



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**13 November 2012**

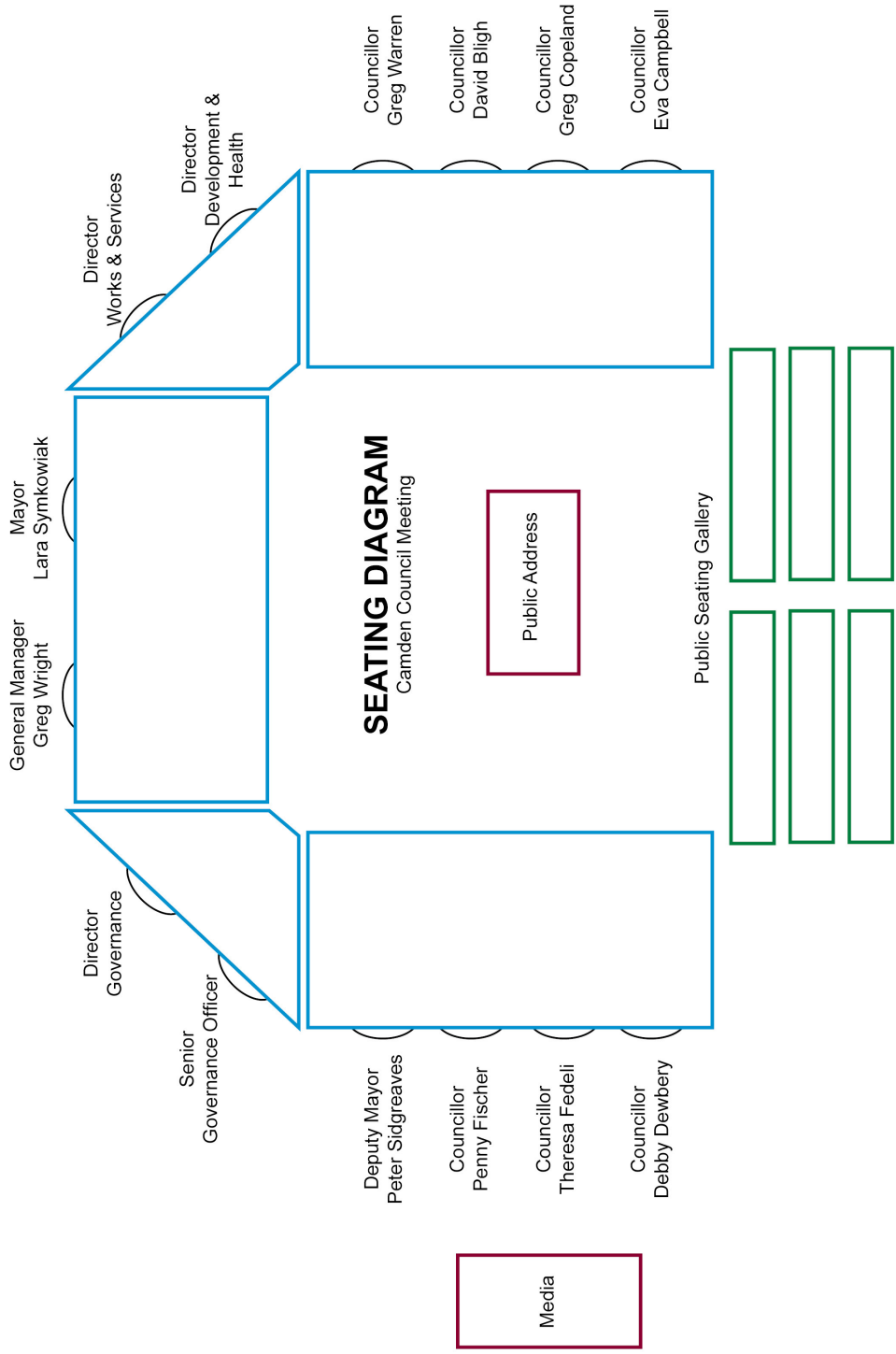
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**Camden Civic Centre  
Oxley Street  
Camden**



## 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<br>CERTIFICATE | Certificate as to zoning and planning restrictions on properties             |
| SECTION 603<br>CERTIFICATE | Certificate as to Rates and Charges outstanding on a property                |
| SECTION 73<br>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.*

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# ORDINARY COUNCIL

## ORDER OF BUSINESS - ORDINARY COUNCIL

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## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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



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## ORDINARY COUNCIL

**SUBJECT: APOLOGIES**

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

**RECOMMENDED**

**That leave of absence be granted.**



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## ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

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

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

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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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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.**





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## ORDINARY COUNCIL

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 23 October 2012

**RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 23 October 2012, copies of which have been circulated, be confirmed and adopted.**



## ORDINARY COUNCIL

### Mayoral Minute

### Mayoral Minute

**SUBJECT:** MAYORAL MINUTE - PAWS IN THE PARK  
**FROM:** The Mayor  
**BINDER:** Events > Paws in the Park

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Following the success of the inaugural Paws in the Park in 2011, the event returned to the Camden Bicentennial Equestrian Park for its second year on Sunday 28 October 2012.

This year's event saw in excess of 2,500 people, accompanied by their canine companions, through the gates of the Bicentennial Equestrian Park.

The day commenced with the 3km and 5km dog walk around the Bicentennial Equestrian Park followed by demonstrations and displays throughout the day by Sydney Psychos Fly Ball, German Shepherd Dog League, Macarthur Dog Training, Werriwa Dog Training and Police Dog Unit.

A variety of store holders offered a range of animal related products and services which were well attended and the free Royal Canin Showbag filled with treats, food samples, toys and pet related information, proved very popular. Discount vouchers for desexing were also issued throughout the day to help promote responsible pet ownership.

Council's Scan and Win Competition proved very popular again this year with 488 dogs scanned, 239 from the Camden LGA and 249 from outside the area including two from Canberra and two from Raymond Terrace. Nine dogs were also microchipped on the day.

Dr Katrina Warren enjoyed last years' event so much that she and her trusty companion, golden retriever Reilly, returned to meet and greet walkers, as well as to judge the competitions. Former NRL player Mario Fenech also joined Dr Warren as a special guest and judge.

The day was sponsored by Royal Canin, Macarthur Lions, Camden - Narellan Advertiser, Derks Produce, Appealing Images, Funnell's Electrical, Bayer, Pet and Aquarium World, Bark Busters, NRL, Butterfly Wings Animal Rescue, Macarthur Veterinary Group, The University of Sydney, Renbury Farm, Nine Network Australia, Positive Paws, Boundless Images, Sassy Treats, Fetching Dogs and Vicki Patterson Chiropractic and their contributions are thankfully acknowledged.

Approximately \$5,000 was raised on the day, with profits going towards promoting responsible pet ownership including microchipping and desexing.

I would like to thank the people involved with organising and working on the day, as the event just wouldn't have happened with them:

Michelle, Joe & Tayla Gallo - Like last year, the Gallo's did not stop all day and truly went above the call of duty with the effort they all put in. Michelle was instrumental in organising the dog demonstrations, dog clubs and rescue organisations and a multitude of other things associated with the day.

Colleen Ritchard from Sydney Uni vet clinic - the free vet checks were a huge draw card, the intern vets who came and volunteered their time on the day were hugely appreciated.

Nicole Magurren - thank you for your dedication to this event and the dedication of your whole team from Council who were involved (Geoff, Michelle, Fiona, Nathan, Jennifer). Thank you to your husband Stuart for helping too. Without council staff there on the day, including our fabulous customer service staff (Lee, Megan and Ashlea), the scan and win competition and registrations couldn't have happened.

Michelle Anderson - thank you to Royal Canin for their unprecedented support, the level to which they contributed this year was unbelievable, without you, our event sponsor, the event wouldn't have been the size, scale or quality that it was.

Camden Advertiser – Michelle Burrell and Kerrie Armstrong, thank you for all the wonderful stories in the weeks leading up to the event to help promote it, we couldn't buy this sort of advertising, so thank you very very much.

Ted Gilroy & the Lions – thank you for your huge effort on the BBQ and for coordinating the parking. Thanks for being part of our event and contributing to its success.

Peter & the Men's Shed - thanks to Peter and the Mens Shed members for preparing the BEP grounds so it was in the right condition for all the doggie paws.

David Funnell - thank you for the excellent MC'ing on the day, your expertise on the microphone was much appreciated.

Cr Debby Dewbery - was one of the people who was everywhere on the day from set up to pack up, Cr Dewbery's help was invaluable.

Chris Patterson MP - for getting the NRL involved and coordinating Mario Fenech's attendance and all your help during the event on the day.

Steve Ferguson from Macarthur Vets & Lorraine Barnes from Renbury Farm - thank you for your ongoing support of the event and for being such important stakeholders on our committee.

Emma & Danielle from Council - thank you for supporting Tanya in her primary role as event manager.

Matt French - RSPCA's support as a stallholder and providing educational information on the day.

And thank you to Councillors Peter Sidgreaves, Penny Fischer & Teresa Fedeli who helped collect donations and supported the event, as well as Jim Riley, Frank Fedeli, Alex Carne, Jake & Zeek Finey and Susan Carne. Thanks to Brooke, Cyril, Bronte & Lulani Logoitumua and Andrew Symkowiak for collecting donations, set up and pack up.

And lastly, to Tanya from Council for being the "go-to" person on everything. Thank you for pulling it all together and for making sure we were all on track for a successful event. We couldn't have done it without you.



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By all accounts, everyone, including the dogs, thoroughly enjoyed the day and Paws in the Park is an event that has been embraced by the community.

**RECOMMENDED**

**That Council note the information.**



ORD01

## ORDINARY COUNCIL

ORD01

**SUBJECT:** SUBDIVISION TO CREATE 5 INDUSTRIAL LOTS, DEMOLITION OF EXISTING POULTRY FARM, ALL ASSOCIATED STRUCTURES AND DWELLING, EXTENSION OF SIMPSON CLOSE, DRAINAGE AND ASSOCIATED SITE WORKS, AT 536 CAMDEN VALLEY WAY, 45 ANDERSON ROAD AND 5-7 SIMPSON CLOSE, SMEATON GRANGE

**FROM:** Director, Development and Health

**BINDER:** DA765/2012

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**APPLICATION NO:** 765/2012

**PROPOSAL:** Subdivision to create 5 industrial lots, demolition of existing poultry farm, all associated structures and dwelling, extension of Simpson Close, drainage and associated site works

**PROPERTY ADDRESS:** 536 Camden Valley Way, 45 Anderson Road and 5-7 Simpson Close, Smeaton Grange

**PROPERTY DESCRIPTION:** Lots 9, 10 & 213, DPs 28024, 1145448 and 1158933

**ZONING:** IN1 General Industrial

**OWNER:** Victor and Josephine Vella, Investa Commercial Developments Pty Ltd, Paul Wakeling Pty Limited

**APPLICANT:** Michael Gordon C/o JMD Development Consultants

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the subdivision of land to create 5 industrial lots, demolition of an existing poultry farm, associated buildings and dwelling, extension of Simpson Close, drainage and associated site works at 536 Camden Valley Way, 45 Anderson Road and 5-7 Simpson Close, Smeaton Grange.

The DA is referred to Council for determination due to one unresolved submission received from an adjacent landowner.

### SUMMARY OF RECOMMENDATION

That Council determine Development Application No 765/2012 for the subdivision of land into 5 industrial lots, demolition of existing poultry farm, associated structures and dwelling, extension of Simpson Close, drainage and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting of consent subject to conditions contained in this report.

### EXECUTIVE SUMMARY

Council is in receipt of a DA for the subdivision of land into 5 industrial lots, demolition of an existing poultry farm, associated structures and dwelling, extension of Simpson Close, drainage and associated site works at 536 Camden Valley Way, 45 Anderson Road and 5-7 Simpson Close, Smeaton Grange.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulations 2000, relevant

Environmental Planning Instruments, Development Control Plans and Council policies. The outcome of this assessment is detailed further in this report.

