



Camden Council

Business Paper

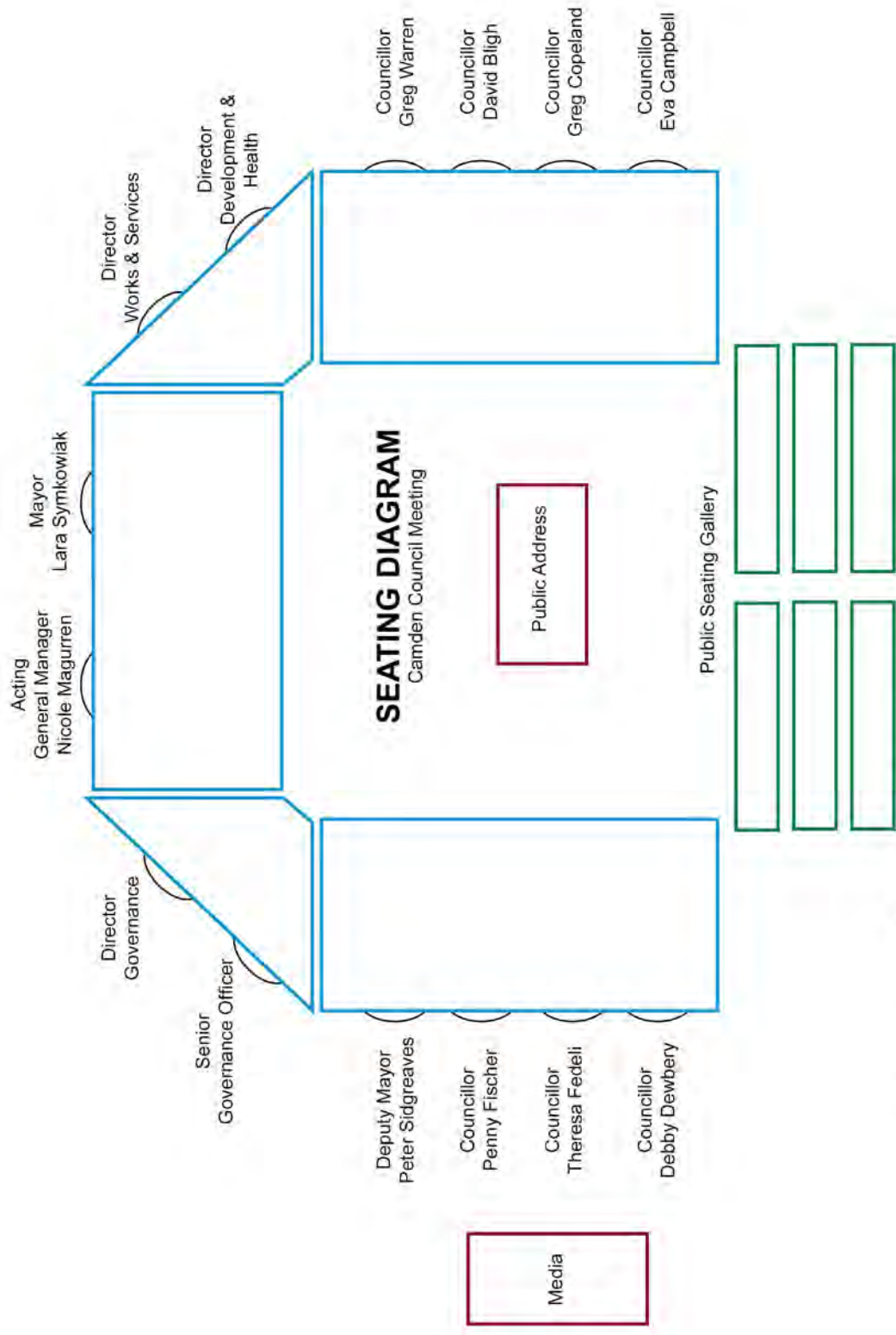
Ordinary Council Meeting
12 March 2013

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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

ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

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

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

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 26 February 2013 and the Local Traffic Committee Meeting held 19 February 2013.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 26 February 2013 and the Local Traffic Committee Meeting held 19 February 2013, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: CONSTRUCTION OF TWO OFF ROAD RECREATION TRAILS AND ASSOCIATED SITE WORKS WITHIN THE AUSTRALIAN BOTANIC GARDEN MOUNT ANNAN AT 362 NARELLAN ROAD, MOUNT ANNAN

FROM: Acting Director, Development & Health

BINDER: DA 867/2012

APPLICATION NO: 867/2012

PROPOSAL: Construction of two off road recreation trails and associated site works within the Australian Botanic Garden Mount Annan

PROPERTY ADDRESS: 362 Narellan Road, Mount Annan

PROPERTY DESCRIPTION: Lot 51, DP 740394
Lot 1001, DP 734435
Lot 132, DP 825469

ZONING: SP1 Special Activities

OWNER: Royal Botanic Gardens and Domain Trust

APPLICANT: Australian Botanic Garden Mount Annan

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of two off road recreation trails and associated site works within the Australian Botanic Garden Mount Annan (ABG) at 362 Narellan Road, Mount Annan.

The DA is referred to Council for determination as there remain unresolved issues received in 8 submissions from the public.

SUMMARY OF RECOMMENDATION

That Council determine DA 867/2012 for the construction of two off road recreation trails and associated site works within the ABG pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of two off road recreation trails and associated site works within the ABG at 362 Narellan Road, Mount Annan. These trails will form part of the larger Macarthur Regional Recreation Trail network which will extend from Spring Farm through the AGB and University of Western Sydney Campbelltown campus to Menangle Park.

The applicant for this DA is the Royal Botanic Gardens and Domain Trust which is a Crown authority. Pursuant to Section 89 of the *Environmental Planning and Assessment Act 1979*, Council **cannot refuse** a DA lodged by the Crown except with the approval of the Minister. Should Council resolve not to approve the DA, Council

must write to the Minister and ask for the DA to be determined. Council is legally bound by the decision the Minister makes regarding the DA in this circumstance.

The applicant is also required to approve all conditions that Council imposes on a development consent granted for a Crown DA. The applicant has reviewed the conditions contained in this report and has raised no issues with them.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 30 days. 11 submissions were received (all objecting to the proposed development), however Council staff were able to resolve 3 of the submissions and they were subsequently withdrawn. **A copy of the unresolved submissions is provided with the Business Paper supporting documents.**

The issues raised in the 8 unresolved submissions relate to the potential increase of traffic and cars parking on adjacent local streets (primarily Eucalyptus Circuit) in Mount Annan and social impacts as a result of the proposed development. This is due to there being two newly proposed entry/exit points; one near Alchornea Circuit in Mount Annan and one near the eastern end of Springs Road in Spring Farm.

The issues relating to traffic and parking impacts on adjacent local streets have been assessed by Council's traffic and transport team who does not consider that traffic and parking will be an issue. The proposed development does not include facilities, such as BBQs and shelters etc., which would encourage people to drive to and park in Eucalyptus and Alchornea Circuits and surrounding streets.

The proposed trails through the ABG connect with existing trails which are accessed from an existing entry/exit point on Narellan Road. It is anticipated that people who wish to utilise the trails and other facilities within the ABG will access them via the existing Narellan Road entry/exit and use the car parking areas available within the ABG site.

The concerns raised in the submissions relating to social impacts were assessed by both Council staff and the Camden Local Area Command (CLAC). The CLAC classified the proposed development as a low crime risk subject to a condition regarding maintenance. Council staff are satisfied that there will be no adverse social impacts as a result of the proposed development.

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

AERIAL PHOTO



ORD01

THE SITE

The site is commonly known as 362 Narellan Road, Mount Annan and comprises 3 properties that are legally described as lot 51, DP 740394, lot 1001, DP 734435 and lot 132, DP 825469.

The site has a primary frontage of approximately 1.2km to Narellan Road, a depth of approximately 3.3km and an overall area of approximately 416 hectares. The site currently accommodates the ABG which comprises large areas of open space and recreation areas including seating, BBQ sand research facilities.

To the north of the site lies Narellan Road and the residential suburb of Currans Hill. To the east exists the Camden/Campbelltown LGA boundary, the Sydney Catchment Authority's upper canal (a State heritage item) and the Hume Highway. To the south lies the residential suburb of Menangle Park (with the Campbelltown LGA) and to the west exists the residential suburb of Mount Annan.

HISTORY

There is no development history on this site that is relevant to the proposed development.

THE PROPOSAL

DA 867/2012 seeks approval for the construction of two recreations trails and associated site works within the ABG.

Specifically the proposed development involves:

- construction of two off road pedestrian/cyclist recreation trails to be known as the “Garden Trail” and the “Ridge Trail.” The “Garden Trail” will be 2.5m wide and approximately 4.7km long. The “Ridge Trail” will be 3.5m wide and approximately 2km long. Both will be constructed of concrete;
- new entry/exit points near Alchornea Circuit in Mount Annan and near the eastern end of Springs Road in Spring Farm. This will include the construction of a double-gate chicane system, 1.5m high stone walls, 1 seat at each point and palisade fencing with magnetic proximity card reader systems at both entry/exit points;
- installation of directional, interpretive and informational signage displaying directions, key points of interest and information about the ABG;
- a lookout point including landscaping and feature walls within the ABG site;
- additional landscaping; and
- daily access to the trails between 10am and 5pm.

The value of the works is \$967,000.

The proposed development forms part of the larger Macarthur Regional Recreation Trail network which builds on state, regional and local planning strategies including New South Wales 2021, the Metropolitan Plan for Sydney 2036 and Camden 2040. The project will be funded by grants obtained by the Metropolitan Greenspace Program and Landcom.

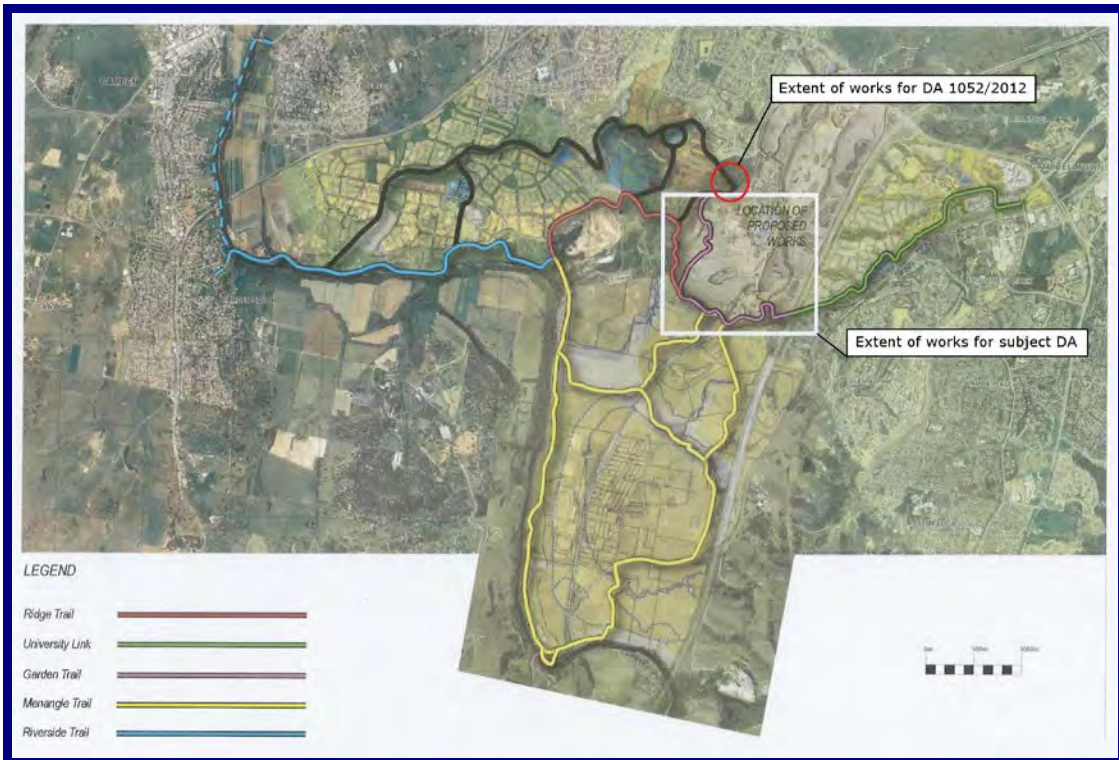
Upon completion, the Macarthur Regional Recreation Trail network will provide off road cycle and pedestrian shared paths connecting Camden to Macarthur train station by passing through the AGB and creating cycle and pedestrian links from/to the residential suburbs of Mount Annan, Spring Farm and Menangle Park, Campbelltown and the University of Western Sydney Campbelltown campus.

One of the trails the subject of this DA (the “Garden trail”) will connect into the next part of the Macarthur Regional Recreation Trail network proposed at 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit which is subject to the separate DA 1052/2012.

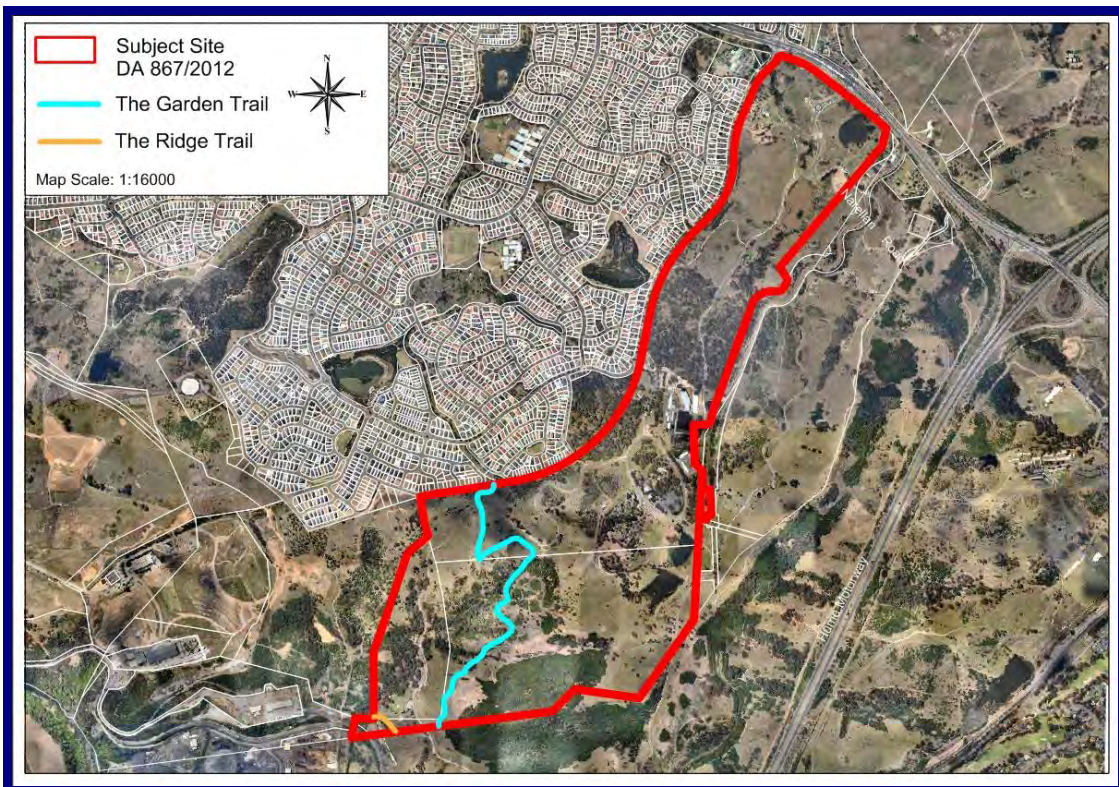
A copy of the proposed plans is provided as attachment 1 to this report.

PLAN SHOWING THE MACARTHUR REGIONAL RECREATION TRAIL NETWORK AND THE TRAILS PROPOSED BY THIS DA

ORD01



DETAIL PLAN SHOWING THE TWO TRAILS PROPOSED BY THIS DA



The site is zoned SP1 Special Activities under the provisions of the LEP. The proposed development is defined as a “recreation area” by the LEP which is a permissible land use in this zone.

Zone Objectives

The objectives of the SP1 Special Activities zone are as follows:

- To provide for special land uses that are not provided for in other zones.

Officer comment:

The proposed development is for two recreation trails which will ultimately link the Camden and Campbelltown LGAs through the ABG. These trails will play an integral part in the overall Macarthur Regional Recreation Trail network. Such a trail through this area cannot be located elsewhere and therefore it is considered that this is a special type of development which is consistent with this objective.

- To provide for sites with special natural characteristics that are not provided for in other zones.

Officer comment:

The proposed trails will allow the southern part of the ABG to be accessed and appreciated more readily by the public. It is not considered that the proposed development will compromise the existing special natural characteristics of the ABG.

- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

Officer comment:

The proposed development is for two trails which will provide an important piece of infrastructure to permit the southern part of the ABG to be more actively utilised by the public. The trail respects the special natural characteristics of the land and will not result in any adverse impacts upon the surrounding land.

- (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 Instruments 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 proposed development’s compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.9 Waste Minimisation and Management	A waste management plan (WMP) must be submitted with the development application	A WMP has been lodged with the DA and satisfies the DCP's requirements	Yes
B1.10 Bushfire Risk Management	Ensure that the bush fire risk to adjoining properties is not increased as a result of the development	It is considered that the development will not result in an increase of bush fire risk to surrounding development. The DA was also discussed with the NSW Rural Fire Service who raised no issues	Yes
B1.13 Mine Subsidence	Application for development in a mine subsidence area must include Mine Subsidence Board (MSB) approval prior to lodging	The proposed development type is exempt from requiring approval from the MSB as per the MSB Document "Deemed Approvals for Council Staff"	Yes
B2 Landscape Design	A landscape plan must be submitted with applications	An appropriate landscape plan has been provided with the DA and has been assessed by Council staff. The landscape plan proposes additional plant species and is considered acceptable	Yes
B3.1.5 Cultural and Visual Landscapes	Development should optimise the preservation and interpretation of identified significant cultural and visual landscapes	The proposed development does not interfere with any significant cultural and visual landscapes identified in the DCP	Yes

(a)(iia) 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

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

(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.

Environmental Impacts

The location for the proposed trails has been selected in order to avoid the removal of trees and clearing of ABG flora habitats. In addition, the proposed development will include additional buffer planting along the length of the trail. The buffer planting includes species native to the region in coordination with existing displays at the ABG. Native species have been selected to ensure integration with the existing displays and to ensure that no ecological conflicts arise from the additional landscaping.

It is considered that the proposed development will not cause any disturbance to existing vegetation and is therefore unlikely to have adverse impacts upon the natural environment within the site.

Social Impacts

The proposed trails will provide connections between residential suburbs in the Camden and Campbelltown LGAs including Spring Farm, Mount Annan and Menangle Park. The trails will also play an integral part of the wider Macarthur Region Recreational Trail network. The connection of these areas will help reduce reliance on cars, promote healthier lifestyles and improve the wellbeing of the public.

The trails will also increase recreational opportunities within the ABG by providing infrastructure which will allow for active use of the southern part of the ABG which has previously not been accessible to the public. It is considered that the trails will increase opportunities for creating healthier and more sustainable communities.

The proposed access hours are consistent with the opening hours of the ABG and only accessible after hours by emergency personnel and ABG staff by a proximity card or key fob.

Traffic Impacts

The proposed development has been assessed by Council's traffic and transport team. The conclusions of this assessment are that the impacts on traffic and car parking on adjacent local streets surrounding the site will be minimal.

The trails form part of the larger Macarthur Regional Recreation Trail network. The network will help reduce reliance on cars in the wider Macarthur region.

The purpose of the trails the subject of this DA is to connect to future shared pedestrian/cycle paths in Mount Annan and future shared paths in the ABG and the University of Western Sydney in the Campbelltown LGA. Importantly, the development is only one section of the larger Macarthur Regional Recreation Trail network which does not begin or end at the proposed entry/exit 'A' near Alchornea Circuit in Mount

Annan or entry/exit 'B' near the eastern end of Springs Road in Spring Farm. Therefore it is not considered that individuals will park cars in adjacent local streets in either Mount Annan or Spring Farm in order to use the trails.

Development which would encourage people to drive to adjacent local streets, park their cars and continue on foot or bike include BBQ and picnic areas, toilet facilities, shops, information centres and the like. The nearest such facility within the ABG is located approximately 800m away from the proposed entry/exit point near Alchornea Circuit in Mount Annan. It is considered that people who wish to access the ABG and utilise its the facilities are more likely to access the site via the existing entry/exit off Narellan Road and utilise existing car parking areas within the ABG.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

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

The DA was publicly exhibited for a period of 30 days in accordance with Camden Development Control Plan 2011. 185 surrounding properties were notified and 11 submissions were received (all objecting to the proposed development), however Council staff were able to resolve 3 of the submissions and they were subsequently withdrawn.

The following discussion addresses the issues and concerns raised in the remaining 8 submissions.

1. *The development will result in a significant increase in traffic, pedestrians, cyclists and cars parking in and around Eucalyptus Circuit.*

Officer comment:

The proposed development is only one section of the larger Macarthur Regional Recreation Trail network which does not begin or end at this site. It is not considered that individuals will park cars in adjacent local streets in Mount Annan in order to use the trail.

Development which would encourage people to drive to adjacent local streets, park their cars and continue on foot or bike include barbeque and picnic areas, toilet facilities, shops, information centres and the like. The nearest such facility within the ABG is located approximately 800m away from the site. It is considered that people who wish to access the ABG and utilise its facilities are more likely to access the site via the existing entry/exit on Narellan Road and utilise existing car parking areas within the ABG.

2. *The increase in traffic and parking congestion will decrease the value of homes.*

Officer comment:

The impact on property values is not a matter for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*.

There is no evidence that the proposed development will negatively impact upon the value of properties in the surrounding area.

3. *The increase in traffic will increase the likelihood of injuries to children who live in the area.*

Officer comment:

As aforementioned, the development has been reviewed by Council's traffic and transport team who has found that the traffic impacts resulting from the development will be minor. It is therefore considered that there will be no adverse safety impacts on existing residents including children.

4. *The increase in traffic will increase car accidents on surrounding local streets.*

Officer comment:

As aforementioned, it is not considered that the proposed development will result in a notable traffic increase in local streets surrounding the site. Consequently, it is also not considered that the proposed development will increase car accidents in the areas surrounding the site.

5. *The trail will attract young and undesirable persons who will congregate during hours of darkness for the purposes of alcohol consumption and drug use.*

Officer comment:

The proposed trails will only be open for use by the public during hours of daylight, i.e. 10am to 5pm 7 days a week. Outside these hours, the entry gates will be securely locked and access will be restricted to emergency vehicles and ABG staff. Restricted access after hours will be enforced by proposed the magnetic proximity card reader system.

This DA was referred to the CLAC for a "Safer by Design" assessment. The CLAC identified the proposed development as a low crime risk and have raised no concerns subject to a condition regarding maintenance. This recommendation has been included in the overall conditions contained in this report.

