



Camden Council

Business Paper

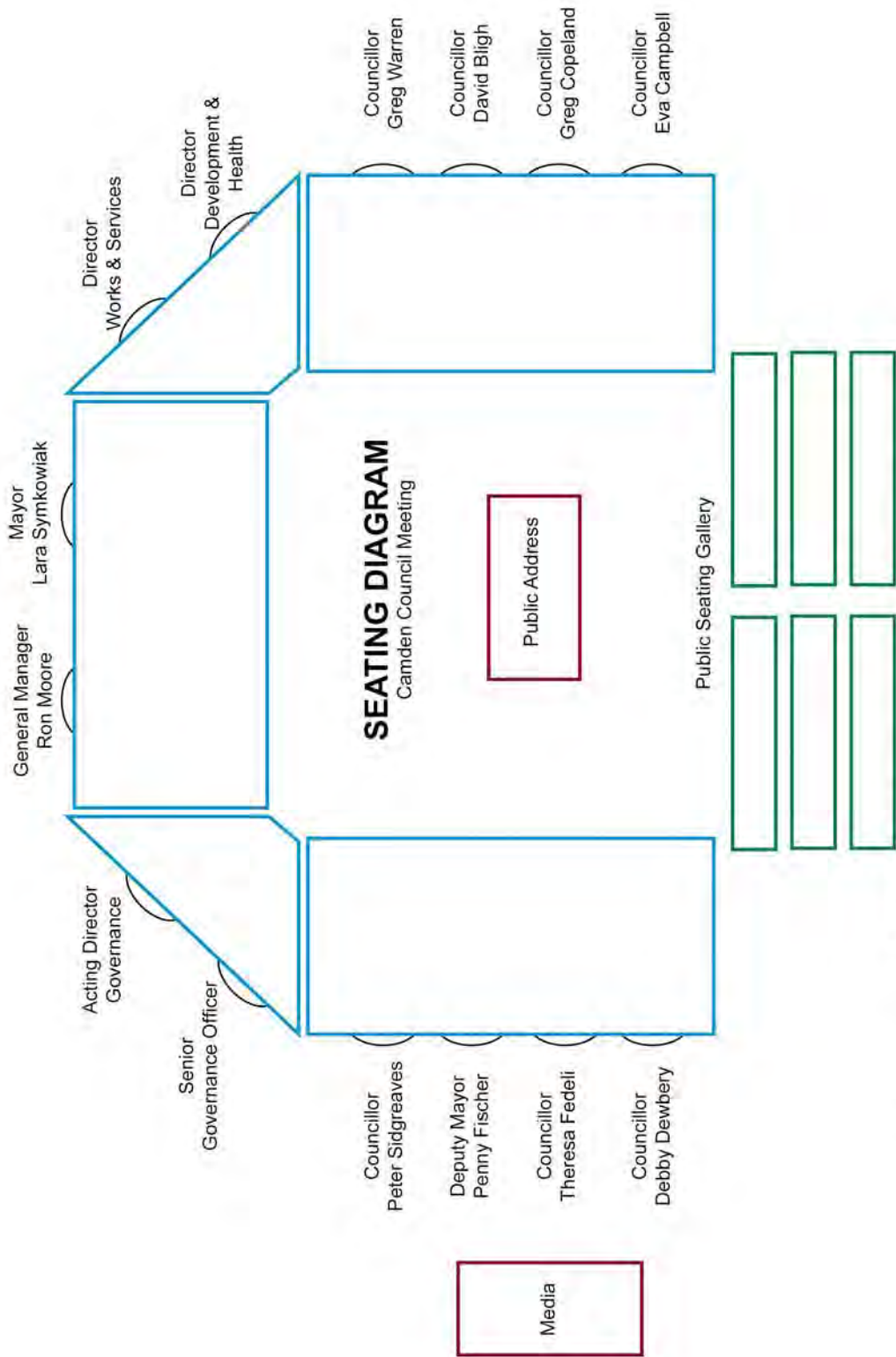
Ordinary Council Meeting
12 November 2013

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 22 October 2013 and the Local Traffic Committee Meeting held 15 October 2013.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 22 October 2013 and the Local Traffic Committee Meeting held 15 October 2013, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

Mayoral Minute

SUBJECT: MAYORAL MINUTE - PAWS IN THE PARK

FROM: The Mayor

TRIM #: 13/49978

On Sunday 20 October, the third annual **Paws in the Park** event was held at the Bicentennial Equestrian Park (BEP), Camden, with approximately 2000 people in attendance.

A total of \$2086.15 was raised from the gold coin donations, with all money raised to be utilised towards companion animal education in our local government area. Eight hundred (800) show bags containing information on responsible pet ownership and various handouts were also handed out on the day.

It was great to see dogs being registered and micro-chipped at the event. Council also ran a scan and win competition and a total of 362 dogs were scanned.

All in all, it was a fantastic day and I would like to take the opportunity to thank the sponsors for the event including:

- Royal Canin, our event partner;
- Platinum sponsors - Camden-Narellan Advertiser, Macarthur Lions Club and NSW State Government;
- Gold sponsors - Appealing Images, Bark Busters Home Dog Training, Bayer Australia Ltd, Derks Produce, Macarthur Vet Group, Pets at Peace and Sydney University;
- Silver sponsors - Aussie Pooch Mobile, Festival Hire and Vicki Patterson Chiropractic; and
- Bronze sponsors - Butterfly Wings Animal Rescue, Paws 2 Relax Animal Massage and Council's animal facility, Renbury Farm.

A special thanks also to:

- The NSW State Government Premier, the Hon. Barry O'Farrell MP, for contributing \$1,000 towards the event;
- The Hon. Don Page MP, Minister for Local Government, for visiting the BEP and helping to promote the event in the local media;
- the Macarthur Lions Club who managed the car park for the event and also cooked the BBQ;
- the Men's Shed who provided help on the day and in the lead up to the event, assisting with the setup of the walking track;
- members of the Paws in the Park Committee and Council staff who assisted both in the lead up to and on the day;
- Councillors Debby Dewbery, Peter Sidgreaves and Teresa Fedeli for their assistance on the day; and
- Chris Patterson, State Member for Camden, for running the judging competition and assisting on the day.

RECOMMENDED

That Council note the information.

ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: FINANCIAL STATEMENTS - FINANCIAL YEAR ENDING 30 JUNE 2013
FROM: Acting Director Governance
BINDER: 13/28664

The audit of Council's Financial Statements was completed by Pitcher Partners 30 October 2013.

Mr Carl Millington will attend this Council meeting to present his audit report and address Council on the financial results for the 2012/13 Financial Year.

In accordance with Section 418 of the *Local Government Act*, a copy of Council's Financial Reports has been made available to the public for inspection since 6 November 2013 at the Camden and Narellan Customer Service Centres, Libraries and Council's website. As required by Section 418, public notice of tonight's meeting appeared in the Camden Advertiser on 6 November 2013.

Under Section 420 of the *Local Government Act*, "Any person may make submissions in writing to the Council with respect to the Council's audited Financial Statements or with respect to the auditors report". Submissions must be in writing and received by Council before close of business 19 November 2013. Any submissions received are to be forwarded to Council's external auditor for comment.

A copy of the Financial Statements was distributed to Councillors on 7 November 2013 under separate cover. The Financial Reports include:

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

RECOMMENDED

That Council:

- i. resolve that a representative of Council's Auditors, Pitcher Partners, address Council on the Financial Statements and financial result for the year ending 30 June 2013;**
- ii. adopt the Financial Reports for the Financial Year ending 30 June 2013; and**
- iii. adopt the Auditor's Report for the Financial Year ending 30 June 2013.**



ORD02

ORDINARY COUNCIL

ORD02

SUBJECT: RESULT AGAINST BUDGET FOR YEAR ENDING 30 JUNE 2013
FROM: Acting Director Governance
TRIM #: 13/14802

PURPOSE OF REPORT

The purpose of this report is to inform Council of the budget result for the year ending 30 June 2013 in accordance with Part 9, Division 3, Clause 203 of the *Local Government (General) Regulation 2005*.

SUMMARY OF BUDGET POSITION

In adopting the March Review of the 2012/13 Budget, Council approved a balanced budget position.

A review of the budget as at 30 June 2013 has identified a surplus for the 2012/13 financial year of \$2,665,552. The surplus is predominately a result of the advance part-payment of the Federal Government's 2013/14 Financial Assistance Grant of \$1,336,981. It should be noted that the advance payment of the Financial Assistance Grant is already committed in 2013/14 budget.

If Council excludes the advance payment of the 2013/14 Financial Assistance Grant, the actual final budget result for 2012/13 is a surplus position of \$1,328,571. This surplus is primarily a result of staff savings due to vacant positions, savings in parks landscaping maintenance and a range of operational savings across Council's expenditure budget.

ALLOCATION OF THE 2012/13 BUDGET RESULT SURPLUS

As part of approving the 2012/13 Year-end Budget Result, it is recommended that Council approve the following transfers:

BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$2,665,552
Less: Financial Assistance Grant Advance - Transfer to Reserve	\$1,336,981	
Budget Result After Financial Assistance Grant Restriction		\$1,328,571
Capital Works Reserve - Transfer to Reserve	\$739,100	
Central Administration Building Reserve - Transfer to Reserve	\$500,000	
Asset Renewal Reserve - Transfer to Reserve	\$89,471	
Total - Allocation of Budget Surplus		\$1,328,571
2012/13 Balanced Budget Position		\$0

Upon transferring the above amounts to reserve, Council will have a balanced budget position as at 30 June 2013.

CURRENT RESERVE BALANCES

The balance of the Central Administration Building Reserve, Capital Works Reserve and Asset Renewal Reserves as at 30 June 2013 are as follows:

Central Administration Building Reserve - \$3,318,925

The Central Administration Building Reserve was established as part of the planning for a new central administration building. The proposed year-end balance of the Central Administration Building Reserve is \$3,318,925.

Since the adoption of the March Review of the 2012/13 Budget, Council has approved the following transfers from this reserve.

CENTRAL ADMINISTRATION BUILDING RESERVE	
Reserve Balance – 2012/13 March Review	\$4,136,507
2012/13 Budget Transfers	
Budget Result Funding – Loan Borrowings Delay	(\$1,300,000)
Additional Expenditure – Design & Investigation	(\$17,582)
Proposed Year End Budget Surplus Transfer	\$500,000
Balance of Central Admin Building Reserve – 30/06/13	\$3,318,925
Reserve Balance Adjustments	
Add: 2013/14 Repayment of Loan Borrowing Transfer ¹	\$1,300,000
Less: Transfer Community Infrastructure Renewal Program ²	(\$1,000,000)
Balance Available - Central Administration Building Reserve	\$3,618,925

1 - Council was advised in July that as a result of the 2012/13 loan not being drawn down before 30 June 2013, Council would need to transfer \$1,300,000 from the Administration Building Reserve to part-fund the 2012/13 budget result. Upon draw-down of the loan in July, the \$1,300,000 would be paid back to the reserve.

2 - Council was advised on the 11 June 2013 that its application to continue its Community Infrastructure Renewal Program had been approved by IPART. As part of the funding package for the \$6,000,000 works program, Council approved the transfer of \$1,000,000 from the Central Administration Building Reserve and \$500,000 from the Capital Works Reserve.

The current balance of the Administration Building Reserve has been fully committed to the 2013/14 – 2016/17 Delivery Program to assist with funding the design and preliminary costs of the new administration building. The allocation of an additional \$500,000 to this reserve will further reduce Council's reliance on loan borrowings to fund the cost of the new administration building.

Capital Works Reserve (uncommitted) - \$1,000,000

The Capital Works Reserve is predominately used to fund emergency capital works or to match grant funding as part of a capital grant funding agreement. The proposed balance available (uncommitted) of the Capital Works Reserve is \$1,000,000.

Council has approved the following transfers from the Capital Works Reserve.

CAPITAL WORKS RESERVE	
Cash Balance of Reserve as at 30 June 2013	\$2,033,803
Less: Council Approved Budget Transfers or Commitments	
2014-2019 Community Infrastructure Renewal Program	\$500,000
Harrington Park Waterbodies	\$233,000
2013/14 RMS REPAIR Program Matched Contribution	\$202,500
Replacement of Little Sandy Bridge	\$200,000
Land Purchase (Closed Council Meeting)	\$165,883
Asset Management – Drainage Truck Purchase	\$150,000
Camden West RFS Building Construction	\$135,000
Nepean River Trail Network	\$64,500
Camden Town Farm Funding Request	\$52,120
Argyle Street Pedestrian Improvements	\$39,685
RMS Road Improvements Works (12/13 Revote)	\$30,215
Uncommitted Balance - Capital Works Reserve	\$260,900
Add: Transfer to Reserve – Year End Budget Result	\$739,100
Proposed Uncommitted Balance - Capital Works Reserve	\$1,000,000

Historically, Council has maintained this reserve at \$1,000,000. Council has the discretion to allocate these funds to future capital projects including those projects unable to be funded as part of the 2013/14 – 2016/17 Delivery Program.

Asset Renewal Reserve - \$142,888

Council approved the creation of the Asset Renewal Reserve as part of adopting the 2013/14 – 2016/17 Delivery Program. Coupled with the recent approval of the continuation of the Community Infrastructure Renewal Program, the creation of this reserve further strengthens Council's ability to address the renewal of ageing community infrastructure in a timely and responsible manner.

The balance available within the Asset Renewal Reserve is made up as follows:

ASSET RENEWAL RESERVE	
Reserve Balance – 2012/13 March Review	\$53,417
2012/13 Budget Transfers	
Proposed Year End Budget Surplus Transfer	\$89,471
Balance of Asset Renewal Reserve – 30/06/13	\$142,888
Reserve Balance Adjustments	
Add: 2013/14 – 2016/17 Delivery Program Funding	\$698,800
Projected Reserve Balance	\$841,688

Funds from this reserve should only be used for the replacement and/or maintenance of existing assets. The reserve should not be used for asset upgrades, the building of new assets or for operational purposes.

MAIN REPORT- RESULTS AGAINST BUDGET 30 JUNE 2013

Further information and explanation of the surplus for 2012/13 is detailed below:

MAJOR VARIATIONS TO BUDGET

Variations between the adoption of the March Review for 2012/13 and the final budget result for 2012/13 (excluding the advance payment of the Financial Assistance Grant) led to a surplus of \$1,328,571. A list of the variations (greater than \$15,000) is provided in the following table. Brief explanations follow the table.

RESULT AGAINST BUDGET - YEAR ENDING 30 JUNE 2013 SIGNIFICANT VARIATIONS	Budget Impact Increase / (Decrease)
EXPENDITURE ADJUSTMENTS	
Note: Increase in expenditure is a decrease in working funds	
Savings in expenditure is an increase in working funds	
1. Corporate Salaries Staff Vacancies Savings	\$341,384
2. Parks Landscaping Maintenance Expense Savings	\$263,923
3. Corporate Salaries DAAF Program Savings	\$117,000
4. Management Executive Divisional Expenses Savings	\$100,296
5. Camden Memorial Pool Defects Expense Increase	(\$75,366)
6. Carbon Tax Provision Expense Savings	\$50,900
7. Parks & Gardens Utility Expense Savings	\$47,991
8. Council Properties Building Maintenance Increase	(\$45,483)
9. Corporate Salaries & Allowances Savings	\$45,220
10. Parks & Gardens Planned Maintenance Savings	\$44,300
11. Development Services Operational Expenses Savings	\$38,236
12. Rural Fire Service Operational Expenses Savings	\$36,217
13. Corporate Banking & Financial Charges Savings	\$31,787
14. Strategic Property Matters Expense Savings	\$30,625
15. Corporate Training & Professional Development Savings	\$27,953
16. Workers Compensation Premium Expense Savings	\$25,998
17. Asset Management - Asset Revaluations Savings	\$24,700
18. Bus Stop DDA Compliance Works Expense Increase	(\$21,793)
19. Councillors Training & Development Expense Savings	\$19,400
20. Environment & Health Operational Expense Savings	\$19,305
21. Camden Bypass Batter Stabilisation Expense Savings	\$17,010
Variations under \$15,000 - Various Savings	\$46,911

ORD02

Sub Total - Expenditure Variations	\$1,186,514
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RESULT AGAINST BUDGET - YEAR ENDING 30 JUNE 2013 SIGNIFICANT VARIATIONS (Continued)	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: Increase in income is an increase in working funds	
Shortfall in income is a decrease in working funds	
22. 2012/13 Reduction in Loan Borrowings Shortfall	(\$300,000)
23. Corporate Management Rates Income Increase	\$135,257
24. Capital Works Staffing Transfer (Section 94) Increase	\$70,682
25. Corporate Interest on Overdue Rates Income Increase	\$34,187
26. Section 603 Certificate Income Increase	\$28,108
27. Environment & Health Operational Income Increase	\$27,162
28. Asset Management Equipment Hire Income Increase	\$18,791
29. Health Services Foodshop Inspections Income Increase	\$17,930
30. Development Fees & Charges Income Increase	\$16,023
Variations under \$15,000 - Various Increases	\$93,917
Sub Total - Income Variations	\$142,057
TOTAL - SIGNIFICANT VARIATIONS TO BUDGET	\$1,328,571

1. Corporate Salaries Staff Vacancies – Decrease in Expense of \$341,384

Savings have been identified as a result of vacancies within Council's existing staff structure. Recruitment has commenced for a number of the positions and they are expected to be filled during the 2013/14 financial year.

2. Parks Landscaping Maintenance Expense – Decrease in Expense of \$263,923

Council officers have recently undertaken a review of landscape and garden maintenance throughout the Camden LGA. The review identified several major benefits in returning the maintenance of landscaped areas to Council's day-labour force. Subsequent to this review, Council did not renew its landscape maintenance contract which expired in February. It has taken a number of months to establish the landscaping maintenance crew which will now be responsible for works previously covered under the contract. This has resulted in significant savings to the 2012/13 budget. It is not expected that this saving will be recurrent.

3. Corporate Salaries DAAF Scheme – Decrease in Expense of \$117,000

In 2011, Council secured \$2 million from the NSW Department of Planning as part of the pilot program "Development Assessment Acceleration Fund". The program was used to employ additional staff for the purpose of expediting development approvals, and to also undertake a number of reviews of Council's development policies and practices. It was anticipated that the funding available under this scheme for staffing would be exhausted by March 2013. The 2012/13 budget subsequently included funding from general fund for one quarter (April - June) for the continued employment of those permanent staff.

As a result of vacancies and the timing of replacing staff, funding available under the scheme was able to cover the cost of these staff up to 30 June 2013. This has resulted in savings to General Fund as the allocation provided for the fourth quarter was not required.

4. Management Executive Divisional Expenses – Decrease in Expense of \$100,296

An annual allocation is provided to each of Council's Directorates to fund unexpected works, staffing shortfalls, specialised training and professional development. This program has been prudently used during the 2012/13 financial year resulting in savings to the budget.

5. Camden Memorial Pool Defects Expense – Increase in Expense of \$75,366

These costs relate to legal proceedings associated with the redevelopment of the Camden Memorial Pool. Councillors have been provided with regular updates and briefings regarding this matter.

6. Carbon Tax Provision Expense – Decrease in Expense of \$50,900

As part of the adoption of the 2012/13 budget, Council was advised that a provision of \$155,300 had been established for the impact of the introduction of the carbon price on Council's expenditure budget. As part of the September review of the 2012/13 budget, a review of price increases as of 1 July 2012 for street lighting and major sites electricity charges identified an increase of \$104,400 which could be directly attributed to the introduction of the carbon price.

Since September, no subsequent increases have been clearly identified and attributed to the introduction of the Carbon Tax. This has resulted in savings to the budget of \$50,900. The recently elected Coalition Government has stated that it intends to repeal the carbon tax by 1 July 2014. Council officers will closely monitor the impact this will have on Council's budget.

7. Parks & Gardens Utility Expense – Decrease in Expense of \$47,991

The 2012/13 original budget included total expenditure for parks and gardens utility (electricity & water) expenses of \$274,200. Actual expenditure for the year was \$226,209 resulting in savings of \$47,991. The savings is primarily a result of reduced consumption at both sportsfields and passive recreation areas.

8. Council Properties Building Maintenance Expense – Increase in Expense of \$45,483

Maintenance and utility expenses for Council owned buildings has exceeded budget projections. This increase is primarily a result of additional reactive maintenance required in community facilities buildings, additional security costs and a range of minor expenditure increases across Council's properties.

9. Corporate Salaries & Allowances Expense – Decrease in Expense of \$45,220

A range of minor adjustments have been required to salary estimates at year-end resulting in a saving to the budget. The savings are primarily a result of new staff employed at the entry level salary which is lower than the previous position holder.

10. Parks & Gardens Planned Maintenance Expense – Decrease in Expense of \$44,300

Council undertakes a routine maintenance program of parks and gardens through its day-labour force. There have been a range of savings in parks maintenance programs including mowing maintenance, sportsfield maintenance and general parks maintenance expenditure.

11. Development Services Operational Expenses – Decrease in Expense of \$38,236

Discretionary expenditure relating to Council's development function was less than expected during the 2012/13 financial year, resulting in savings when compared against budget.

12. Rural Fire Service Operational Expenses – Decrease in Expense of \$36,217

Savings have been realised within the Rural Fire Services budget primarily as a result of less than expected vehicle and building maintenance during 2012/13.

13. Corporate Banking & Financial Charges – Decrease in Expense of \$31,787

Banking and financial charges were lower than budget projections. The savings is primarily a result of Council entering into a new banking tender at the beginning of 2012/13.

14. Strategic Property Matters Expense – Decrease in Expense of \$30,625

External advice on general property matters were below budget expectations during the 2012/13 financial year, resulting in savings to the budget.

15. Corporate Training & Professional Development – Decrease in Expense of \$27,953

Council has achieved savings in its staff professional development program during 2012/13. These savings primarily relate to corporate training, department specific training and educational assistance programs offered to employees.

16. Workers Compensation Premium Expense – Decrease in Expense of \$25,998

Council's final Workers Compensation premium calculation is lower than budget projections. Council's premium is based on a number of external and Council specific performance factors. This decrease represents 2.40% of the total workers compensation premium paid for 2012/13.

17. Asset Management Asset Revaluations – Decrease in Expense of \$24,700

Council undertakes a revaluation of its asset infrastructure on a 5-year cycle. During 2012/13 Council was required to revalue its buildings and operational land. The revaluation has now been completed at a significantly lower cost than previously expected.

18. Bus Stop DDA Compliance Works Expense – Increase in Expense of \$21,793

As part of the 2011/12 budget, Council approved a four year improvement program for bus stops to comply with the Disability and Discrimination Act. Works completed during 2012/13 were higher than budget projections primarily due to site preparation costs across multiple locations.

19. Councillors Training & Development Expense – Decrease in Expense of \$19,400

This allocation was not utilised during the 2012/13 financial year resulting in a saving to the budget.

20. Environment & Health Operational Expense – Decrease in Expense of \$19,305

Discretionary expenditure relating to Council's environment & health function was less than expected during the 2012/13 financial year, resulting in savings when compared against budget.

21. Camden Bypass Batter Stabilisation Expense – Decrease in Expense of \$17,010

Council was advised at the March Review of the 2012/13 budget that further investigations of this site had confirmed that the stabilisation issues were in fact isolated to a smaller area than originally identified and that the other areas were in a satisfactory condition. The works have now been completed, with further savings to the budget of \$17,010.

22. 2012/13 Loan Borrowings Income – Decrease in Income of \$300,000

Council's adopted 2012/13 budget included loan borrowings of \$1.6 million. A subsequent review of the level of loan borrowings required for 2012/13 was undertaken in June 2013 and it was determined that the funding required could be reduced to \$1.3 million, with sufficient funding available at year-end to fund the \$300,000 shortfall in revenue. This matter was reported to Council on the 25 June 2013. The reduction in loan borrowings will realise an interest and principal saving of \$414,000 over the life of the loan.

23. Corporate Management Rates Income – Increase in Income of \$135,257

Supplementary rate income is received upon the re-zoning or subdivision of land. It is additional rate income to the amount levied at the beginning of the financial year. The increase in rate income realised during the fourth quarter of 2012/13 is primarily due to new lots created through subdivisions in the Spring Farm, Elderslie, Oran Park and Gregory Hills land release areas.

24. Capital Works Staffing Transfer (Section 94) – Increase in Income of \$70,682

Council's capital works program is primarily project-managed by the Capital Works department. Council's capital works program contains works funded from general fund, external grants, internal reserves and Section 94 developer contributions.

When Section 94 works are project managed, Council is entitled to recoup the project management costs (staffing costs) from the relevant contributions plan. During 2012/13, Council's Capital Works section project-managed a greater amount of Section 94 works than originally projected. This has resulted in a higher than expected claim from Section 94 reserves to General Fund.

25. Corporate Interest on Overdue Rates Income – Increase in Income of \$34,187

Interest on overdue rates reflects an increase in the current level of overdue rates compared to the original budget projections. The increase is predominately a result of the natural increase in Council's rating base and that some ratepayers are finding it more difficult to pay their rates on time.

26. Section 603 Certificate Income – Increase in Income of \$28,108

Income from processing Section 603 Certificate applications exceeded budget expectations. The increase in Section 603 Certificate income represents the influx of applications generated by the continued development activity in new release areas within the LGA.

27. Environment & Health Operational Income – Increase in Income of \$27,162

There are a number of revenue allocations which sit under the Environment & Health function which have exceeded budget expectations. This includes revenue from septic tank applications, animal registration commission income and health notices income.

28. Asset Management Equipment Hire Income – Increase in Income of \$18,791

During 2012/13, Council has negotiated hire arrangements for the use of equipment owned by Council (such as water barrier containers) by private contractors. These hire

arrangements have resulted in higher than expected revenue from works activities for the 2012/13 financial year.

29. Health Services Foodshop Inspections Income – Increase in Income of \$17,930

Income from foodshop inspections exceeded budget expectations for 2012/13. This income represents the administration and processing fee associated with Council officers undertaking inspections under the Food Act 2003.

30. Development Fees & Charges Income – Increase in Income of \$16,023

Development fees and charges income exceeded budget expectations for the fourth quarter of 2012/13. This increase in income represents a 0.4% in total development income for 2012/13 and relates to ongoing subdivision and development activity within the Oran Park, Gregory Hills, Spring Farm and Elderslie areas.

MOUNT ANNAN LEISURE CENTRE & CAMDEN MEMORIAL POOL

Mount Annan Leisure Centre

The agreed budget position between Council and the YMCA for the Mount Annan Leisure Centre for 2012/13 was a projected surplus of \$163,006. The final actual "operating" surplus for the centre was \$170,214, an increase in the projected surplus of \$7,208.

The centre has increased its annual turnover in 2012/13 to \$3,555,865, representing an increase in turnover from 2011/12 of approx. \$200,000. The increase in turnover is primarily a result of an increase in aquatic education income from \$745,000 in 2011/12 to \$989,000 in 2012/13. Similarly, recreational swimming income increased by \$30,000 over the same period.

In accordance with the risk/reward sharing provisions within the operating contract for the Leisure Centre, Council is required to share 50% of any financial improvement against the agreed budget position. Council is required to pay the contractor \$3,604. Under the current agreement, the YMCA is required to invest their share back into the community through either incentive programs or capital purchases at the centre.

Camden Memorial Pool

The agreed budget position between Council and the YMCA for the Camden Memorial Pool for 2012/13 was a projected deficit of \$202,935. The final actual "operating" deficit for the centre was \$198,688, a decrease in the projected deficit of \$4,247.

The pool's actual revenue over the 2012/13 season was \$251,808, which was an increase of \$6,512 against original budget projections. Expenses were also contained at \$450,496, being slightly over budget by \$2,265. Attendances over the season were strong, with the largest proportion of attendances from recreational swimming.

In accordance with the risk/reward sharing provisions within the operating contract for the Camden Memorial Pool, Council is required to share 50% of any financial improvement against the agreed budget position. Council is required to pay the contractor \$2,123.50. Under the current agreement, the YMCA is required to invest their share back into the community through either incentive programs or capital purchases at the centre.

POOL STATISTICS – 2012/13	MALC	Camden Pool
Total Attendance	356,206	51,887
Total Income	\$3,555,865	\$251,808
Total Expenses	\$3,385,651	\$450,496
Actual Surplus / (Deficit)	\$170,214	(\$198,688)
Adopted Budget Surplus / (Deficit)	\$163,006	(\$202,935)
Budget Variation	\$7,208	\$4,247
Profit Share (50% Surplus)	\$3,604.00	\$2,123.50
Income per Attendance	\$9.98	\$4.85
Expense per Attendance	\$9.50	\$8.68
Operating Surplus / (Subsidy) Per Attendance	\$0.48	(\$3.83)

AUTHORISED VARIATIONS

Council has authorised three (3) budget variations since the adoption of the March Review of the 2012/13 budget.

COUNCIL APPROVED VARIATIONS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Woodsmoke Reduction & Education Program Council Resolution 86/13 - 09/04/2013	\$59,996	\$59,996	\$0
Macarthur Park Rotunda Repairs Camden Civic Centre - Air-conditioning Repairs Tourism Services Infrastructure Budget Parks & Gardens Equipment Renewal Council Resolution 83/13 - 09/04/2013	\$58,900 (\$25,000) (\$15,000) (\$18,900)	\$0	\$0
Land Purchase (Closed Council Meeting) Council Resolution CC05/13 - 28/05/2013	\$16,400	\$16,400	\$0
TOTAL - COUNCIL APPROVED VARIATIONS	\$76,396	\$76,396	\$0

CONTRA ADJUSTMENTS

This section deals with all offsetting adjustments between income and expenditure or a transfer of funds between allocations. These adjustments have no impact on Council's projected budget result as both movements of income and expenditure are of equal value.

During the period 1 April 2013 to 30 June 2013, a number of contra adjustments have taken place amounting to a total of \$5,101,161 (an increase in both income and expenditure). A detailed list of these adjustments has been **included as a supporting document in the business paper.**

EXPENDITURE REVOTES

Council at its meeting 27 August 2013 resolved to revote a list of expenditure items from the 2012/13 budget to the 2013/14 budget. For information purposes only a summary of the approved expenditure revotes is shown in the following table:

EXPENDITURE REVOTES (SOURCE OF FUNDS)	Revotes Approved to March 2013	Additional Revotes Approved June 2013	Actual Year-end Revote
Section 94 Contributions	\$7,009,245	\$835,220	\$7,844,465
External Grant Funding	\$634,902	\$106,433	\$741,335
Internal Reserves	\$945,325	\$1,378,093	\$2,323,418
Waste Management	\$47,006	\$38,612	\$85,618
General Revenue (i.e. Council Funds)	\$627,098	\$774,409	\$1,401,507
DOP Loan (Lodges Road)	\$0	\$271,367	\$271,367
Other Sources	\$157,500	\$822,710	\$980,210
TOTAL EXPENDITURE REVOTES	\$9,421,076	\$4,226,844	\$13,647,920

UNFUNDED WORKS AND SERVICES LIST

As part of the adoption of the 2013/14 – 2016/17 Delivery Program, Council endorsed the unfunded works and services list. This list identifies works or services that Council is unable to fund or commence at this point in time. Items are added or deleted from the list via Council reports or by Council officers as a result of Councillor or community feedback.

There were no adjustments made to the Unfunded Works and Services List during the 4th quarter of 2012/13. A copy of the list has been included as a **supporting document in the business paper**.

CONSOLIDATED WARD FUNDS

The following table is provided to inform Councillors of the final budget result of consolidated ward funds, and where funds have been spent in the 2012/13 financial year.

CONSOLIDATED WARD FUNDS	
TOTAL FUNDS AVAILABLE	\$30,000
PROJECTS FUNDED IN 2012/13	
Donation – Relay for Life (Camden Rotary) Council Resolution 129/12 – 12/06/2012	\$1,800
Donation – Goulburn to Camden Classic Council Resolution 190/12 – 14/08/2012	\$639
Mets Baseball Club – Fee Waiver Council Resolution 203/12 – 28/08/2012	\$852

CONSOLIDATED WARD FUNDS (Continued)	
Camden Athletics Club – Fee Waiver Council Resolution 274/12 - 13/11/2012	\$269
Camden Show Society - Donation Council Resolution 295/12 - 27/11/2012	\$3,000
Macarthur Lions ANZAC Fun Run 2013 Council Resolution 321/12 - 11/12/2012	\$3,000
Rotary Club of Narellan – Fee Refund Council Resolution 80/13 – 9/04/2013	\$2,223
Kids of Macarthur - Sponsorship Council Resolution 110/13 – 14/05/2013	\$1,000
Relay for Life - Council Donation Council Resolution 136/13 - 11/06/2013	\$500
Light Up Camden Event - Sponsorship Council Resolution 150/13 - 25/06/2013	\$5,000
TOTAL PROJECTS FUNDED IN 2012/13	\$18,283
Remaining Balance Revoted to 2013/Budget Council Resolution 217/13 - 27/08/2013	\$11,717
BALANCE OF CONSOLIDATED WARD FUNDS 30 JUNE 2013	\$0

SUMMARY OF YEAR END RESULTS AGAINST BUDGET

The following table is a summary of budget adjustments up to 30 June 2013.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2011/12 Carried Forward Working Funds Balance			\$1,000,000
2012/13 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
Total Available Working Funds 01/07/2012			\$0
2012/13 September Review Adjustments	\$3,363,495	\$3,363,495	\$0
2012/13 December Review Adjustments	\$2,244,192	\$2,244,192	\$0
2012/13 March Review Adjustments	(\$6,425,144)	(\$6,425,144)	\$0
Total Available Working Funds as at 31/03/2013			\$0
2012/13 June Review Adjustments			
Significant Variations	(\$1,186,514)	\$142,057	\$1,328,571
Authorised Variations	\$76,396	\$76,396	\$0
Contra Adjustments	\$5,101,161	\$5,101,161	\$0
Revotes (Budget Carry-Overs)	(\$3,352,228)	(\$3,352,228)	\$0
Total - June Review Adjustments	\$638,815	\$1,967,386	\$1,328,571
TOTAL AVAILABLE WORKING FUNDS			\$1,328,571

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulations 2005*:

It is my opinion that the Year-end Budget Result for Camden Council for the period ending 30 June 2013 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.

CONCLUSION

Council has prudently managed its budget during the 2012/13 financial year realising significant savings in expenditure. The savings are further enhanced by Council being able to reduce its reliance on loan borrowings, saving \$414,000 in principal and interest repayments over the life of the loan.

The proposed transfers to reserve ensure that Council's liquidity position remains strong and funds remain available for emergency works, asset renewal and the design of Council's new administration building.

RECOMMENDED

That Council:

- i. endorse the budget variations contained within this report;
- ii. authorise the following reserve movements, as identified in the table below;

BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$2,665,552
Less: Financial Assistance Grant Advance - Transfer to Reserve	\$1,336,981	
Budget Result After Financial Assistance Grant Restriction		\$1,328,571
Capital Works Reserve - Transfer to Reserve	\$739,100	
Central Administration Building Reserve - Transfer to Reserve	\$500,000	
Asset Renewal Reserve - Transfer to Reserve	\$89,471	
Total - Allocation of Budget Surplus		\$1,328,571
2012/13 Balanced Budget Position		\$0

ATTACHMENTS

- 1. Unfunded Works & Services List - *Supporting Document*
- 2. Budget Appendix - *Supporting Document*

ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: SUBDIVISION TO CREATE 4 RESIDENTIAL LOTS AND 1 RESIDUE LOT, 184 RABY ROAD, GLEDSDOOD HILLS
FROM: Director, Development & Health
TRIM #: 13/52266

APPLICATION NO: 332/2013
PROPOSAL: Subdivision to create 4 residential lots and 1 residue lot
PROPERTY ADDRESS: 184 Raby Road, Gledswood Hills
PROPERTY DESCRIPTION: Lot 2, DP 260703 and Lots 1, 2, 3 and 4 and common property in SP 36786
ZONING: R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, RE2 Private Recreation and RU2 Rural Landscape
OWNER: Samuel, Frank and Maria Galluzzo, Diamonte Pty Ltd and Vincenzo and Elizabeth Pisciueneri
APPLICANT: Samuel Galuzzo C/O SJB Planning

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a subdivision to create 4 residential lots and 1 residue lot at 184 Raby Road, Gledswood Hills.

The DA is referred to Council for determination due to a variation to Camden Local Environmental Plan 2010 (LEP).

SUMMARY OF RECOMMENDATION

That Council determine DA 332/2013 for a subdivision to create 4 residential lots and 1 residue lot 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 a subdivision to create 4 residential lots and 1 residue lot at 184 Raby Road, Gledswood Hills.

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 in accordance with Camden Development Control Plan 2011 for a period of 14 days. No submissions were received.

The applicant proposes a variation to the minimum lot size development standard stipulated by Clause 4.1 of the LEP. A 40ha minimum lot size applies to part of proposed lot 5. Council staff have assessed this LEP variation and recommend that it be supported.

As the entire site has an area of 39.7ha it is not possible for a subdivision to be carried out in accordance with the recent residential rezoning of the site without varying this development standard. The proposed subdivision is consistent with the objectives of the applicable zones and with Camden Development Control Plan 2011.

On 9 July 2013, Council endorsed a planning proposal (Amendment No. 28 – “El Caballo Blanco/Gledswood”) which will insert a new clause into the LEP which specifically excludes the RE2 zoned portion of this site from the 40ha minimum lot size development standard. This would allow the proposed subdivision to be approved with no variation. The amendment is currently with Parliamentary Counsel and is expected to be gazetted shortly.

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 is commonly known as 184 Raby Road, Gledswood Hills and is legally described as lot 2, DP 260703 and lots 1, 2, 3 and 4 and common property in SP 36786. The site comprises a large, Torrens title lot overlaid with 4 strata title lots and common property which were approved in 1989.

The site is accessed from Raby Road to the north-west via an existing driveway subject to a right of carriageway (approximately 850m long) over the adjoining property of 182 Raby Road. The site has a width of approximately 400m, a depth of approximately 700m and an overall area of 39.7ha.

The site currently accommodates 2 existing two storey dwellings with landscaped grounds and 4 dams. The majority of the site is characterised by open grassland with scattered stands of mature trees. The site is burdened by 2 electricity transmission lines and easements.

The surrounding properties are characterised by a mixture of rural, recreational and residential land uses, including the Macarthur Grange golf course to the east and rural residential properties to the south. The former El Caballo Blanco site and the developing residential suburb of Gledswood Hills exist to the south west and the western boundary of the site adjoins the Sydney Catchment Authority upper canal. Camden Lakeside Golf Club lies to the north-west and the proposed urban release area of Emerald Hills is located on the northern side of Raby Road.

HISTORY

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

Date	Development
13 October 1989	Lots 1, 2, 3 and 4 and common property in Strata Plan 36786 are registered

On 22 March 2013 the site was rezoned from RU2 Rural Landscape to a mix of R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, RE2 Private Recreation and RU2 Rural Landscape.

The landowner has entered into a voluntary planning agreement (VPA) with Council and the landowners of other surrounding sites including the Gledswood Homestead, former El Caballo Blanco and Camden Lakeside properties. The VPA requires specific infrastructure to be provided to these sites including vegetation and water cycle management, an 18 hole golf course, 2 local parks, bridges, roads and cycle paths, land dedicated for public facilities and monetary contributions for each lot. The area will eventually accommodate up to 860 new residential lots.

THE PROPOSAL

DA 332/2013 seeks approval for a subdivision to create 4 residential lots and 1 residue lot.

