopted 14 June 2011.

Council is required to report progress on its Delivery Program each six months. A copy of the six monthly report - July to December 2011 of the Camden 2040 Delivery program is included as **Attachment 1 to this report**.

MAIN REPORT





Structure of the Report

The report is based on the thirty Local Services that are contained within the Delivery Program.

Each Local Service has two sets of indicators, and is reported as follows:

1. *Delivery Program Success Indicators*

These indicators are intended to provide information about how the service as a whole is performing in meeting its objectives outlined in the Delivery Program. These indicators each have a target assigned to them, and a "traffic light" approach has been used to provide an "at-a-glance" idea of the areas in which Council is meeting its targets, and those areas where further attention is required.

	Target met or exceeded
	Progress made towards target
	Requires attention
	No data currently available

Comparative data has been provided where possible to enable measurement against the target. There are some indicators for which no comparative data could be sourced, particularly given that this is the first time some of this information has been collected, so there are a number of indicators that were unable to be measured for this report.

Comment is provided for the indicators which received a “red” traffic light indicating further attention is required.

2. *Activities Indicators*

These indicators report on the progress of the activities that are detailed within the Delivery Program for each Local Service. The performance and progress in these indicators is typically provided in a more commentary fashion.

Summary of Results

Of the 94 Delivery Program Success Indicators, 49% received a “green” result indicating that the target had been met or exceeded. A further 16% received an “orange” result, with progress being made towards the target. 10% received a “red” result indicating further attention is required.

Unfortunately a quarter of the indicators were unable to be properly reported due to an absence of comparative data. Many of these are community satisfaction indicators where the community was asked to rate their satisfaction of the service for the first time during the period. The information contained within the report for these indicators will become the baseline for full reporting in future six-monthly reports.

The indicators for which a “red” result was achieved were:

- *Community satisfaction with Council’s role in Urban and Rural Planning*

There was a statistically significant reduction in the community’s satisfaction from 2009 to 2011. This is most likely to reflect the community’s ongoing concern about the impact of urban growth on the Camden area, which has been determined by the State Government. This confirms the importance of Council’s ongoing commitment to working closely with the State Government, developers, land owners and residents to ensure that high quality environmental, community and economic outcomes are achieved throughout the South West Growth Centre.

- *Companion animals are appropriately identified*

The large increase in the proportion of dogs that were found to be not microchipped is a concern. Ongoing education to the community will be necessary in an attempt to ensure greater levels of compliance with the Companion Animals Act.

- *An increase in occurrences of food borne disease*

The NSW Food Authority reported three instances of food borne disease during this period, which had increased from one instance in the previous period. This highlights the need for ongoing commitment to the inspection of food shops. During the same period Council issued 4 improvement notices to food and skin penetration premises, lower than the 10 issued in the same period 2010.

- *The community is generating less waste*

Despite Camden's relatively high rate of diversion of waste from landfill, garbage increased as a proportion of total waste per capita waste in this period. This has also grown over the past decade, which is in line with international trends for increasing waste generation resulting from economic growth and greater consumption.

This indicator highlights the need for ongoing and increasing commitment to education of the community about minimising waste generation and continuing to divert more waste away from landfill (through recycling), which will be important if this trend is to be reversed.

- *Visitors to the Visitor Information Centre is increasing*

Investigation has already commenced to look at more ways to direct visitors and phone enquiries to the centre, including options for a more visible location.

- *More people participate in active recreation using Council facilities – sportfield use requests*

Due to the wet weather experienced during the reporting period there was lower than usual attendances. There were 13 days of sportsground closures in the period compared to 7 in the same period the year before.

- *Library circulation continues to grow*

Library circulation figures have dropped due to the uptake and popularity of new e-resources that are available through the libraries. This has meant that some users have moved away from traditional resources such as books. Systems are currently being developed to capture circulation of both traditional and new forms of resources. Other library indicators show that library use is growing, with 10% more visitors than the same period in 2010.

- *Community satisfaction with Council's role in Management of Emergency Events*

Despite a reduction in satisfaction scores between the 2009 and 2011 telephone surveys, the management of emergency events continues to be a service that receives a relatively higher satisfaction score when compared to other Council services. Given the infrequency of emergency events, and therefore the community's opportunity to experience Council's role in managing them, this is a service for which changes in satisfaction scores may be difficult to interpret.

Ongoing opportunities to profile Council's role, partnerships and facilities in readiness for an emergency event will continue to be important to maintain community awareness and confidence in this area.

- *Buildings and Infrastructure Renewals Ratio*

Council continues to have a low Buildings and Infrastructure Renewals Ratio, which means that our infrastructure renewals gap is larger than it should be. Council attempted to address this problem in applying for a special rate variation in 2009 to implement a Community Infrastructure Renewal Program. Unfortunately the Minister for Local Government only approved this variation to rates for three years, which will not go near to closing the infrastructure renewal gap.

Consideration of a future application to continue this rate variation beyond the three years forms part of Council's Long Term Financial Plan in order to address the gap and bring this indicator In line with the industry benchmark.

Improvements Needed to the Report

As previously mentioned, this is the first report under the new Integrated Planning and Reporting requirements. It is a significant change from the previous reports prepared for Council's Management Plan.

As a result of this, the preparation of this report presented a number of challenges for the organisation. This is primarily because comparative data was not available for a quarter of the success indicators, and also for a number of the activities. The preparation of this report also highlighted the need to develop a number of new and improved systems and processes to capture information over time.

A full review of all the indicators, including the way that progress in the activities are measured, will be undertaken as part of the 2012/13 Operational Plan. This Operational Plan will be used to improve the Delivery Program with a key focus on better articulating the full range of activities that the organisation undertakes, and to ensure that the organisation's performance can be effectively and consistently measured over the coming years. This review will include identification of the systems and processes (new and improved) that will be needed in order to collect the information that is used to measure the indicators.

CONCLUSION

Council has completed its first six months under the new Integrated Planning and Reporting requirements. This report presents the required six monthly report on Council's Delivery Program, which measures Council's progress in achieving the Key Performance Indicators as set out in the Delivery Program for the period July to December 2011.

Further work will be undertaken to improve the indicators and the systems used to measure them as part of the preparation of the 2012/13 Operational Plan to commence 1 July 2012.

RECOMMENDED

That

- i. Council note the report; and**
- ii. that a comprehensive review of the indicators to be undertaken as part of the preparation and adoption of the 2012/13 Operational Plan**

ATTACHMENTS

1. Six Monthly Report Delivery Program



camden council

Camden 2040 Delivery Program

Six Month Report - July to December 2011

*Transforming Community
Vision into Action*

Camden Council 37 John Street, Camden PO Box 183, Camden 2570 P: 02 4654 7777 F: 02 4654 7829
E: mail@camden.nsw.gov.au • www.camden.nsw.gov.au

Attachment 1

ORD06

ORD06

Attachment 1

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Introduction

Council's Delivery Program details the range of activities that Council undertakes in order to deliver its part of *Camden 2040* – the long term strategic vision and plan for the Camden area.

Council is required to report its performance in these activities to the community on a six-monthly basis - July to December, and then January to June of each year.

Council will be measuring its performance in these activities through the use of indicators, which give an idea of whether Council is making progress towards achieving its stated objectives, and where further attention is required.

This is Council's first report under the new planning and reporting requirements. It is a different approach to how this organisation measures and reports its performance to the community. Whilst this is considered to be a good first step towards a more accessible and transparent way of reporting, Council also recognises that there is room for improvement in the indicators and measures it uses to understand its performance. It is also expected that future reports will provide more useful information once data can be compared over a period of time.

Enquiries regarding this report can be directed to Council's Corporate Planner on 4654 7777.

How to Read this Report

This report is structured in the same way as Council's Delivery Program, based on the 30 Local Services that Council delivers.

Camden 2000 Key Direction		Delivery Program Local Service
1. Actively Managing Camden's Growth	1.1	Development Control
	1.2	Heritage Protection
	1.3	Urban and Rural Planning
2. Healthy Urban and Natural Environments	2.1	Waste Services
	2.2	Regulating the Use of Public Areas
	2.3	Public Health
	2.4	Protection of the Natural Environment
	2.5	Parks and Playgrounds
	2.6	Environmental Activities
	2.7	Enforcement of Legislation and Policies
	2.8	Appearance of Public Areas
3. A Prosperous Economy	3.1	Economic Development
	3.2	Tourism
	3.3	Management of Significant Places
4. Effective and Sustainable Transport	4.1	Transport Options
	4.2	Road Safety
	4.3	Local Traffic Management
	4.4	Construction and Maintenance of Roads, Footpaths & Kerbing
5. An Enriched and Connected Community	5.1	Recreation Services and Facilities
	5.2	Community and Cultural Development & Planning
	5.3	Community Support Facilities and Services
	5.4	Community Safety
	5.5	Community Events
	5.6	Library Services
6. Strong Local Leadership	6.1	Strong Local Democracy
	6.2	Stewardship of Community Resources
	6.3	Community Engagement
	6.4	Community Inclusion
	6.5	Management of Emergency Events
	6.6	Support Services

Each Local Service within the Delivery Program has two sets of indicators.

1. **Delivery Program Success Indicators** - these are indicators which give an idea of how the service is performing as a whole in meeting its objectives outlined in the Delivery Program.

These indicators have targets assigned to them, which is a quick and simple way to understand which areas Council is performing well in, and those which need further attention.

	Target met or exceeded
	Progress made towards target
	Requires attention
	No data currently available

Comment is provided following each set of indicators where a result is "Yell".

2. **Activities Indicators** - these report on progress of activities that are detailed within each of Council's 30 Local Services in the Delivery Program. These measure the various work, programs, tasks and projects that Council undertakes within each service area.

The performance and progress in these indicators is typically provided in an explanatory, or text, format.

Highlights

Community Satisfaction with Council

During the period July to December 2011 Council conducted its bi-annual phone survey of residents to understand the community's satisfaction with Council and its services. When asked to rate Council's overall performance, 85% of residents indicated that they were satisfied, and 72% said they were very satisfied. This resulted in a mean score of 7.14 out of 10, which is on par with the result achieved last time the survey was conducted in 2009.

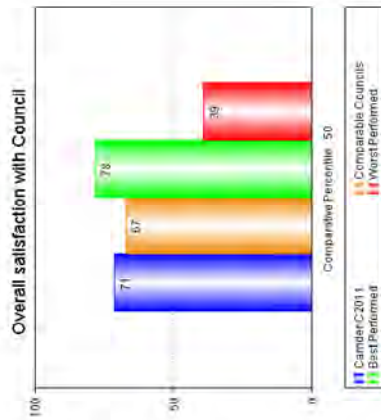
Camden continues to perform well in terms of its community satisfaction ratings compared to other councils throughout Sydney and NSW.

Growth in the Period July to December 2011

- The total number of rate assessments in the Camden Local Government Area increased by 2.5% or 533 in total, which was the same percentage growth as the previous period.
- Domestic waste services also increased 2.5% in the period.
- Council assessed a total value of \$231.5 million worth of development.
- Council's staff numbers rose to 274 (full time equivalent), a growth of 1.6% from the previous period.

Snapshot - Key Results and Achievements

- Council continues to have efficient turnaround times for development assessments, at an average of 29.29 days, which is well below our target of 40 days or less. Whilst comparative data for the period is not yet available, Council's performance average during the period 2010/11 was 31 days compared to Growth Councils' average of 42 days.
- Three new precincts were released for planning in this period – Catherine Fields South, East Leppington and Leppington. Leppington North was exhibited for consultation.
- The community continues to be very satisfied with Council's provision of waste services and library services, which both received average satisfaction ratings over 8 out of 10, and have increased since the last survey in 2009.
- Council has reduced its energy consumption by 8% during this period, compared to the previous 5 months.
- Visitation to the Visit Macarthur website increased 36% during this period.
- Advice was received from the State Government that funding for the Camden Bypass Intersection has been secured, with designs currently being prepared



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- Council conducted a range of community programs and events which were well-attended by the community, including learner driver log book runs (89 participants), child restraint fittings (58), sessions at the Sustainable Schools Expo (400 attended), trees given away at the Narellan Rhythms Festival (600 trees and more than 1000 attendees)
- Council secured \$650,000 in grant funding to address road "black spots"
- Council's facilities continued to be well-utilised, including 173,906 visits to the Mt Annan Leisure Centre; 6,590 competitors and 19,630 spectators at the Bicentennial Equestrian Park; 397 children are enrolled in Family Day Care; 1199 new library members and a 10% increase in visitors to the library from the same period in 2010.
- Council has committed to the 2011/12 Waste and Sustainability Improvement Payment (WaSIP) program and in addition has received \$317,822 under the program for new enhanced sustainability initiatives. Council to date has completed the four initiatives - Camden Pool blanket installation, Camden Pool solar heating installation, preparation of a Strategic Waste Management Plan (draft) and a Renewable Energy Options Study.
- Council supported community groups throughout the area with funding to the value of \$81,331.
- Council's finances continue to be managed prudently, with an unqualified audit report received during the period.
- Council's staff turnover continues to be lower than average for other urban councils.

Summary – Areas for Further Attention

Of the 94 Delivery Program Success indicators, 49% received a "green" result indicating that the target had been met or exceeded. A further 16% received an "orange" result, with progress being made towards the target. 10% received a "red" result with further indicating further attention is required.

Unfortunately a quarter of the indicators were unable to be properly reported due to an absence of comparative data. Many of these are community satisfaction indicators where the community was asked to rate their satisfaction of the service for the first time during the period. The information contained within the report for these indicators will become the baseline for full reporting in future six-monthly reports.

The indicators for which a "red" result was achieved were:

- Community satisfaction with Council's role in Urban and Rural Planning
- Companion animals are appropriately identified
- An increase in occurrences of food borne disease
- The community is generating less waste
- Visitors to the Visitor Information Centre is increasing
- More people participate in active recreation using Council facilities – sportfield use requests
- Library circulation continues to grow
- Community satisfaction with Council's role in Management of Emergency Events
- Buildings and Infrastructure Renewals Ratio

Comment is provided within the body of the report regarding each of these indicators.

Key Direction 1 – Actively Managing Camden’s Growth

What is Actively Managing Camden’s Growth?

Managing growth determined under the State Government’s Metropolitan Strategy will be the most important issue and focus for Council and its various partners in the coming three decades.

The community of Camden does not want to lose the character of this area that they so highly value - its rural setting, country town feel, and the lifestyle associated with these. Achieving a balance between large population increases and keeping the valued characteristics of Camden as it is now will be an ongoing tension and challenge over the coming decades.

However with growth will come significant new opportunities in terms of infrastructure, services, employment, housing choice, and economic benefits. The community is concerned to see public transport, roads, infrastructure, parks and recreational facilities, and the effective management of development as priorities as the area undergoes this growth.

To manage this growth Council has identified three key principal services that will play an important role in managing this growth over the next four years. These are Development Control, Heritage Protection, and Urban and Rural Planning.

Local Service 1.1 – Development Control

What is Development Control?

Development Control aims to provide development consent assessment and certification services for building construction, occupation and subdivision.

Report on Delivery Program Success Indicators

Local Service 1.1 - Development Control				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council’s Role in Development Control	Community Satisfaction Survey	Maintained or Improved	●	6.15 in 2011 compared to 5.9 in 2009, however the question changed between surveys due to the review of the services list so direct comparison is not available.

Attachment 1

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Development assessments are completed in a timely fashion	Turnaround times for development assessments	40 days or less		29 Day Average Whilst comparative data for the period is not yet available, Council's performance average during the period 2010/11 was 31 days compared to the Growth Councils' average of 42.3 days.
Construction certificates are provided in a timely fashion	Turnaround times for construction certificates	28 days or less		23 Day Average

Report on Delivery Program Activities

Local Service 1.1 : Development Control				
Activity	Council's Role	Success Indicators	Report on Activities	
Assessment of Development Applications	Receive, assess and determine development applications. Exercise delegations and report to Council as required by Council policy	Processing timeframes	The Development Branch assessed Development Applications within the target average of 40 Days with an average of 29 days.	
	Introduction of a quality management system	Value of DAs processed	Whilst comparative data for the period is not yet available, Council's performance average during the period 2010/11 was 31 days compared to the Growth Councils' average of 42.3 days.	
	Receive, assess and determine applications.	Introduction	The Development Branch assessed a total value of \$231m worth of development.	
Certification of Construction Certificates	Update aerial mapping	Program completed	The Development Branch has commenced developing a quality management system. The aim is to have the system audited in the 2 nd half of 2012.	
GIS Mapping			The Development Branch assessed Construction Certificates within the target average of 28 Days with an average of 23 days.	
			The Development Branch has ensured that aerial mapping is up to date.	

Local Service 1.2 – Heritage Protection

What is Heritage Protection?

This service aims to protect Camden’s heritage through management of development, education for property owners, and conservation of heritage properties. This will include exploring a range of adaptive reuse opportunities and unique conservation strategies.