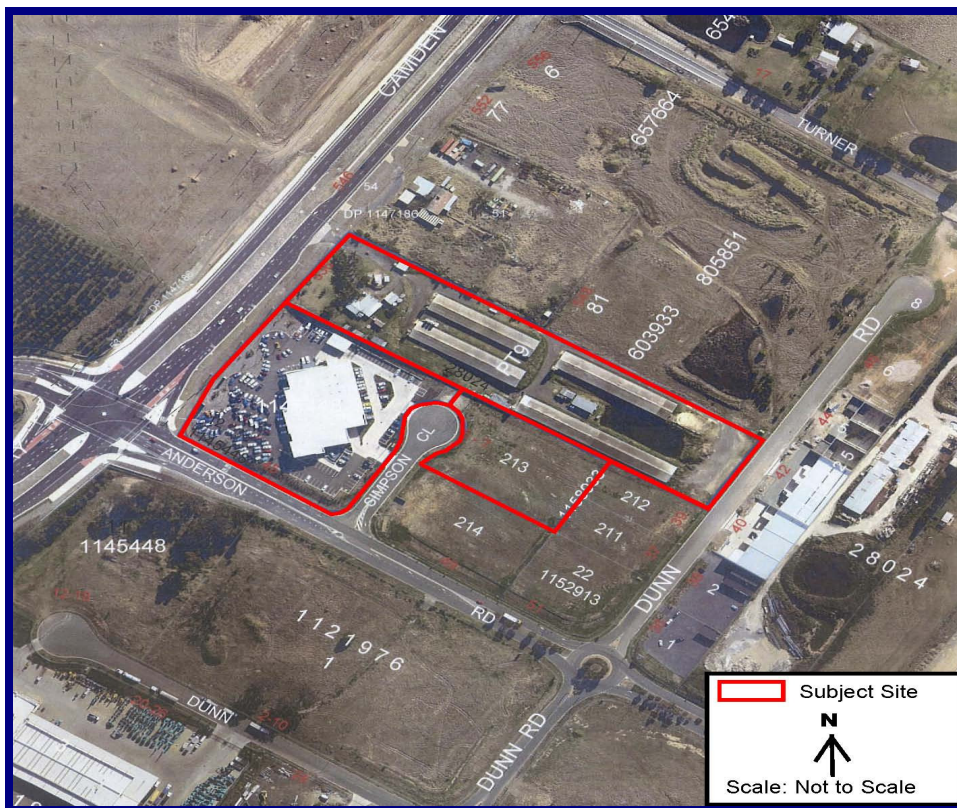
The DA was notified in accordance with Camden Development Control Plan 2011 and one submission was received (objecting to the proposal). The submission requests that access be provided to the adjoining site from Simpson Close.

Part D4.5.2 of the Camden DCP 2011 sets out the road layout for Smeaton Grange and shows Lot 51 being accessed directly from Dunn Road through the provision of a new internal road. Council staff have recently approved Development Consent 597/2011 which provides direct access to Lot 51 through the construction of a new internal road from Dunn Road. Access to Lot 51 is therefore achieved in accordance with the requirements of Part D4.5.2 of the Camden DCP 2011.

The demolition of the existing poultry farm and associated structures is a positive outcome as it will allow for the orderly progression of development within the Smeaton Grange industrial estate and also on adjacent residential lands. This will enhance the overall vitality and viability of Smeaton Grange and the surrounding area.

Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

**SITE LOCATION MAP/AERIAL PHOTO**



## THE SITE

The subject sites are commonly known as 536 Camden Valley Way, 45 Anderson Road and 5-7 Simpson Close, Smeaton Grange and are legally described as Lots 9, 10 & 213, DP 28024, 1145448 and 1158933.

The sites have a combined frontage of 180m to Camden Valley Way, a depth of 301m and an overall site area of 40,060m<sup>2</sup>.

The subject sites currently accommodate the Paul Wakeling garage and repair station on 45 Anderson Road, an existing poultry farm, associated buildings and a dwelling on 536 Camden Valley Way and the remaining site at 5-7 Simpson Road remains vacant. The Paul Wakeling site and vacant site are currently accessed from Simpson Close and the existing poultry farm is currently accessed from Camden Valley Way.

The wider area consists of the Smeaton Grange industrial estate to the south and east. To the west/north-west lies the Harrington Park residential suburb. The Turner Road precinct of the South West Growth Centre is located to the north-east between Camden Valley Way and the Camden/Campbelltown LGA boundary.

## HISTORY

The development history of the subject site is summarised in the following table:

| Date             | Development   |
|------------------|---|
| 24 November 2009 | DA907/2009 approved the erection of a motor showroom, ancillary showroom, external display area and associated site works |
| 23 November 2010 | DA809/2010 approved the provision of 1 fascia sign and 1 free standing sign   |

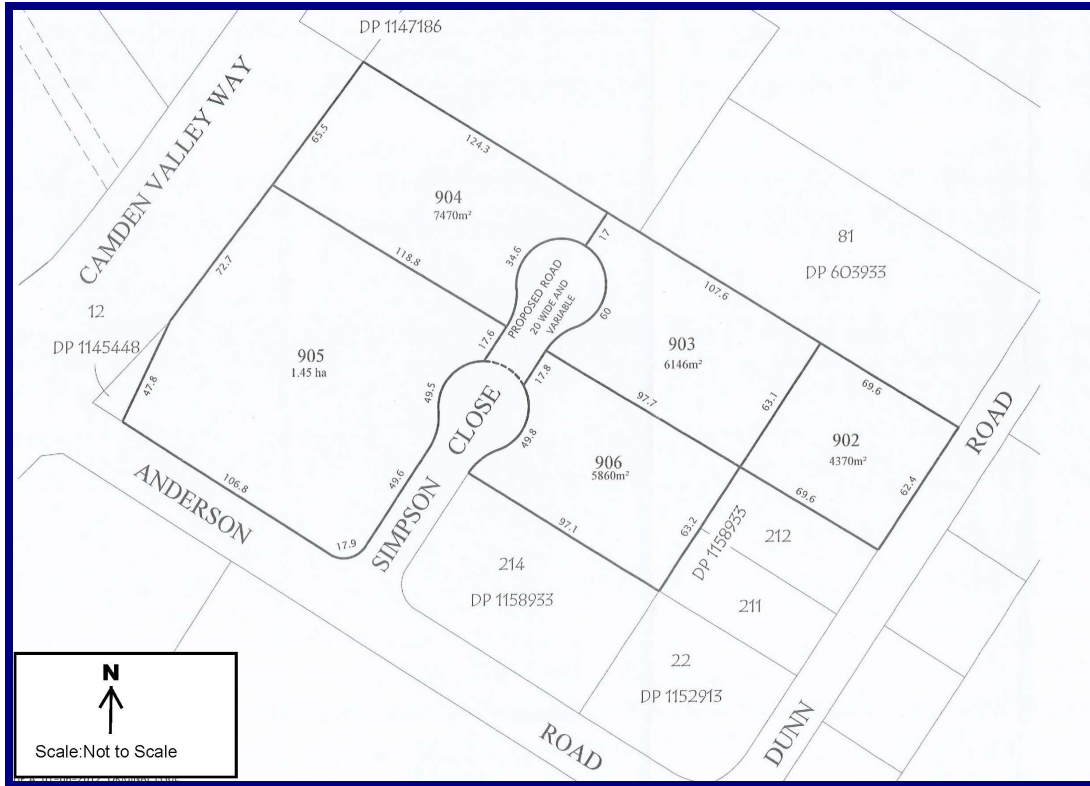
## THE PROPOSAL

Development Application No 765/2012 seeks approval for the subdivision of land into 5 industrial lots and the demolition of all existing structures located on 536 Camden Valley Way.

Specifically the proposed development involves:

- the subdivision of 5 industrial lots ranging in size from 4,370m<sup>2</sup> to 14,500m<sup>2</sup>;
- the demolition of the existing poultry farm, associated buildings and dwelling;
- extension of Simpson Close;
- removal of existing Dam; and
- drainage and associated site works.

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



## ASSESSMENT

### ***Environmental Planning and Assessment Act 1979 – Section 79(C)(1)***

In determining a Development Application, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

#### ***(a)(i) The Provisions of any Environmental Planning Instrument***

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy No 55: Remediation of Land
- Deemed State Environmental Planning Policy No 20: Hawkesbury/Nepean River
- Camden Local Environmental Plan 2010

An assessment of the proposed development under the Environmental Planning Instruments is detailed below.

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

In accordance with the SEPP the applicant has submitted a detailed phase 2 contamination assessment of the site. Council staff have reviewed this report and agree with its conclusions and recommendations. It is a recommended development consent condition that all works comply with the recommendations outlined within the Phase 2 contamination assessment.



Deemed State Environmental Planning Policy No 20 - Hawkesbury/Nepean River (SEPP)

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. Any development consent will be conditioned to provide water pollution control devices as part of the development.

Camden Local Environmental Plan (LEP)

*Permissibility*

The subject site is zoned IN1 General Industrial under the provisions of the LEP. The subdivision of land, road construction and associated site works are permissible with development consent in the applicable zone providing that the works comply with the objectives of this zone.

*Objectives*

Whilst the proposed demolition and subdivision do not directly achieve the objectives for this zone, the development is considered acceptable in that it does not preclude future development which can satisfy the zone objectives which include:

- to provide for a wide range of light industrial, warehouse and related land uses
- to encourage employment opportunities and to support the viability of centres
- to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area
- to support and protect industrial land for industrial uses

Subject to future development applications, the proposed development supports the above objectives.

*Relevant Clauses*

The DA was assessed against the following relevant clauses of the LEP:

| Clause                  | Requirement  | Provided   | Compliance |
|-------------------------|--|--|------------|
| 4.1<br>Minimum Lot Size | 4,000m <sup>2</sup>  | Minimum lot size of proposed lots exceeds 4,370m <sup>2</sup>  | Yes        |
| 7.4<br>Earthworks       | To ensure that any proposed earthworks will not have a detrimental effect on existing drainage patterns and soil stability in the locality | The likely impacts of the DA have been assessed. This assessment concludes that the proposal will have no detrimental effects on existing drainage patterns and soil stability in the locality | Yes        |

***(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the***

**consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).**

There is no draft Environmental Planning Instrument applicable to the proposed development.

**(a)(iii) The Provisions of any Development Control Plan**

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposal's compliance with the controls in the DCP.

| <b>Control</b>                                  | <b>Requirement</b>   | <b>Provided</b>   | <b>Compliance</b> |
|---|--|---|-------------------|
| B1.1 – Erosion and Sedimentation                | Provision of effective erosion and sediment control measures                     | The DA states that erosion and sediment control measures will be provided prior to the issue of a Construction Certificate. This has been considered by Council's Land Development Engineer who has deemed this satisfactory. It is therefore a recommended development consent condition that erosion and sediment control measures are installed prior to any works commencing. | Yes               |
| B1.2 – Earthworks                               | Minimise cut and fill requirements and additional earthworks during construction | The development proposes minimal cut and fill as a previously approved subdivision has modified the land form to suit industrial development.   | Yes               |
| B1.3 – Salinity Management                      | Minimise damage caused to property and vegetation by existing saline soils       | A Salinity Management Plan (SMP) was submitted with the proposed development. It is a recommended development consent condition that all proposed works is carried out in accordance with the SMP.  | Yes               |
| B1.9 – Waste Minimisation and Management        | A Waste Management Plan (WMP) must be provided with the development application  | A WMP has been submitted with the DA which is a recommend development consent condition.  | Yes               |
| B1.12 Contaminated and Potentially Contaminated | An assessment must be made under SEPP 55 as to whether the subject               | A phase 2 contamination report was lodged with the development which makes a number of  | Yes               |

| Control                          | Requirement  | Provided   | Compliance |
|----------------------------------|--|--|------------|
| Land Management                  | land is contaminated prior to the submission of a development application                              | recommendations to ensure the site is suitable for its intended industrial use. It is a recommended development consent condition that all works comply with the recommendations outlined within the Phase 2 contamination assessment. |            |
| D4.2.1 – Lot Size and Proportion | Industrial development must not be carried out on lots having an area of less than 2,000m <sup>2</sup> | As previously noted, the minimum lot size for the proposed 5 industrial lots exceeds 4,370m <sup>2</sup>   | Yes        |
| D4.5.2 – Smeaton Grange          | A consistently high standard of landscaping adjacent to the road reserve along Camden Valley Way       | It is a recommended development consent condition that detailed landscape plans are provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.   | Yes        |
| D4.5.2 – Smeaton Grange          | Compliance with Figure D61 Smeaton Grange Road Layout  | The development complies with the provision of the road layout plan for Smeaton Grange.  | Yes        |

***(a)(iii) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F***

No relevant agreement exists or has been proposed as part of this application.

***(a)(iv) The Regulations***

There are no matters prescribed by the Regulations that apply to this development.

***(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality***

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments and the social and economic conditions of the locality. The demolition of the existing poultry farm will allow for the orderly progression of development both within the Smeaton Grange industrial estate and also the adjacent residents lands to the north of the subject site.

***(c) The suitability of the site***

As demonstrated by the above assessment, the site is considered to be suitable for the development as the site responds to the established industrial character of the immediate area, will not result in any unacceptable environmental impacts and is generally compliant with the LEP and DCP. Sites such as this within Smeaton Grange are considered to be appropriate for future industrial uses in accordance with Council's planning instruments and policies.