Specifically the proposed development involves:

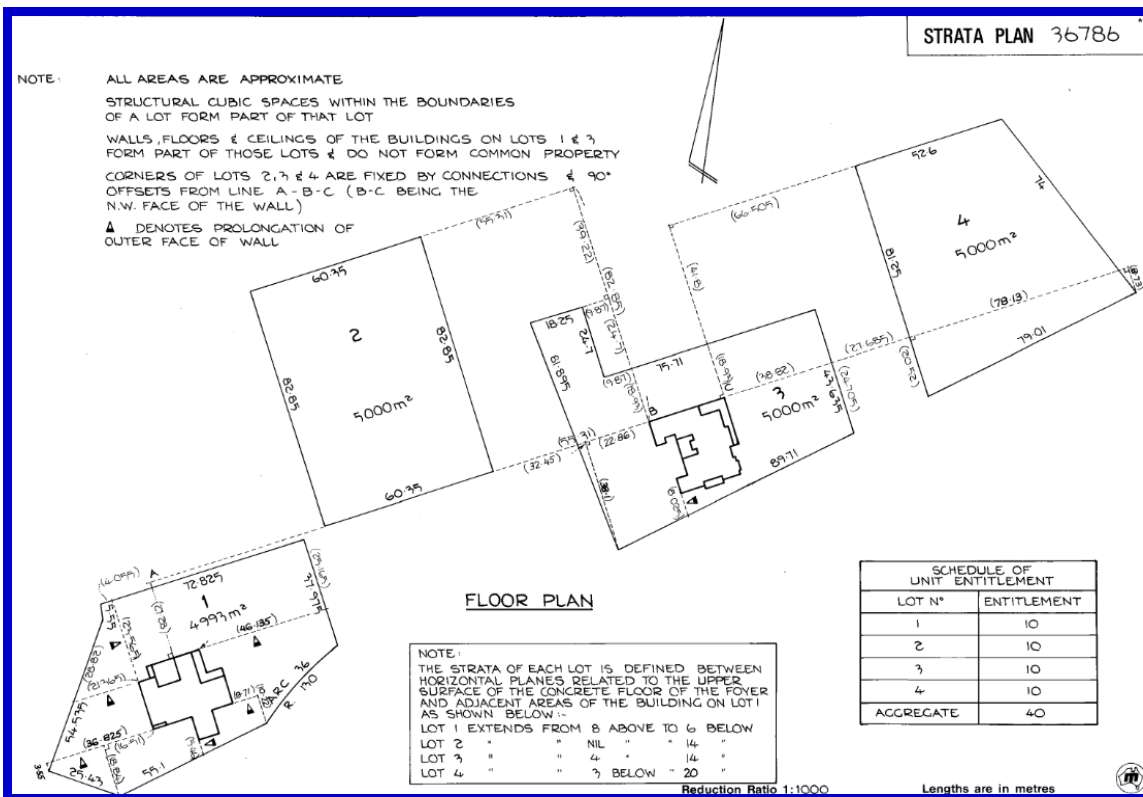
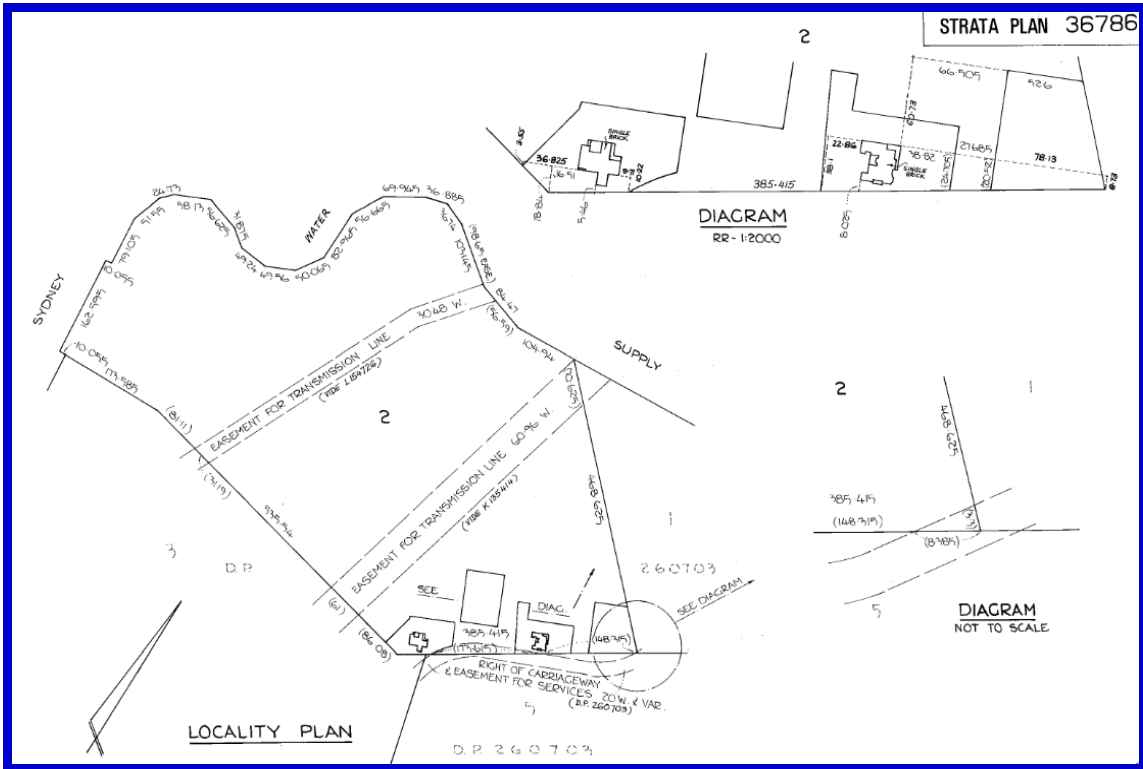
- extinguishment of strata lots 1-4 (inclusive) and common property in SP 36786; and
- subdivision to create 4 residential lots (proposed lots 1, 2, 3 and 4) and 1 residue lot (proposed lot 5). Each residential lot will have an area of 7,662m² and will be similar in configuration to the 4 existing strata lots (except larger). The residue lot will have an area of 36.9ha.

There are no physical works proposed by this DA as the subdivision is for administrative purposes only.

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

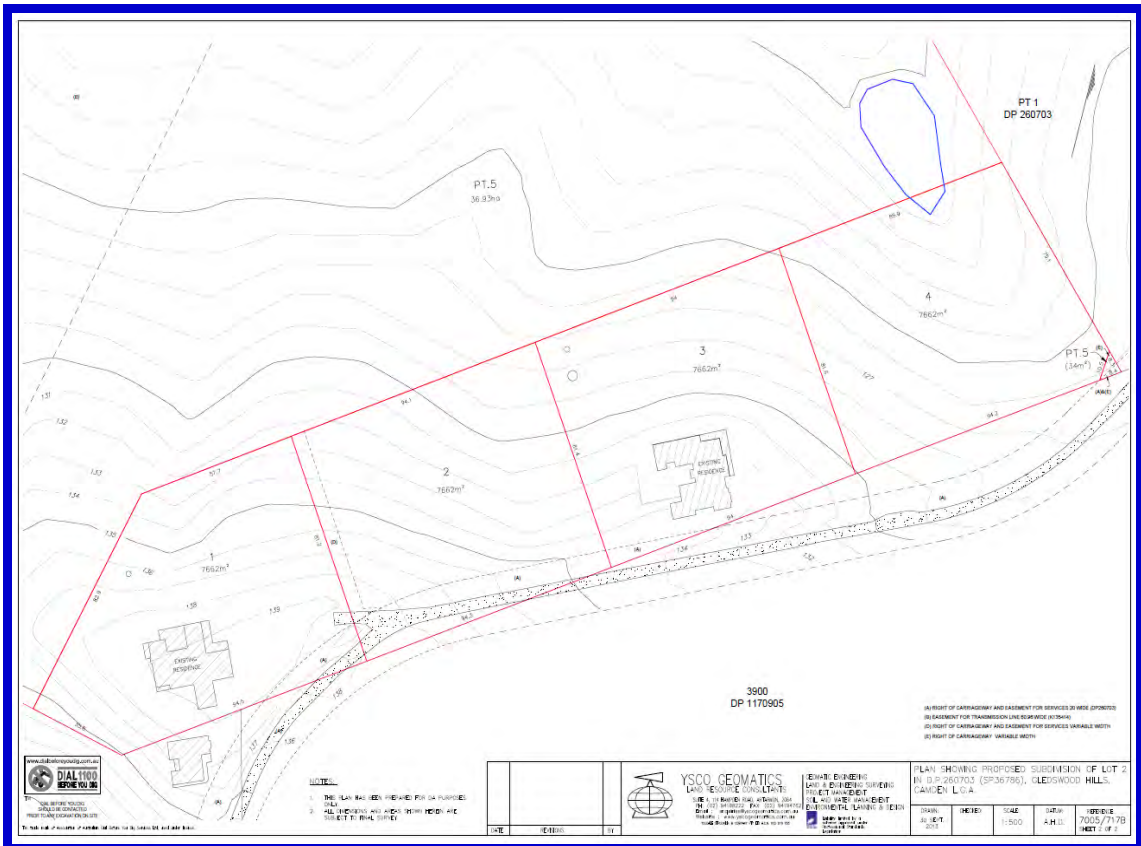
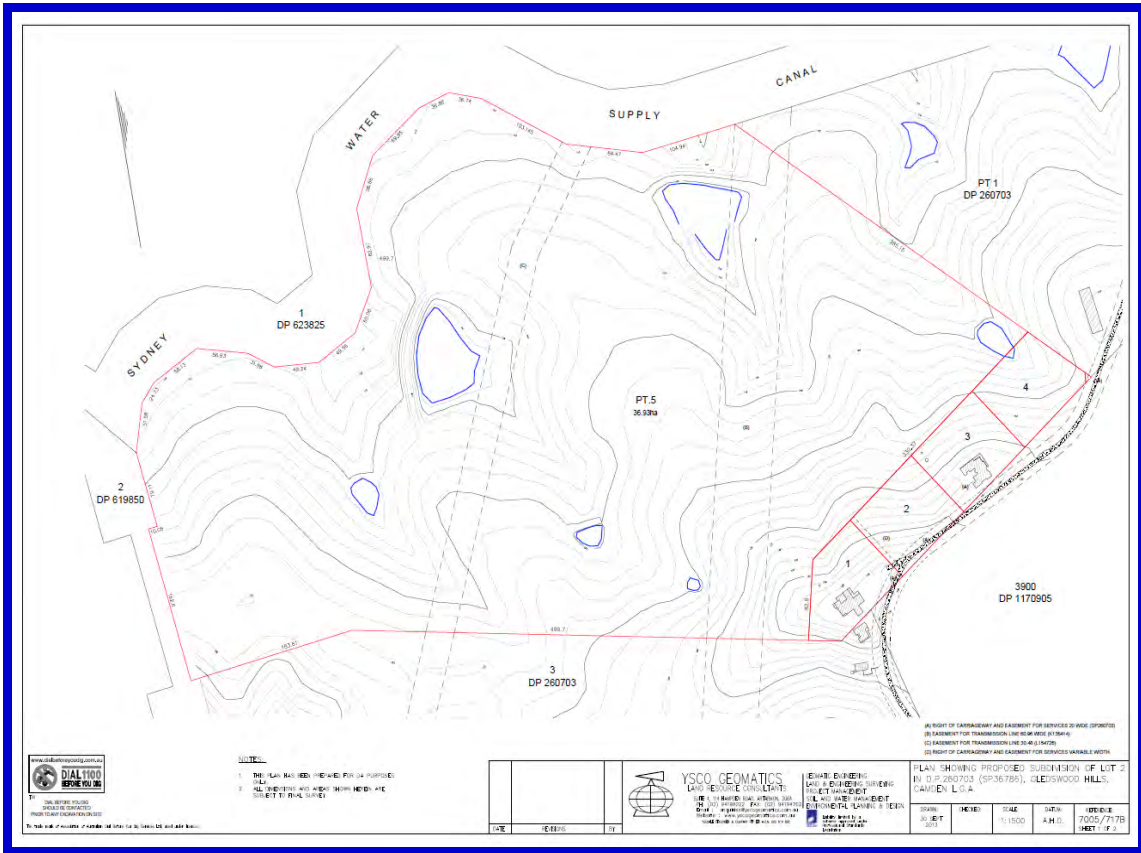
EXISTING STRATA PLANS

ORD03



PROPOSED SUBDIVISION PLANS

ORD03



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.

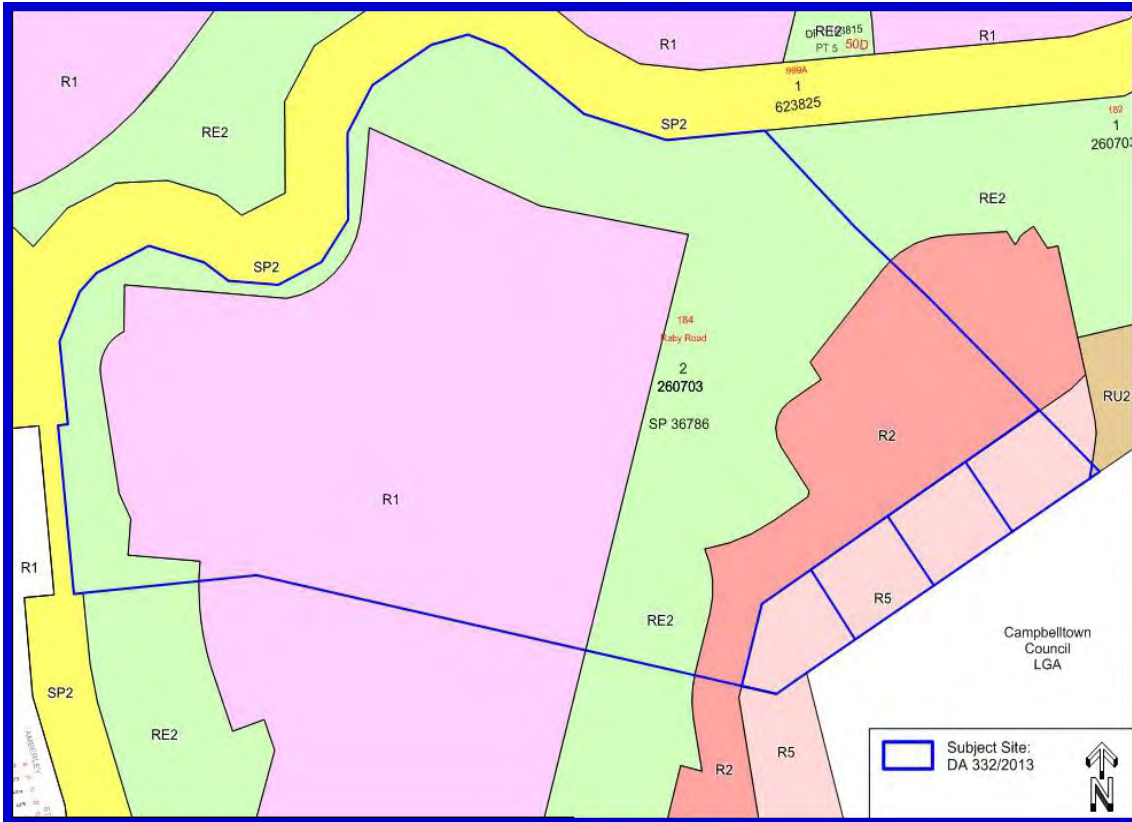
There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, RE2 Private Recreation and RU2 Rural Landscape under the provisions of the LEP. The subdivision of land is permitted with consent in these zones.

A plan showing the various zone boundaries overlaid with the proposed lot boundaries (outlined in blue) is provided below.



Objectives

The objectives of the R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, RE2 Private Recreation and RU2 Rural Landscape are as follows:

R1 General Residential

- To provide for the housing needs of the community.

Officer comment:

The proposed subdivision will provide 4 residential lots, thus providing housing opportunities for the community.

- To provide for a variety of housing types and densities.

Officer comment:

The proposed residue lot will have an area of 36.9ha, which is large enough to ensure that a variety of residential lot sizes can be provided in the R1 zoned portion in the future, enabling a variety of housing types and densities subject to separate DAs.

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

Officer comment:

This objective is not relevant to the proposed subdivision as it is for administrative purposes only with no physical works proposed. However the proposed subdivision will not preclude the provision of facilities or services to meet the day to day needs of residents in the future.

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

Officer comment:

This objective is not relevant to the proposed subdivision as it is for administrative purposes only with no physical works proposed. However the proposed subdivision will not preclude the provision of such activities to support the wellbeing of the community in the future.

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

Officer comment:

The proposed lots will not conflict with the existing land uses within the site or with any land uses in any adjoining zones.

R2 Low Density Residential

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

Officer comment:

The proposed subdivision will not preclude the further subdivision of the proposed residue lot subject to separate DAs, thus providing future low density housing opportunities for the community.

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

Officer comment:

This objective is not relevant to the proposed subdivision as it is for administrative purposes only with no physical works proposed. However the proposed subdivision will not preclude the provision of facilities or services to meet the day to day needs of residents in the future.

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

Officer comment:

This objective is not relevant to the proposed subdivision as it is for administrative purposes only with no physical works proposed. However the proposed subdivision will not preclude the provision of such activities to support the wellbeing of the community in the future.

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

Officer comment:

The proposed lots will not conflict with the existing land uses within the site or with any land uses in any adjoining zones.

R5 Large Lot Residential

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.

Officer comment:

Proposed lots 1-4 (inclusive) of the proposed subdivision each contain areas of 7,662m² which will allow for housing within the existing rural setting and will help to preserve the existing environmental and scenic qualities of the area.

- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.

Officer comment:

Proposed lots 1-4 (inclusive) align with the land zoned R5 Large Lot Residential and their locations will not hinder the development of the remainder of the site.

- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

Officer comment:

The proposed subdivision does not increase the total number of existing residential lots and therefore will not unreasonably increase the demand for public services or public facilities.

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

Officer comment:

The proposed lots will not conflict with the existing land uses within the site or with any land uses in any adjoining zones.

RE2 Private Recreation

- To enable land to be used for private open space or recreational purposes.

Officer comment:

The proposed subdivision will not hinder the further development of proposed lot 5 as a future golf course for private recreation use. The proposed subdivision will not impede the use of any RE2 zoned land for private open space or recreational purposes.

- To provide a range of recreational settings and activities and compatible land uses.

Officer comment:

The proposed subdivision will not impede the provision of future recreational settings or activities.

- To protect and enhance the natural environment for recreational purposes.

Officer comment:

The proposed subdivision is for administrative purposes only. There are no physical works proposed by this DA, therefore the proposed subdivision will not adversely impact the existing environment in any way.

RU2 Rural Landscape

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

Officer comment:

The natural resource base will not be negatively impacted by the proposed subdivision as no physical works are proposed and the same number of residential lots (4) will be maintained on the site.

- To maintain the rural landscape character of the land.

Officer comment:

The proposed subdivision is for administrative purposes only. There are no physical works proposed by this DA, therefore the proposed subdivision will not adversely impact the rural character of the land in any way.

- To provide for a range of compatible land uses, including extensive agriculture.

Officer comment:

The proposed subdivision will not hinder the provision of a range of compatible land uses subject to separate DAs.

- To protect and enhance areas of scenic value by minimising development and providing visual contrast to nearby urban development.

Officer comment:

The proposed subdivision is for administrative purposes only. There are no physical works proposed by this DA, therefore the proposed subdivision will not adversely impact the scenic value of the area.

- To maintain the visual amenity of prominent ridgelines.

Officer comment:

The proposed subdivision is for administrative purposes only. There are no physical works proposed by this DA, therefore the proposed subdivision will not adversely impact the visual amenity of any prominent ridgelines.

- To permit non-agricultural uses which support the primary production purposes of the zone.

Officer comment:

This objective is not relevant to the proposed subdivision as it is for administrative purposes only with no physical works proposed.

Relevant Clauses

The DA was assessed against the following relevant clauses of the LEP. Discussion of any variations of the controls is provided after the compliance table.

Clause	Requirement	Provided	Compliance
4.1 Minimum Lot Size	Minimum lot sizes of: 400m ² for R1 General Residential zone; 800m ² for R2 Low Density zone; 4,000m ² for R5 Large Lot Residential zone; and 40ha for RE2 Private Recreation zone 2ha for RU2 Rural Landscape	Proposed lots 1-4 (inclusive) each comply with the minimum applicable lot size of 4,000m ² for R5 large lot residential zone The part of the residue lot zoned R1, R2 and RU2 complies, however it does not comply with the part of the lot which is zoned RE2 (which has a minimum lot size of 40ha)	No – LEP variation 1
4.6 Exceptions to Development Standards	In order to vary a development standard a written request is required to be submitted which demonstrates: a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and (b) that there are sufficient environmental planning grounds to	The applicant has submitted a detailed submission justifying the proposed variation to the 40ha minimum lot size development standard which demonstrates that compliance with the standard is unreasonable, unnecessary and that there are sufficient environmental planning grounds to justify contravening it	Yes – see LEP variation 1

Clause	Requirement	Provided	Compliance
	justify contravening the development standard		
5.10 Heritage Conservation	Council to consider the effect of proposed development on the significance of heritage items	Council staff have assessed the proposed subdivision and do not consider that it will have any adverse effects on the adjoining Sydney Catchment Authority upper canal or nearby Gledswood Homestead (both are State Heritage items)	Yes
	Council may request a Heritage Conservation Management Plan (CMP) to be prepared before granting consent to a development	A CMP was not considered necessary for the proposed subdivision as it only adjoins heritage items and does not proposed to subdivide them	Yes
6.1 Arrangements for designated State public infrastructure	Satisfactory arrangement for the provision of designated State public infrastructure must be made before land in an urban release area (URA) is subdivided	The Department of Planning and Infrastructure has advised that this DA does not require contributions towards any State infrastructure. This is on the basis that that the 4 lots to be created essentially recreate the 4 existing strata lots that currently exist and so will not increase demands for infrastructure	Yes
6.2 Public Utility Infrastructure	Consent must not be granted for development in a URA unless all public utility infrastructure essential for the development is in place (or adequate arrangements made to make it available when it is required)	The proposed subdivision will not generate the need for any additional infrastructure (this will be considered during the assessment of separate DAs which propose to intensify the use of the land). A condition is recommended that requires essential utilities, including power and water to be available to the proposed lots prior to the issue of a Subdivision Certificate	Yes
6.3 Development	Consent must not be granted to development	Part C12 of Camden Development Control Plan	Yes

Clause	Requirement	Provided	Compliance
Control Plan	until a DCP has been prepared, except where the development is minor and Council is satisfied that it complies with the objectives of the zone in which the land is situated	2011 applies to the site. These controls are assessed further in the DCP section of this report	

LEP Variation 1 – Minimum Lot Size Development Standard

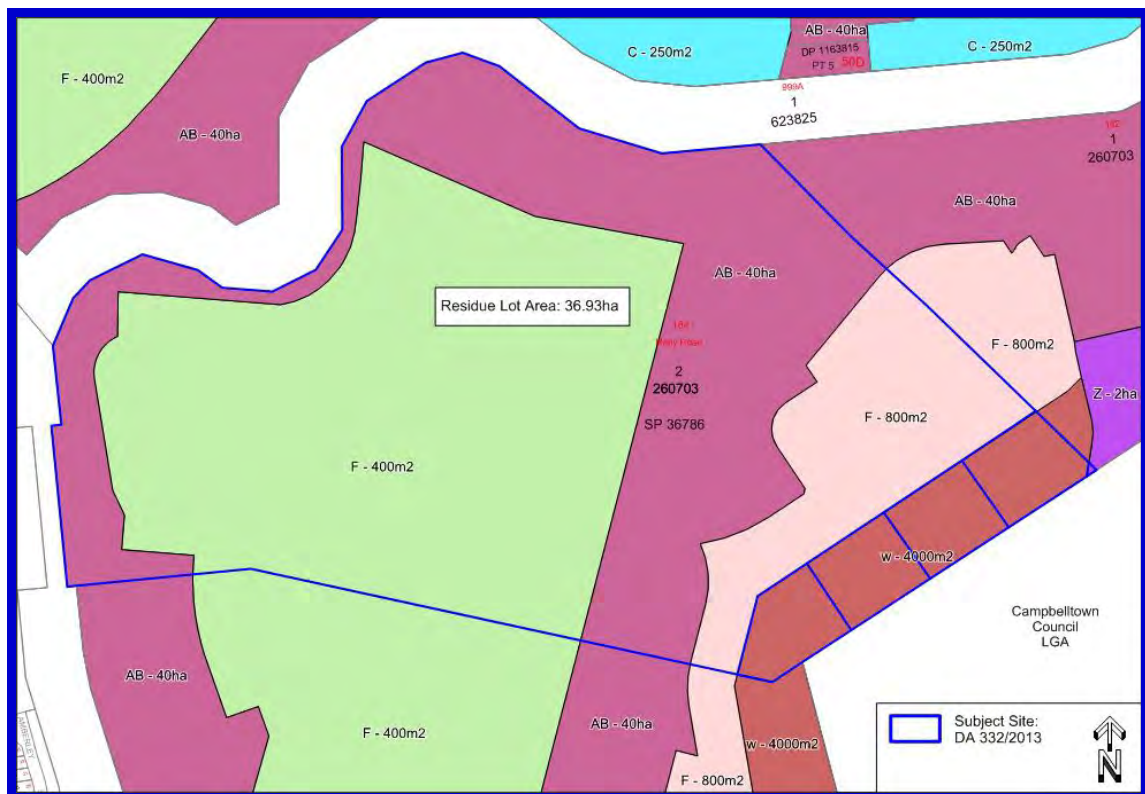
LEP Development Standard

Pursuant to Clause 4.1 of the LEP, the minimum lot sizes applying to each of the proposed lots are:

- Lots 1-4 (inclusive): 4,000m²
- Lot 5: 400m², 800m², 2ha and 40ha

Proposed Lot 5 contains a total area of 36.9ha and therefore contravenes the 40ha minimum lot size development standard within the portion of the site which is zoned RE2 Private Recreation. The extent of the variation is 3.1ha, or 7.8%.

A plan showing the various minimum lot sizes for the site overlaid with the proposed lot boundaries (outlined in blue) is provided below.



Variation Request

Pursuant to Clause 4.6 (Exceptions to Development Standards) of the LEP, the applicant has submitted a written request seeking a variation to the 40ha minimum lot size development standard (Clause 4.1) on the basis that:

- the proposed subdivision complies with the objectives of the relevant zones;
- the proposed subdivision complies with the objectives of Clause 4.1 – Minimum Subdivision Lot Size, which are:
 - (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area;
 - (b) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls;
 - (c) to ensure that lot sizes and dimensions allow dwellings to be sited to protect natural or cultural features, including heritage items, and retain special features such as trees and views;
 - (d) to provide for a range of residential lot sizes and types; and
 - (e) to ensure that the density of development is consistent with the existing and proposed future road and utility infrastructure in the locality;
- strict compliance with the 40ha minimum lot size development standard is not necessary to achieve the objectives of the *Environmental Planning and Assessment Act 1979*, the relevant zones or the objectives of Clause 4.1;
- strict compliance with the 40ha minimum lot size development standard would not result in discernible benefits to the amenity of adjoining sites or the public. In contrast, compliance with the standard would prevent the further development of the site;
- strict compliance with the development standard is impossible as the entire site only has an area of 39.7ha;
- non-compliance with the development standard will not result in any adverse environmental impacts and will not impact on the overall redevelopment or character of the area;
- the proposed subdivision is compatible with adjoining development; and
- the proposed subdivision is consistent with the rezoning (which was to permit further subdivision and development of proposed lot 5 for more intense recreational and residential purposes).

Council Staff Assessment

Pursuant to Clause 4.6 of the LEP, it is considered that the applicant's justification adequately demonstrates that compliance with the 40ha minimum lot size development standard is unreasonable due to the intent of the site's recent rezoning and the fact that

the proposed subdivision remains consistent with the objectives of the relevant zones and those of Clause 4.1.

In support of the LEP variation it is also noted that:

- on 9 July 2013 Council approved a planning proposal (Amendment No 28 – “El Caballo Blanco/Gledswood”) which proposed to insert a new clause into the LEP (Clause 4.1C) which specifically excludes the RE2 zoned portion of this from the 40ha minimum lot size development standard. The amendment is currently with Parliamentary Counsel and is expected to be gazetted shortly;
- as the entire site has an area of 39.7ha it is not possible for a subdivision to be carried out in accordance with the recent rezoning without varying this development standard; and
- compliance with the 40ha minimum lot size is in direct conflict with the site being nominated as an urban release area which is envisaged to provide a range of development including residential lots.

Council has the assumed concurrence of the Director General of the Department of Planning and Infrastructure and therefore may determine the LEP variation.

Consequently it is recommended that Council support this proposed variation to the LEP’s 40ha minimum lot size development standard.

(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)).

On 8 October 2013 Council endorsed a planning proposal (Amendment No 28) to amend Camden Local Environmental Plan 2010 by inserting the following Clause:

4.1C Exception to minimum lot sizes for certain land at El Caballo Blanco/Gledswood Urban Release Area

- (1) *This Clause applies to land in zones RE2 Private Recreation and SP3 Tourist in the urban release area shown as “El Caballo Blanco/Gledswood” on the Urban Release Area Map.*
- (2) *Clause 4.1 does not apply in relation to the subdivision of any land to which this clause applies.*
- (3) *Development consent must not be granted for the subdivision of land to which this clause applies unless Council is satisfied that the proposed subdivision facilitates the development of land in Zones RU2 Rural Landscape, R1 General Residential, R2 Low Density Residential and R5 Large Lot Residential in the urban release area show as ‘El Caballo Blanco/Gledswood on Urban Release Area Map.*

This clause provides a mechanism to execute residential subdivision development applications without the use of the 4.6 Variation clause and the need for a Council resolution.

The subject DA has been assessed against this clause. The proposed variation to the 40ha minimum lot size within land zoned RE2 on the site complies with the draft LEP in that it will facilitate the development of adjoining areas of the site which are zoned R1 General Residential, R2 Low Density Residential and R5 Large Lot Residential.

(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
B3 Environmental Heritage	A heritage impact statement (HIS) must be provided where Council believes the development may impact the significance of a heritage item	Council staff do not consider that the proposed subdivision will have any adverse impacts on the heritage significance of the Sydney Catchment Authority upper canal or Gledswood Homestead; therefore a HIS was not required to be submitted with this DA	Yes
C2 General Subdivision Requirements	Subdivision design must address: (a) site planning (b) natural environment management (c) water management (d) land management (e) environmental heritage (f) access and parking (g) acoustic amenity (h) infrastructure and services	The proposed subdivision is for administrative purposes only and therefore the matters requiring assessment by this DCP section do not apply to the DA. The proposed lots will not impede the required design considerations for any further residential subdivision of proposed lot 5	Yes
C12.3 El Caballo and Gledswood Indicative Layout Plan (ILP)	Development to be generally consistent with the Indicative Layout Plan (ILP) in Figure C69	The proposed subdivision is consistent with the ILP A copy of Figure C69 (ILP) is included as an attachment to this report	Yes
C12.14 Residential Subdivisions	Minimum lot width of 35m at the building line	Each of the proposed lots has a width of at least 94m at each of their building lines	Yes

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

The landowner has entered into a VPA with Council and the landowners of other sites including the Gledswood Homestead, former El Caballo Blanco and Camden Lakeside sites. The VPA requires specific infrastructure to be provided on these sites including vegetation and water cycle management, an 18 hole golf course, 2 local parks, bridges, roads and cycle paths, land dedicated for public facilities and monetary contributions for each lot. However, there are no components of the VPA which apply to the proposed development.

(a)(iv) The Regulations

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

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

(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 in accordance with Camden Development Control Plan 2011 for a period of 14 days between 13 and 27 September 2013. No submissions were received.

(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 Rural Fire Service (RFS)

The DA was referred to the RFS for assessment as this development proposes the subdivision of residentially zoned bush fire prone land and therefore requires a Bush Fire Safety Authority pursuant to Section 100B of the *Rural Fires Act 1997*. The proposed development is therefore classed as Integrated Development.

The RFS raised no objection to the proposed development subject to general terms of approval (GTAs) relating to the maintenance of asset protection zones. Compliance with these GTAs is a recommended condition.

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 332/2013 is recommended for approval subject to the conditions contained in this report.

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
7005/717B Sheet 1 of 2	Subdivision Plan	YSCO Geomatics	30/9/13
7005/717B Sheet 2 of 2	Subdivision Plan	YSCO Geomatics	30/9/13
6859_11.2_SEE_Final_130418	Statement of Environmental Effects	SJB Planning	18/4/13

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

- (2) **Services -**

- All services within the subdivision shall be underground.
- All service connections to existing works in Council's Road Reserve requires a Public Road Activity approval from Council. Connections to existing works within Public Reserve or Drainage Reserve will require owners permission (ie, Camden Council).

- (3) **General Terms of Approval** – The development must be carried out in accordance with the general terms of approval included within the Bush Fire Safety Authority granted by the NSW Rural Fire Service dated 23 May 2013 (attached to this Development Consent).

2.0 - Subdivision Certificate

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

- (1) **Damaged Assets** – Any work and public utility relocation within a public place shall incur no cost to Council.
- (2) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be submitted to the Certifying Authority, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (3) **Services** - Prior to the issue of any Subdivision Certificate the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:
 - (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment.

Application for such a certificate must be made through an authorised Water Servicing Co-ordinator.

- (b) a Notification of Arrangements from Endeavour Energy.
 - (c) Written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (4) **Subdivision Certificate Release** - The issue of a Subdivision Certificate is not to occur until all conditions of this consent have been satisfactorily addressed unless otherwise approved in writing by the Principal Certifying Authority.
- (5) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (6) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (7) **Rights of Carriageway**– The proposed right of carriageway across part lot 5 must allow access to lot 4 across part lot 5.

The existing right of carriageway that provides access to this site across 182 Raby Road must be modified to ensure that it provides legal access from Raby Road to the 5 lots created as a result of the approved subdivision the subject of this consent.

- (8) **Section 88B Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
 - (a) Easement for services.
 - (b) Easement to drain water.

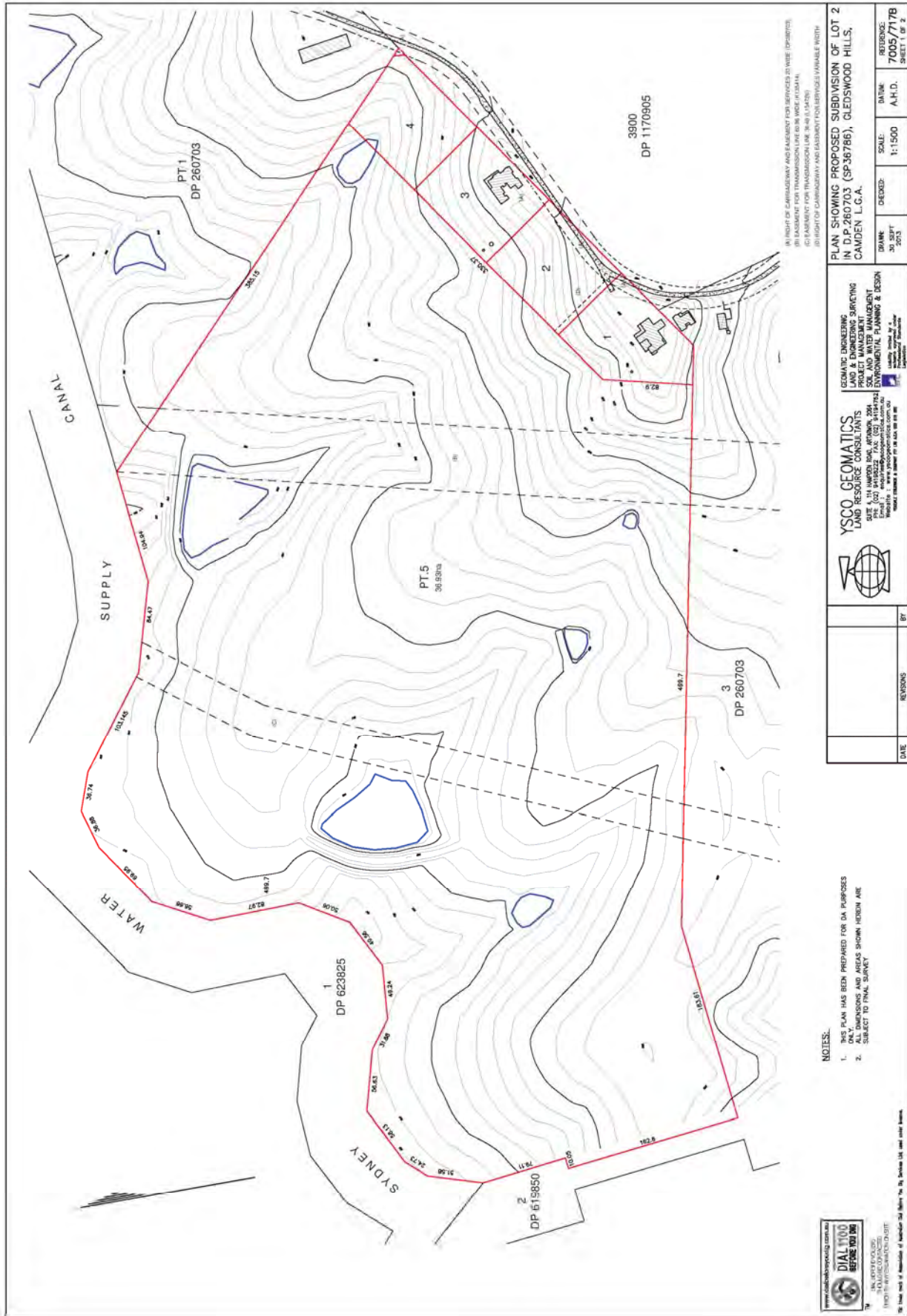
- (c) Drainage easement over overland flow paths.
- (d) Reciprocal right of carriageway – The owners of the subject properties burdened by the right-of-way shall be responsible for on-going maintenance and the public liability of the right-of-way.
- (e) For lots 2 and 4 only – Full compliance with Council’s “On-site Sewerage Management Policy” must be demonstrated at the time any future development approval is sought to construct any dwellings. The minimum setback distance for wastewater disposal areas from watercourses/dams is 40m.

RECOMMENDED

That Council approve DA 332/2013 for a subdivision to create 4 residential lots and 1 residue lot at 184 Raby Road, Gledswood Hills subject to the conditions listed above.

ATTACHMENTS

1. Proposed subdivision plan
2. C69 Indicative Layout Plan



NOTES:
 1. THIS PLAN HAS BEEN PREPARED FOR DA PURPOSES
 ALL DIMENSIONS AND AREAS SHOWN HEREIN ARE
 2. SUBJECT TO FINAL SURVEY

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 SUITE 4, 11 HARROLD ROAD, ARTHUR, 2844
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 Website: www.yscogeomatics.com.au
 Email: info@yscogeomatics.com.au

PLAN SHOWING PROPOSED SUBDIVISION OF LOT 2
 IN D.P. 260703 (SP36786), GLEDSDOOD HILLS,
 CAMDEN L.G.A.