6. *The trail will be used as a route for the commission of criminal offences and will provide for a means of escape after committing offences like break and enter, without detection.*

Officer comment:

As aforementioned, the proposed development will include several security features and has been classified by the CLAC as a low crime risk.

7. *The proposed entry should be relocated to Alchornea Circuit.*

Officer comment:

The proposed entry/exit point in Mount Annan is proposed to be located near Alchornea Circuit.

8. *The cycle path will damage local fauna and flora.*

Officer comment:

The shared path route has been selected to avoid the removal of trees and clearing of garden floor habitats. Additional buffer planting of native species will also be provided.

9. *The proposed development is located in a flood affected area.*

Officer comment:

As the site is near a natural watercourse the proposed development may be partially affected by the 1:100 year flood level. However embellishment elements such as cycle paths and entry points etc. can be designed to withstand the impacts of flooding.

10. *We were advised by a real estate agent at the time of purchasing our property that no development would occur.*

Officer comment:

A DA can be lodged for development on any site by any person with the relevant landowners consent. Subject to an assessment of the proposed development pursuant to the *Environmental Planning and Assessment Act 1979* through a DA, development may be subsequently approved by Council.

11. *The development will cause noise and disruption to properties along Eucalyptus Circuit.*

Officer comment:

The access hours of 10am to 5pm are considered to be appropriate for the location of the proposed development. It is not considered that the use of the proposed trails by pedestrians and cyclists will cause noise and disruption to surrounding residents.

12. *The entry should be located at the existing entry at Mount Annan Drive.*

Officer comment:

The proposed development is part of the wider Macarthur Regional Recreation Trail network. The proposed development will eventually connect into a future public reserve at 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan immediately north of proposed entry/exit point 'A' near Alchornea Circuit.

(e) The public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. Based on the above assessment, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

NSW Office of Water (NOW)

The DA was referred to the NOW for assessment as the proposed trails are located within 40m of a natural watercourse near Alchornea Circuit.

NOW raised no objections to the proposed development.

Camden Local Area Command (CLAC)

The DA was referred to the CLAC to assess the proposed development against “Safer by Design” principles. The CLAC classified the proposed development as a low crime risk subject to a conditions regarding maintenance. This condition is provided as part of the overall conditions contained in this report.

NSW Rural Fire Service (RFS)

The DA was discussed with the RFS who raised no objections to the proposed development.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

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 867/2012 is recommended for approval subject to the conditions contained in this report.

Details of Conditions

1.0 - General Requirements

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

Plan / Development No.	Description	Prepared by	Dated
-	Statement of Environmental Effects	MG Planning	July 2012
NS1077, R01, Revision E	Australian Botanic Garden Recreation Trail Report and Plans	Clouston Associates	July 2012
NS937A	Recreational Trail Path Plan	Clouston Associates	July 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) **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
- (3) **Crime Prevention Through Environmental Design (CPTED)** – The following CPTED features must be included in this development:
- (a) A maintenance policy must be established for the development which manages lighting, landscaping and condition of facilities (i.e. seats, bins and gates).
- (4) **Signage** – A sign must be erected at the entry/exit points which stipulates the hours of access to the recreation trails.

2.0 - Prior To Works Commencing

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

- (1) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

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

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

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

- (2) **Civil Engineering Plans** – 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, must be submitted to the Consent Authority (i.e. Camden Council) prior to the works commencing.
- (3) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Consent Authority (i.e. Camden Council) prior to works commencing. 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.
- (4) **Damage to Public Infrastructure** – All public infrastructure that adjoins the development site on public land shall be protected from damage during construction works.

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

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

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

- (5) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the Environmental Planning and Assessment Regulation 2000.
- (6) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - (c) be a temporary chemical closet approved under the Local Government Act 1993.
- (7) **Notice Of Commencement Of Work** – Notice in the manner required by Section 81A of the Environmental Planning and Assessment Act 1979 and clauses 103 and 104 of the Environmental Planning and Assessment Regulation 2000 shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to the nominated 'principal contractor' for the works.
- (8) **Construction Traffic Management Plan** – A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications.

- (9) **Technical Provisions of the State's Building Laws** - Pursuant to Section 109R of the *Environmental Planning and Assessment Act 1979*, the work cannot be commenced to be carried out unless the work is certified by or on behalf of the Crown to comply with the technical provisions of the State's buildings laws.

3.0 - During Construction

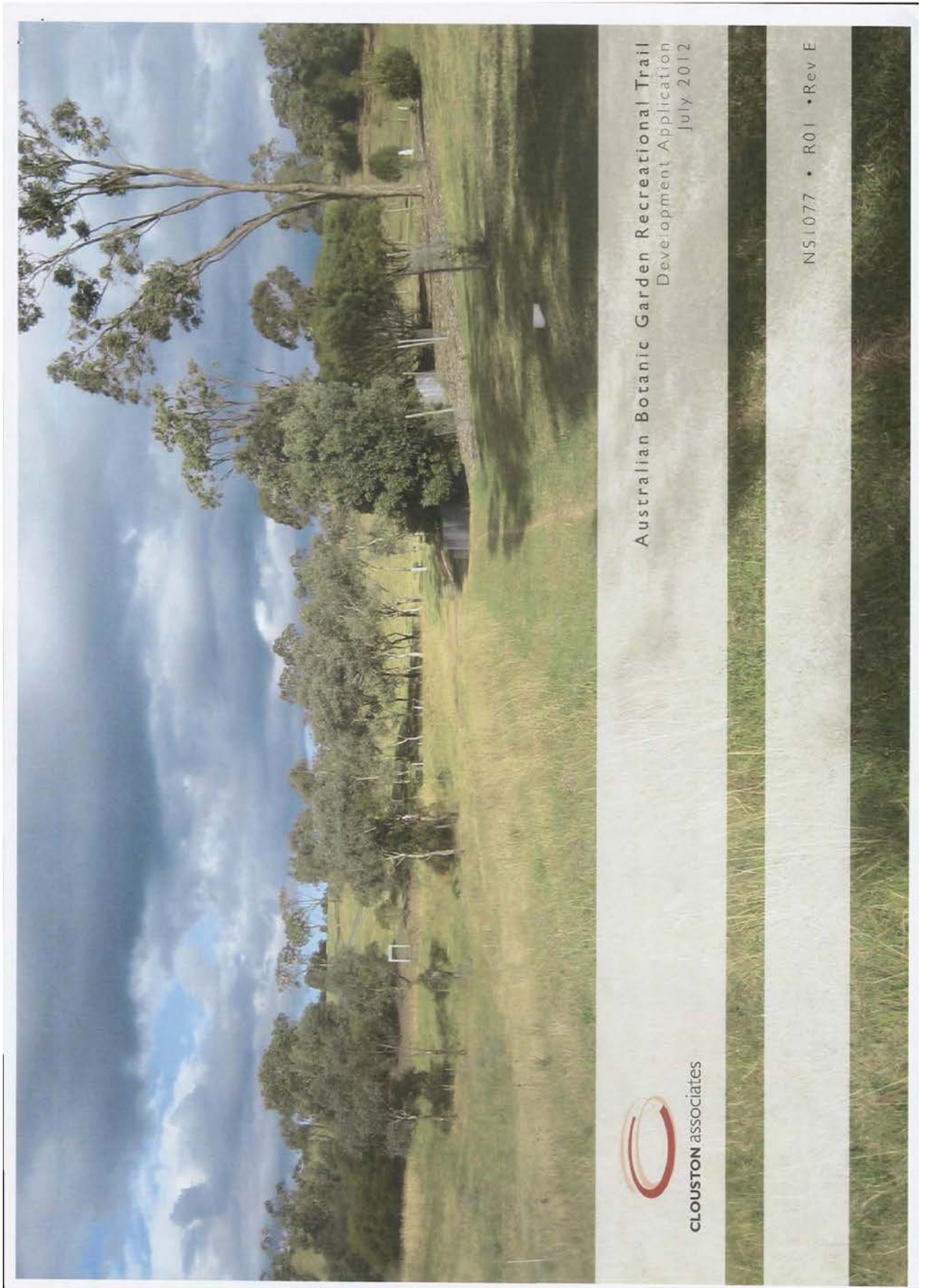
The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Hours of Work** – The hours for all construction work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays are prohibited.
- (2) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
 - (b) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
 - (c) Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - (d) Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - (e) A waste control container shall be located on the development site.
- (3) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) building involves the enclosure of a public place,
a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- (4) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set

Attachment 1
ORD01



CLOUSTON associates

INTRODUCTION



BACKGROUND

The ambition of the Macarthur Regional Recreation Trail is to provide an off road cycleway and pedestrian shared pathway connecting Camden and Macarthur Railway Stations by passing through Australian Botanic Garden and creating cycle and pedestrian links into the new suburbs of Spring Farm, Garden Gales, the future development at Menangle Park and beyond. The Trail will improve linkages between existing communities as well as providing a valuable connection between developing communities and surrounding public transport infrastructure.

BENEFITS OF THE MACARTHUR REGIONAL RECREATION TRAIL

- Creating New Links
- Connecting Communities
- Promoting Recreation
- Improving Commuting
- Reducing Greenhouse Gases
- Telling Local History
- Enhancing Regional Tourism
- Enhancing Education and Research

SUPPORTING DOCUMENTS

- Design Manual
- Cycleway report

STRATEGIC CONTEXT

The Macarthur Regional Recreational Trail concept builds on state and regional and local planning strategies. State and local government policies which align with this project includes:

New South Wales 2021: The NSW Government has developed a 10 year plan to guide policy and budget decisions to deliver of community priorities. The plan is focussed on five strategies which include: rebuilding the economy, return quality services, renovate infrastructure, strengthen local environment and communities and restore accountability to Government.

The Macarthur Regional Recreational Trails aligns with many of the strategies identified in NSW 2021 through driving economic growth in regional NSW, reducing travel times, keeping people healthy, investing in critical infrastructure, making it easier for people to be involved in their communities and enhancing cultural, creative, sporting and recreational opportunities.

Metropolitan Plan for Sydney 2036: The Metropolitan Plan aims to ensure equitable access to Sydney's infrastructure and services by identifying growth areas and building various centres across the metropolitan area. One of the key actions identified in the strategy is to fund a series of regional recreation walking trails.

To meet this strategy the Department of Planning and Infrastructure developed the Sydney Metropolitan Regional Recreation Trails Framework. The NSW state government vision for this framework is to "establish an integrated network of regional recreation trails across the Sydney metropolitan region, providing recreation opportunity for all Sydneysiders and visitors." The

Macarthur Regional Recreation Trail is identified in this regional framework (as 5.19 Campbelltown via Mount Annan to Great River Walk). Furthermore this route is identified in the Metropolitan Plans Vision for Parks and Public Places and within the subregional strategies. To support local Councils in implementing the priorities identified in the Trails framework, the state governments Metropolitan Greenpace Program (an annual grant funding program) has established regional trail projects as a priority item for funding.

Camden Council Strategic Plan: Camden 2040 Community Strategic Plan Community Engagement Strategy. This document provides a vision for the management of Camden Council. Of relevance to the Macarthur Regional Recreational Trail, is the aim to provide convenient and equitable access to services, facilities and places for all members of the community through a range of technological and physical opportunities. This will be done through encouraging innovative solutions to private and public transport needs such as utilising bicycle paths as a means of creating links between urban areas and desired destinations, e.g. transport nodes and commercial centres.

Campbelltown City Council Bicycle Plan: Prepared in 2007, the Macarthur Regional Recreational Trail meets all the aims of the Campbelltown Bicycle Plan. Each of these are discussed below.

- Aim 1 - Provide routes that would not impose great difficulty for the average healthy person to cycle to and from railways, shopping centres, sports facilities and educational institutions.
- Aim 2 - To direct as many routes as possible through open space corridors where there is the most direct route, the grades are not too steep and the route is visible from surrounding residential areas.
- Aim 3 - To provide as direct a route as possible

NSW Bicycle Guidelines: This document provides guidance on the design and construction of bicycle transport facilities. The recommended shared path width ranges from 2.5m to 4.0m. The design of the shared paths in the Australian Botanic Gardens within this document is based on these design guidelines.

AUSTRALIAN BOTANIC GARDEN SECTION

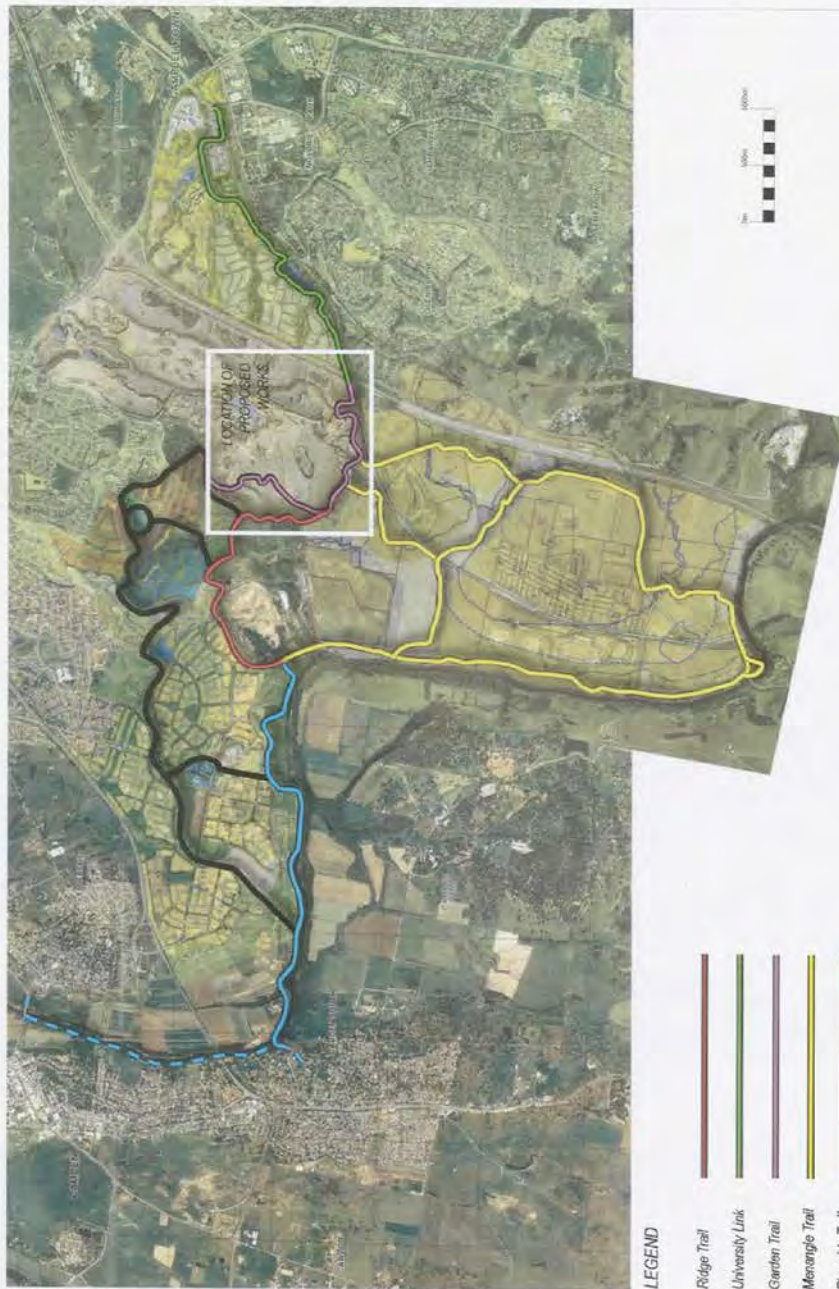
BENEFITS TO THE COMMUNITY

The purpose of the Australian Botanic Garden Section is to:

- Provide future connection opportunities to Menangle Park, Mount Annan South and Garden Gales. By connecting these estates for cyclists and pedestrians, non-motorised transportation becomes more viable for a greater number of community members
- Enhance interpretation and educational opportunities for visitors to the Garden. The Gardens is an important resource to the community as well as the wider region; it provides an opportunity for the community to engage with the natural landscape in varying capacities and provides educational programming and interpretation.
- Encourage visitors to the Garden, thus increasing the value of this resource to the community.
- Increase recreational opportunity within the Garden, opening up less-utilised areas of the Garden for visitors and bicycle commuters including the Enduro Mountain Bike Trail and proposed Adventure Garden and bike/pump track. This enhanced access will improve the profile of the Garden within the community.

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CONTEXT PLAN - SHARED PATH NETWORK





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CONCEPT PLAN

LEGEND



Detailed area - Entry point



Detailed area - Lookout



Intersection between proposed shared path and existing track/road



Significant view



Raised path to accommodate existing trees



3.5m wide shared path

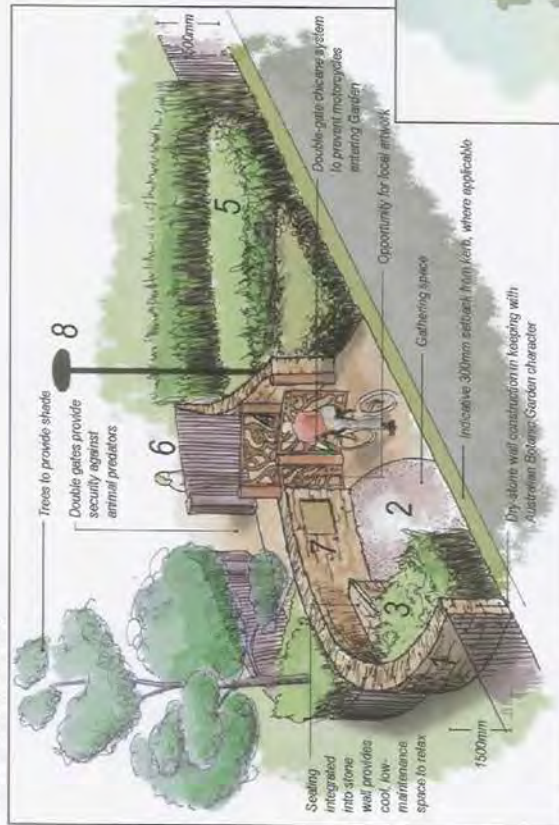


2.5m wide shared path

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DETAILED AREAS

ENTRY POINT (TYPICAL)



AXONOMETRIC VIEW - 1:100

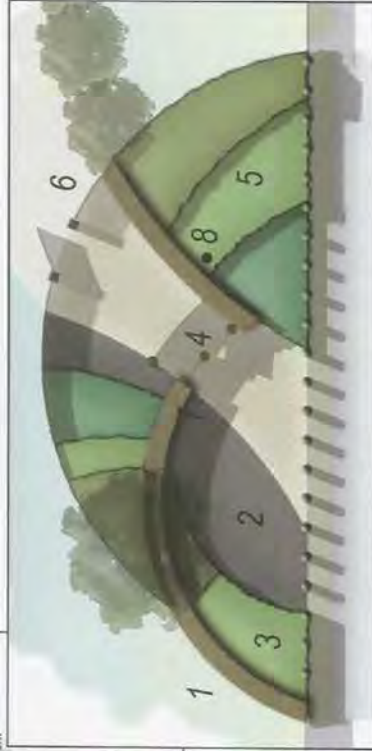
The entries into Australian Botanic Garden are designed to:

- Protect the Garden from animal predators such as dogs by incorporating a double-gate system that allows the Garden to be secure at all times
- Manage and provide access to the Garden for cyclists both during and outside of regular operating hours
- Provide interpretation and direction for Garden users with the use of signage
- Reflect the landscape character of the area by using local materials such as stone for the locally-constructed dry-stone wall. The design also reflects the rolling hills of the Cumberland Plain as shown in the plan view of the entries. The primary gate will be made of Cor-ten steel with a laser-cut design that allows better visibility and is an opportunity for local artwork.

Entry points are shown on the concept plan on Page 6

The main elements of the design are:

1. Dry stone wall, 1500mm high with integrated sealing element
2. Decomposed granite gravel to reduce impervious surfaces, providing an entry space for cyclists to gather
3. Planting to be chosen in conjunction with Australian Botanic Garden
4. Cor-ten steel gate with interpretive design cut from panels. Chicane layout of entry enables bicycles to enter Garden whilst preventing motorcycle access
5. Layered planting to provide visibility into entry feature
6. Transparent Aluminium palisade fencing, 1500mm high
7. Interpretive/directional signage location
8. Indicative location of overhead lighting and CCTV

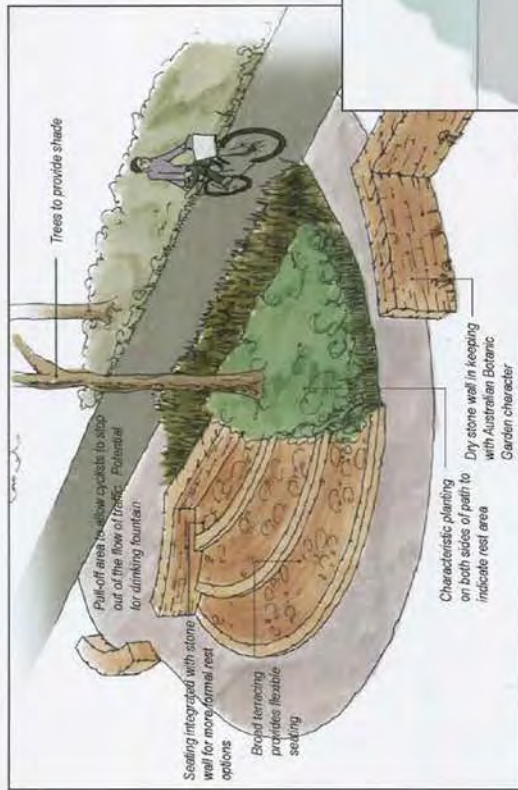


PLAN VIEW - 1:100

AUSTRALIAN BOTANIC GARDEN - OPERATIONAL PLAN - DEVELOPMENT LABELICATION - JUNE 2011

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DETAILED AREAS



LOOKOUT

This lookout is indicated on the concept plan on Page 6. It is intended to:

- Provide a respite for path users with a place to dismount
 - Provide a location for a drinking fountain
 - Take advantage of the dramatic view from atop the ridge
- The design of the lookout is intended to be as visually and physically unobtrusive as possible. The design features are:
- A pull-off area separate from the shared path to allow stopping without impeding cycle and pedestrian traffic
 - Wide steps to provide casual seating with more formal backed seating on the upper-most level
 - Trees for shade
 - A drinking fountain
 - Dramatic view of the valley and the "Blue Tree"



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DETAILED AREAS

RAISED PATH



RAISED PATH / BOARDWALK

A raised section of the shared path is proposed for an area with several large trees.

Through this section the concrete path will be replaced by a boardwalk structure consisting of 'Replus Enduroplank' recycled plastic decking surface with steel frame, fixed to ground screws.

This structure will reduce excavation needed to install a concrete path and provide permeability for local tree roots.

