



Camden Council

Business Paper

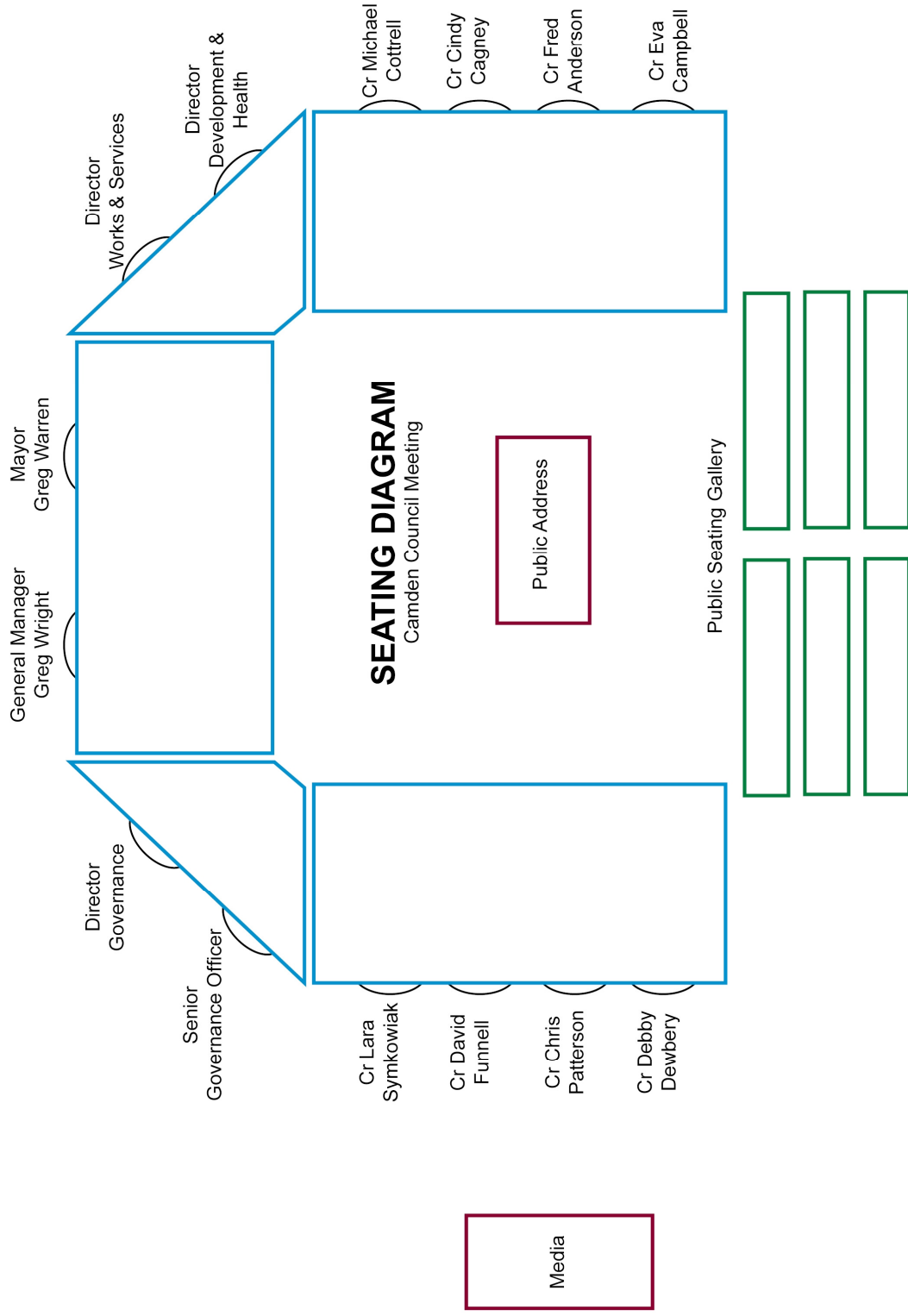
Ordinary Council Meeting
10 July 2012

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 by members of the public 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 26 June 2012 and the Minutes of the Local Traffic Committee meeting held 19 June 2012.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 26 June 2012, and the Minutes of the Local Traffic Committee Meeting held 19 June 2012, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: SUBDIVISION OF LAND TO CREATE 35 RESIDENTIAL LOTS AND 3 RESIDUE LOTS AT NOS 120 (LOT 1, DP 228039), 110 (LOT 1, DP 1132985) & 110A (LOT 2, DP 1132985) SPRINGS ROAD, SPRING FARM

FROM: Director, Development and Health

BINDER: Development Applications 2010/DA1271/2010

DA NO: 1271/2010

OWNER: Cornish Group Pty Ltd

APPLICANT: Paul Hume

ZONING: R1 General Residential

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Development Application (DA) for a residential subdivision on this site. The application is referred to Council in accordance with its delegations due to unresolved issues raised in three submissions from one adjoining land owner.

SUMMARY OF RECOMMENDATION

It is recommended that Council approve this DA subject to the draft development consent conditions provided at the end of this report.

BACKGROUND

In July 2009, DA 594/2009 was lodged for the subdivision of land at 110 Springs Road to create 96 residential lots and 10 residue lots. The lot and road layout proposed by this DA was inconsistent with the Spring Farm Master Plan in the then adopted Camden Development Control Plan 2006.

At the Ordinary Council meeting of 25 January 2011, Council resolved to approve DA 594/2009 subject to a resolution stating that "*...any future DAs within the south village which are inconsistent with the Spring Farm Master Plan must be supported by a formal amendment to the Spring Farm Development Control Plan.*"

On 19 May 2011, Cornish Group lodged a planning proposal with Council to amend Camden Local Environmental Plan 2010 (LEP) to rezone additional land for residential purposes in the south and west villages. This planning proposal also incorporated amendments to the Spring Farm Master Plan in Camden Development Control Plan 2011 (DCP).

This planning proposal was reported to the Ordinary Council meeting of 13 December 2011, where it was supported and referred to the Department of Planning and Infrastructure (DPI) for a gateway determination.

At the Ordinary Council meeting 22 May 2012, Council resolved to approve DA 627/2011 for the subdivision of land into 99 residential lots and 1 residue lot in south village. DA627/2011 was consistent with the planning proposal.

The planning proposal was re-reported to the Ordinary Council meeting of 12 June 2012, where it was resolved to adopt it into Camden Development Control Plan 2011.

The DA, the subject of this report, was lodged on 9 November 2010 and has been publicly notified with three submissions received.

THE SITE

The site is located on the southern side of Springs Road, south-west of the intersection with Richardson Road in Spring Farm (as shown in Figure 1 below). The site is rectangular in shape and is vacant with the exception of a temporary transmission line which currently burdens the site. The land south of Springs Road rises sharply before falling gradually across the subject site to the south-west.

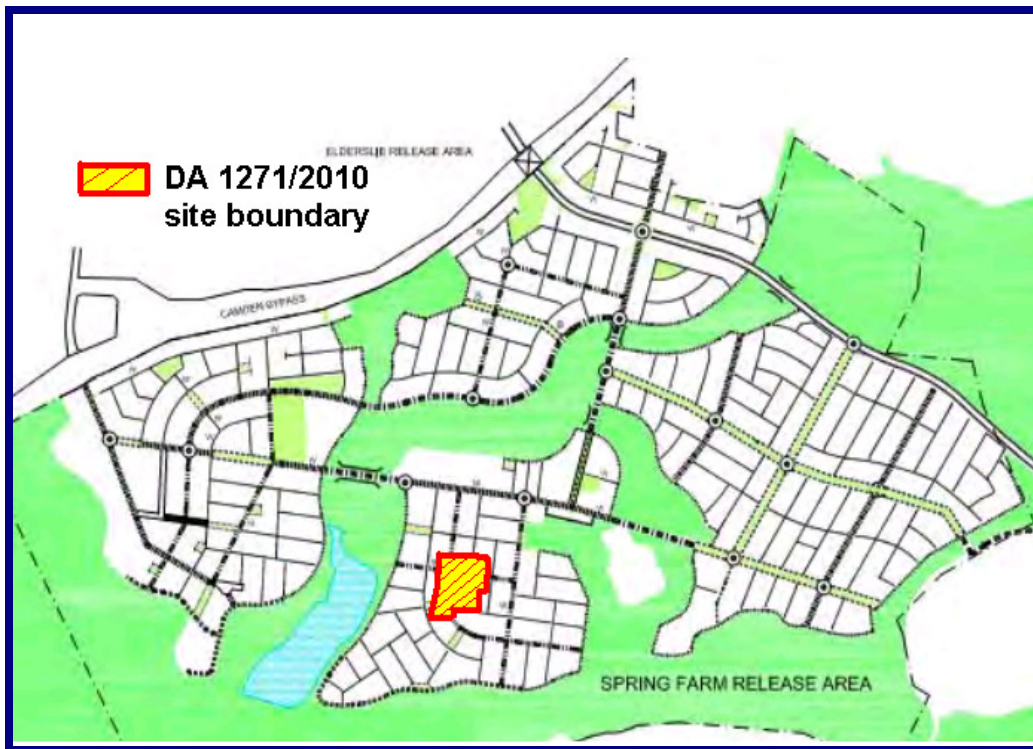


Figure 1: Site Plan

The site contains “the knoll” which is a significant portion of Elderslie Banksia Scrub Forest (EBSF), sands and material identified in the Spring Farm Conservation Strategy as being environmentally sensitive.

The surrounding area is characterised by vacant land subject to bulk earthworks activities, the construction of new dwellings and roads, together with the established areas of Spring Farm to the north.

A location plan is provided at the end of this report.

THE PROPOSAL

Development consent is sought for the following development:

1. the subdivision of land to create 35 residential lots ranging from 390m² through to 620m² and 3 residue lots; and
2. the construction of new roads, drainage and landscaping.

The proposed residential lots will be the subject of separate development applications for dwellings. These dwellings will need to comply with the site specific development controls in Camden Development Control Plan 2011 which address design, siting etc.

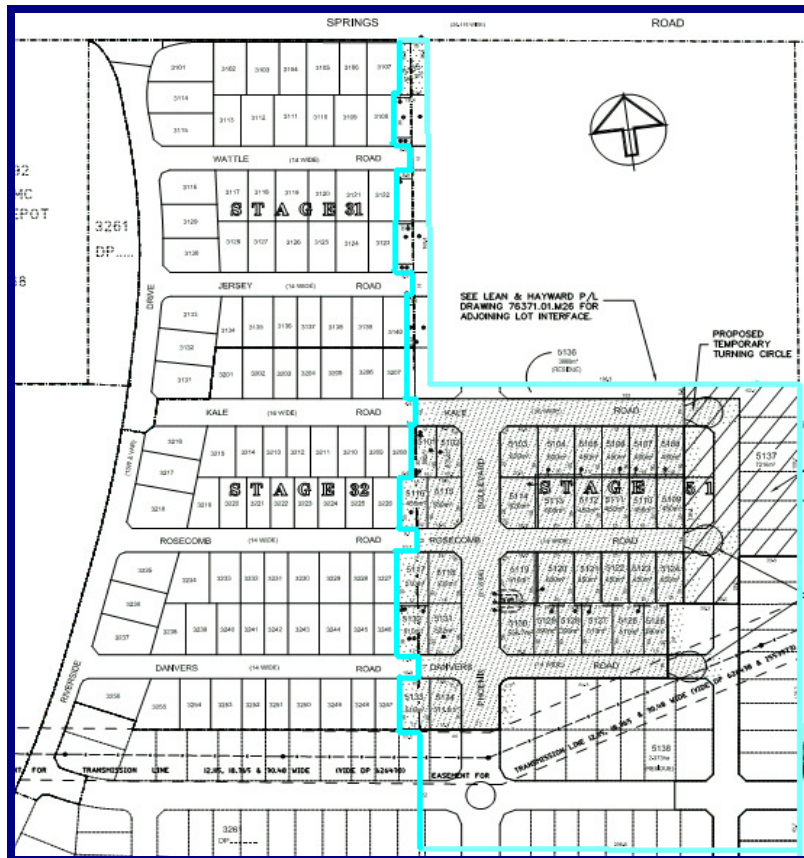


Figure 2: Plan of Proposed Subdivision (see additional plan in Attachment 2)

The development is classified as Integrated Development in that it requires a Bush Fire Safety Authority from the Rural Fire Service, as it proposes the subdivision of bushfire prone land. The application was referred to the Rural Fire Service (RFS) who have provided General Terms of Approval (GTAs) which have been incorporated into the draft development consent conditions at the end of this report.

The application was also referred to the NSW Police Service who raised no objection to the proposed subdivision. The only matter raised by the Police is that there be no laneways provided between dwellings.

A copy of the proposed plans are provided at the end of this report.

NOTIFICATION

The application was publicly notified between 6 December and 20 December 2010. As a result of notification letters being sent to surrounding properties, three submissions were received. The submissions were received from the same adjoining land owner and the issues raised in these submissions are assessed in the “1(d) Any Submissions” section of this report.

A copy of the submissions are provided with the Business Paper supporting documents.

PLANNING CONTROLS

The following are relevant planning controls that have been considered in the assessment of this application:

1. State Environmental Planning Policy No 55 – Remediation of Land
2. State Environmental Planning Policy (Infrastructure) 2007
3. Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River.
4. Deemed State Environmental Planning Policy No 9 – Extractive Industries
5. Camden Local Environmental Plan 2010
6. Camden Development Control Plan 2011.

ASSESSMENT

The following assessment is made in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979, Section 79C – Evaluation*.

(1)(a)(i) The provisions of any Environmental Planning Instrument

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting development consent.

A Remediation Action Plan for the site was approved as part of a previous development application (DA 854/2009) for bulk earthworks and remediation.

Subject to this remediation work being carried out, the site will be made suitable for its intended use. It is a recommended development consent condition that all remediation work on this site be completed prior to the issue of a Subdivision Certificate for this development.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

Due to works occurring within the Springs Road corridor, a temporary transmission line was required to be relocated through the subject site. This line is covered by an agreement between Endeavour Energy (Endeavour), Council and the affected land owners and requires Council to relocate the transmission easement.

Council's Works and Services Division will be undertaking these relocation works in accordance with the agreement and the works are expected to be completed by the end of August 2012.

In accordance with Clause 45 of the SEPP, the application was referred to Endeavour for comment. Endeavour have responded and not raised any objections to the proposed development.

Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River

It is considered that the aims and objectives of this policy will not be prejudiced by this development and there will be no detrimental impacts upon the Hawkesbury/Nepean River system as a result of it. It is a recommended development consent condition that water quality treatment basins are provided as part of the development.

Deemed State Environmental Planning Policy No 9 – Extractive Industries

This policy requires that DAs on land identified as having current and potential regional significance for the purpose of sand and soil extraction must be notified to the NSW Industry and Investment Department (the Department).

The DA was notified to the Department who has advised Council to consider odour producing uses in the surrounding area such as the Macarthur Resource Recovery Park (MRRP), poultry sheds and turf farms, along with noise and dust from cropping activity south of the Nepean River.

Council staff have considered these comments and assessed the potential odour impacts in accordance with the approach taken with previous DAs in Spring Farm. The site is located some distance from the MRRP and is not covered by the DCP's odour buffer as shown in Figure 3 below. The odour buffer was provided in the DCP based on the odour study undertaken as part of the preparation of the masterplan for Spring Farm.

In addition, there are no known odour producing land uses within close proximity to this site on the southern side of the Nepean River. Accordingly, no specific odour assessment reports were required for this application.

It is noted that in accordance with Council's resolution of 12 June 2012, a report will be presented to Council shortly on the broader issue of odour and providing notations on Section 149 certificates.