Report on Delivery Program Success Indicators

Local Service 1.2: Heritage Protection				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council’s Role in Heritage Protection	Community Satisfaction Survey	Maintained or Improved	●	No statistically significant change between 2009 and 2011
Significant Camden sites are under active protection/management	Properties of heritage significance listed in LEP	Stays the same or increases	●	The number of heritage listings has remained unchanged in this period

Report on Delivery Program Activities

Local Service 1.2: Heritage Protection			Report on Activities
Activity	Council’s Role	Success Indicators	Report on Activities
Advice and Assistance	Provide advice and assistance with respect to heritage sites	To be identified and included in future DP reporting	Customer enquiries are provided with a response within 5 days, with follow up contact as required to address the matter.
	Establish a customer service evaluation system to inform future Delivery Program Reporting.	To be identified and included in future DP reporting	A range of work was commenced in this period to improve heritage information available to customers, including preparation of fact sheets and a Development Approval checklist. Commencement of an evaluation system for customer service will take place during the first half of 2012.
Development Assessment	Review development applications where heritage sites are affected and provide technical support	To be identified and included in future DP reporting	Comments have been provided within 2 weeks unless extensions have been negotiated for complex matters

Local Service 1.3 – Urban and Rural Planning

What is Urban and Rural Planning?

This service aims to plan for and manage new growth areas and existing land uses. This includes assessing and funding impact of growth through development contributions plans.

Report on Delivery Program Success Indicators

Local Service 1.3: Urban and Rural Planning				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Urban and Rural Planning	Community Satisfaction Survey	Maintained or Improved		5.8 in 2011 compared to 6.1 in 2009, which represents a statistically significant reduction in community satisfaction
Land use plans are current	LEP and DCP are reviewed annually	Annual review completed		Three housekeeping reviews of the Camden LEP have been undertaken. Amendments 1 & 6 are currently awaiting gazettal. Amendment 14 is currently being prepared. A housekeeping review of the DCP will be reported to Council for public exhibition early 2012.

Comment

Urban and Rural Planning has seen a decrease in the community satisfaction score since the survey was last conducted in 2009. This is likely to reflect the community's continuing concern about the impact of urban growth on the Camden area, which has been determined through the State Government's South West Growth Centre. Council continues to work closely with the State Government, developers, land owners and residents to ensure that high quality environmental, community and economic outcomes are achieved throughout the South West Growth Centre.

Report on Delivery Program Activities

Local Service 4.3: Urban and Rural Planning			
Activity	Council's Role	Success Indicators	Report on Activities
Development Contributions	Prepare, maintain and review Development Contribution Plans. Negotiate with developers for the delivery of local infrastructure	75% of VPAs are executed within 12 months of receipt of proposal 90% of WIKAs are executed within 6 months of receipt of proposal	VPAs have been executed within 12 months of receipt, except in complex negotiations where time has been extended by agreement. All VPAs have been reported to Council within 12 months of receipt for exhibition purposes. Target is being met, where WIKAs received are executed.
	Review of Developer Contribution Plans	Adopted by Council	Review of Camden Contributions Plan 2004 completed, Draft Camden Contributions Plan 2011 adopted by Council and with Minister of Planning for review prior to final implementation. Draft CP includes repeal of redundant CP's and consolidation of other CP's.
Land Use Planning	Prepare Development Contributions Policy and Procedures Manual	Adopted by Council	Development Contributions and VPA Implementation Manuals currently being developed.
	Protect Camden Town and associated scenic and cultural landscapes.	Minor planning proposals completed within 12 months of receipt	3 minor planning proposals were received during the period, with completion anticipated for within 12 months of receipt.
	Prepare Local Environmental Plans and Rezoning to deliver desired planning outcomes and to manage land use conflict	Major planning proposals completed within 2 years of receipt	3 major planning proposals were received during the period, including Narellan Town Centre expansion and Glenlee. Work has commenced to develop a system to monitor population growth using existing internal systems.
	Plan for population growth by mapping growth and ensuring growth responses are incorporated in Council plans Establish a customer satisfaction evaluation system to inform future Delivery Program reporting	Additional success targets identified and included in future DP reporting	Commencement of an evaluation system for customer service will take place during the first half of 2012.

ORD06

Attachment 1

Growth Areas Planning	Ongoing review and preparation of best practice development controls to ensure the delivery of quality outcomes	Housekeeping reviews of LEP and DCP are in progress. Policy and Procedures being developed for LEP and DCP amendments
	Plan new precincts in partnership with the State Government and developers to ensure timely delivery of land release	Council is continuing to work in partnership with the State Government and key stakeholders to deliver new precincts in a timely manner and appropriate form. New Precincts released this year are on track and include: Catherine Fields South (Part Precinct), East Leppington and Leppington. Precinct Planning complete for Leppington North (Major Centre) and now working towards finalisation of precinct.
	Increased focus and advocacy on the delivery, funding and timing of key local and regional infrastructure, in partnership with State and Federal agencies	Infrastructure Coordinator to commence in February 2012 to continue and enhance Council's active participation and advocacy in this field.
	Delivery of key infrastructure in a timely manner	

Key Direction 2 –Healthy Urban and Natural Environments

What is are Healthy Urban and Natural Environments?

Camden's natural and built environments are the "setting" for all aspects of life and are essential for sustaining the health, wellbeing and prosperity of the people who live here.

The natural environment encompasses all living and non-living things, occurring both naturally and as a result of human activities. It includes the natural assets and resources such as air, water, fuel and biodiversity, the interactions and processes between these resources and both positive and negative impacts from human existence.

The built or urban environment is the human-made surroundings that provide the physical setting for human activity and enables private, economic and community life to function effectively and healthily.

Local Service 2.1 – Waste Services

What is Waste Services?

This service aims to provide waste collection and disposal services for domestic and commercial waste along with and organic and recycling services to the community of Camden

Report on Delivery Program Success Indicators

Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Waste Services	Community Satisfaction Survey	Maintained or Improved		8.65 in 2011 compared to 8.2 in 2009, which represents a significant increase in community satisfaction
Waste diverted from landfill	Percentage waste diverted from land fill	Exceeds 66%		65.5% of total waste streams generated by the Camden community were diverted away from landfill during the first half of the 2011/12 financial year. This is calculated on tonnages collected by Council.

Report on Delivery Program Activities

Local Service 2.1: Waste Services			
Activity	Council's Role	Success Indicators	Report on Activities
Collection and Disposal	To achieve Waste Diversion targets set by NSW State Government – WARR Act	Total of combined waste streams diverted from landfill exceeds 66% by 2014	65.5% of total waste streams generated by the Camden community were diverted away from Landfill during the first half of the 2011/12 financial year.
	Waste minimisation policy and programs	The successful development and delivery of Policies and Programs	Waste Minimisation Strategy is in draft form for completion in first half 2012.
	Development and implementation of Community Waste Education Strategy	Community Waste Education Strategy adopted	A Draft Community Waste Education Strategy has been developed as part of the Waste Minimisation Strategy and it is anticipated that consultation will commence in the second half of 2012.
Garbage	The collection and transfer of residual waste		
Recycling	The collection and transfer of recyclables	Turnaround time for missed bins	During the period the bin collection rate was 95%. 100% of bins not collected first round were collected within 2 working days of Council being notified.
	Garden Organics	The collection and transfer of garden organics	

Local Service 2.2 – Regulating the Use of Public Areas

What is Regulating the Use of Public Areas?

This service aims to regulate and manage the private use of public areas, parking, street vendors, signage, illegal dumping, cats and dogs

Report on Delivery Program Success Indicators

Local Service 2.2: Regulating the Use of Public Areas				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Regulating the Use of Public Areas	Community Satisfaction Survey	Maintained or Improved		7.03 in 2011 compared to 6.8 in 2009, which represents a significant increase in community satisfaction
Companion animals are appropriately identified	Percentage of impounded animals that are identified through microchip and / or registration	Increasing		Between 2010 and 2011 there has been a 23% increase in dogs not microchipped and a 1% decrease in cats not microchipped.

Comment

The large increase in the proportion of dogs that were found to be not microchipped is a concern. Ongoing education to the community will be necessary in an attempt to ensure greater levels of compliance with the Companion Animals Act.

Report on Delivery Program Activities

Local Service 2.2: Regulating the Use of Public Areas			
Activity	Council's Role	Success Indicators	Report on Activities
Regulation, enforcement and monitoring activities in public areas	Prompt response and appropriate action in regards to dog attacks, stray animals and noise complaints	Average turnaround time on investigations	Of the 17 complaints of dangerous dogs and dog bite all investigations were commenced within the service standard of 5 hours.
	Education and awareness of residents in regards to the microchipping and registration of dogs and cats	A reduction in the per capita number of stray animals which are not microchipped	Between 2010 and 2011 there has been a 23% increase in dogs not microchipped and a 1% decrease in cats not microchipped.
	Promote and encourage residents to utilise the "adopt a pet" program through a range of strategies, including regular advertising	Decrease in the per capita number of animals euthanased at Council's pound facilities	Between 2010 and 2011 there has been a 0.34% decrease in animals euthanased at Council's pound.

Local Service 2.3 – Public Health

What is Public Health?

This service aims to provide the community with protection from infectious disease by carrying out safety inspections for food preparation and sale areas, skin penetration businesses and carry out onsite air-conditioning inspections, sewerage management, septic tank inspection and noise investigation.

Report on Delivery Program Success Indicators

Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Public Health	Community Satisfaction Survey	Maintained or Improved		7.48. First time measured in 2011 so no comparison possible.
Instances of food borne disease decrease	Instances of food borne disease	Decreasing		Increase from 1 to 3 instances of food borne disease.
Number of non-complying premises are decreasing (food and skin penetration)	Number of improvement notices issued	Decreasing		There were 4 Improvement Notices issued in this period compared to 10 within the same period last year.
Onsite sewerage management systems are operating satisfactorily	Number of approvals to operate issued	Increasing		The number of approvals to operate has increased from 26 to 31.

Comment

Whilst the number of improvement notices issued by Council officers decreased, there was a small increase in the instances of food borne disease reported to the NSW Food Authority in this period. This highlights the need for ongoing commitment to the inspection of food shops. It should be noted that Council only received notification of single-case instances of food-borne illness. The NSW Food Authority receive and act on multiple case reports and this information does not come to Council.

Report on Delivery Program Activities

Local Service 2.3: Public Health			
Activity	Council's Role	Success Indicators	Report on Activities
Public Health Inspections	Inspect and investigate food premises, skin penetration premises and air conditioning installations	Percentage of regulated premises inspected twice a year	Food shops –68% were inspected once within this period, which is behind target. Skin Penetration premises –42% inspected within this period which is close to target as these are only due to be inspected once per year.
	Investigate and act upon noise complaints	Time taken to initiate investigation	Of the 27 general noise complaints (not including animal noise) 78% of investigations were initiated within the allocated service standard of 5 days.
Approval of Onsite Sewerage Systems	Approve, inspect and certify on-site sewerage disposal systems	Number of 'approvals to operate' issued and approval processing time	Total number of approvals to operate issued for this period was 31.

Local Service 2.4 – Protection of the Natural Environment

What is Protection of the Natural Environment?

This service aims to protect the natural environment by assessing development applications, managing natural areas and waterways and enforcing fire protection zones.

Report on Delivery Program Success Indicators

Local Service 2.4: Protection of the Natural Environment				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Protection of the Natural Environment	Community Satisfaction Survey	Maintained or Improved		No statistically significant change between 2009 and 2011.
Water quality is maintained or improved	Water quality testing is maintained or improved	Maintained or improved		Water quality monitoring contract has been let and results are been collected for Summer and Winter readings. Data will be available in mid 2012.

More natural areas are under active management:	Percentage of natural areas within Council's ownership that are being actively managed	Increasing	Council is currently in the process of implementing systems to identify new natural areas that are being dedicated to Council but being managed under Planning Agreements. It is anticipated that once this system is in place, and following the completion of the Biodiversity Strategy, this indicator will be able to be reported.
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Report on Delivery Program Activities

Local Service 2.4: Protection of the Natural Environment			
Activity	Council's Role	Success Indicators	Report on Activities
Bush Fire Hazard Reduction	Reducing hazards in public areas including rural roadside hazard reduction maintenance programs	Hectares treated per annum	A total of 12.5 hectares continue to be treated
	Monitoring of Water Quality, including the Nepean River Community education and awareness in regards to stormwater pollution	Water quality standards are maintained	Water Quality monitoring contract has been let. Results for monitoring will be available in June 2012. Council has continued to raise awareness amongst the community in regards to stormwater pollution
Stormwater Management	Upper South Creek Floodplain Management Study and Plan	Study and Plan completed	Flood study report has been completed and adopted at Council's meeting of the 8th November 2011. As a result residents within the affected areas have been informed of the adopted report and its results.
	Nepean River Flood Mapping	Mapping completed	As a result of grant funds being made available, Council is now in a position to carry out updated mapping for the Nepean River area. This work is proposed to be completed towards the end of 2012
Bushcare Maintenance	Supporting and facilitating volunteers of Bushcare groups, preparation of plans of management for natural areas, community education programs such as Stream Watch	Number of visits	Number of volunteers - 26, total volunteer hours - 378. Draft Plan Of Management for (future) Richardson Rd Reserve, prepared by consultants, Draft POM Meinbergers Hill - Heritage report to be reported to Council. Bushcare volunteer base is being promoted and maintained.

Local Service 2.5 – Parks and Playgrounds

What is Parks and Playgrounds?

This service plans and constructs new parks and playgrounds and ensures parks and playgrounds are clean and safe for the community of Camden.

Report on Delivery Program Success Indicators

Local Service 2.5: Parks and Playgrounds				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Parks and Playgrounds	Community Satisfaction Survey	Maintained or Improved		7.1 - First time measured in 2011 so no comparison possible
Children have places to play	Number of parks and playgrounds per 1000 children	Stays the same or increases		Whilst Council did not increase its number of parks in the area, new parks and playgrounds delivered by developers in new release areas will be reported at year end. No progressive data is made available by Developers.
Condition of parks and playgrounds	Condition of parks and playgrounds infrastructure	Maintained or improved from previous assessment		Condition of parks and playground have been maintained at the same agreed service level.

Report on Delivery Program Activities

Local Service 2.5: Parks and Playgrounds			
Activity	Council's Role	Success Indicators	Report on Activities
Parks Planning	Planning future parks spaces, sportsfields and playground facilities that meet the needs of our current and future community	Number of plans adopted Percentage of residents who are within walking distance of a park or playground	Draft Wayne Gardner Reserve Plan of Management completed for public exhibition This indicator has remained constant. With changes to the way parks are planned and more district level parks and playgrounds this indicator needs to be revisited.


<p>Parks Maintenance</p>	<p>Maintain parks, sportsfields, playground equipment, landscapes, facilities and infrastructure</p>	<p>Overall maintenance programs are on target, 88% of the 6 months program was completed. Cyclic maintenance programs for parks, landscapes and sportsfields are on target. Asset and infrastructure maintenance within sportsfields and playground are at expected levels of completion.</p>
<p>Provision of new playgrounds, facilities and infrastructure in new residential areas</p>	<p>Works in Kind and Voluntary Planning Agreements have been negotiated by Council for delivery of new playgrounds, facilities and infrastructure in all new release areas. New landscaping and amenities building has been completed at Wandarrah Reserve.</p>	<p>Percentage of programs completed</p>
<p>Belgenny Reserve Stormwater Harvesting</p>	<p>Works completed on time and within budget.</p>	<p>Percentage of programs completed</p>
<p>Completion of new sportsfields and amenities in Oran Park - Wayne Gardiner Reserve</p>	<p>Works completed on time and within budget.</p>	<p>Works completed on time and within budget.</p>
<p>Continuation of playground replacement program under the Community Infrastructure Renewal Program</p>	<p>Works completed on time and within budget.</p>	<p>Works completed on time and within budget.</p>
<p>Commence design and concept studies for sportsfields - Elderslie development area</p>	<p>Works completed on time and within budget.</p>	<p>These works are scheduled to be completed in the period of 1 January to 30 June 2012.</p> <p>Preliminary work has commenced and will continue in the period of 1 January to 30 June 2012.</p>

Local Service 2.6 – Environmental Activities

What is Environmental Activities?

This service aims to develop and implement environmental policy and educate residents on environmental issues.