LOCATION

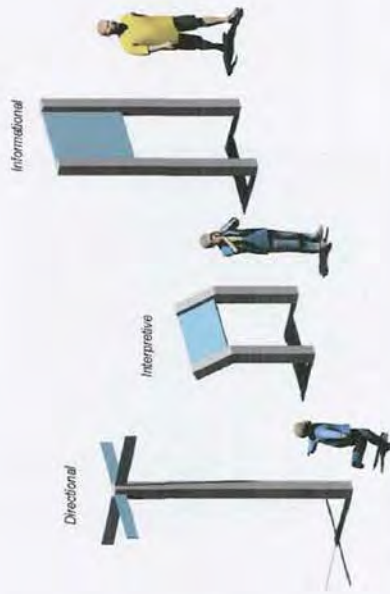
As indicated in the Concept Plan on Page 6

MATERIALS

Replus Enduroplank recycled plastic boardwalk on steel frame.
Ground screws used to minimise excavation.

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DESIGN ELEMENTS



SIGNAGE SUITE

The signage suite is indicative only, and is subject to further detailed design. It is intended broadly to facilitate wayfinding, context and information for cyclists and other Garden users.

DIRECTIONAL

Directional signage is to be placed at points of intersection between the shared path and existing tracks or roads.

INTERPRETIVE

Interpretive signage is to be located at key points of interest along the shared path in order to explicate significant views, landscape features or areas of historical significance.

INFORMATIONAL

Informational signage is to be located at all entry points. This style of signage is intended to provide the following information for visitors:

- Context map
- Explanation of the Macarthur Regional Recreational Trail and the Australian Botanic Garden section
- Information about the Garden
- Conditions of use



Indicative location of different signage types - NTS

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DESIGN ELEMENTS

FURNITURE + FIXTURES

DRINKING FOUNTAIN
Wheelchair accessible drinking fountain for site-users' refreshment

Location
Along the shared path where potable water is readily accessible

Materials
Corrosion-resistant aluminium with stainless steel fixing

Model / Supplier
DF7 "City wheelchair access drinking fountain" Town and Park Furniture

RUBBISH BIN
Mobile rubbish bin enclosure

Location
Within lookout / viewing platform area

Materials
Eucalyptus and aluminium

Model / Supplier
ME240/TH "Shiro Mobile Bin Enclosure" Town and Park Furniture

SURFACE MATERIALS

3.5 metre concrete path

Location
See Concept Plan on Page 6

Materials
Machine-finish, CCS Cactus concentrate mixed into grey cement

2.5 metre concrete path

Location
See Concept Plan on Page 6

Materials
Machine-finish, CCS Amazon concentrate mixed into grey cement

ENTRY POINTS/REST AREAS
Decorative stamped or castblasted concrete to reflect the character of the Australian Botanic Garden

Location
Adjacent to main shared path, rest areas and main entrances where a high-quality, visually interesting finish would be appealing

Materials
Sandblasted or stamped concrete in complementary hues with the potential for input from a local artist. Colour: CCS Water Buttle concentrate mixed into grey cement.

RAISED PATH
Path design to protect large established trees.

Location
As indicated on Concept Plan on Page 5

Materials
Replax® Enduroplank recycled plastic boardwalk on steel frame
Groundscrews used to minimise excavation

Model / Supplier
"Enduroplank" Replax.

FENCING/GATES
Access to the shared path shall be by controlled entrances secured with a magnetic proximity card system. It is anticipated that the gates will be unlocked but closed from sunrise to sunset. Outside of these hours, an access card will be required for use of the shared path.

FENCE
Powder-coated tubular galvanized steel 1500mm high, black

GATE OPENING/CLOSING
1500mm swing gate

ACCESS CONTROL
HID ProPro II proximity card reader or equivalent with card or key fob access.








AUSTRALIAN BOTANIC GARDEN - RESTAURATION - LEAD - 1 - REFERENCE APPLICATION - JULY 2013

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DESIGN ELEMENTS



ELEMENTS SCHEDULE

Item	Description	Quantity
Information Signage:		
Directional	Directional signage to be placed at intersection points.	2
Interpretive	Interpretive signage to be located at key points of interest along shared path.	3
Informational	Informational signage to be located at all entry points.	4
Traffic Signage:		
Gateway	Signage to follow Australian traffic standard R 1-2 (Special)	4
Bicycles Only	Signage to follow Australian traffic standard R 8-1	2
Shared User Path	Signage to follow Australian traffic standard R 8-2	3
Furniture:		
Rubbish Bins	MB2407TH "Shire Mobile Bin Enclosure" Town and Park Furniture	1
Drinking Fountain	D17 "City wheelchair access drinking fountain" Town and Park Furniture	1

PLANTING PALETTE

All plants should be native to the region. Final species selection to be in coordination with the Australian Botanic Garden in order to ensure integration with existing garden displays and to ensure no ecological conflicts arise. Indicative species as suggested by Australian Botanic Garden:

Area	Planting Suggestions
Entrance Areas	<ul style="list-style-type: none"> • Lomandra longifolia (local source) • Callistemon cultivars eg. 'Little John', 'Injune' • Acacia cultriformis (compact form) • Eucalyptus sideroxylon

Entry A to Junction Point of Entry B	Planting Suggestions
Area	<ul style="list-style-type: none"> • Acacia pustula • Bursaria spinosa
Entry A to Junction Point of Entry B	<ul style="list-style-type: none"> • Eucalyptus crebra • Eucalyptus tereticornis • Hakea serotina • Melaleuca stylpheloides
Ridge from Galey Drive Crossing to 1st Stop Marker	<ul style="list-style-type: none"> • Brachyichiton populneus • Brachyichiton acerifolius • Brachyichiton rupestris
Bushland from 1st Stop Marker to 2nd Stop Marker	<ul style="list-style-type: none"> • Themeda australis • Microlaena stipoides • Bursaria spinosa • Indigofera australis • Dodonaea viscosa ssp. cuneata • Eucalyptus crebra • Eucalyptus moluccana • Eucalyptus tereticornis • Angophora foribunda • Angophora subvelutina • Melaleuca stylpheloides • Brachyichiton populneus • Acacia decurrens • Acacia paramattensis

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TYPICAL SECTIONS

2.5M WIDE SHARED PATH



This part of the shared path is 2500mm wide with a 500mm buffer of mown grass or low (>200mm high) planting. It is intended to enhance the recreational amenity within the Garden by providing a cycling circuit. It also seeks to increase the previously under-used areas of the Garden to the northwest. It is anticipated that the additional garden entrances serviced by the 2.5m wide path will also add value to the 3.5m wide path.

3.5M WIDE SHARED PATH



This part of the shared path is 3500mm wide with a 500mm buffer of mown grass or low (>200mm high) planting. This design of the 3.5m wide shared path anticipates a high volume of bicycle traffic as adjacent residential areas are developed.

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TYPICAL SECTIONS

OPERATION OF THE SHARED PATH

RAISED PATH



The raised section of the 3.5m wide shared path is indicated on the Concept plan on Page 6. This area of the Garden features several large trees whose roots need to be accommodated with as little excavation as possible. The enticled surface of the raised section is fibreglass-reinforced plastic grating on a steel frame. This will provide adequate permeability for local plant roots, be durable and of low-maintenance.

INCIDENT MANAGEMENT

A current Australian Botanic Garden Critical Incident Plan & Emergency Response Action plan applies to the whole site and will also include the newly built shared path.

OPERATION HOURS

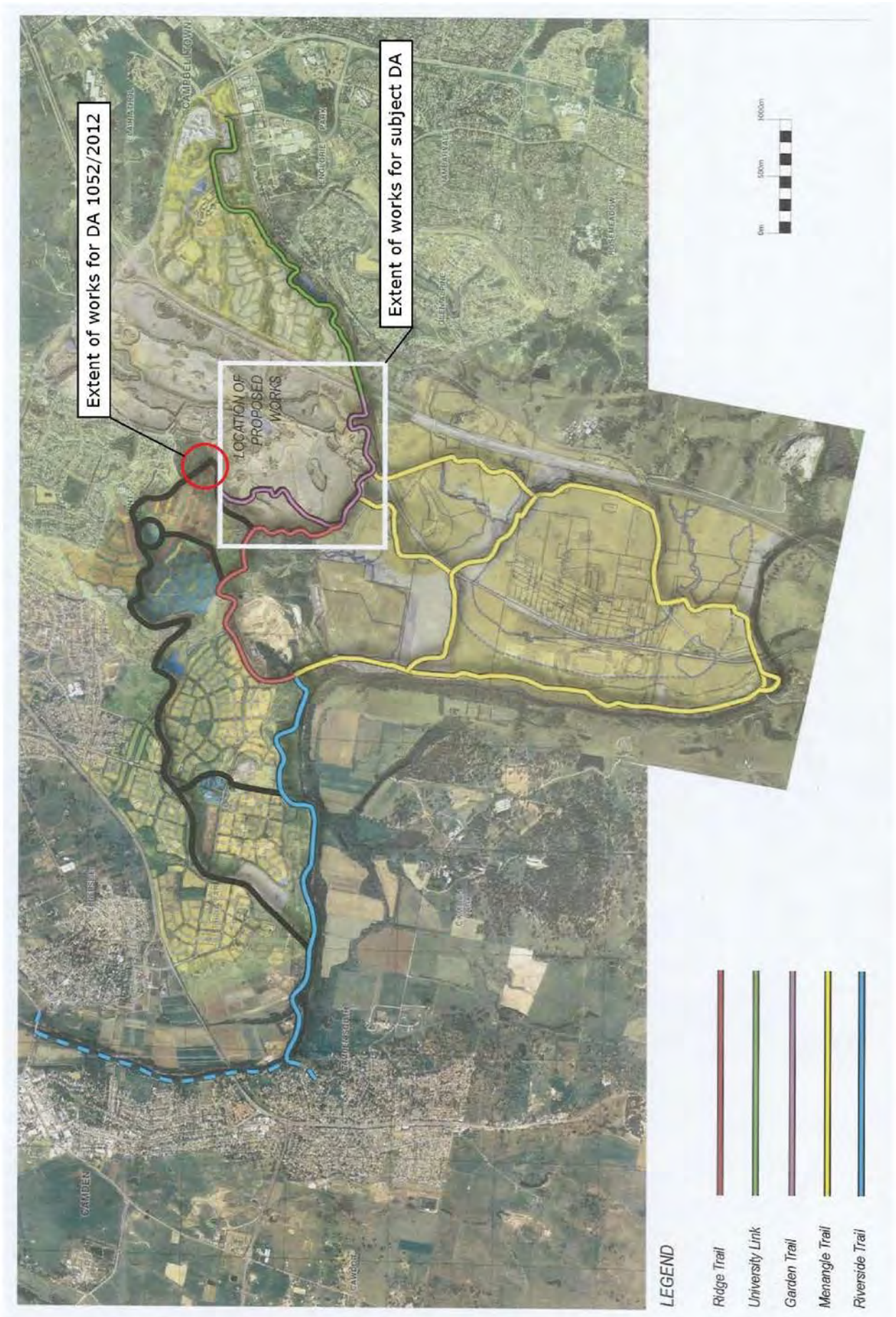
The Australian Botanic Garden section of the shared path will operate as per the Garden opening hours. The double gates at entry points will be locked outside opening hours. In the future, when this section of the shared path connects to the University Link and the Ridge Trail, and becomes part of the commutator network, access will be granted to commutator cyclists for out of hours. Security issues associated with access out of hours through the Garden is yet to be determined.

SECURITY

CCTV cameras will be installed at the entry points into the garden. Access in and out of the garden will be managed by the Garden Staff. Provision is also made to light the shared path once it becomes part of the commutator network.

ORD01

Attachment 2





ORDINARY COUNCIL

ORD02

ORD02

SUBJECT: EMBELLISHMENT OF A FUTURE PUBLIC RESERVE INCLUDING CONSTRUCTION OF A CYCLE PATH AND TWO BRIDGES, INSTALLATION OF LANDSCAPING AND WORKS TO A MEDIAN ISLAND WITHIN MOUNT ANNAN DRIVE AT 195A AND 233C MOUNT ANNAN DRIVE AND 75A EUCALYPTUS CIRCUIT, MOUNT ANNAN

FROM: Acting Director, Development & Health

BINDER: DA 1052/2012

APPLICATION NO: 1052/2012

PROPOSAL: Embellishment of a future public reserve including construction of a cycle path and two bridges, installation of landscaping and works to a median island within Mount Annan Drive

PROPERTY ADDRESS: 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan

PROPERTY DESCRIPTION: Lot 2767, DP 1021879, Lot 2861, DP 1032786 and Lot 3833, DP 1168751

ZONING: R2 Low Density Residential

OWNER: Landcom

APPLICANT: YSCO Geomatics on behalf of Landcom

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the embellishment of a future public reserve including construction of a cycle path and two bridges, installation of landscaping and works to a median island within Mount Annan Drive at 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan.

The DA is referred to Council for determination as there remain unresolved issues received in 2 submissions from the public.

SUMMARY OF RECOMMENDATION

That Council determine DA 1052/2012 for the embellishment of a future public reserve including construction of a cycle path and two bridges, installation of landscaping and works to a median island within Mount Annan Drive pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the embellishment of a future public reserve including extension of an existing recreation trail and two bridges, installation of landscaping and works to a median island within Mount Annan Drive at 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan.

The trail will form part of the larger Macarthur Regional Recreation Trail network which will extend from Spring Farm through the Australian Botanical Garden Mount Annan (AGB) and University of Western Sydney Campbelltown campus to Menangle Park.

The applicant for this DA is YSCO Geomatics who have submitted the DA on behalf of Landcom. Landcom are a Crown authority for the purposes of the *Environmental Planning and Assessment Act 1979*. Pursuant to Section 89 of the *Environmental Planning and Assessment Act 1979*, Council **cannot refuse** a DA lodged by the Crown except with the approval of the Minister. Should Council resolve not to approve the DA, Council must write to the Minister and ask for the DA to be determined. Council is legally bound by the decision the Minister makes regarding the DA in this circumstance.

The applicant is also required to approve all conditions that Council imposes on a development consent granted for a Crown DA. The applicant has reviewed the conditions contained in this report and have raised no issues with them.

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 policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited for a period of 30 days. 3 submissions were received (all objecting to the proposed development) however Council staff were able to resolve 1 of the submissions and it was subsequently withdrawn. **A copy of the unresolved submissions is provided with the Business Paper supporting documents.**

The outstanding concerns raised in the 2 unresolved submissions relate to the potential increase of traffic and cars parking on adjacent local streets (primarily Eucalyptus Circuit) in Mount Annan and social impacts as a result of the proposed development.

The issues relating to traffic and parking impacts on adjacent local streets have been assessed by Council's traffic and transport team who does not consider that traffic and parking will be an issue. The proposed development does not include facilities, such as BBQs and shelters etc., which would encourage people to drive to and park in Eucalyptus and Alchornea Circuit and surrounding streets.

The proposed cycle path will link to the ABG which can be accessed from an existing entry/exit point on Narellan Road. It is anticipated that people who wish to utilise the facilities within the ABG will access them via the existing Narellan Road entry/exit and use the car parking areas available within the ABG site. The ABG facilities are approximately 800m away from this site.

The concerns raised in the submissions relating to social impacts were assessed by both Council staff and the Camden Local Area Command (CLAC). The CLAC classified the proposed development as a low crime risk subject to a condition regarding maintenance. Council staff are satisfied that there will be no adverse social impacts as a result of the proposed development.

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

AERIAL PHOTO



THE SITE

The site comprises 3 properties that are commonly known as 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan and are legally described as lot 2767, DP 1021879, lot 2861, DP 1032786 and lot 3833, DP 1168751.

The site has a frontage of 30m to Mount Annan Drive, a depth of 223.4m and an overall area of 7,899.5m².

The site is currently vacant with some scattered mature vegetation and an existing natural watercourse. The site is currently owned by Landcom and will be dedicated to Council as a public reserve following completion of the works.

The site is bound by existing and developing residential properties in Mount Annan and by public roads (Mount Annan Drive, Alchornea and Eucalyptus Circuits) on three sides. To the east and south lies the ABG and the residential suburbs of Spring Farm and Menangle Park respectively.

HISTORY

There is no development history on this site that is relevant to the proposed development.

THE PROPOSAL

DA 1052/2012 seeks approval for the embellishment of a future public reserve including construction of a cycle path and two bridges, installation of landscaping and works to a median island within Mount Annan Drive.

Specifically the proposed development involves:

- construction of a 2.5 metre wide concrete cycle path approximately 230m in length;
- creek embellishment works including additional landscaping;
- installation of 2 seats and fencing;
- construction of two pedestrian bridges and the removal of 1 tree;
- works to an existing median island in Mount Annan Drive including the installation of a bike holding rail and construction of pram ramps. This is to connect the proposed cycle path to the future wider cycle network within Mount Annan; and
- dedication of the embellished reserve to Council. The land will be dedicated to Council as part of a previously executed Works in Kind Agreement.

The value of the works is \$183,000.

The proposed development forms part of the larger Macarthur Regional Recreation Trail network which builds on state, regional and local planning strategies including New South Wales 2021, the Metropolitan Plan for Sydney 2036 and Camden 2040. The project will be funded by grants obtained by the Metropolitan Greenspace Program and Landcom.

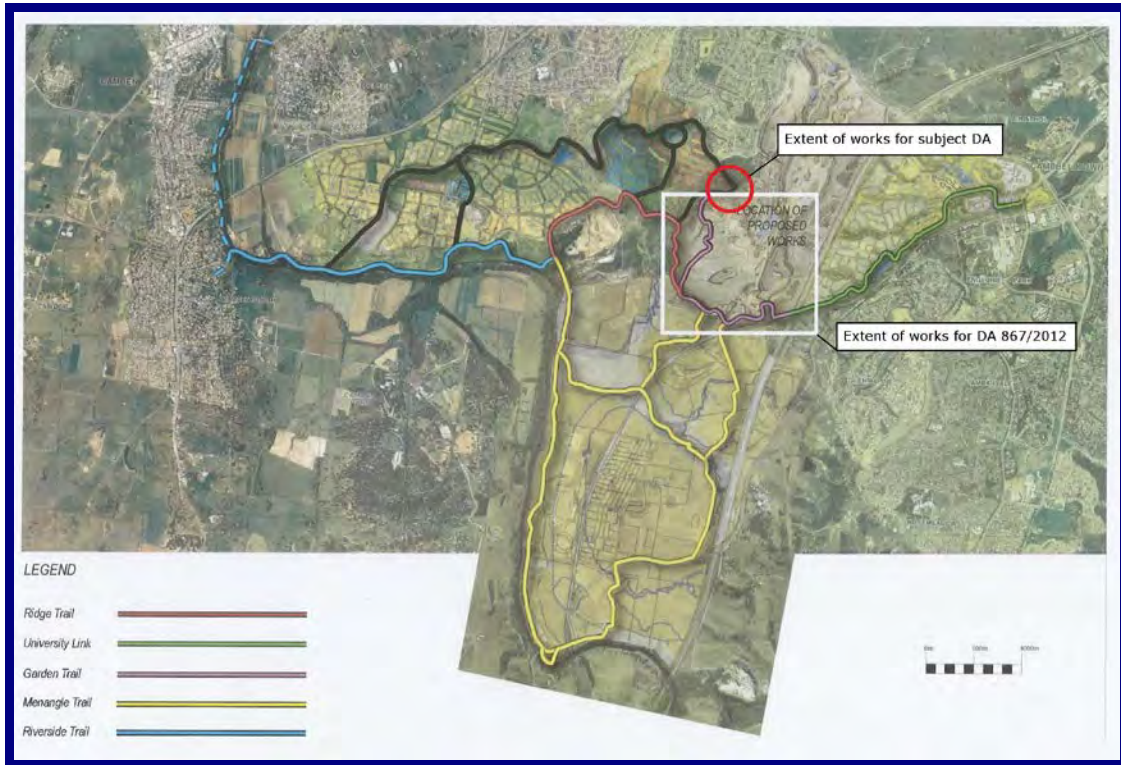
Upon completion, the Macarthur Regional Recreation Trail network will provide off road cycle and pedestrian shared paths connecting Camden to Macarthur train station by passing through the AGB and creating cycle and pedestrian links from/to the residential suburbs of Mount Annan, Spring Farm and Menangle Park, Campbelltown and the University of Western Sydney Campbelltown campus.

The proposed cycle path will connect with the next component of the Macarthur Regional Recreation Trail network proposed at 362 Narellan Road, Mount Annan (within the ABG) which is subject to the separate DA 867/2012.

A copy of the proposed plans is provided as attachment 1 to this report.

PLAN SHOWING THE MACARTHUR REGIONAL RECREATION TRAIL NETWORK AND THE LOCATION OF THE WORKS PROPOSED BY THIS DA

ORD02



SITE PLAN



ASSESSMENT

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

In determining a DA, 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:

- 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.

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

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. A condition is recommended that requires the proposed development to be completed in accordance with General Terms of Approval issued by NSW Office of Water (NOW).

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The subject site is zoned R2 Low Density Residential under the provisions of the LEP. The proposed development is defined as a “recreation area” and “environmental protection works” which are permissible land uses and activities in this zone.

Objectives

The objectives of the R2 Low Density Residential are as follows:

- To provide for the housing needs of the community within a low density residential development.

Officer comment:

This DA is for a cycle path and creek embellishment works. The proposed development is considered to be public infrastructure which will support existing and future residential development in the R2 Low Density Residential zone.

- To enable other land uses that provides facilities or service to meet the day to day needs of residents.

Officer comment:

The proposed development is for the construction of a cycle path and creek embellishment works. The development will provide open space which will create additional recreational opportunities for residents in the area.

- To allow for educational, recreational, community and religious activities that supports the wellbeing of the community.

Officer comment:

The proposed recreation trail will allow additional recreational activities in the area. The cycle path will be accessible for pedestrians and cyclists, will encourage healthy lifestyles and help to improve the overall wellbeing of the community.

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

Officer comment:

The proposed cycle path and embellishment works will not conflict with existing and future residential developments in this zone or any land uses in adjoining zones.

Relevant Clauses

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

Clause	Requirement	Provided	Compliance
5.9 Tree Preservation	A DA is required for tree removal	The proposed development will result in the removal of 1 tree. This has been assessed as part of this DA and is considered acceptable given the additional landscaping that will be provided	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 proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.9 Waste Minimisation and Management	A waste management plan (WMP) must be submitted with the development application	A WMP has been lodged with the DA and satisfies the DCP's requirements	Yes
B1.10 Bushfire Management Risk	Ensure that the bush fire risk to adjoining properties is not increased as a result of the development.	The proposed development was referred to the Rural Fire Service who raised no issues and recommended no conditions. It is therefore considered that the development will not result in an increased bush fire risk to surrounding properties	Yes
B1.13 Mine Subsidence	Application for development in a mine subsidence area must include Mine Subsidence Board (MSB) approval prior to lodging	The proposed development type is exempt from requiring approval from the MSB as per the MSB Document "Deemed Approvals for Council Staff"	Yes
B2 Landscape Design	A landscape plan must be submitted with applications	An appropriate landscape plan has been provided with the DA and has been assessed by Council staff. The landscape plan proposes additional plant species to be provided and is considered acceptable	Yes
B3.1.5 Cultural and Visual	Development should optimise	The proposed development	Yes

Control	Requirement	Provided	Compliance
Landscapes	the preservation and interpretation of the identified significant cultural and visual landscapes	does not interfere with any significant cultural and visual landscapes identified in the DCP	

(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

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

(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.