**(d) Any submissions made in accordance with this Act or the Regulations**

The DA was publicly exhibited for a period of 14 days, from 28 August to 11 September 2012.

One submission was received. **A copy of the submission is provided in the Business Paper supporting documents.** The following discussion addresses the issues and concerns raised in the submissions.

1. Inability of the proposed development to provide direct access to Lot 51, DP1147185 (546 Camden Valley Way).

*Officer Response:*

Part D4.5.2 of the Camden DCP 2011 sets out the road layout for Smeaton Grange and shows Lot 51 accessed directly from Dunn Road through the provision of a new internal road.

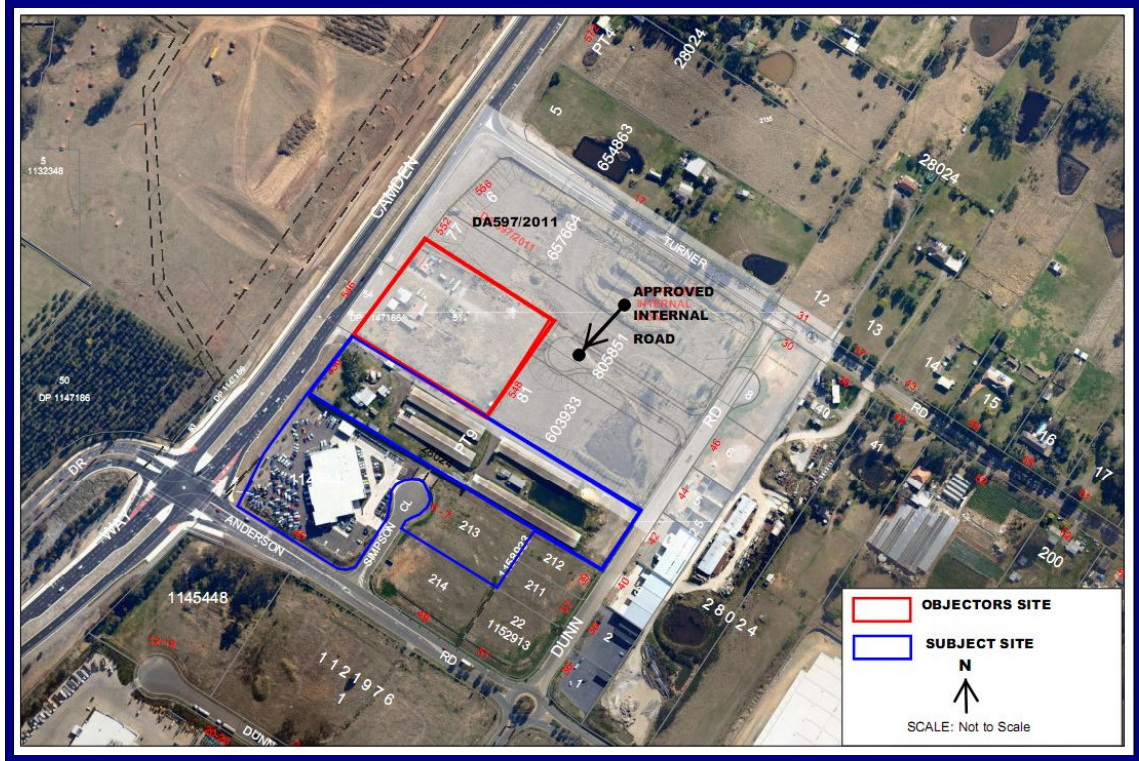
**A copy of the Smeaton Grange Road Layout is provided as an attachment to this report.**

Council staff have recently approved Development Consent 597/2011 which provides direct access to Lot 51 through the construction of a new internal road from Dunn Road to Lot 51 in accordance with the Smeaton Grange Road Layout.

**A copy of the approved plan for DA597/2011 is provided in the Business Paper supporting documents.**

Access to Lot 51 will therefore be provided in accordance with the requirements of the Camden DCP 2011.

Notwithstanding the above, the applicant has advised Council staff that they are willing to discuss the provision of access across the subject site with the adjacent landowner. As this access is not required by the DCP this negotiation would be subject to a commercial agreement between the adjoining landowners.



2. Impacts of the RMS compulsory acquisition of the portion of land adjacent to Lot 51 which has resulted in limited usage along the site's frontage to Camden Valley Way.

*Officer response:*

As noted above, access to Lot 51 is to be obtained from a new internal road off Dunn Road as shown within the Camden DCP 2011. A Deferred Commencement Consent has been issued for the construction of this road and subject to satisfying the requirements of Schedule A, this consent can then be activated. Schedule A requires that the poultry farm and all associated buildings are demolished prior to any works commencing on the adjacent land. As this DA proposed the demolition of these structures, it is considered that access to Lot 51 can be achieved in an orderly and effective manner.

**(e) The public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulations 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. Based on the above assessment, the development is considered to be within the public interest in that it represents the further development of Smeaton Grange on an appropriate site and in an area specifically set aside for these type of uses. The proposal will add to the local economy and enhance employment in the area and provide a service to the surrounding suburbs. It will have no unreasonable environmental impacts upon adjacent properties or the surrounding area and is generally compliant with the applicable LEP and DCP.

**EXTERNAL REFERRALS**

The DA was not required to be referred to any external agency for comment.

**CONCLUSION**

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 765/2012 is recommended for approval subject to the conditions listed in this report.

**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        |
|------------------------|--|-----------------------------|--------------|
| 12088PS(1)             | Plan of proposed subdivision               | JMD Development Consultants | 1 June 2012  |
| 12088SP                | Site Plan/Site Analysis                    | JMD Development Consultants | 21 June 2012 |
| 76530                  | Phase 2 Contamination Assessment           | Douglas Partners            | August 2012  |
| 76530.01               | Salinity Investigation and management Plan | Douglas Partners            | August 2012  |
| -                      | Waste Management Plan                      | JMD Development Consultants | October 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) **Services -**
  - (a) All services within the subdivision must 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 Reserve or Drainage Reserve will require owners permission (ie. Camden Council).
  
- (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 the Roads and Maritime Services, and Camden Council prior to the issue of any Construction Certificate.

- (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) **Fuel Storage Tank Decommissioning and Soil Validation** – The decommissioning of aboveground fuel storage structures must be undertaken in accordance with all relevant standards/guidelines that include any WorkCover requirements. In addition, soil validation samples must be taken from the ground in the immediate vicinity of where fuel tanks were stored and where fuel was dispensed, with samples to be laboratory assessed and results compared to applicable contamination assessment criteria for compliance. If soil contamination has been identified that requires remediation then a separate consent for remediation must be obtained from the Consent Authority (Camden Council) prior to remediation works commencing.
- (6) **Unexpected findings Contingency** – Upon the identification of soil contamination or hazardous materials at any stage of the demolition or other construction processes, all demolition/construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination/hazard in accordance with the NSW DEC Guidelines or other relevant guidelines. Any assessment that identifies soil contamination requiring remediation will require separate consent prior to remediation works commencing. Any assessment that identifies hazardous materials other than soil contamination should result in a suitable management plan to be provided to the Consent Authority (Camden Council) for written approval prior to the removal.
- (7) **Demolition WorkCover NSW Notifications and Permits** - All demolition work must be undertaken in accordance with the current requirements of WorkCover NSW.

Demolition work must not begin until a WorkCover NSW stamped copy of the notification has been received and is displayed on site for inspection by any interested party.

- (8) **Demolition WorkCover NSW Licence** - Persons undertaking demolition work shall be licensed under the *Occupational Health and Safety Regulation 2001*.

A copy of this licence must be obtained from WorkCover NSW and displayed on the site where demolition work is carried out.

- (9) **Demolition Australian Standard** - Demolition of the building shall be carried out in accordance with the requirements of Australian Standard *AS2601:2001 - Demolition of Structures*.
- (10) **Waste Management Plan** – The disposal of demolition material is to be in accordance with the Waste Management Plan submitted for the Development Application prepared by JMD Development Consultants dated 3 October 2012.
- (11) **Dam Water Disposal** – Water in the existing dam on-site is not to be discharged so as to cause or permit water pollution as defined under the Protection of the Environment Operations Act 1979. Dam water can be spray irrigated within the property boundaries, but such water is not permitted to be discharged into any overland flow paths that allow the water to exit the property unless the water has been tested and determined to meet acceptable water discharge criteria as contained within the ANZECC Guidelines, Trigger values for freshwater, 90% species protection level.

## 2.0 - Construction Certificate Requirements

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

- (1) **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.
- (2) **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 Occupational 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.
  - (3) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public



infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.

- (4) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land must 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 must 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 must 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 Final Occupation Certificate.

- (5) **Performance Bond - Prior to the issue of the Construction Certificate**, a performance bond of 10% the value of works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.

- (6) **Road Design Criteria** - Dimensions and pavement design details for proposed roads must align with the following:

| ROAD NO                                    | ROAD RESERVE | CARRIAGEWAY  | FOOTWAY               | DESIGN E.S.A'S            | COMMENTS  |
|--|--------------|--------------|-----------------------|---------------------------|---|
| <i>Proposed extension of Simpson Close</i> | <i>20.2m</i> | <i>13.0m</i> | <i>3.6m each side</i> | <i>5 x 10<sup>6</sup></i> | <i>Pavement must be built to an industrial standard</i> |

(Measurements are in metres)

The pavement design/report must be prepared by a person with experience in the geotechnical aspects of earthworks and endorsed by a Practising Engineer with National Professional Engineering Registration.

Design parameters must also comply with the provisions of Camden Council's current Engineering Design Specification and be submitted to the Certifying Authority.

- (7) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. must be designed in accordance with the current edition

of AS 2890.2 and in accordance with Camden Council's current Engineering Specifications.

- (8) **Location of Drainage Pits** – Location of drainage pits must be in accordance with Camden Council's current Engineering Design Specifications and Engineering Construction Specifications.
- (9) **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 submitted to Council prior to the Construction Certificate being issued.
- (10) **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 Information prior to the release of the Subdivision Certificate or issue of an Occupation Certificate.
- (11) **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.
- (12) **Location of the "Construction" On-site Detention/Sediment Control Basin** - A "construction" on-site detention/sediment control basin must be provided for within the site.
- (13) **Location of Temporary Water Quality Facilities** - A temporary water quality facility must be provided for the site. The facility may be provided in the following locations:
  - (a) within any proposed public road and/or drainage reserve contained within the site,
  - (b) within any proposed residue lot contained within the site,
  - (c) within any adjoining property that is privately owned. In this regard appropriate easements, pursuant to s.88B of the *Conveyancing Act 1919*, must be registered by the Department of Lands – Land and Property Information, prior to the issue of any Construction Certificate.
- (14) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.

- (15) **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.
- (iii) 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 (ie. 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 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.

- (16) **Asbestos Certification** - A clearance certificate issued by an Occupational Hygienist must be submitted to Council at the completion of works, and prior to the issue of the Subdivision Certificate, validating that all asbestos has been removed from the site.

### 3.0 - Prior To Works Commencing

The following conditions of consent must 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) **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 revegetation).

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.

- (3) **Construction of the “Construction” On-site Detention/Sediment Control Basin** - Prior to the commencement of any other subdivision work the “construction” on-site detention/sediment control basin and the associated immediate stormwater drainage system must be constructed:

- (a) in accordance with the approved plans, and
- (b) to the requirements of the Principal Certifying Authority.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

- (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* must be lodged with Camden Council at least two (2) days prior to commencing works. The notice must 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) **Hoardings and Security Fencing** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by Camden Council.

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No site or demolition works must commence before the hoarding or fence is erected. Public thoroughfares must also not be obstructed in any manner whatsoever during demolition works.

All demolition works must comply with the requirements of AS2601:2001 - Demolition of structures.

- (7) **Disconnection of Services** - All services (such as sewer, telephone, gas, water and electricity) must be disconnected prior to the commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (8) **Detailed Demolition Plan** – A detailed demolition plan is to be provided to the Principal Certifying Authority for approval prior to the commencement of works.
- (9) **Dust Control** – Hessian must be installed along any site fence that is not constructed of solid material where the fence is located in the vicinity of the demolition areas. Loading and unloading of materials is to occur as close to the source as possible with work areas receiving a light hosing to reduce dust generation.
- (10) **OH&S Plan** – A suitable occupation health and safety plan is to be prepared, maintained, and kept on the site for reference.
- (11) **Information Required Prior to Demolition** - The demolisher must lodge with Camden Council or the Principal Certifying Authority at least 48 hours prior to the commencement of demolition work the following details:
  - (a) written notice indicating the date when demolition of the building is to commence;
  - (b) copy of the demolition licence and details of name, address and business hours contact telephone number;
  - (c) a copy of the applicable asbestos licence (if required for demolition works involving asbestos);
  - (d) copy of the WorkCover NSW permit for the demolition works;
  - (e) copy of the WorkCover NSW stamped notification form including any asbestos removal notification.
- (12) **Signs to be Erected on Demolition Sites** - Under Clause 98A of the Environmental Planning and Assessment Regulation 2000, a sign must be erected in a prominent position on any site on which demolition work is being carried out.