Report on Delivery Program Success Indicators

Local Service 2.6: Environmental Activities			
Indicator	Measure	Target	Result 1/7 to 31/12/11
The Community is Satisfied with Council's Role in Environmental Activities	Community Satisfaction Survey	Maintained or Improved	 <p>6.63 - First time measured in 2011 so no comparison possible.</p>

<p>The community is generating less waste</p>	<p>Percentage garbage (red lid bins) of total waste per capita</p>	<p>Decreasing</p>	<p>Per capita percentage of garbage increased by 3.8% from 216.26kg to 224.56kg. Garbage per capita has increased over the past 10 years, which is a general internal trend as economies grow and consumption has increased (ABS).</p>
<p>Households are not consuming more water</p>	<p>Household water consumption per dwelling</p>	<p>Stays the same or decreases</p>	<p>Information obtained from Sydney Water shows that the average house hold in Camden LGA consumed is 214kl in 2010/11 slightly above Sydney average of 211kl. Where the average unit consumed 179kl in 2010/11 below the average 189kl. In the previous year Camden residents had consumed 242kl compared to Sydney average of 223kl and Camden Units /flat consumed 137 kl compared to Sydney's average of 155kl. Hence overall there has been a reduction in water consumption.</p>
<p>Council utilises natural resources more efficiently</p>	<p>Water and energy (electricity and gas) consumption</p>	<p>Decreasing on same period previous years.</p>	<p>Overall Council's energy consumption is reducing by 40kWh from the previous period, or 8%.</p>
<p>The community is becoming more educated about sustainability</p>	<p>Number of participants in environmental education programs</p>	<p>Maintained or improved</p>	<p>Council has continued to educate the community about sustainability through events such as the Living Macarthur Nature Photography Competition where we received 330 entries from 96 entrants; (46 of these entrants where from the Camden LGA). National Water Week had 20 people attend. 5 Workshops were held at the MCSL, with 84 people attending.</p>

Comment

Despite Camden's relatively high rate of diversion of waste from landfill, garbage increased as a proportion of total waste per capita waste in this period. This has also grown over the past decade, which is in line with international trends for increasing waste generation resulting from economic growth and greater consumption. An ongoing and increasing commitment to education of the community about minimising waste generation and continuing to divert more waste away from landfill (through recycling) will be important if this trend is to be reversed.

Report on Delivery Program Activities

Local Service 2.6: Environmental Activities			
Activity	Council's Role	Success Indicators	Report on Activities
Environmental Policy	Develop good practice, contemporary policies to minimise impacts from residents and visitors on Camden's environment	Policies are updated annually	No policies required updating during the reporting period.
Environmental Education Awareness	A range of educational and awareness programs to schools and other community groups	Number of schools and community groups visited	Council has continued to participate in the Sustainable Schools Network, organising events such as the Sustainable Schools Expo in which 9 sessions were conducted and 400 people attended. 20 people attended the National Water Week. 15 people attended the Twilight Walk & Talk. Nareilan Rhythms Festival urban tree give away 600. Schools Expo - 8 schools participated with 8 students at each.
Water and Energy Action Plan	Develop and implement an environmental action plan to minimise environmental impact of Council's activities	Number of activities completed	Consultants have been engaged to undertake an energy and water consumption technical audit. The information from these audits will facilitate the development of an Energy Management Plan and Water Efficiency Plan proposed to be completed by 30 June 2012.
	Continuation of the Waste and Sustainability Improvement Payment (WASIP)	Projects completed	Council has committed to the 2011/12 WASIP program and, in addition, has received \$317,822 under the program for new enhanced sustainability initiatives. These initiatives consist of 14 projects listed on the WASIP charter and Council to date has completed the following 4: Camden Pool - Pool Blanket installation; Camden Pool Solar heating installation; Strategic Waste Management Plan; and Renewable Energy Options Study.

Local Service 2.7 – Enforcement of Legislation and Policies

What is Enforcement of Legislation and Policies?

This service aims to minimise illegal activities or activities that if left uncontrolled would otherwise have adverse impacts on individuals and the community.

Report on Delivery Program Success Indicators

Local Service 2.7: Enforcement of Legislation and Policies			
Indicator	Measure	Target	Result 1/7 to 31/12/11
The Community is Satisfied with Council's Role in Enforcement of Legislation and Policies	Community Satisfaction Survey	Maintained or Improved	●
			6.75 - First time measured in 2011 so no comparison possible.

Report on Delivery Program Activities

Local Service 2.7: Enforcement of Legislation and Policies			
Activity	Council's Role	Success Indicators	Report on Activities
Inspection and Investigation of illegal activities	Respond to complaints by investigating concerns and where necessary take action to resolve any breach of legislation or policy	Within agreed timeframe	There were 3 complaints of roadside training during the period, of which 2 investigations were commenced within the allocated service standard of 7 days. There were 18 complaints regarding parking and all of these were initiated within the allocated service standard of 7 days. There were no complaints about prohibited signage.
	Monitoring of roadside trading	Within agreed timeframe	Roadside trading is proactively enforced by Council rangers as part of their regular patrols (seven days per week) and action taken when identified.
	Enforcement of prohibited signage	Within agreed timeframe	Prohibited signage is proactively enforced by Council rangers as part of their regular patrols (seven days per week) and action taken when identified.
	Enforcement of parking restrictions	Within agreed timeframe	Council rangers dedicate the equivalent of 1.5 days per week to monitoring school zones, on-street parking and Council car parks.
Noxious Weeds	Management of declared noxious weeds and where necessary, take action to resolve any increase in occurrence	Within agreed timeframe	Council has staff member who spends approximately 60% of their time undertaking inspections and audits on public and private lands for noxious weeds. Orders are issued for private land holders to remove noxious weeds where they are detected.
	Planned program of spraying identified weeds in the Nepean River	Within agreed timeframe	Two sprays of identified weeds in the Nepean River were carried out during the period, as planned.

Local Service 2.8 – Appearance of Public Areas

What is Appearance of Public Areas?

This service aims to keep Camden's public places and amenities to a high standard by proactively managing litter and rubbish, cleaning, roadside landscape maintenance, graffiti and vandalism management.

Report on Delivery Program Success Indicators

Local Service 2.8: Appearance of Public Areas				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Appearance of Public Areas	Community Satisfaction Survey	Maintained or Improved	●	No statistically significant change between 2009 and 2011
Maintenance cycles are completed to approved service levels	Completion of cycles within agreed service levels	100%	●	During this reporting period no changes to the maintenance cycle has taken place and completion of cycles was in accordance with the agreed service levels

Report on Delivery Program Activities

Local Service 2.8: Appearance of Public Areas		
Activity	Council's Role	Report on Activities
Public Amenity	Ensure footpaths, toilets, buildings and litter bins are kept clean, vandalism is repaired in a responsive timeframe and graffiti is removed	There were 31 requests registered for this current period. In the previous 6 month period, there were 30 requests registered.
Public Pavement Cleaning	CBD streets are cleaned on a regular program and response to customer requests are timely	Only 1 request was registered in the past 6 months

Key Direction 3 – A Prosperous Economy

What is a Prosperous Economy?

Prosperity means that people have enough – that they are satisfied with their standard of living and have a balance between their financial and social wellbeing. Financial wellbeing relies on access to education, employment, housing, and a strong and diverse local economy.

A strong local economy for Camden is characterised by vibrant town and commercial centres, thriving local businesses, stable and diverse employment opportunities, skilled local residents, infrastructure that supports economic growth, and a thriving tourists/visitor market. The development of a strong local economy is essentially about developing an environment that supports a diversity of business and industry to invest, establish, grow and be sustainable over time.

The economic development and prosperity of Camden is linked with the broader South West region and much of the focus for the Camden area into the future will continue to be working with relevant partners, through the Macarthur Regional Organisation of Councils, on the development of a strong regional economy.

Local Service 3.1 –Economic Development

What is Economic Development?

This service aims to create a prosperous economy by encouraging economic growth and business development in the Camden Local Government Area.

Report on Delivery Program Success Indicators

Local Service 3.1: Economic Development					
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment	
The Community is Satisfied with Council's role in Economic Development	Community Satisfaction Survey	Maintained or Improved		6.79 - First time measured in 2011 so no comparison possible.	
The number of jobs in the Camden Local Government Area increases	Employment by Industry	Increasing		The number of jobs in the Camden LGA in March 2011 was 14332, up from 14289 the previous year.	
Gross regional product will increase	Gross Regional Product	Increasing		Gross Regional Product has grown annually over the past 3 years, with 1.1% growth in 07/08, 1.5% in 08/09 and 3.3% in 09/10 (based on chain volume measures supplied by AECGroup)	

Report on Delivery Program Activities

Local Service 3.1: Economic Development			
Activity	Council's Role	Success Indicators	Report on Activities
Economic Development Initiatives	Support economic development through the shared service arrangements with Campbelltown and Wollondilly as part of the Macarthur Regional Organisation of Councils	To be developed once the Economic Development Strategy is adopted	Council will be undertaking an Economic Development Strategy in the second half of 2012. An Economic Development Officer will be engaged in early 2013.
	Maintain the overseeing and monitoring role of business growth within Camden		

Local Service 3.2 – Tourism

What is Tourism?

This service aims to promote Camden, attract visitors, provide visitor information, maximise marketing and media communication, develop local tourism products and create employment opportunities through increased visitation to the area.

Report on Delivery Program Success Indicators

Local Service 3.2: Tourism				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Tourism	Community Satisfaction Survey	Maintained or Improved		6.7 – First time measured in 2011 so no comparison possible.
Utilisation of the regional tourism website is increasing	Hits on website	Increasing		Visitation to www.macarthur.com.au has increased 36%. The use of web based searching for tourism is rapidly increasing requiring Council to not only keep our information up to date, but also continue to improve website capabilities.

Visitors to the Tourism Information Centre is increasing	Number of visitors	Increasing	<p>Visitation to Camden Visitor Information Centres has not increased but investigation into creating more reasons to direct visitors and phone enquiries to the centre is underway, including options for a more visible location.</p> <p>Follow up phone calls to groups doing Macarthur Group Tours has shown that visitors are extremely satisfied with both the product that is offered in the area as well as the service provided to visitors at a regional level. One complaint received was in relation to the standard of only one business and work is underway to help this business improve its service.</p>
Tourists are satisfied with the Macarthur Region visitor experience	Tourist satisfaction	Stays the same or improves	

Comment

Visitation to the Camden Visitor Information Centre has not increased but as noted above, an investigation has commenced into ways to direct more visitors and phone enquiries to the centre, including options for a more visible location. Monitoring of this indicator over time will ascertain the success or otherwise of these initiatives.

Report on Delivery Program Activities

Local Service 3.2: Tourism			
Activity	Council's Role	Success Indicators	Report on Activities
Visitor Information	Operate a seven day information service and visitor centre	Maintain Level 2 Accreditation	The Visitor Centre is staffed by a Coordinator (21 hours) and one casual. It is primarily staffed by volunteers and is open 7 days a week, as required by Level 2 Accreditation.
Tourism Initiatives	Adoption of the 2012-2016 Tourism Action Plan	Adoption of Plan by Council	The 2011 – 2015 Regional Tourism Action Plan has been adopted.
	Work with operators to enhance and package local tourism product	Number of enquiries on website	Website visitation is up 36% and the website is currently undergoing an upgrade to improve the look of the website as well as the functionality.

			Number of positive media stories	The number of articles generated through the Regional PR Campaign has increased for the last 3 years and continues to increase with the use of regular press release distribution and journalist familiarisation tours.
Advertise and market local tourism product and facilitate familiarisation tours	Number of enquiries on website			The number of visits to the website increased by 36%
	Number of familiarisation visits			5 journalists visited the Camden LGA in this period
Fund improvement to visitor facilities and signage	Welcome to Macarthur Signage installed			The RTA did not approve the erection of Welcome signs on private property facing the Hume Highway.

Local Service 3.3 – Management of Significant Places

What is Management of Significant Places?

This service aims to maintain existing significant places (localities or townships), create new places, foster place identity and plan future direction of significant places.

Report on Delivery Program Success Indicators

Local Service 3.3: Management of Significant Places				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Management of Significant Places	Community Satisfaction Survey	Maintained or Improved		7.53 – First time measured in 2011 so no comparison possible.
The community is actively engaged in planning for places	Percentage of planning processes for 'significant places' that had resident engagement processes	Stays the same or increases		All Planning Proposals have been publicly exhibited for community comment.

Significant place strategies are developed	Proportion of significant places and town centres that have place strategies	Stays the same or increases	All significant places and town centres within the LGA have either a specific strategy, such as the Camden Town Centre Strategy, or relevant planning controls to manage the growth and character of these places. DCP and Public Domain Manual prepared for Oran Park Town in this period. Planning continues for Leppington town centre. A significant planning proposal for the expansion of the Narellian Town Centre will commence in the first half of 2012, which will include a review of development controls for all B2 zoned land around that site.
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Report on Delivery Program Activities

Local Service 3.3: Management of Significant Places			
Activity	Council's Role	Success Indicators	Report on Activities
Significant Places Works Program	Ensuring sufficient focus and resources are applied to areas, precincts, or buildings which are considered historically significant, culturally significant or a local place where the community can gather	Preparation and implementation of management and maintenance plans for properties owned by Council	Management or Maintenance Plans for significant places have not yet been developed, all maintenance activities are done in accordance with the current Work Programs in place
Camden Town Centre Works Program	Continued consultation and investigation of the staged implementation of the Camden Town Centre Strategy	Investigation and consultation undertaken	Preliminary work on the Camden Town Square concept plans and streetscape palette has been completed with the outcomes to be reported to Council in the period of 1 January to 30 June 2012.

Key Direction 4 – Effective and Sustainable Transport

What is Effective and Sustainable Transport?

Effective transport underpins all aspects of an accessible and functioning place.

Transport impacts on the health of the natural environment and the health and wellbeing of people able to connect with their community and services. It impacts on the effectiveness and amenity of the urban environment and on the viability and growth of the local and regional economy.

An accessible Camden means that people are able to travel easily within their own local area and are effectively connected to the wider Macarthur and metropolitan regions.

Effective and sustainable transport for Camden would include affordable, convenient and integrated public transport that is a viable choice over private vehicles; infrastructure that enables and encourages healthy forms of transport such as walking and cycling; safe and uncongested roads; and support structures that enable public and private transport systems to operate effectively, including interchanges, traffic management and parking.

Local Service 4.1 – Transport Options

What is Transport Options?

This service aims to investigate, promote and deliver mass public and private transport options and alternative modes of transport.

Report on Delivery Program Success Indicators

Local Service 4.1: Transport Options				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Transport Options	Community Satisfaction Survey	Maintained or Improved		5.61 – First time measured in 2011 so no comparison possible
New cycleways and paths continue to be constructed	Number of new cycleways and paths constructed	Greater than previous year		360 metres of cycleway was constructed by Council compared with 220 metres for the same period last year. Work completed by Developers will be reported at year end, progressive data is unavailable from Developers.
Identified projects are completed as planned	Projects are meeting specified timeframes	80%		All the new cycleways and paths were delivered on time as required

Report on Delivery Program Activities

Local Service 4.1: Transport Options			
Activity	Council's Role	Success Indicators	Report on Activities
Network Extension	Seek grants for extension of cycleways and paths and implement successful grant programs	Money received from grants, kilometres of new footpaths and cycleway	\$1.06K grant funding received (54% of total applied for) 0.3km of shared path installed to date on Argyle Street
	Lobby State Government for State Road upgrade including Camden Valley Way, Northern Road, Bringley Road, Camden Bypass Link Road, Narellan Road, Remembrance Drive	Number of requests to State Government to upgrade State Roads	Council continues to have ongoing liaison with RMS dealing with matters pertaining to State Road within Camden LGA and to date we have sent 8 letters in relation to these roads related to various topics ranging from upgrade, speed limits and noise issues.
Regional Transport Network	Lobby State Government for greater access to public transport and an increase in the variety of public transport options	Number of requests to State Government to improve public transport	Council continues to have ongoing liaison with RMS dealing with matters pertaining to improving public transport within Camden LGA and to date we have sent 1 letter in relation to state roads associated with DDA compliance.
	Road designs to be finalised for Bypass Intersection, Richardson Road & Link Road	Partnership entered into with State Government	An instruction from the Director General's office was received advising Council that funding for this critical infrastructure has been secured for the completion of the link road. Consultants have been engaged and designs are now in progress. It is envisaged that the road will be open mid 2013.

Local Service 4.2 – Road Safety

What is Road Safety?

This service aims to ensure our road network is safe and accessible for all road users including pedestrians, we are connected by safe alternative transport mechanisms, cycleways and paths and are educated on road safety issues.

Report on Delivery Program Success Indicators

Local Service 4.2: Road Safety				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Road Safety	Community Satisfaction Survey	Maintained or Improved		6.59 - First time measured in 2011 so no comparison possible
The number of recorded road accidents (fatal and non-fatal) per 1000 population reduces	Number of recorded road accidents per 1000 population	Reduction		2008 4.29 per 1000 pop; 2009 4.63 per 1000 pop; 2010 4.45 per 1000 pop. Slight reduction between 2009 and 2010, but still up from 2008.

Report on Delivery Program Activities

Local Service 4.2: Road Safety			
Activity	Council's Role	Success Indicators	Report on Activities
Road Safety Strategy	Undertake a variety of activities designed to keep people safer on Camden's roads	Completion of activities on time	Road safety programs are delivered on time and in accordance with the local Government Road Safety Program and Council's commitments
Log Book Runs	Provide learner drivers with experience	Number of participants	89 learners drivers participated in the program
Child Restraint Scheme	Fit child restraints to vehicles	Number of restraints fitted	58 vehicles had their child restraints fitted and / or checked
10km school zone program	Education and safety programs around schools	Number of schools participating	6 primary schools have participated during the reporting period.
	Expand program of education and safety around schools	Number of schools participating	Program will continue to be rolled out to schools. Additionally, follow up visits are made to schools that have already had the program rolled out.