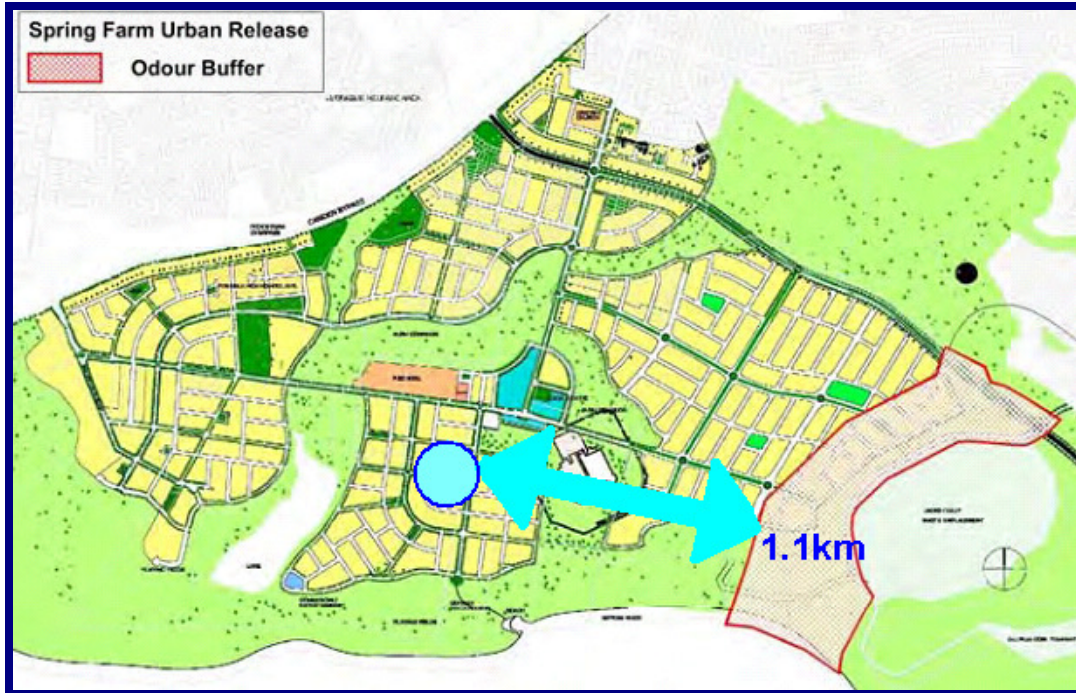


Figure 3: Proximity of Site to MRRP Odour Buffer

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The land on which this subdivision is proposed is zoned R1 General Residential. Subdivision of land is permissible with consent in the R1 zone.

Zone Objectives

In terms of the development's consistency with the zone objectives, the relevant objectives of the applicable zones include provisions to "provide for the housing needs of the community by providing a variety of housing types and densities" whilst "minimising conflict between land uses within the zone and land uses within adjoining zones."

It is considered that the proposal is generally compliant with these objectives. The development is for the residential subdivision of land and works including the construction of roads, drainage and landscaping to occur over R1 zoned land. The development has been assessed and it is not considered that it will cause any conflict upon any land uses in adjoining zones.

Lot Sizes

Pursuant to Clause 4.1 of the LEP, the site is subject to a 300m² minimum lot size. The proposed lot sizes range from 390m² through to 620m² and therefore comply with the minimum lot size.

Public utility infrastructure

In accordance with Clause 6.2 of the LEP, the development will have future access to existing utility infrastructure within the Springs Road corridor. The existing overhead

transmission line easement currently burdening the site is to be decommissioned and rerouted. An application has been lodged with Endeavour Energy for Council to carry out these works in accordance with the Agreement and for the works to be completed by the end of August 2012.

In order to ensure the orderly development of the south village, it is a recommended development consent condition that the developer dedicate additional land to Council to facilitate the future extension of three of the proposed roads to the boundary with the adjoining land owner. This condition will ensure that adjoining land owners can connect into the existing sewer and drainage network when they develop their land in accordance with the Spring Farm Water Cycle Master Plan (SFWCMP).

Matters to be specifically considered for Residential Development at Spring Farm

Clause 6.5 of the LEP requires the Council to consider whether remnant vegetation and bush corridors will be protected, enhanced and managed, and that adverse odour impacts from the Macarthur Resource Recovery Park (MRRP) are mitigated.

As discussed above, the site is not located within or directly adjacent to the odour buffer area identified in the Spring Farm Master Plan. Furthermore, the potential for odour impacts has been considered by Council's Environmental Officers and are not considered to be detrimental given the site's separation distance from the MRRP, therefore an odour assessment report is not required for this DA.

It is noted that works to enhance and manage the nearby bush corridors to the west were made a development consent condition on a development application for a residential subdivision recently approved by Council at its Ordinary meeting of 22 May 2012. Therefore no additional works are required as part of this DA.

However it is a recommended development consent condition that the complete excavation and relocation of the EBSF sands occur prior to works commencing for this development.

(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under *the Act* and that has been notified to the consent authority

There are no draft instruments applicable to the assessment of this development.

(1)(a)(iii) The provisions of any Development Control Plan

The following parts of the Camden Development Control Plan 2011 (DCP) are relevant and the proposal has been assessed against:

Part B1 – Environmental Management

Part B1.1 – Erosion and Sedimentation

The development has been designed to incorporate a number of erosion and sediment control measures including sediment boundary fences and stabilised stockpiles.

It is a recommended development consent condition that these erosion and sediment control measures be implemented in the construction of this development.

Part B1.6 - Environmentally Sensitive Land

The site is identified as being environmentally sensitive, containing regionally significant EBSF sands. The concurrence of the Office of Environment and Heritage (OEH) prescribes that the Knoll site is to be completely excavated and relocated in accordance with the SFCIS prior to the carrying out of any development on this site.

It is a recommended development consent condition that all EBSF sand and material covered by the SFCIS is to be excavated and relocated prior to works commencing for this development.

Part B1.9 – Waste Management Plan

A Waste Management Plan (WMP) has been submitted with this DA. The WMP details the types of material waste which will be generated as a result of the development and identifies the methods of disposal.

It is a recommended development consent condition that waste materials generated by the development be disposed of in accordance with the submitted WMP.

Part B1.13 – Mine Subsidence

The site is located within the South Campbelltown Mine Subsidence District and requires approval from the NSW Mine Subsidence Board. The applicant has submitted an approval from the NSW Mine Subsidence Board with the development application.

Part B2 – Landscape Design

The applicant has submitted landscaping plans with the DA. These plans show the location of street tree planting and include a balanced mix of native and exotic tree species. Council staff have reviewed and support the proposed landscaping across the site.

It is a recommended development consent condition that the development be carried out in accordance with the approved landscaping plans.

Part C5 – Subdivision in Urban Release Areas

The proposed development is consistent with the recently adopted DCP amendments and the general subdivision controls for urban release areas in that:

- the subdivision has been designed to provide a high level of pedestrian connectivity between future housing and open space areas to the west and south;
- a legible road layout has been provided in the form of a modified grid system which allows for a permeable road hierarchy;
- the proposed new lots are orientated north-south as per the DCP which will allow for greater access to natural sunlight and improved views of the adjacent riparian and open space corridors; and
- a diverse range of lot shapes and sizes are provided and battle axe lots have been avoided.

Part C7 – Spring Farm

Part C7.1 – Staging of Development

The proposed development is within Stage 6 of the Spring Farm staging plan. Stages 1 through 5, including riparian works, road construction and residential subdivision have generally been carried out in accordance with this staging plan throughout the development of Spring Farm. Therefore the proposed development is generally consistent with the overall staging plan.

Part C7.2 – Neighbourhood and Subdivision Design

The proposed development is considered to be acceptable in terms of the DCP's subdivision design controls in that:

- the proposed block dimensions do not exceed the maximum lengths or widths;
- no residential development is proposed below the 100 year ARI flood line; and
- all minimum lots sizes are compliant.

Part C7.3 – Street Network and Design

The proposed road profiles are generally consistent with the DCP with the exception of a 21m wide road showing an off-road cycle path which is proposed in place of the 16m wide road profile shown in the DCP.

This wider road is supported, however it is a recommended development consent condition that an on-road cycle path be provided in place of the proposed off road cycle path which is compliant with the DCP.

Part C7.4 – Pedestrian and Cycle Network

The proposed development is consistent with the pedestrian and cycle network in the DCP.

Part C7.5 – Public Transport Network

The proposed development is consistent with the public transport network in the DCP.

(1)(a)(iii) The provisions of any Planning Agreement

There are no relevant planning agreements applicable to this site or development.

(1)(a)(iv) The provisions of the Regulations

The Regulations prescribe several development consent conditions that will be included in any development consent issued for this development.

(1)(b) The likely impacts of the development

The likely impacts of this development include:

1. Economic Impacts

The development will contribute to labour force employment during the development phase whilst the resident population will ultimately contribute to the viability of support services in the local economy.

2. Social Impacts

The proposed development will contribute to diversity through provision of housing stock, subject to future DAs for dwellings.

All other likely impacts of the proposed development have been assessed elsewhere in this report.

(1)(c) The suitability of the site for the development

The proposal fits in with the locality in terms of its ability for future dwellings to conform to the relevant development controls, and the site attributes make it conducive to the development in relation to the connection of utility services and infrastructure. Therefore it is considered that this site is suitable for the proposed development.

(1)(d) Any submissions

As a result of public notification, three submissions were received. The following issues were raised in the submissions:

1. The proposed development relocates five four-way intersections onto adjoining land (in separate ownership) which is of benefit to the developer and will prohibit the adjoining land owner from achieving a higher lot yield.

Officer comment:

The development will result in the relocation of five four-way intersections on adjoining land. This is consistent with the recently adopted amendment to the Spring Farm DCP Master plan. The development will not adversely impact on the achievable lot yields of adjoining land owners.

2. The Cornish planning proposal has not been conducted in a consultative manner and as such, any changes to the DCP will adversely affect adjoining land owners to the east.

Officer comment:

The planning proposal was adopted into the DCP subsequent to it being adopted by Council at the Ordinary Council meeting 12 June 2012. As part of this process, all adjoining landowners were consulted and given the opportunity to comment on the planning proposal. It is noted that no submission to the planning proposal was received from the submission writer.

3. The entire south village will require extensive bulk earthworks to set levels for roads as shown in the current DCP. Changes to the DCP will have adverse impacts on adjoining land owners in preparing applications for earthworks and achieving suitable drainage outcomes.

Officer comment:

A bulk earthworks DA (DA 854/2006) was approved under delegation 16 February 2010 for the land owned by Cornish in the south village. This development was consistent with the Spring Farm Water Cycle Master Plan (SFWCMP) in that it achieved the drainage outcomes in the DCP.

The existing levels across the south village are highly varied due to years of sand mining operations. Regardless of the road layout adopted, developers in south village will be required to undertake extensive bulk earthworks activities to achieve consistency with the SFWCMP.

4. Cornish Group have failed to comply with the resolution of Council for DA 594/2009 in that “any development application within the South Village which is inconsistent with the Spring Farm Master Plan must be supported by a formal amendment to the Spring Farm DCP” and that “such an amendment shall address all land owners.”

Officer comment:

The Cornish Group planning proposal was lodged with Council in June 2011 and was adopted into Camden Development Control Plan 2011 at the Ordinary Council meeting of 12 June 2012.

5. The creation of ‘grudge strips’ will prevent the orderly development of land adjoining the subject site to the east (in separate ownership).

Officer comment:

To address this concern, it is a recommended condition of consent that where the development is within close proximity to the boundary, the developer dedicate additional land to Council to facilitate future road and services to the adjoining owner’s property boundary. This is to ensure that the adjoining land owner can construct their subdivision and achieve consistency with the SFWCMP.

(1)(e) The Public Interest

It is considered that the public interest will be positively served by the proposed subdivision as it is generally consistent with the relevant LEP, DCP and the desired future character of Spring Farm, and will not result in any unacceptable impacts upon the surrounding environment and adjoining land owners.

CONCLUSION

Council has received a DA for the subdivision of land within the south village in Spring Farm. The DA has been assessed in accordance with Section 79C of the *Environmental Planning and Assessment Act 1979* and the public submissions received have been considered.

It is recommended that this DA be approved subject to the draft development consent conditions provided below.

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

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

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
Drawing No. 76651.01.P04B	Plan of Proposed Subdivision	Lean & Hayward Pty Ltd	25 Feb 2011
Drawing No. LPDA 11 – 224/51	Stage 51 Tree Planting Plan	Conzept Landscape Architects	Feb 2011
Drawing No. 76651.01.M08B	Cover Sheet – Locality Plan, Site Plan, Sheet Schedule & Notes	Lean & Hayward Pty Ltd	Apr 2011
Drawing No. 76651.01.M05B	Drainage Concept Plan	Lean & Hayward Pty Ltd	Aug 2011
Drawing No. 76651.01.M06B	Soil and Water Management Plan Details and Notes	Lean & Hayward Pty Ltd	Aug 2011
Drawing No. 76651.01.M07B	Proposed Cut / Fill Plan	Lean & Hayward Pty Ltd	Aug 2011
Drawing No. 76651.01.M09B	Proposed Site Regrading Plan	Lean & Hayward Pty Ltd	Apr 2011
Drawing No. 76651.01.M10B	Site Regrading Cross Sections	Lean & Hayward Pty Ltd	Apr 2011
Drawing No. 76651.01.D01	Plan Showing Detail Survey	Lean & Hayward Pty Ltd	27 Aug 2011

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 24 month maintenance and establishment period includes (but is not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, softscape elements such as plantings and lawn, hardscape elements including paths, walls, bins, seats, BBQ's, shelters, playground equipment, sofffall treatments, associated water usage and electrical usage etc.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

Prior to Council accepting the maintenance responsibility, at the completion of the 24 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA) upon final completion of the landscaping works and the end of the maintenance period.

(3) **Services -**

- (a) All services within the subdivision shall be underground.
- (b) All service connections to existing works in Council's road reserve requires a Public Road Activity approval from Council. Connections to existing works within public reserves or drainage reserves will require owner's permission (i.e. Camden Council).

(4) **Sewer Access Chambers and Mains -**

- (a) No sewer access chambers are to be constructed within the proposed road reserves, public reserves and drainage reserves without prior approval of the Principal Certifying Authority.
- (b) No sewer mains are to be constructed within both proposed and existing public reserves and drainage reserves without prior approval of the Principal Certifying Authority.

(5) **Lighting** – On-street lighting will be required to satisfy the requirements of Australian Standard AS1158 – Lighting for Roads and Public Spaces.

(6) **Dedication of Roads to Boundary with Adjoining Land** – In order to ensure the orderly development of the Spring Farm south village, Wattle Road, Jersey Road and Phoenix Boulevard as shown on the stamped approved Plan of Proposed Subdivision: Drawing No. 76651.01.P04B, prepared by Lean and Hayward, dated 25/02/2011, must be dedicated to Council (no construction required), up to the boundary with the adjoining land (130 Springs Road, Lot 1 DP 194887).

2.0 - Construction Certificate Requirements

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

(1) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans prepared by a qualified Landscape

Architect or qualified Landscape Designer, must be submitted with the Construction Certificate application in accordance with Camden Council's current Engineering Design Specifications.

The following items listed must be included with the other landscaping elements, in the detailed Landscaping Plans.

- (a) Nature strip street trees are to be installed:
 - (i) Ensure that the necessary street tree installation and their proposed establishment schedules are clearly shown in the detailed Landscaping Plans.
 - (ii) That all street trees have at time of planting, well constructed tree guard protection installed. A minimum requirement is the installation of at least 3 bollards per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA.
 - (ii) Eucalyptus, Angophora, Araucaria and other very large trees are not to be installed in any median strip, road verge or nature strip planting without approval from the Consent Authority (i.e. Camden Council).
 - (iv) That all the street trees are sourced in a minimum 75 litre container size, are not multi-stemmed and can stand alone without the need for staking.
- (b) The detailed Landscaping Plans must mirror and be consistent with the approved Concept Landscaping Plans lodged with the Development Application for Consent.
- (c) The detailed Landscaping Plans lodged for the issue of the Construction Certificate must include a planting schedule. The planting schedule must clearly detail the planting positioning, species by botanical and common names, quantities, planting sizes and the estimated size of the plant at approximately 12 years maturity. The planting schedule must also clearly show the proposed establishment and maintenance programme to be applied to the installed landscaping.
- (d) The Landscaping Plans lodged for the issue of the Construction Certificate must include all proposed public open space landscaping. The Landscaping Plans must detail all proposed recreational park landscaping and any proposed recreational or ornamental playground equipment, signage, paths, bins, seating, street art or other hard landscaping items, etc.
- (e) The detailed Landscaping Plans must clearly show any proposed road verge estate entry feature, statement feature wall, or entry statement signage. These works are not to be positioned on any public open space areas such as the nature strip or other Council maintained area. Any

entry statement wall or entry feature is to be positioned wholly within the boundaries of private property.