Environmental Impacts

The proposed development will only involve minimal disturbance to existing vegetation and the loss of only 1 existing tree. The planting of approximately 220 additional native plants will emphasise the site as an open space area and encourage ecological diversity. The use of native species will ensure that ecological conflicts will not arise between new and existing flora.

The DA was referred to NOW for assessment as the development site is located within 40m of a natural watercourse. NOW assessed the development pursuant to Section 31 of the *Water Management Act 2000*. There were no issues raised in the assessment of the development and general terms of approval have been issued for the proposed development.

It is considered that the proposed development will involve minimal disturbance to vegetation and the existing watercourse which runs through the site.

Social Impact

The proposed cycle path will help provide connections between residential suburbs in the Camden and Campbelltown LGAs including Mount Annan, Menangle Park and Spring Farm. The trails will also play an integral part of the wider Macarthur Region Recreational Trail. The connection of these areas will help reduce reliance on cars, promote healthier lifestyles and improve the wellbeing of the public.



The proposed development has been reviewed and assessed against “Safer by Design” principles by the Camden Local Area Command. The assessment found that the development is a low crime risk and that it will incorporate an acceptable amount of safer by design principles.

Traffic Impacts

The proposed development has been assessed by Council’s traffic and transport team. The conclusions of this assessment are that the impacts on traffic and car parking on adjacent local streets surrounding the site will be minimal.

The proposed cycle path forms part of the larger Macarthur Regional Recreation Trail network. The network will help reduce reliance on cars in the wider Macarthur region.

Development which would encourage people to drive to adjacent local streets, park their cars and continue on foot or bike include BBQ and picnic areas, toilet facilities, shops, information centres and the like. The nearest such facility within the ABG is located approximately 800m away from the site. It is considered that people who wish to access the ABG and utilise their facilities are more likely to access the site via the existing entry/exit off Narellan Road and utilise existing car parking areas within the ABG.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the development.

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

The DA was publicly exhibited for a period of 30 days in accordance with Camden Development Control Plan 2011. 190 surrounding properties were notified and 3 submissions were received (all objecting to the proposed development), however Council staff were able to resolve 1 of the submissions and it was subsequently withdrawn.

The following discussion addresses the issues and concerns raised in the remaining 2 unresolved submissions.

1. *The entry should be located at the existing entry at Mount Annan Drive.*

Officer comment:

The proposed development is part of the wider Macarthur Regional Recreation Trail network. As this section of the trail is a continuation of the existing and proposed trails, it is not considered that large volumes of users will access it directly from local streets such as Eucalyptus or Alchornea Circuits. Where individuals wish to access and utilise existing paths within the ABG, it is considered that they will continue to use the existing entry/exit on Narellan Road and use the car parking areas inside that site.

2. *The development will result in a significant increase in traffic, pedestrians, cyclists and cars parking in and around Eucalyptus Circuit.*

Officer comment:

The proposed development is for a cycle path and creek embellishment works. Council's traffic and transport team has reviewed the proposal and assessed the development with respect to traffic and parking impact on surrounding streets.

Importantly, the development is only one section of the larger Macarthur Regional Recreation Trail network which does not begin or end at this site. Therefore it is not considered that individuals will park cars in adjacent local streets in Mount Annan in order to use the trail.

Development which would encourage people to drive to adjacent local streets, park their cars and continue on foot or bike include barbeque and picnic areas, toilet facilities, shops, information centres and the like. The nearest such facility within the ABG is located approximately 800m away from the site. It is considered that people who wish to access the ABG and utilise its facilities are more likely to access the site via the existing entry/exit on Narellan Road and utilise existing car parking areas within the ABG.

- 3. The trail will attract young and undesirable persons who will congregate during hours of darkness for the purposes of alcohol consumption and drug use.*

Officer comment:

This DA has been assessed against "Safer by Design" principles by the CLAC. The CLAC identified that the development as a low crime risk and did not raise any issues.

The development will provide good sight lines through the development site. It is considered that there are no areas which are secluded where individuals can undertake such activities. Additionally, normal use by the public will encourage natural surveillance and deter such anti-social behaviour.

- 4. The trail will be used as a route for the commission of criminal offences and will provide for a means of escape after committing offences like break and enter, without detection.*

Officer comment:

As aforementioned, the proposed development is consistent with "Safer by Design" principles and has been classified by the CLAC as a low crime risk.

- 5. The increase in traffic and parking congestion will decrease the value of homes.*

Officer comment:

The impact on property values is not a matter for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*.

There is no evidence that the proposed development will negatively impact upon the value of properties in the surrounding area.

- 6. The increase in traffic will increase the likelihood of injuries in children who live in the area.*

Officer comment:

As aforementioned, the development has been reviewed by Council's traffic and transport team who has found that the traffic impacts resulting from the development will be minor. It is therefore considered that there will be no adverse safety impacts on existing residents including children.

7. *The proposed development area is flood affected and we were advised by a real estate agent at the time of purchasing our property that no development would occur.*

Officer comment:

As the site contains a natural watercourse the property will be partially affected by the 1:100 year flood level. However embellishment elements such as cycle paths and bridges etc can be designed to withstand the impacts of flooding.

A DA can be lodged for development on any site by any person with the relevant landowners consent. Subject to an assessment of the proposed development pursuant to the *Environmental Planning and Assessment Act 1979* through a DA, development may be subsequently approved by Council.

8. *The development will cause noise and disruption to properties along Eucalyptus Circuit.*

Officer comment:

It is considered that the use of the proposed cycle path by pedestrians and cyclists will not cause noise and disruption to surrounding residents.

A standard condition is recommended to restrict hours of work during construction to avoid impacting upon residents.

9. *The cycle path and bridges will damage local fauna and flora.*

Officer comment:

The path route has been selected to minimise the removal of existing trees. Only 1 tree will be removed as part of the proposed development.

The proposed trail traverses an existing natural watercourse at two points. At these locations bridges are proposed to be constructed to prevent the disturbance to both fauna and flora. Approximately 220 additional native plants are proposed to be planted on the development site. The proposed species to be planted are Cumberland Plain Woodland species which are indigenous to the area. Flora which is native to the region has been selected to avoid ecological conflict with existing vegetation.

Overall, it is considered that the location of the cycle path and bridges will involve minimal disturbance to local flora and fauna.

(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 proposed development is consistent with the public interest.

EXTERNAL REFERRALS

NSW Office of Water (NOW)

The DA was referred to NOW for assessment as the proposed development is located within 40m of a watercourse and therefore requires a Controlled Activity Approval (CAA) pursuant to Section 31 of the *Water Management Act 2000*. NOW raised no objections to the proposed development subject to General Terms of Approval, compliance with which is a recommended condition.

Camden Local Area Command (CLAC)

The DA was referred to the Camden Local Area Command (CLAC) to assess the proposed development against “Safer by Design” principles.

The CLAC classified the development as a low crime risk. The CLAC raised no objections to the proposed development and recommended conditions which relate to access for emergency vehicles and maintenance of the reserve. These conditions are provided as part of the overall conditions contained in this report.

NSW Rural Fire Service (RFS)

The DA was referred to the RFS for consideration and comment pursuant to Section 79BA of the *Environmental Planning and Assessment Act 1979*.

The RFS raised no objections to the proposed development.

FINANCIAL IMPLICATIONS

The embellished reserve will be dedicated to Council as part of a previously executed Works in Kind Agreement. Council will be responsible for the cost of the ongoing maintenance of the reserve.

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 polices. Accordingly, DA 1052/2012 is recommended for approval subject to the conditions contained in this report:

Details of Conditions

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
-	Statement of Environmental	YSCO Geomatics	-

	Effects		
L00 Issue A	Title Sheet and Site Management Plan	JMD Design	15 Oct. 2012
L01 of 4 Issue A	Landscape Plan 1	JMD Design	15 Oct. 2012
L02 of 4 Issue A	Landscape Plan 2	JMD Design	15 Oct. 2012
L03 of 4 Issue A	Landscape Details	JMD Design	15 Oct. 2012
L04 of 4 Issue A	Shareway Bridge Details	JMD Design	15 Oct. 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) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with: -
 - (a) Camden Council’s current Engineering Specifications, and
 - (b) Camden Council’s Development Control Plan 2011

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

- (3) **Crime Prevention through Environmental Design (CPTED)** – The following CPTED features must be included in this development:
 - (a) A maintenance policy must be established for the development which manages landscaping and condition of facilities (i.e. seats and bins).
- (4) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, softscape elements such as plantings and lawn, hardscape elements including paths, walls, bins, seats, BBQ's, shelters, playground equipment, softfall treatments, associated water usage and electrical usage etc.

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

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

Prior to Council accepting the maintenance responsibility, at the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

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

- (5) **General Terms of Approval** - The development must be carried out in accordance with the following General Terms of Approval:
 - (a) NSW Office of Water General Terms of Approval dated 20 December 2012.
- (6) **Non-Sacrificial Graffiti Coating** – All concrete materials must be provided with a non-sacrificial graffiti coating.
- (7) **Timber Durability** – All proposed timber to be used must be Durability Class 1 timbers.

2.0 - Prior To Works Commencing

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

- (1) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point
- (2) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

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

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

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

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

- (3) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the Environmental Planning and Assessment Regulation 2000.
- (4) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - (c) be a temporary chemical closet approved under the Local Government Act 1993.
- (5) **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 commencement of works.

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

- (6) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council (and the Roads and Maritime Services). Plans and proposals must be approved by Council prior to the commencement of works.
- (7) **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, must be submitted to the Consent Authority (i.e. Camden Council) prior to the commencement of works.
- (8) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Consent Authority for approval. 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; and
 - (c) all other environmental matters associated with the site works such as noise control, dust suppression and the like.

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

The applicant 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 finalisation of the works.

- (10) **Performance Bond** - Prior to the commencement of works, a performance bond of 10 per cent (%) of the value of works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (11) **Construction Traffic Management Plan** – A construction traffic management plan is required in accordance with Camden Council's current Engineering Design Specifications.
- (12) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Consent Authority prior to the commencement of works.
- (13) **Structural Engineers Details** - The piers/slab/footings must be designed and certified by a practising structural engineer and must take into consideration a geotechnical report applicable to the site. A statement to that effect must be included on the structural engineers details submitted to the Consent Authority.
- (14) **Public Road Activity Approval** – A Public Road Activity (PRA) Application must be lodged with the Road Authority (i.e. Camden Council) to authorise any works proposed to be undertaken within a public road.
- (15) **Local Traffic Committee** – Signage, line marking and devices within the road reserve will be subject to concurrence by the Local Traffic Committee prior to the issue of a PRA Approval.
- (16) **Refuge Crossing on Mount Annan Drive** – The refuge crossing on Mount Annan Drive must be redesigned so that the pram ramps are aligned and do not conflict with the existing parking bay, driveways and stormwater pits. The amended design must be submitted to the Road Authority prior to the issue of a PRA Approval.

- (17) **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.
- (18) **Controlled Activity Approval** – Works must not commence over any part of the site requiring a CAA until a copy of the approval has been provided to the Consent Authority (i.e. Camden Council).
- (19) **Technical Provisions of the State's Building Laws** - Pursuant to Section 109R of the *Environmental Planning and Assessment Act 1979*, the work cannot be commenced to be carried out unless the work is certified by or on behalf of the Crown to comply with the technical provisions of the State's buildings laws.

3.0 - During Construction

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

- (1) **Hours of Work** - All such work must be restricted to the following hours:
 - a) between 7.00am and 6.00pm, Mondays to Fridays (inclusive);
 - b) between 8.00am to 5.00pm on Saturdays,Work is prohibited on Sundays and Public Holidays.
- (2) **Vehicles Leaving the Site** - The contractor/demolisher/construction supervisor must ensure that:
 - (a) all vehicles transporting material from the site, cover such material so as to minimise sediment transfer;
 - (b) the wheels of vehicles leaving the site:
 - (i) do not track soil and other waste material onto any public road adjoining the site,
 - (ii) fully traverse the Stabilised Access Point (SAP).
- (3) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following stages of construction:
 - (a) prior to installation of sediment and erosion control measures;
 - (b) prior to backfilling pipelines and subsoil drains;
 - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
 - (d) proof roller test of subgrade and sub-base;
 - (e) roller test of completed pavement prior to placement of wearing course;
 - (f) prior to backfilling public utility crossings in road reserves;
 - (g) prior to placement of asphaltic concrete;
 - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

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

(4) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:

- (a) The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
- (b) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
- (c) Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
- (d) Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
- (e) A waste control container shall be located on the development site.

(5) **Protection of Public Places** – If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) building involves the enclosure of a public place,
a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

(6) **Refuge Crossing** – The refuge crossing must be constructed to Australian Standard AS 1742.10 and the RMS equivalent and incorporate 'No Stopping' restrictions on the approach and departure of the crossing. The minimum no stopping approach distance must be 20 metres and the minimum departure distance must be 5 metres.

(7) **Pram Ramps** – Pram ramps on Mount Annan Drive must be angled to align with each other.

(8) **Graffiti Resistant Materials** - Graffiti resistant materials must be used where practicable.

(9) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set

out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

4.0 - Prior To The Finalisation Of Works

The following conditions of consent shall be complied with prior to the finalisation of works.

- (1) **Street Trees, their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the Applicant is advised:
 - (a) That any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred.
 - (b) Any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the finalisation of works.
- (2) **Warning Signage** – Pedestrian refuge warning signage, and shared path signage and line marking must be incorporated within the road reserve. All signs and line marking must be in accordance with the NSW Bicycle Guidelines.
- (3) **Provision of Removable Bollards** – Prior to the finalisation of works, removable bollards must be provided and be fitted with a padlock, which is required to be master keyed. The supply of padlocks is at the applicants cost. These removable bollards must be located such they provide appropriate access to the future reserve for emergency vehicles.
- (4) **Dedication of Public Reserve** - The dedication of the reserve is only to occur upon completion of the works.
- (5) **Works as Executed Plan** - Upon finalisation of the works, a works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) in accordance with Camden Council's current Engineering Specifications.
- (6) **Value Of Works** – Upon finalisation of the works, 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.

- (7) **Maintenance Plan** – Prior the reserve being dedicated to Council, a maintenance plan detailing the maintenance required for the reserve (including the embellishment works approved by this DA) must be submitted to Council.

END OF CONDITIONS

RECOMMENDED

That Council approve DA 1052/2012 for the embellishment of a future public reserve including construction of a cycle path and two bridges, installation of landscaping and works to a median island within Mount Annan Drive at 195A and 233C Mount Annan Drive and 75A Eucalyptus Circuit, Mount Annan subject to the conditions listed above.

ATTACHMENTS

1. Proposed plans
2. Context plan
3. Submissions - *Supporting Document*

ORDINARY COUNCIL

ORD03**SUBJECT: PROPOSED ROAD NAMING - NEW ROADS IN MANOOKA VALLEY
RELEASE AREA****FROM:** Acting Director, Development & Health**BINDER:** Naming of Roads

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement for public exhibition of a list of proposed road names to be assigned to new roads within the Manooka Valley release area.

BACKGROUND

The Manooka Valley release area is located to the north of Spring Hill Circuit in Currans Hill and to the south of the developing suburb of Gregory Hills. The release area is part of the Currans Hill suburb.

At the Ordinary Council meeting of 9 November 2010 Council resolved to approve Development Application 1291/2009 for the residential subdivision of a large part of the release area.

The developer of this part of Manooka Valley has put forward a list of proposed road names to be assigned to new roads within this subdivision. The list of proposed road names has been considered by the GNB in accordance with their guidelines for the naming of roads. The GNB has raised no objections to the proposed names.

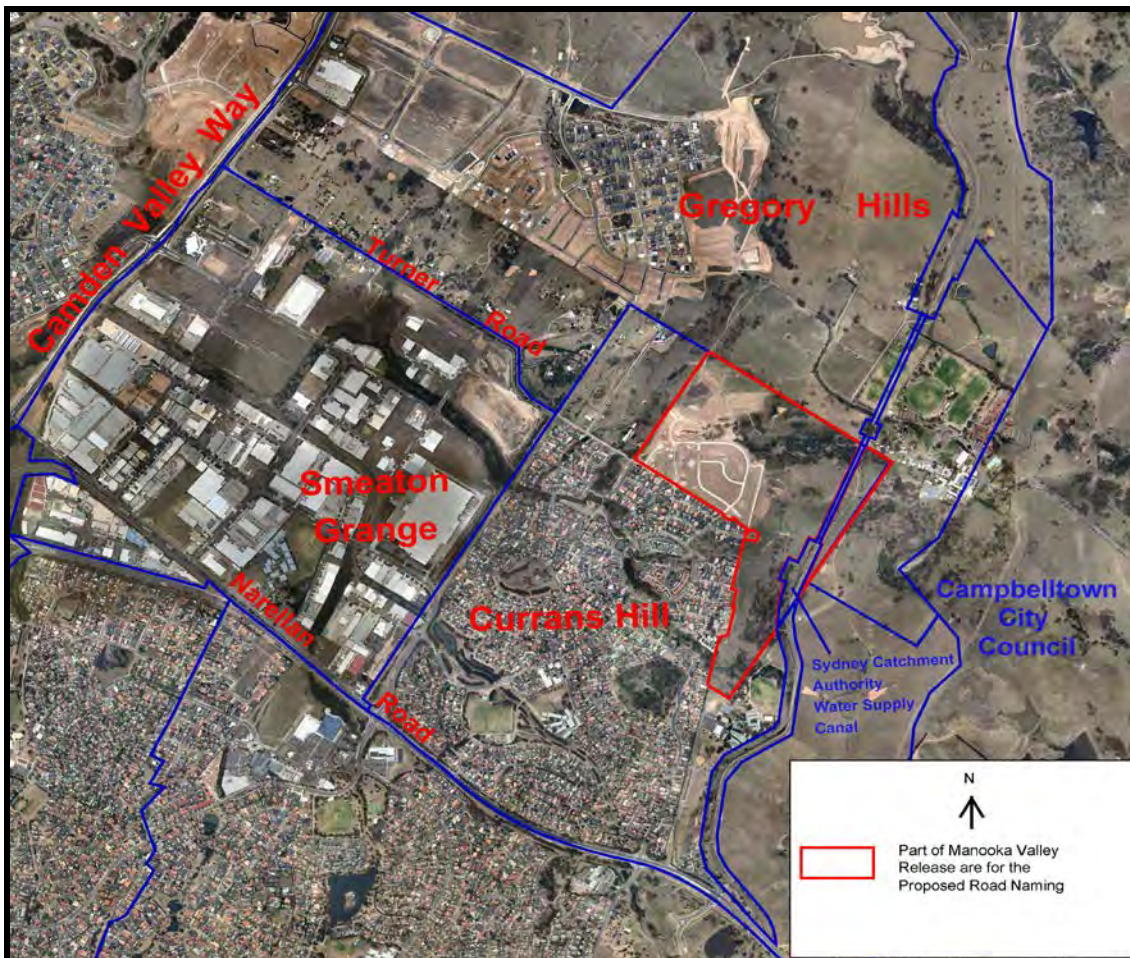
The list of proposed road names is:

Street Names	Street Type	Meaning
Caulfield	Street	Famous Victorian race track
Ascot	Drive	Famous English race track
Delmar	Lane	Well know Californian race track, where the turf meets the surf
Orient	Street	Orient Express train
Deccan	Drive	Prestigious train of the Indian railways
Ghan	Street	Australian passenger train operating between Darwin and Adelaide
Gunsynd	Place	Champion Australian thoroughbred
Octagonal	Court	Champion New Zealand thoroughbred

Redrum	Road	Irish thoroughbred who won the Grand National 3 times
Newmarket	Street	World class UK race track
Rosehill	Street	Sydney race track
Geraldton	Drive	Perth's biggest race track
Oakbank	Close	Adelaide's steeple chase track
Penola	Street	South Australia's oldest racing club
Woodbridge	Drive	New Jersey train line
Rialto	Street	Southern California's commuter train
Bentleigh	Avenue	Victorian train station
Forsyth	Place	Train operating along the Northern Pacific mainline
Lamachan	Street	Southern hills in Scotland
Fox Hollow	Road	Private residence
Flaneur	Avenue	Australian race horse
Barclay	Street	Horse trainer
Chariot	Street	Horse carriage used in ancient warfare
Furlong	Drive	Measure of distance
Oaklawn	Street	Race track
Arlington	Street	American race track
Pimlico	Avenue	Race track
Hastings	Avenue	Race track
Canter	Street	Horse rhythm
Spur	Lane	Riding equipment
Bascule	Street	Arc of a horse jump
Cadence	Street	Gait
Cavaletti	Close	Horse jump
Clover	Drive	Type of hay
Cart	Street	Vehicle pulled by horses

Coach	Street	Carriage
Damsire	Lane	Grandfather of a horse on its mother's side
Diagonal	Street	Horse movement in dressage
Filly	Street	Young female horse
Float	Lane	Horse trailer
Jockey	Way	Horse rider
Martingale	Drive	A part of a harness that keeps a horse from throwing its head back
Prix	Street	International dressage level

AERIAL PHOTO



MAIN REPORT

The GNB has advised Council of the process to be followed by the roads authority in respect to the naming of new roads in accordance with the *Roads Act 1993*. In this instance, Council is the roads authority.

The process to be followed includes:

1. new road names are provided to Council;
2. the names are checked by Council staff in accordance with the guidelines published by the GNB;
3. if the names meet the guidelines they are referred to the GNB for comment;
4. following comment from the GNB, a report is prepared by Council staff and forwarded to Council seeking endorsement of the names;
5. the proposed names are published in a notice in a local newspaper, ensuring that the notice states that written submissions on the proposed road names may be made to Council;

6. Council concurrently serves notice of the road naming proposal on Australia Post, the Registrar General, the Surveyor General and in the case of a classified road, the Roads and Maritime Services (RMS);
7. all submissions are compiled and the proposed road names are reviewed again by Council staff;
8. the results of the public exhibition period are reported back to Council with any recommendation for approval;
9. the approved names are published in the NSW Government Gazette and in local newspapers; and
10. Council informs Australia Post, the Registrar General, the Surveyor General and the RMS of the new road names and gives sufficient particulars for them to be identified.

Steps 1 to 3 of the process have been undertaken and this report has been prepared in accordance with step 4.

CONCLUSION

The proposed road names have been assessed by Council staff in accordance with the GNB criteria. The names satisfy the GNB's guidelines for the naming of roads.