Local Service 4.3 – Local Traffic Management

What is Local Traffic Management?

This service aims to proactively manage local traffic matters such as parking, traffic calming, pedestrian safety and signage. In doing so the service ensures the local traffic network is safe and functional.

Report on Delivery Program Success Indicators

Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Local Traffic Management	Community Satisfaction Survey	Maintained or Improved		5.83 - First time measured in 2011 so no comparison possible.
Approved projects are completed as planned	Projects are meeting specified timeframes	80%		Completion of projects is weather dependent, currently the program is slightly behind schedule but all works are expected to be completed within the next reporting period
Outstanding Traffic Committee recommendations have timeframes which are being met	Implementation of recommendations within specified timeframes	60%		Currently we have in excess of 80% of recommendations completed. Other projects listed on the traffic status report are either in progress with work instructions issued or design briefs prepared and referred to the design team to commence survey & design.
The number of recorded road accidents (fatal and non-fatal) per 1000 population reduces	Number of recorded road accidents per 1000 population	Reduction		2008 4.29 per 1000 pop; 2009 4.63 per 1000 pop; 2010 4.45 per 1000 pop. Slight reduction between 2009 and 2010, but still up from 2008
Number of "Black Spots" reduce (based on State Criteria)	Number of "Black Spots"	Reduction		Based on the criteria for 2011/12 applications Council identified 4 black spots/black spot lengths. Council was successful in getting funding for the treatment of 3 black spot lengths. On completion Council will have a reduction of 3 sites.

Report on Delivery Program Activities

Local Service 4.3: Local Traffic Management			
Activity	Council's Role	Success Indicators	Report on Activities
Local Traffic Committee	Facilitate the operation of the Local Traffic Committee, manage and implement the committee's recommendations on road safety and parking	Percentage of recommendations complete	Currently we have in excess of 80% of recommendations completed. Work instructions have been issued for those projects under delegated and with project requiring further investigation and design, design briefs have been issued to the design team.
	Act as Secretariat to the Local Traffic Committee and implement its recommendations	Percentage of traffic committee recommendations implemented	Currently there are approximately 70% of recommendations implemented
	Design and implementation of parking and traffic management facilities	Percentage of designs completed and implemented	Within Camden CBD additional parking for disabilities has been installed in 2011. In addition, Council has identified other sites which will be assessed and reviewed for future implementation.
Design	John Street/ Mitchell Street Roundabout Design	Design completed and implemented	Design briefs were issued in October 2011. Design programmed for March 2012.
	Fairwater Drive Pedestrian Crossing Design	Design completed and implemented	Construction funding has been secured. Civil components and lighting design is completed. Lighting installation will commence in February 2012.
	Camden LGA Bus Shelter DDA Compliance Design	Percentage of Bus Shelters Completed	3 sites completed in 2011/12. 21% compliant of bus shelters are DDA compliant
Signs and Lines	Replacement and renewal of traffic signs and road lines to ensure safe road conditions and optimum traffic flow	Average condition of signs and lines	The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only" required.
Black Spot Funding Program	Identification of black spots, secure funding for remedial works and implementation of remedial works (contingent on approved funding)	Grants received and implemented	\$690k grant funding received (90% applied for). Design briefs issued and design underway.

Local Service 4.4 – Construction and Maintenance of Local Roads, Footpaths and Kerbing

What is Construction and Maintenance of Local Roads, Footpaths and Kerbing?

This service aims to construct, upgrade and repair Camden’s roads, footpaths, kerbing, drainage, cycleways, carparks and traffic management equipment.

Report on Delivery Program Success Indicators

Local Service 4.4: Construction and Maintenance of Local Roads, Footpaths and Kerbing				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Construction and Maintenance of Local Roads, Footpaths and Kerbing	Community Satisfaction Survey	Maintained or Improved	●	5.89 in 2011 compared to 5.67 in 2009, which represents a significant increase in community satisfaction
Approved projects are completed as planned	Projects are meeting specified timeframes	80%	●	For this reporting period the construction and maintenance of local roads, footpaths and kerbing is ahead of target

Report on Delivery Program Activities

Local Service 4.4: Construction and Maintenance of Local Roads, Footpaths and Kerbing			
Activity	Council's Role	Success Indicators	Report on Activities
Cycleways and Pathways	The construction, maintenance, resurfacing and renewal of cycleways and pathways	Percentage of programs completed on time Average condition of cycleways vs target	66% of the 6 month's program was completed - changes in priorities caused some work to be rescheduled to the second half of the year. The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only" required.
	The maintenance, resurfacing and renewal of roads including a road reconstruction program of \$4.4 million	Percentage of programs completed on time Average condition of roads vs target	81% of the 6 month's program was completed The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only"

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Attachment 1

				required.
	Upgrade of Springs Road, Spring Farm		Completion of program	Works associated with Stage 1 of the Springs Road upgrade from Richardson Rd to Ettleddale Road are nearing completion. Springs Rd is scheduled to reopen 27 February 2012. The original completion programme has been delayed due to latent site conditions and extended wet weather.
	Upgrade of Lodges Road/ Hilder Street Elderslie		Completion of program	Hilder Street and the western end of Lodges Road are completed. Works on the eastern end require Lodges Road to be closed. Lodges Road and Springs road cannot be closed at the same time. Delays with the Springs Road project have affected these works commencing.
Footpaths			% of programs completed on time	56% of the 6 month's program was completed - changes in priorities caused some work to be rescheduled to the second half of the year.
	The construction, maintenance, and renewal of footpaths		Average condition footpaths vs target	The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only" required.
Kerb and Gutter			% of programs completed on time	100% of the 6 month's program was completed.
	The construction, maintenance and renewal of kerb and guttering		Average condition of kerb and guttering vs target	The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only" required.
Bridges			% of programs completed on time	21% of 6 month's program was completed - delays were caused by difficulties obtaining suitable contractors, however the work is still targeted to be completed by June 2012.
	The construction, maintenance and renewal of bridges		Average condition of bridges vs target	The asset condition is 2.5, which is classed as a "good" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "good physical condition" with "normal maintenance only" required.
Carparks			% of programs completed on time	42% of 6 months program was completed - change in priorities caused some work to be rescheduled to the second half of the year.
	The construction, maintenance and renewal of carparks		Average condition of carparks vs target	The asset condition is 3, which is classed as a "fair/satisfactory" condition under the rating system employed within the Integrated Planning and Reporting Manual. This rating denotes assets of "average physical condition" with "some work required".

Key Direction 5 – Enriched and Connected Community

What is an Enriched and Connected Community?

An enriched and connected community involves arts and culture, community safety, healthy lifestyles and community health, enrichment through learning and information, and recreation and leisure to build social capital and cohesion.

These are all elements that lead to a community with high levels of wellbeing. This is usually characterised by connection, networks and support within the community, participation and ownership; equity and access; and democratic governance. Equity and access means that all people are able to access the variety of opportunities within a community, both social and economic, regardless of background, ability or circumstance.

Community wellbeing describes the state of satisfaction, contentment and fulfilment of needs experienced within a particular group of people.

Local Service 5.1 – Recreation Services and Facilities

What is Recreation Services and Facilities?

This service aims to provide well managed active indoor and outdoor recreation facilities for residents and visitors of Camden. Recreations facilities include Aquatic Centres, courts, BMX Bike Track, Equestrian Recreation Park, and the Town Farm.

Report on Delivery Program Success Indicators

Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Recreation Services	Community Satisfaction Survey	Maintained or Improved		7.22 in 2011 compared to 6.84 in 2009, which represents a significant increase in community satisfaction
More people participate in active recreation using Council facilities	Sportsfield use requests	Increasing		The cold wet spring and first months of summer have resulted in lower attendances than anticipated (when compared to the same period previous year). There were 13 days of sportsground closures in comparison to 7 for the same period last year.



Comment

Sportsfield use requests were impacted by the wet weather that occurred during this period.

Report on Delivery Program Activities

Local Service 5.1- Recreation Services			
Activity	Council's Role	Success Indicators	Report on Activities
Recreational Planning	Provision and planning of sportsfields, bike tracks and facilitate activities and programs associated with active recreation facilities	Occupancy rates of facilities Attendance at programs	Utilisation rate of 81% during Winter 2011 (this level of information was not collected the previous year) Total number of teams: Soccer 272 Rugby League 72 Australian Rules 13 Netball 180 (this level of information was not available the previous year for comparison) Attendance at Mt.Aman: Rec swim 48,597 (64,625 full year 2010) Learn to Swim (LTS):14,549 ; 24,998 full year 2010) Health Club 45,476 (73,845 full year 2010) School P.E. 6,373 (10,873 full year 2010) Attendance at Camden: Rec Swim 13,689 LTS 438 School activities 2,527 (The Camden pool was not operational the same period 2010)
Aquatic Recreational Facilities	Contract Manage two swimming pools - Mount Annan Leisure Centre and Camden Memorial Swimming Pool. Provide a range of programs including gym, swim squad, casual swim and learn to swim	Attendance at programs	2010 annual total spectators 19,630; competitors 6,590 (information from BEP Annual Report)
Bicentennial Equestrian Recreation Park	Manage and maintain the Bicentennial Equestrian Recreation Park (via Community Management Committee)	Attendance at programs	

Town Farm		Attendance at programs	Supported 5 committee meetings and held several meetings with heritage officer and engineers regarding development of covered outdoor learning area.
Manage and maintain the Camden Town Farm (via Community Management Committee)			
Development of the Town Farm Community Garden	Volunteer Participation		Actively engaged 50 + individual gardeners as well and 100 + individuals from seniors and disabilities groups through plot development, BBQ's, workshops, community meetings and working bees at the garden. 8 + individuals involved as volunteer committee members.

Local Service 5.2 – Community and Cultural Development and Planning

What is Community and Cultural Development and Planning?

This service aims to stimulate and support community and cultural activity in Camden.

Report on Delivery Program Success Indicators

Local Service 5.2: Community and Cultural Development and Planning				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Community and Cultural Development and Planning	Community Satisfaction Survey	Maintained or Improved	●	6.75 - First time measured in 2011 so no comparison possible.
More opportunities for participating in community cultural events are provided	Number of community cultural events	Increasing	●	Narellan Rhythms Festival – more than 1000 participants and Faith Based Communities directory - 50 participants
The number of programs implemented for Target Groups grows	Number of programs for target groups	Increasing	●	New programs implemented - Youth Council, Aboriginal Residents Group, Transition to School resources. In the Swim Program, Volunteers Program, Leppington Community House

Report on Delivery Program Activities

Local Service 5.2: Community and Cultural Development and Planning			
Activity	Council's Role	Success Indicators	Report on Activities
Annual Arts Program	Facilitate the Annual Art-NSW program of training and performance	Number of events and attendees	Regular exhibitions held with Artist of the month exhibitions x 6, Artisans market performances x 3 and young buskers program
Cultural Participation Programs and Events	Provide advice to developers regarding Public Art	Amount of new public art	Themes developed for Oran Park Public Art delivery.
Community Development and Planning	Support various target segment activities: visiting authors, art workshop and dance classes. The provision of sound and photographic facilities at the Camden Creative Studios. Support Local Events.	Number of programs and attendees	Garden competition had 32 entries and Narellan Rhythms Festival attended by more than 1000 people
	Development of target strategies and a range of programs which support these strategies for the following groups: Youth, Children and Families; Senior Citizens; Indigenous	Support strategies developed	<p><i>Support Strategies or Vehicles for Developing Support Strategies</i></p> <p>Guidelines for Working with Aboriginal Communities, Seniors Committee - 6 meetings, Youth Council - 6 meetings, Camden4children - 3 meetings, direct support of Playlinks Playgroup, information to community via CamdenKids website, transition to school info packs, Aboriginal Res group - 5 meetings, Seniors Issues Group, Access Committee - 2 meetings, Disability Action Plan Cohesive Comm. Group - 3 meetings</p> <p><i>Programs</i></p> <p>Youth Space Weds- Fri/ Outreach Elyard St Thurs nights/ Beach Bus during hols NAIDOC Week events, Seniors Lunch, upgrade of Senior CIt's Centre, In the Swim Project, Input into Narellan Rhythms Festival - 1000 + participants and Faith Based Communities directory - 50 groups consulted</p>

Local Service 5.3 – Community Support Facilities and Services

What is Community Support Facilities and Services?

This service aims to provide facilities and programs to help people with common interests connect. This includes fostering volunteers and facilitating and supporting new and existing community groups. This service includes most community buildings and cemeteries.

Report on Delivery Program Success Indicators

Local Service 5.3: Community Support Facilities and Services				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Community Support Facilities and Services	Community Satisfaction Survey	Maintained or Improved	●	7.1 - First time measured in 2011 so no comparison possible.
Facility occupancy rates increase	Occupancy rates	Increasing	●	Sportsgrounds 82 bookings, Community Halls 177 bookings - direct comparative data for same period last year not available

Report on Delivery Program Activities

Local Service 5.3: Community Support Facilities and Services			
Activity	Council's Role	Success Indicators	Report on Activities
Family Day Care	Provide for training and administration of Family Day Care Educators. Grow capability support programs and advocacy.	Number of trained facilitators Number of children attending	48 Educators (same period 2010 52 educators). The introduction of the new National Framework for Early Childhood Education has increased minimum requirements for educators, discouraging some educators from continuing 397 Children enrolled (same period 2010 442 children enrolled). This correlates with the decrease in educators as noted above.
Community Facilities	Provide a range of facilities that support programs and facilitate community social and cultural activity – Halls and Community Centres; ARTYCal@Narellan Library, Camden Civic Centre	Occupancy rates	Community facilities occupancy rates Mon to Thursday 19%, Weekend bookings of community halls were 123 for the period, which has not changed significantly since the previous period. An improved method of measuring weekend occupancy rates is to be developed in the first half 2012. Civic Centre Bookings and income maintained, Initial Artisan Markets held.



<p>Public Cemetery</p>	<p>Manage and maintain the Camden cemetery, including plot allocation, maintenance of grounds and forward planning</p>	<p>Response times to cemetery service requests</p> <p>Percentage of plot allocation taken up per annum</p>	<p>Response times are within CRMS time frames of 2 day turn around</p> <p>80% plot allocation released to date</p>
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Local Service 5.4 – Community Safety

What is Community Safety?

This service aims to provide community safety policy, education and information and partner with community agencies on community safety initiatives.

Report on Delivery Program Success Indicators

Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
<p>The Community is Satisfied with Council's Role in Community Safety</p>	<p>Community Satisfaction Survey</p>	<p>Maintained or Improved</p>		<p>6.89 - First time measured in 2011 so no comparison possible</p>
<p>Camden residents feel safe in their local neighbourhoods</p>	<p>Resident Telephone Survey</p>	<p>Stays the same or improves</p>		<p>There has been no significant change in perceived levels of safety between the 2010 and the 2008 surveys. In 2010 94% of respondents said they felt safe walking alone during the day, and 53% at night.</p>

Report on Delivery Program Activities

Local Service 5.4: Community Safety			
Activity	Council's Role	Success Indicators	Report on Activities
Liquor Accord	Partnerships are established with licensed premises to ensure safe behaviours on and off licensed premises	Number of initiatives implemented	The Camden Liquor Accord continues to work proactively in the community to reduce alcohol related harm. The Accord continues to promote anti drink drive messages in venues, had breath testing machines installed over the Christmas / New Year period in targeted venues. Additionally, the Accord organized and part funded RSA training in all public high schools across the Camden LGA for eligible students.
Graffiti Management Plan	Provision of tools for residents and to partner with state agencies to minimise the incidence of graffiti	Number of kits provided	All requests for kits have been met In 2009 Council purchased 120 kits for distribution In 2010 Council purchased 200 kits for distribution Requests have decreased over past year so stock remains available.
Community Education and Programs	Various programs requiring the support of State Government funding	Response time to graffiti reports Percentage of programs completed on time	Reported graffiti has been removed within 24 – 48 hours. RSA training in all public high schools across the Camden LGA for eligible students.

Local Service 5.5 – Community Events

What is Community Events?

This service aims to hold or facilitate a range of community events that are open to the whole community where the community can commemorate significant local or national celebrations.

Report on Delivery Program Success Indicators

Local Service 5.5: Community Events				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Community Events	Community Satisfaction Survey	Maintained or Improved		7.60 in 2011 compared to 7.19 in 2009, which represents a significant increase in community satisfaction
Feedback from community events participants is positive	Feedback	Positive		Community events continue to be well attended and received. Work needs to continue to obtain feedback from participants
The community attends Council events	Resident Telephone Survey	Increasing		The number of respondents who stated that they did not attend any events decreased from 8.6% in 2008 to 6% in 2010, indicating that more residents are attending Council / Community events
The value of event sponsorship stays the same or increases	Dollar value of event sponsorship	Same or Increases		Comparison of sponsorship figures against the previous year indicated an increased level.
More people are volunteering at events	Number of volunteers	Increasing		Current Committee numbers remain consistent, however the introduction of new events in this period resulted in a large number of new volunteers.