- (2) **Provision of Kerb Outlets** – Where proposed lots grade to an existing/proposed public road, kerb outlets shall be provided in the kerb and gutter adjacent to those lots. Such kerb outlets shall be:
 - (a) located within 2m downstream of the prolongation of the lot corner with the lowest reduced level and to the requirements of the Principal Certifying Authority;
 - (b) constructed in accordance with Camden Council's current Engineering Specification/s; and
 - (c) indicated in any design plan submitted to the Certifying Authority for the purposes of obtaining a Construction Certificate.
- (3) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. shall be designed in accordance with the current edition of AS 2890.2 and in accordance with Camden Council's current Engineering Specifications.
- (4) **Stormwater Quality and Quantity Report** – Prior to the Construction Certificate being issued for any stage, a water quality and quantity report shall be prepared by a suitably qualified Engineer. The report shall demonstrate how the development has been designed to achieve the objectives of the Spring Farm Water Cycle Master Plan. As part of this, the report shall detail how the engineering design has ensured the upstream catchments can be developed in accordance with the Spring Farm Water Cycle Master Plan.
- (5) **Batters** – Any batters steeper than 1:4 (V:H) are not approved as part of this development consent. The engineering design plans submitted as part of the application for a Construction Certificate shall amend the stamped development consent plans so that the batters are in accordance with Camden Council's Engineering Specifications.
- (6) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
 - (a) all matters associated with Council's Erosion and Sediment Control Policy;
 - (b) all matters associated with Workplace Health and Safety;
 - (c) all matters associated with traffic management/control; and
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (7) **Estate Entry Features** – Any proposed entry feature and/or structure, including associated landscaping or the like, constructed as a component of the subdivision work, must not be located within any public road/place. It must be

located in private land with such land being burdened by a suitable maintenance covenant pursuant to s.88E of the *Conveyancing Act 1919*.

- (8) **Retaining Walls** – All proposed retaining walls must be:
- (a) located within land adjoining the proposed public road except for those associated with the construction of the road drainage culverts, and
 - (b) designed and constructed to ensure that the integrity of the wall is continually maintained with respect to any potential excavation by public utility service authorities, or the like.

The location of any retaining wall must be approved by the Principal Certifying Authority prior to the commencement of any associated construction activity.

- (9) **Drainage Design** - A Stormwater Management Plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.

- (10) **Water Quality Measures** - The proposed surface water collection and disposal systems must incorporate adequate silt traps and grit and oil arrestors.

Only uncontaminated stormwater must be discharged to the stormwater drainage system. Details of the silt traps and grit arrestors must be shown on the submitted engineering plans prior to the Construction Certificate being issued.

- (11) **Stormwater Disposal** - Stormwater runoff from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.

- (12) **Flood Line Identification** - The 1:100 year flood line (1% AEP) must be marked on the plan of subdivision.

- (13) **On-Road Cycle Path** – On-road cycle lanes and a median island should be provided as part of the 21-22m wide collector road design. Further details on the road cross sections are to be provided to Council on plans prior to the issue of a Construction Certificate.

- (14) **Detailed Road Design** – Detailed designs of the internal road network are to be submitted to Council for review and approval prior to the issue of a Construction Certificate.

- (15) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:

- (a) Camden Council's current Engineering Specifications, and
- (b) Camden Council's Development Control Plan 2011.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Road Authority and Camden Council prior to the issue of any Construction Certificate

3.0 - Prior To Works Commencing

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

- (1) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point
- (2) **EBSF Sands Removal/Bulk Earthworks** – Prior to any works commencing, the Elderslie Banksia Scrub Forest (EBSF) sands must be completely relocated as previously approved by Development Consent 854/2006. The bulk earthworks that relate to this site, as approved by Development Consent 854/2006, must also be completed prior to works commencing on this development.

4.0 - During Construction

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

- (1) **Drainage Patterns Not to be Affected** – Filling and works must be undertaken in such a manner to allow the upstream catchments to drain.
- (2) **Subdivision, Building and Demolition Work Hours** - All such work must be restricted to the following hours:
 - a) between 7.00am and 6.00pm, Mondays to Fridays (inclusive);
 - b) between 8.00am to 5.00pm on Saturdays,

Work is prohibited on Sundays and Public Holidays.

- (3) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following stages of construction:
 - (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;
 - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
 - (d) proof roller test of subgrade and sub-base;
 - (e) roller test of completed pavement prior to placement of wearing course;
 - (f) prior to backfilling public utility crossings in road reserves;
 - (g) prior to placement of asphaltic concrete;
 - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (4) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted in accordance with Camden Council's current Engineering Construction Specifications. The Applicant's Geotechnical Engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798-1990.
- (5) **Salinity Management Plan** – All proposed construction works that includes earthworks, imported fill, landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within "Appendix D" in the report titled "*Aggressiveness & Salinity Assessments 120 Springs Road, Spring Farm, prepared by SMEC Testing Services Pty Ltd, Project No 16085 / 1101C, dated January 2012.*"

Compliance with "AS 2159 – Piling Design and Installation" is also recommended that requires the concrete strength and reinforcement cover for piles to be 35 MPa for concrete "cast in piles" and 50 MPa "precast and prestressed piles".

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

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising Engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
- (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:
- (i) provides no unacceptable risk to human health and the environment;
- (ii) is free of contaminants;

- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

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

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

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

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

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

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

- (8) **Street Trees, Their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the Applicant is advised:
 - (a) that any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred;

- (b) any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Subdivision/Occupation Certificate;
- (c) an inspection must be arranged with Council's Landscape Development Officer, to determine that the street trees and any protective or installation measures have been restored correctly and some degree of reestablishment has occurred;
- (d) the inspection must occur prior to the issue of the Subdivision/Occupation Certificate.

5.0 - Subdivision Certificate

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

- (1) **Maintenance Bond** - A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, must be lodged with Council prior to the release of the Subdivision Certificate. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for twelve (12) months or such longer period as determined by Council's Engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the Compliance Certificate in the case of development works.

Note 1: In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash or bank guarantees is applicable.

Note 2: It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (2) **Bond for Final Layer of Asphaltic Concrete** - Prior to the issue of the Subdivision Certificate the Applicant is to lodge a monetary bond with Camden Council for the placement of the final layer of asphaltic concrete wearing course on all proposed public roads within this subdivision.

The bond is to be in the form of cash or an unconditional bank guarantee in favour of Camden Council, and must be equivalent to 130% of the value of the works, including the cost of all reinstatement works, with the estimated cost of such work being determined by reference to Council's current Schedule of Fees and Charges.

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision or when Occupation Certificates for

dwellings associated with 80% of the lots created by a subdivision adjoining such road have been issued, whichever is the earlier.

Camden Council reserves the right to claim against the bond at any time.

Note 1: An administration fee, in accordance with Council's current Schedule of Fees and Charges, is applicable for the processing of bonds.

Note 2: It should be noted that Council will not refund/release the bond until;

- (a) the work has been completed to the requirements of Camden Council, and/or
 - (b) where applicable a suitable replacement bond is submitted.
- (3) **Value of Works** - Prior to release of the Subdivision Certificate, the Applicant must submit itemised data and value of civil works in a form acceptable to Council, for inclusion in Council's Asset Management System. The Applicant can obtain from Council upon request, a template and requirements for asset data collection.
- (4) **Lot Numbers and Street Names** - Prior to Issue of a Subdivision Certificate, lot numbers, house numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

The stencil medium must be of a good quality UV stabilised paint and applied to the kerb accordingly:

- (a) Lot numbers:
 - (i) White number on **Blue** background located on the prolongation of both common boundaries of each lot.
 - (b) House numbers:
 - (i) **Blue** number on white background located adjacent the middle of the lot.
 - (c) Street names:
 - (i) White lettering on **Blue** background at kerb and gutter tangent points or at such locations as directed by the Principal Certifying Authority.
- (5) **Works as Executed Plan** - Prior to the issue of any Subdivision Certificate, a works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) in accordance with Camden Council's current Engineering Construction Specifications is to be provided.
- (6) **Final Layer Asphaltic Concrete (Roads)**- The final asphaltic concrete wearing course layer must not be placed on the carriageway of any road until:
- (a) a Subdivision Certificate has been issued by the Principal Certifying Authority, Camden Council,

- (b) the Subdivision Certificate/Plan of Subdivision has been registered with the Department of Lands - Land and Property Information,
 - (c) the terms of any bond for such work have been confirmed to be satisfied by the roads authority and Camden Council, and
 - (d) a Public Road Activity (Roadworks) application has been submitted to and approved by the roads authority and Camden Council.
- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a Registered Surveyor must be submitted to the Certifying Authority, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (8) **Street Lighting** - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Endeavour Energy approval and the satisfaction of the Principal Certifying Authority. All such work must be complete and operative prior to the issue of the Subdivision Certificate.
- (9) **Services** - Prior to the issue of any Subdivision Certificate the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:
- (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment. Application for such a certificate must be made through an authorised Water Servicing Co-ordinator,
 - (b) a Notification of Arrangements from Endeavour Energy,
 - (c) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (10) **Subdivision Certificate Release** - The issue of a Subdivision Certificate is not to occur until all conditions of this consent have been satisfactorily addressed and all engineering works are complete unless otherwise approved in writing by the Principal Certifying Authority.
- (11) **Show Easements on The Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (12) **Show Restrictions on The Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (13) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
- (a) Easement for services.

- (b) Easement to drain water.
- (c) Drainage easement over overland flow paths.
- (d) Easement for on-site-Detention.
- (e) Easement for water quality.
- (f) Restriction as to user requiring that all construction works including earthworks, importing fill, landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within "Appendix D" in the report titled *"Aggressiveness & Salinity Assessments 120 Springs Road Spring Farm, Prepared by SMEC Testing Services Pty Ltd, Project No 16085 / 1101C, dated January 2012."*

Compliance with "AS 2159 – Piling Design and Installation" is also recommended that requires the concrete strength and reinforcement cover for piles to be 36 MPa for concrete "cast in piles" and 50 MPa "precast and prestressed piles."

- (14) **Stormwater Destination** – Prior to the issue of the Subdivision Certificate, pit lintels must be labelled with permanent stencilled signs in accordance with Camden Council's current Engineering Design Specifications.

- (15) **Section 94 Contributions** - Pursuant to Contributions Plan No. 8 amended in September 1997, a contribution must be paid to Council of \$18.00 per additional lot or dwelling, total \$540.00, for Secondary Roundabout R6 (Richardson Road/Lodges Road).

The contribution must be indexed to the Road Cost Index, paid prior to the issue of a Subdivision Certificate.

- (16) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$7,110.00 per additional lot or dwelling, total \$213,300.00, for **Open Space, Recreation & Community Land**.

The contribution must be indexed by the methods set out in paragraph 2.15.2 of the plan and paid prior to the issue of a Subdivision Certificate.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

- (17) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$9,428.00 per additional lot or dwelling, total \$282,840.00, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services**.

The contribution must be indexed by the methods set out in paragraph 2.15.1 of the plan and paid prior to the issue of a Subdivision Certificate.

- (18) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$39,197.00 per additional lot or dwelling, total \$1,175,910.00 for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan.**

The contribution must be indexed by the methods set out in paragraph 2.15.1 of the plan and paid prior to the issue of a Subdivision Certificate.

The monetary contribution for drainage, roadworks, traffic facilities, open space embellishment and masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

- (19) **Update of Bush Fire Prone Land Maps** - Prior to the issue of the Subdivision Certificate, a revised draft Bush Fire Prone Land Map shall be produced showing all Asset Protection Zones and Bush Fire Prone Land within the subdivision and shall include the following:

- a. statement that clarifies and certifies that the changes to the maps are in accordance with the *Planning for Bush Fire Protection Guidelines* and *Guideline for Bush Fire Prone Land Mapping NSW Rural Fire Service*. See http://www.rfs.nsw.gov.au/dsp_content.cfm?CAT_ID=900. Such statement shall be undertaken by a suitably qualified and experienced consultant who has:

- experience in identifying bushfire prone land within NSW,
- experience in assessing potential bushfire impact, and developing and submitting bushfire risk assessments and deemed to satisfy designs and plans for development in bushfire prone areas,
- a detailed knowledge of, and experience with, the bushfire planning, design and construction guidelines requirements for NSW (such as Planning for Bushfire Protection and Australian Standards) for subdivisions, new buildings, modifications to existing buildings,
- a detailed knowledge of, and experience with, the bushfire provisions and hierarchy within the Building Code of Australia,
- a detailed understanding of, and experience with, the bushfire provisions within, and the operation of the NSW and Local Government planning systems,
- a thorough understanding of the Macarthur District Bush Fire Risk Management Plan and Macarthur District Bush Fire Operations Plan,
- public liability / professional indemnity insurance, each to a minimum of \$20 Million

(Note: The above criteria has been adopted from the Certification Guides for Bushfire Planning and Design BPAD (A & D)- Certified Practitioners (as per the FPA (Fire Protection Australia) Certified Practitioner and Business Program) (see <http://www.fpa.com.au/certification/index.php?certification=bpad>)

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- b. maps to be provided shall include the final layout of the subdivision and as a separate layer in .dxf or .dwg format.

END OF CONDITIONS

ORD01

RECOMMENDED

That Council approve Development Application 1271/2010 for a residential subdivision at No 120 (Lot 1, DP 228039), 110 (Lot 1, DP 1132985) & 110A (Lot 2, DP 1132985) Springs Road, Spring Farm subject to the draft development consent conditions shown above.

ATTACHMENTS

1. Location Plan Springs Road
2. Proposed Plans Springs Road
3. Submissions Springs Road - *Supporting Document*

ORD01

Attachment 1



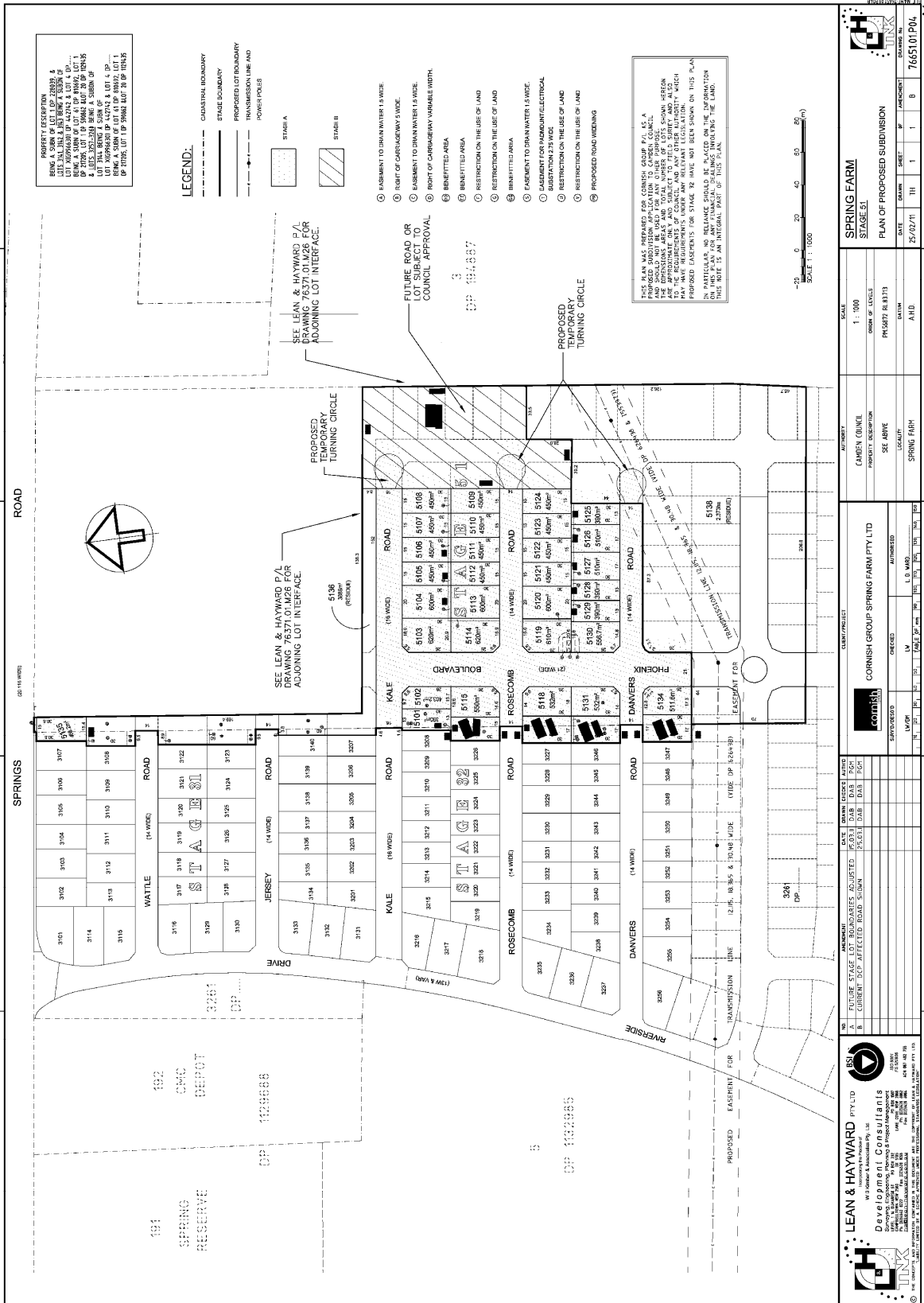
SITE LOCATION MAP

120 Springs Road Spring Farm



Subject Sites

Scale 1:7500



SCALE	1:1000
OWNER OF LAND	PG08716.0113
DRAWN	25/02/11
CHECKED	
DATE	25/02/11
SHEET	1
OF	8
PROJECT NO.	765101P04

SPRING FARM STAGE 51 PLAN OF PROPOSED SUBDIVISION	
AUTHORITY	CAMDEN COUNCIL
PROJECT DESCRIPTION	SEE ABOVE
LOCATION	SPRING FARM

APPROVED	
DATE	
SCALE	
NAME	
NO.	
TYPE	
CLASS	
STATUS	
DATE	
BY	
FOR	
BY	
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ORD01

Attachment 2



ORD02

ORDINARY COUNCIL

ORD02

**SUBJECT: DETACHED PRINCIPAL & SECONDARY DWELLING DEVELOPMENT
AT NO 13 (LOT 107 DP 1150306) EASTON AVENUE, SPRING FARM**

FROM: Director, Development and Health

BINDER: Development Applications 2012/DA 386/2012

DA NO: 386/2012

OWNER: Encompass Building Group Pty Ltd

APPLICANT: Encompass Building Group T/as Encompass Homes

ZONING: R1 General Residential

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Development Application (DA) for the construction of a single storey principal dwelling and a detached single storey secondary dwelling.