If Council endorses the list a 30 day exhibition period will be commenced and a further report provided to Council with the results of the exhibition.

RECOMMENDED

That Council:

- i. **endorse the list of proposed road names for the Manooka Valley release area for a 30 day exhibition period; and**
- ii. **be provided with a further report detailing the results of the 30 day public exhibition period.**



ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: CAMDEN LOCAL ENVIRONMENTAL PLAN 2010 (DRAFT AMENDMENT NO.22) - RECLASSIFICATION OF LAND - PART OF WILLIAM HOWE RESERVE, SPRING FARM

FROM: Director Governance

BINDER: Amendment No.22 - Reclassification of land

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to submit a Planning Proposal to the Department of Planning and Infrastructure (DPI) which seeks to reclassify land at Spring Farm from community to operational for the purpose of road construction.

BACKGROUND

The land required for the Spring Farm Link Road (i.e. Liz Kernohan Drive) was reclassified to operational when the land was originally rezoned in May 2004. Since this time, a more detailed road design has been undertaken and it has been determined that there is insufficient space to facilitate the construction of a required roundabout. Therefore, a small amount of land at 275 Richardson Road, Spring Farm (Refer to Map 2) needs to be reclassified from community to operational land.

Reclassification of land

In accordance with Clause 25 and 26 of the Local Government Act 1993 (LG Act 1993), all land within Council ownership is required to be classified as either community or operational land; these classifications determine how Council operates the land.

Operational land has no restrictions other than those which apply to any piece of land (e.g. easements, restrictions to user, etc.). However, community land is generally reserved for public use and restrictions required by the LG Act 1993 apply to the land.

Community land has the following attributes:

- cannot be sold;
- cannot be leased, licensed or any other estate granted over the land for more than 21 years; and
- must have a plan of management prepared for it.

The reclassification of land in accordance with the LG Act 1993 occurs by one of the following means:

1. Resolution of Council, prior to or within 3 months of when the land is acquired; or
2. A Local Environmental Plan prepared under the Environmental Planning and Assessment Act 1979; or
3. Operation of the Local Government Act –
 - a. applies to certain land controlled by Council at 1 July 1993, or

- b. where Council has since acquired land and there is no resolution to classify the land.

MAIN REPORT

Reclassification of land – William Howe Reserve / Liz Kernohan Drive, Spring Farm

The land required for Liz Kernohan Drive was reclassified to operational when the land was originally rezoned in May 2004. Following the preparation of the final road design, it has been found that additional land is required for the road connections for the proposed roundabout located at the eastern end.

The draft Planning Proposal is provided as **Attachment 1 to this report**. The Planning Proposal seeks Council's endorsement to undertake the reclassification of Council owned land at 275 Richardson Road, Spring Farm (Part of Lot 4 DP 1007608) for road purposes (i.e. to accommodate the road connections for proposed roundabout). The location of the Liz Kernohan Drive extension is shown in Map 1 below.

Map 1 – Liz Kernohan Drive Extension



The portion of land to now be reclassified to operational is shown in Map 2, the subject land (highlighted in red) is currently classified as community land. Given that the land is needed for the construction of the Spring Farm link road (Liz Kernohan Drive) and Haul Road, it is proposed that the subject land be reclassified to operational land.

Map 2 – Subject Land



Public Exhibition

It is proposed that the Planning Proposal will be publicly exhibited for a period of 28 days following receipt of a favourable Gateway Determination from the DPI. During the public exhibition period, relevant public agencies will also be contacted and given the opportunity to comment on the Planning Proposal.

The Planning Proposal will be advertised in the local newspaper, with the public exhibition materials available at the following locations:

- Narellan Customer Service Centre and Narellan Library, Queen Street, Narellan (Hard Copy).
- Camden Customer Service Centre and Camden Library, John Street, Camden (Hard Copy).
- Council's website for the length of the exhibition period (Electronic Copy).

Public Hearing

In accordance with Section 32 of the Local Government Act 1993, the reclassification of land requires a public hearing to take place and facilitated by an independent person. At the conclusion of the public hearing, a report will be prepared by the facilitator of the public hearing for Council's consideration which details any submissions to the reclassification of land.

The outcomes of the public agency consultation, the public exhibition and the public hearing will be reported back to Council at the conclusion of the exhibition period.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

The land required for Liz Kernohan Drive was reclassified to operational when Spring Farm was originally rezoned in May 2004. Since this time, a more detailed road design has been undertaken and it has been determined that there is insufficient space to facilitate the construction of a required roundabout at the eastern end. Therefore, a small amount of land at 275 Richardson Road, Spring Farm (Refer to Map 2) needs to be reclassified from community to operational land.

The draft Planning Proposal has been prepared for submission to the DPI. The Planning Proposal, should a favourable Gateway Determination be received from the DPI, will be publicly exhibited and consultation with public agencies will be undertaken. A public hearing will be held at the conclusion of the exhibition period.

RECOMMENDED

That Council:

- i. support the Planning Proposal;**
- ii. submit the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination;**
- iii. upon receipt of a favourable Gateway Determination:**
 - a. consult relevant public authorities in accordance with the terms of the determination;**
 - b. publicly exhibit (including notification and advertising) the Planning Proposal in accordance with the terms of the determination and the Environmental Planning and Assessment Regulation 2000; and**
 - c. appoint a facilitator to chair and conduct a public hearing for the reclassification of land in accordance with the gateway determination, Local Government Act 1993 and the Environmental Planning and Assessment Act 1979; and**
- iv. prepare a further report for Council's consideration at the conclusion of the public exhibition period addressing:**
 - a. any submissions received from the public received from the public in relation to the Planning Proposal;**
 - b. any submissions received from other public authorities in relation to the Planning Proposal; and**
 - c. the report prepared by the facilitator of the public hearing held for the reclassification of lands which are the subject of the Planning Proposal.**

ATTACHMENTS

1. Draft Planning Proposal



CAMDEN COUNCIL PLANNING PROPOSAL

**Camden Local Environmental Plan 2010 (Amendment No.22) –
Reclassification of land – Part of William Howe Reserve, Spring Farm**

Version 1

March 2013

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Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to implement an amendment to Camden Local Environmental Plan 2010 (CLEP 2010) which seeks to Reclassify land at Spring Farm (Part of Lot 4 DP 1007608) to accommodate road construction (i.e. to accommodate the tail-outs for proposed roundabouts that is needed for the construction of the Spring Farm Link Road (Liz Kernohan Drive) and Haul Road).

Part 2 – Explanation of provisions

The proposed outcome will be achieved by:

- Reclassifying certain land at Spring Farm (Part of Lot 4 DP 1007608) for road purposes (Refer to Part 4 of this Planning Proposal for a location plan) by:
 - Amending the Land Classification (Part Lots) Map; and
 - inserting into Part 2 of Schedule 4 (Classification and reclassification of public land) the following:

Column 1	Column 2	Column 3
Locality	Description	Any Trusts etc not discharged
Spring Farm	Part of Lot 4 DP 1007608 275 Richardson Road Spring Farm	Nil.

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not a result of any strategic study or report. The proposed amendment to the Camden LEP 2010 identified within this Planning Proposal has been identified by Council staff and is considered minor in nature.

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

It is considered that the planning proposal provides the best and most efficient way of achieving the objectives and intended outcomes.

Section B – Relationship to Strategic Planning framework

- 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited strategies)?**

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

- 4. Is the planning proposal consistent with the local Council’s Community Strategic Plan, or other local strategic plan?**

The planning proposal is consistent with Camden Council’s Community Strategic Plan ‘Camden 2040’.

- 5. Is the planning proposal consistent with the applicable state environmental planning policies?**

The planning proposal is consistent with all relevant SEPPs.

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

The planning proposal is consistent with the applicable Ministerial Directions as explained in Attachment A.

Section C – Environmental, Social and economic impact

- 7. Is there any likelihood of any adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this planning proposal?**

There are no likely adverse affects on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this planning proposal.

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

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

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

There are no likely social or economic effects as a result of this planning proposal.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

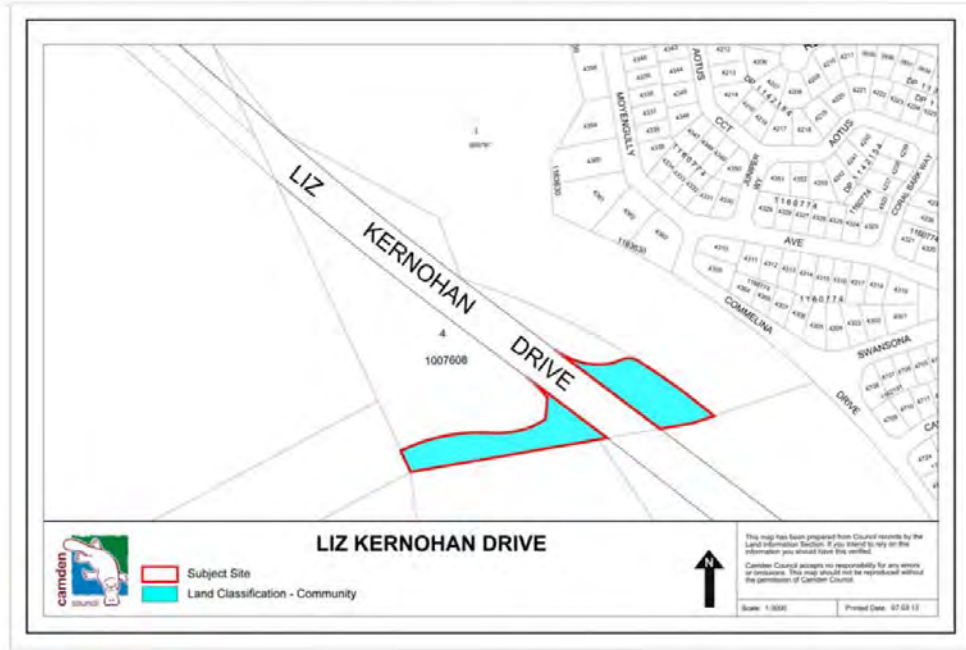
Not applicable

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

A gateway determination has yet to be issued. The Gateway Determination will stipulate the required consultation with public authorities.

Part 4 – Mapping

Map 1 – Current Classification of Subject Land



Map 2 – Air Photo



Part 5 – Community Consultation

The Gateway Determination will stipulate the required community consultation. The written notice and display materials will be in accordance with the document 'A guide to preparing local environmental plans'.

A report on the public authority and community consultation outcomes will be presented to Council for its consideration following the public exhibition period.

Part 6 – Project timeline

It is expected that this Planning Proposal will be finalised by August 2013.

Stage	Anticipated date/ target timeframe
Anticipated commencement date (date of Gateway Determination)	TBA
Anticipated timeframe for the completion of required technical information.	TBA
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination).	TBA
Commencement and completion dates for public exhibition period.	TBA
Dates for public hearing.	TBA
Timeframe for consideration of submissions.	TBA
Timeframe for the consideration of a proposal post exhibition.	TBA
Date of submission to the department to finalise the LEP.	TBA
Anticipated date RPA will make the plan (if delegated).	TBA
Anticipated date RPA will forward to the department for notification.	TBA



Attachment A– Ministerial Directions
What a relevant Planning Authority must do if this direction applies
Consistent

Section 117 Direction		Objective	Environment and Heritage	Consistent
2.1.Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".	Not applicable; the Planning Proposal has no direct impact on any Environmental Protection Zone or environmentally sensitive area.	
2.3.Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the	Not applicable; the Planning Proposal has no direct impact on a heritage item or heritage conservation area.	

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	
<p>2.4.Recreation Vehicle Areas</p>	<p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>	<p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</p> <p>(a) where the land is within an environmental protection zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority</p>	<p>Not applicable.</p>



Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>has taken into consideration:</p> <ul style="list-style-type: none"> (i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and (ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985. 	
Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource 	<p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development 	Yes

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
	lands.	<p>on the urban fringe, and</p> <p>(c) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	



Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
<p>3.2 Caravan Parks and Manufactured Home Estates.</p>	<p>The objectives of this direction are:</p> <p>(a) to provide for a variety of housing types, and</p> <p>(b) to provide opportunities for caravan parks and manufactured home estates.</p>	<p>In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision</p>	<p>Not applicable.</p>

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.</p>	
Hazard and Risk			
4.2 Mine Subsidence and unstable land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	<p>When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:</p> <p>(a) consult the Mine Subsidence Board to ascertain:</p> <p>(i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and</p> <p>(ii) the scale, density and type of development that is appropriate for the</p>	Yes, the Mine Subsidence Board will be consulted during the public exhibition period.



Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>potential level of subsidence, and</p> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and</p> <p>(c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>A planning proposal must not permit development on unstable land referred to in paragraph 3(b).</p>	
Local Plan Making			
<p>6.1 Approval and Referral Requirements</p>	<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a</p>	<p>Yes</p>

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
	<p>Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <ul style="list-style-type: none"> (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: <ul style="list-style-type: none"> (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act. 		



Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
<p>6.2 Reserving Land for Public Purposes</p>	<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	<p>A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).</p> <p>When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(6) When a Minister or public authority requests a relevant planning authority to</p>	<p>Yes, the changes proposed are of a minor nature and reflect the current intent of the land.</p>

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>(7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out</p>	Yes.
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.		



Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies in the zone the land is situated on, or	Consistent
		<p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>	
Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan:	Yes.

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>(a) is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.</p>	

ORDINARY COUNCIL

ORD05

**SUBJECT: THE CASE FOR SUSTAINABLE CHANGE DISCUSSION PAPER -
SUBMISSION TO INDEPENDENT REVIEW PANEL**

FROM: Director Governance

BINDER: Independent LG Review Panel

PURPOSE OF REPORT

The purpose of this report is to:

1. highlight some of the major points outlined in the Independent Local Government Review Panel's latest discussion paper titled 'The Case for Sustainable Change'; and
2. put forward a draft submission that offers a commentary on the discussion paper.

BACKGROUND

The Independent Local Government Review Panel (hereafter, the Panel) was launched in May 2012 and is scheduled to present its final report to the State Government in July 2013.

The Panel is chaired by Professor Graham Sansom, Director of the Australian Centre for Excellence in Local Government. The Panel was formed as a result of Destinations 2036 – a joint State and Local Government initiative based on a vision for local councils to create strong communities through partnerships.

In July 2012, the Panel released its Stage 1 – Setting the Scene - Consultation Paper and followed this up with a 'Listening Tour', visiting 18 metropolitan and regional locations in the space of 4 months. More than 200 submissions (including a submission from Camden Council) were received, many of which provided valuable documentary evidence to assist the Panel's research.

In late November 2012, the Panel released Stage 2 – The Case for Sustainable Change – Discussion Paper (the subject of this report). The Panel is calling for submissions until 22 March 2013.

MAIN REPORT

The discussion paper sets out the Panel's broad approach to the need for fresh thinking and new approaches in NSW Local Government. It draws on discussions during the Panel's 'Listening Tour', submissions received in response to the 'Setting the Scene - Consultation Paper', published research and further studies commissioned by the Panel.

At this stage, the 'Case for Sustainable Change' is a work in progress and further studies and consultations are required to formulate firm proposals. However, the discussion paper does include a number of 'signposts' – pointers to the directions of change the Panel believes will be necessary.

A draft submission for council's consideration is attached at the end of this report.

Commentary on the 'signposts' is provided below:

Signpost 1 – the local government system and challenges faced

The Panel state that each community in NSW needs a local government with the necessary strategic capacity to deal with future challenges.

There is no question this is a significant challenge for local government. In growth councils like Camden, this challenge is all the more significant.

The introduction of integrated planning and reporting has brought about a renewed focus on long term planning strategic planning (including capacity planning). Despite the best endeavours of the local government sector to succeed in this area, the cooperation and partnership with other tiers of government is absolutely essential if the issue of strategic capacity is to be truly addressed. To this end, the local government sector has long been calling for a 'whole of government' approach to this issue.

The issue of local government strategic capacity should also be considered in the context of whether the State Government's high level of supervision and legislative requirements imposed on local government actually diminish the otherwise empowering role councils could have in planning and providing the most appropriate range of services its local community needs.

Signpost 2 – fiscal responsibility and financial management

The Panel will be exploring the feasibility of changes to the distribution of financial assistance grants as well as reviewing elements of the current rate pegging system, recognising the importance of funding essential infrastructure.

This review is long overdue. Camden Council has often lobbied for a fairer share of financial assistance grants, stating that the current distribution methodology has little regard for the unique circumstances that growth councils such as Camden are experiencing.

Council has also advocated an end to the current rate pegging system. Any improvement to the existing archaic rating system (most of the legislation was originally written in 1919) is seen as a step in the right direction. Council applauds the prospect of using some of these improvements to address ageing infrastructure.

The Panel would be well served to converse with the Local Government Act Taskforce to revisit all rating aspects of the current legislation. The extent of this review should not be confined to the issue of rate-pegging but extend to aspects such as properties exempt from paying rates and a broader based land valuation rating scheme.

Signpost 3 – services and infrastructure

The Panel will be exploring opportunities for an enhanced ‘whole of government’ approach to service delivery and acknowledge that local infrastructure needs and backlogs warrant the highest priority. The Panel also recognise that areas of rapid growth will require particular attention.

The Panel is to be commended for exploring these issues as they are fundamental to the long term sustainability of the local government sector. Camden Council has long advocated that a ‘whole of government’ approach is necessary. This approach must begin with a holistic review of services provided by the 3 tiers of government, with a ‘gaps and overlaps’ analysis undertaken and a staged action plan drafted to remedy the current inconsistencies between the 3 tiers of government.

It is pleasing to read that rapid growth areas are highlighted and it is hoped the Panel will visit those areas (including Camden) to witness first hand the unique difficulties of providing services and infrastructure in an effective and efficient manner where multiple public authorities, developers and other private corporations are involved.

One of the obvious gaps in infrastructure is the provision of district level facilities. These facilities can no longer be levied under Section 94, however demand for these facilities still exist. Who should provide these facilities and how they are to be funded is a critical issue that needs to be addressed.

Signpost 4 – structures and boundaries

The Panel will formulate proposals for amalgamations, new regional entities and shared services as appropriate. The Panel state there is a case to consider significant consolidation of local government across the Sydney Metropolitan area, and in other major urban areas and some regional centres.

There is no doubt this is one of the most contentious aspects of the Panel’s work. Interestingly, one of the original terms of reference given to the Panel from the State Government was that there would be no forced amalgamations.

Recent media releases issued by the Panel suggest amalgamation of some councils will be a key recommendation to the State Government.

With Camden’s expected growth, the population of the Macarthur region over the next 30 years is expected to reach in excess of 550,000 people. Given this anticipated population (twice the population of Blacktown City Council – the most populous LGA in NSW), it is inconceivable to think Camden Council would be earmarked for amalgamation.

The notion of Councils sharing services is plausible. A great deal of investigation should be carried out in this area. It is suggested that a Taskforce be established with representatives from councils, the Local Government Association of NSW, the Division of Local Government and Regional Organisation of Councils. The aim of this Taskforce could be to identify common (or standard) services that could be provided using common systems / platforms and put in place infrastructure / support to make this happen.

Signpost 5 – governance

The Panel sees a compelling case for a shift from compliance to innovation and improvement, underpinned by better data collection and expanded benchmarking and

performance reporting, linked to the Integrated Planning and Reporting Framework and supported by internal and external audit.

It is refreshing to read the Panel's 'compact for change'. For too long, local government has had a compliance focus rather than outcomes based innovative focus. The new Integrated Planning and Reporting Framework is one of the most important progressive steps local government has taken over the past decade.

The real benefits of this new framework are not likely to be realised in the short term (aside from a renewed focus on long term planning) however, as councils refine their frameworks and become more adept at benchmarking and performance reporting long lasting tangible benefits will accrue and help inform better decision making.

Whilst it is still early days, there is already evidence that 'partners' in local community strategic plans are not buying in to the concept as theoretically intended by the State Government. These partners include state agencies who are vital to the success (or otherwise) of the outcomes enshrined in local community strategic plans.

There needs to be a review undertaken of the effectiveness of the new legislation with a view to bringing all 'partners' to the community strategic plan to the table to discuss ways and means to which information and priorities can be shared to enable common objectives to be met.

Signpost 6 – a compact for change and improvement

The Panel sees a role for the Division of Local Government (DLG) and Local Government NSW to drive change.

It is unreasonable to expect local government to change without the necessary support and assistance to do so. The DLG needs to take a more active leadership and facilitation role in the sector generally and focus less on prescriptive compliance matters.

The DLG are to be commended for drafting Destination 2036. The success (or otherwise) of this document will rest largely on the resources allocated towards implementing its strategies and actions and the manner in which the DLG facilitate the rollout of those strategies and actions.

Local Government NSW's willingness to help drive change will largely depend upon the ultimate recommendations made by the Panel and whether they believe the recommendations are in the best interests of its members.

Next Steps in the Review

The Panel will be consulting widely throughout the review process. Consultation will take place in stages and in different ways as the review progresses.

Regional meetings with Councils and community organisations, written submissions, focus groups and roundtable discussions are some of the options the Panel intend using to ensure there are many and varied ways of getting involved in this review.

The review has been structured in four stages:

1. Identifying key issues and exploring ideas – July to September 2012

2. Options for change – October 2012 to January 2013
3. Future directions – February to May 2013
4. Final Report – June / July 2013

Stage's 1 and 2 are now complete.

The Panel will be coming out to the Macarthur Region on Monday 18 March to discuss the release of its third discussion paper: Future Directions.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

CONCLUSION

The Panel are to be commended for exploring a wide range of options to help resolve some of the bigger issues. There is no 'one size fits all' solution because councils are uniquely different in so many ways. The Panel recognise this and offer no 'silver bullet' solutions in this regard.

The 'Case for Sustainable Change' is a work in progress and further studies and consultations are required to formulate firm proposals. This report has provided a commentary on the six 'signposts' identified by the Panel in its latest discussion paper.

RECOMMENDED

That Council:

- i. endorse the contents of this report; and**
- ii. forward the attached Draft Submission to the Independent Review Panel.**

ATTACHMENTS

1. Submission to Panel

12 March 2013

Independent Local Government Review Panel
c/- Locked Bag 3015
Nowra NSW

Attention: Prof Graham Sansom

Subject: The Case for Sustainable Change

Dear Graham,

Camden Council would like to thank you for the opportunity to make comment on the Panel's latest discussion paper – The Case for Sustainable Change.

Council is aware that 'The Case for Sustainable Change' is a work in progress and further studies and consultations are required to formulate firm proposals. To that extent, Council has focused its comments around the 6 'signposts' identified in the discussion paper.

Please find below comments in relation to the 'signposts':

Signpost 1 – the local government system and challenges faced

The Panel state that each community in NSW needs a local government with the necessary strategic capacity to deal with future challenges.

There is no question this is a significant challenge for local government. In growth councils like Camden, this challenge is all the more significant.