DATE	REVISIONS	BY

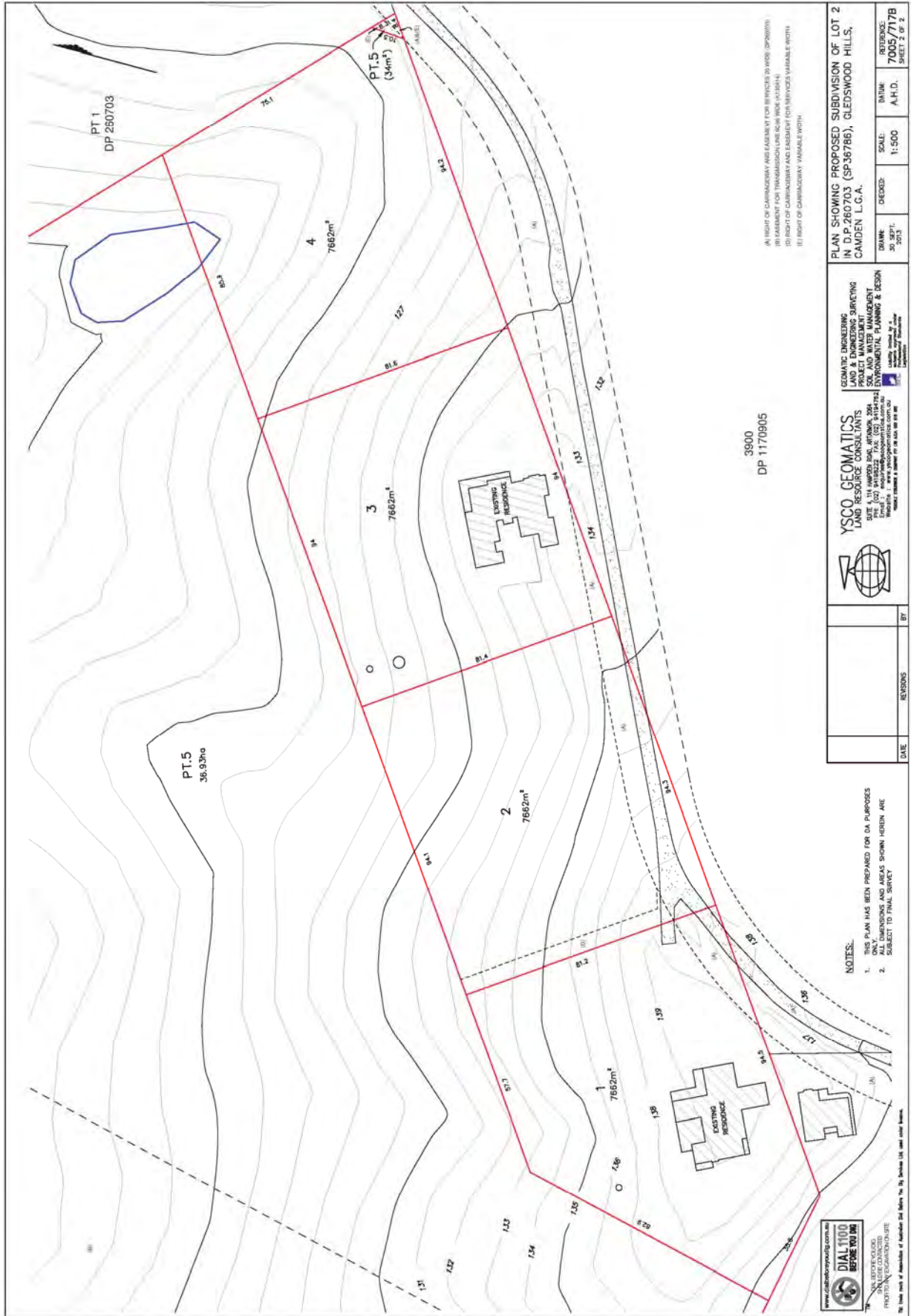
DRAWN: 30 SEP 2013
 CHECKED: 03 OCT 2013
 SCALE: 1:1500
 DATE: 03 OCT 2013
 A.H.D.: 7005/717B
 SHEET 1 OF 2

9) HEIGHT OF CARTRIDGEWAY AND EASEMENT FOR SERVICES TO HOUSE (DP260703)
 10) EASEMENT FOR TRANSMISSION LINE 60M WIDE (IC2414)
 11) EASEMENT FOR TRANSMISSION LINE 30M WIDE (IC2420)
 12) HEIGHT OF CARTRIDGEWAY AND EASEMENT FOR SERVICES VARIABLE WIDTH

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ORD03

Attachment 1





ORDINARY COUNCIL

ORD04

SUBJECT: SPRING FARM LINK ROAD RECLASSIFICATION
FROM: Acting Director Governance
TRIM #: 13/44309

PURPOSE OF REPORT

The purpose of this report is to outline the results of the community and stakeholder consultation in relation to Camden Local Environmental Plan 2010 (draft Amendment No.22) – Reclassification of land at 275 Richardson Road, Spring Farm.

BACKGROUND

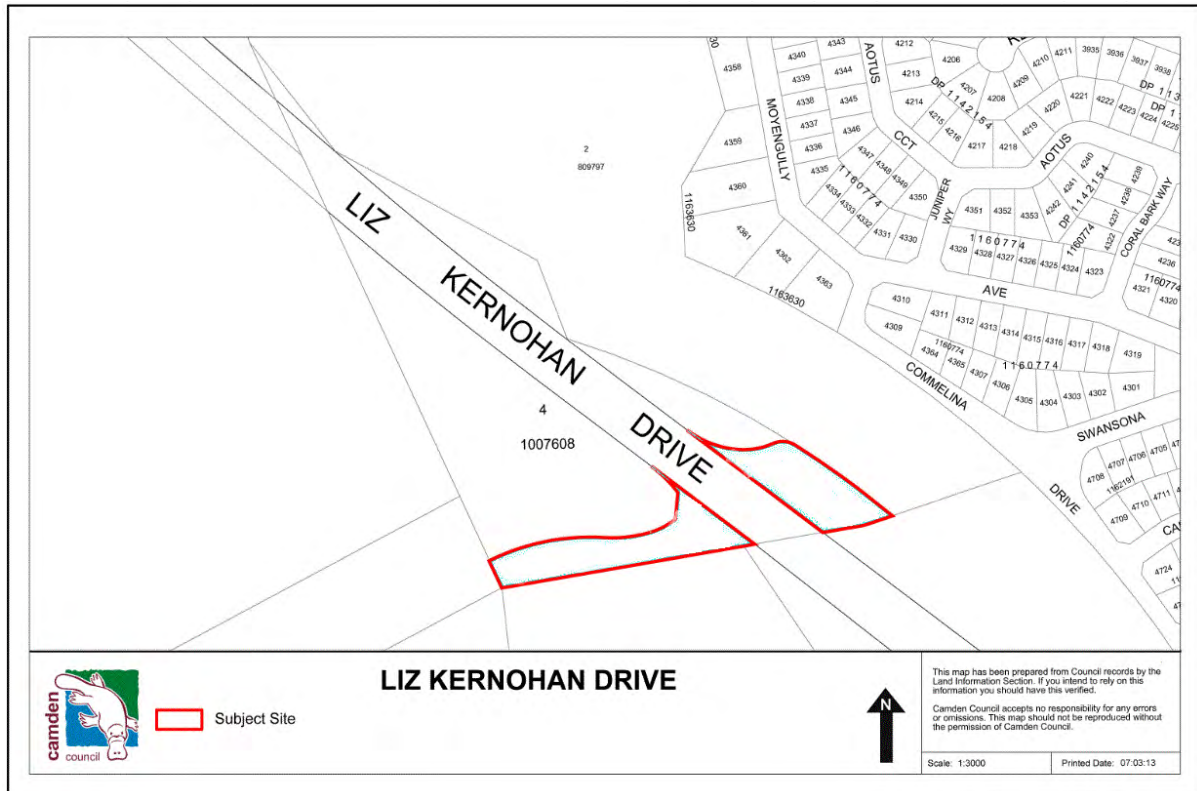
The land required for the Spring Farm Link Road (i.e. Liz Kernohan Drive) was reclassified to operational when the land was originally rezoned in May 2004. Since this time, a more detailed road design has been undertaken and it has been determined that there is insufficient space to facilitate the construction of a required roundabout shown in the south eastern section in map 1. Therefore, a small amount of land at 275 Richardson Road, Spring Farm needs to be reclassified from community to operational. The proposed reclassification will also help facilitate the construction of the Haul Road.

Map 1 – Liz Kernohan Drive Extension



The portion of land to be reclassified to operational is shown in Map 2, the subject land (outlined 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. The subject site is part of Gundungurra Reserve (East) and adjoins William Howe Regional Park. The land is currently zoned E2 Environmental Conservation.

Map 2 – Land to be reclassified



MAIN REPORT

Gateway Determination

Council received Gateway Determination from the Department of Planning and Infrastructure (DPI) on 26 April 2013. The Gateway Determination stipulates the requirements for public exhibition, consultation with public authorities, and reiterates the requirement for a public hearing to be held in accordance with s.29 of the Local Government Act 1993 and DPI's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.

The Minister for Planning and Infrastructure has delegated the making of the Plan to Council.

Public Exhibition

In accordance with the Gateway Determination, the Planning Proposal and relevant supporting documentation were publically exhibited between 29 May 2013 and 26 June 2013. During the exhibition period, Council received a submission from the Office of Environment and Heritage (OEH) which raised concern about the environmental

impacts of the proposal. These issues have since been addressed and are discussed later in this report.

Council also received a letter from Roads and Maritime Services raising no objection to the proposal. No issues were raised by the community.

A public hearing was held on 3 July 2013 at the Camden Civic Centre. A report highlighting the outcomes of the consultation is provided as **Attachment 2 to this report**. It should be noted that as no one attended the public hearing, no issues emerged from the public hearing.

Submission from Office of Environment and Heritage (OEH)

Council has received a submission from OEH (provided as **Attachment 4 to this report**) which has identified the need for Council to undertake a more comprehensive environmental assessment of the proposal including further consideration of the loss of E2 zoned reserve land, the impacts on the Narellan and Spring Farm Bush Corridor and the potential for vegetation to qualify as derived grasslands as part of the critically endangered Cumberland Plain Woodland.

In response to the OEH submission, Urban Growth NSW commissioned Travers bushfire and ecology to review the potential ecological impacts associated with the proposed land reclassification. The Travers review (provided as **Attachment 3 to this report**) concludes that the proposal does not cause a significant impact on threatened species, endangered ecological communities or populations. The report notes that the embankments of the Haul road will need to be revegetated with Sydney Coastal Riverflat Eucalypt Forest (SCREF) to meet DECCW concurrence (2004).

Council has recently received correspondence from OEH confirming that they have no objection to the Planning Proposal to reclassify from community to operational. A more detailed environmental assessment will be undertaken at the development assessment stage.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed land reclassification is needed to facilitate the construction of the Spring Farm Link Road and Haul Road.

The issues raised during the exhibition period have been addressed and it is recommended that Council proceed with the making of the Plan.

RECOMMENDED

That Council:

- i. note the public hearing report and the submissions received during the public exhibition period;**
- ii. adopt the revised Planning Proposal; and**

iii. forward the Planning Proposal to Parliamentary Counsel and proceed with the making of the draft Local Environmental Plan under delegation.

ATTACHMENTS

1. Planning Proposal (Post Exhibition Version)
2. Public Hearing Report
3. Travers Inspection Report - Ecological Impacts
4. OEH Submission

ORD04

ORD04

Attachment 1



CAMDEN COUNCIL PLANNING PROPOSAL

**Camden Local Environmental Plan 2010 (Amendment No.22) –
Reclassification of land – 275 Richardson Road, Spring Farm**

Version 3 - Post Exhibition

November 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 1 of Schedule 4 (Classification and reclassification of public land) the following:

Column 1	Column 2
Locality	Description
Spring Farm	Part of Lot 4 DP 1007608 275 Richardson Road Spring Farm

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?**

The subject site is zoned E2 Environmental Conservation and forms part of Gundungurra Reserve (East) and adjoins William Howe Regional Park.

In response to a submission received from the Office of Environment and Heritage, Urban Growth NSW commissioned Travers bushfire and ecology to review the potential ecological impacts associated with the proposed reclassification. The Travers review concludes that the proposal does not cause a significant impact on threatened species, endangered ecological communities or populations. The report notes that the embankments of the Haul road will need to be revegetated with Sydney Coastal Riverflat Eucalypt Forest (SCREF) to meet DECCW concurrence (2004).

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. A more detailed environmental assessment will be undertaken at the development assessment stage.

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?

Council has received a submission from the Office of Environment and Heritage which identified the need for Council to undertake a more comprehensive environmental assessment of the proposal including further consideration of the loss of E2 zoned reserve land, the impacts on the Narellan and Spring Farm Bush Corridor and the potential for vegetation to qualify as derived grasslands as part of the critically endangered Cumberland Plan Woodland.

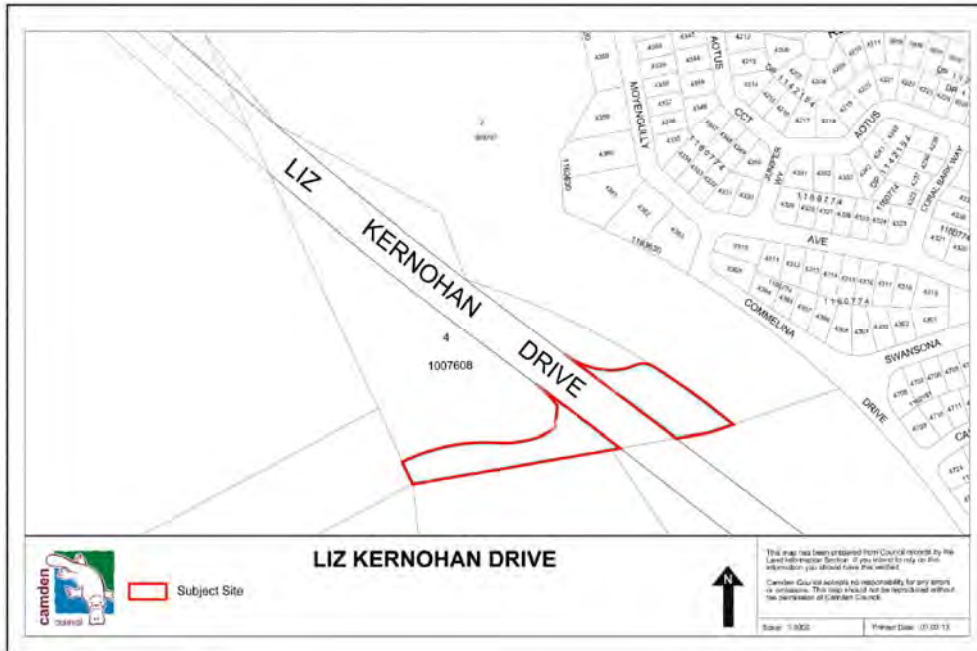
In response to the OEH submission, Urban Growth NSW commissioned Travers bushfire and ecology to review the potential ecological impacts associated with the proposed reclassification. The Travers review concludes that the proposal does not cause a significant impact on threatened species, endangered ecological communities or populations. The report notes that the embankments of the Haul road will need to be revegetated with Sydney Coastal Riverflat Eucalypt Forest (SCREF) to meet DECCW concurrence (2004).

Following further consultation, Council has received correspondence from OEH confirming that they have no objection to the Planning Proposal.

Council has also received a letter from Roads and Maritime Services raising no objection.

Part 4 – Mapping

Map 1 – Land to be reclassified



Map 2 – Air Photo



ORD04

Attachment 1

Part 5 – Community Consultation

In accordance with the Gateway Determination, the Planning Proposal and relevant supporting documentation was publically exhibited between 29 May 2013 and 26 June 2013. No submissions were received from the community.

A public hearing was held on 3 July 2013 at the Camden Civic Centre. No issues emerged from the public hearing.

Part 6 – Project timeline

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

Stage	Anticipated date/ target timeframe
Commencement date (date of Gateway Determination)	26 April 2013
Anticipated timeframe for the completion of required technical information.	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination).	29 May 2013 – 26 June 2013
Commencement and completion dates for public exhibition period.	29 May 2013 – 26 June 2013
Dates for public hearing.	3 July 2013
Timeframe for consideration of submissions.	November 2013
Timeframe for the consideration of a proposal post exhibition.	November 2013
Date of submission to the department to finalise the LEP.	November 2013
Anticipated date RPA will make the plan (if delegated).	November 2013
Anticipated date RPA will forward to the department for notification.	December 2013.

Attachment A – Ministerial Directions		Consistent
Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies
Environment and Heritage		
2.1.Environmental Protection Zones	<p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	<p>Yes.</p> <p>Urban Growth NSW commissioned Travers bushfire and ecology to review the potential ecological impacts associated with the proposed land reclassification. The Travers review concludes that the proposal does not cause a significant impact on threatened species, endangered ecological communities or populations. The report notes that the embankments of the Haul road will need to be revegetated with Sydney Coastal Riverflat Eucalypt Forest (SCREF) to meet DECCW concurrence (2004).</p> <p>Council has recently received correspondence from OEH confirming that they have no objection to the Planning Proposal to reclassify from community to operational.</p>
2.3.Heritage Conservation	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and</p>	<p>Not applicable; the Planning Proposal has no direct impact on a heritage item or heritage conservation area.</p>

Attachment 1 **ORD04**

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
	indigenous heritage significance.	<p>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 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>	
2.4.Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	<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</p>	Not applicable.

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>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 has taken into consideration:</p> <p>(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</p> <p>(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.</p>	
Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<p>The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure</p>	<p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing</p>	Yes

Attachment 1 **ORD04**

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
	<p>and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) 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> <ul style="list-style-type: none"> (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates. 	<p>In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (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>In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located, (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>Not applicable.</p>

Attachment 1 **ORD04**

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		proposals), and (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.	
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.	When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must: (a) consult the Mine Subsidence Board to ascertain: (i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and (ii) the scale, density and type of development that is appropriate for the	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			
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	<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>	Yes

Attachment 1 **ORD04**

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> <ul style="list-style-type: none"> (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 	<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> <ul style="list-style-type: none"> (a) reserve the land in accordance with the request, and (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 (c) identify the relevant acquiring authority for the land. (6) When a Minister or public authority requests a relevant planning authority to 	<p>Yes, the changes proposed are of a minor nature and reflect the current intent of the land.</p>

Attachment 1 **ORD04**

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>	
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	<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.

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		<p>in the zone the land is situated on, or</p> <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>	
	<p>Metropolitan Planning</p> <p>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.</p>	<p>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:</p>	<p>Yes.</p>

Attachment 1 **ORD04**

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		(a) is of minor significance, and (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.	

ORD04

Attachment 2

PUBLIC HEARING REPORT

PLANNING PROPOSAL FOR THE RECLASSIFICATION OF LAND AT NO. 275 RICHARDSON ROAD, SPRING FARM



Prepared for:

Camden Council

Prepared by:



July 2013

Post: PO Box 774, Camden NSW 2570 • **Ph:** 02 4658 1141 • **Fax:** 02 4658 1977 • **Mob:** 0431 519 128

Email: graham@pascoeplanning.com.au • **Web:** www.pascoeplanning.com.au

CHAIRMAN/FACILITATOR/AUTHOR



GRAHAM G. PASCOE (JP)

(CONSULTANT TOWN PLANNER)
(JANUARY 2013)

QUALIFICATIONS

Bachelor of Economics (Honours)
Postgraduate Diploma in Urban and Regional Planning
Postgraduate Diploma in Local Government Management
Master of Letters (Human and Environmental Studies)
Associate Diploma in Business (Valuation)
Advanced Certificate in Property Agency
Certificate as Town and Country Planner (Ordinance 4)
Master of Teaching (Cand.)

MEMBERSHIPS

Corporate Member of Planning Institute of Australia
(Certified Practicing Planner)

Member of the Institute of Australian Geographers

Former member of Local Government Town Planners
Qualification Committee (Ministerial Appointment)

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Attachments

1. Publicity in Respect of Public Hearing
2. Details of Persons/Agencies Responsible for Written Submissions During Public Exhibition of the Planning Proposal
3. Council Report ORD 04 - Camden Local Environmental Plan 2010 (Amendment No. 22) - Reclassification of Land (Part of William Howe Reserve, Spring Farm)
4. Statement of Council's Interest

Attachment 2

1 Introduction

This is a Report on the Public Hearing held on 3 July, 2013 from 6.00pm to 6.30pm at the foyer to the 'Undercroft' of the Camden Civic Centre, situated at the corner of Mitchell and Oxley Streets, Camden.

The hearing was facilitated/chaired by Mr Graham G. Pascoe, J.P., of Pascoe Planning Solutions Pty Ltd. Mr Pascoe fulfils the criteria established at Section 47G of the Local Government Act, 1993 (LGA 1993) in respect of an appropriate person to conduct the hearing.

Council staff assisting with the conduct of the hearing were:

- Mr. Michael Warrell - Strategic Planner

Other Council staff in attendance included:

Mr. Chris Lalor - Team Leader, Landuse and Planning

The relevant statutory protocols in respect of advertising/notifying of the Public Hearing were observed, with extracts presented in ATTACHMENT "1".

Details of those persons/agencies who had made a written submission during the public exhibition of the Planning Proposal are listed at ATTACHMENT "2". This Report does not address this Submission. Council is, however, encouraged to pursue a multidisciplinary approach in seeking to arrive at a balanced planning outcome.

A distant site familiarisation of the subject site was undertaken by the Chairman/Facilitator prior to the Hearing's commencement.

2 Legislative Context

Pursuant to s25 of the LGA 1993, all public land must be classified. There are two classifications for public land – "community" and "operational". Community land is land intended for public access and use, or where other restrictions applying to the land create some obligation to maintain public access. It;

- 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.

Operational land has no special restrictions other than those that may apply to any piece of land.

Section 27 of the LGA 1993 provides that the classification or reclassification of land may be made by a Local Environmental Plan (LEP).

Section 28 of the LGA 1993 relates to the preparation of a draft LEP and the need for the owners of the land to consent to the preparation of a draft plan that proposes to either

classify or reclassify land that is not owned by Council, in this instance Council is the owner of the land which is the subject of this Hearing.

Council is required by s29 of the LGA 1993 to arrange a public hearing where it is proposed to reclassify community land to operational land. Section 29 reads as follows:

"29 Public hearing into reclassification

- (1) A council must arrange a public hearing under section 57 of the [Environmental Planning and Assessment Act 1979](#) in respect of a planning proposal under Part 3 of that Act to reclassify community land as operational land, unless a public hearing has already been held in respect of the same matter as a result of a determination under section 56 (2) (e) of that Act.
- (2) A council must, before making any resolution under section 32, arrange a public hearing in respect of any proposal to reclassify land as operational land by such a resolution."

With regard to 29(2); no public hearing has been held into the subject matter. The Environmental Planning and Assessment Act 1979 (EPA Act) sets out the public consultation and notification requirements for the exhibition of a draft LEP.

3 Overview of the Public Hearing

The Public Hearing was conducted in respect of the proposal by Camden Council to reclassify certain land, pursuant to a Planning Proposal known as Amendment No.22 (Version 2) dated May 2013.

The land contained in the subject Planning Proposal includes:

- Part of Lot 4 DP 1007608 (No. 275) Richardson Road, Spring Farm



No party had pre-registered to address the Public Hearing. Further, no person/party attended the Hearing.

4 Information Relied Upon

The following presents a summary of the information used to compile this Report:

- Report submitted to Ordinary Council (meeting) held on 12 March, 2013 – Item Ord04
- Camden Council minutes – Ordinary Council Meeting, 12 March, 2013
- Gateway Determination issued by Director General of the Department of Planning and Infrastructure dated 26 April, 2013
- The NSW Local Government Act, 1993
- The NSW Environmental Planning and Assessment Act, 1979
- Camden Local Environmental Plan, 2010
- Camden Council Public Lands Register

5 Council Reasoning for Reclassification

Council's reasoning for reclassifying the subject land holding from "community" to "operational" land is summarised in the Council Report ORD04 of 12 March, 2013. A copy of this Report forms ATTACHMENT "3".

The document titled "Statement of Council's Interest"¹ accompanying the public exhibition of the proposed LEP (Reclassification) Amendment provides a brief overview of the reclassification intent; namely, "to enable road construction associated with the Spring Farm Link Road (i.e. Liz Kernohan Drive and Haul Road)" (with my additions underlined).

6 Summary of Submissions

No submissions were made to the Public Hearing.

7 Consideration of Issues

No issues emerged from the Public Hearing.

Further, this Public Hearing Report did not embody a brief to review the submissions received in respect of the recent public exhibition/consultation undertaken in respect of the subject Planning Proposal.

It is understood that Council received a submission from the Office of Environment and Heritage in respect of the Planning Proposal, and that such submission will be considered with this Report as the Road Planning is advanced.

Additionally, it is understood that Council has also received a submission from Roads and Maritime Services raising no objection to the Proposal.

¹ Refer to ATTACHMENT "4"

8 Conclusion

In accordance with the terms of reference for conducting and reporting on the Public Hearing, the Planning Proposal and public exhibition material have been examined, inclusive of the material detailed in Section 4 of the Report.

No objections have been raised in respect of the reclassification proposal in the Public Hearing forum.

Given the foregoing and my review of the Proposal and related process, I raise no objection to the proposed reclassification of the subject parcel of land to "operational" land.

Council is, however, encouraged to find a pragmatic solution that balances road design and environmental outcomes.

9 Recommendations

In the light of the preceding conclusion I make the following recommendations:


1. That the Planning Proposal known as Amendment No. 22 (version 2) dated May 2013 seeking to reclassify Part of Lot 4 DP 1007608 (No. 275) Richardson Road, Spring Farm to "operational" land proceed, in the context of the Public Hearing outcomes.
2. That this Report be made publicly available.

ATTACHMENT “1”

Publicity in Respect of Public Hearing

ORD04

Attachment 2



EVENTS

NATIONAL TRUST HERITAGE FESTIVAL
Don't miss the 2013 National Trust Heritage Festival. Thursday 18 April to Friday 31 May with a number of events based around this year's theme 'Community Milestones'

- **Camden Milestones Online Photo Exhibition**
www.library.camden.nsw.gov.au
- **Historic Milestones Display**
Camden Library display cabinets

For more information phone 4654 7561 or 4654 5039 or visit www.library.camden.nsw.gov.au

MICROCHIPPING DAY
Council's next free Microchipping Day is on Saturday 29 June 2013, 9am - 12pm at Catherine Field Community Hall, 169 Catherine Field Road, Catherine Field.

Microchipping is essential to helping ensure your pet is returned home should it ever go missing. Many pets end up at Rimbury Farm Animal Shelter and are not microchipped or contact details out of date, making it difficult to return the pet home.

This free microchipping offer is only available to residents of the Camden Local Government Area and proof of residency will be required (e.g. Driver's Licence).

Please note this offer is not open to breeders or pet shops. Please ensure cats are in a cage and dogs are on a leash.

For more information phone 4654 7777

COMMUNITY IMPROVEMENTS

BROUGHTON RESERVE, CURRANS HILL
To improve safety and reduce ongoing maintenance costs, Council is planning to upgrade the gravel walkway in Broughton Reserve, between Spring Hill Circle and Glenfield Drive, with a fully formed concrete path. This work will be completed in the coming weeks.

TRAFFIC DISRUPTIONS
Camden Bypass Intersection and Link Road to Richardson Road
Construction of the Camden Bypass intersection and its connection with Richardson Road and the section of Liz Kemohan Drive to Lodge's Road has commenced. This work is being managed by Landcom on behalf of Camden Council and NSW Roads and Maritime Services. Council has been advised these works will be completed in the latter half of 2013.

Liz Kemohan Drive, Spring Farm
This road is being constructed for future connection to Camden Bypass.

Macarthur Road, Elderslie
Road pavement reconstruction work is being completed between Harrington Road and Burnswong Crescent. Some traffic disruptions may be experienced.

Various Locations in Leppington and Catherine Field
Shoulder grading work will be completed at various locations throughout Leppington and Catherine Field.

Wandarah Reserve, Mount Annan
Construction of a carpark has commenced and is due for completion in the coming weeks. Please take care as trucks will be entering and exiting the area.

DEVELOPMENT CONTROL PLAN (DCP) AMENDMENTS TO CAMDEN DCP 2011 - INCLUSION OF EL CABALLO BLANCO/GLEDSDWOOD DEVELOPMENT CONTROLS
The El Caballo Blanco/Gledswood and East Side Land was rezoned on Friday 22 March 2013.
To facilitate this rezoning, development controls for El Caballo Blanco/Gledswood have been endorsed by Council at its meeting on Tuesday 14 May 2013 and are in force as of Wednesday 22 May 2013.
These development controls will become part of the Camden DCP 2011 and inserted as Part C9 and Part D2.3.8.
For more information phone Mary Anne Madden on 4654 7803.

MATTERS ON EXHIBITION
CAMDEN LOCAL ENVIRONMENTAL PLAN 2010 (DRAFT AMENDMENT NO.22) RECLASSIFICATION OF LAND AT 275 RICHARDSON ROAD, SPRING FARM
At its meeting on the Tuesday 12 March 2013, Council resolved to publicly exhibit Camden Local Environmental Plan 2010 (draft Amendment No. 22) following a positive Gateway Determination from the Department of Planning and Infrastructure.
The Planning Proposal seeks to reclassify land at 275 Richardson Road, Spring Farm (Part of Lot 4 DP 1007608) from community to operational for the purpose of road construction associated with the Spring Farm Link Road (i.e. Liz Kemohan Drive) and Hazel Road. The land adjacent to Liz Kemohan Drive was reclassified to operational when this land was originally zoned 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.

Delegation
The Minister for Planning and Infrastructure has delegated the making of the Plan to Camden Council.
The Planning Proposal as outlined above is on public exhibition between Wednesday 29 May 2013 to Wednesday 26 June 2013 at Council's Customer Service Centres, 37 John Street, Camden and 16 Queen Street, Narellan and Camden and Narellan Libraries and Council's website.
The material for exhibition includes the following:
• Council Report;
• Council Resolution;
• Gateway Determination; and
• Updated Planning Proposal and associated attachments.
In accordance with the Gateway Determination and Section 29 of the Local Government Act 1993, notice is given that a public hearing has been organised to provide the community with the opportunity to put forward any concerns or comments relating to this Planning Proposal.

Public Hearing
The public hearing will be conducted and chaired by an independent person and a report will be furnished for Council's consideration. The Public Hearing will be held on Wednesday 3 July 2013, 6pm at the Undercroft, Camden Civic Centre, Oakley Street, Camden.
Submissions regarding the proposed amendments to the Planning Proposal will be received by Council until close of business on 29 June 2013. All submissions should be marked attention to Michael Warell and addressed to:
Written submissions are welcome, should be addressed to Michael Warell and received no later than 5pm on Wednesday 26 June 2013 by mail, email or fax (details below).
For more information phone Michael Warell on 4654 7920.

DEVELOPMENT APPLICATIONS
Council has received a Development Application for the use of land as detailed below.
The Application may be viewed at Council's Customer Service Centres, 37 John Street, Camden and 16 Queen Street, Narellan and Camden and Narellan Libraries during normal opening hours.
Submissions on the proposal must be received in writing addressed to the General Manager no later than the date specified below. Submissions must clearly indicate the Development Application number in addition to the name, address and daytime contact number of the person making the submission. Submissions may be lodged by mail, email or fax (details below).
All submissions received will become public documents and will be included in any report that may be submitted to Council in relation to the application.
For your information, under the Government Information (Public Access) Act 2009, we are required to publicly release any correspondence or information we have on this matter which means your personal information will not be confidential.
Enquiries relating to each Development Application are to be directed to the Assessing Officer on 4654 7777.

Proposal	Use of land for market gardening and construction of a dam
Applicant	Mrs M Cai
Property	122 Barny Avenue, Catherine Field
Assessing Officer	Victoria Power
Consent Authority	Camden Council
DA No.	366/2013
Exhibition Dates	23 May to 21 June 2013

This development is Nominated Integrated Development in that it requires a Controlled Activity Approval from the NSW Office of Water.

Transforming Community Vision into Action
What are your priorities for Council in your local area?

Transforming Community Vision into Action is a collection of three strategies and plans that identifies what Camden will do over the next one to four years and even beyond as part of Council's contribution to delivering the community's vision identified in Camden 2040. It also identifies what it will take to carry out these work programs and how it all might be funded.

Has Council got it right? Will it build the Camden you imagined? Are there other programs, projects or services you would like to see included in these plans? Are there other priorities? Have we missed anything?

The three plans we are seeking your feedback on are: **Resource Strategy | Delivery Program | Operating Plan (2013/2014 Budget)**

The plan is available for viewing at Council's Administration Buildings 37 John Street, Camden and 16 Queen Street, Narellan and Camden and Narellan Libraries or online at www.camden2040.com.au

Tell us what you think!
Please let us know what you think. Have we got it right? Write to us at PO BOX 183, Camden 2570 or email mail@camden.nsw.gov.au. Submissions close Monday 14 June 2013.

www.camden2040.com.au

37 John Street, Camden NSW 2570 | DX 25607, P.O. Box 183, Camden NSW 2570
P: 02 4654 7777 | F: 02 4654 7829 | W: www.camden.nsw.gov.au | E: mail@camden.nsw.gov.au

ATTACHMENT “2”

Details of Persons/Agencies Responsible for Written Submissions During Public Exhibition of the Planning Proposal

ORD04

Attachment 2

ORD04

Organisation/Agency/Person	Date
NSW Office of Environment & Heritage	12 June, 2013
NSW Transport: Roads and Maritime Services	5 July, 2013

Attachment 2

ATTACHMENT “3”

**Council Report ORD04 - Camden Local Environmental Plan, 2010
(Amendment No. 22) - Reclassification of Land (Part of William
Howe Reserve, Spring Farm)**

ORD04

Attachment 2

ORD04

Attachment 2



ORD04

ORDINARY COUNCIL

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

This is the report submitted to the Ordinary Council held on 12 March 2013 - Page 56



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

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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.

This is the report submitted to the Ordinary Council held on 12 March 2013 - Page 57

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Attachment 2

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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.

This is the report submitted to the Ordinary Council held on 12 March 2013 - Page 58



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

This is the report submitted to the Ordinary Council held on 12 March 2013 - Page 59

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Attachment 2

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-
1. Draft Planning Proposal

This is the report submitted to the Ordinary Council held on 12 March 2013 - Page 80



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

1

ORD04

Attachment 2

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2

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.

4

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

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Attachment A- Ministerial Directions

Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
Environment and Heritage			
2.1.Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>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'.</p>	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.	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(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</p>	Not applicable; the Planning Proposal has no direct impact on a heritage item or heritage conservation area.

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (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.	
2.4.Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	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): (a) where the land is within an environmental protection zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (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	Not applicable.

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		has taken into consideration: (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	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource	A planning proposal must include provisions that encourage the provision of housing that will: (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.	on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (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 (b) not contain provisions which will reduce the permissible residential density of land.	

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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>

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		proposals), and (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.	
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.	When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must: (a) consult the Mine Subsidence Board to ascertain: (i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and (ii) the scale, density and type of development that is appropriate for the	Yes; the Mine Subsidence Board will be consulted during the public exhibition period.

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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			
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	<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>	Yes

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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> <p>(i) the appropriate Minister or public authority, and</p> <p>(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</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(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</p> <p>(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.</p>	

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
6.2 Reserving Land for Public Purposes	<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>(5) 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>

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		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: <ul style="list-style-type: none"> (a) include the requested provisions, or (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. (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.	
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: <ul style="list-style-type: none"> (a) allow that land use to be carried out 	Yes.

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		in the zone the land is situated on, or (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 (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. A planning proposal must not contain or refer to drawings that show details of the development proposal.	
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.

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Section 117 Direction	Objective	What a relevant Planning Authority must do if this direction applies	Consistent
		(a) is of minor significance, and (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.	

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ATTACHMENT “4”

Statement of Council’s Interest

Attachment 2



STATEMENT OF COUNCIL'S INTEREST

The aim of this statement is to clarify and provide transparency to the community of Council's interests in the site which is subject to the proposed reclassification from 'Community' to 'Operational' Land:

Spring Farm – Richardson Road

- Part of Lot 4 in Deposited Plan 1007608– 275 Richardson Road, Spring Farm

In accordance with the Department of Planning and Infrastructure's Practice Note (PN 09-003), it is important to note:

Public Land is any land vested in, or under the control of, Council.

Community Land is generally open to the public, for example, parks, reserves or sports grounds. Community Land:

- cannot be sold;
- cannot be leased, licensed or any other estate granted over the land for more than 30 years; and
- must have a plan of management prepared for it.

Operational Land may be used for other purposes, for example, as works depots or garages, or held by Council as a temporary asset. Operational land has no restrictions other than those which apply to any piece of land (e.g. easements, restrictions to user, etc.).

Classification of public land refers to the process when land is first acquired and first classified as either 'operational' land or 'community' land.

Reclassification of public land refers to the process of changing the classification of 'operational' land to 'community' land or from 'community' land to 'operational' land.

NOTE: A copy of the Department of Planning and Infrastructure's LEP Practice Note for the Reclassification of Public Land is included in the exhibition material to assist the community in identifying information requirements.

275 Richardson Road, Spring Farm (Part of Gundungurra Reserve)	
Property Description	Part of Lot 4 in Deposited Plan 1007608– 275 Richardson Road, Spring Farm
Purpose of the Planning Proposal	To reclassify land required for the purpose of road construction associated Spring Farm Link Road (i.e. Liz Kernohan Drive) and Haul Road.
Current Classification	Community
Proposed Classification	Operational
Purposes of the reclassification	To enable road construction associated Spring Farm Link Road (i.e. Liz Kernohan Drive) and Haul Road.
Owners of the subject site	Council
Council's interests in the land	The site is currently in full freehold ownership of Camden Council

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Attachment 2

<i>How Council acquired the land</i>	Council acquired interest in the land through the dedication of Council for the purposes of a public reserve in 2000.
<i>Why Council Acquired Interest in the Land</i>	The portion of land subject to the reclassification formed part of the land dedicated to Council by Landcom and the NSW Government.
<i>Existing Agreements over the Land</i>	Nil.
<i>Asset Management and Financial Benefits for Council</i>	It is proposed to dedicate the section of land as road. The reclassification will enable the construction of part of Liz Kernohan Drive and Haul Road.
<i>Current Agreements for the Sale or Lease of the Land</i>	Currently, there is no formal agreement for the lease or sale of the land. The land will be dedicated as a road in the future.
<i>Relevant matters required in making the plan</i>	All matters by the Environmental Planning and Assessment Act 1979 in the making of this Plan are distinctly outlined within the Planning Proposal and the Gateway Determination issued by the Department of Planning and Infrastructure.

Our Ref: A13047-MSR 120813

23 August 2013:

Luis Valarezo
Contractor - Development Co-Ordinator
Urban Growth NSW
Level 14, 60 Station Street,
Parramatta NSW 2150
PO Box 237 Parramatta NSW 2124

Attention: Mr Luis Valarezo



Dear Luis

Re: Proposed relocation of haulage road, Springs Farm, NSW

Travers Bushfire & Ecology has been requested to review the potential ecological impacts associated with the proposed relocation of the haulage road adjacent to the northern boundary of Jacks Gully Waste Emplacement, Spring Farm NSW.

Site inspection outcomes



Figure 1 – Proposed haulage road extension – expected disturbance area

An inspection of the general location was undertaken on 26th July 2013. The proposed haulage road is located in a mostly cleared area which is in part abutting existing regrowth vegetation. The adjoining vegetation which is mostly planted was located within the Jacks Gully Waste Emplacement.

Based on the sandy soil profiles present the adjoining existing vegetation may have once consisted of remnants of Elderslie Banksia Scrub Forest, or Sydney Coastal Riverflat

ABN 64 083 086 677
PO Box 7138
Kariang NSW 2250

38A The Avenue
Mt Penang Parklands
Central Coast Highway
Kariang NSW 2250

t: 02 4340 5331
f: 02 4340 2151
e: info@traversecology.com.au

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Attachment 3

Eucalypt Forest. It also adjoins landscape that historically contained Cumberland Plain Woodland.



Figure 1 – Proposed haulage road extension – expected disturbance area



Figure 2 - Current vegetation cover (November 2012)

A site inspection has confirmed that the affected vegetation is dominated by a mix of weeds such as African Boxthorn, Blackberry and regrowth native vegetation.



Photo 1 - Embankment adjoining the western end of the proposed haulage road remnant/regrowth and planted vegetation.



Photo 2 - western end of the proposed haulage road showing cleared road corridor and remnant/regrowth and planted vegetation.

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Photo 3 - Eastern end of the proposed haulage road extension showing cleared road corridor on far side of fence and remnant/regrowth and planted vegetation in adjoining lands.

Conflicts with DECCW concurrence (2004).

The proposed haulage road extension is with an area set aside for restoration for Sydney Coastal Riverflat Eucalypt Forest which is a requirement of the DECCW Concurrence for the Springs Farm Masterplan area. The potential loss of existing vegetation area within the impact zone is 0.12 ha.

The proposed haulage road extension after installation and revegetation works will only impact on approximately 0.55 ha.

Provided that the embankments of the proposed haulage road are revegetated, there will be not be significant loss in potential restoration areas for Sydney Coastal Riverflat Eucalypt Forest.

Conclusion

The proposed haulage road causes a minor impact on 0.12 ha weed, planted or regrowth vegetation. The proposed bulk haulage road does not cause a significant impact on threatened species, endangered ecological communities or populations.