The DA is referred to the Council in accordance with its delegations as there remain unresolved issues in one submission received from the public.

SUMMARY OF RECOMMENDATION

It is recommended that Council approve the DA subject to the draft Development Consent Conditions provided at the end of this report.

BACKGROUND

On 23 April 2012, Council received a DA for a primary dwelling with a detached secondary dwelling. The application was publicly notified between 30 April 2012 and 14 May 2012. One submission was received on completion of the notification period.

THE SITE

The site is known as No 13 (Lot 107 DP 1150306) Easton Avenue, Spring Farm and is located on the corner of Easton Avenue and Campine Street. The land has a site area of 670m² and is part of a recently released residential subdivision.

A location map is provided at the end of this report.

THE PROPOSAL

Development consent is sought to construct a single storey four bedroom principal dwelling and a detached single storey, two bedroom secondary dwelling. The dwellings are brick veneer with tiled roof on concrete slab construction. The front facades for both buildings including garages face Campine Street. The application does not propose subdivision of the land.

**A copy of the proposed plan and elevations is provided at the end of this report.
A copy of the floor plans is provided in Business Paper supporting documents.**

NOTIFICATION

Surrounding neighbours were notified of the application between 30 April and 14 May 2012. One submission was received raising objection to the proposed development.

The submission is addressed further under the heading 'Any submissions' in the assessment section of this report.

A copy of the submission is provided with the Business Paper supporting documents.

PLANNING CONTROLS

The following plans and policies have been considered in the assessment of this application:

- Camden Local Environmental Plan 2010 (LEP 2010)
- Camden Development Control Plan 2011 (DCP 2011)

ASSESSMENT

The DA has been assessed in accordance with Section 79C of the *Environmental Planning and Assessment Act, 1979*.

The following comments are made with respect to the critical aspects of the application.

(1)(a) (i) the provisions of any environmental planning instrument

Camden Local Environmental Plan 2010

Under the Camden LEP 2010 the land is zoned R1 General Residential. Secondary dwellings are a permitted use under this zoning if the total floor area of the dwelling (excluding any area used for parking) does not exceed whichever of the following is the greater:

- (a) 60m²,
- (b) 25% of the total floor area of the principal dwelling.

The dwellings comply with the above development standard. No other development standards under LEP 2010 apply to this proposal.

(1)(a) (ii) the provisions of any draft environmental planning instrument

There is no relevant draft environmental planning instrument applying to the land.

(1)(a) (iii) the provisions of any development control plan

Camden Development Control Plan 2011

The primary dwelling has been assessed against Clause D2.3.2 'Spring Farm Release Area' which provides controls related to the principal dwelling including setbacks and private open space.

The secondary dwelling was also assessed against Clause D2.3.2 as well as D2.2.1 ‘Secondary Dwellings’, which provides controls relating to floor areas, design and carparking.

A summary of these controls is provided as follows:

DCP	Control	Compliance
Setbacks	<ul style="list-style-type: none"> • Front Setback 4m • Garage 5.5m and 1m behind building line • Rear setback single storey 4m 	<p>Complies</p> <p>Complies</p> <p>Complies</p>
Parking	<ul style="list-style-type: none"> • Two spaces for principal dwelling • No additional spaces required for the secondary dwelling 	<p>Complies</p> <p>Two spaces provided for principal dwelling, additional space provided for secondary dwelling</p>
Maximum Floor Area (Secondary Dwellings)	Total floor area of the secondary dwelling (excluding any area used for parking) not to exceed whichever of the following is the greater: (a) 60m ² , (b) 25% of the total floor area of the principal dwelling.	<p>Complies</p> <p>Floor area of secondary dwelling 59.15m²</p>
Private Open Space	Directly connected to living zone and area 24m ²	<p>Complies</p> <p>For both principal and secondary dwelling</p>
Privacy	No direct overlooking of main living and private open space	Complies

The proposed development is considered to comply with all the relevant requirements of the DCP.

Camden Contributions Plan 2011

Camden Contributions Plan 2011 was adopted by Council on 13 December 2011 and came into force on 26 April 2012. Clause 2.6 of the plan states “*Development applications determined on or after this date will be subject to the provisions of this plan.*” Therefore whilst the DA was lodged prior to the plan coming into force, the plan applies because it is being determined after the 26 April 2012.

The proposed development includes a principal and secondary dwelling. When the lot was created a contribution was paid for one dwelling, therefore a contribution is required for the secondary dwelling. The applicable rate of contribution has been based on table 2.2 of the plan is 2 persons as the secondary dwelling has been considered a multi dwelling house. This has a reduced occupancy rate and therefore a reduced contribution than the principal dwelling. Appropriate conditions have been included in the draft consent.

(1)(a) (iiia) the provisions of any planning agreements

There are no planning agreements relating to this proposal.

(1)(a) (iv) the provisions of the Regulations

The Regulations do not specify any matters that are applicable to this development.

(1)(b) the likely impacts of the development

Section 79C requires Council to consider the likely impact of a development such as the environmental impacts on both the natural and built environments as well as the social and economic impacts on the locality.

The development is an acceptable land use permitted within the Spring Farm area and is expected to have minimal environmental impacts. The social impacts of the proposed development are considered to be appropriate for the locality.

(1)(c) the suitability of the site for the development

The site is considered to be suitable for the development. There are no factors associated with the site that preclude the intended development.

(1)(d) any submissions received

The application was publicly notified between 30 April and 14 May 2012. One submission letter was received from an adjoining owner. The issues raised in the submission are as follows:

- **Loss of property value.**

Officer comment:

The potential loss of property values is not an issue that can be considered as part of this assessment. It is however noted that the application is for residential development which is permitted by the zoning for the area and the LEP and DCP provide controls to ensure that residential development is compatible with the surrounding natural and built environment.

- **Noise impact from additional dwelling**

Officer Comment:

The proposed secondary dwelling is permissible and is a compatible form of development in residential areas. In addition, the applicant proposes the construction of a 1.8m high, timber, lapped and capped dividing fence. The lapped and capped design will assist in minimising noise between the subject and neighbouring property. To ensure that the fence is constructed in accordance with the plan, a condition has been included in the draft consent which states that the fence must be completed prior to the issue of any Occupation Certificate.

- **Loss of privacy**

Officer comment:

The topography of the land is fairly level and the proposed dwellings are single storey on slab construction. In conjunction with the low profile of the proposed dwellings, the 1.8m high dividing fence would, as is the case in all residential areas, contribute to maintaining the visual privacy of neighbours.

- **Provision of a dividing fence between primary and secondary dwelling**

Officer Comment

There are no controls preventing the construction of fencing between primary and secondary dwellings. The fence would adequately maintain the private open space requirements for each dwelling and the applicant does not propose to subdivide the land. Such fencing also has the potential to contribute to the visual and acoustic privacy for neighbouring properties.

(1)(e) the public interest

Overall, this development is considered to be within the public interest. It represents the planned and orderly development of the site and is not anticipated to result in any unacceptable impacts.

CONCLUSION

Council has received a DA for the construction of a single storey principal dwelling and detached single storey secondary dwelling at No 13 (Lot 107 DP 1150306) Easton Avenue, Spring Farm. The application has been assessed in accordance with the provisions of Section 79C of the *Environmental Planning and Assessment Act, 1979*, Local Environmental Plan 2010 and Development Control Plan 2011. Public notification was conducted and a subsequent submission has been considered and addressed in this report.

Upon completion of the assessment it has been determined that the development fully complies with the relevant legislation and would be a reasonable residential development of the land.

This development application is therefore able to be recommended to Council for approval, subject to the draft development consent conditions shown below.

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

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

(1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

- Plans prepared by Ross Oliveri, numbered 04-11, sheets 1 – 9, dated January 2012;
- Statement of Environmental Effects;
- BASIX Certificate.

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (3) **Drainage to Campine Street** – The drainage must be directed to Campine Street. No drainage shall be constructed or allowed to be constructed to the kerb of Easton Avenue.
- (4) **Slab Design** – The foundations/piers/slab shall be designed and certified by a practising Structural Engineer and shall be in accordance with the requirements of the Restriction as to User numbered 2 under Deposited Plan 1150306.

2.0 - Construction Certificate Requirements

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

- (1) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$4,587.00 per additional lot or dwelling, total \$4,587.00, for **Open Space, Recreation & Community Land**.

The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and paid prior to the issue of a Construction Certificate.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Certificate.

- (2) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$25,288.00 per additional lot or dwelling, total \$25,288.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid prior to the issue of a Construction Certificate.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Construction Certificate.

- (3) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$6,082.00 per additional lot or dwelling, total \$6,082.00, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services**.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid prior to the issue of a Construction Certificate.

- (4) **Section 94 Contributions** - Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$11.00 per additional lot or dwelling, total \$11.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed to the Road Cost Index, and paid prior to the issue of a Construction Certificate.

3.0 - Prior To Works Commencing

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (3) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (4) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (5) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

4.0 - During Construction

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

- (1) **Fill Quality** – Any fill material brought in for the construction of the development must only contain uncontaminated soil, clay, shale or rock. No effluent, garbage or trade waste, including building or demolition waste, must be included in the fill. The extent and depth of filling must only occur in accordance with the approved plans and any other conditions of the Development Consent. Evidence of the certification of the fill as uncontaminated shall be provided to the Principal Certifying Authority.
- (2) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works must be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (3) **Survey Report (Peg Out)** - The building must be set out by a registered Land Surveyor. A Survey Report detailing the siting of the building in relation to the allotment boundaries shall be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (4) **Building Platform** - This approval restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2m from the external walls of the building. Where the external walls are within 2m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level must be used.
- (5) **Retaining Walls** - If the soil conditions require it:
 - (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
 - (b) retaining walls must be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property.

The following restrictions apply to any retaining wall erected within the allotment boundaries:

- (a) where the height of an approved retaining wall exceeds 600mm above or below natural ground level, structural engineering details must be provided to the Principal Certifying Authority, prior to any works commencing on the site. Manufacturers' installation details may satisfy this requirement for treated timber products and some dry stacked masonry products;

Note: Where Council is nominated as the Principal Certifying Authority, construction of the retaining wall must be inspected at critical stages as nominated in the Mandatory Inspection Notice. Prior to issue of an Occupation Certificate, certification will also be required attesting that the wall has been built in accordance with the relevant standard.

- (b) adequate provisions must be made for surface and subsurface drainage of retaining walls and all water collected must be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - (c) retaining walls shall not be erected within drainage easements;
 - (d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited by the easement or entitled to release or vary the restrictions applying to the easement (electrical easement and the like), or if the erection of the retaining wall makes the purpose of the easement inconvenient or redundant (such as easements for support and maintenance).
- (6) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (7) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
 - (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;
 - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;

- (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
 - (e) a waste control container shall be located on the development site.
- (8) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (9) **Surface Drainage** – To prevent surface water from entering the building:
- (a) the floor level for slab on ground construction shall be a minimum of 150mm above finished ground level for habitable rooms;
 - (b) seepage and surface water shall be collected and diverted clear of the building by a sub-surface/surface drainage system;
 - (c) the control of surface water drainage shall in all respects comply with the *Building Code of Australia (Class 1 and Class 10 Buildings)*;
 - (d) where a rainwater tank is required on the site, all surface water drainage lines shall be connected to the outlet overflow drainage line from the rainwater tank.
- (10) **Shoring and Adequacy of Adjoining Property** - Shall be in accordance with Clause 98E of the *Environmental Planning and Assessment Regulation 2000*.
- (11) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (12) **Drainage Easements** - No changes to site levels, or any form of construction shall occur within any drainage easements that may be located on the allotment.
- (13) **Roofwater to Street** - **No drainage is to be constructed to the kerb of Easton Avenue.**

The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the street gutter.

Connection to the street gutter shall only occur at the existing drainage outlet point in the street gutter. New connections that require the rectification of the street gutter shall only occur with the prior approval of Camden Council.

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

- (14) **BASIX Certificate** – Under clause 97A of the *Environmental Planning & Assessment Regulation 2000*, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

In this condition:

- (a) relevant BASIX Certificate means:
- (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the *Environmental Planning & Assessment Regulation 2000*.
- (15) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. The survey report shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.

5.0 - Prior To Issue Of Occupation Certificate

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

- (1) **Dividing Fence** – The 1.8m high, lapped and capped timber fence shall be fully completed prior to the issue of any Occupation Certificate.
- (2) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

- (3) **Component Certificates** - Where Camden Council is appointed as the Principal Certifying Authority (PCA) for the development, the following component certificates, as relevant to the development, shall be provided prior to the issue of a Final Occupation Certificate:
- (a) Insulation installation certificates.
 - (b) Termite management system installation certificates.
 - (c) Smoke alarm installation certificate from installing licensed electrician.
 - (d) Survey certificate(s), prepared by a registered land surveyor, certifying that the building has been correctly and wholly located upon the subject allotment.
 - (e) Certification attesting that retaining walls have been constructed in accordance with Engineer's details or manufacturer's specifications as applicable.
 - (f) All certificates or information relating to BASIX compliance for the development.
 - (g) An 'Approval to Operate a Sewage Management System' issued by Camden Council (for areas that are not serviced by a Sydney Water sewer).
 - (h) A certificate certifying that the wet areas have been waterproofed in accordance with the requirements of the *Building Code of Australia*.
 - (i) All certificates relating to salinity, as required by conditions of the development consent.
 - (j) Any other certificates relating to the development (for example, engineering certification for foundations, piers, reinforcing steel or hydraulic certification for all stormwater drainage works).

Where the appointed PCA is not Camden Council, the matters listed in this condition should be regarded as advisory only.

Note: The above certification does not override any requirements of the *Environmental Planning and Assessment Act, 1979* with respect to any required critical stage inspections.

- (4) **Footpath Crossing Construction** – Prior to use or occupation of the development, a footpath crossing must be constructed in accordance with the Development Consent, approved plans and Camden Council's issued footpath crossing information.