The introduction of integrated planning and reporting has brought about a renewed focus on long term planning strategic planning (including capacity planning). Despite the best endeavours of the local government sector to succeed in this area, the cooperation and partnership with other tiers of government is absolutely essential if the issue of strategic capacity is to be truly addressed. To this end, the local government sector has long been calling for a 'whole of government' approach to this issue.

The issue of local government strategic capacity should also be considered in the context of whether the State Government's high level of supervision and legislative requirements imposed on local government actually diminish the otherwise empowering role councils could have in planning and providing the most appropriate range of services its local community needs.

Signpost 2 – fiscal responsibility and financial management

The Panel will be exploring the feasibility of changes to the distribution of financial assistance grants as well as reviewing elements of the current rate pegging system, recognising the importance of funding essential infrastructure.

ORD05

Attachment 1

This review is long overdue. Camden Council has often lobbied for a fairer share of financial assistance grants, stating that the current distribution methodology has little regard for the unique circumstances that growth councils such as Camden are experiencing.

Council has also advocated an end to the current rate pegging system. Any improvement to the existing archaic rating system (most of the legislation was originally written in 1919) is seen as a step in the right direction. Council applauds the prospect of using some of these improvements to address ageing infrastructure.

The Panel would be well served to converse with the Local Government Act Taskforce to revisit all rating aspects of the current legislation. The extent of this review should not be confined to the issue of rate-pegging but extend to aspects such as properties exempt from paying rates and a broader based land valuation rating scheme.

Signpost 3 – services and infrastructure

The Panel will be exploring opportunities for an enhanced ‘whole of government’ approach to service delivery and acknowledge that local infrastructure needs and backlogs warrant the highest priority. The Panel also recognise that areas of rapid growth will require particular attention.

The Panel is to be commended for exploring these issues as they are fundamental to the long term sustainability of the local government sector. Camden Council has long advocated that a ‘whole of government’ approach is necessary. This approach must begin with a holistic review of services provided by the 3 tiers of government, with a ‘gaps and overlaps’ analysis undertaken and a staged action plan drafted to remedy the current inconsistencies between the 3 tiers of government.

It is pleasing to read that rapid growth areas are highlighted and it is hoped the Panel will visit those areas (including Camden) to witness first hand the unique difficulties of providing services and infrastructure in an effective and efficient manner where multiple public authorities, developers and other private corporations are involved.

One of the obvious gaps in infrastructure is the provision of district level facilities. These facilities can no longer be levied under Section 94, however demand for these facilities still exist. Who should provide these facilities and how they are to be funded is a critical issue that needs to be addressed.

Signpost 4 – structures and boundaries

The Panel will formulate proposals for amalgamations, new regional entities and shared services as appropriate. The Panel state there is a case to consider significant consolidation of local government across the Sydney Metropolitan area, and in other major urban areas and some regional centres.

There is no doubt this is one of the most contentious aspects of the Panel’s work. Interestingly, one of the original terms of reference given to the Panel from the State Government was that there would be no forced amalgamations.

Recent media releases issued by the Panel suggest amalgamation of some councils will be a key recommendation to the State Government.

With Camden's expected growth, the population of the Macarthur region over the next 30 years is expected to reach in excess of 550,000 people. Given this anticipated population (twice the population of Blacktown City Council – the most populous LGA in NSW), it is inconceivable to think Camden Council would be earmarked for amalgamation.

The notion of Councils sharing services is plausible. A great deal of investigation should be carried out in this area. It is suggested that a Taskforce be established with representatives from councils, the Local Government Association of NSW, the Division of Local Government and Regional Organisation of Councils. The aim of this Taskforce could be to identify common (or standard) services that could be provided using common systems / platforms and put in place infrastructure / support to make this happen.

Signpost 5 – governance

The Panel sees a compelling case for a shift from compliance to innovation and improvement, underpinned by better data collection and expanded benchmarking and performance reporting, linked to the Integrated Planning and Reporting Framework and supported by internal and external audit.

It is refreshing to read the Panel's 'compact for change'. For too long, local government has had a compliance focus rather than outcomes based innovative focus. The new Integrated Planning and Reporting Framework is one of the most important progressive steps local government has taken over the past decade.

The real benefits of this new framework are not likely to be realised in the short term (aside from a renewed focus on long term planning) however, as councils refine their frameworks and become more adept at benchmarking and performance reporting long lasting tangible benefits will accrue and help inform better decision making.

Whilst it is still early days, there is already evidence that 'partners' in local community strategic plans are not buying in to the concept as theoretically intended by the State Government. These partners include state agencies who are vital to the success (or otherwise) of the outcomes enshrined in local community strategic plans.

There needs to be a review undertaken of the effectiveness of the new legislation with a view to bringing all 'partners' to the community strategic plan to the table to discuss ways and means to which information and priorities can be shared to enable common objectives to be met.

Signpost 6 – a compact for change and improvement

The Panel sees a role for the Division of Local Government (DLG) and Local Government NSW to drive change.

It is unreasonable to expect local government to change without the necessary support and assistance to do so. The DLG needs to take a more active leadership and facilitation role in the sector generally and focus less on prescriptive compliance matters.

The DLG are to be commended for drafting Destination 2036. The success (or otherwise) of this document will rest largely on the resources allocated towards implementing its strategies and actions and the manner in which the DLG facilitate the rollout of those strategies and actions.

ORD05

Local Government NBSW's willingness to help drive change will largely depend upon the ultimate recommendations made by the Panel and whether they believe the recommendations are in the best interests of its members.

In summary, Camden Council looks forward to the Panel progressing its work on this matter. Similarly, Council looks forward to the phase of the program – 'Models and Options: Future Directions Paper' and welcomes the opportunity to provide input at any stage.

If there are any questions in relation to this submission, please feel free to contact me on 4645 5123 at your earliest convenience.

Yours Sincerely

STEVE KLUDASS
Director- Governance

Attachment 1

ORDINARY COUNCIL

ORD06

ORD06

**SUBJECT: PROPOSED SPECIAL RATE VARIATION - COMMUNITY
CONSULTATION FEEDBACK AND APPLICATION TO IPART**

FROM: Director Governance

BINDER: Special Rate Variation

PURPOSE OF REPORT

The purpose of this report is:

1. to provide community consultation feedback in relation to the proposed continuation of a special rate variation (SRV) to part fund a new \$6m Community Infrastructure Renewal Program; and
2. for Council to consider making application to the Independent Pricing and Regulatory Tribunal (IPART) for the purposes of increasing rates by 1.1% (one off increase) above the Ministerial allowable limit of 3.4% in 2013/14 for a period of 6 years.

BACKGROUND

At the Council Meeting of 11 December 2012, Council resolved to pursue a SRV of 1.1% (above the Minister's allowable limit of 3.4%) for the purposes of part-funding a \$6m Community Infrastructure Renewal Program. The income generated from the 1.1% over a 6 year period equates to \$2.5m. The other \$3.5m will be sourced from a \$2m low interest loan from the State Government and \$1.5m from Internal Reserves.

Following this resolution of Council, IPART were notified of Council's intention to apply for a special rate variation on 14 December 2012. This was necessary prior to community consultation commencing.

Council's application for the \$2m low interest loan was submitted on Friday 21 December 2012. Council has not yet received advice as to whether the application has been successful.

A copy of the 11 December 2012 report is attached at the end of this report (Attachment 1).

MAIN REPORT

Community Infrastructure Renewal Program (CIRP)

The original \$3.68m CIRP, adopted by Council in June 2010, was aimed at slowing an escalating infrastructure asset backlog. Importantly, the CIRP has assisted in improving the standard of community infrastructure across the Camden LGA.

In order to make further inroads into the infrastructure asset backlog dilemma, Council resolved to not only continue this important program of works but expand it.

A \$6 million program of renewal works was endorsed by Council for the purposes of seeking feedback from the community. The following table is a summary of the proposed \$6m program:

Infrastructure Category	Funds Required
Road reconstruction & reseal	\$3,185,000
Parks and reserves renewal program	\$1,310,000
Buildings and surrounds renewal program	\$536,000
Bridge renewal program	\$431,000
Kerb and gutter renewal program	\$364,000
Footpath and cycleway renewal program	\$174,000
Total CIRP	\$6,000,000

As a funding strategy, Council adopted a funding mix which included a reduced Special Rate Variation of 1.1%, the utilisation of existing Internal Reserves, and the utilisation of loan borrowings via the Loan Infrastructure Renewal Scheme – Round 2. This funding strategy completes the \$6m program of works over 6 years.

In summary, the funding sources are as follows:

Funding Source	Amount	
Special Rate Variation	\$2,500,000	one-off increase of 1.10% for 6 years
Loan Infrastructure Renewal	\$2,000,000	Repayment over 10 years
Admin Building Reserve	\$1,000,000	
Capital Works Reserve	\$500,000	
Total Funding	\$6,000,000	

Note - this option is dependent on Council's application for a \$2 million Infrastructure Renewal Scheme loan being successful and IPART approving a continuation of the Special Rate Variation (SRV) at 1.10%.

Community Consultation

Community consultation for the proposed SRV commenced Tuesday 29 January 2013 and concluded Monday 25 February 2013. The following mechanisms were put in place to inform residents of the proposed SRV:

1. Media Advertising

Council placed advertisements in local papers servicing the Camden Local Government Area. These advertisements ran for 3 consecutive weeks commencing Wednesday 23 January 2013.

The advertisements stated Council's proposal to increase rates and the key reasons for this. It also gave information about how residents could provide feedback on the proposal, and advertised the times and locations of the Open House Information Sessions.

2. Resident Newsletter

A newsletter was sent to every household in the LGA and was mailed to owners who live outside the LGA. The newsletter provided a summary of the reasons for the proposal, how the funds would be spent, the impact on rates for the average ratepayer and the mechanisms for providing feedback. Included on the back of the newsletter was a cut-out feedback form that could be sent to Council (no stamp required).

3. Phone Survey

In accordance with IPART's requirements, Council undertook a phone survey of residents within the Camden LGA in early February 2013. This phone survey was commissioned to a firm, Micromex, who surveyed 400 residents (a statistically significant random sample size).

4. Council's Website

Council developed a section on its website related to the Community Infrastructure Renewal Program proposal. This section contained the following information:

- A copy of the newsletter sent to all residents
- A link to the proposed \$6m program of works
- A copy of the Council report – 11 December 2012
- Information relating to the 3 Open House Information Sessions
- An email account to provide feedback on the proposal.

5. Open House Information Sessions

Three Open House Information Sessions were held, one in each ward. These sessions provided visual displays of the proposal, including how infrastructure renewal was identified as a priority, examples of the condition of some items of community infrastructure in the area, and where the funds will be spent in terms of infrastructure types and wards.

Feedback from the Community

1. Phone Survey Results

The phone survey provided a very valuable insight into what the community thought about the proposed special rate variation. The results from the phone survey (400 respondents) were appropriately weighted by age to reflect the 2011 ABS Census data for the Camden LGA. The key findings of the survey were as follows:

- 89% of residents (356 people out of a possible 400) are **at least 'somewhat supportive'** of Council continuing the reduced special rate variation over the next 6 years
- 67% of residents (268 people out of a possible 400) were **at least 'supportive' of the proposal.**
- 94% of residents (376 out of a possible 400) indicated that it is **at least 'somewhat important'** that Council be allowed to continue the special rate variation.

Please refer to Attachment 2 for a full copy of the Phone Survey results

2. Submissions to Council

Council received 170 submissions on the proposed special rate variation. The vast majority of these submissions were made using the cut-out submission form on the rear of the Newsletter sent to all residents. A summary of the feedback received in this format is provided below:

- 70 people (41%) voted in favour of the proposed 1.1% special rate variation
- 100 people (59%) voted against of the proposed 1.1% special rate variation.

It is pleasing to see that residents were willing to express their views on this matter. It was hoped that a larger number of residents might want to have their say given 18,000 Newsletters were sent out. It should be noted that the number of submissions made by rate payers represents 0.08% of the total rate base of the Camden LGA.

Some of the primary reasons given why residents are opposed to the proposed special rate variation include:

- families and pensioners are already struggling with their household budget
- rates from developing areas should be paying for this program, and
- existing rates are already too high.

It should be noted that a number of the reasons given for opposing the proposed special rate variation were unrelated to the merits of the CIRP.

Some of the primary reasons given why residents support the proposed special rate variation include:

- satisfied with the need to upgrade essential infrastructure
- the proposed increase is not significant, and
- satisfied with the general performance of Council

Please refer to Attachment 3 for a summary of all submissions made to Council.

3. Open House Information Sessions

Despite the advertising undertaken for the Open House Information Sessions, attendance was poor, with only 2 people attending the 3 sessions. It would seem this is not an effective consultation technique for this particular purpose.

Summary of Feedback

A total of 570 residents expressed their views on the proposed special rate variation. 400 of these views were expressed via a phone survey and 170 via a submission using the cut-out submission form on the rear of the Newsletter sent to all residents.

The following table summarises the support and opposition to the proposed special rate variation.

	Support	Opposed	Total
Number of residents who were at least 'somewhat supportive' of the proposed special rate variation	426 (75%)	144 (25%)	570 (100%)

It should be acknowledged that a Phone Survey is more geographically representative of the Camden LGA demographics than the submissions received from the public. Furthermore, it should be acknowledged that a Phone Survey is a random sample of the population as opposed to residents who felt strongly enough to make a submission.

Impact on Ratepayers

In resolving to pursue the continuation of the existing CIRP, Council opted to pursue a funding option whereby ratepayers would see no percentage increase in the average residential rate in 2013/14 (when compared to the current 2012/13 average residential rates). Please refer to the funding table below:

2013/14 Ministers allowable limit	3.40%
2013/14 Proposed SRV application	1.10%
Total Variation	4.50%
Less:	
Current SRV Program	(4.50%)
Actual 2013/14 Variation	0.00%

Where to from here

If Council are of a mind to pursue the proposed special rate variation, a formal application will be lodged with IPART on or before 18 March 2013.

Council officers have had several discussions about the proposed special rate variation with senior staff at IPART. It would appear that IPART are satisfied with the merits of the proposed Community Infrastructure Renewal Program, Council's community consultation strategy and the modest proposed rate increase.

IPART is expected to make its determination (whether or not the proposed rate increase is approved) by May/June 2013.

FINANCIAL IMPLICATIONS

The financial implications of the proposed special rate variation have been outlined in a previous report to Council, dated 11 December 2012. In summary, if the proposed special rate variation does not proceed, the proposed \$6m CIRP will be reduced to a \$3.5m CIRP, resulting in the community's assets experiencing further degradation and costing substantially more to renew in the future.

The total cost of the community consultation exercise is estimated at \$22,000 (excl GST) and will be brought to account in the March Quarterly Budget Review. It is important to note that the vast majority of this expense was incurred meeting IPART's community consultation requirements.

CONCLUSION

A total of 570 residents expressed their views on the proposed special rate variation. 400 of these views were expressed via a phone survey and 170 via a submission using the cut-out submission form on the rear of the Newsletter which was sent to all residents.

It is reasonable to expect some opposition to a proposed rate increase, regardless of the cause. Whilst it is difficult to deduce too much from the fact that more than 18,000 residents did not respond, it is heartening to know that a number of our residents feel strongly (one way or another) about this issue.

Given the results of the community consultation survey, it is recommended to Council that the proposed special rate variation proceed to the next stage – a formal application to IPART for its determination.

RECOMMENDED

That Council:

- i. note the results from community consultation feedback in relation to the proposed special rate variation to part-fund a \$6m Community Infrastructure Renewal Program; and**
- ii. proceed to make formal application to IPART for a one-off 1.1% special rate variation over and above the Ministerial allowable limit, commencing 1 July 2013 and concluding 30 June 2019.**

ATTACHMENTS

1. Previous Council Report - 11 December 2012
2. Phone Survey Results
3. Submissions from the Public - *Supporting Document*



ORDINARY COUNCIL

ORD10

SUBJECT: NOTICE OF INTENTION TO IPART - 2013/14 SPECIAL RATE VARIATION

FROM: Director Governance

BINDER: 2013/14 Special Rate Variation

PURPOSE OF REPORT

To seek Council's approval to:

- Notify IPART of its intention to apply for a special rate variation under 508(2) of the Local Government Act.
- Undertake community consultation outlining the Community Infrastructure Renewal Program (CIRP) and proposed method of funding.

BACKGROUND

In 2009, Council prepared an application to increase rates within the Camden Local Government Area (LGA) by 4.50% over the capped rate increase to fund an asset renewal program in perpetuity (without an expiry date), to address a backlog of infrastructure renewal works estimated, at that time, to be in excess of \$12 million.

The Minister for Local Government approved a one off special rate increase of 4.50% for 3 years only, with an expiry date of 30 June 2013. The 3 year program was designed as a schedule of works to enable Council to begin urgent renewal works (roads, bridges, storm-water drainage, parks, sporting facilities and buildings).

The total budget for the current 3 year CIRP is \$3.68 million. To date, more than \$2.8 million has been completed with the balance to be spent before 30 June 2013. Importantly, there is still much more to do following the completion of the current CIRP.

MAIN REPORT

The Camden Local Government Area (LGA) is experiencing rapid population growth, with the current population of 59,000 people estimated to increase to more than 250,000 over the next 25 years. Camden Council has an active role in the planning and delivery of this growth which requires the organisation to apply effective long term strategic thinking.

Camden Council is facing significant financial challenges, the costs to Council of delivering services and facilities have increased at a far greater rate than income over the past 20 years.

These costs include responsibility for an increasing number of infrastructure assets, an ageing infrastructure asset base and an increasing number of statutory obligations and charges required by the State Government. Add to this the additional services and functions that were previously carried out by other levels of government, together with the necessary preoccupation with planning our population growth, and Council finds itself in a situation that compromises its long term financial sustainability.

This is the report submitted to the Ordinary Council held on 11 December 2012 - Page 1

ORD06

Attachment 1



Council's financial situation and its long term capacity to meet the requirements of current and future residents are continually reviewed. Council will continue to pursue supplementary funding from all tiers of government, particularly given the growth rate that is facing the area now and into the future. The proposal to continue the existing CIRP is one measure towards addressing current and future community infrastructure backlogs. Council will continue to work proactively to secure other necessary solutions to its funding constraints.

In 2012, Council again undertook a survey of residents for the purposes of understanding how satisfied the community is with Council's performance and to identify those areas of Council's performance that require priority attention. The recent survey identifies that infrastructure assets is still the number one concern for residents in relation to Council's performance, particularly maintenance and the condition of local roads, footpaths, kerbing and sporting fields.

The Infrastructure Renewal Concern

An inquiry commissioned by the Local Government and Shires Association in 2005 revealed most Councils in NSW are financially unsustainable. The infrastructure backlog across NSW was estimated to be \$6 billion in 2005, and was expected to increase to over \$20 billion by 2020.

Generally, Councils in NSW do not have the financial capacity to renew essential community infrastructure assets with their current funding models. As a result, the vast majority of special rate variations approved over the past 7 years have been for urgent infrastructure renewal works.

In November 2012, Council identified an asset renewal backlog of \$12.6 million which is expected to increase each year until such time as additional funds are available for reducing the backlog. If renewal work is not undertaken, over time there will be a decrease in the standard of community infrastructure across the Camden LGA with a range of impacts including safety of roads, wear and tear on vehicles, amenity in the area, low utilisation of facilities and the cost of renewing assets will become unsustainable.

In order to address the community's concerns about infrastructure assets and continue to deliver the existing range of services and facilities, it is recommended that Council consider continuing the current CIRP in one form or another. A \$6 million program of renewal works has been developed for council's consideration.

Infrastructure Category	Funds Required
Road reconstruction & reseal	\$3,185,000
Parks and reserves renewal program	\$1,310,000
Buildings and surrounds renewal program	\$536,000
Bridge renewal program	\$431,000
Kerb and gutter renewal program	\$364,000
Footpath and cycleway renewal program	\$174,000
Total CIRP	\$6,000,000

This is the report submitted to the Ordinary Council held on 11 December 2012 - Page 2



A detailed works program, **as attached at the end of this report**, identifies the location, nature and cost estimate of all works to be undertaken. The program of works will be reviewed and reprioritised on an annual basis and placed on public exhibition as part of Council's annual review of the Delivery Program and Operational Plan.

Funding options available to Council

As part of preparing the funding options available to Council, the following has been considered:

- Growth estimates (rateable properties) and its impact on forecast income,
- An assumption that Council will adopt the Ministers 3.40% allowable limit (rate peg) and its impact on forecast income,
- Additional discretionary funding as a result of the Ministers 3.40% allowable limit being 0.50% higher than the 2.90% originally estimated in Council's Long Term Financial Plan,
- The potential for a reduction or elimination of the 4.50% special rate variation in 2013/14,
- The use of internal reserves to fund part of the asset renewal program (refer to option 2),
- The amount of funds currently in the Central Administration Building Reserve and the short term commitments on those funds (primarily the design element of the New Central Administration Building),
- The borrowings required to fund the construction element of the New Central Administration Building,
- Capital funding of \$2 million from the Loan Infrastructure Renewal Scheme – Round 2 and the operational savings realised through a lower interest rate (a 3.00% subsidy) available through this scheme (refer to option 2),
- Council's capacity to fund debt now and into the future including the impact on Council's debt service ratio,
- A \$6 million asset renewal program of works over 6 years (refer to option 2),
- That Council's number one capital funding priority in its Long Term Financial Plan is the New Central Administration Building,
- Council's capacity to complete the program of works in the required time period,
- The total impact of all options on ratepayers.

Option 1

Option 1 is to continue the Special Rate Variation (4.50%) for 4 more years. This option will generate an additional \$6 million and the necessary funding for the program of works. This option completes the program of works in 4 years.

Option 2

Option 2 is a combination of internal reserves, a reduced Special Rate Variation and loan borrowings via the Loan Infrastructure Renewal Scheme – Round 2. This option completes the program of works over 6 years.

Funding Source	Amount	
Loan Infrastructure Renewal	\$2,000,000	Repayment over 10 years
Special Rate Variation	\$2,500,000	one-off increase of 1.10% for 6 years
Admin Building Reserve	\$1,000,000	
Capital Works Reserve	\$500,000	
Total Funding	\$6,000,000	

This is the report submitted to the Ordinary Council held on 11 December 2012 - Page 3



Note - this option is dependent on Council's application for a \$2 million Infrastructure Renewal Scheme loan being successful and IPART approving a continuation of the Special Rate Variation (SRV) at 1.10%.

Option 3

Option 3 is to discontinue the Community Infrastructure Renewal Program. The ramifications of not addressing Council's asset renewal backlog have been explained earlier in this report.

It should be noted that a fourth option of funding the entire \$6 million program from loan borrowings has been considered. The modelling indicated there were better funding options available which resulted in less impact on ratepayers and Council's long term loan capacity.

Average Impact on 2013/14 Rates (percentage)

Option 1

The 4.50% Special Rate Variation (SRV) is already factored into residents' rates and has been since 2010/11. While the continuation of this program will not see a further increase as a result of the continuation of this program there will be an increase of 3.40% upon adoption by Council of the Minister's allowable limit.