Report on Delivery Program Activities

Local Service 5.5: Community Events		
Activity	Council's Role	Success Indicators
Civic and Cultural Events	Organise and support key civic and cultural events. Encourage and support volunteer participation and secure sponsorship for events	Attendances, numbers
		Feedback indicates key civic and cultural events continue to be well received. Capturing exact attendance numbers is difficult however, feedback from the SES indicates that traffic/parking numbers continue to increase. Comparison of sponsorship figures against the previous year indicated an increased level.

Community Events	Support various events committees, funding, venues, staff, traffic management and cleaning	Attendances, numbers	Committee numbers have remained constant, appropriate traffic management plans continue to be developed. Advice regarding events continues to be provided to both internal and external stakeholders. Appropriate OH&S, public facilities and environmental impacts continue to be addressed.
Community Support	Support community organisations and individuals through the Community Financial Assistance Program	Number of groups assisted	48 applications received requesting \$189,499. A total of 29 applications were approved receiving a total of \$81,331 (\$58,531 from CFAP, \$9,800 from DAP and \$13,000 Ward funds)

Local Service 5.6 – Library Services

What is Library Services?

This service aims to provide library services to the community; encouraging lifelong learning, community connections, developing skills and knowledge, and providing a safe and welcoming place to meet.

Report on Delivery Program Success Indicators

Local Service 5.6: Library Services				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Library Services	Community Satisfaction Survey	Maintained or Improved	●	8.38 in 2011 compared to 8.08 in 2009, which represents a significant increase in community satisfaction
Library membership continues to grow	Number of members	Increasing	●	1199 new members during the period
Circulation continues to grow	Circulation data	Increasing	●	133,664 issues in this period compared to 147,793 in the same period 2010
More people use our library facilities and programs	Number of people using facilities and attending programs	Increasing	●	228,928 people visited our libraries in this period compared to 208,330 in the same period 2010. 13,200 attended library programs in the period compared to 10,457 people in the same period 2010.

Comment

Library circulation has decreased due to the implementation of new e-resources which has meant that some people are moving away from use of traditional resources such as books. Future review of this indicator will ensure that both traditional and e-resources are reported and tracked.

Report on Delivery Program Activities

Local Service 5.6: Library Services

Activity	Council's Role	Success Indicators	Report on Activities
Childrens Programs	Deliver various programs for children including: Storytime, Babies into Books, Holiday Programs, Summer Reading Program, Your Tutor Online and Outreach to schools and playgroups	Number of children/ families attending/ using programs	9,679 children/families attended childrens programs including Storytime, Bibs, holiday programs and outreach.
Youth Programs	deliver various youth programs including: Holiday Programs, Summer Reading Program, Your Tutor Online and Outreach to Schools, Book Club, Author Visits, HSC Lectures, and Research Skills	Number of young people attending/ using programs	762 young people attended youth programs including HSC Lock In, holiday programs and Your Tutor online
Adult Programs	Deliver various programs for adults including: Author Visits, Computer and Internet Training, Living Libraries, Summer Reading Program, Community information online database, Artist of the Month and community display program, In Concert Series and Book Discussion Group	Number of adults attending/ using programs	1963 adults attended programs including lifelong learning, author visits, and book discussion group. In addition over 1000 people participated in the Camden READS winter program including adults, children and young people. The program also received a Highly commended marketing award from NSW Public Libraries for the program.
Local Studies	Deliver targeted local programs including: Camden Voices Online - Oral History Program, Camden Images photographic program, Memories of your suburb weblog, heritage and history week program	Number of adults attending/ using programs	259 people participated in History Week program. Over 2784 images are now on Camden Images online.
Older people	Deliver various programs for older people including: Home Library Service, and Bulk Loans to local institutions	Number of customers using HLS and Bulk Loans	1954 items were lent to 7 institutions across the LGA, 1727 items were lent to 33 Home Library Service customers and 13 boxed loans were received from SINSW for customers from a CALD background

Key Direction 6 – Strong Local Leadership

What is Strong Local Leadership?

Strong local leadership means that the Camden area has strong organisations and individuals representing its interests, who are responsive to this community, and who are working together to achieve the community's vision for the future. This will be the key vehicle for achieving the outcomes expressed by the Camden community in this plan.

Strong local leadership will be needed from all levels of government, as well as the private sector, non-government organisations, business and industry groups, and community organisations. Developing leaders within our community will place the Camden area in good stead for the years to come.

Camden Council, as the level of government in closest contact with the local community, has a particular role in the planning, advocacy and delivery of good outcomes on behalf of the Camden community. This role is important, as Camden faces massive urban and population growth, particularly in advocating for the delivery of major infrastructure provision, and in balancing the needs and desires of the current population with the pressures of growth.

Importantly, strong local leadership can influence the way that government engages with and responds to the local community in decisions, plans and services that impacts on this local area.

Local Service 6.1 – Strong Local Democracy

What is Strong Local Democracy?

This service aims to provide for efficient and effective local democracy through the operation of and support for the elected Council and community.

Report on Delivery Program Success Indicators

Local Service 6.1: Strong Local Democracy				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Strong Local Democracy	Community Satisfaction Survey	Maintained or Improved		6.42. First time measured in 2011 so no comparison possible.

Attachment 1

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All Council meetings are arranged and conducted in accordance with Council's Code of Meeting Practice	Complaints regarding meeting practice	Zero		Council has received no public complaints about meeting practice for the period. Council is currently reviewing the practice of tape recording public meetings. A report is expected to go to Council in the new year after the public consultation period is complete.
Council's policies are current	Regular review and updating of policies	100%		The review of Council policy is a constant process recognising statutory requirements or changes in current practice that better meet the needs of a growing community. All policy reviews that are a requirement of the Local Government Act for the period have been completed.

Report on Delivery Program Activities

Local Service 6.1: Strong Local Democracy				
Activity	Council's Role	Success Indicators	Report on Activities	
Local Representation	Arrange and provide secretarial services for Council meetings, prepare and publish agendas. Provide Council with business papers for both information and decision making purposes and record the outcome and decisions taken by Council	Compliance with Code of Meeting Practice	All Council business papers are produced and delivered to Councillors in an accurate and timely manner. A report is expected to go to Council in the new year after a community consultation process to change Council's Code of Meeting Practice to allow the recording of Council meetings for administrative purposes.	
	Improving response times to resident enquiries to Councillors	Turnaround time within agreed service standard	Councillor requests are directed through the Customer Request Management System and are responded to in accordance with the agreed service standard, which is 48 hours. Compliance with the service standard is currently 95%.	
Regional Representation	Council actively participates at a regional level on boards such as MACROC to secure outcomes for the community	Participation Rates	Council is always represented at MACROC meetings and events.	
State Representation	Council participates and contributes to the industry body, the Local Government and Shires Association, in communicating to and lobbying the State Government on industry-wide issues	Issues related to Camden are lobbied by the LGSA to the State Government	Appropriate representations are made to the LGSA when necessary. Council supports the LGSA in broader industry lobbying efforts in appropriate circumstances.	

Local Service 6.2 – Stewardship of Community Resources

What is Stewardship of Community Resources?

This service is responsible for the prudent management of public finances, planning and management of public assets and the strategic recruitment and training of staff to enable effective and efficient service delivery.

Report on Delivery Program Success Indicators

Local Service 6.2: Stewardship of Community Resources				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Stewardship of Community Resources	Community Satisfaction Survey	Maintained or Improved		6.48 - First time measured in 2011 so no comparison possible.
Council reports its performance to the community	Six monthly reports to Council and placed on Council's website	Achieved		Council completed its Annual Report for 2010/11 during this reporting period, which was placed on the website. The first six month report under the new Integrated Planning and Reporting requirements will be reported to Council in February 2012 for the June to December 2011 period.

Report on Delivery Program Activities

Local Service 6.2: Stewardship of Community Resources		
Activity	Council's Role	Report on Activities
Integrated Planning	Preparation of strategic management plans for Council's key resources for the delivery of services including: Workforce Plan, Asset Management Plans, Long Term Financial Plan, Delivery Program, Operational Plan	Work commenced on planning for the Integrated Planning and Reporting Package required for adoption and submission to the DfG by 30 June 2013, following the Council election. Review of the component plans will commence in early 2012

Corporate Planning	Develop and review frameworks that promote sound corporate governance and assist in corporate performance reporting	Corporate Plans are completed within statutory times and are current	No new plans were required for completion in the reporting period. Work commenced on planning for the Integrated Planning and Reporting Package required for adoption and submission to the DLG by 30 June 2013, following the Council election.
Implementation of corporate and service performance monitoring systems		System implemented	Council called for selective Expression of Interest from companies to provide a Corporate Performance Monitoring system. Five EOIs were received. A decision regarding the successful company will be made in early 2012 with implementation prior to June 2012.

Local Service 6.3 – Community Engagement

What is Community Engagement?

This service aims to inform, involve and where possible collaborate with the community in key council decision making processes.

Report on Delivery Program Success Indicators

Local Service 6.3: Community Engagement				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Community Engagement	Community Satisfaction Survey	Maintained or Improved		6.34 in 2011 compared to 5.90 in 2009 which represents a statistically significant increase in community satisfaction for this service
Residents participating in Council's consultation and engagement processes will feel satisfied that they were engaged in the process	Satisfaction of participants	Stays the same or increases		Not determined. Work needs to commence in the coming 6 month period to determine methods to measure these indicators. Council will be preparing a Community Engagement Strategy in 2013/14 which will improve Council's engagement processes.
Council engages with a demographic diversity of residents that is consistent with the community's demographic composition	Diversity of community engaged responds to the community profile	Improving		Not determined. Work needs to commence in the coming 6 month period to determine methods to measure these indicators. Council will be preparing a Community Engagement Strategy in 2013/14 which will improve Council's engagement processes.

Report on Delivery Program Activities


Local Service 6.3: Community Engagement			
Activity	Council's Role	Success Indicators	Report on Activities
Community Engagement	Ongoing community consultation and engagement on key strategic issues and statutory processes	Number of engagement opportunities	4 Planning Proposals have been publicly exhibited during the period, and 3 DCP amendments.
		Amount of feedback received	2 submissions from the public were received in relation to Oran Park Town Centre Part B DCP and 23 from Camden stakeholders for Austral Leppington North Precincts

Local Service 6.4 – Community Information

What is Community Information?

This service aims to provide a customer service interface for the community to access Council services and make relevant information available on Council activities.

Report on Delivery Program Success Indicators

Local Service 6.4: Community Information				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Community Information	Community Satisfaction Survey	Maintained or Improved		7.06 in 2011 compared to 6.76 in 2009 which represents a statistically significant increase in community satisfaction for this service
Council's website becomes a recognised source of information for and communication with residents	Resident Telephone Survey	Stays the same or increases		5.7% stated that Council's website was their preferred method of receiving information about Council. This was first measured in the 2010 resident phone survey, so no comparison data will be available until the next survey in 2012.

Report on Delivery Program Activities

Local Service 6.4 - Community Information			
Activity	Council's Role	Success Indicators	Report on Activities
Customer Service	Provide and resource two Customer Service centres, manage incoming telephone calls. Establish and maintain a quality customer service culture within the Council.	Customers who contact Council's service centre are satisfied	Customer satisfaction levels are generally acceptable however difficulties with Council's current phone system do result in negative feedback.
	Develop Customer Service quality standards and provide training to staff	Number of enquiries at customer service centres	Whilst it is has not been possible to record all enquiries, it is evident that the growth of the Camden LGA is definitely increasing the number of face to face and phone enquiries. The proposed purchase of a new phone system may provide the ability to record the number of daily in-coming calls to Council.
Media and Communication	Develop Customer Service quality standards and provide training to staff	Customers who contact Council's service centre are satisfied	Customer Service Charters have been developed and will be presented to the Senior Management Team for final review in the coming months.
	Provide communication on Council meetings, activities and operations through Council's website, Let's Connect newsletter, press releases and question and answers	Information regarding Council's services and activities is readily available	The agreed internal service standard for the uploading of information to Council's website (3 business days) continues to be met.
		Opportunities for positive media exposure are maximised	Opportunities for radio interviews and newspaper articles have increased. Positive initiatives, events and information regarding Council activities are promoted and distributed to local and metropolitan media outlets on a regular basis.

Local Service 6.5 – Management of Emergency Events

What is Management of Emergency Events?

This service aims to plan, manage and where possible minimise the impact of emergency events and natural disasters.

Report on Delivery Program Success Indicators

Local Service 6.5: Management of Emergency Events				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
The Community is Satisfied with Council's Role in Management of Emergency Events	Community satisfaction survey	Maintained or improved		7.33 in 2011 compared to 7.75 in 2009 which represents a statistically significant reduction in community satisfaction
Disaster Plan remains current	Regular reviews completed	Completion		Review of local Disaster Plan is anticipated to be reported at the next Local Emergency Management Committee meeting on 26 April 2012.
Local emergency management committee is familiar with the facility and latest procedures	Feedback and evaluation following emergency management exercises	Stays the same or improves		Familiarity remains the same; there has not been any additional new procedures to be learnt.

Comment

Despite a reduction in satisfaction scores between the 2009 and 2011 surveys, the management of emergency events continues to be a service of relatively higher satisfaction when compared to other Council services. It received the third highest satisfaction score in 2009 (out of 21 services) and sixth highest in 2011 (out of 29 services). Given the infrequency of emergency events, and therefore the community's opportunity to experience Council's role in managing them, this is a service for which changes in satisfaction scores may be difficult to interpret.

Ongoing opportunities to profile Council's role, partnerships and facilities in preparation for an emergency event will continue to be important to maintain community awareness and confidence in this area.

Report on Delivery Program Activities

Local Service 6.5: Management of Emergency Events			
Activity	Council's Role	Success Indicators	Report on Activities
Local Emergency Management Committee	Chair the local Emergency Management Committee, provide Secretariat support for emergency services coordination and ensure plans are in place	Local emergency management plans are adopted	Local emergency management plans are adopted and all Local Emergency Management Committee's needs have been catered for
Risk Assessment	Identify local risks and manage options with emergency services	The risk register is updated annually	Local Emergency Risk Management Plans are being converted to integrate as appendices to the District Emergency Management Committee's plan
Emergency Operations	Update of Disaster Plans - Identification of vulnerable facilities	Facilities and plan updated	Identification of vulnerable facilities was recently completed, the review of local DISPLAN is in progress
	Plan and coordinate establishment of an Emergency Operations Centre in response to emergency events	Systems established in accordance with Management Plans	Emergency Operations Centre is ready for activation when an emergency event occurs
Support Emergency Services	Provide accommodation, equipment and funding for State Emergency Services and Rural Fire Services. Provide support in time of emergency.	Adequate level of facilities and equipment provided.	SES and RFS are provided with adequate facilities and equipment and other necessary support from Council
	Provide new facilities - Camden West	Construction on time and within budget	Preliminary work has commenced and will continue in the period of 1 January to 30 June 2012.

Local Service 6.6 – Support Services

What is Support Services?

This service aims to provide efficient and effective support services to all functional areas of Council. These Support Services include; Finance, Governance, Human Resources Management, Information Technology, Record Management and Risk Management.

Report on Delivery Program Success Indicators

Local Service 6.6: Support Services				
Indicator	Measure	Target	Result 1/7 to 31/12/11	Comment
Council's workforce is appropriately skilled, safe and stable	Skill measured by proportion of staff undertaking compulsory training.	All staff have completed compulsory training		Of the compulsory training conducted in the period the average attendance rate was 96%. Staff who were unable to attend the compulsory training are scheduled to complete the training at the first available date, which will be in the first half 2012.
	Safety measured by no. incidents, lost time from injury.	Safety - less incidents and less lost time.		32 incidents recorded for the reporting period, with 7 resulting in lost time. This compares with 31 injuries in the previous six month period, 19 of which resulted in lost time.
Information systems are reliable and technical support to users is provided promptly	Stability measured by staff turnover.	Stays the same or decreases		Turnover during the period was 8.5%, which was higher than usual due to a number of retirements. Benchmarking with other councils indicates that Camden Council's staff turnover tends to be lower, such as for the 10/11 financial year where Camden Council's turnover was 6% compared to 9.65% for other urban councils.
	System down time and customer response times (according to request type)	Systems running at or above 98%. Staff are satisfied with response times		All systems have experienced acceptable periods of downtime. During this period IT were required to upgrade Council's core operating system which did impact on IT's ability to respond to some support calls within an acceptable timeframe.
Council's finances are managed prudently	Unqualified audit report	Unqualified		Council received an unqualified audit report for the 2010/11 period. Council's next audit will be a half yearly audit to review Council's internal financial controls.
Council's finances are healthy	Financial Health Check Indicator - Unrestricted Current Ratio	Results are "green" or trending towards "green"		Ratio greater than 2.1 is a green rating - Council's ratio for 2010/11 was 2.27, and has risen steadily in the past few financial years
	Financial Health Check Indicator - Debt Service Ratio			Ratio less than 10% is a green rating - Council's ratio for 2010/11 was 4.96% and has improved compared to previous years

Financial Health Check indicator - Rates and Annual Charges Outstanding Percentage				Ratio less than 5% is a green rating. Council's ratio of 6.79% for the 2010/11 financial year constitutes an amber rating
Financial Health Check indicator - Buildings and Infrastructure Renewals Ratio				A ratio of 1:1 (\$1 funding available for every \$1 asset consumed) is considered the benchmark. Council's ratio for the 2010/11 financial year was 0.38.
Exit interview data initially. Staff satisfaction survey from 2012	Remains the same or increases			Exit interviews are conducted with some employees as they leave the organisation. Generally the feedback indicates that these employees consider Camden Council as a good place to work. Council will be undertaking an employee opinion survey in March 2012 and this will yield statistically valid results that can be tracked over time.
Camden Council is regarded as a good place to work.				Liability Claims: 52 in the period compared to 42 in the previous period Motor Claims: 22 compared to 23 previous period Property Claims: 2 compared to 5 in the previous period
Council's resources are well-protected through careful risk management processes	Decreasing.			