END OF CONDITIONS

ORD02

RECOMMENDED

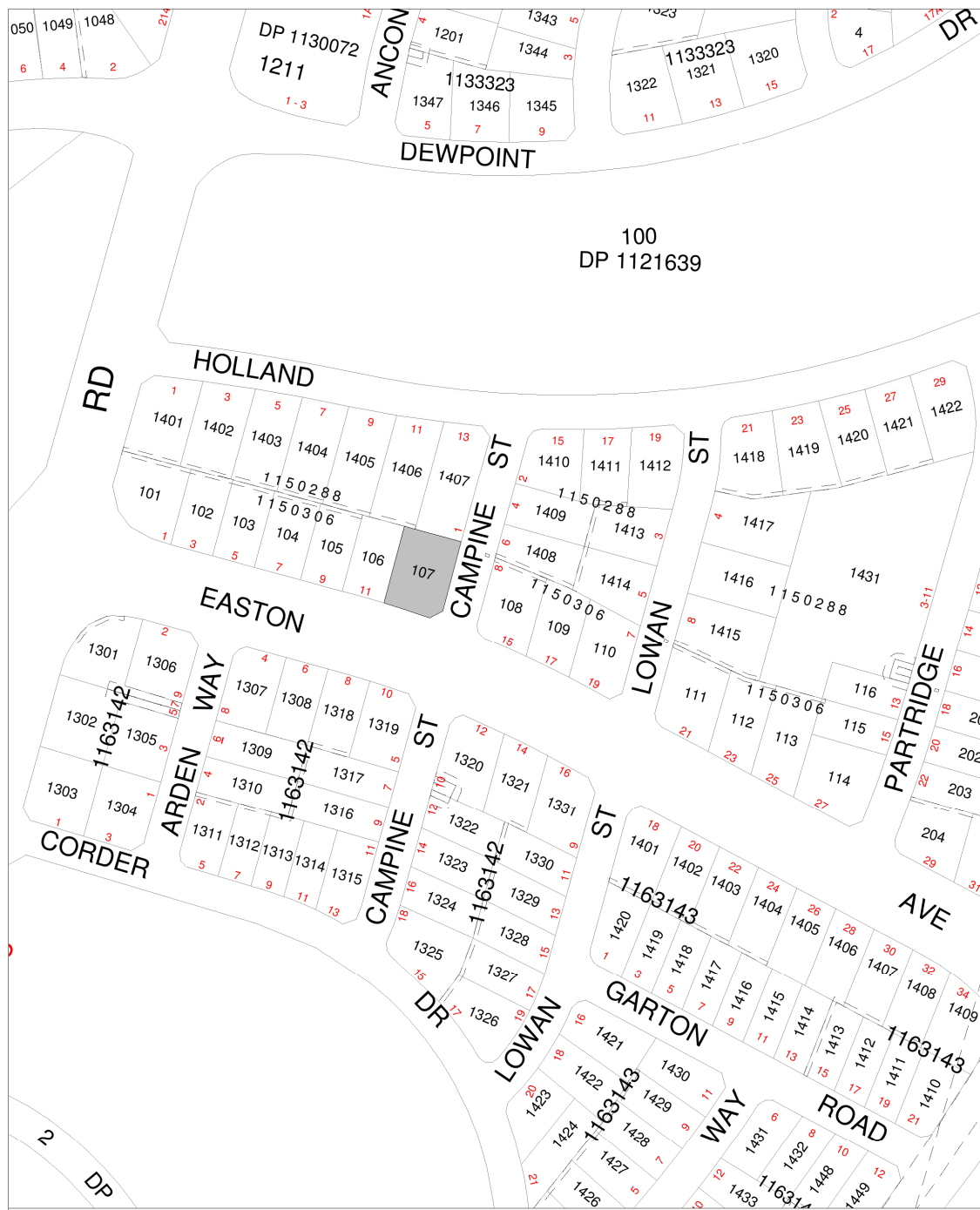
That Council: approve Development Application 386/2012 for the construction of a detached principal and secondary dwelling development at No 13 (Lot 107 DP 1150306) Easton Avenue, Spring Farm subject to the draft Development Consent conditions shown above.

ATTACHMENTS

1. Location plan
2. Proposed plans
3. Submission - *Supporting Document*
4. Floor Plans - *Supporting Document*

ORD02

Attachment 1

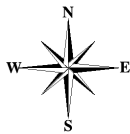


SUBURB: GREGORY HILLS



Subject Site

Scale 1:2000



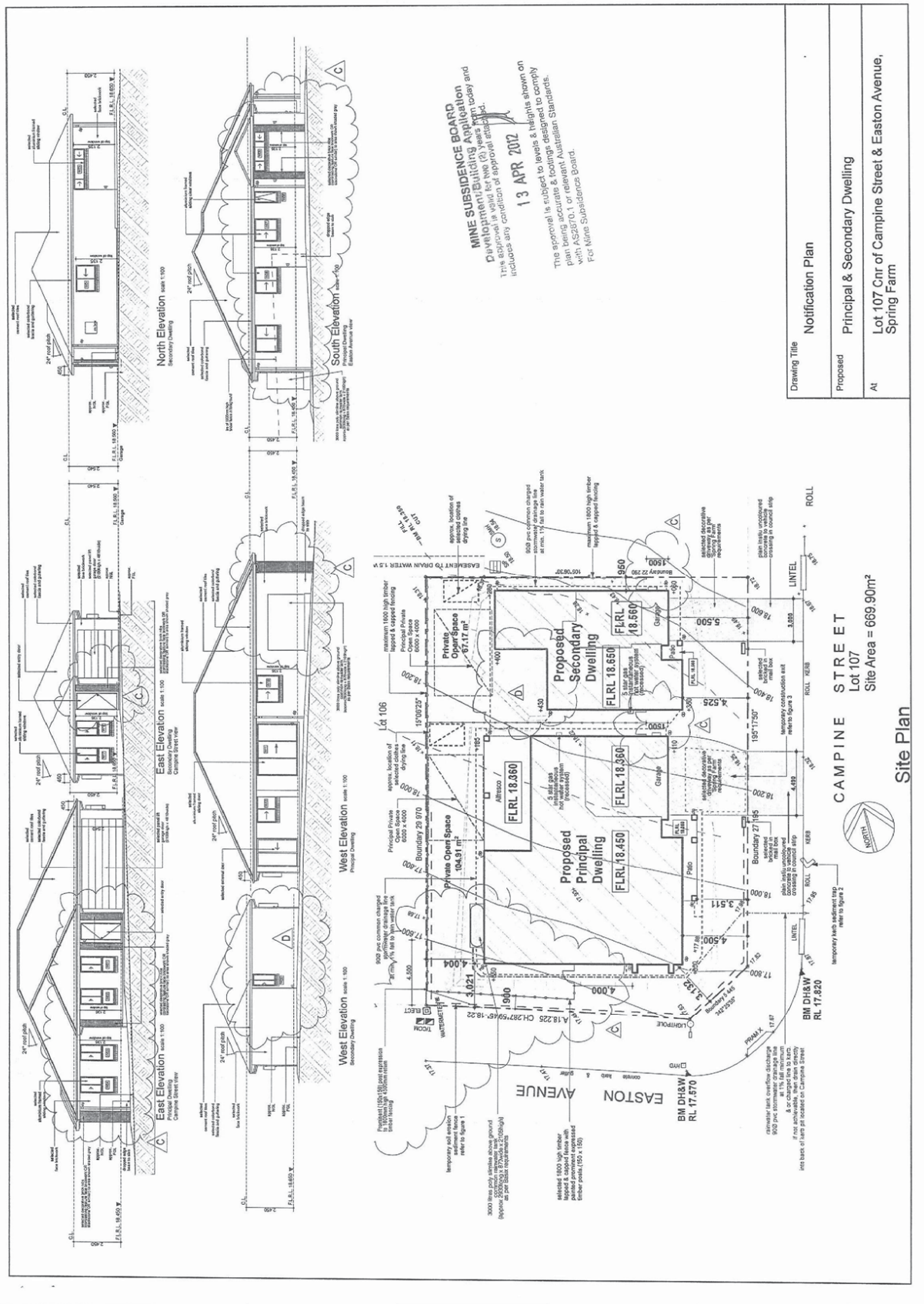
LOCATION PLAN

13 Easton Ave, Gregory Hills

Lot 107 DP1150306

ORD02

Attachment 2



MINE SUBSIDENCE BOARD
 Division/Buliding Application
 This approval is valid for two years from issue and includes any condition of approval attached.
13 APR 2012

The approval is subject to levels & heights shown on plan being accurate & footings designed to comply with AS3601 or relevant Australian Standards. For Mine Subsidence Board.

Drawing Title	Notification Plan
Proposed	Principal & Secondary Dwelling
At	Lot 107 Cnr of Campine Street & Easton Avenue, Spring Farm

CAMPINE STREET
 Lot 107
 Site Area = 669.90m²

Site Plan

East Elevation scale 1:100
Principal Dwelling
Campine Street view

North Elevation scale 1:100
Principal Dwelling

MINE SUBSISTENCE BOARD
Development Building Application
This approval is valid for two (2) years from today and includes any condition of approval stipulated.
13 APR 2012

The approval is subject to laws & heights shown on plan being accurate & comply with Australian Standards, AS2870.1 or relevant Australian Standards. For Mine Subsistence Board.

Where Engineering Detail Plans are required, such must take precedence to the drawings unless otherwise accompanied by reduced levels of Australian Height Datum Levels. Figured dimensions to be taken in preference to scaling. Some materials to be changed to comply with requirements below any work comments. Any discrepancies are to be brought to the attention of the client. All work to be completed in accordance with relevant Australian Standards before any work commences.

ROSS OLIVERI
building designer
An association member

ROSS OLIVERI
Principal

Proposed
Principal & Secondary Dwelling
AI
Lot 107 Cnr of Campine Street & Easton Avenue,
Spring Farm

For
Encompass Homes

Issue/ Amendment | Details | Dates | General Notes

A	Design Review Panel approval	13 APR 2012	At work shall be carried out in accordance with the drawings, unless otherwise accompanied by reduced levels of Australian Height Datum Levels. All levels, dimensions & areas are to be verified & the submission of the regulatory authority. All work to be completed in accordance with relevant Australian Standards before any work commences. Any discrepancies are to be brought to the attention of the client.
B	Design Review Panel approval	13 APR 2012	
C	Additional information added for Lintwork	13 APR 2012	
D	Client changes	13 APR 2012	

Prot Date: 5/14/2012
This document is subject to copyright © laws 2012 by Ross Oliveri Building Designer.
Title: East Elevation, North Elevation, Absa Stamp
Designed RO | Drawn RO | Checked RO | Job No. D
Date: Jan 2012 | Scale: 1:100 | Sheet: 3 of 9 | 04-11

Attachment 2
ORD02

13 APR 2012

MINE SUBSIDENCE BOARD
 This approval is subject to levels & heights shown on plan being accurate & comply with Australian Standards.
 This approval is valid for two (2) years from today and is subject to any conditions of approval.

West Elevation scale 1:100
Principal Dwelling

West Elevation scale 1:100
Secondary Dwelling

South Elevation scale 1:100
Principal Dwelling

South Elevation scale 1:100
Secondary Dwelling

ROSS OLIVERI
BUILDING DESIGNER

PO Box 9077, Northcote, VIC 3070
 Phone: 03 9377 0000
 Email: rossoliveri@rossoliveri.com.au

PROPOSED
Principal & Secondary Dwelling

AL Lot 107 Cnr of Campine Street & Easton Avenue, Spring Farm

FOR Encompass Homes

DESIGNED RO OLIVERI
CHECKED RO OLIVERI
DATE JAN 2012
SCALE 1:100
SHEET 2 of 3

Issue Amendment

Issue Amendment	Date	General Notes
A	Jan 2012	As per approval
B	Feb 2012	amended windows to east elevations
C	Mar 2012	Additional information added for Landcom
D	Apr 2012	Client changes

When Engineering Detail Plans are required, such must be checked by the Engineer. Levels shown are approximate unless accompanied by a survey. All Boundary clearances must be verified by Survey. Some materials to be dispensed to Council's requirements. All services to be located & verified by the Builder with relevant Authorities before any work commences.

PROPOSED
Principal & Secondary Dwelling

AL Lot 107 Cnr of Campine Street & Easton Avenue, Spring Farm

FOR Encompass Homes

DESIGNED RO OLIVERI
CHECKED RO OLIVERI
DATE JAN 2012
SCALE 1:100
SHEET 2 of 3

ROSS OLIVERI
BUILDING DESIGNER

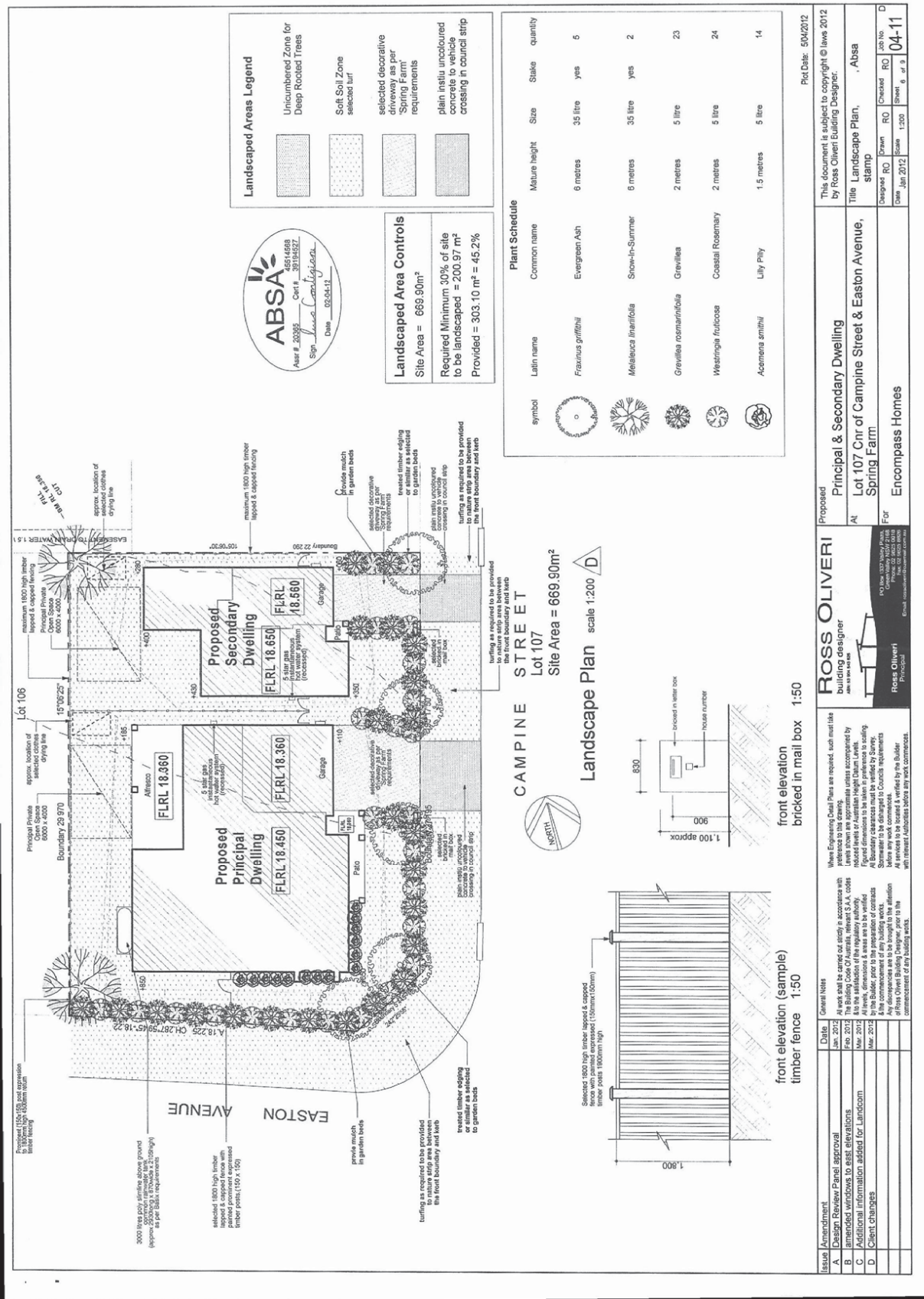
PO Box 9077, Northcote, VIC 3070
 Phone: 03 9377 0000
 Email: rossoliveri@rossoliveri.com.au

PROPOSED
Principal & Secondary Dwelling

AL Lot 107 Cnr of Campine Street & Easton Avenue, Spring Farm

FOR Encompass Homes

DESIGNED RO OLIVERI
CHECKED RO OLIVERI
DATE JAN 2012
SCALE 1:100
SHEET 2 of 3



ORD02

Attachment 2



ORD03

ORDINARY COUNCIL

ORD03

SUBJECT: SUBDIVISION OF LAND TO CREATE 9 RESIDENTIAL LOTS AND 1 RESIDUE LOT AT NO 7A KOWALD STREET (LOT 36, DP 1115708) AND NO 158A CAMDEN VALLEY WAY (LOT 1, DP 781735), ELDERSLIE

FROM: Director, Development and Health

BINDER: Development Applications 2012/DA 474/2012

DA NO: 474/2012

OWNER: Australand Holdings Ltd and Messina Homes Pty Ltd

APPLICANT: John M Daly and Associates Pty Ltd

ZONING: R1 General Residential

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Development Application (DA) for a residential subdivision on this site. The application is referred to Council in accordance with its delegations due to unresolved issues raised in submissions and a variation from Camden Development Control Plan 2011 (DCP).

SUMMARY OF RECOMMENDATION

It is recommended that Council approve this DA subject to the draft development consent conditions provided at the end of this report.

BACKGROUND

This DA was lodged on 18 May 2012. Pursuant to the DCP the application was publicly notified for 14 days and one submission was received.

The proposal and the submissions have been assessed and the application is now referred to Council for determination.

THE SITE

The site consists of two lots known as No 7A Kowald Street (Lot 36, DP 1115708) and No 158A Camden Valley Way (Lot 1, DP 781735), located on the northern side of Lodges Road in Elderslie. The site is irregular in shape, has a combined area of approximately 12 hectares, and has been the subject of recent subdivision, road and drainage works approved under various development applications. **A location plan is provided at the end of this report.**

The development site is located at the intersection of Franzman Avenue and Clissold Street. The surrounding lots contain residential dwellings, Elderslie Public School, a place of public worship and vacant land.