Option 2

This option would see no percentage increase in the average residential rate in 2013/14. Please refer to the funding table below:

2013/14 Ministers allowable limit	3.40%
2013/14 Proposed SRV application	1.10%
Total Variation	4.50%
Less:	
Current SRV Program	(4.50%)
Actual 2013/14 Variation	0.00%

Option 3

This option would see a discontinuation of the current 4.50% SRV and a reduction in the average rate of 1.10%, after allowing for the increase of the 3.40% Minister's allowable limit. This option would also compromise Council's ability to fund a \$6 million asset renewal program.

Average Impact on 2013/14 Rates (monetary terms)

Option	Residential		Business	
	Annual Increase/ (decrease)	Weekly Increase/ (decrease)	Annual Increase/ (decrease)	Weekly Increase/ (decrease)
1	\$45.53	\$0.88	\$178.08	\$3.42
2	\$0.00	\$0.00	\$0.00	\$0.00
3	(\$9.27)	(\$0.18)	(\$26.94)	(\$0.52)

The Minister's allowable limit of 3.40% has been factored into each of these options.



Please note: the figures provided above are averages which means some ratepayers may receive a different movement in rates depending on the value and classification of their land.

This report provides estimates at a point in time. Although growth has been factored into all options, they are estimates and can change as a result of external factors before the adoption of the budget in June 2013.

Domestic Waste (a separate charge)

It should also be noted that Domestic Waste charges are not included in the rates above as the Domestic Waste charge is a separate charge. It is expected that as a result of rising waste disposal costs and the introduction of a carbon tax that the waste charge will increase in 2013/14. Further information on the Domestic Waste charge and the justification for any increase will be provided to Council early next year as part of the 2013/14 budget process.

Notice of Intent and Community Consultation

If Council was to pursue a Special Rate Variation for 2013/14 (Option 1 or Option 2), IPART must be advised of Council's intent by 14 December 2012. Following this notice of intent, Council would embark upon a community consultation process commencing late January / early February 2013.

Community consultation will include media releases, advertising, open house sessions for the community to participate in, a phone survey and information on council's website, including templates for community response.

Following community consultation, a workshop will be held with Council outlining the feedback received. A report will then be prepared for Council and a formal application made to IPART if approved by Council. The final application must be forwarded to IPART by 11 March 2013.

CONCLUSION

The existing Community Infrastructure Renewal Program expires 30 June 2013. This Program has been an important step in the right direction in terms of addressing Council's network of ageing infrastructure. The continuation of this Program will greatly assist Council in terms of its long term financial sustainability and aid in improving road safety, local amenity and utilisation of the community's local infrastructure assets.

RECOMMENDED

That Council:

- i. determine the appropriate option to fund Council's ongoing Community Infrastructure Renewal Program,**
- ii. in the event that Option 1 or Option 2 is determined, notify IPART of Council's intention to apply for a Special Rate Variation for 2013/14 under Section 508(2) of the Local Government Act, and**

This is the report submitted to the Ordinary Council held on 11 December 2012 - Page 5

ORD06

Attachment 1



-
- iii. in the event that Option 1 or Option 2 is determined, approve that public exhibition and community consultation of the proposed Community Infrastructure Renewal Program commence as soon as practicable.
 - iv. be presented with a workshop providing feedback on the outcome of the community consultation before the final application is submitted to IPART via a report to Council.

ATTACHMENTS

1. Community Infrastructure Renewal Program

Ordinary Council Resolution

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Fischer that Council:

- i. pursue Option 2 to fund Council's ongoing Community Infrastructure Renewal Program,
- ii. in the event that Option 1 or Option 2 is determined, notify IPART of Council's intention to apply for a Special Rate Variation for 2013/14 under Section 508(2) of the Local Government Act, and
- iii. in the event that Option 1 or Option 2 is determined, approve that public exhibition and community consultation of the proposed Community Infrastructure Renewal Program commence as soon as practicable.
- iv. be presented with a workshop providing feedback on the outcome of the community consultation before the final application is submitted to IPART via a report to Council,

ORD317/12 THE MOTION ON BEING PUT WAS **CARRIED**



Special Rate Variation

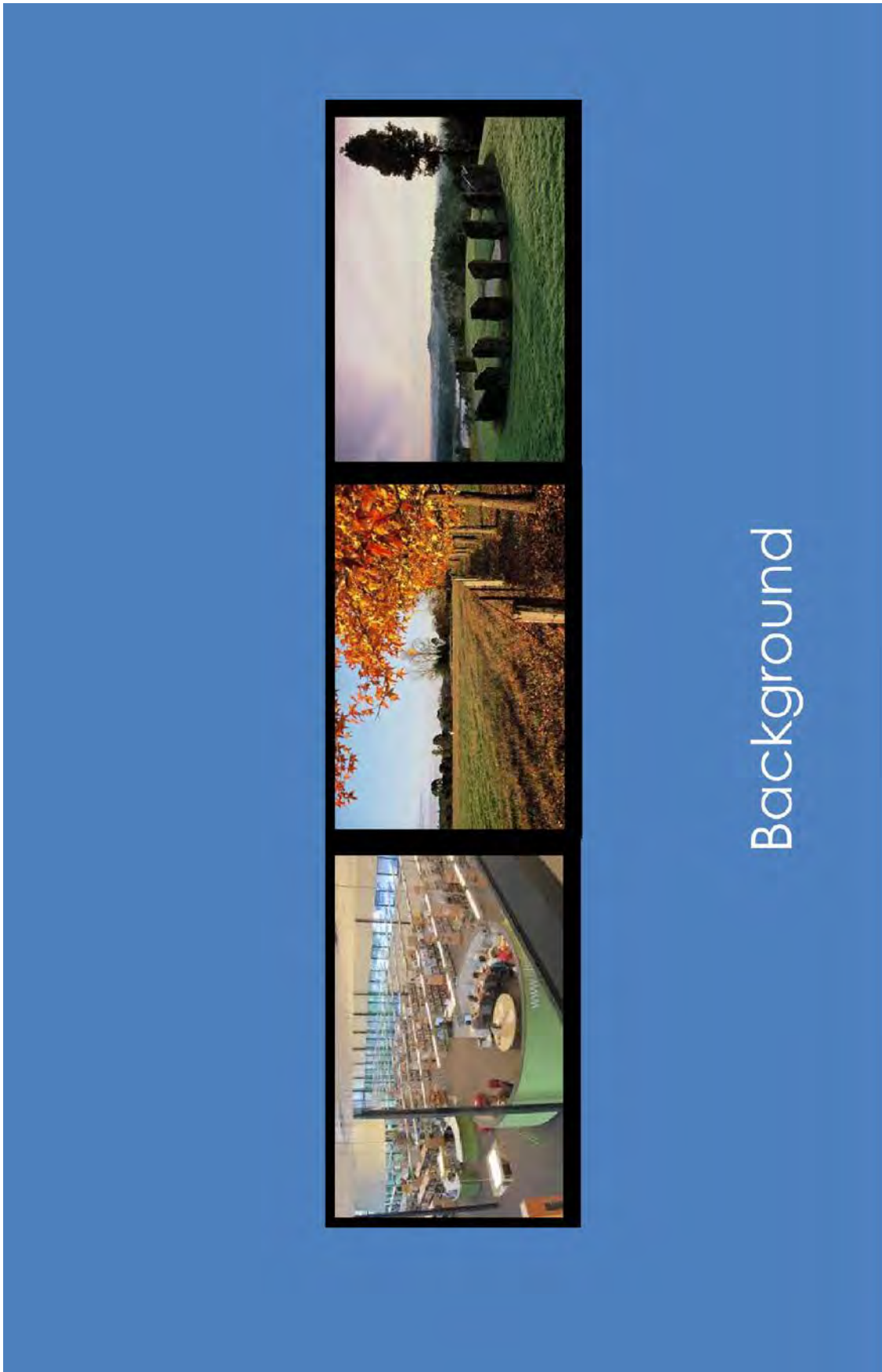
Camden Council

Prepared by: Micromex Research
Date: February 2013



ORD06

Attachment 2



Background & Core Research Objectives



Camden Council has determined a requirement for a special rate variation (SRV) in order to maintain and improve the LGA's infrastructure.

As part of the special rate variation application process, Camden Council conducted a robust community research survey, with the following key objectives:

1. To measure community support for the continuation of a special rate levy
2. To provide an avenue for feedback in order for residents to express their views on the proposed SRV



The phone survey will provide Camden Council with a robust and statistically valid measure of community response to the proposed SRV program

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Methodology & Sample

In order to assess the community's response to the special rate variation, Camden Council commissioned Micromex Research to conduct quantitative research within the LGA.

Specifics of the Survey

- Random telephone survey with n=400 residents aged 18 y/o +
 - The sample was weighted by age to reflect the 2011 ABS Census data
 - Participants were asked some profiling questions, then specific questions relating to the proposed special rate variation
- Fieldwork was conducted on the 4th & 5th of February 2013

A sample size of 400 residents provides a maximum sampling error of approximately +/- 4.9% at 95% confidence

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Questionnaire Flow

- The questionnaire was designed to establish current attitudes and explore community response to the proposed resource strategies

Questionnaire Structure

- QA. Confirmation that respondent does not work for Council
- QB. Age group
- QC. Number of years lived in the area
- QD. Suburb of residence
- Q1. Satisfaction with the quality of infrastructure currently provided by Council in the local area
- Q2. Satisfaction with the level of long term planning provided by Council
- Q3. Importance of Council implementing programs and programs to maintain/renew infrastructure in the area
- Q4. Awareness of the existing Community Infrastructure Renewal Program
- CONCEPT READ**
- Q5. Support for the proposed continuation
- Q6. Importance of Council being allowed to continue this levy
- Q8. Home ownership
- Q9. Type of dwelling
- Q10. Gender



The questionnaire was developed in conjunction with Council staff

How To Interpret Mean Rating Scores

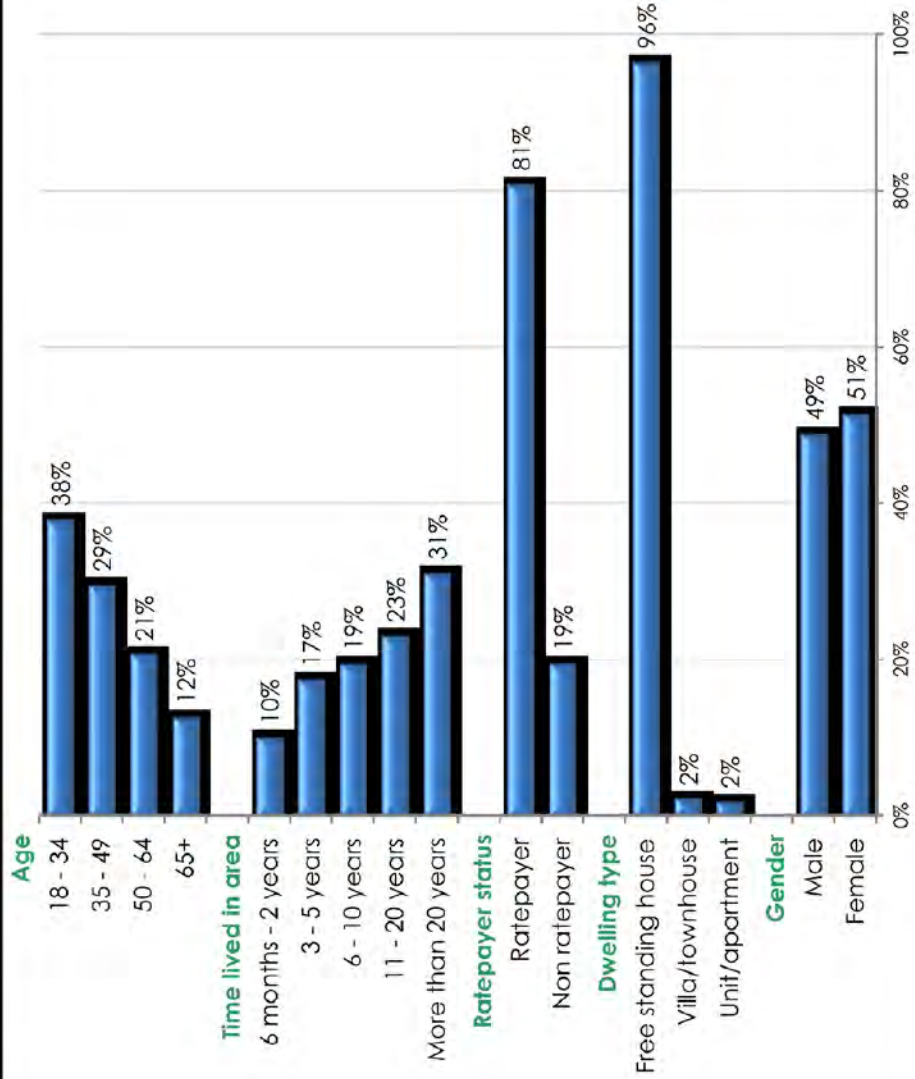
Ratings questions

The Unipolar Scale of 1 to 5 was used in all rating questions, where 1 was the lowest importance, satisfaction or support and 5 the highest importance, satisfaction or support.

1.99 or lower	'Very low' level of importance/satisfaction/support
2.00 – 2.49	'Low' level of importance/satisfaction/support
2.50 – 2.99	'Moderately low' levels of importance/satisfaction/support
3.00 – 3.59	'Moderate' level of importance/satisfaction/support
3.60 – 3.89	'Moderately high' level of importance/satisfaction/support
3.90 – 4.19	'High' level of importance/satisfaction/support
4.20 – 4.49	'Very high' level of importance/satisfaction/support
4.50 +	'Extreme' level of importance/satisfaction/support



Sample Profile – The Sample Accurately Reflects The Demographics Of The Camden Council LGA



Base: n = 400



The sample has been weighted to reflect 2011 ABS Census data



Key Findings



Key Findings

1. A significant number of residents support Council's application

➤ 89% of residents are at least 'somewhat supportive' of Camden Council continuing the reduced special rate variation over 6 years

2. A significant number of residents believe that the continuation of the special rate variation is important for the local area

➤ 94% of residents indicated that it is at least 'somewhat important' that Council be allowed to continue the special rate variation



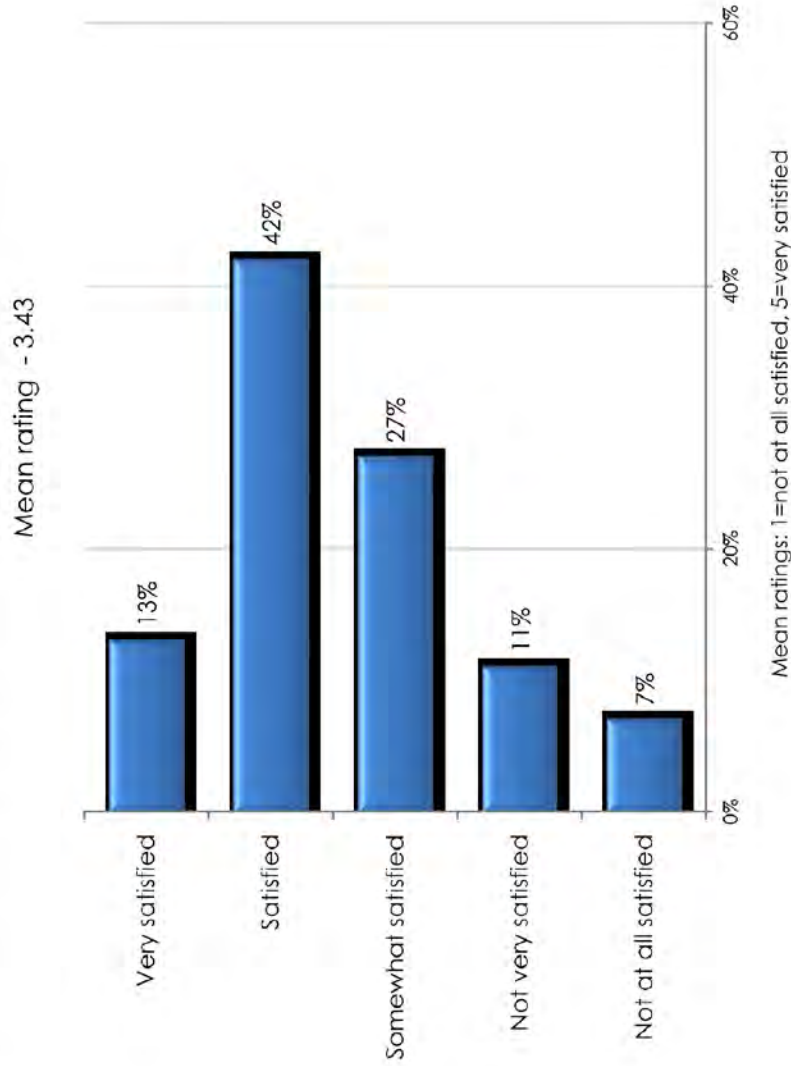


The Detailed Response



Residents Are Moderately Satisfied With The Quality Of Infrastructure Currently Provided By Council

Q. How satisfied are you with the quality of infrastructure currently provided by Council in your local area?



Base: n = 400

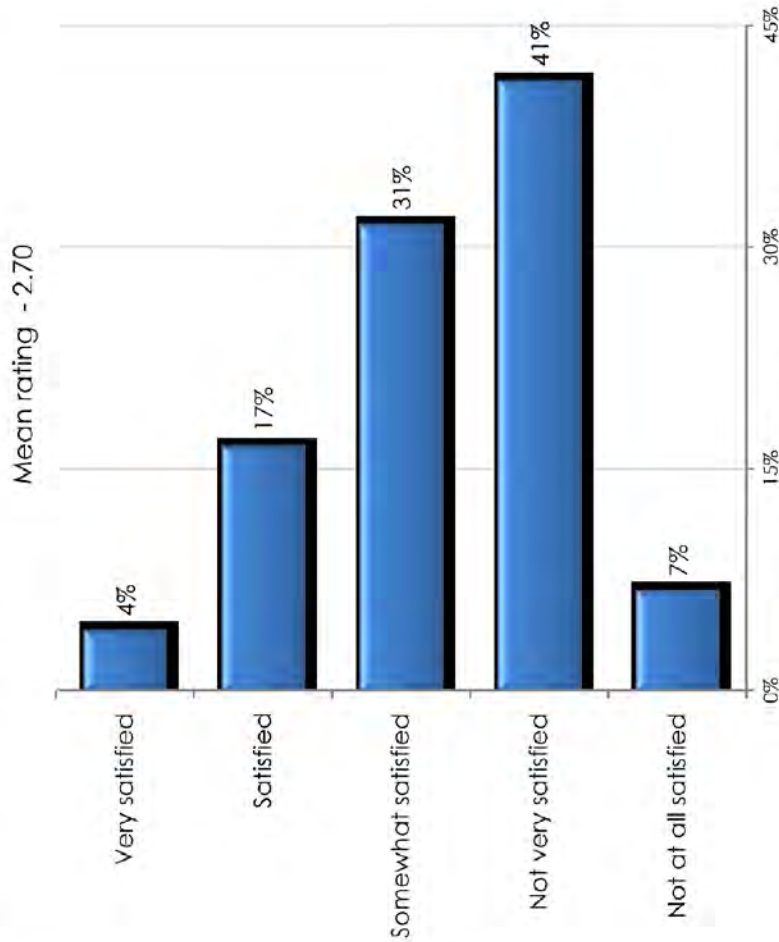


There is clearly an opportunity for Council to upweight satisfaction



52% Of Residents Are At Least 'Somewhat Satisfied' With The Quality Of Long Term Planning Provided By Council In The Local Area

G. How satisfied are you with the quality of long term planning for local infrastructure provided being by Council in the local area?



- Residents aged 50-64 are comparatively more satisfied with the level of long term planning provided by Council than are those aged 18-34
 - Ratepayers were more satisfied than were non ratepayers

Mean ratings: 1=not at all satisfied, 5=very satisfied

Base: n = 400

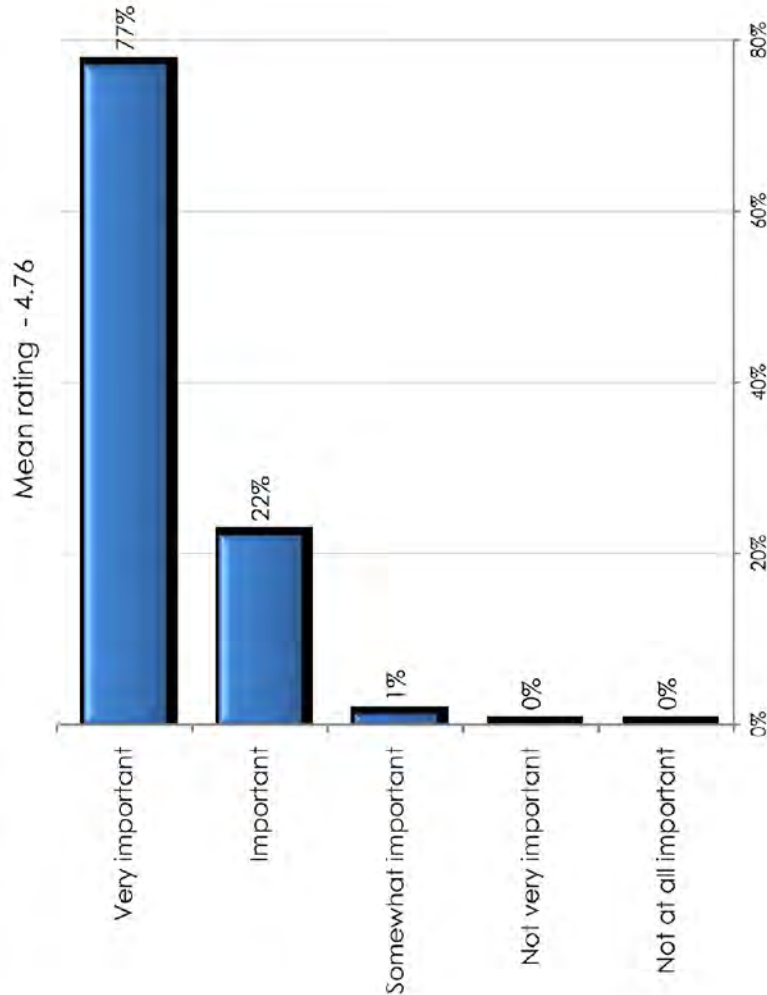


A significant numbers of residents (48%) indicated that they were not very or not at all satisfied with the quality of current planning



100% Of Residents Indicated That It Is At Least 'Somewhat Important' For Council To Implement Programs To Provide For Local Infrastructure

Q. How important do you believe it is for Council to implement plans and programs that will maintain/renew local infrastructure in the Camden Council area?