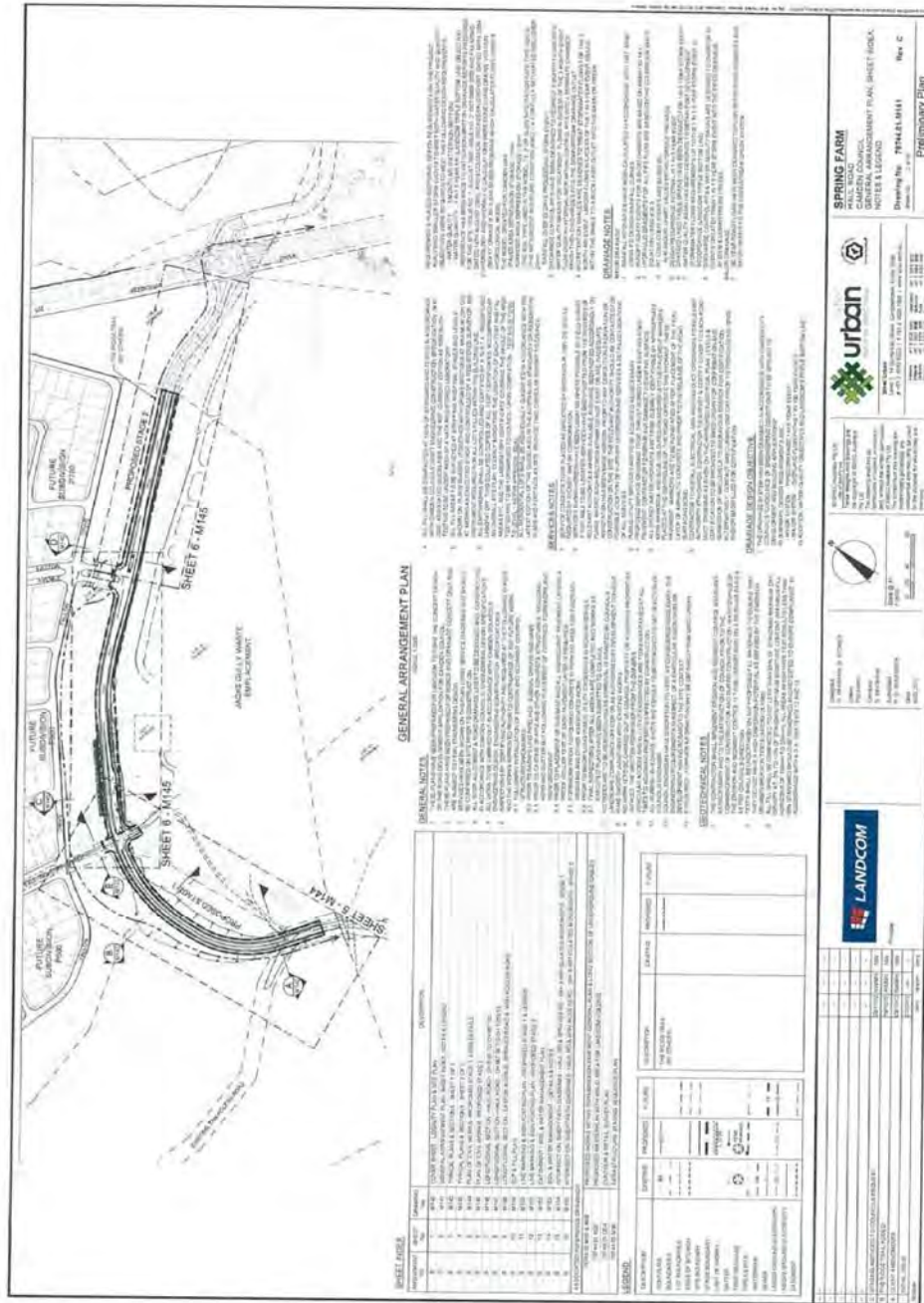
All embankments of the proposed haulage road will need to be revegetated with Sydney Coastal Riverflat Eucalypt Forest to meet the DECCW concurrence target for the Spring Farm Masterplan area.

Yours faithfully

Michael Sheather-Reid
Senior Ecologist - *Travers bushfire & ecology*

Attachment:- Road Haulage design

Attachment 3



ORD04

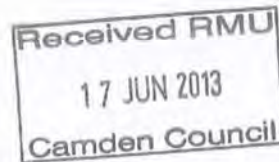
Attachment 4



Office of
Environment
& Heritage

Our reference: DOC13/24886
Contact: Rachel Lonie. 99956837

The General Manager
Camden Council
37 John St Camden
PO Box 183
Camden NSW 2570



Attention: Mr Chris Lalor

Dear General Manager

Reference is made to your correspondence dated 23 May 2013 notifying the Office of Environment and Heritage (OEH) of a planning proposal to reclassify land at 275 Richardson Road (Part Lot 4 DP 1007608) to facilitate the construction of the Spring Farm Link Road and Haul Road.

Comments on the proposal are provided in Attachment 1.

If you require further details or clarification on any matters raised in this response please contact Rachel Lonie Conservation Planning Officer on 9995 6837 or by email at rachel.lonie@environment.nsw.gov.au (please note work days are generally Mondays and Wednesdays).

Yours sincerely

S. Harrison 12/06/13

SUSAN HARRISON
Senior Team Leader Planning
Regional Operations, Greater Sydney
Office of Environment and Heritage

PO Box 668 Parramatta NSW 2124
Level 7, 79 George Street Parramatta NSW
Tel: (02) 9695 3000 Fax: (02) 9695 3905
ABN 30 841 387 271
www.environment.nsw.gov.au

ATTACHMENT 1.**Office of Environment and Heritage (OEH) Comments on proposed development – Reclassification of land at 275 Richardson Road Spring Farm**

The land to be reclassified is part of Gundungurra Reserve (East). It adjoins William Howe Regional Park and is currently zoned E2 Environmental Conservation in the Camden Local Environmental Plan 2010.

OEH recently provided comment (dated 20/05/13) on the related matter of the construction of Haul Road, Spring Farm. In this correspondence it was noted that the National Parks and Wildlife Service (NPWS) has prepared a draft Plan of Management for the nearby regional park in consultation with Council's planning, recreation and open space officers. Council officers involved in this have recognised the need for the road to be designed in a way that would facilitate the Narellan and Spring Bush Corridor (see Map 1 below).

The Narellan and Spring Bush Corridor is intended to form a wildlife corridor between fragmented reserve areas. Council's Plan of Management (POM) for Gundungurra Reserve states:

"Due to the fragmentation of land parcels in the Reserve, its potential value to the community is best utilised as an extension of the surrounding open space systems. It is proposed that Gundungurra Reserve plays an integral role in the development of the Spring Farm Bush Corridor which potentially connects all three land parcels and forms a strategic and biodiversity link to the Nepean River Corridor, William Howe Regional Park and Mount Annan Botanic Gardens."

The planning proposal report states that there are no likely environmental effects as a result of the proposed reclassification. As Council owned reserve lands that are zoned Environmental Conservation this area would be expected to be revegetated over time to facilitate the reserve connectivity and to enhance the areas as wildlife habitat. However, the proposed reclassification and associated roadworks will reduce the area of regional parkland and limit the effectiveness of a proposed wildlife corridor.

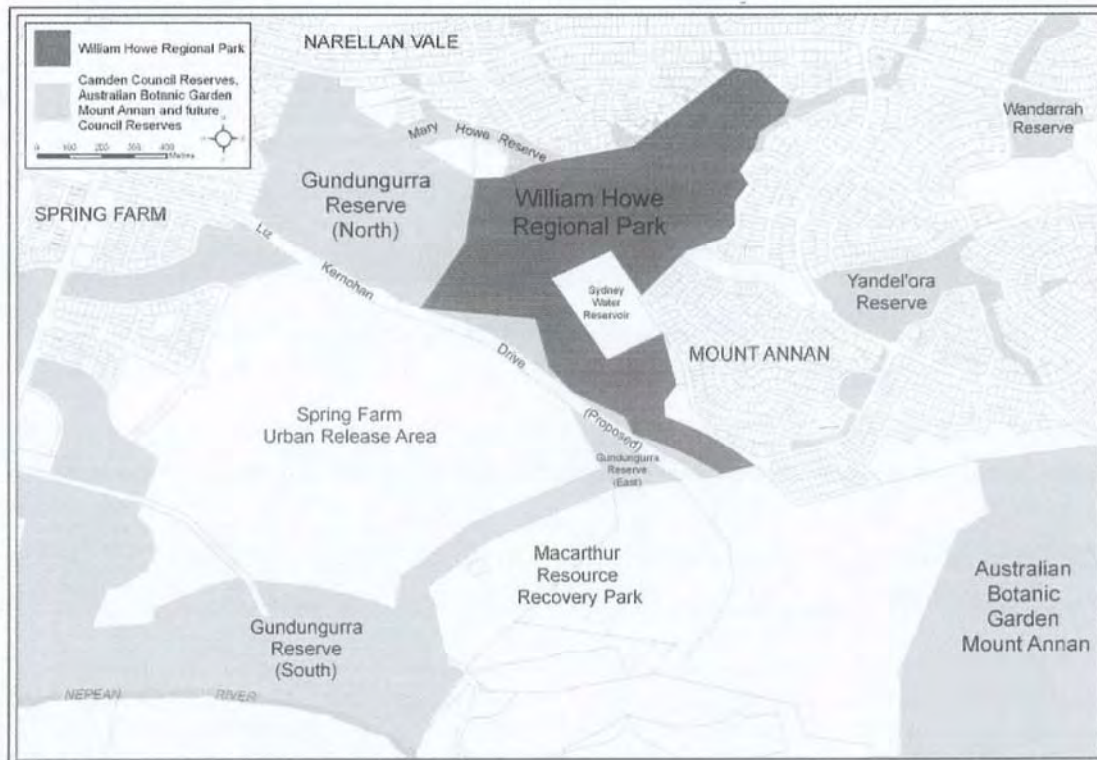
Although the area is currently heavily degraded it appears to contain some remnant native trees and understorey vegetation that may qualify as 'derived native grasslands' which is part of the critically endangered ecological community Cumberland Plain Woodland (see <http://www.environment.nsw.gov.au/determinations/cumberlandplainpd.htm>). The report does not consider whether the vegetation would qualify as Cumberland Plain Woodland under the *Threatened Species Conservation Act 1995*, and if so what would be the associated environmental impacts resulting from the proposal.

Although roads are a land use permitted with consent in E2 zoned land in the Camden LEP the proposed works are not consistent with the E2 zone objectives to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values and to prevent development that could destroy, damage or otherwise have an adverse effect on those values. Reclassification of the land from community to operational further removes environmental protection over the land.

The planning proposal is inconsistent with a specific objective outlined in Council's POM that was "to conserve the natural heritage values of the Gundungurra Reserve as part of the Spring Farm Bush Corridor Network". It also is inconsistent with the POM guiding principals which included to:

- Protect and enhance endangered ecological communities;
- Protect endangered and threatened species; and
- Facilitate natural restoration to promote bush corridor linkages which improve the biodiversity values of the area.

The proposed loss of part of a reserve area to be developed for a roundabout for Liz Kernohan Drive would constrict the wildlife corridor considerably at a point where it is already impacted by future urban development to the north and the proposed Haul Road to the south. The corridor is also identified to be developed for a cycle way, which will further reduce the effective width of the wildlife corridor.



Map 1: Proposed Narellan and Spring Farm Bush Corridor

As noted in the draft William Howe Regional Park POM, the regional park has some important biodiversity values that are expected to be enhanced over time as vegetation corridors are revegetated. Recent fauna studies of the park and nearby area record 8 native amphibian, 6 reptile, 35 bird and 9 mammal species. Some of these animals, in particular reptiles (lace monitor, bearded dragon, eastern snake-necked turtle), ground birds (brown quail), and mammals (swamp wallaby) are most at risk from traffic when crossing between habitat areas. While many of the other species are mobile they would still benefit from enhanced habitat roadside areas acting as 'stepping stones' between the larger reserve areas.

The regional park POM also identifies specific weeds that have become established in the park and includes an action to manage pests and weeds in a strategic and collaborative way with adjoining land managers within the Narellan and Spring Farm Bush Corridor.

The Scientific Determination for Cumberland Plain Woodland states that experience has shown that areas that have been subjected to a history of partial clearing and grazing are capable of some recovery, provided the soil has not been disturbed by earthworks, cultivation, fertiliser application or other means of nutrient or moisture enrichment. However it is suggested that sites with a history of soil disturbance will be extremely slow to recover characteristics of Cumberland Plain Woodland, if at all, and that experimentation with alternative restoration technologies is required. Limiting the impacts of the proposed roadworks and associated works will be important for the ability to restore cleared and degraded areas that may still contain seed banks for native vegetation.

In conclusion, OEH has concerns regarding the adequacy of the environmental assessment undertaken for the proposed reclassification from community to operational land and the effect of the proposal which will be to reduce the reserve area and associated potential habitat and connection to the wildlife corridor.

Recommendations

It is recommended that Council fully assess the environmental impacts of the proposal to include consideration of the loss of E2 zoned reserve land, impacts on the Narellan and Spring Bush Corridor and the potential for the vegetation to qualify as derived native grasslands as part of the critically endangered Cumberland Plain Woodland.

It may also be possible to relocate the roundabout south of Gundungurra East Reserve outside the E2 zoned lands to reduce the impact on the wildlife corridor.

Consideration should be given as to how to enhance the roadside areas associated with the new road works to give effect to the proposed wildlife corridor to implement Council's vision for a strategic and biodiversity link to the Nepean River Corridor, William Howe Regional Park and Mount Annan Botanic Gardens.

If it is determined that there are likely to be impacts that cannot be satisfactorily avoided, Council should consider actions to minimise and offset the environmental impacts. These could include for example:

- The dedication of nearby council land as reserve to offset the loss of part of the reserve area and to increase the width and condition of the proposed bush corridor.
- Restoration of areas of derived native grasslands and revegetation where required with locally sourced native vegetation species in accordance with best practice guidelines for Bush Regeneration on the Cumberland Plain in reserve areas and the Narellan and Spring Bush Corridor area.
- Providing for the movement of terrestrial and arboreal fauna through traffic calming devices and the creation of passageways or over-passes
- Ensuring road design and construction is carefully planned to limit ground disturbance. This could include fencing off areas containing potential areas of derived native grasslands to ensure they are protected and not be used to stockpile materials, etc.

OEH also recommends consideration be given to addressing potential weed issues arising from the construction of the roadway and ongoing maintenance of revegetated areas and road verges.

ORDINARY COUNCIL

ORD05**SUBJECT: DRAFT CATHERINE FIELDS (PART) PRECINCT SECTION 94
CONTRIBUTIONS PLAN****FROM:** Acting Director Governance**TRIM #:** 13/13673

PURPOSE OF REPORT

The purpose of this report is to provide a summary of submissions received during the public exhibition of the Draft Catherine Fields (Part) Precinct Section 94 Contributions Plan, outline post-exhibition amendments to the Draft Plan and recommend the Draft Plan be adopted.

BACKGROUND

The Catherine Fields Part Precinct was released for precinct planning purposes by the Minister for Planning & Infrastructure in August 2011. The Precinct was released in accordance with the Precinct Acceleration Protocol (PAP), with the main landowner at the time, Valad Group, contributing to the cost of Precinct Planning. Valad's landholdings were transferred to Hixson Pty Ltd in 2012. Hixson have assumed the rights and responsibilities of Valad pursuant to the PAP.

The Catherine Fields Part Precinct will primarily consist of residential development with associated infrastructure. A small neighbourhood and community facility is proposed as well as planning controls for Oran Park House and its curtilage. The planning process for Catherine Field Part Precinct is nearing completion. The Department of Planning & Infrastructure (DPI) has advised that the publication (gazettal) of the Precinct Plan is expected to occur during November 2013. Once the Precinct Plan is published, the planning controls in the precinct will be changed and the land rezoned to permit residential development.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development. The infrastructure will be delivered or coordinated by a number of parties including State Government authorities, State owned corporations, Council, developers and private providers. The Catherine Fields (Part) Precinct Section 94 Contributions Plan (hereinafter referred to as the Draft Section 94 Plan), the subject of this report, relates to the infrastructure that is to be the responsibility of Council.

Government Special Infrastructure Contribution

The South West Growth Centre is supported by the State Government Special Infrastructure Contribution (SIC), which collects contributions toward the cost of providing state and regional infrastructure, including roads; land for education, health and emergency service facilities; environmental conservation purposes; and planning delivery.

The SIC will fund at least in part the upgrade of the following roads:-

- Rickard Road extension;
- Oran Park Drive

- Camden Valley Way.

Council's Previous Consideration of the Draft Section 94 Plan

On 11 December 2012, Council considered the Draft Plan and resolved that Council:

- endorse the Draft Camden Section 94 Contributions Plan (Catherine Fields (Part) Precinct) for the purposes of public exhibition and exhibits the plan for a 6 week period; and*
- accept being nominated as the land acquisition authority.*

The Draft Plan was publicly exhibited from 19 December 2012 to 30 January 2013. As a result of the exhibition period, 2 submissions were received and are considered in this report. Council has worked with the DPI over recent months to revise the Precinct Planning package. This has resulted in minor changes being made to the Precinct Plan from the draft exhibited version. The Section 94 Plan has been updated to reflect these changes.

MAIN REPORT

The DPI and Council have jointly prepared a Draft Section 94 Plan (funded by the DPI). The DPI engaged a consultant firm, GLN Planning, to develop the Section 94 Plan for the precinct.

The Draft Section 94 Plan has been prepared using various sources of documentation including information gathered from recent updated planning studies undertaken for the precinct, including Integrated Water Cycle Management, Traffic and Social Infrastructure.

Once adopted, the Draft Section 94 Plan will enable Council to levy contributions on residential and employment generating development within the Precinct. Funding sourced from these contributions will be used by Council to deliver essential infrastructure required by the Precinct. This may include entering into Works-In-Kind and Voluntary Planning Agreements with developers to deliver the infrastructure. The infrastructure contained within the Draft Section 94 Plan typically includes:

- selected road infrastructure such as sub arterial roads, creek crossings and parts of collector roads and the necessary land to build them;
- drainage infrastructure including detention basins, channels used to convey stormwater and the necessary land to build them;
- open space including embellishment of new parks, playgrounds, sporting fields including associated car parking and the necessary land to establish them;
- community facilities (the Section 94 contributions rate per residential lot/dwelling is below the State Government's \$30,000 cap amount which enables the Plan to levy for construction of community facilities, as opposed to being restricted to levying for the land component only); and
- contributions to district level facilities located out-of-precinct within Oran Park and the future Marylands Precinct.

Governance Structure

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

The Draft Section 94 Plan was required to be exhibited. The final Section 94 Plan is now required to be approved by Council to enable the Plan to come into effect.

Relationship with other Camden Growth Centres Contribution Plans

Section 94 plans for the adjoining Oran Park and Turner Road Precincts are in place. The Draft Section 94 Plan for Catherine Fields Part Precinct includes contributions to facilities in the adjoining precincts and to the Maryland Recreation Facility identified in those plans. This is consistent with the approach taken to the delivery of those facilities in the Oran Park Turner Road Contributions Plan, with the subject site being a part of the catchment area for the relevant facilities. There may be an opportunity in the future, as part of a wider review of Council's Section 94 Plans to eventually combine the two plans.

Draft Section 94 Plan

The final Draft Section 94 Plan is provided as **Attachment 1 to this report**.

The table below is extracted from the Section 94 Plan and shows contribution rates and total infrastructure costs of the Plan.

ALL LOCAL INFRASTRUCTURE		RESIDENTIAL DEVELOPMENT		ALL DEVELOPMENT
Item	Total Cost Apportioned to Precinct	\$ per low density dwelling / secondary dwellings > 60m ²	\$ per medium density dwelling / 2-bed secondary dwellings < or = 60m ²	\$ per hectare of NDA
Open Space and Recreation				
Land	\$17,273,025	\$5,438	\$4,249	
Works	\$14,792,203	\$4,657	\$3,638	
Subtotal	\$32,065,229	\$10,096	\$7,887	
Out-of-Precinct District Facilities				
Land	\$3,870,337	\$1,219	\$952	
Works	\$9,936,962	\$3,129	\$2,444	
Subtotal	\$13,807,299	\$4,347	\$3,396	
Community Facilities				
Land	\$123,200	\$39	\$30	
Works	\$1,679,411	\$529	\$413	
Subtotal	\$1,802,611	\$568	\$443	
Roads				
Land	\$2,910,862			\$13,871
Works	\$8,416,267			\$40,106
Subtotal	\$11,327,129			\$53,977
Drainage				
Land	\$10,646,164			\$50,732
Works	\$19,021,852			\$90,644
Subtotal	\$29,668,017			\$141,376
Plan Administration				
Allowance	\$1,625,918			\$7,748
Subtotal	\$1,625,918			\$7,748
TOTAL	\$90,296,202			

By way of example, a development that achieves 15 dwellings per hectare will pay an approximate total Section 94 contribution per dwelling of \$28,550. A development that achieves 20 dwellings per hectare will pay an approximate total Section 94 contribution per dwelling of \$21,882. It must be noted that these are indicative rates provided for information purposes.

As the Draft Section 94 Plan proposes a contribution rate below the State Government's "Section 94 Cap" of \$30,000 per lot or dwelling, it is able to levy for all infrastructure contained within the Plan's work schedule.

Key Issues for Council

The key issues that relate to the Draft Section 94 Plan and infrastructure are expanded upon below:

Key Issue 1 - Timeline for Gazettal of Rezoning & Adoption of the Section 94 Plan

During project discussions, Council staff advised the DPI that they did not support the rezoning of the land without the Section 94 Plan in place. At the time of writing this report, the DPI has advised that the project timeline for the rezoning of the Precinct Plan to take effect is October/November 2013. The DPI has confirmed that they are committed to the rezoning target timeline. As a result Council staff and the DPI have

been working to reduce the “time gap” (if any) between the rezoning taking effect and the adoption of the Section 94 Plan.

By adopting the Draft Section 94 Plan now Council will ensure the plan is applicable at the time that Development Applications are lodged and ready to be determined under the new planning regime.

If the rezoning takes effect without a new Section 94 Plan in place (and subsequent Development Applications are ready to be determined), development would be levied under Camden Contribution Plan 2011, which would levy a lower rate than the expected amount shown in the Draft Section 94 Plan.

Key issue 2 – Land acquisition matters

The Draft Section 94 Plan adopts base land costs as determined in the land valuation report prepared by a Valuer on behalf of Council.

Although Catherine Fields is a “greenfield area” for the purposes of Government Policy it must be acknowledged that in limited cases, certain land required for roads, drainage and open space may contain a residence and in some cases there may be businesses impacted. The land rates in the Section 94 Plan are based on an assessment of general land values also known as “englobo” values. Some land to be acquired by Council will be the subject of the Land Acquisition (Just Terms Compensation) Act 1991 and therefore detailed site specific valuations will be required to determine market value, which will be the actual cost of acquisition. An additional amount of up to 12 percent has been agreed as the appropriate allowance for additional land costs associated with land values determined in accordance with the NSW Land Acquisition (Just Terms Compensation Act) 1991.

Other issues

Infrastructure costings

Sub-consultants from the Precinct Planning project team have completed the infrastructure costings along with substantial input from Council staff. The costing rates have been further reviewed and updated since the Draft Section 94 Plan was reported to Council on 11 December 2012. Costs within the Plan have also been compared to similar recent Section 94 Plans, in particular the Draft Leppington North Plan, being rates that Council’s relevant staff have accepted as being reasonable.

Project on-costs have been adopted consistent with those of Draft Camden Section 94 Contributions Plan – Leppington North 2013.

Indexation

Indexing of contribution rates is one strategy to help ensure that the monetary contributions received keep pace with the changing costs of delivering facilities. Indexation alone however will never substitute the need for Council to regularly revisit and review the specification and costing of works contained in a Section 94 Plan.

The Section 94 Consultant has recommended the use of two indices in the contributions plans. For works, it is recommended that the Consumer Price Index (CPI) for All Groups Sydney be used. For land acquisition, it is recommended that a Land Value Index (as set by Council) be used. The Draft Section 94 Plan contains a proposed methodology for Council to be able to revise the contribution rates to reflect

increases in land values. The Draft Section 94 Plan provides a procedure for Council to be able to obtain regular land valuations for the land to be acquired and publish a "Land Value Index" on Council's website. The Plan states Council's intention to publish the Land Value Index and revise the contribution rates accordingly, without requiring amendment to the plan and a public exhibition process. This approach is consistent with the indexation provisions of the Camden Contribution Plan 2011.

Riparian Corridor Land and Roads not in the Section 94 Plan

Where riparian corridors serve a function that is able to be levied for under Section 94 (such as open space, pedestrian/cycle links or drainage), Council can utilise Section 94 funds to bring these lands into public ownership. The master planning response to riparian zone management for the Precincts has been to locate some other elements of the public domain along key riparian corridors, to enable public uses that are compatible with the water quality, drainage, ecology and soil conservation functions of riparian zones.

The riparian corridor land within the Precinct (South Creek and its tributary and Kolombo Creek) is to be retained in private ownership.

Council may be approached in the future to accept the dedication of riparian corridor land. The decision to accept land dedication and the terms and conditions attached to such would be at Council's discretion. To date Council staff have advised the DPI that it would expect the land and works to be constructed to Council's standards and be dedicated to it free of cost and would not be subject to offsets against the Section 94 Contributions payable on a development consent as the land is not identified in the Section 94 Plan.

The Indicative Layout Plan shows roads that will not be the responsibility of Council to fund or provide. In particular, the Rickard Road Extension and Oran Park Drive upgrades are state responsibilities. It is expected, as a result of the State Voluntary Planning Agreement (VPA) that this work will be delivered by developers within the precinct. On this basis these lands and works have not been included in the Draft Section 94 Plan.

Approach to delivery of collector roads

Design and construction of collector roads will generally be at the developer's cost and delivered in conjunction with surrounding development. Only roads that do not have development fronting them or are otherwise critical for development to occur are included in the Draft Section 94 Plan. The two creek crossings linking with the Oran Park Precinct are included as well as a creek crossing at the southern end of the precinct and another at the north eastern portion of the precinct.

Two roads adjacent to open space and Oran Park House, where there is no development potential, are included in the Draft Section 94 Plan. The Draft Development Control Plan has been prepared in support of this approach. This is a similar approach to that taken in other Growth Centre precincts including Leppington North. Council is to be the acquisition authority for these roads.

Approach to levying for secondary dwellings

The planning objectives for the Growth Centre aim to facilitate the development of a diversity of dwelling types; contribute to the availability of affordable housing; and



promote innovative housing solutions that are compatible with the surrounding residential environment.

The Draft Section 94 Plan supports this objective by adopting the following approach to levying for secondary dwellings (studios and “Fonzie” flats):-

Secondary dwelling	Section 94 Contribution Rate
One bedroom secondary dwellings less than or equal to 60 square metres (gross floor area)	Exempt
Two bedroom secondary dwellings less than or equal to 60 square metres (gross floor area)	Medium density rate applied
Secondary dwellings greater than 60 square metres (gross floor area)	Detached dwelling occupancy rate applied. This rate is applied irrespective of the number of bedrooms proposed within the dwelling.

The Draft Section 94 Plan’s approach to levying for secondary dwellings is consistent with Council’s implementation approach for Camden Contribution Plan 2011 and Oran Park Turner Road Precincts Section 94 Contribution Plan.

It is intended that a review of the characteristics of secondary dwelling developments across the Camden LGA take place in the coming months including take-up rates, location, type of usage (periodic or permanent) and occupancy rates. The review will assist Council in understanding the demand for infrastructure provision as a result of secondary dwelling developments. It will also inform the Section 94 rates that Council wishes to apply for such developments across the Camden LGA. The results of this review will be reported back to Council, along with any recommended changes to Council’s suite of adopted Section 94 Contribution Plans.

Public Exhibition

The Draft Section 94 Plan was placed on public exhibition from 19 December 2012 to 30 January 2013. As exhibition took place over the festive season, the required 28 day exhibition period was extended to an exhibition period of 6 weeks.

The exhibition material was available at the Council Administration Centres and the Camden and Narellan Libraries. All exhibition material was also provided on the Council’s web site. The DPI’s website promoted the Draft Plan’s exhibition and directed any enquiries about the Plan towards Council. All material placed on exhibition was available in hard copy at exhibition venues for people to view and on CDs for people to take away.

Submissions Received

Two submissions were received during the public exhibition period. A summary of submissions received and response to the submissions is included as **Attachment 2 to this report**. Copies of submissions received are included as **Supporting documents to this report**.

Post Exhibition Amendments

The following is a summary of the amendments that have been made to the exhibited Draft Section 94 Plan:

- Updated plan text and schedules to account for the final Indicative Layout Plan.
- Update the Plan to reference supporting studies that have been completed as part of the precinct planning post exhibition works, including the Peer Review of Social Infrastructure and Demographic Assessment for Catherine Fields (Part) Precinct.
- Corrected miscellaneous typographical errors and mapping anomalies.
- Corrections and updates in response to submissions received to the Draft Section 94 Plan. The individual changes made to the Plan in response to the issues raised in submissions are identified in **Attachment 2 to this report**.
- The Plan includes contribution rates for some secondary dwellings, as discussed in the body of this report.
- Revision of off-site contribution works as a result of the findings of the Peer Review of Social and Demographic Assessment.

FINANCIAL IMPLICATIONS

Should Council adopt the Draft Catherine Fields (Part) Precinct Section 94 Contributions Plan, this will put in place a funding mechanism to support infrastructure delivery. However it should be noted that there are potential financial costs to Council associated with land acquisition which has been discussed under Key Issue 2 – Land acquisition matters.

If the rezoning takes effect without a new Section 94 Plan in place (and subsequent Development Applications are ready to be determined), development would be levied under Camden Contribution Plan 2011, which would levy a lower rate than the expected amount shown in the Draft Section 94 Plan.

CONCLUSION

The Draft Catherine Fields (Part) Precinct Section 94 Contributions Plan was publicly exhibited in accordance with the Environmental Planning and Assessment Act and Regulation. The Draft Section 94 Plan has been amended in response to the revised Catherine Fields Part Precinct planning package and submissions received.

The Section 94 Plan is an important component in being able to realise the vision established for the Catherine Fields Part Precinct. The Draft Section 94 Plan rates per residential lot/dwelling come in underneath the State Government's cap on development contributions. The Plan is therefore able to fund all local infrastructure that is identified within the Plan.

At the time of writing this report the rezoning of the Precinct is anticipated to occur during November 2013 and it is understood that developers are motivated to commence the development of parts of the Precinct as soon as possible. It is recommended that Council adopt the Draft Section 94 Plan so that Council is able to levy development contributions upon Development Applications in accordance with the Plan.

RECOMMENDED

That Council:

- i. adopt the Catherine Fields (Part) Precinct Section 94 Contributions Plan;**
- ii. notify the public of Council's decision to adopt the Catherine Fields (Part) Precinct Section 94 Contributions Plan in a local newspaper within 28 days in accordance with Clause 31 of the *Environmental Planning and Assessment Regulation 2000*;**
- iii. write to submitters to advise of Council's decision; and**
- iv. send a copy of the adopted Plan to the Department of Planning & Infrastructure.**

ATTACHMENTS

- 1. Draft Final S94 Plan Catherine Field (Part Precinct)**
- 2. Summary of Submissions Catherine Field (Part Precinct)**
- 3. submissions combined - *Supporting Document***

Catherine Fields (Part) Precinct

Section 94 Contributions Plan



Prepared by



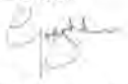
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Attachment 1

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Author: G New
Reviewer: P Grech

Signed: 
Date: 29 October 2013
Distribution: Department of Planning and Infrastructure, Camden Council

Catherine Fields (Part) Precinct Section 94 Contributions Plan

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1. Summary of Plan

1.1 Preamble

The Catherine Fields (Part) Precinct (**CFPP**) is an urban release area in Sydney's South West Growth Centre, and located within the Camden LGA.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development.

The infrastructure will be delivered or coordinated by a number of parties including State Government public authorities, State owned corporations, Camden Council, developers and private providers.

Councils typically fund the provision of local infrastructure through a combination of general revenue (from rates and other charges), development contributions under the Environmental Planning and Assessment Act, and grants from the State or Commonwealth government. Much of the capital cost of local infrastructure in new urban areas is funded by development (i.e. section 94) contributions as there is often a clear relationship between the need for new or upgraded infrastructure and population growth attributable to new development.

This Plan addresses the provision in the CFPP of those public amenities and public services, or local infrastructure, to be delivered by or on behalf of Camden Council. This infrastructure includes:

- open space and recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, and pedestrian and bike paths;
- community and cultural facilities, such as multi-purpose community centres;
- water cycle management facilities, such as detention basins; and
- traffic and transport management facilities, such as new roads, creek crossings and intersections.

This Plan also addresses the provision of district-level social infrastructure that has been previously planned to serve the wider Oran Park area, including the expected population of the CFPP.

In order to rationalise the number of contributions plans within the South West Growth Centre to be administered by Council, it is intended that this Plan will be amended in the future to apply to adjoining Precincts.

1.2 Summary of contribution rates and works schedule costs

The tables on the following pages show the contribution rates applicable to development the subject of this Plan, and the total value of works to be funded by contributions anticipated under this Plan.

Catherine Fields (Part) Precinct Section 94 Contributions Plan

ALL LOCAL INFRASTRUCTURE		RESIDENTIAL DEVELOPMENT		ALL DEVELOPMENT
Item	Total Cost Apportioned to Precinct	\$ per low density dwelling / secondary dwellings > 60m ²	\$ per medium density dwelling / 2-bed secondary dwellings < or = 60m ²	\$ per hectare of NDA
Open Space and Recreation				
Land	\$17,273,025	\$5,438	\$4,249	
Works	\$14,792,203	\$4,657	\$3,638	
Subtotal	\$32,065,229	\$10,096	\$7,887	
Out-of-Precinct District Facilities				
Land	\$3,870,337	\$1,219	\$952	
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Subtotal	\$13,807,299	\$4,347	\$3,396	
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Land	\$123,200	\$39	\$30	
Works	\$1,679,411	\$529	\$413	
Subtotal	\$1,802,611	\$568	\$443	
Roads				
Land	\$2,910,862			\$13,871
Works	\$8,416,267			\$40,106
Subtotal	\$11,327,129			\$53,977
Drainage				
Land	\$10,646,164			\$50,732
Works	\$19,021,852			\$90,644
Subtotal	\$29,668,017			\$141,376
Plan Administration				
Allowance	\$1,625,918			\$7,748
Subtotal	\$1,625,918			\$7,748
TOTAL	\$90,296,202	\$15,010	\$11,727	\$203,101

LAND CONTRIBUTION RATES

(For land to be acquired in the Catherine Fields (Part) Precinct only)

		RESIDENTIAL DEVELOPMENT			ALL DEVELOPMENT
Item	Item Total Area (m ²)	m ² per additional resident	m ² per low density dwelling / secondary dwellings > 60m ²	m ² per medium density dwelling / 2-bed secondary dwellings < or = 60m ²	m ² per hectare of NDA
Open Space					
Land	159,991	15.74	50.37	39.35	
Community Facilities					
Land	1,000	0.10	0.31	0.25	
Roads					
Land	33,260				158.50
Drainage					
Land	124,596				593.74
TOTAL	318,848	15.84	50.69	39.60	752.23

Catherine Fields (Part) Precinct Section 94 Contributions Plan

1.3 Overview and structure of Plan

Section 94 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services to meet the development.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared to authorise the imposition of section 94 contributions on development expected to occur in the CFPP.

This Plan has been prepared in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*, including the requirement for the Plan to have had regard to the latest Practice Notes issued by the NSW Department of Planning and Infrastructure.

There are minimum requirements as to the form and subject matter of section 94 contributions plans that are set out in the EP&A Regulation. Each requirement, and reference to the clause or Part of this document that deals with that requirement, are listed below:

The purpose of the plan	Clause 2.6
The land to which the plan applies	Clause 2.8
The relationship or nexus between the expected development in the area and the community infrastructure that is required to meet the demands of that development	Part 4
The formulas to be used for determining the reasonable contributions required from expected development for different types of community infrastructure	Clauses 4.2.2, 4.3.2, 4.4.2, 4.5.2, 4.6.2
The contribution rates for the anticipated types of development in the area	Clause 1.2
The council's policy concerning the timing of the payment of monetary section 94 contributions, and the imposition of section 94 conditions that allow deferred or periodic payment	Clauses 2.16 and 2.17
Maps showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds)	Part 5
If the plan authorises monetary section 94 contributions or section 94A levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule	Part 5

Catherine Fields (Part) Precinct Section 94 Contributions Plan

The Plan is structured in the following Parts:

- Part 1 (this Part) contains an introduction and summary schedules.
- Part 2 contains provisions that describe the contributions framework, essential details of the Plan, and how section 94 contributions for development in the CFPP will be imposed, settled and managed.
- Part 3 documents the expected development in the CFPP and the likely demand for infrastructure arising from that development.
- Part 4 discusses infrastructure costs and delivery, and for each infrastructure category describes the relationship between development and infrastructure which culminates in a contributions formula.
- Part 5 contains schedules describing the proposed infrastructure addressed by the Plan; and also contains location maps of this infrastructure.
- Part 6 contains a list of background information that was sourced in the preparation of the Plan.

2. Administration and operation of the Plan

2.1 Definitions used in this Plan

Except where indicated in this clause, the definitions of terms used in this Plan are the definitions included in the EP&A Act, EP&A Regulation and the *the State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, are adopted by this Plan.

In this clause, 'existing' means at the date on which this Plan came into effect.

In this Plan, the following words and phrases have the following meanings:

Attributable cost means the estimated cost for each item in the works schedules set out in Part 5 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

CFPP means the area of land shown in Figure 2.1 of this Plan.

Council means The Council of Camden.

CPI means the *Consumer Price Index (All Groups - Sydney)* published by the Australian Statistician.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2000*.

ILP means Indicative Layout Plan.

LGA means local government area.

Net Developable Area means the area of land to which a development application relates and includes the area of any land that the development consent authorises, or requires, to be used as a road, or reserved or dedicated as a public road but excludes:

- existing roads to be used as part of the proposed road network;
- existing educational establishments;
- any part of the land that is below the level of a 1:100 Annual Recurrence Interval (ARI) flood event, if that part of the land is unsuitable for development by virtue of it being at or below that level;
- land including and immediately surrounding Oran Park House, and comprising approximately 4.9 hectares, as identified on the Catherine Fields (Part) Precinct – SW Growth Centre Heritage Map contained in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.
- any land that the development consent authorises, or requires, to be reserved, dedicated or otherwise set aside as, or for the purpose of, any of the following:

- (a) a government school (within the meaning of the *Education Act 1990*);

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- (b) a tertiary institution, including a university or TAFE establishment, that provides formal education and is constituted by or under an Act;
- (c) an emergency services facility;
- (d) a health services facility owned and operated by a public authority;
- (e) a golf course;
- (f) a passenger transport facility;
- (g) a public reserve or a drainage reserve (within the meaning of the *Local Government Act 1993*);
- (h) a public transport corridor (other than a road corridor);
- (i) a public utility undertaking;
- (j) roads or other public amenities or public services, in connection with which development contributions have been imposed under section 94 or section 94A of the Act or may be imposed in accordance with a contributions plan approved under section 94EA of the EP&A Act;
- (k) roads or other infrastructure in connection with which special infrastructure contributions have been, or may be, imposed in accordance with section 94EF of the EP&A Act.

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

Planning agreement means a voluntary planning agreement referred to in section 93F of the EP&A Act.

Residential Accommodation has the same meaning as in the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Social Infrastructure Assessment means the report *Social Infrastructure & Demographic Assessment – Catherine Fields (Part) Precinct*, prepared by MacroPlan Australia, May 2012.

Transport Assessment means the report *Catherine Field (part) Precinct Transport and Access Strategy*, prepared by AECOM, May 2012

Works-in-kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan as a means of either fully or partly satisfying a condition of consent requiring development contributions to be made.

Works schedule means the schedule of the specific public facilities for which contributions may be required as set out in Part 5 of this Plan.

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2.2 What are development contributions?

Development contributions are contributions made by those undertaking development approved under the EP&A Act toward the provision of public services and public amenities.

Development contributions are addressed under Divisions 6 and 6A of Part 4 of the EP&A Act and are imposed as conditions on a development consent.

Contribution requirements may be in the form of the dedication of land free of cost, or the payment of a monetary contribution.

There are different classes of development contributions provided for under the EP&A Act:

- Special infrastructure contributions;
- local infrastructure contributions, which may be either section 94 contributions or section 94A fixed rate levies;
- contributions included in voluntary planning agreements; and
- contributions toward the provision of affordable housing.

This Plan is principally concerned with the imposition of conditions of consent requiring development contributions for local infrastructure under section 94 of the EP&A Act.