The surrounding area is characterised by a mixture of recreational and residential land uses, including Camden Valley Golf Club to the north east, the residential suburbs of Narellan Vale and Mount Annan to the east, the Elderslie and Spring Farm urban

release areas to the south and south east and the established part of Elderslie to the west.

A site identification plan is provided in **Figure 1** below.

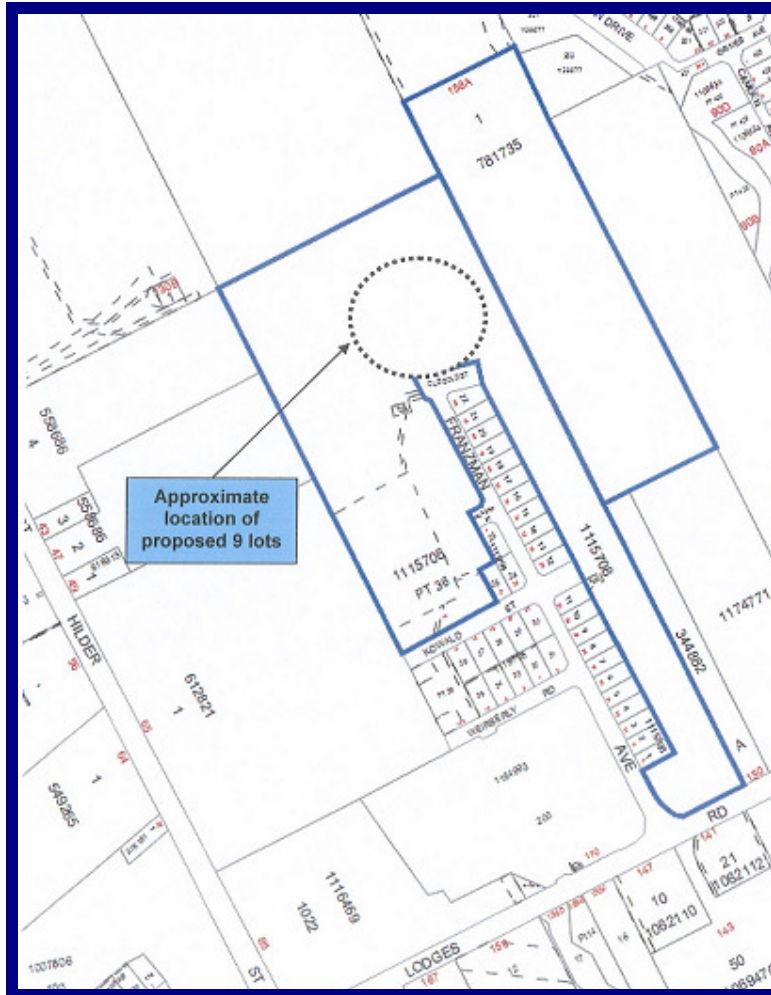


FIGURE 1: SITE IDENTIFICATION PLAN

THE PROPOSAL

Development Consent is sought for the subdivision of land (Lot 36, DP 1115708) to create 9 residential lots, 1 residue lot and construction of drainage and road works (including a temporary turning circle on Lot 1, DP 781735), as depicted in **Figure 2** below.

The proposed average lot size of 412.9m² is compliant with the DCP, which requires an average lot size of 375m² for the subject area (known as “Area 2” on the Elderslie Masterplan).

Similarly, each of the proposed lot sizes comply with the lot sizes prescribed by the Masterplan (being 300m² – 450m²), with the exception of proposed corner lot 3104 which is larger than required with an area of 491.7m². This DCP variation is supported

in this instance and discussed further in the “Assessment” section of this report. **A copy of the proposed plans is provided at the end of this report.**

The proposed residential lots will be the subject of separate development applications or complying development assessments for dwellings. These dwellings will need to comply with the site specific development controls in the DCP which address design and siting, etc.

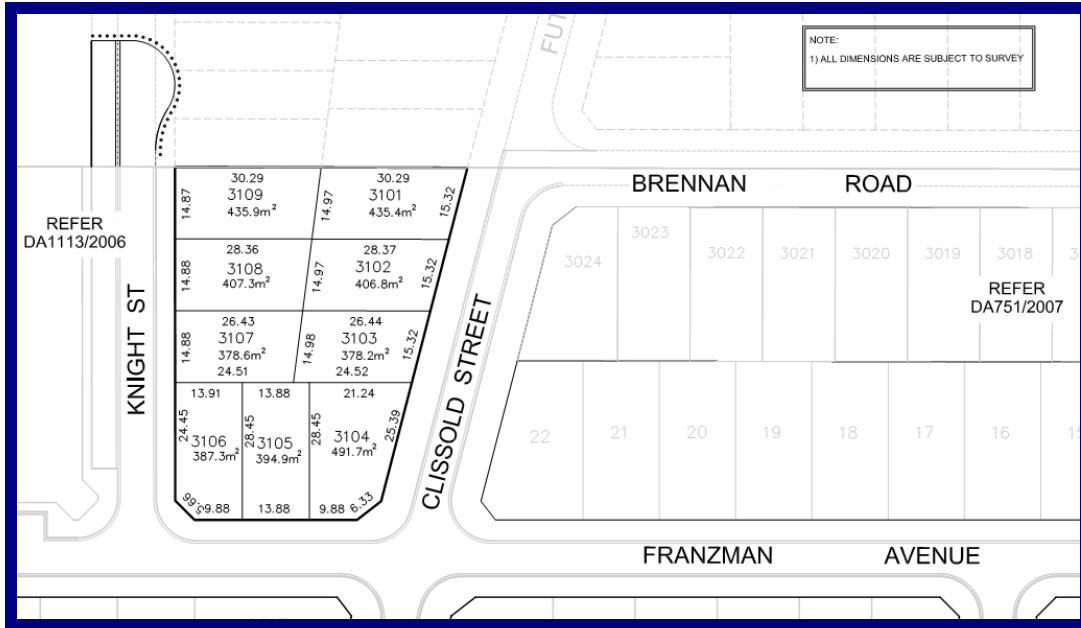


FIGURE 2: PLAN OF PROPOSED SUBDIVISION

NOTIFICATION

The application was publicly notified between 28 May and 11 June 2012. Notification letters were sent to surrounding properties which resulted in one submission being received by Council.

On 2 July 2012, a late submission was received in the form of a petition signed by 24 residents.

The issues raised in the initial submission and the late submission are assessed in the “1(d) Any Submissions” section of this report.

A copy of the submissions are provided with the Business Paper supporting documents.

PLANNING CONTROLS

The following are relevant planning controls that have been considered in the assessment of this application:

1. State Environmental Planning Policy No 55 – Remediation of Land
2. Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River
3. Camden Local Environmental Plan 2010
4. Camden Development Control Plan 2011

ASSESSMENT

The following assessment is made in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979, Section 79C – Evaluation*.

(1)(a)(i) The provision of any Environmental Planning Instrument

State Environmental Planning Policy No 55 – Remediation of Land (SEPP)

This SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting development consent.

A contamination investigation, remediation works and validation have been undertaken for the site as part of the parent lot subdivision approved under Development Consent 1113/2006. A site inspection by Council officers on 28 May 2012 identified that the site was suitably fenced and that no signs of contamination were evident.

The site is therefore considered to have been made suitable for the proposed residential use.

Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River

It is considered that the aims and objectives of this Policy will not be prejudiced by this development and there will be no detrimental impacts upon the Hawkesbury/Nepean River system as a result of it. Various development consent conditions relating to environmental management procedures, sediment and erosion controls and stormwater management have been recommended to ensure that the Hawkesbury/Nepean River system is not adversely affected by this proposal.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The land on which this subdivision is proposed is zoned R1 General Residential. Subdivision of land is permissible with consent in the R1 zone.

Zone Objectives

In terms of the development's consistency with the zone objectives, the relevant objectives of the applicable zone seek to "provide for the housing needs of the community by providing a variety of housing types and densities" whilst "minimising conflict between land uses within the zone and land uses within adjoining zones."

It is considered that the proposal is generally compliant with these objectives. The development is for the subdivision of land and works including the construction of a road, associated drainage and landscaping to occur over R1 zoned land. The development has been assessed and it is not considered that it will have any conflict upon any land uses in adjoining zones.

Lot Sizes

Pursuant to Clause 4.1 of the LEP, the site is subject to a minimum lot size of 300m². The proposed lot sizes range from 378.2m² through to 491.7m² and therefore comply with the minimum lot size.

Public Utility Infrastructure

Utility service connections including water and electricity are currently available to the site. It is a recommended condition of development consent that the site be connected to sewer prior to the issue of a Subdivision Certificate.

(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

There are no relevant draft environmental planning instruments that are applicable to this site or development.

(1)(a)(iii) The provisions of any Development Control Plan

The following parts of Camden Development Control Plan 2011 (DCP) are relevant and the proposal has been assessed against:

Part B1 – Environmental Management

Part B1.1 – Erosion and Sedimentation

The development has been designed to incorporate a number of erosion and sediment control measures including sediment boundary fences and a portable gravel kerb inlet sediment trap.

It is a recommended development consent condition that these erosion and sediment control measures be implemented in the construction of this development.

Part B1.3 – Salinity Management

Council has reviewed the salinity management plan (SMP) submitted with the application which details how works should be completed to minimise the impact on development from saline soils on the subject site.

It is recommended that appropriate conditions and an 88B restriction be included in the development consent which require the construction of the subdivision and any future dwellings or buildings to be completed in accordance with the recommendations of the SMP.

Part B1.4 – Water Management

The subdivision has been designed to include inter-allotment drainage with stormwater ultimately being directed to Council's drainage basin located downstream on 110 Lodges Road (Lot 1, DP 158163) Elderslie. Council staff have assessed the proposed drainage design and consider it acceptable for the subject site.

Part B1.9 – Waste Management Plan

A waste management plan (WMP) has been submitted with this DA. The WMP details the types of material wastes and volumes which will be generated as a result of the development and identifies the methods of disposal.

It is a recommended development consent condition that waste materials generated by the development are disposed of in accordance with the submitted WMP.

Part B1.12 – Contaminated and Potentially Contaminated Land Management

As noted previously in the SEPP 55 assessment, the subject site has been made suitable for its intended use in terms of contamination.

Part B1.13 – Mine Subsidence

The site is located within the South Campbelltown Mine Subsidence District and requires approval from the NSW Mine Subsidence Board. The applicant has submitted an approval from the NSW Mine Subsidence Board with the development application.

Part B2 – Landscape Design

It is a recommended development consent condition that detailed landscaping plans be submitted to Council prior to the issue of any Construction Certificate and that 9 street trees (and associated protective bollards) be installed prior to the issue of a Subdivision Certificate.

Part C6 – Elderslie Release Area

Part C6.2 – Neighbourhood and Subdivision Design

As identified previously in this report, the proposed development is generally consistent with the average lot size and densities in the Elderslie Masterplan, with the exception of proposed corner lot 3104, which exceeds the maximum lot size permitted by 41.7m².

The applicant has requested that Council support the proposed lot size variation on the basis that:

- the lot is located on the corner of Clissold Street and Franzman Avenue and the unusual alignment of Clissold Street as a “view corridor” has slightly skewed the alignment of the lot frontages;
- the reduction in size of this lot to make it comply would reduce the Franzman Avenue frontage to 7.9m wide, which is less than DCP permits for lot widths in “Area 2”;
- the extent of the non-conformance of proposed lot 3104 (41.7m²) is less than 10% and is considered to be a minor variation; and
- the proposal is compliant with the LEP’s minimum lot size controls.

Council staff have assessed the applicant’s justification for the DCP variation. Notwithstanding the development’s inconsistency with the adopted DCP, the development is consistent with the objectives and desired future character of the Elderslie Release Area in that:

- the proposed development is consistent with the urban village form envisaged in the Masterplan;

- the proposed lot sizes will allow for a variety of housing types and densities in close proximity to the neighbourhood centre;
- appropriate forms of housing can be provided for across the site without adversely impacting on the amenity of the area; and
- the larger size of lot 3104 will assist any future dwellings to comply with the DCP's residential controls for corner lots (such as setbacks and private open space).

Consequently the proposed lot size variation is supported and it is recommended that Council approve the development as proposed.

Part 6.3 – Street Network and Design

The proposed road profiles of Knight Street and the temporary turning circle located at the end of Knight Street are consistent with the street network design in the DCP.

Part 6.4 – Pedestrian and Cycle Network

The pedestrian and cycle network map in the DCP requires pedestrian paths to be provided along Clissold Street, Franzman Avenue and Knight Street. The road widths and verges shown on the submitted plans are capable of achieving this.

It is a recommended development consent condition that the applicant submit civil engineering plans which details pavement design to Council prior to the issue of a Construction Certificate.

(1)(a)(iii) The provisions of any Planning Agreement

There are no relevant planning agreements applicable to this site or development.

(1)(a)(iv) The provisions of the Regulations – S79C (1)(a)(iv)

The Regulations prescribe several development consent conditions which are recommended as draft conditions and are provided at the end of this report.

(1)(b) The likely impacts of the development

The likely impacts of this development include:

1. Economic Impacts

The development will contribute to labour force employment during the development phase whilst the resident population will ultimately contribute to the viability of support services in the local economy.

2. Social Impacts

The proposed development will contribute to diversity through provision of medium density housing stock, subject to future DAs for dwellings.

All other likely impacts of the proposed development have been assessed elsewhere in this report.

(1)(c) The suitability of the site for the development

The site is suitable for the proposed development in that it provides lot sizes appropriate for future housing in close proximity to the Elderslie Neighbourhood Centre.

The proposal fits in with the locality in terms of its ability for future dwellings to conform to the relevant development controls, and the site attributes make it conducive to the development in relation to the connection of utility services and infrastructure.

Therefore it is considered that this site is suitable for the proposed development.

(1)(d) Any submissions

As a result of public notification, one initial submission was received. A late submission in the form of a petition was also received on 2 July 2012. The following issues were raised in the submissions:

1. The residents purchased their property in 2008 on the basis that the Developer had shown them future plans of Lot 36 which showed no house frontages on Clissold Street and future houses would only face Franzman Avenue and Brennan Road (which will run parallel to Franzman Avenue but has not been constructed yet).

Officer comment:

The proposed subdivision and road layout is consistent with the Elderslie Masterplan which has been in Council's Development Control Plans since 2006. The DCP requires lot sizes of between 300m² and 450m² and an average lot size of 375m² for the subject area (known as "Area 2" on the Elderslie Masterplan).

Council officers are currently investigating the feasibility of signs being erected near development sites which clearly identify future land uses to surrounding residents or potential buyers. The findings of these investigations will be submitted in a report to Council for consideration in the near future.

2. The future owners/developers of the proposed lots will likely build two storey town house style homes due to the size of the lots, which will interfere with the objector's privacy as the new houses will be looking directly into their backyard and side of their home.

Officer comment:

Any future dwellings on the proposed lots will be required to be designed in accordance with all relevant residential dwelling controls and will be subject to individual assessments. The proposed lots would be capable of hosting either single or two storey dwellings.

3. The residents were informed that the lots surrounding their property would range from approximately 450m² to 600m². The reduced lot sizes proposed will devalue their home as well as others in the street.

Officer comment:

Some of the surrounding area (known as "Area 3" in the Elderslie Masterplan) has a minimum lot size of 450m², however the subject land is located within "Area 2" which allows lots of between 300m² and 450m².

The proposed lot sizes comply with DCP with the exception of lot 3104, which is 41.7m² larger than what is required. The potential loss of property values is not an issue that can be considered as part of this assessment.

4. The developer previously proposed similar size reduced lots in a neighbouring street. This was also objected to by local residents and the appeal was successful.

Officer comment:

It is noted that a number of separate DAs for subdivision in the surrounding area received objections due to the applications not meeting the minimum lot sizes prescribed in the DCP. There have been instances where the lot sizes were increased to comply with the DCP. In this instance, as the proposed lot sizes comply with the DCP, it is not necessary nor reasonable to request the developer to increase lot sizes.

5. More dwellings will cause more traffic in a very small street. If even one car parks along the street, other cars will not be able to drive down there safely.

Officer comment:

The proposal is consistent with the minimum lot sizes and road layout and widths prescribed in the DCP. The overall road network had been designed to cater for density targets in the Elderslie Release Area.

6. If the first few lots on Clissold Street are developed as smaller lots, then this may carry on throughout the subdivision, which is inconsistent with what the objectors were told when they purchased their lot.

Officer comment:

The proposed lot sizes are consistent with the requirements for "Area 2" in the Elderslie Masterplan which has been in Council's Development Control Plan since 2006.

7. When the residents lodged a DA for their home in 2010, Council objected to their dwelling being orientated to Clissold Street and required it to face Franzman Avenue to be consistent with the way the estate was being developed.