- Ratepayers considered Council implementing plans and programs for local infrastructure to be more important than did non ratepayers

Mean ratings: 1 = not at all important, 5 = very important

Base: n = 400



Council has a general mandate to act in the area



Response to the SRV Concept



Concept Statement

Currently, Camden Council ratepayers have been paying a special rate variation of 4.5% to fund urgent infrastructure renewal works as part of the Community Infrastructure Renewal Program. The objective with this program is to greatly reduce the backlog of ageing infrastructure without compromising existing services to ratepayers.

Funds collected over the past 3 years have been allocated to road reconstruction projects, footpath and cycleway upgrades, parks and playground equipment and community building improvements.

Currently this levy is approximately \$50 per year to the average rate paying household, however, it will expire at the end of this financial year.

Council is seeking to continue the Community Infrastructure Renewal Program for a further 6 years but not at the existing 4.5% level. Rather Council is proposing an increase to rates of only 1.1%, which will last for 6 years and is above the Minister's allowable rate increase which is 3.4% in 2013/14.

Therefore in year one the total increase will still be 4.5%, as this includes the rate peg, so approximately \$50 per year to the average rate paying household, however, the actual levy is only \$13 per annum for the average residential property, the remainder of the \$50 being the Minister's rate increase.

The \$2.5m generated from this rate continuation will partly fund a \$6m program of works over the next 6 years. The other \$3.5m will be sourced from a low interest loan from the State Government and the utilisation of Council's internal reserves.

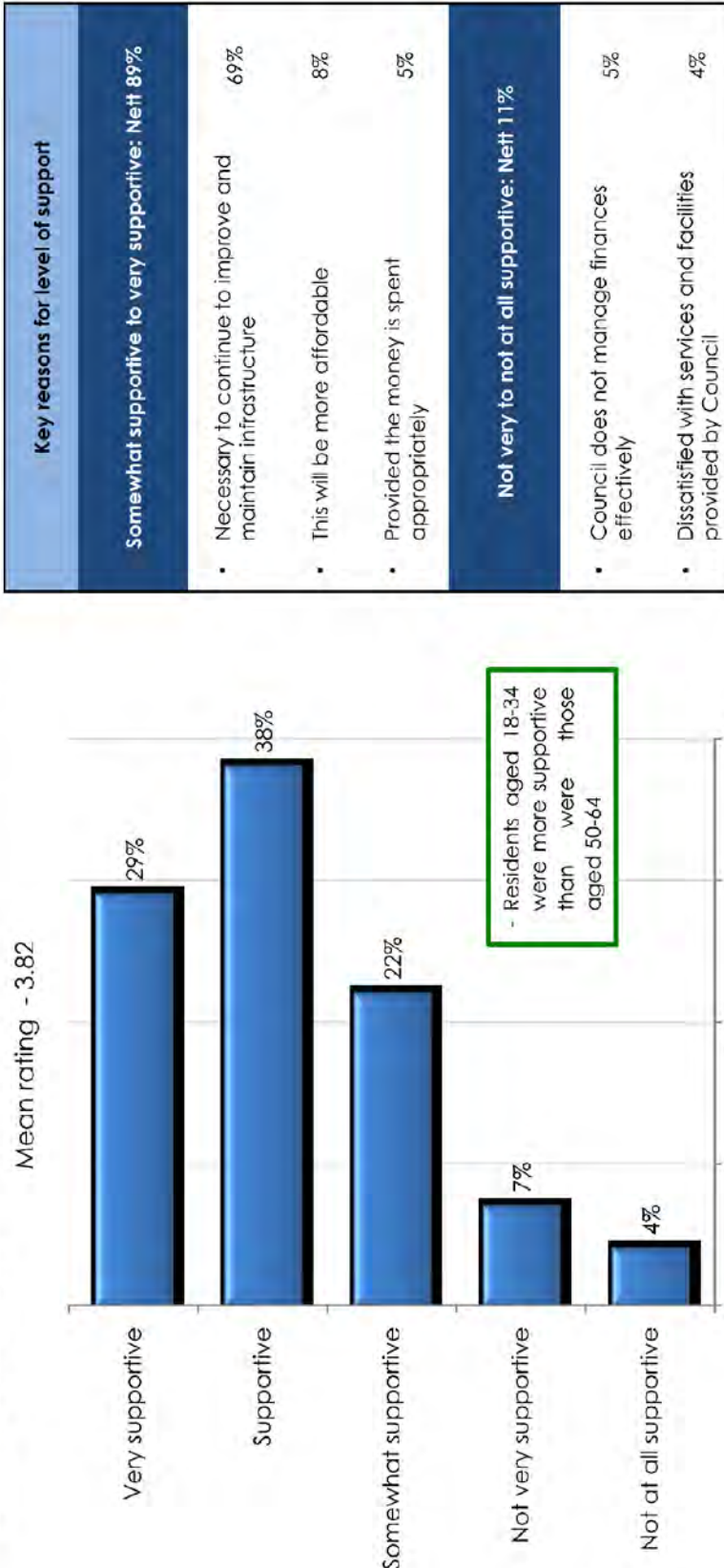
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Residents were given the opportunity to have the statement read multiple times to ensure they felt comfortable that they understood the SRV concept



Overall, 89% Of Residents Are At Least 'Somewhat Supportive' Of The Proposed 6 Year Rate Increase

Q. How supportive are you of continuing to pay the reduced Community Infrastructure Renewal Program levy to fund local infrastructure?
 Q. Why do you say that?



Base: n = 400
 Mean ratings: 1=not at all supportive, 5=very supportive

11% were 'not supportive' of the continued SRV delivery program





Residents Who Are 'Supportive' Indicated That The SRV Was Needed In Order To Improve Roads And Infrastructure In The Area

Q. How supportive are you of continuing to pay the reduced Community Infrastructure Renewal Program levy to fund local infrastructure?
 Q. Why do you say that?

Somewhat supportive to very supportive – 89%

"It is important that Council continues to upgrade infrastructure."

"Infrastructure is important in our local area and I am pleased that we as residents can contribute to this"

"The work needs to be done and this seems like a reasonable amount to pay"

"Council need these ongoing funds to maintain and upgrade existing infrastructure"

"I feel that is a reasonable amount to pay for increased infrastructure to accommodate the expanding population"

"I am a pensioner living alone and feel this amount is within my financial reach to manage"

"I am happy with the work Council has been doing to the roads and it is important this continues"

"I am supportive of the reduced rate increase as long as the money does go towards funding local infrastructure"

These funds are important to fund the much needed road improvement

I would be even more supportive if I was certain the funds were allocated correctly where needed instead of the patchiness we generally see

Not very to not at all supportive – 11%

"I don't want to pay any levies of any kind. Over the last few years rates have increased and I have stretched my budget to its limits to pay the increases"

"Council is allocated enough funds and they should be able to budget their money accordingly"

"I have requested the Council to do improvements numerous times on the main road I live on, but the roads have only become worse, so I do not see them doing anything constructive with any increases"

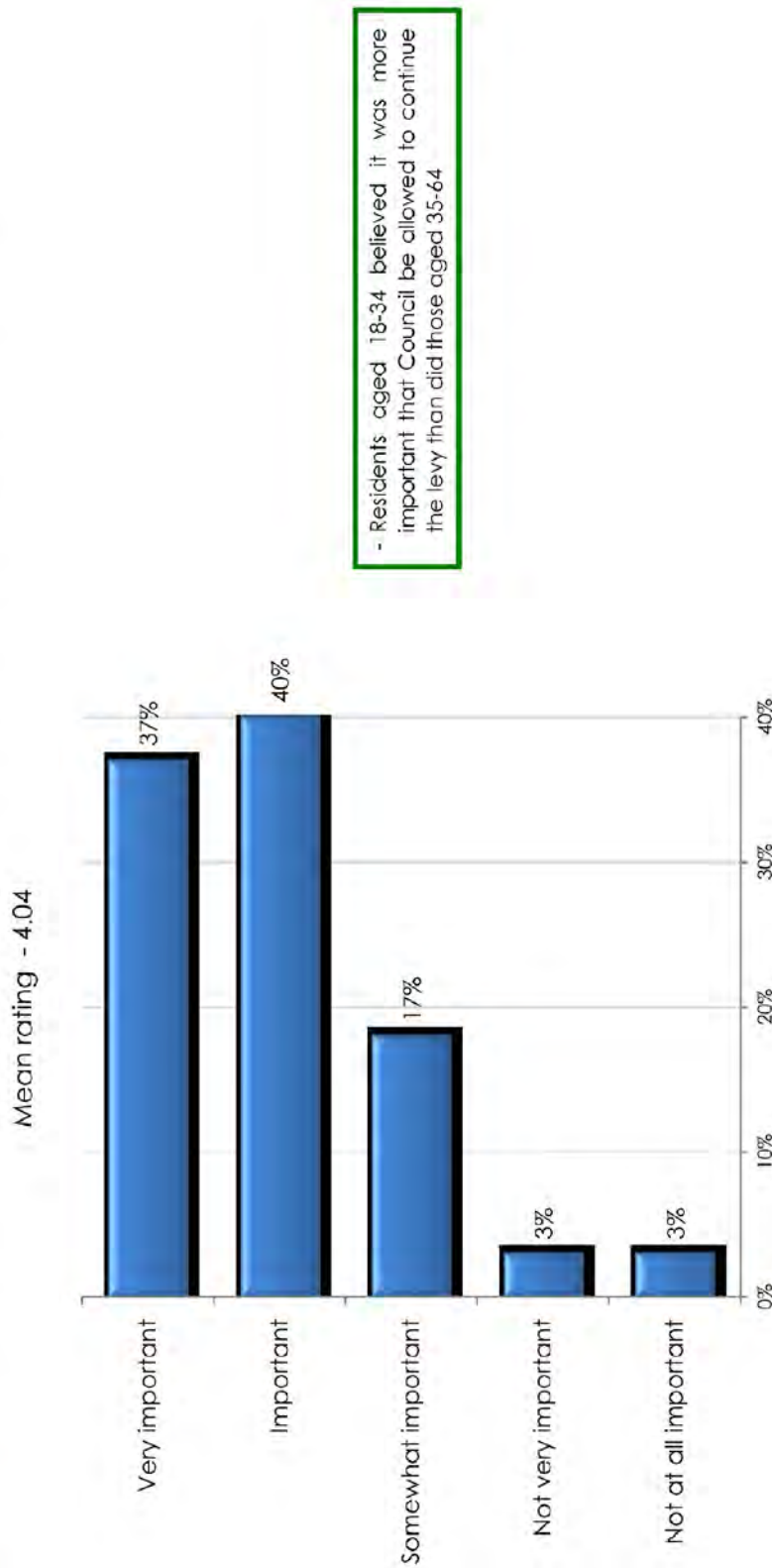
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The levy is seen to both affordable and required



94% Of Residents Believe It Is Important That Council Be Allowed To Continue This Levy

Q. Based on what you have been told, how important do you believe it is that Camden Council is allowed to continue this levy?



Base: n = 400

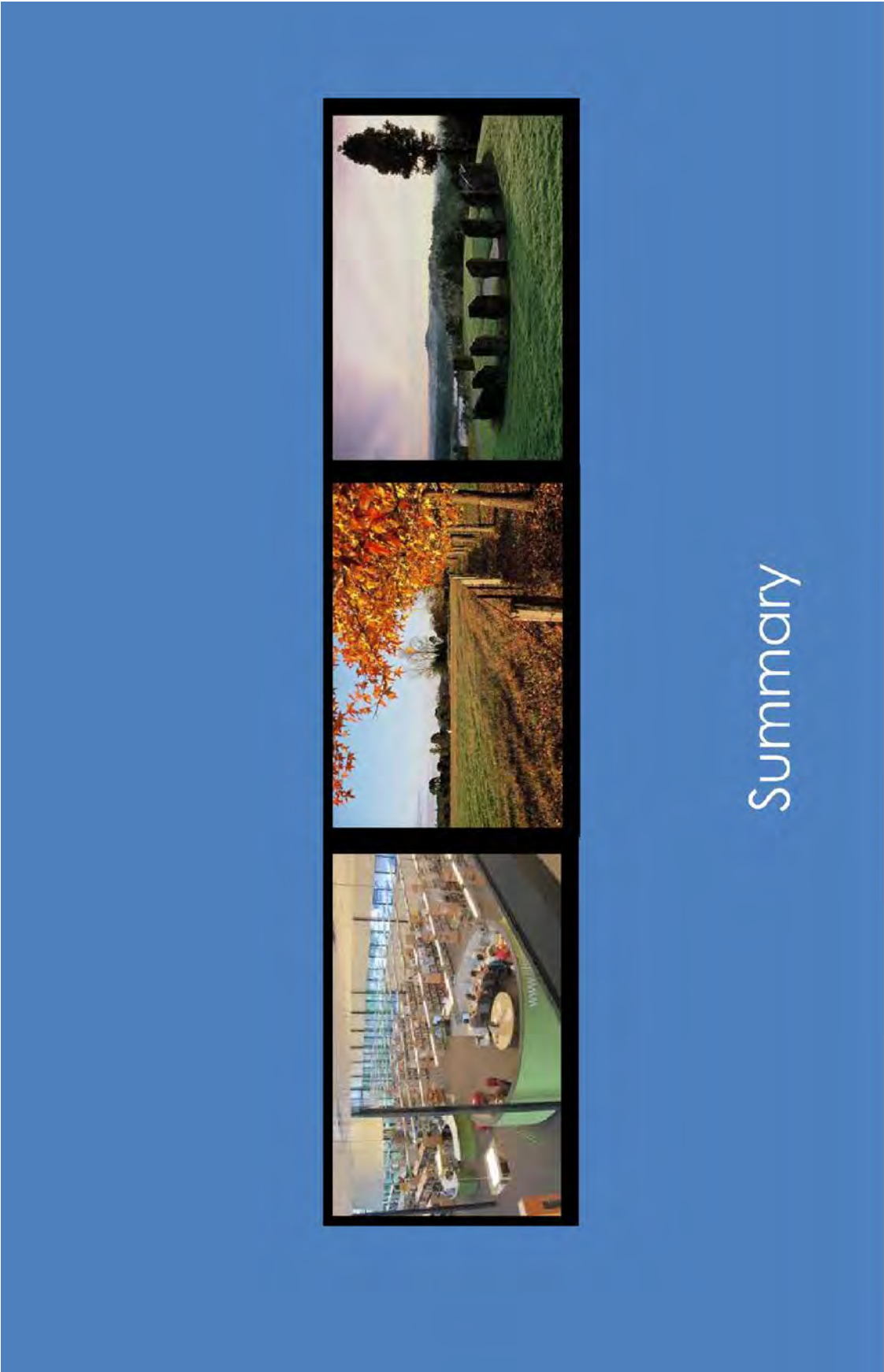
Mean ratings: 1=not at all important, 5=very important



The strong level of stated importance indicates that Council's SRV is aligned to community priorities

ORD06

Attachment 2



Summary



Summary

1. A significant number of residents support Council's application
 - 89% of residents are at least 'somewhat supportive' of Camden Council continuing the reduced special rate variation over 6 years
2. A significant number of residents believe that the continuation of the special rate variation is important for the local area
 - 94% of residents indicated that it is at least 'somewhat important' that Council be allowed to continue the special rate variation

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Attachment 2

ORD06



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ORDINARY COUNCIL

ORD07

ORD07

**SUBJECT: TENDER T008/2013 FOR CONSTRUCTION OF NARELLAN
COMMUNITY HALL REDEVELOPMENT**

FROM: Director Works & Services

BINDER: Narellan Community Hall Redevelopment Construction

PURPOSE OF REPORT

To provide details of the tenders received for contract T008/2013, being the construction of the Narellan Community Hall Redevelopment, and to recommend that Council accept the tender submitted by Momentum Built Pty Ltd.

BACKGROUND

Council resolved on 23 August 2011 to redevelop the Narellan Community Hall as a new community facility with a focus on services for children and families.

On 8 November 2011 Council approved the engagement of Suters Architects to undertake the design contract for the redevelopment of Narellan Community Hall.

Consultation sessions were held on 14 November 2011 and 20 March 2012 to seek feedback from current hirers and community groups including Camden Community Connections, Illawarra Children's Services and the neighbouring Community Health Centre. A meeting with the Narellan Scouts was also held on 22 November 2011 to discuss the concept proposal. Feedback obtained was incorporated by Suters Architects in the design.

The final design involved addition of a new single-storey extension with an area of 240m² towards Queen Street and internal alterations to the existing centre to revitalise its appearance and functionality, providing new office spaces and amenities with a focus on services for children and families.

Proposed construction works to the existing centre include:

- demolition of redundant existing building areas surrounding the existing hall;
- decommissioning and removal of the existing grease arrestor;
- groundworks, foundation works, structural steel and concrete works;
- addition of new office spaces and female and male amenities areas;
- addition of new kitchen, activity room, workrooms and stores;
- addition of new access toilet for parents, unisex staff toilet and shower;
- addition of new outdoor shade sail canopy outside the activity room;
- addition of new mirrors to the wall of existing hall for dance classes;
- addition of new acoustic panels to underside of existing purlins in existing hall;
- a new external façade;
- existing internal steel trusses in existing hall to be cleaned and re-painted;
- existing timber floor boards in existing hall to be sanded and re-sealed;
- provision of air conditioning throughout the building; and
- external works and landscape improvements along Queen Steet.

An artistic impression of the proposed facility is provided as **Attachment 1**.

MAIN REPORT

Invitation to Tender

The tender for construction of Narellan Community Hall Redevelopment was advertised in the local press, Sydney Morning Herald and the NSW e-tendering website. Tenders opened on Tuesday 29 January 2013 and closed on Monday 25 February 2013. Tenderers were asked to provide a lump sum for the proposed works as outlined in the tender documentation.

Tender Submissions

Tenders were received from companies listed below in alphabetical order:

<u>Name of Tenderer</u>	<u>Location</u>
• Artel Constructions Pty Limited	Gosford
• Axis Constructions Pty Ltd	Wetherill Park
• Batmac Constructions Pty Ltd	North Nowra
• Bermagui Constructions Pty Ltd	Artamon
• C + M Constructions Pty Ltd	Parramatta
• Castlereagh Building and Construction Pty Ltd	Newtown
• Malsave Pty Limited	Port Kembla
• Momentum Built Pty Ltd	Caringbah
• Perich Constructions (NSW) Pty Ltd	Minto
• Structum Pty Ltd	Leichhardt
• Sydney Design & Construction Pty Ltd	Gladesville

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

Tender Evaluation

The aim of the tender evaluation process is to assess the capability of the tenderer to provide the best value and quality services to Council and to recommend the preferred tenderer.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given weighting of 65% and non-price factors a weighting of 35%.

Non Price Factors considered for this project include:

- standard of submission;
- capacity including WH&S, ENV, and Company Profile;
- experience in past similar projects; and
- Construction Program.

Momentum Built Pty Ltd has provided the most competitive tender as well as meeting all requirements of Council's tender documentation. Past clients were contacted and gave positive feedback for Momentum Built Pty Ltd.

Momentum Built Pty Ltd has demonstrated a track record in delivering projects of a similar scale and nature.

The panel members all agreed that the tender by Momentum Built Pty Ltd represented the best value to Council.

Relevant Legislation

The tender has been conducted in accordance with the Local Government Act 1993, the Local Government Regulations (2005) and Council's Purchasing and Procurement Policy.

Critical Dates / Time Frames

Subject the outcome of this report, Narellan Community Hall will be closed to the public on Monday 25 March 2013. A minimum of one week will be provided after closure of the hall for operational staff to decommission the site and remove all loose items.

Momentum Built Pty Ltd will be given possession of the site on Tuesday 2 April 2013 to commence works which are scheduled to be completed by December 2013.

Users of the facility have been advised of the proposed closure and where necessary alternate arrangements for accommodating activities have been organised.

FINANCIAL IMPLICATIONS

This project is funded from Council's Camden Contributions Plan (Section 94).

There is sufficient funding available in the current adopted 2012/13 and 2013/14 Capital Works Program for this project.

CONCLUSION

Momentum Built Pty Ltd has provided a conforming tender. The tender assessment concludes that the offer by Momentum Built Pty Ltd represents best value to Council and the company has a proven track record of performance on projects of a similar nature.

RECOMMENDED

That:

- i. Council accept the construction tender provided by Momentum Built Pty Ltd for the lump sum value of \$1,274,641 (GST exclusive); and**
- ii. authority be granted for the relevant documentation to be completed under the seal of Council.**

ATTACHMENTS

1. Narellan Community Hall Photo Montage
2. List of Tenderers and Lump Sum Cost - *Supporting Document*
3. Tender Evaluation Spreadsheet - *Supporting Document*

Attachment 1
ORD07

Narellan Community Hall Photo Montage





ORDINARY COUNCIL

ORD08

ORD08

NOTICE OF MOTION OF RESCISSION

**SUBJECT: NOTICE OF MOTION OF RESCISSION - SPONSORSHIP REQUEST -
CAMDEN SHOW SOCIETY**
FROM: Cr Campbell, Cr Warren, Cr Copeland
BINDER: Notice of Motion of Rescission

We Councillors Campbell, Warren and Copeland hereby give notice of our intention to move that the Council resolution relating to Item ORD05 (Sponsorship Request – Camden Show Society) of Ordinary Council Meeting of the 26th of February 2013, Minute No ORD45/13 **BE RESCINDED**.

(Extract of Minute No ORD45/13:

“Moved Councillor Fischer, Seconded Councillor Sidgreaves that Council:

- i. decline the request; and*
- ii. advise the applicant of Council’s decision.”)*

Should the above Motion of Rescission be carried, it is our intention to move the following motion:

“That Council sponsor the promotion of the 2013 Camden Show with a \$3,000 contribution to the Camden Show Society. In the event that this funding has already been committed, \$3,000 be reimbursed to the Camden Show Society.”

ORDINARY COUNCIL

ORD09

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: Director Governance
BINDER: Closure of Meeting

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

- Purchase of land for the upgrade of Springs Road, Spring Farm - A report dealing with commercial information of a confidential nature under sections 10A(2)(c) and (d).

Council may, by resolution, allow members of the public to make representations as to whether the meeting should be closed before any part of the meeting is closed to the public. A representation by a member of the public as to whether a part of the meeting should be closed to the public can o

nly be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. That period would be limited to four minutes, in line with Council's Public Address Policy.

The meeting will only be closed during discussion of the matters directly the subject of the report and no other matters will be discussed in the closed section of the meeting.

Members of the public will be readmitted to the meeting immediately after the closed section is completed and if the Council passes a resolution during that part of the meeting that is closed to the public, the Chairperson will make the resolution public as soon as practicable after that closed part of the meeting has ended.

RECOMMENDED

That:

- i. the meeting be now closed to the media and public to discuss a report concerning commercial information of a confidential nature dealing with the purchase of land for the upgrade of Springs Road, Spring Farm in accordance with the provisions of sections 10A(2)(c) and (d) of the *Local Government Act 1993*; and**
- ii. any objections or submissions as to the closure of the meeting be now heard and be limited to a period of four minutes.**