Comment – Buildings and Infrastructure Renewals Ratio

Council continues to have a low Buildings and Infrastructure Renewals Ratio, which means that our infrastructure renewals gap is larger than it should be. Council attempted to address this problem in applying for a special rate variation in 2009 to implement a Community Infrastructure Renewal Program to close this gap. Unfortunately the Minister for Local Government only approved this variation to rates for three years, which will not go near to closing the infrastructure renewal gap. Consideration of a future application to continue this rate variation beyond the three years forms part of Council's Long Term Financial Plan in order to address the gap and bring this indicator in line with the industry benchmark.

Report on Delivery Program Activities

Local Service 6.6: Support Services			
Activity	Council's Role	Success Indicators	Report on Activities
Finance	Prudent financial management, long term financial planning, financial health, financial reporting, cash control, integrity of financial data and rating	Unqualified audit report Financial health indicators are within industry benchmarks Rates are levied on time	Council received an unqualified audit report for the 2010/11 period. Council's next audit will be a half yearly audit to review Council's internal financial controls. These indicators would normally form part of the Council's year-end financial reports. Council's budget is in surplus and Council's long-term financial position remains satisfactory. All rates have been levied in accordance with the Local Government Act.
Governance	Statutory compliance with Local Government Act and various Division of Local Government Guidelines. Compliance with Government Information Public Access Act (GIPA), Legal and Property Management, Privacy and Personal Information Protection Act	Compliant with all Acts and Regulations Public access to information	Council has complied with all Circulars issued by the DLG Council received 4 formal GIPA applications, all GIPA applications have been responded to within the required timeframe
Information Technology	Planning, acquisition, development and maintenance of Council's electronic information systems	Key systems are safe, secure with minimal downtime	Council's systems have experienced acceptable levels of downtime. Council's core operating system has been successfully migrated to the latest version. This will allow process reviews and functionality that will improve the users experience in both response time and access to information.
Records Management	Manage all inward and outward correspondence, electronic and paper records	Compliance with State Records Act	Records processes and procedures have complied with the requirements of the State Records Act. Internal policies continue to be reviewed and updated to ensure best practice in records management.
Human Resources	Remuneration, recruitment and retention, training and supporting staff for all services. Provision of legislative and strategic HR advice, management of all related administrative and work place health and safety services. Also	Staff turnover rates are in line with industry average	The staff turnover rate for the six month period was 8.5% which is significantly higher than the previous six month period due to the high number of retirements.

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Attachment 1

	ensures Council's Workforce Plan is actioned, monitored and reviewed.	There is a culture of continuous learning and improvement	Employees continue to participate in a wide range of learning and development programs including mandatory/legislative requirements, job specific skill development and leadership programs.
	Identify, mitigate and manage risks associated with the operation of Council	Risks to Council are identified, prioritised and managed to reduce Council's exposure.	Risk assessments continue to be conducted on all work sites prior to commencement. Safe work methods statements are continually developed and reviewed. Risk assessments are also conducted on all Council assets and where necessary remediation programs are scheduled to mitigate risk. Appropriate insurance coverage is in place for all Council assets.
Risk Management		There is a safety culture throughout the organisation	The development of Council's OH&S System continues to provide a range of information and tools to assist in the creating and promoting a safety culture. This is further enhanced by the implementation of appropriate education programs.
	Development, adoption and implementation of a Risk Management Framework designed to identify, prioritise and mitigate Council's risk	Risk Management Framework and Plan adopted	Work continues on the development of Council's Risk Management Framework with an anticipated completion date in the second half of 2012.

ORDINARY COUNCIL

ORD07

ORD07

SUBJECT: INVESTMENT POLICY
FROM: Director Governance
BINDER: Investments

PURPOSE OF REPORT

For Council to consider the adoption of a new Investment Policy and the appointment of Oakvale Capital Ltd as Council's Investment Advisor.

BACKGROUND

Council's current investment policy has been in place since 2007. It is timely for Council to review this policy to ensure it represents best practice and complies with the Minister's Investment Order.

Council also went to a selective expression of interest for Investment advisory services to enhance the risk management of Council's \$63 million investment portfolio.

MAIN REPORT

Investment Policy

Council's proposed investment policy complies with the legislative requirements and best practice guidelines recommended by the Division of Local Government.

The policy is a conservative policy which is in line with Council's currently adopted policy. Some minor amendments have been made to the policy to ensure Council has a policy position on Unrated Australian Deposit taking Institutions (ADI's) which include NSW Treasury, Credit Unions and Building Societies. Council's position on Unrated ADI's was unclear in the adopted Investment policy.

The Councillor workshop identified some concern with the level of the portfolio that can be invested in some Unrated ADI's; the policy allows 10% of Council's portfolio but a maximum of 5% in any one institution. It should be noted that Council's proposed policy requires an independent financial review of an unrated financial institution before Council will invest funds with the institution.

Options available to Council for Unrated ADI's:

1. no change to the policy as recommended by Officers;
2. reduce the percentage of the portfolio to 5% and any individual institution to 2.5%;
3. only allow investment up to the Federal Government Guarantee of \$250,000 per institution (up to a maximum of 10% of the portfolio);
4. only allow investment up to the Federal Government Guarantee of \$250,000 per institution (up to a maximum of 5% of the portfolio); or
5. not allow any investment in Unrated ADI's (except NSW Treasury).

All investments have an element of risk. How Council controls or limits that risk defines the type of investment policy adopted by Council.

This policy has used the philosophy that the higher the risk the tighter the controls.

The risk management guidelines used to draft this policy include the following criteria:

1. Preservation of Capital – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);
2. Liquidity risk – the risk an investor is unable to redeem the investment at fair price within a timely period;
3. Diversification – setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;
4. Credit risk – the risk that a council has invested in fails to pay the interest and or repay the principal of an investment;
5. Market risk – the risk that the fair value of future cash flows of an investment will fluctuate due to changes in market prices;
6. Maturity risk – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities.

The risk profile of the new policy has been enhanced to include a 4 tier risk safety net which includes the following criteria relating to:

- Foreign Owned Banks - limit exposure to overseas financial markets;
- Institutional Credit Framework - limit exposure to individual institutions based on their credit ratings;
- Overall Portfolio Credit Framework - limit overall credit exposure of the portfolio. and;
- Term to Maturity Framework - limits based upon maturity of securities.

Since the Council workshop, an additional level of review has been undertaken by Council's external auditor to review the policy from a risk perspective. The following feedback has been received "The document is an appropriately structured policy. I agree that it appears to be a low risk policy – implementation and adherence to such a policy is important, we will look at those aspects during audit"

It is also important to note that had the new investment policy been in place during the Global Financial Crisis (GFC), Council would not have lost investment capital or interest as a result of the risk levels recommended in this policy.

A copy of the proposed Investment policy has been attached to this report.

Investment Advisor

Council's investment portfolio is now \$63 million and expected to grow as our Community grows to 250,000 people over the next 30 years. Managing Investment Risk is becoming more complicated. Council's responsibility is to prudently manage public money. It is identified as best practice to engage an independent investment advisor to add an additional layer of risk management.

The advantages of engaging an investment advisor include:

- a higher level of expertise supporting Council's investment decisions;
- the administrative support provided to Council's investment officer by assisting with risk analysis, institutions credit ratings, prudent investments, providing a summary of each day's investment rates offered by various institutions, improved reporting and independent assessment of the rates being offered to Council;
- a higher investment return through diversification and a longer term approach to investing funds;
- alert service on the credit rating of institutions;
- an independent assessment of the investment products being offered to Council that comply with Council's adopted investment policy;
- Independent assessment of unrated financial institutions before Council considers investing with the institution;
- annual review of Council's policy to ensure compliance with legislation and the Minister's Investment Order; and
- quarterly review of Council's investment strategy to ensure the highest rate of return on public money within the investment framework adopted by Council.

Council undertook a selective expression of interest (EOI) and received responses from 3 investment advisory services.

- Oakvale Capital Ltd
- Structured Credit – Research & Advisory
- CPG – Research & Advisory Pty Ltd

Officers met with each company and assessed their EOI using the following criteria:

- Experience in providing investment advisory services including policy advice;
- Local Government references;
- Qualifications of personnel providing the actual service to Camden Council;
- Demonstration of being an independent service;
- Value of quote and pricing structure;
- Demonstrated capacity to provide services and knowledge of Local Government Legislative requirements;
- Timeliness of advice and support; and
- Methodology used during engagement.

As a result of the assessment process it is recommended that Oakvale Capital Ltd be appointed as Council's investment advisor from 1 April 2012 to 30 June 2014. The cost of this service is \$24,000 per annum.

The assessment of each company can be found in **supporting documents**. Further information about each company is not provided in this report as the information is regarded as "commercial in confidence"

The service includes an annual review of Council's investment policy and a quarterly review of Council's investment strategy. It is expected that with diversification and a longer term approach to investing funds that increased returns will more than cover the cost of this service.

It is important to note that an investment advisor cannot recommend a product or financial institution for investment unless it complies with the Council's adopted Investment policy. The investment of funds is always invested in Council's name and is never transferred to or through the investment advisor. This is an advice service only.

CONCLUSION

Officers have undertaken a review of Council's investment policy and identified areas of improvement that will demonstrate best practice when investing public money. In the past, Camden Council has prudently taken a conservative approach to investing public money. The proposed investment policy is still regarded as conservative and has been reviewed by Oakvale Capital Ltd and Council's external auditor from a risk and compliance perspective.

Council has also undertaken a selective expression of interest to identify the right investment advisor for Camden Council. Oakvale Capital Ltd demonstrates independence from the financial sector and the experience to provide Council with the best possible investment outcome.

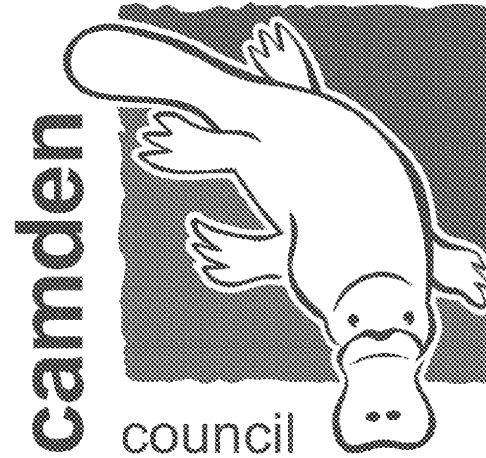
RECOMMENDED

That Council:

- i. adopt the recommended investment policy, as attached;**
- ii. engage Oakvale Capital Ltd as Council's investment advisor for the period 1 April 2012 to 30 June 2014; and**
- iii. fund the annual fee for service as identified in this report through investment income.**

ATTACHMENTS

1. Investment Policy
2. Investment Advisor Evaluation - *Supporting Document*



Investment Policy

Policy 5.33

ORD07

Attachment 1

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Attachment 1

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POLICY

Glossary of Terms

Authorised Deposit Taking Institutions (ADI)- these are either a Bank, Credit Union or Building Society that is authorised under the Banking Act 1959 (Cwth) to take deposits from customers. These institutions are monitored by the Government's financial regulator the Australian Prudential Regulatory Authority (APRA).

Approved Investments- Investments limited to those allowed by the Ministerial Investment Order. These include:

- *Commonwealth/State/Territory Government securities e.g. bonds*:-
These are interest paying securities which are issued by one of the above Australian government bodies and are guaranteed by that issuer. As such, these securities carry the same credit rating as the issuing government body.
- *Interest bearing deposits or senior bonds issued by an authorised deposit taking institution (ADI)*:-
These are interest paying securities such as term deposits and the senior bonds of an authorised deposits taking institution such as a bank, building society or credit union. The interest paid may be of a fixed and/or a variable/floating nature. Senior bonds are also commonly referred to as senior fixed or senior floating rate notes.
- *Bills of exchange, (<200 days duration), guaranteed by an authorised deposit taking institution (ADI)*:-
These are short term investments guaranteed by the issuing ADI and are purchased at a discount to the final price to be paid on maturity. These securities generally provide better accessibility than term deposits and carry the same credit rating of the comparable term deposit from the same issuing financial institution. These investments may also be known as bank bills.
- *Debentures issued by NSW Local Government*;
Debentures are income paying securities issued and guaranteed by a NSW Local Government entity.
- *Deposits with NSW Treasury &/or Investments in NSW Treasury Corporation's Hour Glass Facility*:-
Deposits with NSW Treasury Corporation are interest paying securities and are guaranteed by the NSW government. NSW Treasury Corporation Hour Glass Facilities are managed funds that invest in a range of pre-approved investments. Whilst some Hour Glass facilities eligible under NSW Local Government Ministerial Investment Order allow for investment in the share market, under Camden Council's Investment Policy only those options that are solely invested in the cash and fixed interest sectors are eligible.

Bank Bill Swap Rate (BBSW)- BBSW is the term used for interest rate swaps of six months or less and anything longer dated than six months is simply referred to as a swap rate.

Credit Risk – Credit risk is the risk of loss due to the failure of the institution/entity with which an investment is held to pay the interest and/or the principal of an investment.

DLG - NSW Division of Local Government, Department of Premier and Cabinet.

Interest Rate Risk – Interest rate risk is the risk that the fair value or future cash flow of an investment will fluctuate because of changes in market interest rates.

Investment Portfolio – The total pool of Council's cash and fixed income investments.

Liquidity Risk - Liquidity risk is the risk an investor is unable to redeem the investment at a fair price within a timely period.

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LGGR - Local Government (General) Regulation 2005 (NSW).

Market Risk - Market risk is the risk that the fair value or future cash flow of an investment will fluctuate due to changes in market prices.

Maturity Risk - Maturity risk is the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities.

Official Cash Rate - This is the rate set by the Reserve Bank of Australia and is seen as the "risk free rate" for cash investments.

Preservation of Capital - Preservation of capital refers to an investment strategy with the primary goal of preventing losses in an investment portfolio's total value.

Prudent person standard - Prudent person standard is a legal standard restricting the investing and managing of a client's account to what a prudent person seeking reasonable income and preservation of capital might exercise for his or her own investment.

Responsible accounting officer - Responsible Accounting Officer (RAO) of a council means a member of the staff of the council designated by the General Manager, or if no such member has been designated, the General Manager. (LGGR, clause 196)

Securities - For financial markets these are the many types of financial instruments (i.e., documents) that are traded in financial markets (except futures contracts), e.g., bonds and shares.

Term Deposit - Funds invested with a financial institution at a predetermined rate that applies for the duration of the deposit. The principal is held on deposit for a fixed term with interest payable at set periods during the term and/or on maturity. It is not a tradeable security and the investor generally is penalised if they need to withdraw the funds prior to the maturity date.

UBSWA Bank Bill Index - This is the generally accepted benchmark for short term, conservative cash and fixed income investors and allows performance benchmarking against a portfolio of 90 day bank bill over a specified period. This Index is the standard NSW Local Government industry standard

11am call deposits - Cash invested on an overnight basis. Funds can be recalled or re-invested before 11am on the following business day.



POLICY
1. PURPOSE OF THIS POLICY

The purpose of this Policy is to ensure that Council and its representatives exercise care, diligence and skill that a prudent person would exercise in investing Council's funds.

2. POLICY OBJECTIVE

To provide a framework for the investing of Council's surplus funds at the most favourable return available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

While exercising the power to invest, consideration needs to be given to the preservation of capital, liquidity and the return on investment.

- Preservation of capital is the main priority of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
- Investments are expected to achieve a market average rate of return in line with Council's risk tolerance.

3. POLICY GUIDELINES**3.1 Legislative Requirements**

All investments are to comply with the following:

- *Local Government Act 1993; S142 & S625*
- *Local Government (General) Regulation 2005; Clause 212*
- *NSW Trustee Act 1925; S14A(2), S14C(1)(2)*
- Ministerial Investment Order 2011;
- Local Government Code of Accounting Practice and Financial Reporting;
- Australian Accounting Standards; and
- Department of Local Government Circulars
- Department of Local Government Investment Guidelines

3.2 Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer or senior staff, subject to regular review. The Responsible Accounting Officer is the Manager of Corporate Services.

Delegated staff will have the appropriate level of skills to undertake the investment functions of Council.