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

Clause 327 of the *Occupational Health and Safety Regulation 2001* must also be complied with.

### 4.0 - During Construction

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

- (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) **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.

- (3) **Fencing of the "Construction" On-site Detention/Sediment Control Basin** – Any "construction" on-site detention/ sediment control basin must be enclosed by a 2.1m high security fence of a type approved by the Consent Authority (Camden Council). Any such fence is to be continually maintained and is to remain in place until this facility is removed or reconstructed to a temporary/permanent water quality facility.
- (4) **Prevention of Nuisance to Inhabitants** - All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind blown dust, debris, noise and the like.
- (5) **Vehicles Leaving the Site** - The demolisher shall ensure that motor lorries leaving the site with demolition material and the like to have their loads covered. Wheels of vehicles leaving the site are also not to track soil and other waste material onto the public roads adjoining the site.
- (6) **Demolition and Construction Noise Levels** – Noise levels emitted during demolition works and construction works shall be restricted to comply with the

construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends:

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

- (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](http://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.
- (8) **Asbestos Removal** – With regard to the identification of any asbestos material, the removal of such materials must be undertaken by a licensed professional contractor in accordance with the methods and procedures as outlined in the Guide to Control of Asbestos Hazards and Structures [NOHSC: 3002 (1998)] the Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)] and Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Dust [NOHSC: 3003 (1988)].
- (9) **Destination of Waste Material** – Demolition materials must be disposed of to an approved land-fill site and where appropriate to an approved recycling outlet.
- (10) **Burying and Burning of Demolition Materials** - No demolition materials shall be buried on the site other than with the consent of Council. The burning of any demolition material on the site is also not permitted.
- (11) **Vehicles Leaving the Site** - The demolisher shall ensure that motor lorries leaving the site with demolition material and the like to have their loads covered. Wheels of vehicles leaving the site are also not to track soil and other waste material onto the public roads adjoining the site.
- (12) **Removal of Hazardous and/or Intractable Wastes** - Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant Statutory Authorities, and receipts submitted to Council.
- (13) **Demolition Access for Authorised Persons** - Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when demolition work is not in progress, or the site is otherwise unoccupied.
- (14) **Decommissioning of All Existing On-site Sewage Management Systems** - That septic tanks and any related transpiration beds shall be decommissioned in accordance with the following:

- (i) The septic tank/holding well and grease trap shall be emptied by a licensed liquid wastewater contractor and the contents disposed of at an approved wastewater depot. A copy of the receipt is to be submitted to Council.
  - (ii) The sides, lid, baffle (if fitted) and square junctions of the tank should be hosed down as the waste is being removed.
  - (iii) The inlets and outlets should be plugged and the tank should then be filled with clean water and disinfected to a minimum level of 5mg/l of free residual chlorine, with a one half hour contact time. The lid should be exposed to the chlorine solution. The chlorine should be allowed to dissipate naturally and not be neutralised. The contents of the tank/ and or well shall than be emptied by a licensed liquid wastewater contractor.
  - (iv) The septic tank and any associated drainage and disposal field shall be removed and disposed of at a suitably licensed landfill site.
- (15) **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 the Salinity Management Plan under "Section 9" in the report titled "Report on Salinity Investigation and Management Plan: 536 Camden Valley Way Smeaton Grange, Prepared by Douglas Partners, Project 76530.01, Dated August 2012."

#### 5.0 - Subdivision Certificate

The following conditions of consent must 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 must be for (12) twelve months or such longer period as determined by Council's Engineer, and must 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.

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 for the 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 the 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 must be provided.

- (6) **Incomplete Works** - Prior to the issue of the Subdivision Certificate, the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.
- (7) **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.
- (8) **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.
- (9) **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.
- (10) **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 Coordinator;
  - (b) a Notification of Arrangements from Endeavour Energy; and
  - (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.
- (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) **Plot Watercourses** - The developer must chart the natural watercourse on the subdivision.
- (14) **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.

- (15) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (16) **Section 94 Contributions** - Pursuant to **Contributions Plan No 3** amended in February 1998, a contribution must be paid to Council of \$91,845 per hectare, total \$177,904.00, for **Trunk Drainage, Water Quality Facilities and Professional Services**.

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

The monetary contribution for Trunk Drainage and Water Quality Facilities may 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.

- (17) **Section 94 Contributions** - Pursuant to **Contributions Plan No 11** adopted in January 1999, a contribution must be paid to Council of \$75,222 per hectare, total \$145,705.00, for **Smeaton Grange Roadworks and Professional Services**.

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

The monetary contribution for Roadworks may 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.

#### END OF CONDITIONS

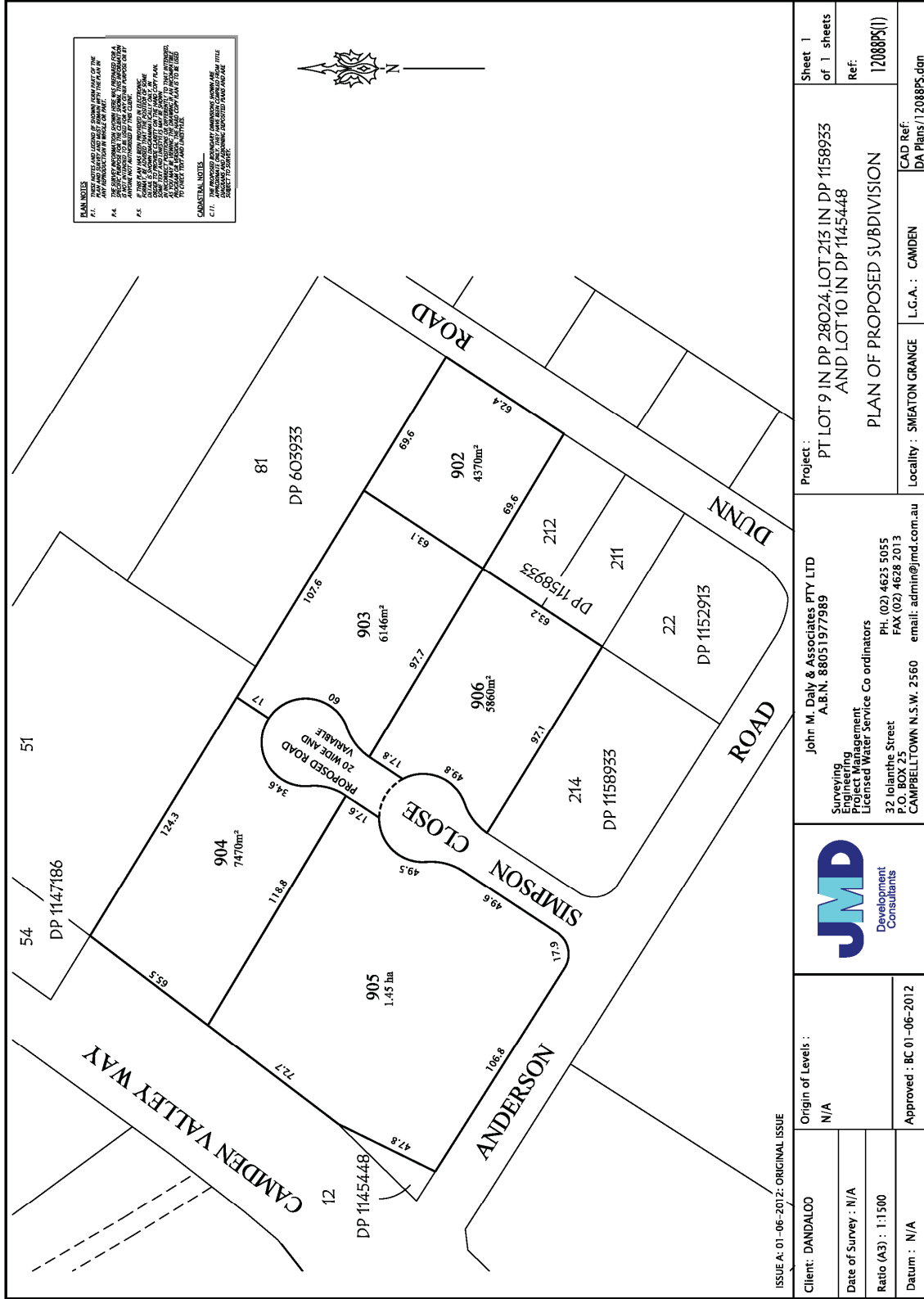
#### RECOMMENDED

**That Council: approve Development Application 765/2012 which proposes the subdivision of 5 industrial lots, demolition of existing poultry farm, associated structures and dwelling, extension of Simpson Close, drainage and associated site works at 536 Camden Valley Way, 45 Anderson Road and 5-7 Simpson Close, Smeaton Grange subject to the conditions listed above.**

#### ATTACHMENTS

1. Proposed Subdivision Plan
2. Smeaton Grange Road Layout Plan
3. Submission - *Supporting Document*
4. Approved Plan DA597/2011 - *Supporting Document*

The ratio shown on this plan relates to the original plan, produced by JMD only. Any photocopying or printing from digital files provided (particularly PDF files) may significantly alter the ratio of the plan.



**PLAN NOTES**

A1. THIS PLAN IS A PRELIMINARY PLAN. THE PLAN IS NOT TO BE USED FOR CONSTRUCTION. THE PLAN IS FOR INFORMATION ONLY. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

A2. THE SURVEY INFORMATION SHOWN HEREIN IS BASED ON A SURVEY CONDUCTED BY JMD CONSULTANTS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT 1981 AND THE SURVEY REGULATIONS 1981.

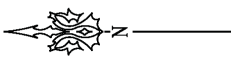
A3. IF THIS PLAN IS BEING PROVIDED AS ELECTRONIC, THE PLAN IS PROVIDED AS A PDF FILE. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

A4. THE PLAN IS PROVIDED AS A PDF FILE. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

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**CAMDEN VALLEY NOTES**

C1. THE PROPOSED ROAD 20 WIDE AND VARIABLE IS A PROPOSED ROAD. THE ROAD IS NOT TO BE USED FOR ANY OTHER PURPOSE.



|                                     |  |                       |   |
|-------------------------------------|--|-----------------------|---|
| Client: DANDALOO                    |  | Origin of Levels: N/A | Project: PT LOT 9 IN DP 28024, LOT 213 IN DP 1158933 AND LOT 10 IN DP 1145448<br>PLAN OF PROPOSED SUBDIVISION<br>Locality: SMEATON GRANGE L.G.A.: CAMDEN<br>CAD Ref: DA Plans/12088PS.dgn |
| Date of Survey: N/A                 | John M. Daly & Associates PTY LTD<br>A.B.N. 88051977989<br>Surveying<br>Project Management<br>Licensed Water Service Co ordinators<br>32 Ichabods Street<br>P.O. Box 198<br>CAMPBELLTOWN N.S.W. 2560 email: admin@jmd.com.au |                       |   |
| Ratio (A3): 1:1500                  | PH. (02) 4625 5055<br>FAX (02) 4628 2013   |                       |   |
| Datum: N/A                          | Approved: BC 01-06-2012  |                       |   |
| ISSUE A: 01-06-2012: ORIGINAL ISSUE |  |                       | Sheet 1 of 1 sheets<br>Ref: 12088PS(1)  |