More detail on the types of infrastructure levied for under this Plan is included in later Parts of this Plan.

2.3 Prerequisites for imposing contribution requirements in consents

2.3.1 Contributions must be authorised by a contributions plan

The EP&A Act provides that a council (or an accredited certifier) can require, through imposition of a condition or conditions on a development consent (or on a complying development certificate), development contributions if:

- there is a contributions plan applying to the development that is in force and that authorises the contribution (such as this Plan); and
- the contribution is imposed in accordance with the provisions of such a plan.

Accredited certifiers are further restricted to imposing only development contributions being monetary contributions on a consent.

As an alternative to, or in addition to, the levying of section 94 contributions, a council may negotiate a planning agreement with a developer for the provision of local infrastructure.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial directions made under the EP&A Act or EP&A Regulation relating to planning agreements.

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2.3.2 Section 94 contributions must be reasonable

Section 94 of the EP&A Act authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services (public facilities) to meet the development.

Section 94 contributions must be reasonable in the particular circumstances of each development. That is, a section 94 contribution must be proportional to the relationship (or 'nexus') that exists between the development being levied and the need for the public amenity or service for which the contribution is required.

Section 94 contributions may be imposed on developments to meet the cost of facilities yet to be provided; and to recoup the cost of facilities that have already been provided in advance of development occurring.

A condition may only be imposed under section 94 towards the future provision of public facilities:

- if the proposed development will or is likely to require the provision of, or increase the demand for, public facilities within the local government area; and
- to require only a reasonable dedication or monetary contribution for the provision, extension or augmentation of the public facilities concerned.

A condition may be imposed under section 94 towards the recoupment of the cost of public facilities if:

- the consent authority has, at any time, provided public facilities within the local government area in preparation for or to facilitate the carrying out of development in the area, and
- development for which development consent is sought will, if carried out, benefit from the provision of those public facilities.

A person entitled to act on a development consent may, under section 94B of the EP&A Act, appeal the reasonableness of a section 94 condition that is imposed in accordance with a contributions plan. Such a condition may be disallowed or amended by the Land and Environment Court because it is unreasonable in the particular circumstances of that case, even if it was determined in accordance with the relevant contributions plan.

2.4 Cap on monetary section 94 contributions

As part of the State Government's strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government now imposes limits on the total monetary section 94 contributions that a consent authority may impose on developments.

The Minister for Planning issued a direction to the Council under section 94E of the EP&A Act effective from 28 August 2012 that restricts consent authorities from imposing conditions of consent requiring monetary section 94 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is \$20,000 per lot or dwelling. However, the Government's policy is to allow a cap of \$30,000 per lot or dwelling to apply to development in 'greenfield areas' in recognition of the greater infrastructure costs of those developments.

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The Minister's direction referred to above has identified that residential development on land to which this Plan applies is subject to a maximum section 94 monetary contribution of \$30,000 per lot or dwelling. The contribution rates included in this Plan are consistent with that direction.

2.5 Name of the Plan

This Plan is called the *Catherine Fields (Part) Precinct Section 94 Contributions Plan*.

2.6 Purposes of the Plan

The primary purpose of the Plan is to authorise:

- Council, when granting consent to an application to carry out development to which this Plan applies; or
- an accredited certifier, when issuing a complying development certificate for development to which this Plan applies,

to require a contribution to be made towards either/both:

- the provision, extension or augmentation of public amenities and public services only where development is likely to require the provision of or increase the demand for those amenities and services; and
- the recoupment of the cost of providing existing public amenities and public services within the area to which this Plan applies.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of development contributions toward the provision of public amenities and public services generated by development within the CFPF;
- to determine the demand for public facilities generated by the incoming population to the area and ensure that development makes a reasonable contribution toward the provision of public amenities and public services that are required for that population;
- to ensure (within the limits imposed by Ministerial Directions) that the existing community is not unreasonably burdened by the provision of public amenities and public services required (either partly or fully) as a result of development in the area; and
- to ensure Council's management of development contributions complies with relevant legislation and guidelines, and achieves best practice in plan format and management.

2.7 Commencement of the Plan

This Plan commences on the date on which public notice of the Plan's commencement is published in accordance with the EP&A Regulation.

2.8 Land to which Plan applies

This Plan applies to all of the land identified in Figure 2.1.

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Figure 2.1 Land to which this Plan applies

2.9 Development to which this Plan applies

Except as provided for by this clause, this Plan applies to:

- Residential Accommodation development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.2 to 4.6 of this Plan; and
- all other development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.4 to 4.6 of this Plan.

This Plan does not apply to development:

- for bedsit or one-bedroom secondary dwellings less than or equal to 60 square metres in gross floor area; or
- for the sole purpose of affordable housing; or
- for the sole purpose of the adaptive reuse of an item of environmental heritage; or
- for the purposes of public infrastructure provided by or on behalf of State Government or the Council; or
- for the purposes of public amenities or public services under this Plan or another contributions plan prepared under section 94B of the EP&A Act; or

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- for utility undertaking works to be carried out by Sydney Water, Endeavour Energy or an equivalent water, sewer or energy provider; or
- residual lots, where no demand for public amenities or public services is generated; or
- superlots, where the final demand for public amenities or public services will be generated after a further subdivision of land; or that in the opinion of Council does not increase the demand for the categories of public amenities or public services addressed by this Plan.

2.10 Relationship to other contributions plans

This Plan repeals *Camden Contributions Plan 2011*, insofar as that plan applies to land to which this Plan applies.

This Plan does not limit or otherwise affect any requirements for the payment of special infrastructure contributions (or 'SICs') pursuant to Subdivision 4 of Division 6 of Part 4 of the EP&A Act.

2.11 Allowances for existing development in the calculation of social infrastructure contributions

Monetary contributions determined under this Plan will be calculated according to the estimated net increase in demand for the particular public amenities and public services that are included in this Plan and that a particular development is projected to generate.

The Plan addresses the provision of:

- roads, transport, and drainage facilities (being 'economic infrastructure'); and
- open space and recreation, community and cultural, and out-of-Precinct district facilities (being 'social infrastructure'),

that have been designed to meet the needs of the urban development of the CFPP.

The planned economic infrastructure is to facilitate the conversion of the area from semi-rural development context to an urban development context. It is the wholesale re-development of the land for urban purposes (particularly through land subdivisions) that necessitates the provision of the economic infrastructure. The economic infrastructure currently available does not meet the needs of the planned urban development to any degree and entirely new road and drainage networks have to be designed and built to meet those needs. No allowance will therefore be made for the demand for economic infrastructure attributable to development that existed at the time this Plan was prepared.

The planned social infrastructure is also to facilitate that same conversion, however there are people already living in the area that demand and use social infrastructure. It is also likely that current populations will, to some extent, demand the recreation and community facilities that will be provided under this Plan.

Consistent with the above, in calculating contributions under this Plan an allowance will only be made for the demand for social infrastructure attributable to development.

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Table 2.1 Occupancy rates for calculating credits

Dwelling type	Assumed occupancy rate
Detached dwelling, detached dual occupancy, secondary dwellings > 60 square metres (each dwelling)	3.2 persons per dwelling
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings, 2-bed secondary dwellings <= 60 square metres (each dwelling)	2.5 persons per dwelling
Seniors' housing	1.5 persons per dwelling

The contribution required from a development for social infrastructure will only be due to any net increase in population relating to the proposed development, which is the total proposed population increase less any credits calculated using the assumptions in Table 2.1.

2.12 Section 94 contributions may be required as a condition of consent

2.12.1 Monetary contributions

This Plan authorises the Council, when granting development consent to an application to carry out development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution to the Council towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

This Plan requires the Council or an accredited certifier, when determining an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

2.12.2 Land contributions

This Plan authorises the Council, by imposition of a condition of development consent, to require in connection with any development on land to which this Plan applies (and in addition to any monetary contribution that may be sought) the dedication free of cost to the Council of any part of the development site that is land that is to be acquired under this Plan.

The area of land that may be required in the consent shall not exceed the area equivalent to the monetary contribution otherwise authorised by this Plan. Council will credit only the amount provided in the Plan.

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For the purposes of this clause, the value of the land is to be calculated in accordance with the value of the land as indexed by the Land Value Index established under this Plan.

The monetary development contribution otherwise authorised by this Plan shall be reduced by an amount corresponding to the value of the land required to be dedicated.

Where the value of the land exceeds the monetary development contribution otherwise authorised, the developer may offer to enter into a voluntary planning agreement dealing with an appropriate settle-up in exchange for the dedication of the remainder.

2.12.3 Variation to contributions authorised by this Plan

Council retains the right to reduce the development contribution otherwise calculated in accordance with the provisions of this Plan.

A developer's request for variation to a contribution calculated in accordance with this Plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

2.13 Obligations of accredited certifiers

In relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a section 94 contribution, if such a contribution is authorised by this Plan; and
- any such contribution may only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this Plan in respect of the development.

It is the responsibility of the principal certifying authority to accurately calculate and apply the local infrastructure contribution conditions to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

A section 94 condition would not generally be required to be imposed on a CDC unless the particular complying development will or is likely to require the provision of or increase the demand for the specific local infrastructure included in this Plan. For example, a new dwelling on a vacant allotment of land would not be subject to a section 94 condition because section 94 contributions would likely have been imposed and paid at the subdivision DA stage. However, a secondary dwelling CDC would be subject to a section 94 condition under this Plan, because the development increases infrastructure demands beyond the original dwelling house development.

Accredited certifiers should contact Council if there is any doubt whether section 94 conditions should be imposed on particular CDCs.

Likewise, it is the responsibility of an accredited certifier issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

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The only exceptions to the requirement are where a works-in-kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.14 Adjustment of contribution rates under this Plan

The purpose of this clause is to ensure that the monetary contribution rates imposed at the time of development consent reflect the indexed cost of the provision of facilities included in this Plan. The Consumer Price Index is generally used as a measure to increase contribution rates. However, it is not a suitable index for adjusting contributions of land yet to be acquired as it is not related to fluctuations in land values. As a result, Council will prepare and publish a customised Land Value Index on a regular basis, and at least annually by engaging a registered valuer to prepare revised land valuations. The Land Value Index will be published on Council's website www.camden.nsw.gov.au.

Council may, without the necessity of preparing a new or amending contributions plan, make changes to the monetary section 94 contribution rates set out in this Plan to reflect quarterly changes to the Consumer Price Index (for all works schedule items identified in this Plan apart from the items comprising land yet to be acquired) and the customised Land Value Index (for works schedule items identified in this Plan involving land yet to be acquired).

2.14.1 Contribution rates for all works schedule items (other than land yet to be acquired)

The contribution rate for works schedule items (other than land yet to be acquired) will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current CPI}}{\text{Base CPI}}$$

Where:

- $\$C_A$ is the contribution rate for works schedule items (other than land yet to be acquired) at the time of adoption of the Plan expressed in dollars
- Current CPI is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the review of the contribution rate
- Base CPI is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the date of adoption of this Plan

Note: The contribution rate will not be less than the contribution rate specified at the date of the adoption of this Plan.

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2.14.2 Contribution rates for works schedule items involving land yet to be acquired

The contribution rate for works schedule items involving land yet to be acquired will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current LV Index}}{\text{Base LV Index}}$$

Where:

- $\$C_A$ is the land values within the Plan at the time of adoption of the Plan expressed in dollars
- Current LV Index is the most recent level of the Land Value Index as published by the Council at the time of the review of the contribution rate
- Base LV Index is the Land Value Index as published by the Council at the date of adoption of this Plan

Note: The contribution rate for land acquisition will not be less than the contribution rate specified at the date of the adoption of this Plan.

Process for publishing the Land Value Index

The Base LV Index relates to the estimated values of the types of land classification at the date of adoption of this Plan, as determined in the report prepared by Tim Elliott titled *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct*.

An additional amount of up to 12 percent has been agreed as the appropriate sum where, in land acquisition matters, there is a demonstrated special value component that exists above market value. The allocation of 12% allowance is to be used as a guide only and does not diminish the land owners right to determination of the matter in accordance with Part 3 Division 4 of the *Land Acquisition Just Terms Compensation Act 1991*. The values are shown in Table 2.2.

Table 2.2 Assumed land values for various classifications

Land classification	Base assumed land cost (per m ²)	Land cost (per m ²) including 12% allowance for Just Terms Act matters*
Developable land (premium)	\$110	\$123.20
Developable land (good but with issues that require remedy)	\$85	\$95.20
Constrained or riparian land:		
Above 1 in 100 year flood level	\$65	\$72.80
Below 1 in 100 year flood level	\$40	\$44.80

Notes:

* Allowance to address Special Land Value at date of acquisition, Severance, Solatium and Disturbance as required to be paid pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*.

Sources: *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct* prepared by Tim Elliott Real Estate Valuer, 1 September 2012; email from Tim Elliott to Greg New dated 19 August 2012

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The Base LV Index for all land categories is set at 100.00 at the time this Plan is adopted.

Council will, through the life of the Plan, engage a registered valuer on at least an annual basis to review and (if necessary) update the Land Value Index for each of the land categories listed above.

The updated Land Value Index will be obtained by dividing the value of the land at the time of the review by the value of the land at the date of adoption of this Plan and multiplying this figure by 100.

Council will publish updates to its Land Value Index on either its web site or in its Management Plan or both.

2.15 Adjustment of contributions required by a condition imposed under this Plan

The purpose of this clause is to ensure that the monetary contributions at the time of payment reflect the indexed cost of the provision of facilities included in this Plan.

A contribution required by a condition of development consent imposed in accordance with this Plan may require indexation of the contribution between the date of the grant of the consent and the date on which the contribution is made as follows.

2.15.1 Contributions for all works schedule items (other than land yet to be acquired)

The total contribution for all work schedule items (other than land yet to be acquired) at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

$\$C_C$ is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

CPI_P is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the payment of the contribution

CPI_C is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician which applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

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2.15.2 Contributions for works schedule items involving land yet to be acquired

The total contribution for all work schedule items involving land yet to be acquired at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times LV\ Index_P}{LV\ Index_C}$$

Where:

$\$C_C$ is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

$LV\ Index_P$ is the Land Value Index as published by the Council at the time of the payment of the contribution

$LV\ Index_C$ is the Land Value Index as published by the Council applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

2.16 Timing of payment of monetary contribution required under this Plan

Council's policy in relation to the timing of payments of monetary contributions required under this Plan is as follows:

- Development involving subdivision - prior to the release of the first subdivision certificate (linen plan) or strata certificate.
- Other development that requires the issuing of a construction certificate - prior to the release of the first construction certificate.
- Other development not requiring the issuing of a construction certificate – prior to the issuing of the first occupation certificate or commencement of the use, whichever occurs first.

2.17 Policy on deferred or periodic payments

Council may accept the deferred or periodic payment of part or all of a monetary contribution required under this Plan if the applicant, or any other person entitled to act upon the relevant consent, makes a written request and can satisfy the Council that non-compliance with the payment provisions is justified.

Acceptance of any request for deferred or periodic payment is entirely at the discretion of the Council. Generally, acceptance of deferred or periodic payments will only be accepted in exceptional circumstances and will be assessed on a case-by-case basis.

Deferred or periodic payments may be permitted in any one or more of the following circumstances:

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- Compliance with the provisions of clause 2.16 of this Plan is unreasonable or unnecessary in the circumstances of the case.
- Compliance with Camden Council's operative Work's In Kind Policy.
- Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program.
- There are other circumstances justifying the deferred or periodic payment of the contribution.

If Council does decide to accept deferred or periodic payment, Council will require the applicant to provide a bank guarantee by a bank, with a minimum long term credit rating (Standard & Poors) of A, for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus a provisional amount equal to 10 percent of the outstanding amount plus any charges associated with establishing or operating the bank security;
- the bank guarantee provides that the bank must pay the guaranteed sum on demand by the Council without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank or financial institution in writing that the guarantee is no longer required;
- where the bank guarantee contains an end date, the developer agrees that the Council is free to call on the guarantee in respect of the outstanding balance of the development contribution as indexed if the development contribution has not otherwise been paid prior to 14 days prior to the end date; and
- the Plan Administration component of the development contribution is paid in full and there is no deferral of this amount.

Council is also entitled to claim any charges associated with establishing or operating the bank security. The applicant is to be provided with the details of any such expenses.

2.18 Works-in-kind and other material public benefits offered in part or full satisfaction of contributions

A person may make an offer to the Council to carry out work or provide another kind of material public benefit in lieu of making a contribution in accordance with a section 94 condition imposed under this Plan, in the terms described below.

In addition to the requirements set out in this clause:

- the acceptance of any offer of works-in-kind or other material public benefits is entirely at Council's discretion;
- offers of works-in-kind shall be subject to Council's Works In Kind Policy; and
- a Works-in-kind Agreement must be in place prior to commencing the works.

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2.18.1 Offer of a material public benefit made after the imposition of a section 94 contribution condition under this Plan

The Council may accept an offer made in writing to the Council that provides for:

- a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition already imposed requiring the payment of a monetary contribution; or
- the dedication of land free of cost towards the provision of public facilities to meet the demands of the development.

Council will only consider offers of this type where the proposed work or dedication of land is contained in the works schedule included in this Plan (i.e. a works-in-kind offer).

Where the Council accepts such an offer, it is not necessary for the section 94 condition of consent to be modified under section 96 of the EP&A Act.

Any material public benefit proposal is required to be in accordance with Camden Council's Work's In Kind Policy. It is at Council's discretion to accept any such request.

2.18.2 Offer of a material public benefit made before the imposition of a section 94 contribution condition under this Plan

An applicant for consent to carry out development to which this Plan applies may request that any consent granted to the development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

The applicant's request:

- may be contained in the relevant development application; or
- may constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The Council will consider the request as part of its assessment of the development application. Any material public benefit proposal is required to be in accordance with Camden Council's Work's In Kind Policy. It is at Council's discretion to accept any such request.

If the Council decides to grant consent to the development and agrees to a request made in the relevant development application, it may impose a condition under section 80A of the EP&A Act requiring the works to be carried out or the material public benefit to be provided.

If the applicant makes an offer to enter into a planning agreement, the Council will, if it proposes to enter into the agreement, publicly notify the draft agreement and an explanatory note relating to the draft agreement together with the development application in accordance with the requirements of the EP&A Act.

If the Council decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under s93I(3) of the EP&A Act requiring the agreement to be entered into and performed.

Voluntary planning agreements shall be registered on the property title.

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2.18.3 Matters to be considered by the Council in determining offers of material public benefits

In addition to any matters identified in clauses 2.18.1 and 2.18.2 Council will take into account the following matters in deciding whether to accept an offer of material public benefit:

- the requirements of Council's Work's In Kind Policy.; and
- the standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction; and
- the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- the provision of the material public benefit will not unduly prejudice the timing or the manner of the provision of public facilities included in the works program.

Where the offer is made in accordance with clause 2.18.2 and relates to material public benefit that is not a works-in-kind proposal Council will take into account the following additional matters:

- the overall benefit of the proposal; and
- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer); and
- the implications of funding the recurrent cost of the facility(s) the subject of the offer.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of works or the development. If the offer is made by way of a draft planning agreement under the EP&A Act, Council will require the agreement to be entered into and performed via a condition in the development consent.

Works-in-kind and material public benefit agreements shall be made between the Council and the developer and (if the developer is not the land owner) the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan, the programme for delivering the works. Planning agreements shall address the matters included in the EP&A Act and Regulation.

2.18.4 Valuation of offers of works-in-kind and other material public benefits

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

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The value of land will be the attributable cost of the land under this Plan indexed in accordance with this Plan to the time the agreement is entered into.

2.18.5 Provision of works-in-kind and other material public benefits in excess of contribution requirements

It is at Council's discretion whether it will accept from a developer the provision of works-in-kind or other material public benefits where the value of the works (which is the attributable cost of the works indexed in accordance with the provisions of this Plan) exceeds the value of development contribution required by conditions of consent.

Where Council does agree to accept works with a value greater than the contributions required, Council will hold the 'surplus value' of the works as a credit in favour of the developer and will apply this credit against future development contribution requirements for that particular type of work.

For example, if works are provided by a developer that are 'community facility' works identified in this Plan, and those works have an attributable cost greater than the community facilities monetary contribution that is required on the developer's development consent, then the difference between the attributable cost of the community facility works-in-kind and the monetary contribution (this is called the 'surplus value') will be held as a credit and will only be used to offset section 94 requirements for community facilities imposed on development consents in the Camden LGA issued to that developer.

That is, Council would not offset requirements to make contributions for the purposes of, for example, recreation facilities, open space land acquisition, plan administration or any other types of facilities required under this Plan or any other contributions plan against this 'surplus value', as the surplus value relates only to the provision of community facilities.

Developers providing works-in-kind and other material public benefits that are in excess of their contribution requirements should not expect 'settle-up' monetary payment from Council until all contributions toward the provision of the works identified in this Plan have been received from other developers of land in the CFPP and the surplus contributions are available to meet the payment.

2.19 Pooling of funds

Council's ability to forward fund services and amenities identified in this Plan is very limited. Consequently their provision is largely contingent upon the availability of contributions funds.

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule in Part 5.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

Catherine Fields (Part) Precinct Section 94 Contributions Plan

2.20 Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office was that the payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST) under Division 81 of *A New Tax System (Goods and Services Tax) Act 1999* (Cwth).

Items in the works schedule of this Plan have been calculated without any GST component.

2.21 Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EP&A Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

2.22 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections and amendments to rates resulting from changes in the indexes adopted by this Plan (see clause 2.14).

2.23 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

3. Demand for public amenities and public services

3.1 Summary of this Part

The NSW State Government is planning for the development of land in the South West Growth Centre, of which the CFPP forms part.

The CFPP is located within the Camden LGA and so Camden Council will serve both as a consent authority for development in the CFPP, and as the manager or custodian of most of the new public infrastructure that will be required to be delivered in its jurisdiction.

Planning for housing and other development requires the parallel planning for public infrastructure to support the development and the incoming population.

The incoming population is directly related to the expected development in an area. The extent of public amenities and services (particularly the social infrastructure) required for the future development of an area is usually based on standards or benchmarks rates (e.g. per capita provision).

The application of the provision standards to the estimate of expected development enables a list of infrastructure requirements to meet that development to be compiled.

This connection between expected development, infrastructure standards, and the resultant infrastructure list directly informs the contribution requirements in this Plan.

A range of infrastructure studies have been prepared to inform the infrastructure list (or works schedule). The following part of this Plan, Part 4, provides more detail on the servicing requirements expressed in these studies.

3.2 Development and infrastructure planning context

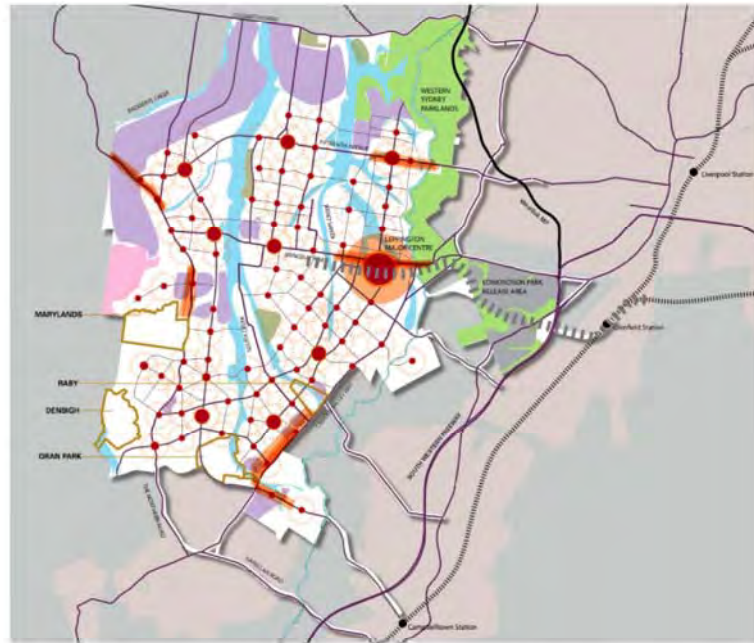
3.2.1 Growth Centres Structure Planning

The CFPP is in Sydney's South West Growth Centre.

A structure plan has been prepared for the Growth Centre, a copy of which is included as Figure 3.1 over page.

Apart from local neighbourhood centres, the structure plan proposes ten (10) new town or village centres in the South West Growth Centre. The largest of these is the planned Major Town Centre at Leppington, and the Oran Park Town Centre that will be located near the CFPP.

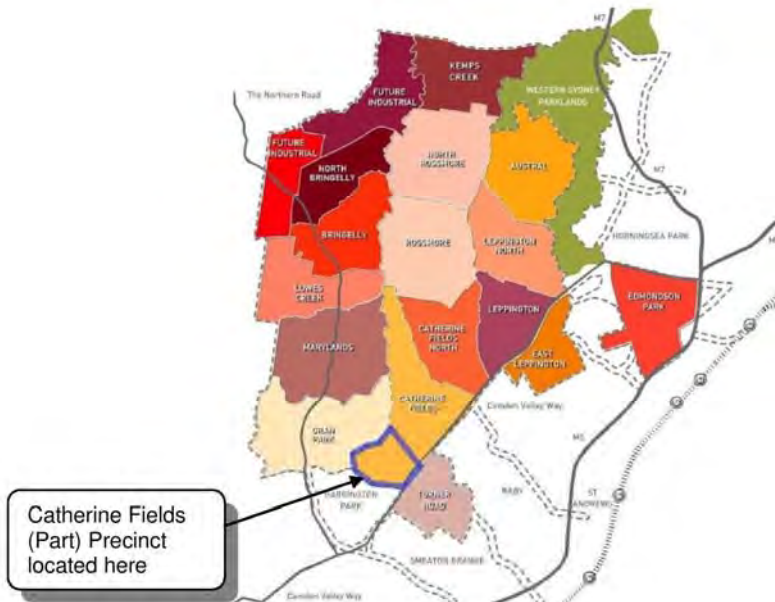
Catherine Fields (Part) Precinct Section 94 Contributions Plan



Source: South West Growth Centres Structure Plan Edition 3, prepared by Department of Planning

Figure 3.1 South West Growth Centres Structure Plan

To facilitate planning and orderly development of the South West Growth Centre, this area has been divided into seventeen precincts. The locations of the early release precincts, including CFPP, are shown in Figure 3.2.



Source: Department of Planning and Infrastructure

Figure 3.2 South West Growth Centre Precincts

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The CFPP was released for precinct planning in July 2011.

The CFPP is located at the southern end of the South West Growth Centre. Oran Park and Turner Road Precincts, which adjoin the CFPP, were rezoned for urban development in 2008. The infrastructure planning of these Precincts has taken account of the CFPP development, and this Plan addresses the provision of local infrastructure that serves all of these Precincts.

The CFPP occupies the southern extremity of the larger Catherine Fields Precinct. It is bounded by Oran Park Drive and Harrington Park in the south, Camden Valley Way and the Turner Road Precinct in the east, Kolombo Creek and the Oran Park Precinct in the north west. Currently unreleased rural properties adjoin the north eastern boundary of the site.

The Precinct is currently rural in nature, is divided in two halves by the South Creek corridor and incorporates the historically significant Oran Park House.

The CFPP has an area of approximately 320 hectares.

Table 3.1 provides a context for the area the subject of this Plan in terms of the planned dwellings and population.

Table 3.1 Estimated dwelling and populations

	Area (ha)	Projected dwellings	Projected population
South West Growth Centre (17 Precincts)	17,000	110,000	300,000
Oran Park and Turner Road Precincts	1,655	11,560	33,600
CFPP	320	3,229	10,212

Source: Growth Centres Commission (Structure Plan Explanatory Note); Department of Planning and Infrastructure; *Oran Park and Turner Road Precincts Section 94 Contributions Plan*; Catherine Field Part Precinct ILP

3.2.2 Precinct Planning

A package of information on anticipated development and required infrastructure has been prepared for the CFPP, including:

- Indicative Layout Plan (ILP) to guide planning and assessment of the precincts.
- An amendment to *State Environmental Planning Policy (Sydney Growth Centres) 2006* to facilitate the formal rezoning of the land to enable urban development
- Development Control Plan.
- Section 94 Contributions Plan (this Plan).

Research and studies and the preparation of plans have informed the CFPP's urban infrastructure needs and costs. Key information sources that have underpinned infrastructure planning and costing and this Plan in particular, are listed included in Table 3.2.

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Table 3.2 Studies supporting infrastructure planning and costing

Public amenity or service	Studies informing infrastructure need and cost
Land acquisition for public amenities or services	Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct prepared by Tim Elliott Real Estate Valuer, 1 September 2012
Water cycle management works	Water Cycle Management & Flooding - Catherine Field (Part) Precinct, prepared by Brown Consulting (NSW) Pty Ltd, August 2013
Roads and transport works	Catherine Field (part) Precinct Transport and Access Strategy, prepared by AECOM, May 2012 Catherine Field (part) Precinct Post Exhibition Transport and Access Review (Addendum) prepared by AECOM, October 2013
Open space and recreation, community and cultural, and out-of-Precinct district facilities works	Social Infrastructure & Demographic Assessment – Catherine Fields (Part) Precinct, prepared by MacroPlan Australia, May 2012 Peer Review of Social Infrastructure and Demographic Assessment for Catherine Fields (Part) Precinct, prepared by Elton Consulting, September 2013

More detail on the CFPP's infrastructure requirements is included in the Parts 4 and 5 of this Plan.

3.3 Expected development outcomes

3.3.1 Existing development

Existing development in the area is characterised by mainly rural and rural residential land uses.

Two buildings of historical significance are situated within the CFPP. The main building is Oran Park House, while the second is a smaller associated building nearby. These are located centrally within the CFPP, adjacent to the proposed neighbourhood centre.

There is a Catholic School located within the CFPP along its southern boundary. St Benedict's (secondary) and St Justin's (primary) schools are being expanded and will be a prominent land use in the CFPP.

3.3.2 Net Developable Area

The capacity for development of land is restricted by a number of factors, including:

- natural constraints such as riparian and flood prone lands;
- man-made constraints such as existing infrastructure, easements and other legal restrictions, and existing infrastructure such as gas and transmission lines.

In addition to the constraints, there are future constraints. For example, certain land is needed to be set aside or reserved public purposes such as roads, education facilities, and so on.

Taking these matters into consideration allows a calculation of the amount of 'economic' land that is available for development. The planned development of this 'Net Developable Area' (or **NDA**) is the development that will generate the demand for the urban infrastructure such as parks, roads and drains that are required to sustain it. Net Developable Area is therefore one of the bases used to determine contributions under this Plan.

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The extent of Net Developable Area in the CFPP is shown in Figure 3.3 shown following Table 3.3.

The CFPP has an estimated Net Developable Area of approximately 210 hectares, comprising the development components shown in Table 3.3.

Table 3.3 outlines the expected extent of development in the Camden LGA portion of the CFPP.

Table 3.3 Expected Net Developable Area - CFPP (Camden)

CFPP development component	Net Developable Area (ha)
Low Density Residential (15 dwellings / ha)	181.45
Low / Medium Density Residential (20 dwellings / ha)	10.39
Medium Density Residential (25 dwellings / ha)	6.93
Large Lot Residential - 500m2 (13.6 dwellings / ha)	5.16
Large Lot Residential - 700m2 (9.7 dwellings / ha)	4.90
Oran Park House	0.10**
Environmental Living	0.28*
Neighbourhood Centre	0.64
Total	209.85

* Net Developable Area for these areas has been adjusted to reflect a conventional low dwelling density of 15 dwellings per hectare

** Net Developable Area to account for existing dwelling right

Source: Department of Planning and Infrastructure



Source: AECOM

Figure 3.3 Net Developable Area in CFPP

Catherine Fields (Part) Precinct Section 94 Contributions Plan

ORD05

Attachment 1

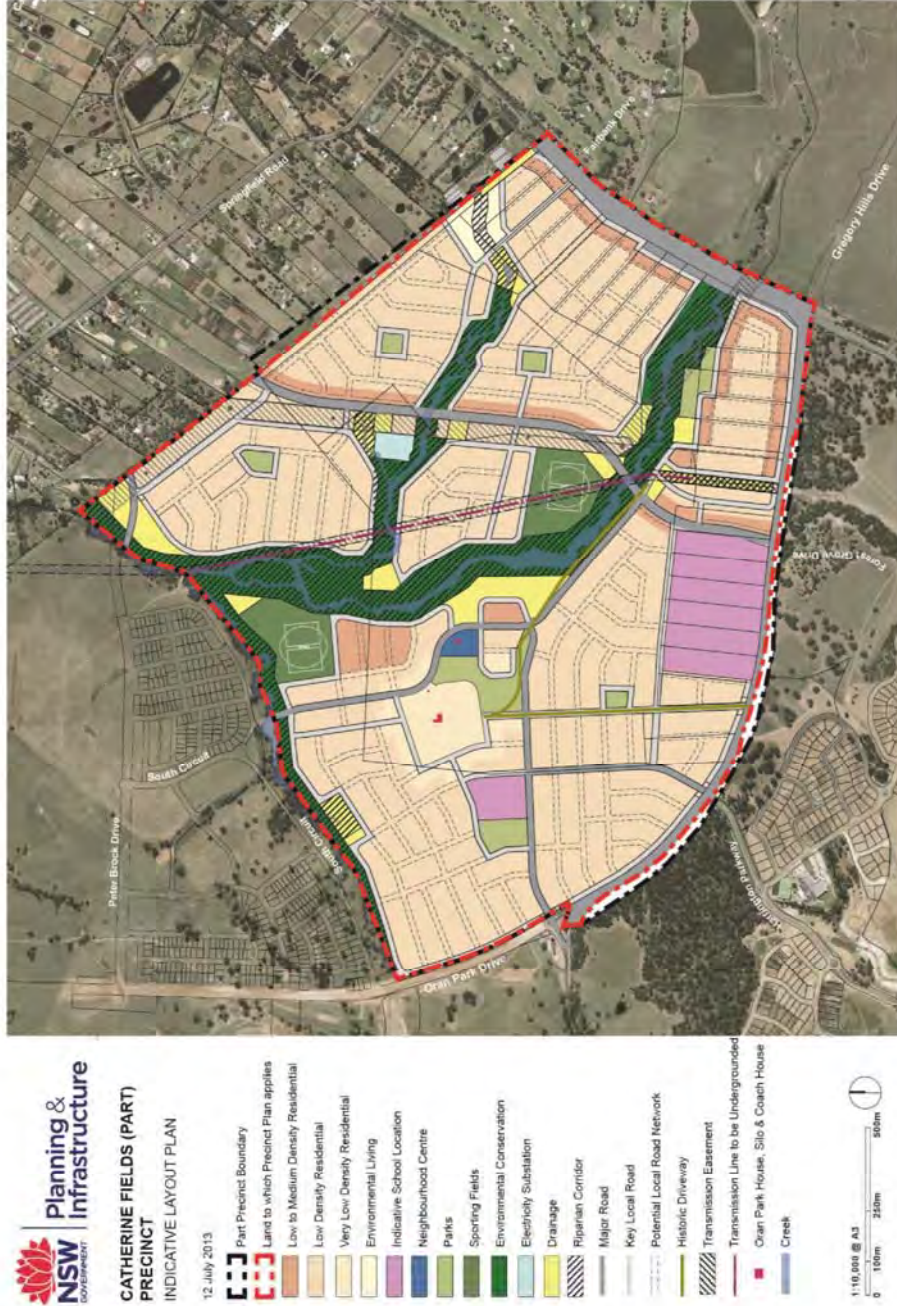
Catherine Fields (Part) Precinct Section 94 Contributions Plan**3.3.3 Overview of expected development**

The CFPP ILP envisages the following development outcomes and characteristics:

- Approximately 3,200 dwellings in predominantly low density (detached) format. Some medium density dwellings are to be located along key transport corridors.
- A projected population of about 10,200.
- A neighbourhood centre to serve the needs of the Precinct, and situated on a centrally located 0.7 hectare site.
- A public primary school and K-12 private school.
- Conservation of environmental corridors, and integration of drainage facilities, along South Creek and its tributaries.
- Conservation of Oran Park House and its curtilage.

The proposed arrangement of land uses is shown in the ILP in Figure 3.4 over page.

Catherine Fields (Part) Precinct Section 94 Contributions Plan



Source: Department of Planning and Infrastructure

Figure 3.4 Expected land use in CFPP

Catherine Fields (Part) Precinct Section 94 Contributions Plan

3.3.4 Demographic characteristics

The likely demographic characteristics of a development area is important for understanding and planning for the future social infrastructure needs of that area.

The demographic characteristics of the existing rural population do not provide a robust indicator of the future demography of the area.

It is anticipated that the future residents of the CFPP will have a demographic profile similar to the profile that has been forecasted for other South West Growth Centre Precincts, that is:

- A relatively high proportion of young couples and families during the initial and intermediate stages of development.
- Over time, the population will become more diverse. The proportion of the population who are young children and young adults will decline as the population ages and the proportion of older children with older parents grows. The proportion of the population aged 55+ years will also increase considerably as the area matures.
- Over time the population profile is likely to come to more closely approximate that of an established area with a variety of age and household characteristics.¹

The Social Infrastructure Assessment makes the following conclusions about the anticipated age profile of the CFPP at different development stages of the future release area:

Table 3.4 CFPP projected age profile

Age Cohort	2014	2021	2028
0-19 years	104	1,871	3,119
20-34 years	68	1,220	2,034
35-49 years	74	1,336	2,227
50-64 years	34	614	1,024
65+ years	13	237	396
Total	293	5,279	8,799

Note: Total population based on earlier iteration of ILP

Source: Social Infrastructure Assessment, Table 12

3.3.5 Dwelling occupancy rates

The amount and mix of the types of expected residential development will inform the estimate of the population of an area. The need for social infrastructure is usually based on per capita benchmarks. As section 94 contributions are levied on a development-by-development basis, in order for the contribution to be reasonable there needs to be an assessment of how many people are likely to live in the proposed development.

This Plan therefore adopts standard dwelling occupancy rates for the purpose of determining the estimated occupancy of development that is approved during the life of the Plan. These occupancy rates are also relevant for determining both the occupancy for developments that existed at the time this Plan was prepared, and the net increase in infrastructure demand.

The occupancy rates used to calculate contributions under this Plan are shown in Table 3.5.

¹ Refer, for example, to clause 3.3.4 of the *Draft Camden Section 94 Contributions Plan (Leppington North Precinct)*

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Table 3.5 Dwelling occupancy rates assumed in this Plan

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy, secondary dwellings > 60 square metres (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings, 2-bed secondary dwellings <= 60 square metres (each dwelling)	2.5
Seniors' housing	1.5

3.3.6 Anticipated resident population

The anticipated population in the CFPP has been determined on the basis of the Net Developable Area for various types of residential development, the minimum density of dwellings in those areas (specified in the SEPP amendment), and the assumed average occupancy rates for those dwellings.

The anticipated population is shown in Table 3.6.

Table 3.6 Calculation of anticipated resident population – CFPP

Dwelling type	Projected dwellings	Assumed dwelling occupancy rate	Population
Low Density Residential (15 dwellings / ha)	2,722	3.2	8,710
Low / Medium Density Residential (20 dwellings / ha)	208	3.2	666
Medium Density Residential (25 dwellings / ha)	173	2.5	433
Large Lot Residential - 500m ² (13.6 dwellings / ha)	70	3.2	224
Large Lot Residential - 700m ² (9.7 dwellings / ha)	48	3.2	154
Oran Park House	1	3.2	3
Environmental Living	7	3.2	22
Less assumed existing population			-48
Expected net additional population			10,164

Note: Total population based on final version of ILP

3.3.7 Anticipated non residential development

The predominant economic land use in the CFPP will be residential development. There will be some non residential development in the neighbourhood retail centre, and which will also be required to contribute to infrastructure identified in this Plan.

The most significant non residential development will be educational establishments such as schools, however the land that comprises such uses is excluded from Net Developable Area and development on those lands will not be subject to a contribution under this Plan.

3.4 Infrastructure demand arising from the expected development

Future development in the South West Growth Centre (of which the CFPP forms part) will result in an additional population of up to 300,000 people. Approximately half of the Growth Centre population will live in Camden LGA. Development of the Growth Centre precincts will thus have a profound effect on the Camden LGA and the demand for facilities offered in the LGA.

Existing public amenities and services in the CFPP have been essentially designed to accommodate the existing rural living environment. A change in the development profile of the CFPP from rural to urban development is now planned.