Officer comment:

In relation to the resident's property, there is no record of Council requiring the dwelling to be re-orientated, however this may have been requested to achieve compliance with the DCP controls for dwellings.

Aside from the variation discussed within the report, the proposed subdivision, including the lots facing Clissold Street, is consistent with the Elderslie Masterplan contained within Council's DCP.

A copy of the Elderslie Masterplan showing the location of the submitter's property is provided with the Business Paper supporting documents.

(1)(e) The public interest

It is considered that the public interest will be positively served by the proposed subdivision as it is generally consistent with the relevant LEP and the desired future character of the Elderslie Release Area and will not result in any unacceptable impacts upon the surrounding environment and adjoining land owners.

CONCLUSION

Council has received a DA for the residential subdivision of land at the corner of Clissold Street and Franzman Avenue in Elderslie.

The DA has been assessed in accordance with Section 79C of the *Environmental Planning and Assessment Act 1979* and the submissions received have been considered.

The applicant has sought a minor variation from the DCP as the subdivision proposes the creation of one lot which exceeds the maximum lot size specified in the Elderslie Masterplan. It is considered that the development is acceptable on the basis that although it is inconsistent with the adopted DCP, it is consistent with the LEP lot size controls and desired future character of the area, and can be carried out without adversely impacting on adjoining properties.

The submission received relates largely to the proposed lot sizes being smaller than they were previously advised by a developer and concerns that additional dwellings will cause traffic impacts. This DA is for subdivision creating 9 additional lots. The proposed lot sizes and road design are consistent with the Masterplan for the Elderslie Release Area, with the exception of lot 3104 which is larger than the DCP requires.

Consequently it is recommended that Council approve this DA subject to the draft development consent conditions provided below.

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
11117DA1 Sheet 1 of 1	Plan of Subdivision	JMD Development Consultants	April 2012
07148E3 Sheet 1 of 9	Cover Sheet	JMD Development Consultants	4 May 2012
07148E3 Sheet 2 of 9	Soil and Water Management Notes and Plan Legend	JMD Development Consultants	4 May 2012
07148E3 Sheet 3 of 9	Plan of Proposed Works associated with Stage 3 and 31	JMD Development Consultants	4 May 2012

07148E3 Sheet 4 of 9	Road Longitudinal Section Knight Street	JMD Development Consultants	4 May 2012
07148E3 Sheet 5 of 9	Road Longitudinal Section Brennan Road	JMD Development Consultants	20 April 2012
07148E3 Sheet 6 of 9	Road Longitudinal Section Clissold Street and Kowald Street	JMD Development Consultants	20 April 2012
07148E3 Sheet 7 of 9	Road Cross Sections Knight Street	JMD Development Consultants	4 May 2012
07148E3 Sheet 8 of 9	Road Cross Sections Brennan Road (Sheet 1 of 2)	JMD Development Consultants	20 April 2012
07148E3 Sheet 9 of 9	Road Cross Sections Brennan Road (Sheet 2 of 2)	JMD Development Consultants	20 April 2012

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all street tree installations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation, tree guard protection and bollards installation and completion of all planting, turf installation and street tree installation.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC, and an inspection at the end of the 12 month maintenance period.

At the completion of the 12 month landscaping maintenance and establishment period, all nature strip and road verge areas, street trees, street tree protective guards and bollards must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

- (3) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:
- (a) Camden Council's current Engineering Specifications, and
 - (b) Camden Council's Development Control Plan 2011.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by Camden Council prior to the issue of any Construction Certificate.

- (4) **Stormwater Disposal** - Stormwater runoff from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.

2.0 - Construction Certificate Requirements

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

- (1) **Temporary Turning Facility** – A temporary turning/manoeuvring facility shall be provided at the end of proposed Knight Street. The facility shall be designed in accordance with:
- (a) the current edition of AS 2890.2 and more specifically the Heavy Rigid Vehicle (HRV) swept turning path contained within that document; and
 - (b) Camden Council's Development Control Plan 2011.

The manoeuvring area within the facility shall incorporate the pavement and wearing course design associated with the adjoining proposed public road, and there shall be no kerb and gutter of any type within the facility. Any additional land required to accommodate the facility, adjacent to the proposed public road, shall be provided with such land being dedicated as a temporary public road in accordance with s.9, 39 and 40 of the *Roads Act 1993*. The status of the facility shall remain as a temporary public road until such time as:

- (a) an alternative facility has been provided and dedicated as either:
 - (i) public road, or
 - (ii) temporary public road.

- (2) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council (and the Roads and Maritime Services). Plans and proposals must be approved by Council (and the Roads and Maritime Services) prior to the Construction Certificate being issued.
- (3) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications, and are to be submitted for approval to the Principal Certifying Authority prior to the Construction Certificate being issued.

Note:

- (a) Under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.
- (b) Under section 109E of the Environmental Planning and Assessment Act 1997, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.

- (4) **Inter-Allotment Drainage Construction** – Inter-allotment drainage lines must be installed in accordance with Camden Council's current Engineering Specifications. Inter-allotment drains must be installed after Sydney Water sewerage lines have been installed, where sewer is proposed adjacent to inter-allotment drains.
- (5) **Easement Creation** - Where the disposal of drainage involves the provision of drains across land owned by others and is not within a watercourse, drainage easements must be provided. The width of such drainage easements must be in accordance with Camden Council's current Engineering Specifications. Documentary evidence of creation of the easement/s must be submitted to Council (for information purposes) prior to the issue of a Construction Certificate.
- The easement must be obtained over downstream properties and such easement must be registered with the Land and Property Management Authority prior to the release of the Subdivision Certificate.
- (6) **Provision of Kerb Outlets** – Where proposed lots grade to an existing/proposed public road, kerb outlets shall be provided in the kerb and gutter adjacent to those lots. Such kerb outlets shall be:
- (a) located within 2m downstream of the prolongation of the lot corner with the lowest reduced level and to the requirements of the Principal Certifying Authority;
 - (b) constructed in accordance with Camden Council's current Engineering Specification/s; and
 - (c) indicated in any design plan submitted to the Certifying Authority for the purposes of obtaining a Construction Certificate.
- (7) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (8) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
- (a) all matters associated with Council's Erosion and Sediment Control Policy;
 - (b) all matters associated with Workplace Health and Safety;
 - (c) all matters associated with Traffic Management/Control; and
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (9) **Cut and Fill Policy** - Any excavation or filling of any residential building site in excess of 1m cut and 600mm fill must only be carried out in accordance with

Council's Development Control Plan 2011. The required details must be submitted to Council prior to the Construction Certificate being issued.

- (10) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans prepared by a qualified Landscape Architect or qualified Landscape Designer, must be submitted with the Construction Certificate application and must be in accordance with Camden Council's current Engineering Design Specifications.

The following items listed must be included in the detailed Landscaping Plans.

- (a) Nine (9) nature strip street trees are to be installed:
- (i) Ensure that the 9 street tree installations and their proposed maintenance and establishment schedules are clearly shown in the detailed Landscaping Plans.
 - (ii) The 9 street trees selection could be Lagerstroemia varieties or Lophostemon confertus or Nyssa sylvatica or Pyrus calleryana varieties such as 'Chanticleer' 'Bradford' or the Cupaniopsis anacardiodes, or another appropriate selection to fit the situation.
 - (iii) The detailed Landscaping Plans must show that all street trees have at time of planting, well constructed tree guard protection installed. A minimum requirement is the installation of at least 3 bollards per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA.
 - (iv) Eucalyptus, Angophora, Araucaria and other very large trees are not to be installed in any road verge or nature strip without approval from the Consent Authority (i.e. Camden Council).
 - (v) That all the street trees are sourced in a minimum 75 litre container size, are not multi-stemmed and can stand alone without the need for staking.
- (b) The detailed Landscaping Plans lodged for the issue of the Construction Certificate must include a planting schedule. The planting schedule must clearly detail the planting positioning, species by botanical and common names, quantities, planting sizes and the estimated size of the plant at approximately 12 years maturity. The planting schedule must also clearly show the proposed establishment and maintenance programme to be applied to the installed landscaping.

3.0 - Prior To Works Commencing

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

- (1) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (2) **Notice of Commencement of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
- (3) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point
- (4) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

Where a soil erosion and sediment control plan (or details on a specific plan) has been approved with the development consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the development consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (5) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land shall be protected from damage during construction works.

Public infrastructure includes roadways, kerb and guttering, footpaths, service authority infrastructure (such as light poles, electricity pillar boxes, telecommunication pits, sewer and water infrastructure), street trees and drainage systems.

The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. Where existing damage is present, a dilapidation survey of Council's assets, including photographs (with evidence of date) and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of construction works.

The applicant shall bear the cost of all restoration works to public property damaged during the course of this development. Any damage to public infrastructure will be required to be reinstated to Council's satisfaction prior to the issue of a Subdivision Certificate.

4.0 - During Construction

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

- (1) **Subdivision, Building and Demolition Work Hours** - All such work must be restricted to the following hours:
 - a) between 7.00am and 6.00pm, Mondays to Fridays (inclusive); and
 - b) between 8.00am to 5.00pm on Saturdays.

Work is prohibited on Sundays and Public Holidays.

- (2) **Site Management (No Nuisance Creation)** - The developer must carry out work at all times in a manner which will not cause a nuisance to owners and occupiers of adjacent properties by the generation of unreasonable noise, dust or other activity.
- (3) **Construction Noise** - Construction work shall not give rise to any "offensive noise" as defined in the Protection of the Environment Operations Act (1997).

Construction work shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority' Environmental Noise Manual for the control of construction site noise that specifies that:

- For a cumulative period of exposure to construction activity noise of up to 4 weeks, the Laeq (15 minute) emitted by the works to specific residences should not exceed the LA90 background level by more than 20 dBA.
 - For a cumulative construction noise exposure period of between 4 to 26 weeks, the emitted Laeq (15 minutes) noise level should not exceed the LA90 level by more than 10 dBA.
 - For a cumulative construction noise exposure period greater than 26 weeks, the emitted Laeq (15 minute) noise level should not exceed the LA90 level by more than 5 dBA.
- (4) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.

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

The validation report and associated sampling location plan must:

- (a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- (b) be endorsed by a practising Engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- (c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

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

Sampling of VENM for salinity of fill volumes:

- (e) less than 6000m³ - 3 sampling locations,
- (f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

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

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

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

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

- (6) **Unexpected Finds Contingency (General)** - Should any further suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material etc.) be encountered during any stage of earthworks/site preparation/ construction, then such works must cease immediately until a qualified Environmental Consultant has been contacted and has conducted a thorough assessment. In the event that contamination has been identified as a result of this assessment and remediation is required, site works must cease in the vicinity of the contamination and the Consent Authority must be notified immediately.

Where remediation work is required, the applicant will be required to comply fully with Council's Policy - Management of Contaminated Lands with regard to obtaining consent for the remediation works.

- (7) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer www.environment.nsw.gov.au/waste/envguidlns/index.htm). Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (8) **Salinity Management Plan** – All proposed construction works including earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be built in accordance with the Salinity Management Plan as contained under "Section 6" and drawings 1,2,3 in report titled "Salinity Management Plan: Proposed Residential subdivision development lot 102 DP 631430, 150 Lodges Road, Elderslie NSW, prepared for Australand Holding Pty Ltd, prepared by GeoEnviro Consultancy Pty Ltd, Ref No. JE04210B-r4, dated September 2006." Compliance with the Plan must be demonstrated for each residential development Application.
- (9) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following stages of construction:
- (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;
 - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
 - (d) proof roller test of subgrade and sub-base;
 - (e) roller test of completed pavement prior to placement of wearing course;
 - (f) prior to backfilling public utility crossings in road reserves;
 - (g) prior to placement of asphaltic concrete;
 - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates stating that all

work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council prior to the issue of the Subdivision/Occupation Certificate.

- (10) **Compaction (Roads)** - All filling on roadways must be compacted in accordance with Camden Council's current Engineering Construction Specifications.

5.0 - Subdivision Certificate

The following conditions of consent shall be complied with prior to the Council or an Accredited Certifier issuing a Subdivision Certificate.

- (1) **Section 94 Contributions** - Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$9.00 per additional lot or dwelling, total \$81.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed to the Road Cost Index, and paid prior to the issue of a Subdivision Certificate.

- (2) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$7,110.00 per additional lot or dwelling, total \$63,990.00, for **Open Space, Recreation & Community Land**.

The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and paid Prior to the issue of a Subdivision Certificate.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

- (3) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$9,428.00 per additional lot or dwelling, total \$84,852.00, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services**.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid Prior to the issue of a Subdivision Certificate.

- (4) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$39,552.00 per additional lot or dwelling, total \$355,968.00, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan**.

The contribution must be indexed by the methods set out in paragraph 2.15.1 of the plan and paid prior to the issue of a Subdivision Certificate.

The monetary contribution for drainage, roadworks, traffic facilities, open space embellishment and masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works

cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

- (5) **Utilities** – All services (water, sewer, electricity, telephone and gas) to all allotments are to be installed and fully operational prior to any Subdivision Certificate being issued.
- (6) **Services** - Prior to the issue of any Subdivision Certificate, the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:
 - (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment. Application for such a certificate must be made through an authorised Water Servicing Co-ordinator;
 - (b) a Notification of Arrangements from Endeavour Energy;
 - (c) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (7) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (8) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (9) **Section 88B Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
 - (a) Easement for services.
 - (b) Easement to drain water.
 - (c) Restriction as to user that all proposed construction works including earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be built in accordance with the Salinity Management Plan as contained under " Section 6" and drawings 1,2,3" in report titled Salinity Management Plan: Proposed Residential subdivision development lot 102 DP 631430, 150 Lodges Road, Elderslie NSW, prepared for Australand Holding Pty Ltd, Prepared by GeoEnviro Consultancy Pty Ltd, Ref No. JE04210B-r4, dated September 2006." Compliance with the Plan must be demonstrated for each residential development Application.
- (10) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate, a certificate from a Registered Surveyor must be submitted to the Certifying Authority, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or

accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

- (11) **Works as Executed Plan** - Prior to the issue of any Subdivision Certificate, a works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) in accordance with Camden Council's current Engineering Construction Specifications must be provided.
- (12) **Subdivision Certificate Release** - The issue of a Subdivision Certificate is not to occur until all conditions of this consent have been satisfactorily addressed and all engineering works are complete unless otherwise approved in writing by the Principal Certifying Authority.
- (13) **Lot Numbers and Street Names** - Prior to Issue of a Subdivision Certificate, lot numbers, house numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

The stencil medium must be of a good quality UV stabilised paint and applied to the kerb accordingly:

- (a) Lot numbers:
 - (i) White number on blue background located on the prolongation of both common boundaries of each lot.
 - (b) House numbers:
 - (i) Blue number on white background located adjacent the middle of the lot.
 - (c) Street names:
 - (i) White lettering on blue background at kerb and gutter tangent points or at such locations as directed by the Principal Certifying Authority.
- (14) **Installation of Street Trees and Their Protective Guards and Bollards:**
- (a) Prior to the issue of the Subdivision Certificate, all street trees are to have root barrier installation to the kerb.
 - (b) Prior to the issue of the Subdivision Certificate, any street trees, their tree guards, protective bollards or root barrier installation which are disturbed, relocated, removed, or damaged during the subdivision construction stage or the 12 month maintenance and establishment period following the construction stage, must be successfully restored.
 - (c) Prior to the issue of the Subdivision Certificate any repairs, relocations, installations or replacements needed to the street trees, bollards, tree guards or root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out

END OF CONDITIONS

RECOMMENDED

That Council approve Development Application 474/2012 for a residential subdivision at No 7A Kowald Street (Lot 36, DP 1115708) and No 158A (Lot 1, DP 781735), Elderslie, subject to the draft development consent conditions shown above.