Attachment 1 **ORD01**

ORD01

Attachment 2

Camden Council

Development Control Plan 2011

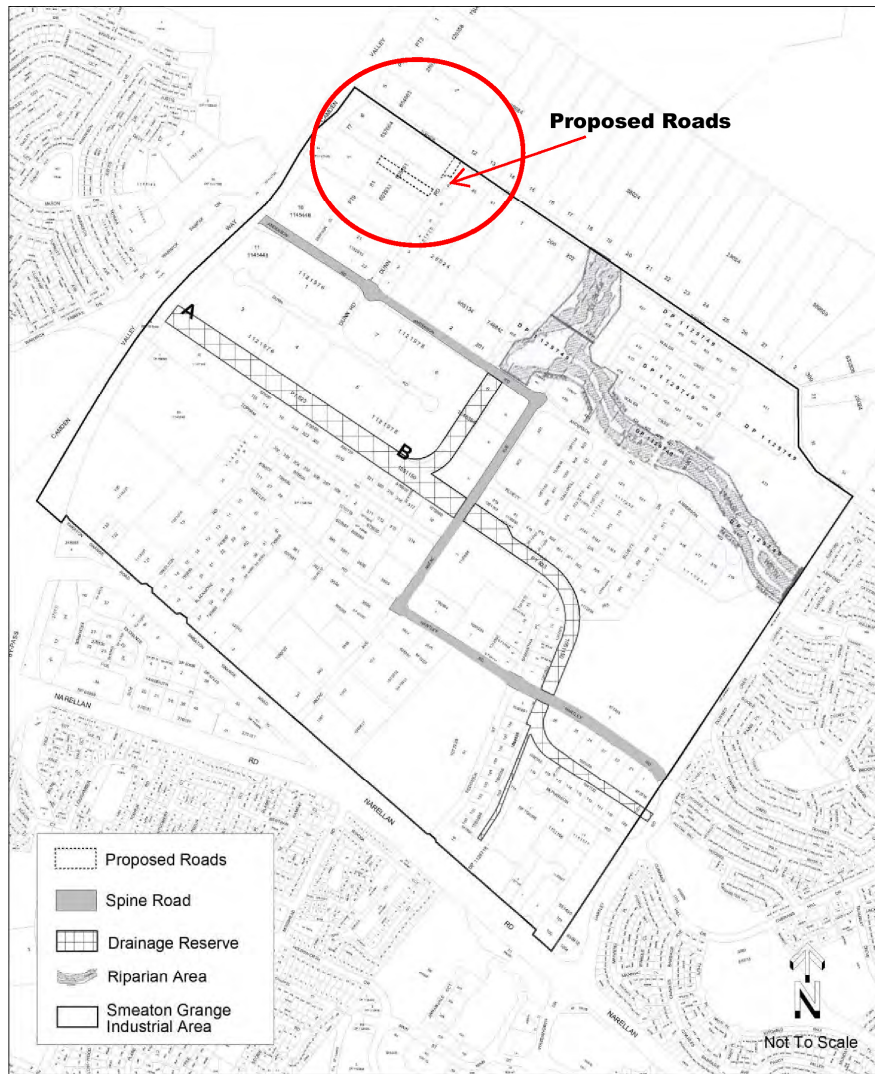


Figure D61 Smeaton Grange Road Layout



## ORDINARY COUNCIL

ORD02

ORD02

**SUBJECT:** CAMDEN ATHLETICS CLUB - REQUEST TO REFUND DA FEES  
**FROM:** Director, Development and Health  
**BINDER:** DA 564/2012

---

### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a request from Camden Athletics Club for a refund of development application (DA) and associated fees for the refurbishment of the canteen within the amenities building in Onslow Park at 10 Cawdor Road, Camden.

### BACKGROUND

On 14 June 2012, Council received a DA to refurbish and upgrade the existing canteen in the amenities building at Onslow Park. Council is the owner of the land.

This request seeks a refund of the DA and associated application fees. The DA (DA 564/2012) was applied for by Camden Athletics Club and was approved under delegated authority on the 1 August, 2012. The application fees have been paid to Council.

**A copy of the request is provided in the Business Paper supporting documents.**

### MAIN REPORT

On 28 September 2012, Council received a request for a refund of the DA and associated fees. Based on the estimated project value of \$24,000, Council's fees are as listed below:

| Fee           | Purpose  | Amount                  |
|---------------|--|-------------------------|
| DA fee        | The assessment of the DA by Council                                | \$242.00                |
| Archiving fee | The physical and electronic storage of the applications by Council | \$27.00                 |
|               |  | <b>Total = \$269.00</b> |

At the Council meeting of 13 June 2006, Council considered a report into the waiving of fees for community based projects. At the time, it was determined that all fees associated with the assessment of DAs are payable to Council by the applicant.

### CONCLUSION

A request has been received by Council seeking a refund of fees associated with a DA for the refurbishment of an amenities building. The total amount of those fees is \$269 (excluding GST).

The request is reported to Council as it is a matter for Council to determine.

ORD02

**RECOMMENDED**

**A matter for determination of Council, and that the applicant be advised of Council's decision.**

ATTACHMENTS

1. Request from Applicant - *Supporting Document*

## ORDINARY COUNCIL

ORD03

ORD03

**SUBJECT:** PUBLIC INTEREST DISCLOSURES ACT INTERNAL PROCEDURE  
**FROM:** Director Governance  
**BINDER:** Public Interest Disclosures Act Internal Procedure

---

### PURPOSE OF REPORT

Under section 6D of the *Public Interest Disclosures Act 1994* ("PID Act"), Camden Council is required to have a policy and procedure for receiving, assessing and dealing with public interest disclosures. The Council is also required to review this policy annually to ensure compliance with current objectives of the legislation.

The purpose of this report is to advise Council of recent amendments to the PID Act and to adopt a revised Public Interest Disclosures Act Internal Procedure.

### MAIN REPORT

The *Public Interest Disclosures Act 1994* provides for a comprehensive framework for protecting public officials who disclose wrongdoing in accordance with the Act. The PID Act sets out the system under which people working within the NSW public sector (including Councils) can make complaints about the functioning of the public sector in a way that minimises the risk of reprisal. Disclosures may be made about such things as serious maladministration, corrupt conduct, serious and substantial waste and a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009*.

Since the last Public Interest Disclosures Act Internal Procedure was adopted by the Council on 27 September 2011, there have been some amendments to the PID Act which are summarised below:

- Every public interest disclosures policy must require the local government authority to acknowledge receipt of a disclosure, and send a copy of its policy, to a person who makes a public interest disclosure within 45 days of the person making the disclosure.
- The General Manager of a local government authority must ensure that the authority has a public interest disclosures policy and that the policy designates at least one officer of the authority as being responsible for receiving disclosures on behalf of the Authority.
- That the Chief Executive of Local Government can receive disclosures about serious and substantial waste of local government money, corrupt conduct, maladministration, breaches of pecuniary interest obligations and a failure to exercise functions properly in accordance with the *Government Information (Public Access) Act 2009* by councils.
- Disclosures made in accordance with the Act will be known as public interest disclosures (formerly protected disclosures).

The above changes have been incorporated in the revised Public Interest Disclosures Act Internal Procedure which is **attached to this report**.



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## **CONCLUSION**

As a result of the amendments to the PID Act, a compliant Public Interest Disclosures Act Internal Procedure has been developed for adoption by Council.

Council is committed to the continuous improvement of the integrity of its administrative systems, as well as supporting Councillors and members of staff who make disclosures about wrongdoing. The Public Interest Disclosures Act Internal Procedure is designed to assist in this process.

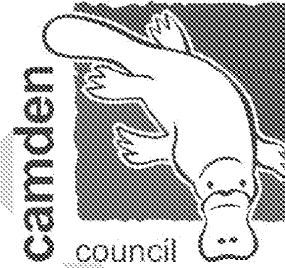
Once adopted, the Public Interest Disclosures Act Internal Procedure will be made readily available to all Council staff in order to increase awareness of the procedures available for making a public interest disclosure, and of the protections provided by the PID Act.

## **RECOMMENDED**

**That Council adopt the Public Interest Disclosures Act Internal Procedure attached to this report.**

## ATTACHMENTS

1. Public Interest Disclosures Act Internal Procedure



PUBLIC INTEREST  
DISCLOSURES ACT  
INTERNAL  
PROCEDURE  
POLICY 5.25

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ORD03

Attachment 1

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PUBLIC INTEREST DISCLOSURES ACT INTERNAL  
REPORTING PROCEDURE

**DIVISION:** GOVERNANCE

**PILLAR:** GOVERNANCE

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**FILE / BINDER:**

**1. POLICY STATEMENT**

- 1.1 To provide a procedure under the *Public Interest Disclosures Act 1994* ("PID Act") for Councillors, members of staff or any other stakeholder that aims to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste and government information contravention within Camden Council and to ensure any disclosure is used to achieve efficiency and effectiveness of Council's operations.
- 1.2 Camden Council is committed to ensuring that matters raised by staff, Councillors, and other stakeholders under the PID Act are properly investigated and that those who make disclosures are protected from reprisals.

**2. WHAT SHOULD BE REPORTED**

- 2.1 There are four key concepts which should be dealt with under the PID Act as public interest disclosures and according to this policy. The four concepts are "corrupt conduct", "maladministration", "serious and substantial waste" and "government information contravention".

**Corrupt Conduct** – is defined as the dishonest or partial exercise of official functions by a Councillor or Council officer. For example, this could include:

- The improper use of knowledge, power or position for personal gain or the advantage of others;
- Acting dishonestly or unfairly, or breaching public trust;
- A member of the public influencing a public official to use their position in a way that is dishonest, biased or breaches public trust.

**Maladministration** – is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives. Examples of maladministration could include:

- Making a decision and/or taking action that is unlawful;
- Making a decision not related to the merits of an application.

**Serious and substantial waste** – Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council. Examples of this could include:

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PUBLIC INTEREST DISCLOSURES ACT INTERNAL PROCEDURE  
POLICY NO 5.25

Page 2 of 10

- Poor project management practices leading to projects running significantly over time and/or budget;
- Having poor or no process in place for a system involving large amounts of public funds.

Types of serious and substantial waste include:

Absolute – serious and substantial waste might be regarded in absolute terms where the waste is regarded as significant, for example \$500,000.

Systemic – the waste indicates a pattern which results from a system weakness within the public authority.

Material – the serious and substantial waste is/was material in terms of the public authority's expenditure or a particular item of expenditure or is/was material to such an extent so as to effect a public authority's capacity to perform its primary functions.

Material by nature, not amount – the serious and substantial waste may not be material in financial terms but may be significant by nature. That is, it may be improper or inappropriate.

**Government Information Contravention** – A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* ("GIPA Act"). Examples could include:

- Destroying, concealing or altering records to prevent them from being released;
- Knowingly making decisions that are contrary to the legislation;
- Directing another person to make a decision that is contrary to the legislation.

2.2 For more information about the four categories, see the NSW Ombudsman's Guideline on what can be reported at <http://www.ombo.nsw.gov.au/news-andpublications/guidelines/public-interest-disclosures>.

2.3 **Other Wrongdoing** – Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, staff, Councillors and stakeholders should report all activities or incidents that they believe may be wrong. For example, harassment, unlawful discrimination, reprisal action against a person who has reported wrongdoing, or practices that endanger the health and safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures under the PID Act, Camden Council will consider each matter and make every attempt to protect the relevant person making the report from any form of reprisal.

### 3. WHEN WILL A REPORT BE PROTECTED

3.1 Camden Council will support any member of staff, Councillor or stakeholder who reports wrongdoing. For a report to be considered a public interest disclosure under the PID Act, it must meet the following requirements:

ORD03

Attachment 1

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
  - The report also has to be made to a person nominated in this policy, the General Manager (or Mayor in the case of a report against the General Manager), or one of the investigating authorities nominated in the PID Act.
- 3.2 Reports by staff and Councillors will not be considered to be public interest disclosures if they:
- Mostly question the merits of government policy, including the policy of the governing body of the Council; or
  - Are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

#### 4. HOW TO MAKE A REPORT AND THE PROCESS

- 4.1 Each disclosure is to be made in writing addressed to:
- a) **in the case of staff** – to the General Manager or the nominated Disclosure Co-ordinator (Senior Governance Officer);
  - b) **in the case of Councillors (including a disclosure concerning the Mayor)** - to either the Mayor or General Manager (for a complaint involving the Mayor) or relevant investigating authority;
  - c) **in the case of the General Manager** – to the Mayor.
- 4.2 The Disclosure Coordinator is responsible for receiving a report, assessing the report and referring it to the General Manager (or Mayor, in the case of a report against the General Manager).
- 4.3 Upon receipt of a disclosure, the General Manager (or Mayor, in the case of a complaint against the General Manager) will carry out a comprehensive interview with the person making the disclosure.
- 4.4 Following the interview, an immediate investigation will be carried out in the case of staff, by the General Manager. In the case of a report against Councillors, an investigation will be carried out by the Mayor or General Manager (for a complaint involving the Mayor). In the case of a report against the General Manager, the Mayor will be responsible for carrying out an investigation.
- 4.5 A report on the matter will be prepared by the General Manager (or the Mayor, in the case of a complaint against the General Manager) outlining the course of action recommended to be taken.
- 4.6 The General Manager (or the Mayor, in the case of a complaint against the General Manager) is to determine what, if any, action is to be taken in the matter and where necessary, refer the matter to an investigating authority, (ICAC, Ombudsman etc).
- 4.7 No detrimental action is to occur against persons making disclosures such as unwarranted transfer or demotion. Management and Councillors should act with integrity at all times and give a commitment to protecting any

person who makes a public interest disclosure and to ensure that the information results in action to improve efficiency and effectiveness.