The future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public amenities and services.

Research on infrastructure needs for the impending urban development has identified the following impacts on public services and public amenities:

- increased demand for active and passive recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, and pedestrian and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in the CFPP, such as multi-purpose community centres;
- increased demand for facilities that will support safe and convenient travel between land uses both within the CFPP and to and from destinations outside of the CFPP, such as new roads; and
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to be provided within the CFPP to address these needs, including:

- open space and recreation facilities;
- community and cultural facilities;
- water cycle management facilities; and
- traffic and transport management facilities.

A range of district-level social infrastructure that has been previously planned to serve the wider Oran Park area is also required to serve the expected population of the CFPP.

More detail on the demand for these public services and amenities, the relationship with the expected development, and the strategies for the delivery of required infrastructure is included in Part 4 of this Plan.

The costs, indicative timing, and proposed location of individual items for the public amenities and public services included in this Plan are shown in Part 5 of this Plan.

4. Strategy plans

4.1 Infrastructure costs and delivery generally

4.1.1 How are the infrastructure costs apportioned to expected development?

The costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area (refer Table 3.3).

The section 94 monetary contribution for each of the facilities identified in this Plan is determined by dividing the total cost of the facility by the contribution catchment (which is expressed in either persons or NDA). This process ensures that fair apportionment of facility costs is calculated for development expected to occur under this Plan.

The contribution catchments for each infrastructure type are:

- in the case of open space and recreation facilities land and works, community and cultural facilities, and out-of-Precinct district facilities (i.e. the Youth and Recreation Centre and Oran Park Library floor space) - the expected additional resident population of the CFPP area;
- in the case of the out-of-Precinct district facilities (i.e. the Leisure Centre and Sports Parks) - the number of people (or future residents) the respective facility has been designed for;² and
- in the case of water cycle management, and roads and transport land and works - the estimated Net Developable Area of the CFPP area.

More details on this apportionment are discussed in the remainder of Part 4 of this Plan.

4.1.2 How will the infrastructure be delivered?

Council will require contributions from developers under this Plan toward provision of the public amenities and public services identified in this Plan. These contributions may be in the form of monetary contributions, dedications of land free of cost, or a combination of these.

Developers may choose to provide, subject to the agreement of the Council, one or more infrastructure items identified in this Plan as works-in-kind or provide another type of material public benefit as means of satisfying development contributions required under the Plan (refer clause 2.18 of this Plan). A Works-in-kind Agreement **must** be in place prior to commencing the works in accordance with the Council's Works-in-kind Agreements Policy.

Substantial research has been applied to the derivation of the Plan's works schedule and the planning for the location of all facilities has been completed but detailed design will be carried out in the development phase. The facilities will be developed in a manner that allows them to effectively serve the demand attributable to development envisaged under this Plan.

The facilities strategies included in this Part of the Plan are based on strategic information. It is likely that, as the planning process for the different parts of the Precinct proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

² The infrastructure included in this Plan has generally been sized to reflect the demand generated by the expected development under this Plan. The out-of-Precinct district facilities have been designed to serve a wider catchment and the contribution rate reflects that wider contribution catchment. Council will need to make arrangements to ensure that the cost attributable to the demand sources external to the CFPP is met (for example, by subsequent contributions plans, joint contributions plans, special rates, or grants).

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Council, or others acting on its behalf, will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

Where alternatives to the works schedule are proposed in conjunction with the development of areas and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

4.1.3 Infrastructure staging and priority

Infrastructure staging and priority will largely be driven by developers' priorities. As a result, it is not possible to predict with any certainty which CFPP development area (and the local infrastructure to sustain those areas) will proceed first.

With these uncertainties, the facility staging and priorities details that are shown in Part 5 of this Plan are general in their scope, and will be subject to regular review.

4.2 Open space and recreation facilities

4.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for open space and recreation facilities as a result of the expected development of the CFPP are documented in the Social Infrastructure Assessment.

The information below comprises a summary of sections of that report that describe the demand for new and upgraded public amenities and services.

Existing provision

There are limited open space and recreation facilities accessible to the current residents of the CFPP. The extent of provision is consistent with the area's small population and semi-rural character.

There are no areas of local public open space located within the CFPP. Open space areas have been planned for adjacent development precincts. Some of these parks (such as Wayne Gardiner Reserve and Harrington Park Lakes) are existing.

Existing active open space and recreational facilities - facilities that CFPP residents might be expected to drive to - are located mainly in Camden, Mount Annan and Narellan.

In any event, these open space areas have been generally designed to cater for the current or anticipated residents of other development areas; and the passive open space areas are generally not within walking distance of the expected CFPP development.

Some facilities that are not existing but have been planned, and when they are provided will serve the CFPP development, are proposed immediately north of the Oran Park Precinct in the Marylands Precinct (refer to clause 4.3 of this Plan for more discussion on 'out-of-Precinct district facilities').

Standards review

The Social Infrastructure Assessment reviewed the following documents to identify open space threshold, size and design principles:

- Growth Centre Code Community Open Space Standards;
- Department of Planning Recreation Guidelines for Local Government;
- *Oran Park and Turner Road Precincts Section 94 Contributions Plan*;
- *Camden Recreation & Leisure Strategy 2005*;
- *Camden Council Open Space Strategy*; and
- *Camden Contributions Plan 2011*.

Additionally, the social infrastructure in this Plan has been informed by a peer review of the Social Infrastructure Assessment³. The Elton Peer Review was prepared to provide advice on

³ Elton Consulting (2013), *Peer Review of Social Infrastructure and Demographic Assessment for Catherine Fields (Part) Precinct*, September

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issues raised in response to the public exhibition of the draft Precinct Plan and to support and inform the final Precinct Plan.

Open space requirements for CFPP (Social Infrastructure Assessment)

(i) Total

The total open space identified by the Social Infrastructure Assessment as being required for the CFPP development is 24.9 hectares.

This related to the key finding that a benchmark provision of 2.83 hectares per 1,000 persons was appropriate for the CFPP.⁴ The Social Infrastructure Assessment also notes that the adjacent Growth Centre Precincts of Oran Park and Turner Road are to be provided with the equivalent of 2.81 hectares per 1,000 persons.⁵ The Elton Peer Review supported an open space provision was required for the CFPP that at least met the standard of 2.83 hectares per 1,000 persons

The Social Infrastructure Assessment also found that a 2.3 hectare portion of this open space is most appropriately provided through provision of out-of-Precinct district facilities in the Marylands Precinct.⁶ The Elton Peer Review concluded that this amount was insufficient. Off-site district facilities are discussed in clause 4.3 of this Plan.

The Social Infrastructure Assessment then determines the allocation of the on-site open space requirement in terms of 'active' and 'passive' recreation.

(ii) Active and passive recreation components

Active open space – an area used for organised sporting and recreational activity which usually includes sporting fields, hard court sports such as basketball, netball and tennis and leisure centres⁷ - is proposed by the Social Infrastructure Assessment to be provided in the form of two double sports fields (i.e. 4 rectangular fields in 2 complexes) comprising a total of 10.8 hectares. The Social Infrastructure Assessment also proposes 4 hard courts within these local sportsfield areas.

The Elton Peer Review and further review of the ILP has resulted in a minor reduction of the active open space area. This Plan provides for two local sportsfields with a total area of 9.2 hectares.

Preliminary concept plans for the proposed sportsfields in the CFPP are shown in Figures 4.1 and 4.2 on the following pages.

'Developed' passive open space is suggested by the Social Infrastructure Assessment to be provided in the form of neighbourhood parks each with a size of 0.5 to 1 hectare. Such parks could potentially cater for the following activities:

- 'Learn to' cycle ways through to cycle obstacle courses.
- Skate board park facilities.
- BMX/Mountain bike jumps and tracks.
- Play equipment designed for different age groups.

⁴ The Social Infrastructure Assessment on page 36 states "A comparison of precinct planning studies and adopted S94 plans from nearby precincts has shown that most other open space requirements are set at a level that is closer to the 2.83 ha per 1,000 person standard that is commonly used throughout NSW."

⁵ Social Infrastructure Assessment, Table 20

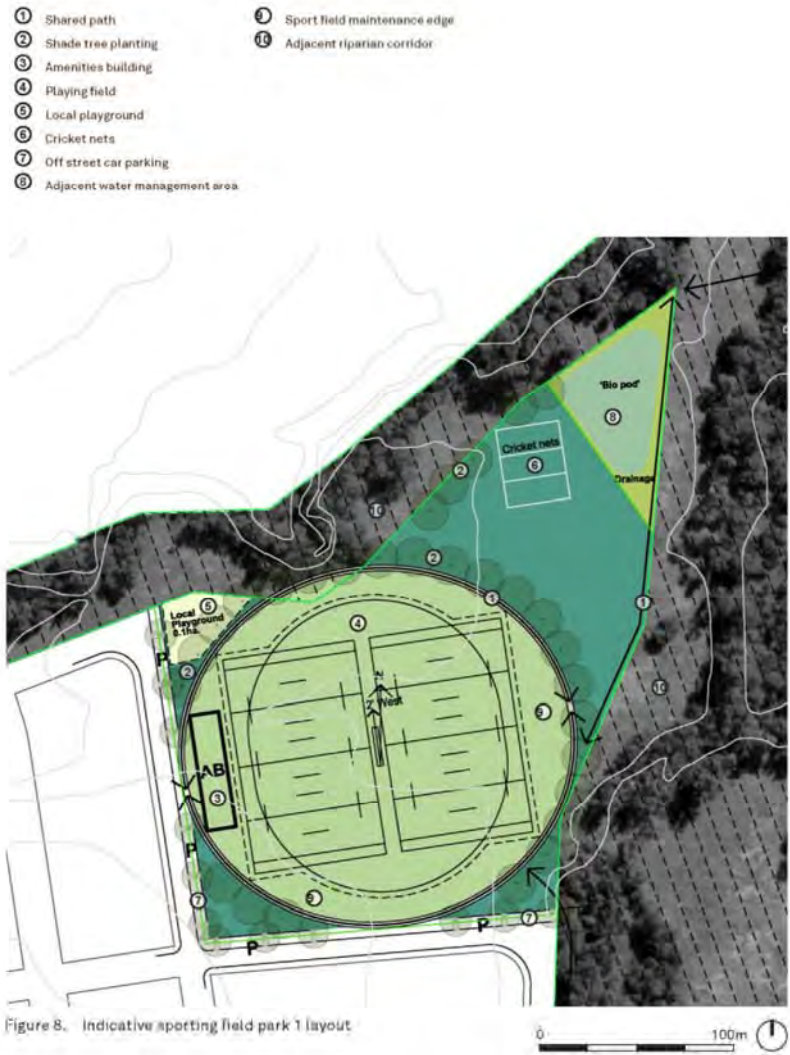
⁶ Social Infrastructure Assessment, Table 22

⁷ Ibid., page 37

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- Picnic and BBQ areas for families in larger parks.
- A walkway and cycleway network to complement the above.⁸

The total area of the above, according to the Social Infrastructure Assessment, should comprise up to 4.4 hectares.



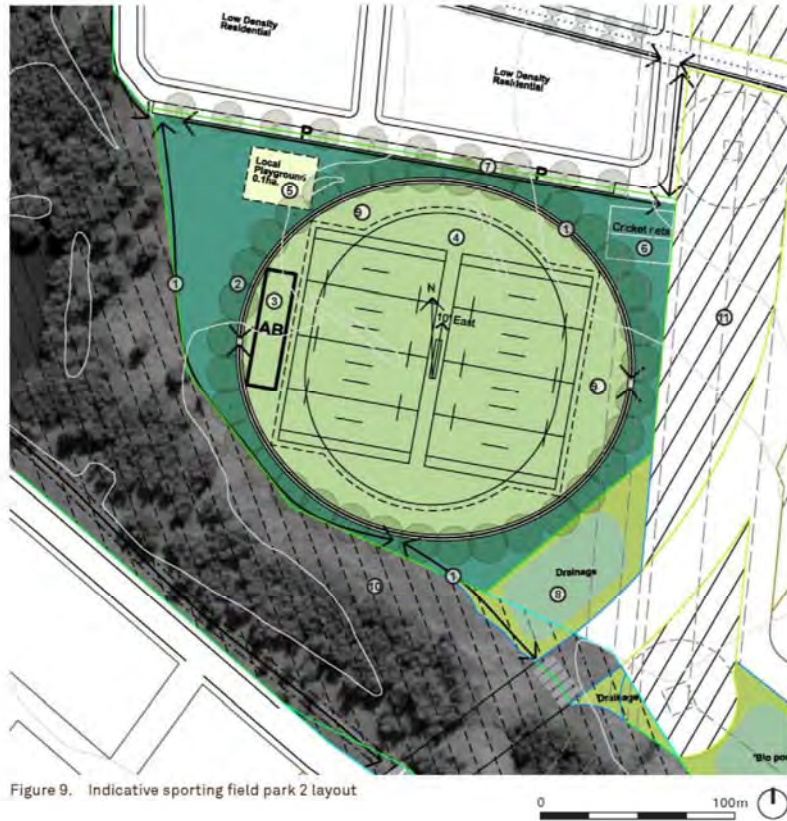
Source: AECOM

Figure 4.1 CFPP sports field 1 concept

⁸ Ibid., pages 41-42

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- ① Shared path
- ② Shade tree planting
- ③ Amenities building
- ④ Playing field
- ⑤ Local playground
- ⑥ Cricket nets
- ⑦ Off street car parking
- ⑧ Adjacent water management area
- ⑨ Sport field maintenance edge
- ⑩ Adjacent riparian corridor
- ⑪ Transmission easement



Source: AECOM

Figure 4.2 CFPP sports field 2 concept

The Elton Peer Review and further review of the ILP has resulted in a minor increase in the formalised passive open space areas. This Plan provides for 7 local parks with a total area of 6.8 hectares.

The Social Infrastructure Assessment also recommends that open space be provided adjacent to the CFPP’s riparian areas and between neighbourhood parks and proposed sports fields, and the connections be used for ‘passive open space – walking and biking; unleashed dog exercise areas; and BMX and skate facilities.’⁹ This area of land would comprise a further 8 hectares. The Elton Peer Review recommended that this area comprise 10 hectares (representing 27 percent of the total riparian area for the CFPP).

⁹ Social Infrastructure Assessment, page 43

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Open space requirements for CFPP (Indicative Layout Plan)

The Social Infrastructure Assessment open space requirements were utilised in the master planning of the CFPP and the preparation of the ILP, and were modified where appropriate to reflect the site's physical opportunities and constraints, and (in the case of the riparian areas) the likely future ownership and management arrangements.

The Elton Peer Review further refined and adjusted these requirements.

The open space and recreation facilities works schedule in this Plan reflects these ILP outcomes and adjustments.

Table 4.1 compares the Social Infrastructure Assessment requirements, Elton Peer Review outcomes and the requirements included in this Plan.

Table 4.1 CFPP open and space requirements

	Social Infrastructure Assessment	Elton Peer Review	Final ILP	Notes on the variance between the approaches
Total land area requirements				
District open space (off site)	2.3 ha	3.81 ha	3.81 ha	Incorrect calculation in Social Infrastructure Assessment – refer to clause 4.3.
Total open space area (on site)	21.7 – 23.5 ha	16 ha	16 ha	Final ILP requirement does not include land within the riparian area that may be dedicated to Council as passive open space.
Active recreation				
Sports fields	4	4	4	
Outdoor courts	4	4 off site in a district facility	4	
Local active open space	10.8 ha	9.2 ha	9.2 ha	Master planning of the site enabled a more efficient layout of active open space to be achieved than that envisaged in the Social Infrastructure Assessment. See example concept in Figure 4.1.
Passive recreation				
Neighbourhood parks	3.5 - 4.4 ha, each park being 0.5 – 1 ha in size	6.8 ha	6.8 ha, each park being 0.3 – 2.7 ha in size	Refinement of ILP has enabled at least 1 large passive park and a more even distribution of local parks throughout the CFPP.
Other passive open space	7.4 – 8.3 ha	10.0 ha	Area is to be zoned E2 Environmental Conservation. The realisation of public	A feature of the ILP is the substantial amount of riparian land that is centrally located in the CFPP. The E2 zoning prevents these areas from being developed for urban

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Social Infrastructure Assessment	Elton Peer Review	Final ILP	Notes on the variance between the approaches
		passive recreation areas is dependent on agreement with developer.	purposes and it is likely that a significant component of this land will be suitable for passive open space purposes. Council's recent experience in other Growth Centres Precincts has been that developers have been willing to embellish and dedicate riparian lands that they cannot develop to the Council for passive open space purposes, at no cost to the Council, through a voluntary planning agreement (VPA) or similar arrangement. Council may be prepared to negotiate the provision of riparian open space areas in the CFPP through this mechanism. Refer to Council's Dedication of Riparian Corridor Policy.

4.2.2 How are the contribution rates calculated?

Contributions will be collected from residential development toward open space and recreation facilities identified under this Plan.

Monetary contributions are calculated on a per person (i.e. per resident) basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

\$INF = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the open space and recreation infrastructure (refer Part 5 of this Plan)

P = the estimated resident population (in persons) that will demand each facility - that is, the expected net additional population of the CFPP (refer Table 3.6)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.2.

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Table 4.2 Dwelling occupancy rates assumed in this Plan

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy, secondary dwellings > 60 square metres (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings, 2-bed secondary dwellings <= 60 square metres (each dwelling)	2.5
Seniors' housing	1.5

4.3 Out-of-Precinct district facilities and community and cultural facilities

4.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for district-level and community and cultural facilities as a result of the expected development of the CFPP are documented in the Social Infrastructure Assessment and in the Elton Peer Review.

The information below comprises a summary of sections of those reports, and also draws from other sources such as the *Oran Park and Turner Road Precincts Section 94 Contributions Plan (OPTR CP)*, that describe the demand for new and upgraded public amenities and services.

Need for district facilities – OPTR CP

There are no existing community or cultural facilities located in the CFPP.

Previous local infrastructure planning for the Camden LGA part of the South West Growth Centre has identified the need for the provision of 'district' facilities designed to serve multiple Growth Centre Precincts.

The Social Infrastructure Assessment endorsed the concept of CFPP development making a reasonable contribution towards these district-level facilities. The Elton Peer Review confirmed that contributions should be made by CFPP development toward district-level community centre, library, leisure centre and sports park facilities in the Oran Park / Maryland Precincts.

The OPTR CP that was adopted by Council in early 2008 authorised the imposition of contributions on residential development in the Oran Park and Turner Road Precincts for the 'multi-Precinct' facilities described in Table 4.3 over page.

Two of the facilities (the Leisure Centre and Sports Parks to be located in the Marylands Precinct) were designed with the needs of the future Catherine Fields Precinct residents in mind. The Marylands Precinct is situated immediately north of Oran Park and north-west of CFPP.

The OPTR CP specifically catered for multi-Precinct contributions (including Catherine Fields) to be used to provide the Marylands Precinct facilities identified in Table 4.3:

The proposed provision of 22 hectares of land in the Maryland Precinct allows for the development of a leisure centre and sports facilities that cater to the population of Oran Park and Turner Road and future populations within the Maryland and / or Catherine Fields Precincts up to a total population generated by 25,000 lots. The cost of these facilities has been apportioned appropriately. Early planning has identified suitable land in the Maryland Precinct for such facilities which is central to all of the identified populations who will use these facilities.¹⁰

The Recreation and Youth Centre and the Branch Library / Community Resource Centre, at the time the OPTR CP was prepared, were planned in terms of the Oran Park and Turner Road populations only.

¹⁰ *Oran Park and Turner Road Precincts Section 94 Contributions Plan*, page 48

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Table 4.3 District-level facilities required under the OPTR CP

District-level facility	Features	Service population
Leisure Centre located in the Marylands Precinct	10 hectare site to accommodate both indoor and outdoor active recreation components (a)	The first 75,000 people in Camden LGA's Growth Centre Precincts (c)
Sports Parks (x 2), both located in the Marylands Precinct	Total 12 hectare site to accommodate 8 sports fields plus courts and other inclusions (a)	The first 50,000 people in Camden LGA's Growth Centre Precincts (c)
Recreation and Youth Centre, located in or near the Oran Park Town Centre	1.5 hectare site with a 3,000 square metre floor area building that will include a two court sports hall, youth activity rooms, cultural activity rooms, and BMX and Skate facility and other inclusions (a)	The population of the Oran Park and Turner Road Precincts (i.e. 33,600 people)
Branch Library / Community Resource Centre, located in or near the Oran Park Town Centre	0.7 hectare site with a 1,600 square metre floor area building that will include a community centre, cultural centre and branch library (b)	The population of the Oran Park and Turner Road Precincts (i.e. 33,600 people)

(a) refer to Table 4.1 of OPTR CP for more details

(b) refer to pages 57-58 of OPTR CP for more details

(c) The first release Precincts in the southern part of the South West Growth Centre that is within Camden LGA are Oran Park, Turner Road and Catherine Fields (Part). Together these Precincts will ultimately accommodate approximately 14,900 dwellings and 44,000 people

Source: Oran Park and Turner Road Precincts Section 94 Contributions Plan

Social Infrastructure Assessment and Elton Peer Review

The Social Infrastructure Assessment examined the expected CFPP development's 'human services, community facilities and open space requirements of the precinct, having regard to the regional context, the *Growth Centres Development Code*, existing facilities and services and likely needs of the incoming residential and workforce populations.'¹¹

The Social Infrastructure Assessment specifically considered the extent to which existing or planned facilities outside of the CFPP could meet the demands arising from CFPP development. Relevant findings in this regard include the following:

- The forecast population of CFPP (in itself) does not trigger the provision of district or regional facilities such as a community health centre, a youth centre or a branch or a library or performing arts centre;¹²
- There is however a degree of demand overlap that arises from the process of designing for precinct-specific need, as district or regional level facilities are located in certain precincts whilst demand for them is generated by others;¹³
- The CFPP will not require the on-ground provision of stand-alone district level active open space or recreational facilities; but that it is expected that planned recreation and leisure facilities, located within the yet-to-be-released Maryland Precinct will service the CFPP

¹¹ Social Infrastructure Assessment, page 4

¹² Ibid., page 28

¹³ Ibid., page 25

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population, and that the residents of CFPP will contribute proportionately to this district provision;¹⁴

- An amount of district open space (2.3 hectares) should be provided outside the CFPP in accordance with the planning that has already taken place in the OPTR CP;
- The following community and cultural facilities would be required:
 - Local community centre – 370m² facility
 - Library services – 370m² facility
 - District community facility – additional 114m² required
 - Youth based recreation facilities – 783m² of facilities
 - (Total 1,637 square metres)¹⁵;
- The proposed library facility at Oran Park will accommodate the CFPP's need for library services and that no extra provision in CFPP is required; and
- No Council-provided child care services need to be provided, as this type of service would likely be met by the private sector.

The CFPP local community centre would function as a community focal point providing for a wide variety of local organisations and groups. The centre would typically include community function rooms, spaces for educational uses, local scale visual arts – including workshops and studio spaces for community activities, teaching spaces and spaces to store and display cultural heritage material.

The Elton Peer Review examined the Social Infrastructure Assessment conclusions. This review reinforced the need for CFPP development to provide both a local community centre and contributions toward district-level facilities.

Using an updated CFPP estimated population figure of 10,210, the Elton Peer Review recommended the following local and district facilities:

- A local community centre of 429m² within the CFPP capable of providing for space for community activities, playgroups, classes, meeting areas and private functions.
- Contributions toward 429m² of library floor space in the Oran Park branch library.
- Contributions equivalent to 133m² for a community resource centre floor space in Oran Park. The community resource centre and library is planned as a combined facility in Oran Park.
- Contributions toward district level playing fields, indoor sports courts and aquatic facilities will be met by proposed facilities within the Oran Park and Marylands Precincts. These facilities have already been identified and costed in the OPTR CP. CFPP development will need to contribute towards the provision of these facilities on the same basis as Oran Park and Turner Road Precinct developments.
- The proportional land contribution for the Oran Park / Marylands facilities attributable to CFPP development would be 3.81 hectares.
- Contributions towards four outdoor sports courts to be provided as part of larger district / regional sports facilities at Oran Park / Marylands. Other youth recreation facility needs

¹⁴ Ibid., pages 39-40

¹⁵ Ibid., page 28

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would be addressed by the proposed Recreation and Youth Centre that is proposed in the Oran Park town centre.¹⁶

Plan’s approach

This Plan implements the Elton Peer Review recommendations.

Facilities levied for under this Plan comprise the following:

- A multi-purpose local community facility on the CFPP, in close proximity to the proposed neighbourhood centre, with a floor space of 429 square metres).
- Enlargement of the proposed branch library / community resource centre in Oran Park. The total additional area of 562 square metres is made up of 429 square metres for the library, and 133 square metres for the community resource centre. It is considered that this floor space can also be accommodated on the Branch Library / Community Resource Centre site nominated in the OPTR CP, and that no extra land is required.
- Provision of the 2 sports parks and the leisure centre specified in the OPTR CP, as discussed below.

For open space and recreation facilities this Plan proposes to collect from CFPP development a monetary contribution that is equivalent to the CFPP’s demand for the proposed Oran Park and Marylands Leisure Centre and Sports Parks. The balance of the CFPP’s open space and recreation facilities requirements will be met through on-site provision (see clause 4.2 of this Plan).

The Elton Peer Review quantifies the CFPP’s land demand for the Marylands facilities as 3.81 hectares, as shown in Table 4.4.

Expressed more simply, this Plan authorises a monetary contribution on CFPP residential development equivalent to 13.6 percent of the cost of the land and works associated with the OPTR CP Leisure Centre, and 20.4 percent of the costs associated with the OPTR CP Sports Parks.

Table 4.4 OPTR CP open space and recreation facilities apportionment to CFPP development

District-level Marylands facility	Apportionment calculation formula	Calculation
Leisure centre (10ha)	CFPP additional population / Facility design population (expressed as %) = 10,210 / 75,000 = 13.6%	13.6% x 10ha = 1.36ha
Sports parks (12ha)	CFPP additional population / Facility design population (expressed as %) = 10,212 / 50,000 = 20.4%	20.4% x 12ha = 2.45ha
		Total = 3.81ha

Note: Greenfield Development Company and Landcom have entered into a voluntary planning agreement to provide 1 of the sports parks and components of the leisure centre as part of their development in the Oran Park Precinct.

¹⁶ Elton Consulting, op. cit., pp 25, 26

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4.3.2 How are the contribution rates calculated?

Contributions will be collected from residential development towards both (i) out-of-Precinct district facilities and (ii) on-site community and cultural facilities identified under this Plan.

Monetary contributions are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

(i) Out-of-Precinct district facilities contribution rate

$$\text{Contribution per resident (\$)} = \left(\frac{\$OPDF_{Avg} \times GFA}{P} \right) + \sum \left(\frac{\$MDF}{P_{Design}} \right)$$

Where:

$\$OPDF_{Avg}$ = the estimated unit \$ cost of the Oran Park District Facilities floor space, fitout and car parking identified in the OPTR CP (being the Branch Library / Community Resource Centre), indexed from the date of the making of the OPTR CP to the time which this (CFPP) Plan was prepared using Sydney CPI, being \$4,052 per square metre

GFA = the floor space required to meet the CFPP's district community and branch library needs that is proposed to be provided as part of additions to the Oran Park District Facilities, being 562 square metres

P = the expected net additional population of the CFPP (in persons) (refer Table 3.6)

$\$MDF$ = the estimated total \$ cost of each of the Marylands District Facilities land and works identified in the OPTR CP (being the Leisure Centre and the Sports Parks), indexed from the date of the making of the OPTR CP to the time which this Plan was prepared using Sydney CPI (expressed in \$, and refer to Part 5 – works schedule)

P_{Design} = the respective design populations for each of the Marylands District Facilities land and works, being 75,000 for the Leisure Centre and 50,000 for the Sports Parks

(ii) Local / on-site community facilities (on-site) contribution rate

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF}{P} \right)$$

Where:

$\$INF$ = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the on-site local community infrastructure land and works (refer Part 5)

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P = the expected net additional population of the CFPP (in persons) (refer Table 3.6)

(iii) Total contribution rate

The monetary contribution for different residential development types is determined by multiplying the contribution per person for the sum of (i) and (ii) above by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.5.

Table 4.5 Dwelling occupancy rates assumed in this Plan

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy, secondary dwellings > 60 square metres (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings, 2-bed secondary dwellings <= 60 square metres (each dwelling)	2.5
Seniors' housing	1.5

4.4 Water cycle management facilities

The requirements for water cycle management infrastructure as a result of the expected development of the CFPP are documented in the report titled *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, August 2013.

Costs for the proposed water cycle infrastructure were also prepared by Brown Consulting.

The information below comprises a summary of relevant sections of that report that describe the CFPP development's water cycle management issues, and the planned response to those issues that includes the provision of new infrastructure.

4.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The CFPP catchment area is predominantly cleared grazed land, homestead and farm dams. While some of the creek lines contain remnant vegetation, most are predominantly cleared. Average catchment slopes range between 1 and 8 percent.¹⁷

The future urban development of the CFPP will increase the area of impermeable surfaces and so exacerbate potential flooding issues. Potential impacts on stormwater quantity that have been identified include the following:

- Increases in bank forming flows - a result of increased impervious area and a quicker catchment response time, leading to the increased erosion potential of existing tributaries and South Creek.
- Increases in peak flows to South Creek resulting in increases in flood levels downstream of the CFPP.

Future urban development will also impact on the quality of stormwater and potentially affect the environmental quality and integrity of riparian corridors.

These water related issues are locality-based and caused directly and solely by the development activity and so should be ameliorated by that same development activity.

A water cycle management strategy has therefore been prepared to address the stormwater impacts of the development.

This strategy has the following objectives:

- Management of minor flows using piped systems for the 5 year means average recurrence interval (or **ARI**) (for residential land use) and 10 year ARI (for commercial land use) as per Council's guidelines.
- Management of major flows using dedicated overland flow paths such as open space areas, roads and riparian corridors for all flows in excess of the 5 year ARI.
- Where practically possible, attenuate up to the 2 year ARI peak flow for discharges into Category 1 and 2 creeks. This will be achieved using detention storage within water quality features and detention basins.

¹⁷ *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, page 3

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- Facilitation of stormwater retention including the use of rainwater tanks and other water quality improvement features.
- Integration of stormwater quality and stormwater quantity management techniques.
- Provision of appropriate infrastructure to enable conveyance of 100 year ARI flows off the development to proposed detention storages.
- No aggravating of flood levels and flows outside the CFPP boundary.¹⁸

The proposed infrastructure involves the provision for stormwater detention within the CFPP drainage catchments, taking the form of detention storage and channels associated with water quality improvement features and that manage major flows up to the 100 year ARI.

The storages located through the site will be used to attenuate bank-full flows (up to the 2 year ARI) to mitigate erosion and ensure ecologically sustainable creeks through the site. The large detention storages will be used to ensure that flooding in South Creek is not worsened as a result of the development.¹⁹

Water quality control management measures to be implemented with the above include:

- stormwater re-use of dwelling roof runoff by utilising rainwater tanks;
- installation of a primary pollutant trap capable of removing gross pollutants, sediment and oils to pre-treat road and lot drainage;
- construction of a bioretention basin (integrated with the detention basins) which will receive flows from the pollutant traps; and
- the proposed basin along the tributary draining from Harrington Grove will be located within the drainage corridor - the flows will meander within the corridor and around the basin within an engineered creek line capable of conveying the flow.²⁰

The drainage infrastructure described in the water cycle management strategy includes trunk infrastructure to support the CFPP development. Councils are responsible for ensuring trunk infrastructure that meets the needs of the entire development is in place, while land developers are required through conditions of consent to provide reticulation works within the development.

The locations of proposed CFPP trunk drainage infrastructure are shown in Figure 4.3 over page.

Council encourages the provision of the water cycle management works identified in this Plan as works-in-kind in conjunction with the civil works undertaken as part of adjoining land subdivisions.

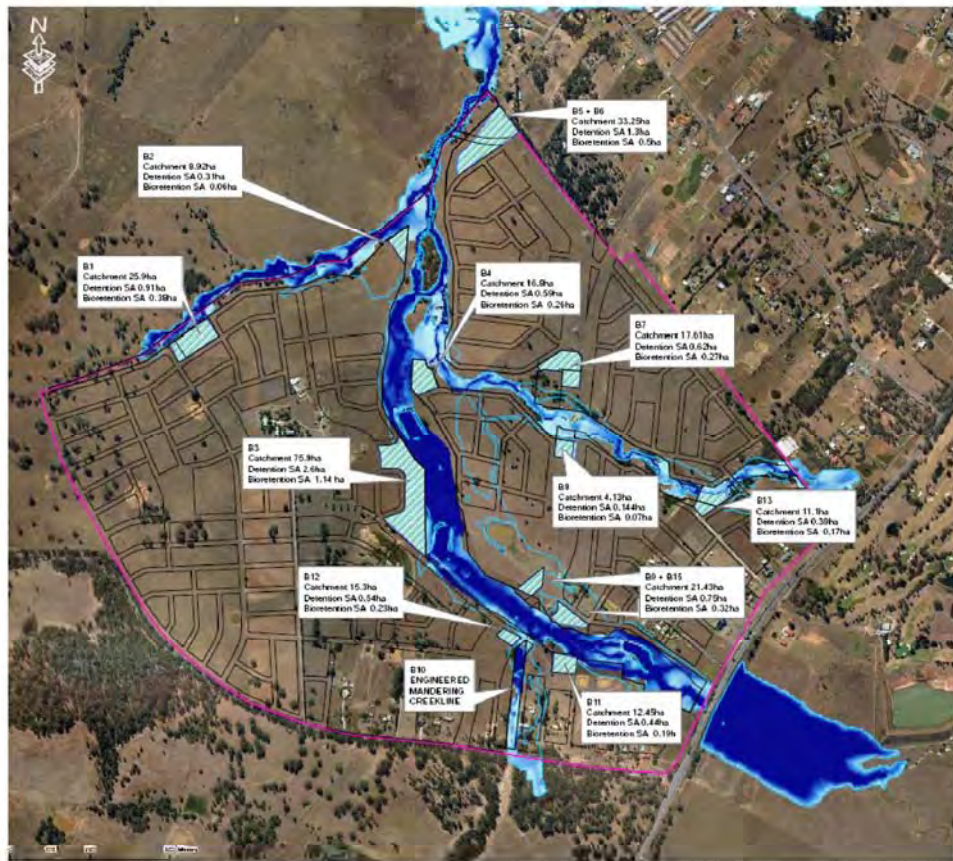
A range of 'non-trunk' reticulation works not addressed by this Plan will also be required to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EP&A Act. The facilities may include lot-scale OSD basins, rainwater tanks, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

¹⁸ *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, pages 17, 19, 20

¹⁹ *Ibid.*, page v

²⁰ *Ibid.*, pages 22-23

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Source: Water Cycle Management & Flooding - Catherine Field (Part) Precinct, prepared by Brown Consulting (NSW) Pty Ltd, Appendix AB

Figure 4.3 Proposed trunk drainage infrastructure for CFPP

4.4.2 How are the contributions calculated?

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left(\frac{\$INF}{NDA} \right)$$

Where:

\$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the stormwater management infrastructure items in the area to which this Plan applies (refer Part 5).

NDA = the total Net Developable Area (in hectares) that will generate the demand for the stormwater management infrastructure – refer to Table 3.3 of this Plan.

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To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the Net Developable Area (in hectares) of the site the subject of the proposed development.

ORD05

Attachment 1

4.5 Transport management facilities

4.5.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Occupants of expected development in the CFPP will utilise a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including bus facilities utilising the road network; and
- facilities for walking and cycling.

The existing transport network has been planned to serve existing and approved developments (that is, predominantly rural developments) in the area, and not the future CFPP urban development.

The *Catherine Field (part) Precinct Transport and Access Strategy* prepared by AECOM (the **Transport Assessment**) identifies a range of transport infrastructure works that will be required to mitigate the impacts and otherwise accommodate the expected development.

Details of:

- the assumptions of expected land use and development;
- the methodology used to determine the need for transport facilities attributable to the expected development in the Precincts; and
- the scope and specification of those facilities,

are contained in the Transport Assessment.

The following is a summary of the approach utilised in the Transport Assessment for planning for the transport needs in the CFPP.

Proposed road hierarchy

The primary roads serving the CFPP are Oran Park Drive / Gregory Hills Drive and Camden Valley Way. These routes connect to the wider road network including the M5 Motorway, Narellan Road and The Northern Road.²¹

In order to cater for development in the South West Growth Centre, several major road upgrades are either planned or currently underway in the immediate vicinity including:

- Camden Valley Way between Oran Park Drive and Cowpasture Road;
- Oran Park Drive north of Dan Cleary Drive (formerly Cobbitty Road); and
- Gregory Hills Drive extension.²²

The CFPP road network hierarchy focuses vehicular access on the most appropriate routes to these arterial roads via higher order corridors. Vehicles are distributed through the precinct via

²¹ Transport Assessment, page 9

²² Ibid., page 11

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the hierarchical network of sub-arterial, transit boulevard and collector roads then via local streets to individual land parcels.

There are two key routes linking the precinct to the proposed Oran Park and Leppington town centres:

- Rickard Road (a proposed future connection) will be a four-lane Transit Boulevard north of Springfield Road that will form a strategic bus connection linking the CFPP to Leppington major centre and Leppington Station.
- Peter Brock Drive, a sub-arterial road in Oran Park, will provide a direct link from the CFPP to Oran Park Town Centre. Rickard Road extension (south of Springfield Road) is technically a collector road and will also have a strategic public transport function.²³ Rickard Road south of Springfield Road will be a 4-lane corridor that would be reserved to accommodate safe and efficient strategic bus movements.²⁴

This Plan includes provision for the Peter Brock Drive crossing of South Creek to the adjoining Oran Park Precinct, as well as another Oran Park connection at South Circuit. These works will maximise connections between the CFPP and Oran Park Town Centre.²⁵

Funding and delivery dependent on road hierarchy

Some of the required transport works are to meet a regional demand that extends beyond the CFPP boundary to the remainder of the South West Growth Centre.

The State Government has identified works in the area surrounding the CFPP that are intended to be provided through the State budget or through Special Infrastructure Contributions under the EP&A Act.²⁶ The works include arterial road and public transport links (including Oran Park Drive, Rickard Road extension, and Camden Valley Way).

Special Infrastructure Contributions will be imposed via conditions of consent on developments in the CFPP. More details on the applicability of Special Infrastructure Contributions can be found by accessing the Department of Planning and Infrastructure's website.

The following approaches may be applied to the funding and delivery of roads that are required by CFPP development:

- (a) Higher order roads such as sub-arterial and major collector roads are usually funded either through land or monetary section 94 contributions, and are often constructed as works-in-kind by the developer.
- (b) Collector roads may be delivered by a mix of section 94 contributions and by developers. Usually, where private development lots front onto a collector road and that road is of a comparable standard to local roads, the road is usually provided by the developer as part of the subdivision works. Local roads are also usually provided by developers as they in most cases have private lots fronting onto them.
- (c) Roads that do not have development fronting them such as bridges and crossings of open space are often funded through section 94 contributions, but can be constructed by the developer through a works-in-kind agreement at the time of subdivision and dedicated to the local council as public roads once constructed.

Road projects in categories (a) and (c) have been included in this Plan, that is:

²³ Transport Assessment, page 11

²⁴ Ibid., page 15

²⁵ Ibid., page 19

²⁶ *Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011*

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- Peter Brock Drive extension (sub-arterial) and crossing of South Creek to Oran Park Precinct.
- Local road and creek crossing fronting open space and drainage lands in the south of the CFPP.
- Kolombo Creek crossing to South Circuit in Oran Park Precinct.
- Creek crossing of South Creek tributary in east of CFPP.

The remainder of the network will be delivered by developers or be provided by Special Infrastructure Contributions.

Proposed walking and cycling facilities

There is currently no provision of dedicated walking and cycling infrastructure in the CFPP. This is in keeping with its existing land uses but which will not be appropriate to future demands.²⁷

Providing viable alternatives to the private car for journeys with destinations both within and outside the Precinct is viewed as essential to encouraging sustainable development.²⁸

A comprehensive bicycle network is proposed for the CFPP which will link the centres, schools, transport nodes and various residential neighbourhoods with key strategic routes and onward destinations. The proposed network will include a mixture of dedicated bicycle facilities that will take the form of:

- Off-Road (Shared Path);
- On-Road (Cycle Lane); and
- On-Road (Shared Path – Green Corridor).²⁹

Both shared paths and cycle lanes will be provided on Camden Valley Way, while sub-arterial roads and collector roads connecting key origins and destinations within the CFPP and onto other external destinations will have dedicated shared path bicycle facilities.