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**POLICY**

Officers delegated to manage Council's investments shall be recorded and are required to acknowledge that they have received a copy of this Policy and understand their obligations in this role.

3.3 Prudent Person Standard

Council has a fiduciary responsibility when investing. Council's investments will be managed with care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

3.4 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

4. APPROVED INVESTMENTS

Investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth/State/Territory Government securities e.g. bonds;
- Interest bearing deposits or senior bonds issued by an authorised deposit taking institution (ADI);
- Bills of exchange, (<200 days duration), guaranteed by and authorised deposit taking institution (ADI);
- Debentures issued by NSW Local Government; and
- Deposits with NSW Treasury &/or Investments in NSW Treasury Corporation's Hour Glass Facility (Camden Council's Investment Policy further restricts investments in NSW Treasury Corporation's Hour Glass Facilities to those funds purely invested in the cash and fixed income sectors. Investment in those Facilities that have any share market exposure are not eligible to be invested in under Camden Council's Investment Policy).

5. CURRENCY

All investments must be made in Australian dollars only.

6. PROHIBITED INVESTMENTS

This investment policy prohibits but is not limited to any investment carried out for speculative purposes, including;

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.



POLICY

7. RISK MANAGEMENT GUIDELINES

Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance and are to be considered in light of the following key criteria:

1. Preservation of Capital – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);
2. Liquidity risk – the risk an investor is unable to redeem the investment at fair price within a timely period;
3. Diversification – setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk;
4. Credit risk – the risk that a council has invested in fails to pay the interest and or repay the principal of an investment;
5. Market risk – the risk that the fair value of future cash flows of an investment will fluctuate due to changes in market prices;
6. Maturity risk – the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities.

7.1 Credit and Maturity Guidelines

Investments are to comply with four key criteria relating to:

- **Foreign Owned Banks:** limit exposure to overseas financial markets;
- **Institutional Credit Framework:** limit exposure to individual institutions based on their credit ratings;
- **Overall Portfolio Credit Framework:** limit overall credit exposure of the portfolio, and;
- **Term to Maturity Framework:** limits based upon maturity of securities.

(a) Foreign Owned Banks

Foreign subsidiary banks which are monitored by the Australian Prudential Regulatory Authority (APRA) may be invested in subject to a maximum 25% of the total portfolio. Those entities listed as a Branch of a Foreign Bank whilst an Authorised Deposit Taking Institution (ADI) and eligible to be invested under the prevailing Ministerial Investment Order are not an approved investment institution under this Policy.

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(b) Institutional Credit Framework

Exposure to an individual institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA	A-1+	25%
AA	A-1	15%
A	A-2	10%
BBB	A-3	5%
Unrated Authorised Deposit Taking Institutions (ADI) which are Australian banks, credit unions or building societies	Unrated	5%
Unrated NSW Treasury Corp Hour Glass Facility - Cash and Strategic Cash options only **	Unrated **	25%

- or Moody's / Fitch equivalents

** Whilst these funds are unrated they provide a high degree of capital security as all underlying investments are highly rated.

In the case of Cash Facility these investments solely invest in minimum A1 short term and AA- long term rated investments and A2 short term and A long term in the case of the Strategic Cash Facility. They also provide Council with monthly income payments, diversification and quick access to funds.

If any of the Council's investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable. A resolution of Council is required for the early termination of an investment where a potential loss of Capital is to be realised.

Foreign subsidiary banks which are monitored by APRA may be invested in subject to a maximum 5% of the total portfolio in any single entity.

Council will not invest in unrated institutions until after a risk analysis is undertaken by Council's independent investment advisor. This review must demonstrate a level of security of Investment Capital and investment return before being considered for investment. Where Council invest funds with an unrated institution an annual risk analysis will be undertaken by Council's independent investment advisor to ensure the level of risk continues to be acceptable to Council.

The short-term credit rating limit will apply in the case of discrepancies between short and long-term ratings.

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(c) Overall Portfolio Credit Framework

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA	A-1+	100%
AA	A-1	75%
A	A-2	30%
BBB	A-3	10%
Unrated Authorised Deposit Taking Institutions (ADI) which are Australian banks, credit unions or building societies	Unrated	10%
Unrated NSW Treasury Corp Hour Glass Facility - Cash and Strategic Cash options only **	Unrated **	30%

*or Moody's / Fitch equivalents

(d) Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits		
Portfolio % ≤1 year	Min 40%	Max 100%
Portfolio % >1 year ≤3 year	Min 0%	Max 60%
Portfolio % >3 year ≤5 year	Min 0%	Max 30%

8. INVESTMENT STRATEGY

An Investment Strategy will run in conjunction with the Investment Policy. The investment strategy will be reviewed with an independent investment advisor once a quarter. The Strategy will outline:

- Council's cash flow expectations;
- Optimal target allocation of investment types, credit rating exposure and term to maturity exposure; and
- Appropriateness of overall investment types for Council's portfolio.

9. LIQUIDITY REQUIREMENTS

Liquidity refers to the minimum level of liquid funds available to finance day to day requirements. Cash flow must be monitored daily and Council will ensure that it has access to the required funds to meet liquidity needs.

10. INVESTMENT ADVISORS

Council's investment advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being

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recommended and is free to choose the most appropriate product within the terms and conditions of this Investment Policy.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed. The advisor shall also assist Council to ensure that the commercial terms on which Council is offered investments by banks, fund managers, issuers and brokers are fair and reasonable

11. MEASUREMENT

The investment return for the portfolio is to be regularly reviewed by an independent financial advisor by assessing the market value of the portfolio. The market value is to be assessed at least once a month to coincide with monthly reporting.

12. PERFORMANCE BENCHMARKS

The performance of the investment portfolio shall be measured against the industry standard UBSW 90 Day Bank Bill Index and/or the Official Cash Rate.

Monies invested "At Call" should where possible reference the Official Cash Rate.

13. REPORTING AND REVIEWING OF INVESTMENTS

Documentary evidence must be held for each investment and details thereof maintained in an investment Register.

The documentary evidence must provide Council legal title to the investment.

All investments are to be appropriately recorded in Council's financial records and reconciled monthly to the General Ledger.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of investments currently held by Council, including the investments' maturity dates and interest rate return and the issuing institution.

14. REVIEW OF INVESTMENT POLICY AND VARIATION TO INVESTMENT POLICY

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes or extreme market changes. The General Manager or his/her delegated representative is authorised to approve variations to this Policy if the investment is to council's advantage and/or due to revised legislation.

All changes to this Investment Policy are to be reported to Council as soon as practicable with any amendments to the Investment Policy to ultimately be by way of Council resolution.



POLICY**15. AUDIT REQUIREMENTS**

Council's external auditors will require independent certification from the relevant financial institutions (banks, fund managers, etc) to confirm the balance of investments held on Council's behalf at the end of the financial year.

Council's external auditor will also periodically review the adequacy of the investment policy, strategy and managements' internal controls as part of their audit review program.

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16. SCHEDULES (twelve pages)

- Schedule 1 – Standard's & Poor's Ratings Description;
- Schedule 2 – Copies of Relevant Legislation

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SCHEDULE 1(two pages)

Standard & Poor's Ratings Description

Credit Ratings

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation — based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment.
- Nature and provisions of the obligation.
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Short-Term Obligation Ratings are:

A-1: This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

A-2: A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

A-3: A short-term obligation rated A-3 exhibits adequate protection parameters.

However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Long-Term Obligations Ratings are:

AAA: An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA: An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A: An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligors' capacity to meet its financial commitment on the obligation is still strong.

BBB: An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to

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lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

Unrated: Financial institutions do not necessarily require a credit rating from the various ratings agencies such as Standard and Poor’s and these institutions are classed as “Unrated”. Most Credit Unions and Building Societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all Authorised Deposit Taking Institutions (Banks, Building Societies and Credit Unions).

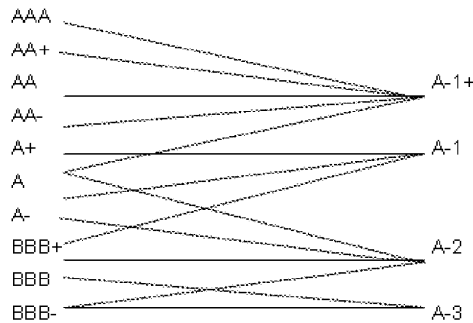
Plus (+) or Minus (-): The ratings from “AA” to “BBB” may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories. Each new investment and investment recall requires two authorised signatories.

CreditWatch highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

A Rating Outlook assesses the potential direction of an issuer’s long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily a precursor of a ratings change or future CreditWatch action. A “Rating Outlook – Positive” indicates that rating may be raised. “Negative” means a rating may be lowered. “Stable” indicates that ratings are not likely to change. “Developing” means ratings may be raised or lowered.

S&P Ratings Correlations

The standard correlation of short-term ratings with long-term ratings is shown below.





POLICY**SCHEDULE 2 (seven pages) :***Extracts of Legislative Requirements***LOCAL GOVERNMENT ACT 1993 - SECT 412 & 625****Section 412 Accounting Records**

- (1) A council must keep such accounting records as are necessary to correctly record and explain its financial transactions and its financial position.
- (2) In particular, a council must keep its accounting records in a manner and form that facilitate:
 - (a) the preparation of financial reports that present fairly its financial position and the results of its operations, and
 - (b) the convenient and proper auditing of those reports.

Section 625 How May Councils Invest?

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section.

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THE TRUSTEE AMENDMENT (DISCRETIONARY INVESTMENTS) ACT 1997 – SECTIONS 14A(2), 14C (1) & (2)

14A (2) Duties of trustee in respect of power of investment

A trustee must, in exercising a power of investment:

- (a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
- (b) if the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

14C Matters to which trustee is to have regard when exercising power of investment

(1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:

- (a) the purposes of the trust and the needs and circumstances of the beneficiaries,
- (b) the desirability of diversifying trust investments,
- (c) the nature of, and the risk associated with, existing trust investments and other trust property,
- (d) the need to maintain the real value of the capital or income of the trust,
- (e) the risk of capital or income loss or depreciation,
- (f) the potential for capital appreciation,
- (g) the likely income return and the timing of income return,
- (h) the length of the term of the proposed investment,
- (i) the probable duration of the trust,
- (j) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,
- (k) the aggregate value of the trust estate,



POLICY

- (l) the effect of the proposed investment in relation to the tax liability of the trust,
 - (m) the likelihood of inflation affecting the value of the proposed investment or other trust property,
 - (n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,
 - (o) the results of a review of existing trust investments in accordance with section 14A (4).
- (2) A trustee may, having regard to the size and nature of the trust, do either or both of the following:
- (a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,
 - (b) pay out of trust funds the reasonable costs of obtaining the advice.

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LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - CLAUSE 212**212 Reports on council investments**

- (1) The responsible accounting officer of a council:
- (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
 - i) if only one ordinary meeting of the council is held in a month, at that meeting, or
 - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
 - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- (2) The report must be made up to the last day of the month immediately preceding the meeting.

Note. Section 625 of the Act says how a council may invest its surplus funds.

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POLICY



Circular No. 11-01
Date 17 February 2011
Doc ID: A232163

Contact: Finance Policy Section
02 4428 4100
dig@dig.nsw.gov.au

REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10- 11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

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LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER
(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 825(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 825 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council within the meaning of the *Local Government Act 1993* (NSW);
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days, and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply in any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.

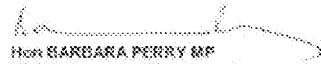
All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 11th day of January 2011


Hon. BARBARA PERRY MP
Minister for Local Government



POLICY

Recommendations from the Review of NSW Local Government Investments –Final Report - Michael Cole, April 2008

Recommendation 1: All investment instruments (debentures, securities, stocks and deposits, but excluding discount instruments such as bills of exchange) in the Investment Order be defined to include both principal and investment income.

Recommendation 2: All existing investments by NSW Councils that may be excluded by any proposed changes to the Investment Order are to be grandfathered. For the avoidance of doubt, existing securities that become ultra vires under the proposed amendments to the Investment Order can continue to be held to maturity, redeemed or sold, but new investments must comply with the amended Investment Order. Note that investment portfolio restructurings / switches currently being offered by product manufacturers or advisors are specifically excluded from consideration if the switch investments are outside the amended Investment Order. If the proposed switch investment is within the amended Investment Order all transactions must be on a market value basis. Book value transactions are explicitly prohibited.

Recommendation 3: Product manufacturers / distributors should be excluded from being appointed investment advisors to Councils.

Recommendation 4: Investments specified in k) and l) of the Investment Order be suspended for the period to 31/12/2009 and be subject to a further review after this period to determine the relevance of using a credit ratings based approach to determining authorised investments, particularly in light of the current CDO credit experience. It should consider whether to restore the current investment powers under k) and l). Any such review should have specific regard to the trade-off between the cost of Government monitoring and Council compliance which would be required, and the prospective incremental investment return.

Recommendation 5: It is recommended that the current partial deregulation model operating in New South Wales be retained with the modifications suggested in Points 4.13, 4.15, 4.18 and 4.30 of this report, as well as the minor modifications set out in Points 4.39 and 4.41. Consistent with the existing Investment Order, interest income and capital growth investment options will continue to be available through the TCorp Hour-Glass Investment Facilities. This outcome provides a number of the advantages highlighted in the centralised model in section 6.19.

Recommendation 6: It is most important that the Councils' fiduciary responsibility in relation to investment activities under the *Local Government Act 1993*, should be reinforced strongly. All participants should be made explicitly aware of the obligations under the *NSW Trustee Act 1925*, and be requested to sign to acknowledge the same. Inclusion of the relevant sections of the Trustee Act in the Investment Order may also assist in this regard. In particular, it is important that long term assets including Section 94 funds are invested in a manner consistent with meeting future liabilities, on the basis that the nominal return sought is consistent with an acceptable level of investment risk.

Recommendation 7: With regards to the Investment Order section (m), permitted investments in securities should explicitly exclude subordinated obligations. The permitted investments under (m) must rank pari passu with deposits of the same group entities; under (f) mortgages over land should be restricted to first mortgages with a Loan to Value ratio of no greater than 60%, and under (g), permitted land investments are to explicitly exclude ASX listed property trust investments.

Recommendation 8: The NSW Department of Local Government should give consideration to releasing a document, similar in content to the Western Australian Department of Local Government and Regional Development, Investment Policy – Local Government Operational Guidelines- Number 19, February 2008 (refer Appendix C). Further as noted in this document, there are deemed to be significant benefits from external monitoring: "a well constructed investment policy with clear objectives will facilitate an external review. The review should act as an intermediary to confirm that the investments explicitly align with the investment policy."(7-3/92)



ORD08

ORDINARY COUNCIL

ORD08

SUBJECT: INVESTMENT MONIES- FEBRUARY 2012
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 29 February 2012 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 5.88% p.a. for the month of February 2012.

The Principal Accounting Officer is the Manager Corporate Services.

RECOMMENDED

That Council:

- i. 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. Notes the list of investments for February 2012; and**
- iii. Notes the weighted average interest rate return of 5.88% p.a. for the month of February 2012.**

ATTACHMENTS

1. Investment Monies

CAMDEN COUNCIL

Investments as at: 29th February 2012

INSTITUTION (Long term / short term credit ratings)	TYPE	IBD NO.	TERM	MATURITY DATE	INTEREST RATE (p.a.)	PORTFOLIO %	INVESTMENT AMOUNT
WESTPAC	TD	2502	147	12-Jul-12	5.82%		3,000,000
AA / A-1+	TD	2503	147	19-Jul-12	5.88%		1,500,000
	TD	2476	153	25-Apr-12	5.80%		1,500,000
	TD	2483	183	7-Jun-12	5.95%		1,000,000
	TD	2504	98	6-Jun-12	5.91%		1,500,000
						14%	<u>8,500,000</u>
BANK WEST	TD	2470	182	19-Apr-12	5.75%		1,000,000
AA / A-1+	TD	2482	97	7-Mar-12	5.80%		1,000,000
	TD	2488	92	22-Mar-12	6.00%		2,000,000
	TD	2475	113	8-Mar-12	5.60%		2,000,000
	TD	2492	91	12-Apr-12	6.00%		2,000,000
	TD	2487	90	14-Mar-12	6.00%		1,000,000
						14%	<u>9,000,000</u>
NAB	TD	2497	118	23-May-12	5.90%		1,500,000
AA / A-1+	TD	2500	147	28-Jun-12	5.80%		2,000,000
	TD	2478	121	29-Mar-12	5.89%		2,000,000
	TD	2486	125	18-Apr-12	5.97%		2,500,000
	TD	2495	125	17-May-12	6.05%		1,500,000
	TD	2494	111	3-May-12	6.05%		1,500,000
	TD	2496	121	24-May-12	5.89%		2,000,000
						21%	<u>13,000,000</u>
ING DIRECT	TD	2499	141	21-Jun-12	5.69%		1,500,000
A+ / A-1						2%	<u>1,500,000</u>
SUNCORP METWAY	TD	2474	112	1-Mar-12	5.66%		1,000,000
A+ / A-1	TD	2471	183	26-Apr-12	5.79%		1,000,000
	TD	2501	183	16-Aug-12	6.00%		1,500,000
	TD	2481	105	15-Mar-12	5.70%		2,000,000
	TD	2489	105	5-Apr-12	6.00%		1,000,000
	TD	2490	84	15-Mar-12	6.00%		2,000,000
	TD	2491	182	5-Jul-12	5.99%		2,000,000
	TD	2493	84	5-Apr-12	6.00%		1,500,000
	TD	2498	135	14-Jun-12	5.89%		2,500,000
						23%	<u>14,500,000</u>
ST GEORGE	TD	2477	99	8-Mar-12	5.80%		1,000,000
AA / A-1+	TD	2473	183	10-May-12	5.81%		2,500,000
	TD	2484	189	15-Jun-12	5.86%		2,000,000
	TD	2480	182	31-May-12	5.82%		2,000,000
						12%	<u>7,500,000</u>
CBA	CALL			Call	4.75%	14%	8,805,000
AA / A-1+							
TOTAL INVESTMENTS HELD						100%	<u>62,805,000</u>

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CAMDEN COUNCIL

Investments as at: 29th February 2012

SOURCE OF FUNDS INVESTED	
SEC 94 DEVELOPER CONTRIBUTIONS	25,215,000
RESTRICTED GRANT INCOME	700,600
EXTERNALLY RESTRICTED RESERVES	13,702,000
INTERNALLY RESTRICTED RESERVES	16,453,000
GENERAL FUND	6,734,400
TOTAL	62,805,000

Council's investment portfolio has increased by \$2.9 million since the January reporting period. The increase is primarily a result of the receipt of the third instalment payments for rates and annual charges.