- 4.8 Where the investigation substantiates the fact relating to the disclosure, appropriate remedial action is to be taken to correct the situation. Information received by way of a public interest disclosure will be used to enhance the efficiency and effectiveness of operations.
- 4.9 The General Manager (or the Mayor, in the case of a complaint against the General Manager) will provide feedback to the person who made the initial disclosure throughout the process.

## 5. CONFIDENTIALITY

- 5.1 There will be some situations where a person may not want to identify themselves in making a report. Although these reports will be dealt with by Camden Council, it is best to identify yourself. This allows the Council to provide the necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.
- 5.2 Camden Council realises that many staff, Councillors and stakeholders may wish their report to remain confidential. Council is committed to keeping a reporter's identity, and the fact a report has been made, confidential. However there may be situations where this may not be possible or appropriate. The General Manager (or Mayor, in the case of a claim against the General Manager) will discuss with the reporter of the wrongdoing whether it is possible to keep a report confidential.
- 5.3 If confidentiality cannot be maintained, the General Manager (or Mayor, in the case of a claim against the General Manager) will develop a plan to support and protect a reporter from risks of reprisal. The reporter of wrongdoing will also be involved in developing this plan.
- 5.4 If a person reports wrongdoing, they should only discuss the report with those dealing with it. This includes the Disclosures Coordinator, the General Manager or the Mayor. If a person discusses the report more broadly with others, this may affect the outcome of any investigation.

## 6. WHO CAN RECEIVE A REPORT OUTSIDE OF THE CAMDEN COUNCIL

- 6.1 Staff and Councillors are encouraged to report wrongdoing within Camden Council, but internal reporting is not the only option available.
- 6.2 Staff, Councillors and stakeholders can choose to make a report to an investigating authority. Reporters can do this first, or at any stage after the initial report to Camden Council. If a report concerns the General Manager or the Mayor, a staff member or Councillor may consider making a report to an investigating authority.
- 6.3 It is also possible to make a report to a Member of Parliament or a journalist, however only in limited circumstances. To have the protections of the PID Act, staff and Councillors reporting wrongdoing to a Member of Parliament or a journalist must have already made substantially the same report to either the General Manager, the Mayor (in the case of a claim against the General Manager), the Disclosure Coordinator or an

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Attachment 1

investigating authority and the Council or the investigating authority that received the report decided not to investigate the matter; did not complete the investigation within six months of the report; investigated the matter but did not recommend any action as a result; or not told the reporter within six months whether an investigation would be completed.

- 6.4 The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with. In relation to Council, these authorities are:
- The Independent Commission Against Corruption (ICAC) – for corrupt conduct.
  - The Ombudsman – for maladministration.
  - The Police Integrity Commission (PIC) – for Police misconduct.
  - The Division of Local Government, Department of Premier and Cabinet – The Chief Executive may receive disclosures relating to a wider range of wrongdoing including serious and substantial waste in local government, corrupt conduct, maladministration, breaches of pecuniary interest obligations, or a failure to exercise functions properly in accordance with the *Government Information (Public Access) Act 2009*.
  - The ICAC Inspector – for disclosures about ICAC or its staff.
  - The Information Commissioner – for disclosures about a government information contravention.
- 6.5 In making a report to an investigating authority, staff and Councillors should contact them directly for advice about how to make a disclosure. Contact details for each investigating authority are provided at the end of this policy.
- 6.6 It is also noted that it is very likely the investigating authority will discuss the case with Camden Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to staff and Councillors who report wrongdoing to an investigating authority.

## 7. PROTECTION AVAILABLE UNDER THE PID ACT

- 7.1 Disclosures are protected under the PID Act if they are made in accordance with the requirements of the PID Act as outlined above and made to the Mayor, the General Manager or to the Disclosure Coordinator in accordance with this policy. Camden Council will support any member of staff or Councillor who makes a report under this process.
- 7.2 The PID Act provides protection by imposing penalties on a person who takes “detrimental action” against another person substantially in reprisal for a public interest disclosure. Penalties can be imposed by means of fines and imprisonment.
- 7.3 If a staff member or Councillor believes that detrimental action has been or is being taken against them or someone who has reported wrongdoing in reprisal for making a report, a disclosure should be made to the Disclosure Coordinator, the General Manager, or the Mayor (in the case of a claim against the General Manager).

- 7.4 If the General Manager, Mayor or Disclosure Coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:
- Ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal.
  - Give the results of that investigation to the General Manager for a decision.
  - Give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the General Manager.
  - If it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure.
  - Take appropriate disciplinary or criminal action against anyone proven to have taken or threatened any action in reprisal for making a disclosure.
  - Anyone who reports reprisal action will also be kept informed of the progress of any investigation and outcome.
- 7.5 The General Manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the General Manager, the Mayor may issue similar directions, including:
- Issuing warnings to those alleged to have taken reprisal action against the member of staff who made the disclosure.
  - Relocating the person who made the disclosure or the subject officer within the workplace.
  - Transferring the person who made the disclosure or the person who is subject of the allegation to another position for which they are qualified.
  - Granting the person who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.
- 7.6 Such directions above will only be taken if the person who made the disclosure agrees to it. It will also be made clear to others that the action was taken in consultation with the relevant person and with management support – and is not a punishment.
- 7.7 If a person who has reported wrongdoing feels that any reprisal action is not dealt with effectively, they can contact the Ombudsman or ICAC, depending on the type of wrongdoing reported. Contact details for all investigating authorities are included at the end of this policy.

## **8. SUPPORT FOR THE SUBJECT OF A REPORT OF WRONGDOING**

- 8.1 Camden Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably.
- 8.2 The person who is the subject of a report will be:
- Treated impartially, fairly and reasonably ;
  - Be advised of their rights and obligations under the policy;
  - Be kept informed during any investigation;
  - Be given the opportunity to respond to any allegation; and
  - Be advised of the result of any investigation.



**9. SUPPORT AND FEEDBACK TO THOSE WHO REPORT WRONGDOING**

- 9.1 Camden Council will make sure that staff and Councillors who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to appropriate professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.
- 9.2 When someone makes a report, they will be given the following:
- An acknowledgment that their disclosure has been received;
  - The timeframe for when further updates will be provided;
  - The name and contact details of the people who can advise what is happening;
  - Information about external agencies and services available for support.
- 9.3 The PID Act requires Council to provide a person who has made a report with an acknowledgment letter and a copy of this policy within 45 days of the report being made. Council will aim to provide this information within ten (10) working days.
- 9.4 During an investigation, a reporter of wrongdoing will be given:
- Information on the ongoing nature of the investigation;
  - Information about the progress of the investigation and reasons for any delay;
  - Advice if a reporter's identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to discuss this.
- 9.5 At the end of an investigation, the Council will provide the following feedback:
- Sufficient information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to a disclosure and any problems that were identified;
  - Advice about whether any parties are required as witnesses in any further matters, such as disciplinary or criminal proceedings.
- 9.6 A person who makes a public interest disclosure must be notified in writing by the General Manager (or the Mayor in the case of a report against the General Manager), within at least 6 months of the disclosure being made of the action taken or proposed to be taken in respect of the disclosure.

**10. SANCTIONS FOR MAKING FALSE OR MISLEADING DISCLOSURES**

- 10.1 It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

**11. REVIEW**

- 11.1 This policy will be reviewed by Council annually to ensure compliance with current objectives of the legislation.

**12. REPORTING REQUIREMENTS**

- 12.1 The Council will prepare an annual report on its obligations under the PID Act within four months after the end of a reporting year.
- 12.2 The Council will provide the Ombudsman with statistical information regarding its compliance with its obligations under the PID Act on a six monthly basis.
- 12.3 Such report will be provided to the Ombudsman within 30 days after the end of the relevant six month period or by such later time as the Ombudsman may approve.

**13. RESOURCES AVAILABLE**

- 13.1 The contact details for external investigating authorities that staff, stakeholders and Councillors can make a public interest disclosure to or seek advice from are listed below.

**For disclosures about corrupt conduct:**

Independent Commission Against  
Corruption (ICAC)  
Phone: 02 8281 5999  
Toll free: 1800 463 909  
Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)  
Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)  
Address: Level 21, 133 Castlereagh Street,  
Sydney NSW 2000

**For disclosures about maladministration:**

NSW Ombudsman  
Phone: 02 9286 1000  
Toll free: 1800 451 524  
Email: [nswomb@ombo.nsw.gov.au](mailto:nswomb@ombo.nsw.gov.au)  
Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)  
Address: Level 24, 580 George Street,  
Sydney NSW 2000

**For disclosures about serious and substantial waste:**

Auditor-General of the NSW Audit Office  
Phone: 02 9275 7100  
Email: [mail@audit.nsw.gov.au](mailto:mail@audit.nsw.gov.au)  
Web: [www.audit.nsw.gov.au](http://www.audit.nsw.gov.au)  
Address: Level 15, 1 Margaret Street,  
Sydney NSW 2000

**For disclosures about breaches of the GIPA Act:**

Information Commissioner  
Phone: 1800 463 626  
Email: [icinfo@oic.nsw.gov.au](mailto:icinfo@oic.nsw.gov.au)  
Web: [www.oic.nsw.gov.au](http://www.oic.nsw.gov.au)  
Address: Level 11, 1 Castlereagh Street  
Sydney NSW 2000

**For disclosures about local government agencies concerning serious and substantial waste, corrupt conduct, maladministration, breaches of pecuniary interest obligations and a failure to exercise functions properly in accordance with the GIPA Act:**

Chief Executive, Division of Local Government in the Department of Premier & Cabinet  
Phone: 02 4428 4100  
Email: [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au)  
Web: [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)  
Address: 5 O'Keefe Avenue, Nowra, NSW 2541

**The following is a list of the current Disclosure Officers:**

|        |  |
|--------|--|
| Camden | Greg Wright<br>General Manager<br>Telephone: 02 4645 7820<br>Email: <a href="mailto:greg.wright@camden.nsw.gov.au">greg.wright@camden.nsw.gov.au</a> |
|--------|--|

ORD03

Narellan

Megan Roberts  
Senior Governance Officer  
Telephone: 02 4645 5125  
Email: megan.roberts@camden.nsw.gov.au

Mayor

Mayor Lara Symkowiak  
Telephone: 04 13 485 142  
Email: larasym@gmail.com

\* \* \*

**RELEVANT LEGISLATION:**

*Public Interest Disclosures Act 1994*  
*Government Information (Public Access)*  
*Act 2009*  
*Local Government Act 1993*

NEXT REVIEW DATE: November 2013

**PREVIOUS POLICY**

**ADOPTED:** 27 September 2011  
**MINUTE:** ORD228/11

Attachment 1

## ORDINARY COUNCIL

ORD04

ORD04

**SUBJECT:** COUNCILLOR REPRESENTATIVE - CAMDEN FESTIVAL COMMITTEE, AUSTRALIA DAY COMMITTEE AND MACARTHUR LIVERPOOL REGIONAL ADVISORY COMMITTEE  
**FROM:** Director Governance  
**BINDER:** Council Committee Representatives

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### PURPOSE OF REPORT

The purpose of this report is to appoint a Councillor Representative to the Camden Festival Committee and the Australia Day Committee for a period of twelve months, as well as the Macarthur Liverpool Regional Advisory Committee for a period of two years (to conclude September 2014).

### MAIN REPORT

Following a recent report to Council to appoint councillor representatives to various committees, it was discovered that two committees had been overlooked.

Council has been working with the Australia Day Committee and the Camden Festival Committee for a number of years to help deliver events to the Camden community.

#### **The Australia Day Committee:**

The Australia Day Committee comprises 8 members including representatives from:

- Macarthur Lions Club;
- Camden Lions Club;
- Evangelical Sisters of Mary;
- Camden State Emergency Service; and
- NSW Police.

Council provides support to the committee through its Communications Team, in particular the Events Officer.

The Australia Day Committee meets once a month in October, November, December and January, commencing at 5.00pm at Narellan Administration Building.

The Australia Day Committee essentially functions as an advisory committee and works to organise a program for Australia Day including a Thanksgiving Service run by the Evangelical Sisters of Mary, Civic Awards, Citizenship Ceremony, entertainment and stalls organised by Camden Council with assistance from Camden Lions Club and the Australia Day Parade organised by Macarthur Lions Club.

#### **The Camden Festival Committee:**

The Camden Festival Committee comprises 15 members including representatives from:

- The Macarthur Centre for Sustainable Living;

- NSW Police;
- Camden State Emergency Service;
- Macarthur Lions Club;
- Camden Lions Club;
- Narellan Lions Club;
- Macarthur Collegians Cycle Club; and
- Macarthur Commodores.