The proposed cycling connections are designed to create a continuous network of facilities removing obstacles and barriers to cycling, both physical and perceived. Physical crossing points of the creek have been included in the bicycle network plan to ensure route connectivity and network permeability.³⁰

This Plan will facilitate the provision of:

- strategic shared pathways within and across riparian corridors; and
- elements of the riparian pathway system adjacent to the local road and open space networks.

²⁷ Transport Assessment, page 36

²⁸ Ibid.

²⁹ Ibid., page 39

³⁰ Ibid.

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Public transport facilities

There is limited public transport serving the CFPP at present, with no direct rail service and 2 bus services connecting to Liverpool and Minto respectively. The low level of service reflects the limited demand for services generated by the current land uses.³¹

Future CFPP residents will require easy access to existing and proposed major town centres such as Leppington, Oran Park and Campbelltown / Macarthur. Efficient bus connections and transport hubs at these major centres (bus interchange at Oran Park, rail stations at Leppington and Campbelltown) are required to maximise public transport connectivity to other parts of Sydney.³²

Buses will remain the primary mode of public transport that will serve the CFPP, although at a much higher level of service than currently exists. Bus services are planned to reflect the *South West Bus Servicing Strategy* (AECOM for Transport for NSW, 2009). The proposed long term bus network for the CFPP will comprise a mixture of regional routes and district routes, as well as a number of local bus routes to ensure maximum coverage.

Bus shelter costs are addressed by this Plan. The key roads that will provide bus links will be provided by a mix section 94 contributions, Special Infrastructure Contributions and roads provided by developers.

4.5.2 How are the contributions calculated?

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left(\frac{\$INF}{NDA} \right)$$

Where:

\$INF = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the transport management infrastructure items in the area to which this Plan applies (refer Part 5 of this Plan).

NDA = the total area of net developable land (in hectares) that will generate demand for each facility – refer to Table 3.3 of this Plan.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

³¹ Ibid., page 24

³² Ibid., pages 4 and 27

4.6 Plan management and administration

4.6.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Councils incur significant costs in the preparation and administration of contributions plans.

Council staff are deployed to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works-in-kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time in order to determine the value of land to be acquired, the design and cost of works, as well as to review the development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

As these costs arise directly as a result of the development in the CFPP area, it is reasonable that the costs associated with preparing and administering this Plan be recouped through contributions from development.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to pay a development contribution.

Costs included in this Plan for these purposes are determined as follows:

- The estimate of legal expenses likely to be spent each year in relation to contributions matters (i.e. \$10,000), and extending this annual figure over the life of this Plan. This would principally relate to planning agreements and works-in-kind agreement negotiated with developers.
- The estimate of administration costs is equivalent to the current annual salary and on-costs (at the time the Plan is adopted) for 0.5 full time development contributions planning officer and 0.5 full time development contributions accounting officer, and extending this annual figure over the life of the plan.
- The estimate of costs to engage a land valuer to prepare and update at regular intervals the Land Value Index described in clause 2.15 of this Plan (i.e. \$7,500), and extending this annual figure over the life of this Plan.

4.6.2 How are the contributions calculated?

Contributions will be collected from all development toward Plan preparation and administration activities.

The monetary contribution per hectare is calculated as follows:

Catherine Fields (Part) Precinct Section 94 Contributions Plan

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left(\frac{\$Admin}{NDA} \right)$$

Where:

$\$Admin$ = the estimated cost - or if study work has been completed, the indexed, completed cost - of providing Plan preparation and administration activities (refer Part 5 of this Plan)

NDA = the total area of net developable land (in hectares) of the area to which this Plan applies – refer to Table 3.3 of this Plan.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

Catherine Fields (Part) Precinct Section 94 Contributions Plan

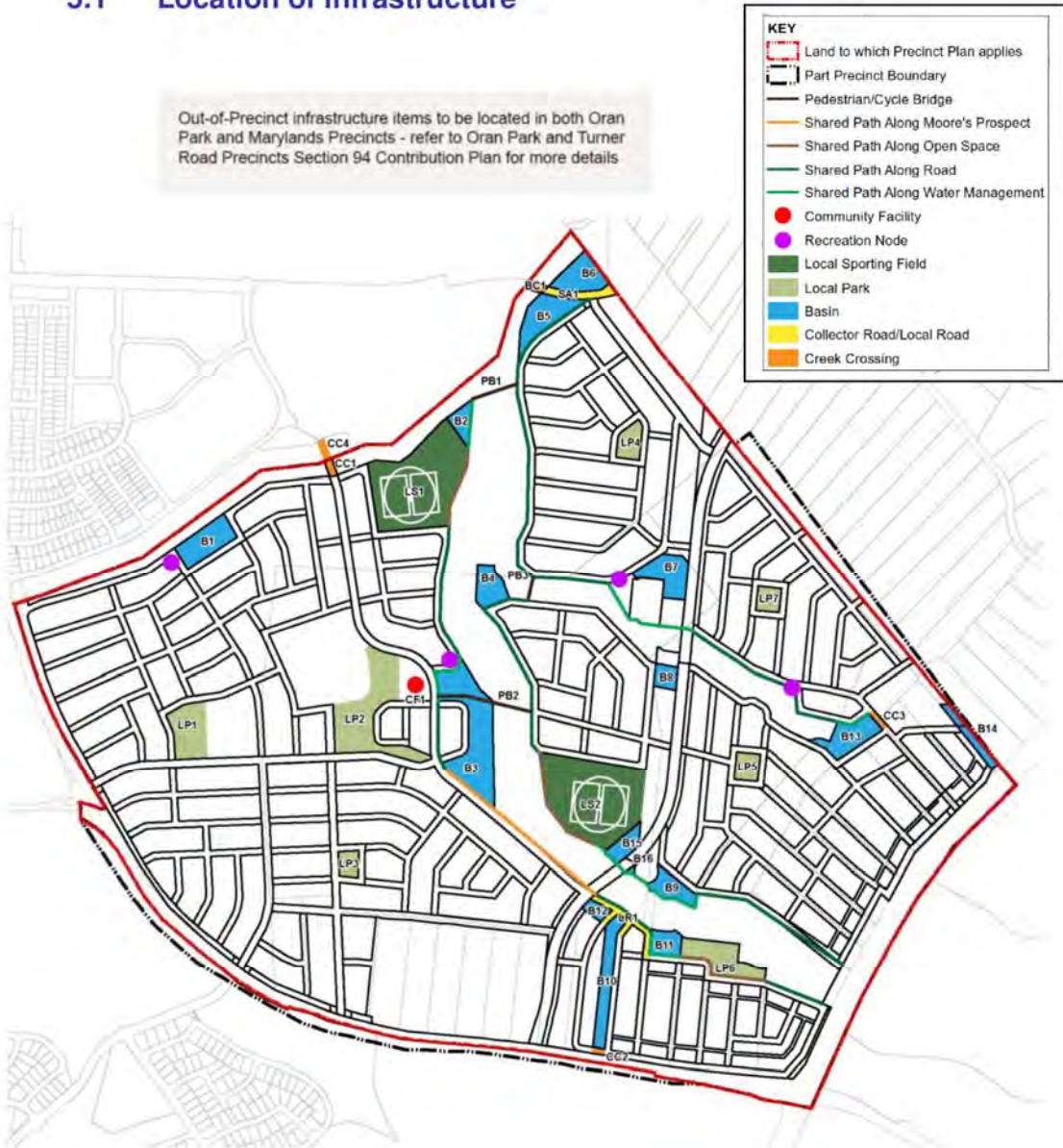
5. Works schedules and maps

The schedules contained in this section are extracted from the following MS Excel spreadsheet:

- 2013-10-17 CFPP S94 Schedules (v19).xls

5.1 Location of infrastructure

Out-of-Precinct infrastructure items to be located in both Oran Park and Marylands Precincts - refer to Oran Park and Turner Road Precincts Section 94 Contribution Plan for more details



5.2 Open space and recreation facilities

Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LALP	Future Land Acquisition Local Parks	6.7724	\$6,340,333	As land affected by acquisition is developed or as required to service development.
LALS	Local Sports Facility	9.2267	\$9,082,011	As land affected by acquisition is developed or as required to service development.
	Subtotal	15.9991	\$15,422,344	
	Allowance for 'special value' etc. under s55 of Land Acquisition (Just Terms) Compensation Act 1991		\$1,850,681	
	Total Open Space Infrastructure Land Acquisition Cost	15.9991	\$17,273,025	

Attachment 1
ORD05

Catherine Fields (Part) Precinct Section 94 Contributions Plan

Works

Item	Facility	Area (Sqrm)	Area (ha)	Cost	Project On Costs (ex Contingency)	Demolition Allowance	Total Cost	Priority/Staging
Passive Open Space								
LP1	Local Park 1	12,090	1.2090	\$841,074	\$210,268	\$0	\$1,051,342	As and when surrounding development proceeds.
LP2	Local Park 2	27,108	2.7108	\$1,736,740	\$434,185	\$0	\$2,170,925	As and when surrounding development proceeds.
LP3	Local Park 3	3,224	0.3224	\$312,261	\$78,065	\$0	\$390,326	As and when surrounding development proceeds.
LP4	Local Park 4	4,968	0.4968	\$416,269	\$104,067	\$0	\$520,336	As and when surrounding development proceeds.
LP5	Local Park 5	4,261	0.4261	\$374,131	\$83,533	\$0	\$457,664	As and when surrounding development proceeds.
LP6	Local Park 6	12,353	1.2353	\$856,714	\$214,179	\$0	\$1,070,893	As and when surrounding development proceeds.
LP7	Local Park 7	3,720	0.3720	\$341,861	\$85,465	\$0	\$427,326	As and when surrounding development proceeds.
	Subtotal	67,724	6.7724	\$4,875,049	\$1,219,762	\$0	\$6,094,811	
Active Open Space								
LS1	Combined local sports field and open space area	46,081	4.6081	\$3,075,038	\$769,010	\$0	\$3,844,048	As and when surrounding development proceeds.
LS2	Combined local sports field and open space area	46,187	4.6187	\$3,175,370	\$793,842	\$0	\$3,969,212	As and when surrounding development proceeds.
	Subtotal	92,267	9.2267	\$6,250,409	\$1,562,852	\$0	\$7,813,261	
Plan of Management								
PM1	Preparation of Plan of Management for all reserves	N/A		\$100,000	N/A	N/A	\$100,000	Incrementally as open space areas are embellished.
	Subtotal			\$100,000			\$100,000	
	Total Construction Costs			\$11,230,457	\$2,782,614	\$0	\$14,013,071	
	Construction Contingency			\$779,132				
	Total			\$14,792,203				

5.3 Out-of-Precinct district facilities and community and cultural facilities

5.3.1 Community and cultural facilities located within CFPP

Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LALCF	Future Land Acquisition Local Community Facility	0.1000	\$110,000	As land affected by acquisition is developed or as required to service development.
	Subtotal	0.1000	\$110,000	
	Allowance for 'special value' etc. under s55 of Land Acquisition (Just Terms) Compensation Act 1991		\$13,200	
	Total Community Facility Infrastructure Land Acquisition Cost	0.1000	\$123,200	

Works

Item	Facility	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
CF1	Community and Cultural Facility Local Facility Construction	\$1,272,281	\$318,070	\$0	\$1,590,351	To be provided at the time the neighbourhood retail centre is provided
	Subtotal	\$1,272,281	\$318,070	\$0	\$1,590,351	
	Total Construction Costs	\$1,272,281	\$318,070	\$0	\$1,590,351	
	Contingency Costs	\$89,060				
	Total Local Community Facility Costs	\$1,679,411				

Catherine Fields (Part) Precinct Section 94 Contributions Plan

5.3.2 Out-of-Precinct district facilities

Land

Oran Park WS Ref	Facility	Area (ha)	Total Cost	Cost Apportioned to this Cath Fields Part Precinct	INDEXED Cost Apportioned to this Cath Fields Part Precinct	Priority and Staging
OSR1.3	Land Acquisition in the Oran Park / Marylands Precincts Leisure Centre	10.0000	\$10,000,000	\$1,355,160	\$1,355,160	Refer to Out-of-Precinct District Infrastructure Construction
OSR1.6	Sports Parks On costs associated with land acquisition (@2%)	12.0000	\$12,000,000	\$2,439,288	\$2,439,288	Refer to Out-of-Precinct District Infrastructure Construction
	Total Out-of-Precinct Infrastructure Land Acquisition		\$23,970,000	\$3,870,337	\$3,870,337	

Oran Park WS Ref = the reference in the Oran Park Precinct works schedule contained within the Oran Park and Turner Road Precincts Section 94 Contributions Plan

Works

Oran Park WS Ref	Facility	Total Cost	Cost Apportioned to this Cath Fields Part Precinct	INDEXED Cost Apportioned to this Cath Fields Part Precinct	Priority/Staging
OSR2.3	District Infrastructure (Out-of-Precinct) Sports Parks	\$12,434,364	\$2,527,583	\$2,924,734	First stage to be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
OSR2.1	Leisure Centre	\$30,196,891	\$4,092,162	\$4,735,150	First stage to be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
C2.1	Branch Library / Community Resource Centre	\$9,531,226	\$1,967,873	\$2,277,078	To be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
	Total Essential District Infrastructure Costs	\$52,162,480	\$8,587,617	\$9,936,962	

Oran Park WS Ref = the reference in the Oran Park Precinct works schedule contained within the Oran Park and Turner Road Precincts Section 94 Contributions Plan

5.4 Water cycle management facilities

Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LAC	Future Land Acquisition Drainage Basins & Channels	12.4596	\$9,505,504	As land affected by acquisition is developed or as required to service development.
	Subtotal	12.4596	\$9,505,504	
	Allowance for 'special value' etc. under s55 of Land Acquisition (Just Terms) Compensation Act 1991		\$1,140,660	
	Total Drainage Infrastructure Land Acquisition Cost	12.4596	\$10,646,164	

Catherine Fields (Part) Precinct Section 94 Contributions Plan

Works

Item	Facility	Total Estimated Cost	Demolition Allowance	Total Cost	Priority/Staging
	Stormwater Detention Basins / Swales				
Basin B1		\$1,724,353	\$0	\$1,724,353	As and when surrounding development proceeds
Basin B2		\$644,321	\$0	\$644,321	As and when surrounding development proceeds
Basin B3		\$5,346,817	\$0	\$5,346,817	As and when surrounding development proceeds
Basin B4		\$1,399,226	\$0	\$1,399,226	As and when surrounding development proceeds
Basin B5 and B6		\$1,937,707	\$0	\$1,937,707	As and when surrounding development proceeds
Basin B7		\$1,946,665	\$0	\$1,946,665	As and when surrounding development proceeds
Basin B8		\$749,609	\$0	\$749,609	As and when surrounding development proceeds
Basin B9		\$1,280,121	\$0	\$1,280,121	As and when surrounding development proceeds
Basin B11		\$894,675	\$0	\$894,675	As and when surrounding development proceeds
Channel B10		\$232,747	\$0	\$232,747	As and when surrounding development proceeds
Basin B12		\$674,378	\$0	\$674,378	As and when surrounding development proceeds
Basin B13		\$1,167,848	\$20,831	\$1,188,679	As and when surrounding development proceeds
Basin B15 and B16		\$981,725	\$20,831	\$1,002,556	As and when surrounding development proceeds
Subtotal		\$18,980,190	\$41,662	\$19,021,852	
Total Construction Costs		\$18,980,190	\$41,662	\$19,021,852	
Construction Contingency		\$0			Included in Brown's costings
Fill Contingency		\$0			Included in Brown's costings
Total		\$19,021,852			

5.5 Transport management facilities

Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LACR	Future Land Acquisition Collector Roads	0.3773	\$329,044	As land affected by acquisition is developed or as required to service development.
LALR	Local Roads	2.5019	\$2,033,267	As land affected by acquisition is developed or as required to service development.
LACC	Creek Crossings	0.4468	\$236,673	As land affected by acquisition is developed or as required to service development.
	Subtotal	3.3260	\$2,598,984	
	Allowance for 'special value' etc. under s55 of Land Acquisition (Just Terms) Compensation Act 1991		\$311,878	
	Total Road Infrastructure Land Acquisition Cost	3.3260	\$2,910,862	

Catherine Fields (Part) Precinct Section 94 Contributions Plan

Works

Item	Facility	Number	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Total Cost Apportioned to CPPP	Priority/Staging
LRI	Local Roads Local Road South of Rickard Road Extension and South Creek		\$687,450	\$177,362	\$0	\$864,812	\$864,812	As and when surrounding development proceeds
	Subtotal		\$687,450	\$177,362	\$0	\$864,812	\$864,812	
SA1	Sub Arterial Roads Peter Brock Drive Extension		\$3,663,261	\$945,121	\$0	\$4,608,382	\$2,304,191	As and when surrounding development proceeds
	Subtotal		\$3,663,261	\$945,121	\$0	\$4,608,382	\$2,304,191	
	Creek Crossings							
BC1	Peter Brock Drive extension South Creek		\$2,938,000	\$738,004	\$0	\$3,696,004	\$1,848,002	As and when surrounding development proceeds
CC1	Kolombo Creek crossing South		\$272,980	\$70,429	\$0	\$343,409	\$343,409	As and when surrounding development proceeds
CC2	Herrington Creek crossing		\$143,150	\$36,933	\$0	\$180,083	\$180,083	As and when surrounding development proceeds
CC3	Eastern tributary crossing		\$201,900	\$32,090	\$0	\$253,990	\$253,990	As and when surrounding development proceeds
CC4	Kolombo Creek crossing North		\$262,265	\$67,664	\$0	\$329,929	\$329,929	As and when surrounding development proceeds
PB1	Pedestrian Bridge North (120m walkway on grade + 25m bridge over creek)		\$70,750	\$18,254	\$0	\$89,004	\$89,004	As and when surrounding development proceeds
PB2	Pedestrian Bridge South (242m walkway on grade + 20m bridge over creek)		\$89,450	\$23,078	\$0	\$112,528	\$112,528	As and when surrounding development proceeds
PB3	Pedestrian Bridge South (63m walkway on grade + 20m bridge over creek)		\$49,175	\$12,687	\$0	\$61,862	\$61,862	As and when surrounding development proceeds
	Subtotal		\$4,027,670	\$1,039,139	\$0	\$5,066,809	\$3,218,807	
	Shared Paths							
NA	Shared Paths along Water Management		\$255,600.00	\$65,945	\$0	\$321,545	\$321,545	As and when surrounding development proceeds
NA	Shared Paths along Roads		\$732,600.00	\$189,011	\$0	\$921,611	\$921,611	As and when surrounding development proceeds
NA	Heritage Driveway		\$111,600.00	\$28,793	\$0	\$140,393	\$140,393	As and when surrounding development proceeds
	Subtotal		\$1,099,800	\$283,748	\$0	\$1,383,548	\$1,383,548	
	Public Transport Facilities							
NA	Allowance for 8 bus shelters location TED	8	\$160,000	\$41,280	\$0	\$201,280	\$201,280	As and when surrounding development proceeds
	Subtotal		\$160,000	\$41,280	\$0	\$201,280	\$201,280	
	Total Construction Costs		\$9,638,181	\$2,486,651	\$0	\$12,124,832	\$7,972,639	
	Construction Contingency		\$443,629					
	Total Road Infrastructure Costs		\$8,416,267					

Catherine Fields (Part) Precinct Section 94 Contributions Plan

5.6 Plan management and administration

Item	Camden Yearly Cost	% of Yearly Cost	Adjusted Yearly Cost	Apportioned 15 Year Cost to expected development	Priority / Staging
Provision of S94 Contribution Officer over 15 years	\$115,247	50%	\$57,624	\$864,353	Progressively over the life of the Plan
Provision of S94 Accountant over 15 years	\$66,542	50%	\$33,271	\$499,065	Progressively over the life of the Plan
Provision of Legal Services in relation to implementation of the plan over 15 years	\$20,000	50%	\$10,000	\$150,000	Progressively over the life of the Plan
Provision of Valuation advice at least annually to maintain Land Value Index	\$15,000	50%	\$7,500	\$112,500	Progressively over the life of the Plan
Total	\$216,789		\$108,395	\$1,625,918	

Catherine Fields (Part) Precinct Section 94 Contributions Plan

6. Background information

AECOM (2012), *Catherine Field (part) Precinct Transport and Access Strategy*, May

AECOM (2013), *Catherine Field (part) Precinct Post Exhibition Transport and Access Review (Addendum)*, October

Brown Consulting (NSW) Pty Ltd (2013), *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, August

Camden Council (2008), *Oran Park and Turner Road Precincts Section 94 Contributions Plan*

Elton Consulting (2013), *Peer Review of Social Infrastructure and Demographic Assessment for Catherine Fields (Part) Precinct*, September

Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011

MacroPlan Australia (2012), *Social Infrastructure & Demographic Assessment – Catherine Fields (Part) Precinct*, May

NSW Department of Planning and Infrastructure (2013), *Catherine Fields (Part) Precinct Public Domain and Landscape Strategy*, October

NSW Department of Urban Affairs and Planning (2005), *Development Contributions Practice Notes*

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Tim Elliott Real Estate Valuer (2012), *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct prepared by*, 1 September 2012

Attachment 2 to this report: Submissions summary and response

Hixson / DPS submissions

Issue raised in the submission	Response
1. Adjustment of ILP needs to result in adjustment to section 94 plan	Contributions plan adjustments resulting from final ILP have been undertaken by project sub-consultants.
2. Include <u>all</u> shared paths in the contributions plan	<p>Updated works schedule includes provision for 4888m of shared path plus creek crossings. This compares to 4353m of paths in the exhibited draft plan. Contributions plan includes all the shared path network that focuses on the open space and riparian corridors.</p> <p>Project sub-consultants have confirmed that all shared paths that should be in the works schedule are in the works schedule.</p>
3. There should be no allowance for 'contingencies' in the estimate of costs of CFPP infrastructure. The preferred outcome is to remove contingencies and review costs as part of the regular review of the plan. If contingencies are to be retained, then a transparent system that tracks and returns unexpended contributions should be established.	<p>General 'contingency' allowed for works: 7%.</p> <p>Contingency required because costing of infrastructure undertaken at a strategic level, with little information available on site conditions to inform costs.</p> <p>Contingency allowance can be removed as facility designs and costs are firmed up.</p> <p>In the event of any surplus funds at the end of the contributions plan, these would be returned to the community by way of additional investment in local infrastructure.</p> <p>IPART has affirmed the inclusion of 5-15% contingency fees in traffic and drainage works (and land acquisition) in its most recent reviews of release area contributions plans in Blacktown LGA (i.e. Area 20 and Marsden Park Industrial).</p> <p>The plan's allowances for contingency are reasonable.</p>
4. Contribution rates are shown on both 'per dwelling' and 'per hectare'. Contribution rates should simply be based on a per hectare rate only. The 'additional resident' contributions should be deleted from the plan.	<p>It is not necessary to have 'per resident' notation in contribution rates table. This will be removed.</p> <p>While it would be simpler to have social infrastructure contributions shown as 'per hectare', this is not as reasonable as 'per dwelling'. This is because the demand for this infrastructure relates to the number of people living in different dwelling types. A flat per hectare rate will not pick up the different</p>

Attachment 2 to this report: Submissions summary and response

Issue raised in the submission	Response
	<p>dwelling occupancy associated with dwelling houses (i.e. 3.2 persons/dwelling) as compared to medium density (i.e. 2.5).</p> <p>No change to current differential per hectare and per dwelling rates recommended.</p>
<p>5. There are several definitions of NDA in Camden contributions plans – there should be greater consistency in these definitions</p>	<p>NDA definition has been progressively refined as contributions plans are developed. It is agreed that a standard definition is preferable, but this would involve a review of the NDA definition across all plans, and not just the CFPP plan.</p> <p>Council to consider merit of a standard definition of NDA when it reviews or prepares new contributions plans.</p>
<p>6. Neighbourhood centre area should be excluded from NDA</p>	<p>The neighbourhood centre (0.7ha) generates a demand for traffic and drainage facilities. The plan thus levies the neighbourhood centre for these facilities. The plan does not levy the neighbourhood centre for social infrastructure. This mode of levying commercial and retail uses has been consistently applied across all of Camden's Growth Centre precincts.</p> <p>No change to plan recommended.</p>
<p>7. Inclusion of 'SIC levies' in clause 2.10</p>	<p>Noted. Plan wording has been adjusted.</p>
<p>8. Clause 2.11: delete the sentence 'No allowance will therefore be made for the demand for economic infrastructure attributable to development that existed at the time this Plan was prepared.'</p>	<p>The sentence should remain. There is no connection between the existing rural residential developments in the CFPP area and the demand for the new road and drainage facilities (i.e. 'economic infrastructure') in the section 94 plan. Because there is no connection, existing development should not receive a demand credit when the contribution for economic infrastructure is calculated for any future development involving these sites.</p>
<p>9. Table 2.1, Table 3.3, Table 3.6, etc.: Bedroom numbers per dwelling be utilised to calculate occupancy rates, instead of dwelling types. The difference in occupancy rate between detached dwellings and other dwellings is substantial and there is little evidence to support it.</p>	<p>The categorisation of dwelling size by number of bedrooms is a standard approach to calculating dwelling contributions in many contributions plans.</p> <p>Population assessments for the future CFPP development was based on distribution of dwellings by dwelling type, rather than by numbers of bedrooms.</p> <p>Using numbers of bedrooms is arguably a</p>

Attachment 2 to this report: Submissions summary and response

Issue raised in the submission	Response
	more accurate approach, but only if there is good information on the projected number of 1, 2 and 3+ bedrooms in the future CFPP. Using occupancy rates based on dwelling type is reasonable when there is little reliable information on the projected number of 1 and 2 bedroom dwellings (which may be the case with the CFPP).
10. Clause 2.12.1: Clarification on when an accredited certifier would need to impose a condition requiring a s94 contribution is sought.	Accredited certifiers are able to issue CDCs for some development types which increase infrastructure demand (e.g. secondary dwellings). This is why the plan authorises accredited certifiers to impose conditions. The plan text has been amended to further clarify when an accredited certifier would need to impose a condition requiring payment of a s94 contribution.
11. Clause 2.12.2 and 2.13: section is confusing and unclear. Further explanation and clarification on the requirements relating to land contributions within this section is sought.	The submission does not say which descriptions of the land contributions process are unclear. The administration sections of the plan have been vetted by Council's legal adviser and are considered appropriate.
12. Clause 2.14.1 and 2.14.2 and 2.15.2: the end notes that state that the contribution rate or contribution amount will not be less than the contribution rate specified at the date of the adoption of this Plan or the amount shown in the consent, should be deleted from the plan.	This is a standard requirement in Council's contributions plan and has been vetted by Council's legal adviser. No change to plan recommended.
13. Clause 2.18 works in kind matters: key facilities should be programmed in response to the demands for those facilities; Council should cash flow the expenses with the timing of delivery of facilities; section 94 contributions should be pooled to allow timely delivery of the assets	This provision has been vetted by Council's legal adviser. No change to plan recommended.
14. Clarify the '***' note on Table 3.3.	Noted. Plan wording has been updated to make clear the reference.
15. Clause 4.1.2: 'A Works-in-kind Agreement must be in place prior to commencing the works in accordance with the Council's Works-in-kind	The provision is in accordance with Council's policy. No change to plan recommended.

ORD05

Attachment 2

Attachment 2 to this report: Submissions summary and response

Issue raised in the submission	Response
Agreements Policy' – change 'must' to 'should', because developer may wish to take the risk.	
16. The frequency of the 'regular review' of the plan should be included in the plan.	No change to plan recommended.
17. Table 4.1 and clause 4.3 – Social Infrastructure Assessment calculations should be corrected where they are incorrect.	Elton Consulting has been engaged to undertake a peer review. Reference will be made in the plan to both the Macroplan and Elton reports.
18. Clause 4.5.1 and Figure 4.3 – update references to roads	Noted. The plan wording has been updated.
19. Clause 5.1 figure legend should refer to pedestrian / cycle bridge rather than just pedestrian bridge	Noted. Figure has been updated.
20. Works schedule – land acquisition: value does not reflect \$110/m ² included in the plan	Value reflects the variable values of open space land identified by the Property Valuation Consultant. Categories 1 (\$40), 3 (\$85) and 4 (\$110) land involved. No change required.
21. Works schedule – Out of Precinct land acquisition: the 2% on costs figure be reviewed and an explanation on the basis for the 'on-cost' increase be included as a note to the Table.	On-costs allowance reflects the allowance included in the Oran Park Turner Road CP, and is meant to cover the cost of legal and valuation fees associated with land transfers. No change required.
22. Works schedule – transport management: the number of bus shelters is excessive	The number of bus shelters has been reduced to remove those shelters to be located on roads that are funded by the State Government Special Infrastructure Contribution (Oran Park Drive, Camden Valley Way and Rickard Rd extension). The remaining bus shelters are retained within the Plan as they have been recommended by the Traffic/Transport consultant as contributing towards achieving the objective to encourage public transport uptake.
23. Works schedule – plan management: \$524 per lot is excessive; administration costs should be reviewed and a detailed account of the assumed administration costs be included in the Plan.	Contribution rates for plan administration are based on an admin cost of over \$1.6 million over 15 years. The contribution rate is comparable to those charged in other Camden development areas. No change required.

Attachment 2 to this report: Submissions summary and response

GDC submission

Issue raised in the submission	Response
<p>24. Clause 2.13 – plan should more clearly describe what type of complying development requires payment Section 94 contributions under the plan, e.g. subdivision only</p>	<p>Accredited certifiers are able to issue CDCs for some development types which increase infrastructure demand (e.g. secondary dwellings). This is why the plan authorises accredited certifiers to impose conditions.</p> <p>The following text has been inserted into Clause 2.13:</p> <p><i>A section 94 condition would not generally be required to be imposed on a CDC unless the particular complying development will or is likely to require the provision of or increase the demand for local infrastructure within the area. For example, a new dwelling on a vacant allotment of land would not be subject to a section 94 condition because section 94 contributions would likely have been imposed and paid at the subdivision DA stage. However, a secondary dwelling CDC would be subject to a section 94 condition under this Plan.</i></p> <p><i>Accredited certifiers should contact Council if there is any doubt whether section 94 conditions should be imposed on particular CDCs.</i></p>
<p>25. Clause 2.18.5 – surplus value on works in kind. Council will not allow transferring of credits from other facilities in the Section 94 plan. This is not a workable outcome and discourages the early delivery of community facilities. Unreasonable to wait up to 20 years for settle-up payments. The approach is not consistent with the following Section 2.19, which specifically allows Council to pool monetary contributions.</p>	<p>This provision has been vetted by Council's legal adviser. No change required.</p>
<p>26. Request that the CFPP open space provision be reviewed to take into consideration the existing and proposed facilities surrounding the Catherine Fields (part) Precinct under the Oran Park VPA, and implementing the more cost effective preferred local passive open space delivery outcomes as shown on the preferred ILP.</p>	<p>Open space planning matters, including facilities planned in Oran Park, have been addressed by Elton's peer review of the Macroplan report.</p>
<p>27. Seeks confirmation that the costs of the</p>	<p>Costs prepared by Project Consultants</p>

ORD05

Attachment 2

Attachment 2 to this report: Submissions summary and response

Issue raised in the submission	Response
Peter Brock Drive bridge crossing is based on the construction of a four lane bridge structure consistent with the OPTR CP.	addresses a four-lane bridge structure.
28. Figure 4.4 does not correctly identify the existing and proposed pathway networks within the Oran Park project to the north.	Figure has been updated in the plan.
<p>29. Excessive number of bus shelters proposed to be included in the plan.</p> <p>30. The Section 94 plan should not fund bus shelters along 'bus capable' only roadways, as these may not be utilised as bus routes in the future.</p> <p>31. A total of 6 bus shelters should be provided, comprising 4 along the Rickard Road bus route and 2 bus shelters along the Peter Brock Drive bus route.</p>	Refer to response provided to point 22.



ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: SPRING FARM SCHOOL SITE AND ASSOCIATED DCP AMENDMENTS

FROM: Acting Director Governance

TRIM #: 13/2540

PURPOSE OF REPORT

The purpose of this report is to outline proposed changes to Camden DCP 2011 in relation to the Spring Farm Masterplan (namely, changes resulting from the proposed change of location of the Spring Farm primary school site) and to seek a resolution to place these changes on public exhibition.

BACKGROUND

The Spring Farm Release Area was rezoned in May 2004 with a primary school site identified in the early planning stages and incorporated into the Spring Farm Masterplan contained in Camden DCP 2011. The Department of Education and Communities (DEC) has since relinquished their interest in the site. DEC are in the process of purchasing a parcel of land on Springs Road (Refer to figure 1) with the intention to build a public primary school on the site. Figure 1 identifies the site nominated in the current Masterplan and the proposed new site.

In addition to the relocation of the primary school, a number of additional Masterplan changes are proposed including the modification of road layout surrounding Spring Farm Neighbourhood Centre and the identification of a roundabout on Macarthur Road in Spring Farm to safely manage traffic access to and from the proposed Spring Farm regional sports facility.

The DCP amendment also incorporates other minor changes to improve clarity and provide consistency with approved development consents with the objective to help guide future development in Spring Farm.

A map outlining the proposed changes to the Spring Farm Master Plan is provided as **Attachment 1 to this report**. Council staff are in the process of undertaking a comprehensive review of the Spring Farm DCP and this will be reported to Council at a later date.

A Councillor Workshop was held on this matter on 12 November 2013.

MAIN REPORT

Relocation of primary school

DEC has advised Council that the current identified school site (Refer to site 1 on figure 1) does not meet their site selection criteria for primary schools. DEC are in the process of purchasing an alternate parcel of land on Springs Road (Part Lot 1 & 2 DP 222580) with the intention to build a public primary school on the site (Refer to Site 2 on Figure 1).

It is important to note that DEC's site selection criteria has been developed since the site was first identified as part of the initial rezoning.

The proposed school site has an area of 2.963ha and is zoned R1 General Residential (Educational Establishments are permissible), has minimal constraints and complies with DEC's site selection criteria.

The site is centrally located within the Spring Farm release area and is located along a bus and cycle route. The site is directly adjacent to an existing residential development on Ettlesdale Road. In this regard, traffic management, acoustics, and privacy are key issues that will need to be addressed during the development assessment stage.

The residents of Ettlesdale Road will be notified and given the opportunity to provide comment during the public exhibition phase of the proposed DCP amendment.

Figure 1 – Current and Proposed School Sites



The current site (Site 1) will be earmarked for residential development. The proposed primary school site (Site 2) was expected to deliver between 36 and 40 residential lots. It is proposed to amend the Residential Dwelling Range Map to accommodate a slightly higher yield (40-50 dwellings) for the larger Site 1 resulting in an increase of up to 10 dwellings. In addition, a perimeter road to be provided and funded by the land owner will be required on Site 1. This is identified on figure C18 Spring Farm Master Plan and the following control is to be inserted into Clause C7.3 Street Network and Design;

“7. A 13m wide access road (bush corridor edge) is to be provided by the owner of the former primary school site being Lot 2 DP 1174229 and Lot 2 DP 1175936”.

The following control is proposed to accommodate the provision of bus bays for the proposed school site;

“8. The collector road around the eastern and southern boundaries of the future school site may require widening to facilitate indented bus bays”.

The Spring Farm pedestrian and cycle path network map has also been amended to reflect off-road combined pedestrian and cycle paths which are needed due to the relocation of the school.

Roundabout on Macarthur Road in Spring Farm

The proposed Spring Farm regional sports facility is likely to generate significant volumes of traffic. The identification of a roundabout (identified as notation 3 on Spring Farm Master Plan map which is provided as **Attachment 1 of this report**) in the DCP is necessary to safely manage traffic access to and from the proposed facility.

Modification of road layout surrounding Spring Farm Neighbourhood Centre

Council is also assessing a development application (DA541/2013) which proposes the construction of a neighbourhood centre to accommodate a supermarket, medical centre, liquor store and speciality retail stores. This DA proposes to construct the bush corridor road (as shown in the current Master Plan) with a 6m wide carriage way and a 2.5m shared path along its northern boundary; this is supported as the location of the proposed roundabout to the west of this road would make the construction of that road impractical.

Council is also in the process of assessing a development application (DA371/2013) which is located on the eastern side of Richardson Road. The applicant has proposed to construct a cul-de-sac which varies from the current road layout in the DCP. This cul-de-sac is supported as it reduces the vehicular access points along Richardson Road and provides for a greater level of amenity for residents.

The traffic modelling provided in support of the above proposal recommends the provision of a roundabout at the northern end of the site into Richardson Road. This is to accommodate the anticipated traffic generation from the proposed Neighbourhood Centre and also the adjacent residential development to the east. Without the inclusion of this roundabout, it is anticipated that there would be potential traffic delays at this intersection and potential safety implications.

The Master Plan has been amended to include the above mentioned changes to the road layout (identified as notation 5 on the Spring Farm Master Plan map which is provided as **Attachment 1 of this report**).

DCP Amendment

The proposed changes to the Spring Farm Master Plan map have necessitated changes to other Spring Farm maps to ensure consistency. Maps referring to residential density; street network and design; pedestrian and cycle path network and indicative bus routes have been amended to reflect the changes. In addition, some minor street layout changes have been included to reflect recent development approvals. The mapping format has also been improved to make the maps easier to read.

The draft amended maps are provided as **Attachment 3 to this report** and will form part of the public exhibition material:

Public Exhibition

Should Council resolve to support the proposed amendments to the DCP, these will be publicly exhibited for a period of 28 days in accordance with the *Environmental Planning and Assessment Regulation 2000*. A notification will be placed in the local newspaper and the exhibition material available at:

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

During the exhibition period, all major land owners in Spring Farm and residents of Ettlesdale Road will be sent a letter notifying them of the proposed changes. At the conclusion of the consultation period, a report will be submitted back to Council detailing the submissions received.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed changes to the Spring Farm Masterplan and associated maps seek to accommodate the relocation of the Spring Farm primary school and other minor traffic control changes. A comprehensive review of the Spring Farm DCP will be reported to Council at a later date.