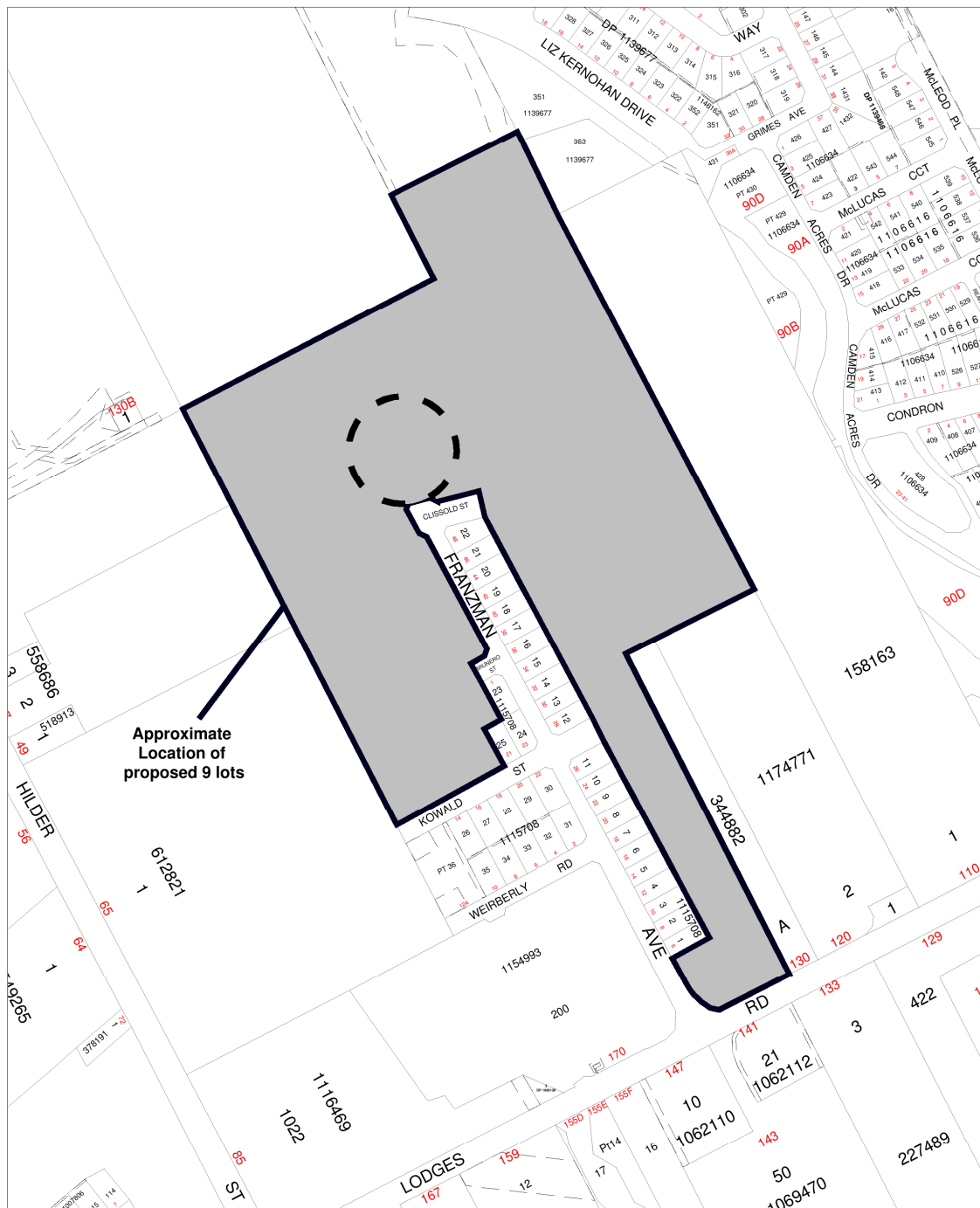
ORD03

ATTACHMENTS

1. Location plan
2. Proposed plans
3. Submissions - *Supporting Document*
4. Elderslie Masterplan extract - *Supporting Document*

ORD03

Attachment 1

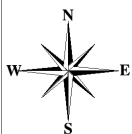


SUBURB: ELDESLIE



Subject Site

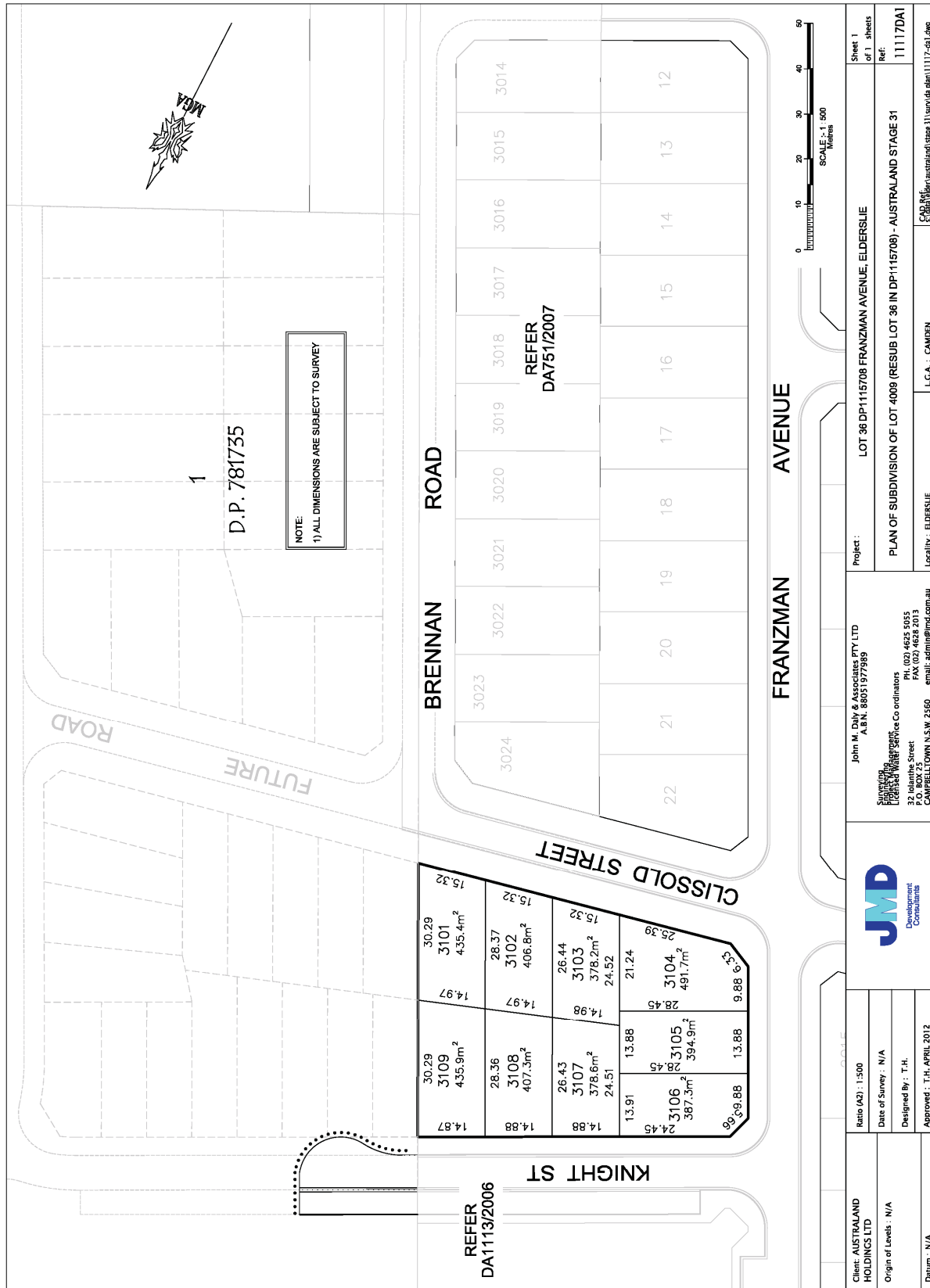
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LOCATION PLAN

DA 474/2012

Lot 36 DP 1115708 & Lot 1 DP781735



Attachment 2 **ORD03**

ORDINARY COUNCIL

ORD04

SUBJECT: BANKING TENDER
FROM: Director Governance
BINDER: Banking and Finance

PURPOSE OF REPORT

To advise Council of the outcome of the tender to provide Council with banking services for the next 5 years.

MAIN REPORT

Council recently went to tender for banking services. The purpose of the tender was to test the banking sector to ensure Council was receiving modern services and value for money.

Council's current bank is the Commonwealth Bank. Banking services cost Council approximately \$150,000 per year.

A comprehensive tender document was prepared and the following evaluation criteria used to assess each tender.

- Price
- Quality of Service
- Information Systems
- Services Tendered
- Contract
- Service Levels
- Relationship Management

The following 3 banks submitted tenders:

- Australian and New Zealand Banking Corp (ANZ)
- Commonwealth Bank of Australia (CBA)
- National Australia Bank (NAB)

It should be noted that, of the major four banks, no response was received from Westpac Bank.

All banks that submitted tenders complied with the tender specifications which allowed each tender to be assessed against the tender evaluation criteria.

The tender evaluation panel has recommended that the Commonwealth Bank be appointed as Council's bank for the next 5 years. The price tendered by the Commonwealth Bank will result in a saving to Council of approximately \$30,000 per year or \$150,000 over the life of the contract. This is an excellent outcome for Camden Council.

It should be noted that the Commonwealth Bank was not the cheapest option but still scored the highest ranking on the basis of all criteria to be considered by the tender assessment panel. After considering the cost of conversion to a new provider the difference in price was no longer a determining factor.

Due to the “commercial in confidence” nature of the information provided by each bank a summary of the tender panel’s assessment is provided in **supporting documents**.

Subject to Council accepting the Commonwealth Bank’s tender it is expected that the term of the contract will commence 1 August 2012.

CONCLUSION

The banking tender has resulted in an excellent outcome for Camden Council with savings to be realised of approximately \$150,000 over the life of the contract. The Commonwealth Bank ranked the highest when all aspects of the evaluation criteria were considered. On this basis, the tender evaluation panel has recommended that Council accept the Commonwealth Bank’s tender to provide banking services for the next 5 years.

RECOMMENDED

That Council:

- i. accept the tender from the Commonwealth Bank to provide banking services to Camden Council for the next 5 years; and**
- ii. execute documents and affix the Council Seal as necessary.**

ATTACHMENTS

1. *Tender Assessment - Supporting Document*

ORDINARY COUNCIL

ORD05

SUBJECT: ROADS AND MARITIME SERVICES 2012/13 BLACK SPOT FUNDING
FROM: Director Works & Services
BINDER: Grants and Subsidies/Programs/Road Grants/RMS Grants

PURPOSE OF REPORT

To seek Council acceptance for 50/50 match funding for 2012/2013 Black Spot Funding under the NSW State Blackspot Program, and to commit Council's share of this project cost.

BACKGROUND

In 2011, Council submitted two applications for Blackspot Program funding under the Federal Government's Nation Building Program. They are:

1. Macquarie Grove Road, Kirkham for a project cost of \$374,960.
2. Springfield Road, Catherine Field for a project cost of \$70,458.

Council was informed by Roads and Maritime Services (RMS) on 30 May 2012 that one of these applications (Macquarie Grove Road) has been approved for funding of \$374,960 for the 2012/2013 financial year under the Federal Government's Nation Building Program. This was reported to Council at its meeting on 26 June 2012.

In this earlier report, Council was also informed that the second application (for Springfield Road) will be considered under the State program, which requires dollar for dollar funding between Council and RMS. This is because the Benefit Cost Ratio (BCR) of the proposal was not high compared to other submissions across NSW.

Council has now been informed by the RMS that it has been successful in its application for part (matched) funding of \$35,229 for the 2012/13 financial year under the NSW State Blackspot Program.

MAIN REPORT

The RMS seeks applications each year for projects under a number of program headings, including the Blackspot Program. The Blackspot Program is an element of the Federal Government's Nation Building Program. Within New South Wales, the program is administered by the RMS, which makes recommendations via an expert committee to the Federal Government. As a general rule, the RMS makes applications for State roads and Councils submit proposals for Regional and Local roads.

The Nation Building Program provides funds to the Blackspot Program on an annual basis. Funding is made available for the treatment of Black Spots (defined as up to 3km in length), or Black 'lengths' (greater than 3km). Black Spot eligibility is based on a history of recorded accidents and their severity. Black Spot funds can only be spent on measures addressing these accidents. The funds cannot be used on other measures which do not directly address a recorded accident that has occurred in the past.

In addition, the RMS discretionally allocates further funding to Councils for Black Spot projects which do not secure Federal funding. This RMS funding source is on a 50/50 match funding basis (i.e. Council contributes 50 percent of the cost).

In 2011, Council submitted an application for BlackSpot Program funding under the Federal Government's Nation Building Program. The application for treatment on Macquarie Grove Road was successful under this Federal Program, and is fully funded by the Federal Government. This was reported to Council at its meeting on 26 June 2012.

Council has been informed by the RMS that it was unsuccessful in its application for full funding for upgrading section of Springfield Road, Catherine Fields. This is because the Benefit Cost Ratio (BCR) of the proposal was not high compared to other submissions across NSW.

However, the project, with a total estimated cost of \$70,458 has been approved for 50/50 matched funding (\$35,229) under the NSW State Blackspot program for the 2012/2013 financial year.

The proposed treatments for Springfield Road are as shown in **attachment 1 at the end of this report and** include:

1. Sealed Shoulder 1 metre wide to provide the opportunity for drivers to recover in the event of accidentally leaving the carriageway;
2. Edge lines to provide a continuous guide for drivers by delineating the edges of sealed roads making driving safer and more comfortable, particularly at night and under adverse weather conditions;
3. Reflective Raised Pavement Markers to improve delineation, particularly at night or during wet weather conditions. They also to provide tactile and audible warnings to drivers;
4. 55km/h Curve Advisory Speed signs to signify the need to reduce the speed of vehicles to a safe speed to negotiate the curve more safely;
5. Curve Advisory signs to provide advance warning to drivers that the alignment of the road is about to change and that the driver should alter the speed of the vehicle to negotiate the curve safely;
6. Concealed Driveway warning sign (W2-206-2) to provide advance warning to drivers of a hidden driveway ahead;
7. Chevron alignment markers and guideposts to assist drivers by indicating the alignment of the road ahead;
8. 40 metres of w-beam barriers to reduce the severity of run-off-road crashes; and
9. Extend the existing drainage culvert end headwall from the clear zone.

CONDITIONS OF ACCEPTANCE

Conditions for accepting Blackspot Program funding under the NSW State Blackspot Program are:

- Advice to RMS of acceptance, including advice that Council has committed Council's share;
- Acceptance by 3 August 2012;
- Program details being provided to RMS;
- Formal change management process for scope changes;

- Regular reporting of progress to RMS, including against expectations that design and final estimates by late November, construction to commence by March 2013;
- Monthly invoicing; and
- All funds spent by 30 June 2013.

As one of the conditions of acceptance is that Council needs to demonstrate Council's commitment for its share of the project cost, this report also seeks Council's agreement to allocate its share of the project cost of \$35,229 (excluding GST) from Council's Capital Works Reserve.

The current balance of the Capital Works Reserve is \$421,600.

FINANCIAL IMPLICATIONS

Council is required to commit dollar for dollar funding between Council and RMS in accepting the Black Spot Funding under the State Blackspot Program, which will reduce the amount within Council's Capital Works Reserve, used for emergency works and to match fund for other capital projects, from the current balance of \$421,600 to \$386,371.

The work will create additional signage, line marking and pavement markers which will need to be maintained over time. This maintenance would be funded from Block Grants from the RMS and general purpose grants from the Federal Government.

ASSET MANAGEMENT IMPLICATIONS

The completion of this work will result in a wider road pavement and increased signage in parts of Springfield Road which will increase some classes of assets for which Council is responsible. However, the road will remain at a rural road standard and will only be upgraded in line with development at a later time.

No new classes of assets will be introduced and hence Council's current Asset Management plans and strategies cover the assets resulting from this project.

CONCLUSION

In 2011, Council submitted an application for upgrading section of Springfield Road, Catherine Field for BlackSpot Program funding of \$70,458 under the Federal Government's Nation Building Program.

Council was unsuccessful in gaining full funding for this project but has since been informed by the RMS that the project has been approved for dollar for dollar funding between Council and RMS (\$35,229 each) for the 2012/2013 financial year under the NSW State Blackspot Program. This reduced funding is because the Benefit Cost Ratio (BCR) of the proposal was not high compared to other submissions across NSW.

To proceed with the project, Council needs to accept the funding and demonstrate its commitment to providing its share of the project cost. It is proposed this is done by Council allocating its share (\$35,229) from the Capital Works Reserve, which has a current balance of \$421,600.

RECOMMENDED

That Council:

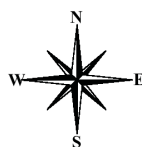
- i. accepts for 50/50 match funding for 2012/2013 Black Spot Funding under the State BlackSpot program to undertake projects on Springfield, Catherine Field;**
- ii. allocate funding of \$35,229 from Capital Work Reserve to match fund the amount provided under the NSW State Blackspot Program; and**
- iii. authorises the relevant documentation to be completed under Council Seal as necessary.**

ATTACHMENTS

- 1. Springfield Road**

ORD05

Springfield Road - Catherine Field



LEGENDS

- Proposed 1 m shoulder seal
- Proposed 40m w-beam
- Proposed Chevron markers
- Proposed removal of headwall

Proposed Treatments

This map has been prepared from Council records by the Land Information section. If you intend to rely on this information you should have this verified.

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