Council provides support to the Committee through a councillor representative and its Communications Team (in particular, the Events Officer). The 2011/12 councillor representative was former Councillor, Fred Anderson.

The Camden Festival Committee meets once a month in April, May, June and July and then every two weeks from August in the lead up to the start of the festival in September. The Committee meet at 5.00pm at Narellan Administration Building.

The Committee essentially functions as an advisory committee and works together to provide a two week festival for the community including a range of events run by Council as well as other community groups. The above stakeholders provide input and advice to the Committee on several areas including advertising and logistics and, where necessary, an update on their own event held within the festival period.

#### **Macarthur Liverpool Regional Advisory Committee:**

In addition to the above Committees, a councillor representative was not nominated by Council to the Macarthur Liverpool Regional Advisory Committee. The 2011/12 councillor representative was former Councillor, Cindy Cagney.

The Committee was established by the NSW Community Relations Commission to assist in interaction with people representing the multicultural community. The Committee is attended by government representatives (including Department of Education and Training, Community Services and Police and Housing), as well as community representatives, and meets quarterly, with evening meetings (6.00pm – 8.00pm) alternating between Liverpool and Campbelltown Councils. The next proposed meeting is to be held at Liverpool on 28 November 2012.

Council may elect to nominate a councillor representative at this time. Alternatively, a Council Officer, being the Team Leader - Community Development and Social Planning, may be formally endorsed by Council as its representative on the Committee.

#### **CONCLUSION**

All members of the Australia Day and Camden Festival Committees volunteer their time to help Council facilitate two major events within the Camden events calendar. These events have continued to grow since their inception and are expected to grow exponentially with our forecast rapid population growth.

Council is seeking a councillor representative for each of the two Committees to oversee the organisation of these events.

Additionally, Council is seeking a representative for the Macarthur Liverpool Regional Advisory Committee.

**RECOMMENDED**

**That Council:**

- i. nominate a councillor representative on the Australia Day Committee and the Camden Festival Committee for a period of 12 months; and**
- ii. nominate a councillor representative, or endorse a Councillor officer to represent Council, on the Macarthur Liverpool Regional Advisory Committee for a period of two years (concluding 30 September 2014).**

**ORD04**



ORD05

## ORDINARY COUNCIL

ORD05

**SUBJECT: APPOINTMENT OF COMMUNITY MANAGEMENT (SECTION 355) COMMITTEES.**

**FROM:** Director Works & Services

**BINDER:** S355 Committees

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### PURPOSE OF REPORT

This report seeks Council to appoint nominated Community representatives to the Community Management Committees, who have delegated responsibilities for activities and functions of Council under Section 355 of the Local Government Act.

### BACKGROUND

Following the quadrennial Council election all committees are required to be appointed and delegations issued.

Council currently has four Community Management Committees operating under S355 of the Local Government Act. They are:

- Camden International Friendship Association, (CIFA), delegated to manage our relationship with Kashiwa City, Japan;
- Camden Seniors Program Committee, delegated to provide an annual program of up to four (4) events for seniors living in Camden;
- The Camden Bicentennial Equestrian Park Committee, (BEP) delegated care and control of the Camden Bicentennial Equestrian Park; and
- The Camden Town Farm Committee, delegated care and control of Camden Town Farm.

Both the Camden Town Farm and the Camden Bicentennial Equestrian Park have adopted master plans to guide the future activities and development of the assets, with all Committees operating within the guidelines provided by Council. The current manual is being updated and will be the subject of a report to the next Council meeting.

### MAIN REPORT

Nominations have been called for all committees. This was done by advertising in the local print media and on Council's website, and also advising all existing committee members. Council staff also met with CIFA representatives and the Seniors Program Committee to explain the process. A public meeting was advertised and held for the purpose of providing information to any community member who may be considering nominating or wanting additional information.

Each person has completed a nomination of interest form which includes referees, areas of expertise, history of Council committee membership, and other relevant information. Council officers have assessed each nomination form and found each of the nominees suitable for appointment.

The following nominations have been received, seeking appointment to Camden International Friendship Association:

|                  |               |
|------------------|---------------|
| Ken Newton*      | Camden        |
| Kristina Took*   | Camden        |
| Patrick Took*    | Camden        |
| Pamela Bakarich* | Douglas Park  |
| Richard Leeman*  | Camden        |
| Gaylene Feld*    | Camden        |
| Sharon Dlugon*   | Werombi       |
| Mayomi Kelly*    | Mt Annan      |
| Sharon Copeland* | Brownlow Hill |
| John Janvis*     | Razorback     |
| Gary Ireland*    | Elderslie     |
| Alan McBride*    | Camden South  |
| Ross Newport*    | Camden        |

\* indicates current committee member.

The following nominations have been received, seeking appointment to the Camden Seniors Program Committee:

|                   |                 |
|-------------------|-----------------|
| Judith Cowell*    | Camden South    |
| Bruce Bunn* OAM   | Camden          |
| Val Moskvitch*    | Mt Annan        |
| Denis Timms*      | Gilead          |
| David Crooks*     | Harrington Park |
| Christine Crooks* | Harrington Park |
| Helen Lanyon*     | Camden          |
| Jim Colvin*       | Narellan        |

\* indicates current committee member.

The following nominations have been received, seeking appointment to the Camden Town Farm Committee:

|                    |                 |
|--------------------|-----------------|
| Nicolet Westerhof* | Bargo           |
| John Drinnan*      | Cobbitty        |
| Tony Biffin*       | Cawdor          |
| Joceline Gruar     | Camden          |
| Ray Moore*         | Crookwell       |
| David Funnell*     | Narellan        |
| James Ironside     | Oakdale         |
| Jeff Ferrif*       | Thirlmere       |
| David Buckley*     | Theresa Park    |
| Linda Galea*       | Theresa Park    |
| Julie Clinch       | The Oaks        |
| Peter Standen*     | Harrington Park |
| Annette Arany*     | Camden          |

\* indicates current committee member.

The following nominations have been received from those seeking appointment to the Camden Bicentennial Equestrian Park Committee. Where the nominee represents a park user group this information is also provided.



|                     |                 |                                      |
|---------------------|-----------------|--------------------------------------|
| Mark Dench          | Tahmoor         | County of Cumberland Campdraft Club  |
| Jennifer Wright     | Elderslie       |                                      |
| Janina Learmont     | Harrington Park |                                      |
| Ian Richard-Evan*   | Elderslie       | Camden RSL Walkway                   |
| Jenny Frankum *     | Orangeville     | Cobbitty Pony Club                   |
| Louis Walter Davies | The Oaks        | Camden Show Society Inc.             |
| David Head*         | Cobbitty        | Camden Show Society Inc. (alternate) |
| Colin Calver*       | Camden          | Camden Men's Shed                    |
| Phil Vale *         | Razorback       |                                      |
| David Funnell*      | Kirkham         |                                      |
| Nicholas Sherwood*  | The Oaks        | Sydney Polocrosse Club               |
| Graeme Watson       | Orangeville     |                                      |
| Patrick John White* | Kirkham         |                                      |
| David Raymond Johns | Oakdale         | Camden Rodeo and Campdraft Club      |

\* indicates current committee member.

### **CONCLUSION**

Section 355 of the Local Government Act allows Council to delegate functions. Following an open and public process in calling for nominations the persons named in this report have applied to be appointed to committees.

Council officers have considered each nomination, and based on the information provided found each of the nominees suitable for appointment.

### **RECOMMENDED**

#### **That Council:**

- i. appoints the persons named in this report to the committees they have nominated to be part of; and**
- ii. issues a Deed of Delegation to:**
  - 1. The Camden International Friendship Association to manage Camden's relationship with Kashiwa City, Japan;**
  - 2. The Camden Seniors Program Committee to provide a program of up to four events each year for seniors living in Camden Local Government Area;**
  - 3. The Camden Town Farm Committee for care and control of the Camden Town Farm; and**
  - 4. The Camden Bicentennial Equestrian Park for care and control of the Camden Bicentennial Equestrian Park,****within the framework, requirements and guidelines stipulated within the Local Government Act and Camden Council's Community Management Committees Manual.**



## ORDINARY COUNCIL

ORD06

ORD06

**SUBJECT: OUTCOME OF NEGOTIATIONS WITH SELECTED COMPANIES FOR CONSTRUCTION OF NEW CLUBHOUSE AMENITIES BUILDING AT RON DINE RESERVE**  
**FROM:** Director Works & Services  
**BINDER:** Capital Works/Council Properties/Ron Dine Clubhouse

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### PURPOSE OF REPORT

To report on the outcome of negotiations with selected companies for construction of a new clubhouse and amenities building, and seek allocation of funds from Council's Section 94 Reserve as a contribution to the improvements at Ron Dine Reserve.

### BACKGROUND

On 16 December 2011, Council entered into an agreement with the Federal Government for \$1.2M funding for the construction of new clubhouse amenities and upgrade of associated facilities at Ron Dine Reserve.

The estimated break-up of the proposed redevelopment works at the time of the funding agreement being finalised was:

|  |                  |
|--|------------------|
| • Construction of new clubhouse amenities building | \$ 925,000       |
| • Upgrade of floodlighting to sports fields        | \$ 125,000       |
| • Installation of new electrical substation        | \$ 60,000        |
| • Investigations, design fees and other costs      | \$ 40,000        |
| • Contingency                                      | <u>\$ 50,000</u> |
| Total:   | \$1,200,000      |

Design for the new electrical supply has been completed and certified by Endeavour Energy. Council has received quotations for these electrical works and will be awarding a contract in the next week for this work to proceed. The value of these works is \$80,000

Quotations will be invited from lighting contractors for the supply and installation of new floodlighting to the sports fields while the power upgrade to the site is carried out.

A report was submitted to Council on 28 August 2012 detailing the outcome of the tenders for construction of the new clubhouse. Given the tenders received exceeded the funds available and that there was scope to make design modifications which would reduce the project cost without compromising the desired outcomes, Council resolved to reject all tenders and negotiate with selected companies.

## MAIN REPORT

### **Outcome of negotiations**

Council officers have worked with representatives from Camden Tigers Soccer Club to make a number of changes to the design including a 20% reduction in the overall building footprint. All changes were agreed between Council and the club before revised prices were invited. A schedule of optional items was also included for pricing, to enable further cost savings if required.

The amended design was reissued to the selected companies for competitive pricing. This was essentially a revised tender rather than a negotiation, to ensure that probity was maintained.

Four of the six companies invited to provide a revised price resubmitted. This included the most competitive company from the original tender.

A summary of the submissions is provided in the **Supporting Document**, as this information is Commercial In Confidence.

### **Project budget**

The Camden Tigers Soccer club have previously indicated that the sports field lighting is a priority. This being the case, the options available are to either reduce the scope further, which would compromise the desired result and be a disappointing long term outcome, or Council contribute funds toward the project.

A summary of the revised project funding required to complete all works is provided in the **Supporting Document**.

Based on the revised prices received for the construction of the clubhouse, the total project funds required to complete all of the improvements proposed at Ron Dine Reserve is \$1.45M. This amount exceeds the Federal Government funding of \$1.2M allocated for the project by \$250,000.

Council's recently reviewed Camden Contributions Plan 2011, levies development for provision of "Sportsground amenities". There is capacity to fund the additional \$250,000 required to complete these works from Council's Section 94 Reserve and take full advantage of the \$1.2M Federal Grant funding.

It is proposed that Council allocate an amount of \$250,000 from Council's Section 94 Reserve as a contribution to the improvements at Ron Dine Reserve.

## CONCLUSION

The revised offer by Bermagui Constructions Pty Ltd is considered to provide the best value to Council. Bermagui Constructions Pty Ltd have completed previous projects of a similar scale and nature, to the satisfaction of their clients.

Any further reduction in the scope of the project would compromise the desired outcome.

There is capacity to fund the additional \$250,000 required to complete the project from Council's Section 94 Reserve and take full advantage of the Federal Grant Funding.

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## **RECOMMENDED**

### **That Council:**

- i. accept the revised offer provided by Bermagui Constructions Pty Ltd for the construction of a new clubhouse and amenities building at Ron Dine Reserve, as detailed in the supporting document;**
- ii. authority be granted for the relevant documentation to be completed under Seal of Council; and**
- iii. allocate \$250,000 from Council's Section 94 Reserve as a contribution to the improvements at Ron Dine Reserve.**

### **ATTACHMENTS**

1. Ron Dine Reserve - Summary of Proposals and Revised Project Budget - *Supporting Document*

**ORD06**

## ORDINARY COUNCIL

ORD07

**SUBJECT:** ENERGY CONSUMPTION TECHNICAL AUDIT

**FROM:** Director Works & Services

**BINDER:** Environmental Management/Environmental Systems/Energy Efficiency

---

### PURPOSE OF REPORT

The purpose of this report is to inform Council of the results of the Energy Consumption Technical Audit undertaken to comply with the WaSIP Standards, and to seek funding to implement the energy saving measures identified. (A copy of the audit report is provided in the **Supporting Document**)

### BACKGROUND

Council began implementing energy management initiatives in 2003. Since then, the NSW Government introduced legislation which required Council's to prepare Energy Savings Action Plans for their top 10 energy consuming facilities.