NUMBER OF INVESTMENTS	32
AVERAGE DAYS HELD	132
AVERAGE PERCENTAGE	5.88% p.a.
WEIGHTED PORTFOLIO RETURN	5.88% p.a.
CBA CALL ACCOUNT *	4.75% p.a.
HIGHEST RATE	6.05% p.a.
LOWEST RATE	5.60% p.a.
BUDGET RATE	5.90% p.a.
AVERAGE BBSW (30 Day)	4.37% p.a.
AVERAGE BBSW (90 Day)	4.46% p.a.
AVERAGE BBSW (120 Day)	4.47% 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/TCD - 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

ORD09

ORD09

SUBJECT: NATION BUILDING BLACK SPOT PROGRAM - ELIZABETH
MACARTHUR AVENUE / REMEMBRANCE DRIVEWAY -
INTERSECTION TREATMENT
FROM: Director Works & Services
BINDER: Grants and Subsidies / Programs / Federal Accident Blackspot

PURPOSE OF REPORT

To seek Council acceptance of funding under the Nation Building Black Spot Program, for works at the intersection of Elizabeth Macarthur Avenue and Remembrance Driveway (former Old Hume Highway), Camden South.

BACKGROUND

Remembrance Driveway, Camden South, is classified as a State Road and as such, the NSW Roads and Maritime Service (RMS) as the Road Authority has investigated road safety at the intersection with Elizabeth Macarthur Avenue. In response to crashes that have occurred, the RMS applied for Nation Building Black Spot Program funding in 2011/12 for a proposal to close the median on Remembrance Driveway at the intersection. This application was successful in securing funding.

Subsequently, both members of the community and Council expressed concerns that this proposal would create significant detours and increase road safety hazards at other intersections on Remembrance Driveway and elsewhere, resulting in further congestion throughout the local network. Council was therefore requested by the RMS to explore alternative Black Spot Program treatments that could be delivered within the existing \$100,000 budget, and would give an acceptable benefit/cost ratio using the same program funding and assessment criteria. This was done to help ensure the integrity of the assessment process.

MAIN REPORT

Council has now been advised by the RMS, as administrators of the Black Spot Program in New South Wales, of funding being made available to Council to undertake road safety improvements in Elizabeth Macarthur Avenue in 2011/12 and 2012/13.

Taking account of the five year historical crash data for the intersection, the following alternative measures have been identified by Council in conjunction with the RMS:

- to convert the Give Way on Elizabeth Macarthur Avenue to Stop control;
- to move the Stop line forward using a kerb extension on Remembrance Driveway; and
- to install a median island in Elizabeth Macarthur Avenue with a Stop sign.

These works are considered to be a “minor intersection sign treatment” or “MIST” work.

The measures are designed to provide better visibility to drivers, marginally reducing the distance required by drivers to cross Remembrance Driveway when turning right from Elizabeth Macarthur Avenue, and to reduce potential conflict between turning

vehicles. These measures have been estimated to cost \$100,000 in total for design and installation. A proportion of this funding is required to realign the kerbs at the intersection and to ensure that buses can continue to turn safely. Based on this cost estimate, the combined benefit/cost ratio of the measures has been calculated at 9.3 (using the RMS' Human Capital Cost calculation). This compares favourably with other applications received by the Program and has the support of the RMS as a treatment which will help reduce the road safety risk at the intersection.

As Elizabeth Macarthur Avenue is a local road, the Federal Government's Department of Infrastructure and Transport, RMS and Council have agreed in principle that Council could undertake these works. The RMS' advice to Council of 100% funding for the design and construction being provided by the Nation Building Black Spot Program is provided as **Attachment 1** at the end of this report. The program of works requires that design and public consultation be completed by 30 June 2012. Subject to Local Traffic Committee concurrence and Council approval of the design, final confirmation would then be required from the Department of Infrastructure and Transport, with construction requiring completion by 31 December 2012.

A Black Spot Program application was submitted by Council in August 2008 to carry out an upgrade to a seagull intersection at the intersection of Elizabeth Macarthur Avenue and Remembrance Driveway. At that time, the proposal generated a benefit/cost ratio of 3.7 and was unsuccessful in securing funding. The works now being proposed do not preclude the intersection being further upgraded in the future. However, because the RMS is the Road Authority for Remembrance Drive, any further proposals would require its concurrence. Should funding be accepted under the Black Spot Program, the site would not be eligible for a further application under the Black Spot Program for five years after construction of this facility. However, this work would not preclude other work being funded from other sources.

One of the key requirements of this new approval is the requirement to undertake community consultation. Council has regularly received comment on the various proposals put forward in relation to Black Spot Program funding for this intersection from a small cross section of residents. A wider and more formal consultation process will be undertaken should Council accept this current offer.

FINANCIAL IMPLICATIONS

The allocated Nation Building Black Spot Program funds do not require matching funding from Council. The Program is making available to Council \$7,000 in 2011/12 and \$93,000 in 2012/13 for the Elizabeth Macarthur Avenue/Remembrance Driveway Minor Intersection Sign Treatment. There are no financial implications to Council in accepting the funds, other than a commitment to complete public consultation and design by 30 June 2012, and construction by 31 December 2012.

Ongoing sign and line marking maintenance can be funded from block grants provided annually by the RMS.

CONCLUSION

The RMS has advised Council of an allocation of grant funding available in 2011/12 and 2012/13 from the Nation Building Black Spot Program available for MIST works on Elizabeth Macarthur Avenue at the intersection with Remembrance Driveway. It is recommended that Council accepts the funding.

RECOMMENDED

That Council:

- i. accepts Federal Government funding of \$7,000 in 2011/12 and \$93,000 in 2012/13 under the Nation Building Black Spot Program towards the Elizabeth Macarthur Avenue/Remembrance Driveway Minor Intersection Sign Treatment;**
- ii. authorises the relevant documentation to be completed under Council Seal as necessary; and**
- iii. undertakes the required community consultation on the proposed treatment and provides feedback on this consultation to the RMS and the Federal Department of Infrastructure and Transport.**

ORD09

ATTACHMENTS

- 1. 2011-12 Program Funding - Elizabeth Macarthur and Remembrance Driveway (Old Hume Highway), Camden South**

ORD09

Attachment 1

Transport
Roads & Maritime
Services

14/3/2012

11M1291/1

The General Manager
Camden Council
DX 25807
CAMDEN NSW 2148

Dear Sir

**2011-2012 Program Funding – Elizabeth Macarthur Avenue and Old Hume Highway
(Remembrance Drive), Camden South.**

I refer to previous correspondence regarding the request for a variation to the approved project at the intersection of Elizabeth Macarthur Avenue and Old Hume Highway (Remembrance Drive), Camden South in the 2011/2012 Nation Building Blackspot Program.

I wish to advise that the Nation Building Blackspot Funding variation submitted by Council has been approved. To ensure that Council has sufficient time and resources to undertake development and implementation of the project, approval has been granted for the project to be split over two financial years.

The new project allocation is as follows,

Location: Elizabeth Macarthur Ave and Old Hume Highway (Remembrance Dr), Camden South.
WBS: S/06101

Project scope: installation of MIST, kerb extensions and stop signs

Funding Allocation:

2011/12 allocation till 30 June 2012 - \$7000;
100% Federal Funding for the preparation of detail plans, completion of the community consultation and Council approvals

2012/13 allocation till 30 December 2012 - \$93,000;
100% Federal Funding for the completion of construction

Total allocation: \$100,000

Roads & Maritime Services

L27-31 Argyle Street Parramatta NSW 2150.
PO Box 973 Parramatta CBD NSW 2124 DX 28555 .
www.rms.nsw.gov.au |

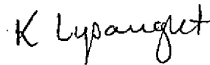
Council is requested to proceed with completing the project. Council is also requested to forward to RMS a copy of the detail design plans, outcomes of the consultation process and Councils approvals before 30 June 2012.

Council is reminded that the project should be completed by the 30 December 2012 and this date cannot be extended. For reporting purposes, please ensure that the revisions for this project are updated in the monthly reporting table.

Please note that all conditions as outlined in the Authority's previous letter regarding program funding apply to this varied project.

Should you require any additional information or wish to discuss this matter further please do not hesitate to contact Mrs Maria Swallow on 8849 2030 during office hours

Yours faithfully



Ken Lysaught *per ULS*
Manager, Road Network Services, West

ORD09

Attachment 1

ORDINARY COUNCIL

ORD10

SUBJECT: ALTERNATE SITES FOR A POLICE CITIZENS' YOUTH CLUB (PCYC)
FROM: Director Works & Services
BINDER: community facilities, funding

PURPOSE OF REPORT

This report provides alternate sites, in addition to the existing site currently identified and quarantined by Council in 2007, for the purpose of establishing a Police Citizens' Youth Club (PCYC).

BACKGROUND

In 2007 Council identified and quarantined a section of Hilder Reserve in Elderslie as the site for a future PCYC. In October 2011 the NSW Government called for Expressions of Interest to be submitted for funding, to establish new PCYCs. Council resolved to submit an EOI to establish a PCYC at the Hilder Reserve site. Following subsequent requests from Councillors, additional alternate sites have been identified and considered for their suitability.

MAIN REPORT

Council currently has very limited funding available for purchase of additional property at this time. Accordingly, earlier considerations for the siting of a PCYC have been based on the initial contribution from Council toward a PCYC largely being by way of land.

Following is a list of potential sites which were considered, including advantages and disadvantages associated with each location:

Hilder Reserve Elderslie (2 sites):

Hilder Reserve (southern end – current site)

- close to high school, adjacent to sporting fields and Kirkham Park
- some physical constraints on the site due to drainage
- building would be close to existing residential dwellings
- not in current or projected highest place of demographic need. This latter aspect, however, is a lesser consideration as it is unlikely that there would be more than one PCYC in the LGA.

Hilder Reserve (northern corner)

- further away from existing dwellings than the south end of Hilder Reserve site
- flooding constraints, as area is designed as a drainage detention area
- loss of a sporting field
- not in current or projected highest place of demographic need. This latter aspect, however, is a lesser consideration as it is unlikely that there would be more than one PCYC in the LGA.

Hartley Reserve (cnr Narellan Rd and Hartley Drive, Currans Hill):

- no existing site use
- highly visible site, adjacent to public transport route, however located on an extremely busy intersection
- site is long and narrow, and not conducive to optimum building footprint
- some constraints due to electricity transmission lines

Sports Alive Complex, Smeaton Grange:

- existing building currently on the market, however funds are not currently available for purchase.
- the cost associated with purchase, and the considerable works and improvements that would be required are a significant disadvantage
- major safety concerns relating to visibility of parking area
- indirect vehicular and pedestrian access (access only via Smeaton Grange Road, despite the site being highly visible from Narellan Road)

Elizabeth Park, Mt Annan:

- adjoins existing schools
- target group higher proportion of area's current demographics
- good visibility
- proximity to some nearby residential dwellings
- would result in a reduction of available sporting fields

Kirkham Park, Elderslie:

- close proximity to sporting fields, BMX and skate park
- flood affected - limits building opportunities
- would require additional land purchase (to replace loss of land for planned sports fields)

Mount Annan Leisure Centre (extension), Mt Annan:

- provides indoor sports facility adjacent to other leisure facilities
- separate management groups could present operational issues
- target group higher proportion of area's current demographics
- limited size of site, existing parking issues exacerbated, therefore additional parking would also be required

Hope Christian School, Narellan:

- currently on the market, however funds are not available for purchase at this time.

Gregory Hills Open Space, Gregory Hills:

- not in close proximity to any existing residential dwellings
- land is to be dedicated to Council as part of VPA
- current owner supports this option and has indicated it will actively assist
- on planned bus route
- the land is not classified as flood prone and there appears to be no identified issues or constraints associated with this land

- adjacent to future sporting facilities and parking with additional space available if needed
- reasonably central future location in terms of LGA wide access

At this time it is important that Council identifies an appropriate site and advises any change to the EOI currently submitted. Given the high level of concern expressed by adjoining residents regarding the initially identified site at Hilder Reserve, and the availability of an alternate site which is suitable for the purpose, the Gregory Hills Open Space site could be confirmed as Council's preferred site for the establishment of a PCYC, and quarantined for that purpose.

Council identified the Hilder Reserve site in 2007 before adjoining homes were built, therefore should be able to proceed with the original site should it choose to do so. However, a suitable alternate site is available at Gregory Hills and it is therefore recommended as the preferred site. Should Council accept the recommendation of the alternate site, a number of actions can be taken to ensure potential adjoining land owners are aware of the project. The actions proposed include:

- the current land owner be requested to provide signage advising of the proposed use of the Gregory Hills site;
- the current land owner provide the information to any potential purchaser of land nearby; and
- that Council's mapping system also be updated to include the information relating to the proposed use.

CONCLUSION

The benefits of establishing a PCYC in the Local Government area are numerous, most notably, the provision of full time staff to provide programs and activities for young people being funded externally. This will assist in meeting a long standing community need, first identified in the Youth Strategic Plan in 2005; a need which will continue to grow as our population increases.

The availability of a site in the new area of Gregory Hills, which is the site more central in the LGA, with no impact on existing residents and with less constraints than other potential sites, is recommended to Council.

RECOMMENDED

That Council:

- i. confirms the site in Gregory Hills as its preferred site for a PCYC;**
- ii. quarantine the site in the open space area in Gregory Hills for a period of five years for the purposes of establishing a PCYC;**
- iii. request that the developer provide signage advising of the proposed use of the land and that purchasers and potential purchasers also be advised of the proposed use; and**
- iv. advise the NSW PCYC of the change in the site identified in the expression of interest for a PCYC to be established in Camden.**



ATTACHMENTS

1. Alternate Site - PCYC - Gregory Hills - Site Map
2. Alternate Site PCYC - Gregory Hills - *Supporting Document*

ORD10

Attachment 1
ORD10





ORDINARY COUNCIL

ORD11

ORD11

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - EXTRACTION OF COAL SEAM GAS
FROM: Cr Cagney
BINDER: Extraction of Coal Seam Gas

“I Councillor Cindy Cagney hereby give notice of my intention to move the following at the Council Meeting of 27 March 2012:”

That a report be submitted to Council at the earliest opportunity, outlining the issues surrounding the extraction of coal seam gas, in or near, residential development; with a view to Council determining a policy position on the matter.

RECOMMENDED

That a report be submitted to Council at the earliest opportunity, outlining the issues surrounding the extraction of coal seam gas, in or near, residential development; with a view to Council determining a policy position on the matter.



ORD12

ORDINARY COUNCIL

ORD12

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - PROPOSED RENAMING OF PART OF COBBITTY ROAD, ORAN PARK

FROM: Cr Patterson, Cr Symkowiak, Cr Funnell, Cr Dewbery

BINDER: Proposed Renaming

“We Councillors Chris Patterson, Lara Symkowiak, David Funnell and Debbie Dewbery hereby give notice of my intention to move the following at the Council Meeting of 27 March 2012:”

Council commence the process of renaming Cobbitty Road between The Northern Road and Oran Park Drive to John Marchiori Drive.

John Marchiori and his family lived along Cobbitty Road, Cobbitty and John was a local race driver who often raced at Oran Park. In November 1966, at the age of 27, while participating in a race at Oran Park, John Marchiori’s Lotus rolled and he died from his injuries.

RECOMMENDED

That Council commence the process of renaming Cobbitty Road between The Northern Road and Oran Park Drive to John Marchiori Drive.