A total of nine sites were included in Council's Energy Savings Action Plan (2006), and these sites represented 65% of the total energy consumption of Camden Council facilities. The plan identified 25 energy conservation measures at these sites with a capital cost estimate of \$1,773,689. These measures were projected to generate savings of \$146,861 annually resulting in a payback period of approximately 12 years.

Council resolved to adopt the Energy Savings Action Plan and to forward the plan to the then NSW Department of Water and Energy. Included in the resolution, Council agreed that \$175,500 for energy conservation measures be added to the 2007/2008 discretionary list for consideration at future budget reviews. Since that time no dedicated budget has been provided to implement these actions. As such, implementation of energy conservation measures over the past five years has been limited to projects funded from the Waste and Sustainability Improvement Payment (WaSIP) program, introduced in 2009 by NSW Government. The measures undertaken to date include installation of pool blankets and solar pool heating at Camden Pool and energy saving installations at Narellan Library.

### MAIN REPORT

To comply with the requirements of the WaSIP program in 2011/2012, Council was required to undertake an audit using 12 months of energy usage data, to determine Council's existing baseline energy use for its facilities within the LGA and identify its top 10 energy consuming facilities. Council is then required to develop and commence implementation of initiatives to reduce energy consumption at these 10 sites.

Following an initial review of Council's electricity accounts, in 2010/2011 Council had 102 electricity accounts and 5 gas accounts servicing two administration buildings, two libraries, Camden Pool and Mount Annan Leisure Centre, 18 sporting fields and 10 community facilities, as well as other items such as water pumps. In 2010/2011, these facilities (excluding street lighting) consumed 21,002 gigajoules (GJ) of energy.

Mojarra Pty Ltd (Mojarra) was engaged to undertake Level 3 audits of the top ten energy consuming Council facilities. Mojarra have provided an Energy Consumption Technical Audit Report compliant with the requirements of AS/NZS 3598:2000.

The top ten energy consuming facilities for Council were identified as follows:

**Table 1: Council's top ten energy consuming facilities**

| #  | Site Name                        | GJ            | % of Total   |
|----|----------------------------------|---------------|--------------|
| 1  | Mount Annan Leisure Centre       | 12,173        | 57.96        |
| 2  | Narellan Library                 | 1,858         | 8.85         |
| 3  | Camden Swimming Pool             | 1,388         | 6.61         |
| 4  | Narellan Administration Building | 1,019         | 4.85         |
| 5  | Camden Civic Centre              | 870           | 4.14         |
| 6  | Camden Administration Building   | 781           | 3.72         |
| 7  | Camden Library                   | 440           | 2.10         |
| 8  | Works Depot                      | 245           | 1.17         |
| 9  | ArtyCaf                          | 172           | 0.82         |
| 10 | Waste Depot                      | 145           | 0.69         |
|    | <b>Total</b>                     | <b>19,091</b> | <b>90.91</b> |

Since monitoring of energy consumption and greenhouse emissions began in 2006, energy consumption has significantly increased across all areas of Council's facilities.

Of particular interest however, is the very significant increase in energy prices. Electricity prices have increased by 68% and gas prices by 61% in this period.

The audit identified 14 energy conservation measures with a capital cost estimate of \$533,320. If implemented, it is expected that Council would save \$150,756 per annum in energy consumption. A summary of the measures is provided in the Table 2 below.

**Table 2: Summary of energy saving measures**

| Measure                           | Energy Saving (kWh/year)               | % of Site Consumption | Cost Savings (\$/year) | Capital Cost (\$) | Payback Period (years) |             |
|-----------------------------------|--|-----------------------|------------------------|-------------------|------------------------|-------------|
| <b>Mount Annan Leisure Centre</b> |  |                       |                        |                   |                        |             |
| 1                                 | Lighting Upgrade                       | 4,700                 | 0.30%                  | \$ 1,800          | \$ 15,000              | 8.1         |
| 2                                 | Gas Heating Increase                   |                       | 49%                    | \$ 44,025         | \$ 60,000              | 1.4         |
| 3                                 | Power Factor Correction                | N/A                   | N/A                    | \$ 15,319         | \$ 11,200              | 0.73        |
| 4                                 | Voltage Optimisation                   | 142,860               | 10%                    | \$ 27,945         | \$ 55,420              | 2.0         |
|                                   | <b>Total</b>                           | <b>147,560</b>        | <b>10%</b>             | <b>\$ 89,089</b>  | <b>\$ 141,620</b>      | <b>1.59</b> |
| <b>Narellan Library</b>           |  |                       |                        |                   |                        |             |
| 5                                 | Review of Building Maintenance Systems | 170,000               | 33%                    | \$ 23,000         | \$ 5,000               | 0.22        |
| 6                                 | Sub-metering                           | 17,500                | 3%                     | \$ 2,500          | \$ 5,000               | 2.00        |
| 7                                 | Voltage Optimisation                   | 35,000                | 7%                     | \$ 5,500          | \$ 42,000              | 7.64        |
|                                   | <b>Total</b>                           | <b>222,500</b>        | <b>43%</b>             | <b>\$ 31,000</b>  | <b>\$ 52,000</b>       | <b>1.68</b> |

| Measure                     |                                      | Energy Saving<br>(kWh/year) | % of Site<br>Consumption | Cost Savings<br>(\$/year) | Capital<br>Cost<br>(\$) | Payback<br>Period |
|-----------------------------|--------------------------------------|-----------------------------|--------------------------|---------------------------|-------------------------|-------------------|
| <b>Camden Swimming Pool</b> |                                      |                             |                          |                           |                         |                   |
| 8                           | Pump Savings: Min Winter             | 8,760                       | 2.27%                    | \$ 4,862                  | Internal                | N/A               |
| 9                           | Pump Savings: Flow Meter in 50m Pool | 12,636                      | 3.27%                    | \$ 1,250                  | \$ 2,000                | 1.6               |
| 10                          | Pump Savings: Leisure Pool VFDs      | 18,586                      | 4.82%                    | \$ 1,455                  | \$ 9,000                | 6.2               |
| <b>Total</b>                |                                      | <b>39,982</b>               | <b>10%</b>               | <b>\$ 7,567</b>           | <b>\$ 11,000</b>        | <b>1.45</b>       |
| <b>Camden Civic Centre</b>  |                                      |                             |                          |                           |                         |                   |
| 11                          | Replace Down Lights                  | 15,000                      | 7%                       | \$ 8,000                  | \$ 75,000               | 9.4               |
| 12                          | Air Conditioning Replacement         | 47,000                      | 21%                      | \$ 9,400                  | \$ 230,000              | 24.5              |
| <b>Total</b>                |                                      | <b>62,000</b>               | <b>28%</b>               | <b>\$ 17,400</b>          | <b>\$ 305,000</b>       | <b>17.5</b>       |
| <b>Camden Library</b>       |                                      |                             |                          |                           |                         |                   |
| 13                          | Upgrade Lighting                     | 8,300                       | 7%                       | \$ 3,200                  | \$ 11,200               | 3.5               |
| <b>Total</b>                |                                      | <b>8,300</b>                | <b>7%</b>                | <b>\$ 3,200</b>           | <b>\$ 11,200</b>        | <b>3.5</b>        |
| <b>Works Depot</b>          |                                      |                             |                          |                           |                         |                   |
| 14                          | Replace Workshop Lighting            | 7,500                       |                          | \$ 2,500                  | \$ 12,500               | 5.0               |
| <b>Total</b>                |                                      | <b>7,500</b>                |                          | <b>\$ 2,500</b>           | <b>\$ 12,500</b>        | <b>5.0</b>        |

Item 5 in the above table has been completed.

Item 12 - \$135,000 is currently funded for improvements to the existing airconditioning system, which is necessary due to the aging infrastructure. Council Officers are further seeking grant funds to supplement this budget, to complete Item 12.

Subject to funding being made available, the proposed implementation schedule of the projects is as follows:

**Table 3: Proposed implementation schedule**

| Year    | Project No #   | Total<br>Estimated<br>Capital Cost | Total<br>Estimated<br>Savings (/yr) |
|---------|--|------------------------------------|-------------------------------------|
| 2012-13 | 3- Power Factor Correction, <i>MALC</i><br>6 – Sub-metering, <i>Narellan Library</i><br>8 – Pump savings: Min Winter, <i>Camden Pool</i><br>9 – Pump Savings: Flow meter in 50m Pool, <i>Camden Pool</i> | \$ 18,200                          | \$ 23,931                           |
| 2013-14 | 10 – Pump Savings: Leisure Pool VFDs, <i>Camden Pool</i><br>13 – Upgrade lighting, <i>Camden Library</i><br>14 – Replace Workshop Lighting, <i>Works Depot</i>   | \$ 32,700                          | \$ 7,155                            |

|         |  |           |           |
|---------|--|-----------|-----------|
| 2014-15 | 4 – Voltage Optimisation, <i>MALC</i><br>7 – Voltage Optimisation, <i>Narellan Library</i> | \$ 97,420 | \$ 33,445 |
| 2015-16 | 1 – Lighting Upgrade, <i>MALC</i><br>11 – Replace Downlights, <i>Camden Civic Centre</i>   | \$ 90,000 | \$ 9,800  |
|         | 2 – Gas Heating Increase, <i>MALC</i>  | \$ 60,000 | \$ 44,025 |

The ranking of these projects has been assessed on the least capital outlay returning the maximum annual cost savings.

In addition to the above estimated savings in Table 3, it is possible that Council could realise further savings through the NSW Government’s Energy Savings Scheme.

Through the Energy Savings Scheme, when businesses invest in reducing their energy use, energy savings certificates are created by the voluntary scheme participants who have helped to implement those energy savings activities. Electricity retailers, who are mandatory scheme participants, then buy the energy savings certificates to meet their own legislated targets, as required by law.

Energy savings certificates are the 'currency' of the scheme and as such, it should be noted that the Energy Savings Scheme is not a rebate scheme.

**CONCLUSION**

To comply with the WaSIP Standard, Council engaged consultants to Mojarra Pty Ltd to undertake an energy audit of its top 10 energy consuming facilities. The audits identified significant increases in energy consumption and greenhouse emissions across all areas of Council’s facilities.

Of particular interest however, is the very significant increase in energy prices since 2006. Electricity prices have increased by 68% and gas prices by 61%.

The audit report identifies 14 energy conservation measures with a capital cost estimate of \$533,320. If implemented it is expected that Council would save \$150,756 per annum in energy consumption.

**RECOMMENDED**

**That Council:**

- i. note the information provided in the report;**
- ii. approve funding for Year 1 of the proposed implementation schedule of \$18,200 to be funded from the Capital Works Reserve; and**
- iii. amend Council’s unfunded Works and Services list to reflect the funding required under the proposed implementation schedule for Years 2 – 4, and be considered as part of the preparation of the 2013/14 Budget.**



**ORD07**

## ATTACHMENTS

1. Camden Energy Audit - *Supporting Document*

## ORDINARY COUNCIL

ORD08

ORD08

### NOTICE OF MOTION

**SUBJECT: NOTICE OF MOTION - ACKNOWLEDGEMENT OF COUNTRY AT COUNCIL MEETINGS**

**FROM:** Cr Symkowiak

**BINDER:** Council Meetings

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"I Councillor Lara Symkowiak hereby give notice of my intention to move the following at the Council Meeting of 13 November 2012:"

That Council:

- i) acknowledge the traditional custodians of the land on which we meet at the beginning of its council meetings and this practice commence at the council meeting of 27 November 2012 with the following words;

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

- ii) invite Camden Local Government resident, Mr Daniel Geale, IBF middleweight world boxing champion and Commonwealth Games Gold medallist, to conduct Council's inaugural Acknowledgement of Country on 27 November 2012.

### RECOMMENDED

That Council:

- i) **acknowledge the traditional custodians of the land on which we meet at the beginning of its council meetings and this practice commence at the council meeting of 27 November 2012 with the following words;**

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

- ii) **invite Camden Local Government resident, Mr Daniel Geale, IBF middleweight world boxing champion and Commonwealth Games Gold medallist, to conduct Council's inaugural Acknowledgement of Country on 27 November 2012.**