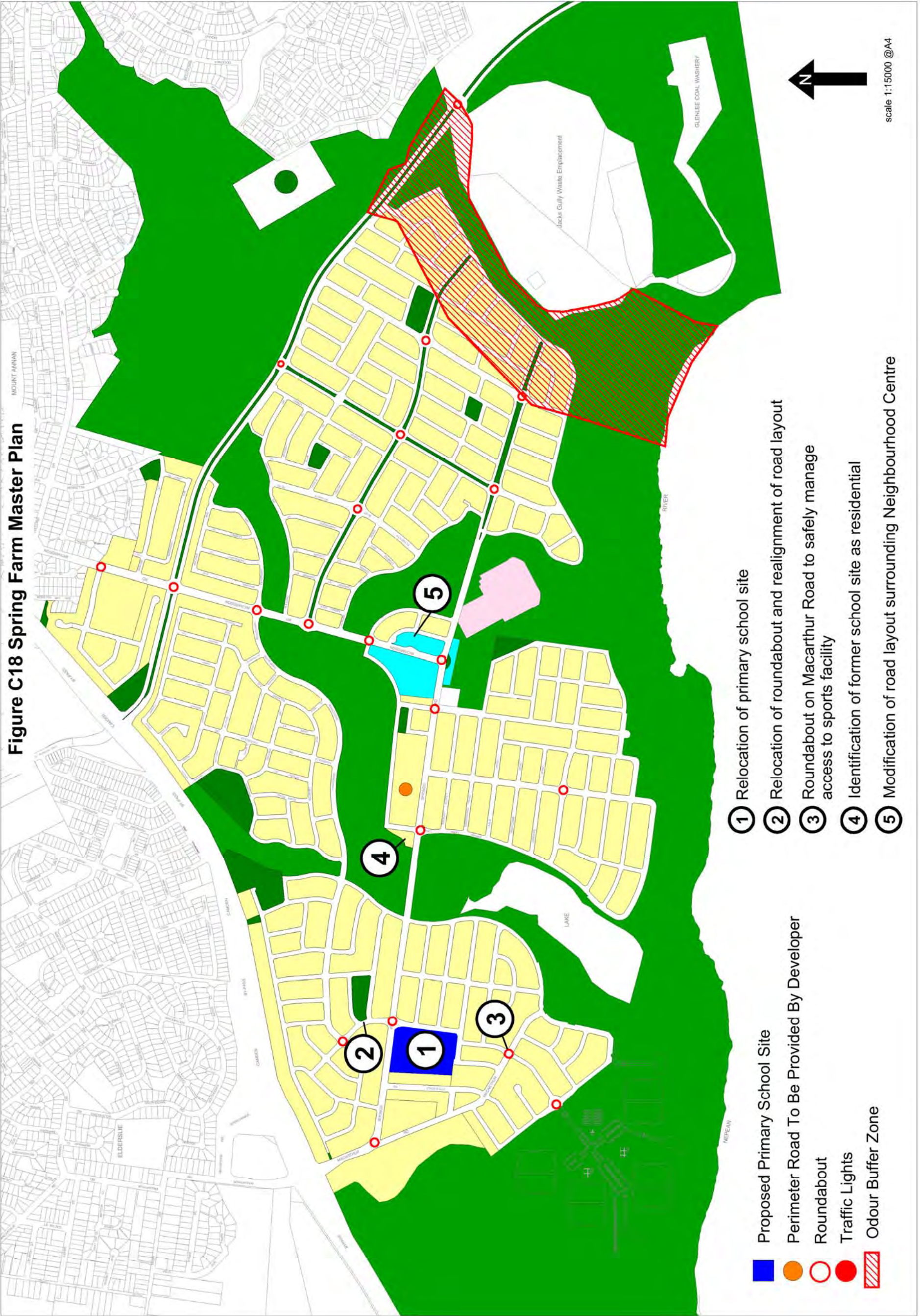
RECOMMENDED

That Council:

- support the proposed changes to Camden Development Control Plan 2011 outlined in this report;**
- publicly exhibit the draft DCP for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Regulations 2000*;**
- write to all major land owners in Spring Farm (including residents of Ettlesdale Road) notifying them of the exhibition; and**
- consider a further report to consider the results of the exhibition.**

ATTACHMENTS

1. Spring Farm Master Plan
2. Schedule of proposed changes
3. combined maps Spring FarmA4



Attachment 2

ORD06

ATTACHMENT 2 - Spring Farm Master Plan Review – Schedule of proposed changes

Figure	Map Ref	Summary of change	Justification / Comment
Figure C18 Spring Farm Master Plan	1	Relocation of primary school site.	<p>The Department of Education and Communities (DEC) has advised Council that the current identified school site does not meet their criteria for schools and DEC have relinquished their interest in the site. This site is now to be earmarked for residential development.</p> <p>DEC are in the process of purchasing a parcel of land on Springs Road (Part Lot 1 & 2 DP 222580) with the intention to build a public primary school on the site.</p>
		Roads on the east and south sides of the proposed primary school site are proposed to be a minimum 18.5m wide with 11m carriageways.	Wider roads are needed to accommodate the anticipated additional traffic volumes and bus movements associated with the use of the site as a school.
	2	Relocation of roundabout 50m eastward and realignment of road layout.	<p>The relocated roundabout will assist in managing school traffic and will give a better design outcome for Springs Road by increasing sight lines.</p> <p>It should be noted that a Section 96 modification application is needed to facilitate this outcome.</p>
	3	A roundabout is identified on Macarthur Road to safely manage traffic access to and from the proposed Spring Farm regional sports facility.	The proposed Spring Farm regional sports facility is likely to generate significant volumes of traffic. A roundabout has been identified to safely manage traffic access to and from the proposed facility.
	4	Identification of former primary school site as residential land with a 13m wide perimeter road to be provided by the developer.	The 13m wide perimeter road is necessary to satisfy RFS requirements.
		Amendment to the dwelling density map to achieve an appropriate yield on the former school site (now earmarked for residential development).	The proposed primary school site was expected to deliver between 26 and 40 residential lots. The former school site, which is now earmarked for residential development, is expected to deliver a slightly higher yield of between 40 and 50 dwellings.

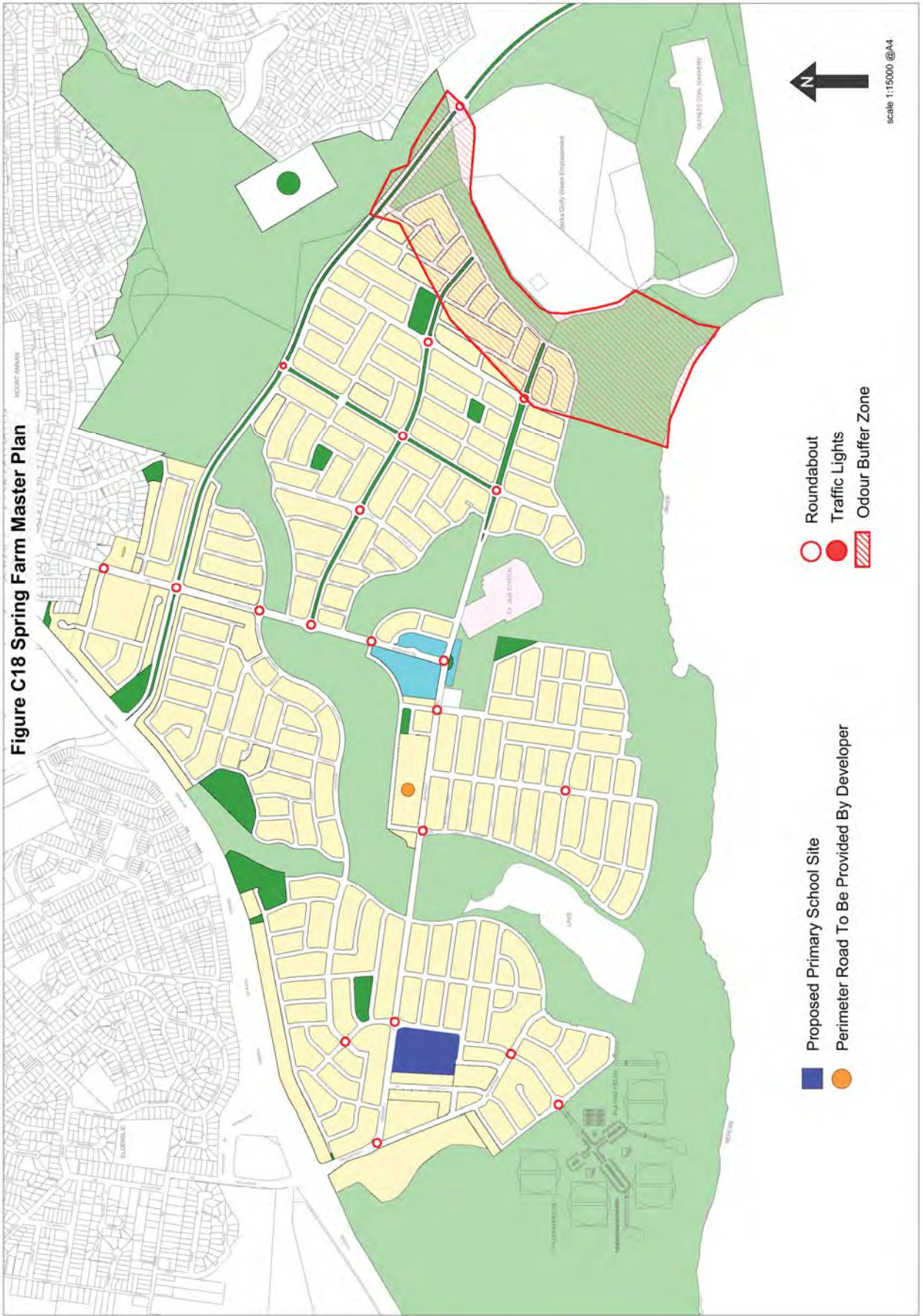
Figure	Map Ref	Summary of change	Justification / Comment
	5	Modification of road layout surrounding Spring Farm Neighbourhood Centre	<p>Council is currently assessing DA371/2013 which is located on the eastern side of Richardson Road. The applicant has proposed to construct a cul-de-sac which varies from the current road layout in the DCP. This cul-de-sac is supported as it reduces the vehicular access points along Richardson Road and provides for a greater level of amenity for residents.</p> <p>Council is currently assessing DA541/2013 which proposes the construction of a neighbourhood centre to accommodate a supermarket, medical centre, liquor store and 3 speciality retail stores. This DA proposes to construct the bush corridor road (as shown on the current Master Plan) with a 6m wide carriage way and a 2.5m shared path along its northern boundary; this is supported given the location of the proposed roundabout to the west of this road, it would make the construction of that road impractical.</p> <p>The traffic modelling provided in support of the proposal recommends the provision of a roundabout at the northern end of the site into Richardson Road. This is to accommodate the anticipated traffic generation from the proposed Neighbourhood Centre and also the adjacent residential development to the east. Without the inclusion of this roundabout, it is anticipated that there would be potential traffic delays at this intersection and potential safety implications.</p>

Please Note: *The draft DCP maps also incorporate minor changes to improve clarity and changes that are consistent with approved development consents with the objective to help guide future development in Spring Farm.*

ORD06

Attachment 3

Figure C18 Spring Farm Master Plan



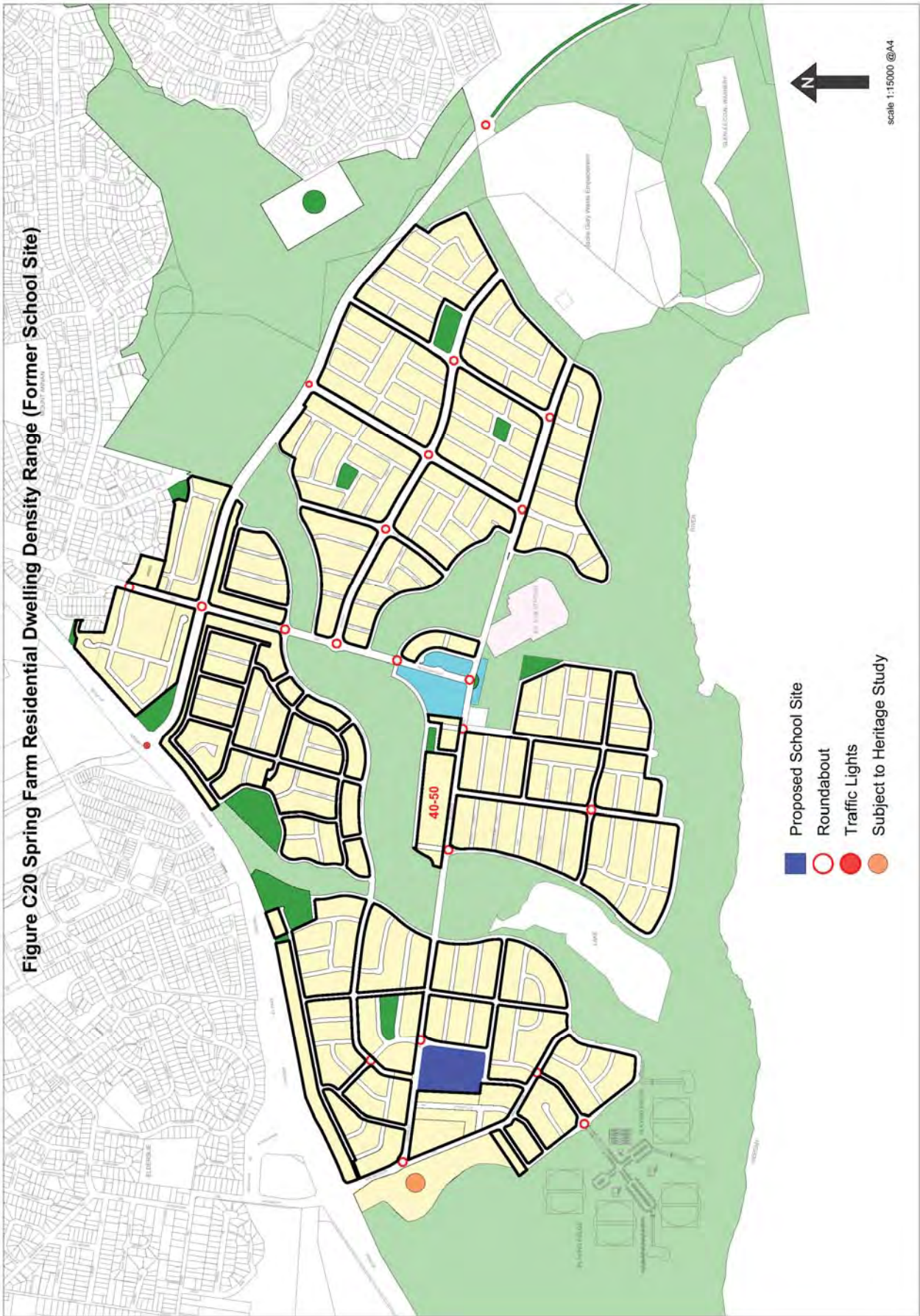
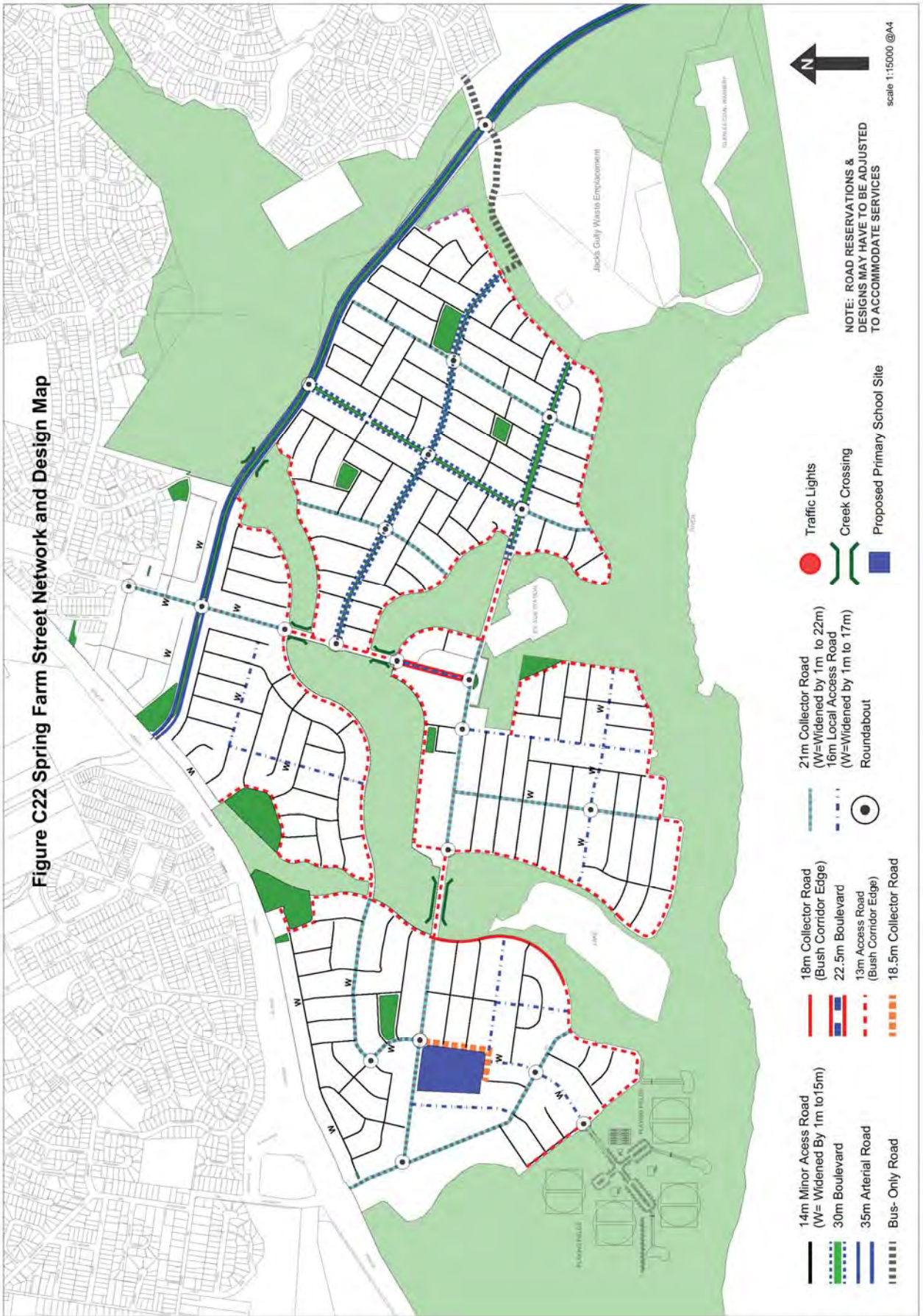
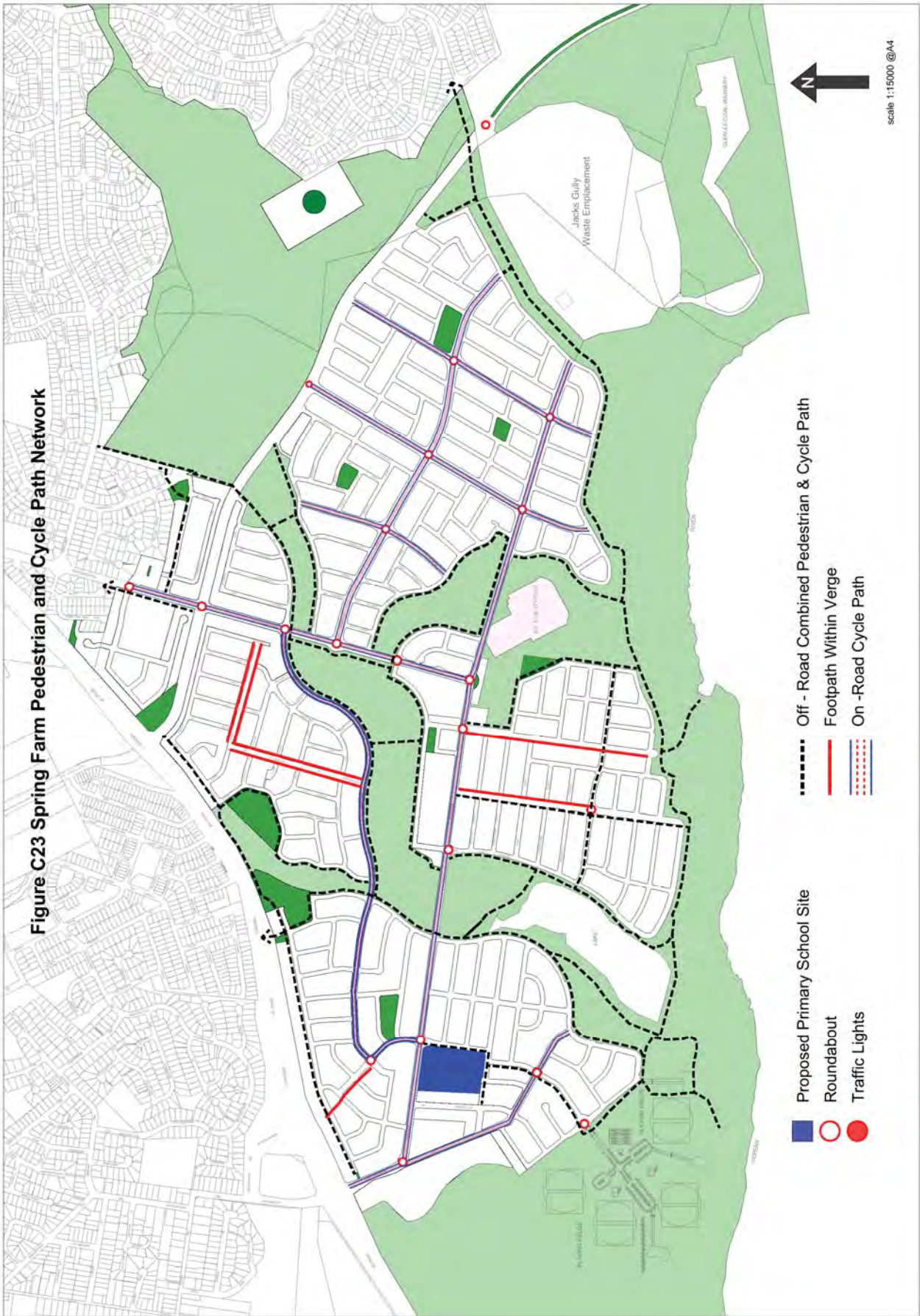


Figure C20 Spring Farm Residential Dwelling Density Range (Former School Site)

ORD06

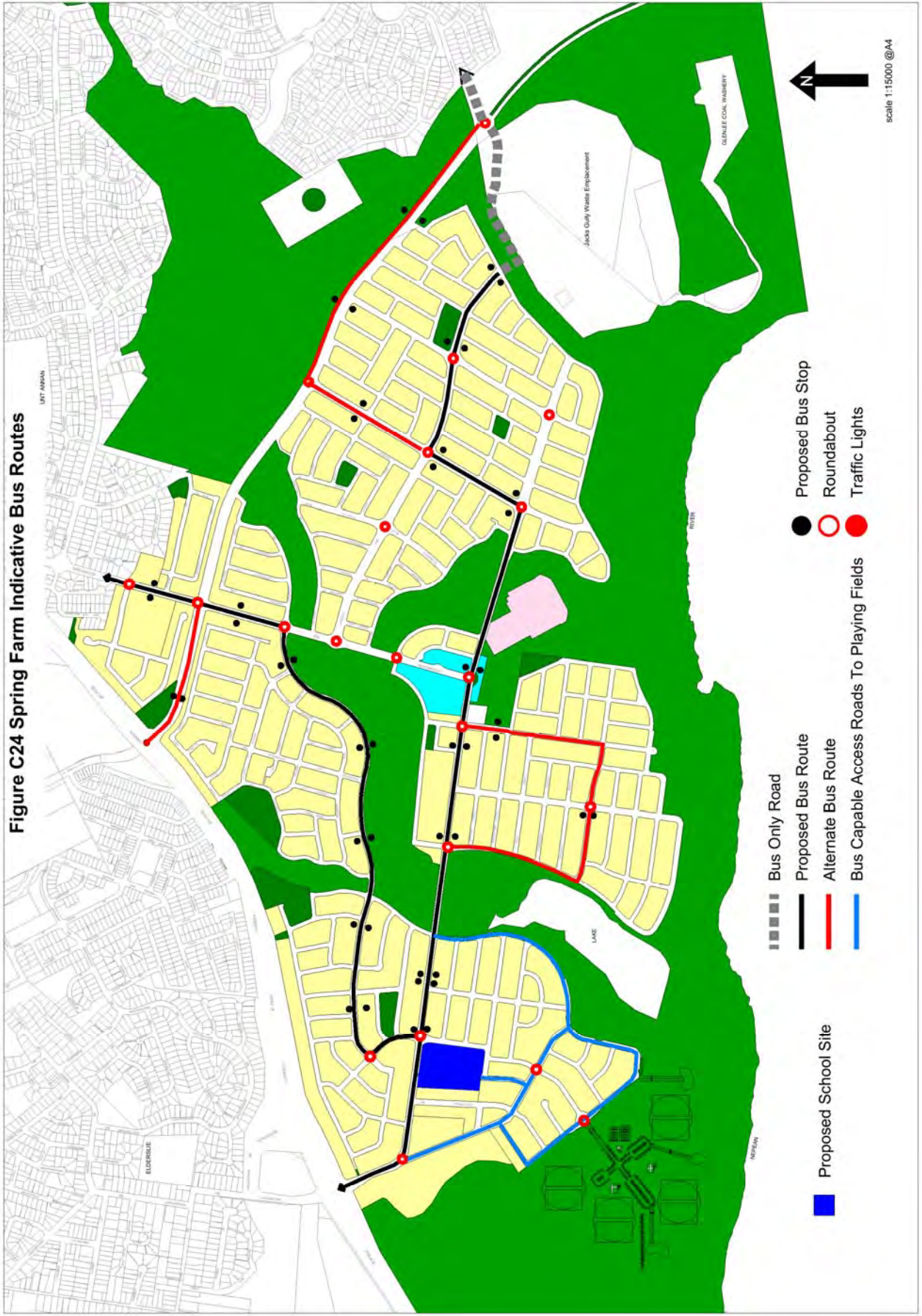
Attachment 3





ORD06

Attachment 3



ORDINARY COUNCIL

ORD07

ORD07

SUBJECT: PROPOSED AMENDMENTS TO GLEDSDOOD HILLS VOLUNTARY PLANNING AGREEMENT

FROM: Acting Director Governance

TRIM #: 13/39285

PURPOSE OF REPORT

The purpose of this report is to seek a Council resolution to place amendments to the Gledswood Hills Voluntary Planning Agreement (VPA) and the deed of variation on public exhibition. The draft VPA is included as **Attachment 1** to this report.

BACKGROUND

The Gledswood Hills VPA was entered into by Council and Sekisui House on the 8 February 2013.

The Gledswood Hills VPA applies to land within the Turner Road precinct of the South West Growth Centre and comprises the residential component of the Hermitage Development (by Sekisui House). The land to which the VPA applies is bounded by the South Creek Tributary to the South, Camden Valley Way to the West, El Caballo Blanco Land to the North and the Sydney Water Canal to the east (see **figure 1** below). Please note the land proposed to be removed from the VPA is shown in **Figure 2**.

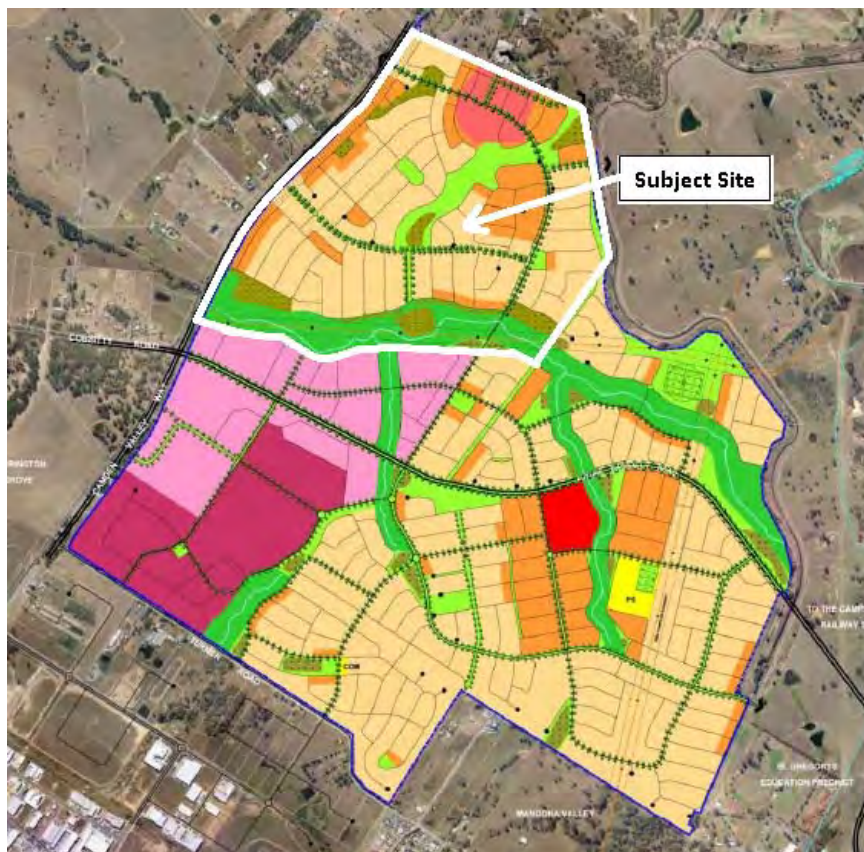


Figure 1 above indicates the subject site bordered in white

The VPA delivers the infrastructure, services and facilities related to the Hermitage development in accordance with the Oran Park Turner Road Contributions Plan (OPTR CP) and the Indicative Layout Plan (ILP). The total VPA package includes approximately \$24M worth of works, land dedication and monetary contributions.

MAIN REPORT

Council Officers have been in discussions with the developer, Sekisui House, in relation to potential amendments to the Gledswood Hills VPA. These changes involve the removal of the West Leagues Club land (“the Club”) from the land to which this VPA applies in the Gledswood Hills VPA Schedule 1 map shown on the next page.

The following are the reasons that the Gledswood Hills VPA proposed to be amended:

- Sekisui House has an obligation to transfer approximately two hectares (2ha) of land within the Entertainment Precinct (the land to be excluded from the VPA) to the Club, the current operators of the existing Club and motel. The Club has required the land be free of encumbrances. This includes removing the VPA from the property title.
- There are no obligations for works or land dedications associated with the Club land. The proposed changes will not reduce the works and land to be provided by Sekisui House.
- The Gledswood Hills VPA is an agreement between Sekisui House and Camden Council. It is therefore considered appropriate that the land to be transferred is excluded from the VPA (between Sekisui House and Camden Council) as the land will not be developed by Sekisui House (if indeed it is developed at all).

A Deed of Variation has been developed which includes the amended schedule 1 map that shows the removal of the Club land from the land to which the VPA applies (see **figure 2** below).

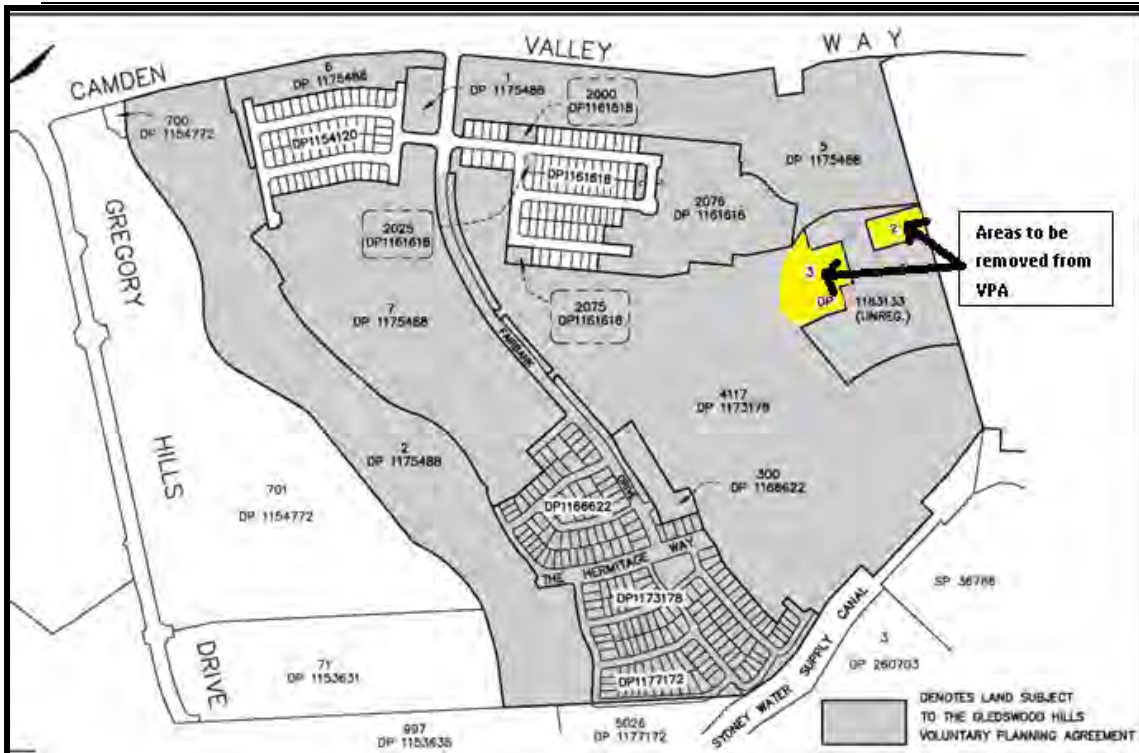


Figure 2: Map indicating land to be removed from Gledswood Hills VPA highlighted yellow.

The proposed amendment to the Gledswood Hills VPA relates to the area of land to which the VPA applies. No other elements of the VPA are proposed to be amended, including the development contributions identified in Schedule 2. The final lot threshold related to the \$4.048M cash contribution under Item 26 will still be achieved (ensuring the \$4.048M in contributions).

If the Club land is developed in the future, development contributions will be levied in accordance with the Oran Park and Turner Road Contributions Plan. This will be dealt with as a condition of consent through the Development Application process.

Legal Advice

Council has sought legal advice and they have confirmed that these changes are acceptable. The Deed of Variation has been reviewed by Council’s legal advisor and it is recommended that the Deed of Variation will be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations.

FINANCIAL IMPLICATIONS

There are no direct financial implications to Council as a result of this Planning Proposal.

CONCLUSION

This report is proposing to place amendments to the Gledswood Hills VPA including the Deed of Variation on public exhibition.

Council Officers have been in discussions with the developer, Sekisui House, in relation to potential amendments to the Gledswood Hills VPA. These changes involve

the removal of the West Leagues Club land from the land to which this VPA applies in the Gledswood Hills VPA Schedule 1 map.

No other elements of the VPA are proposed to be amended, including the development contributions identified in Schedule 2

RECOMMENDED

That Council:

- i. Council publicly exhibit the draft amended Gledswood Hills Voluntary Planning Agreement (including the deed of variation) for a period of 28 days in accordance with the provision of the Environmental Planning and Assessment Act and Regulations; and**
- ii. a further report be prepared and submitted to Council to allow consideration of submissions received during the exhibition period; or**
- iii. if no public submissions are received, the General Manager and Mayor be authorised to enter into the Voluntary Planning Agreement (as amended) and affix the Council seal.**

ATTACHMENTS

1. Gledswood Hills VPA Deed of Variation of Planning Agreement(2)

Deed of Variation of Planning Agreement

Camden Council

SH Camden Valley Limited (As Trustee for the SH Camden Valley Unit Trust)

GADENS LAWYERS
77 Castlereagh Street
SYDNEY NSW 2000

T +61 2 9931 4999
F +61 2 9931 4888
Ref LIW:33613550

11613417.1 MDS MDS

Deed of Variation of Planning Agreement

Dated

Parties

1. **Camden Council** 37 John Street, Camden NSW 2570 (**Council**).
2. **SH Camden Valley Pty Limited (As Trustee for the SH Camden Valley Unit Trust)** ACN 137 331 376 of 68 Waterloo Road, Macquarie Park NSW 2113 (**SH Camden Valley**).

Background

- A. Camden Council and SH Camden Valley entered into the Planning Agreement.
- B. The Parties agree that certain land should be excluded from the Planning Agreement.
- C. The Parties also consider it desirable to generally update the title references of the land in question.
- D. In accordance with section 25C(3) of the *Environmental Planning and Assessment Regulation 2000* the Parties agree to amend the Planning Agreement by entering into this Deed.
- E. The Parties agree that from the date of execution of this Deed the Planning Agreement will be varied as provided for by this Deed.

Operative provisions

1. Defined meanings

Words used in this Deed and the rules of interpretation that apply are set out and explained in the definitions and interpretation clause of this Deed.

2. Variation of Planning Agreement

From the date of this Deed the terms of the Planning Agreement are varied as follows:

- (a) In Clause 1.1 the existing definition of "Land" is deleted.
- (b) In Clause 1.1 a new definition of "Land" is inserted as follows:
 - (i) **Land** means Lots 2000, 2025, 2075 and 2076 DP 1161618, Lots 1, 2, 3, 5, 6 and 7 DP 1175488, all land within the boundaries of DP 1166622, DP 1173178 and DP 1177172 except Lot 5026 DP 1177172 and except the Excluded Land.
- (c) The plan under the heading "Existing Lot Information Diagram" in Sheet 1 of Schedule 1 of the Planning Agreement is deleted and the plan contained in Schedule 1 of this Deed is inserted instead.

- (d) The definition of "Excluded Land" is to be inserted into section 1 of the Planning Agreement as follows:

Excluded Land means the land depicted as Lots 2 and 3 identified in the plan titled "Plan of Subdivision of Lot 3 in DP 1175488 & Easements within Lot 5 in DP 1175488" in Sheet 1A of Schedule 1.

- (e) The Excluded Land Plan is inserted in schedule 1 of the Planning Agreement as a new sheet 1A under the heading "Excluded Land" and the subheading (clause 1.1).

3. Definitions and interpretation

- (a) Definitions

In this Deed unless the context otherwise requires the following words have these meanings:

Excluded Land Plan means the plan titled "Plan of Subdivision of Lot 3 in DP 1175488 & Easements within Lot 5 in DP 1175488" contained in schedule 2 of this Deed.

Parties means Camden Council and SH Camden Valley Pty Limited (As Trustee for the SH Camden Valley Unit Trust)

Planning Agreement means the Gledswood Hills Planning Agreement entered into by the Parties and dated February 2013.

- (b) Interpretation

In this Deed unless the context otherwise requires:

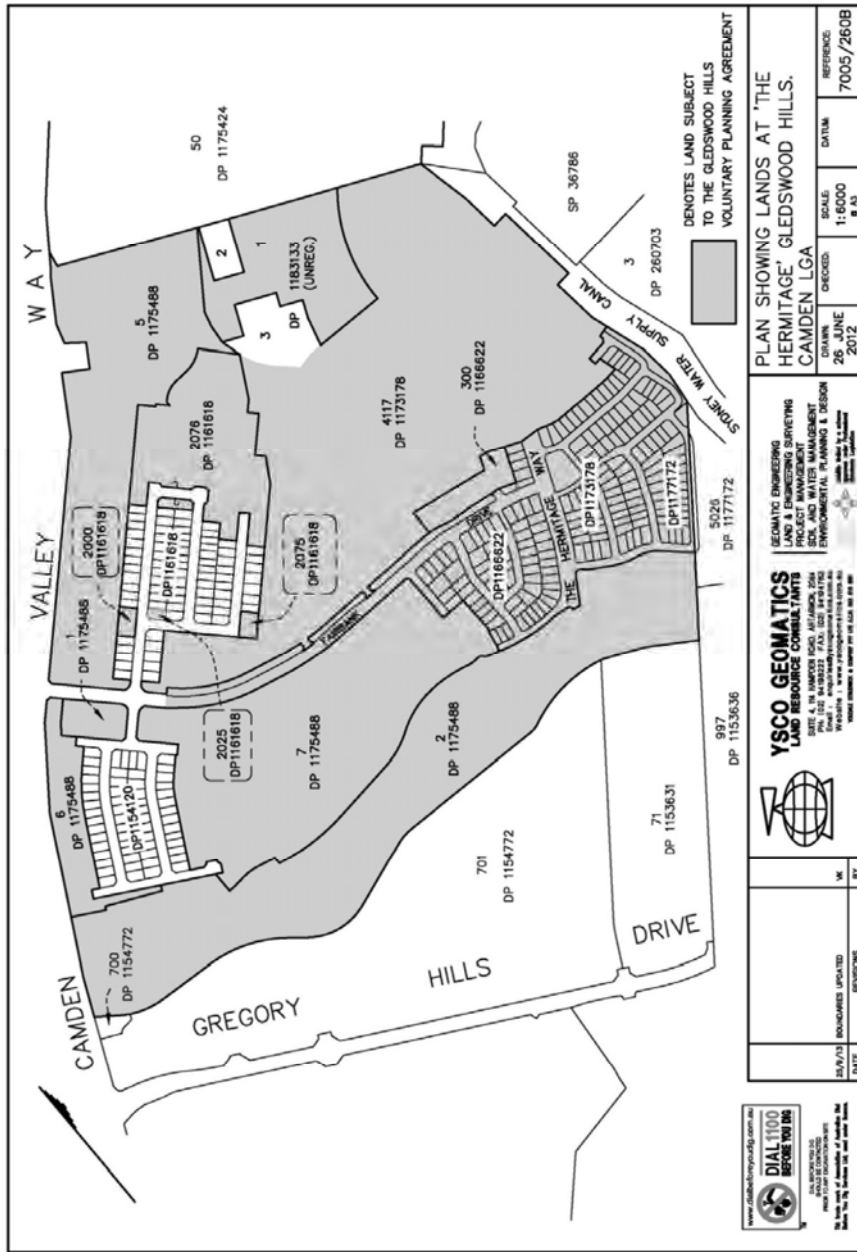
- (i) clause and subclause headings are for reference purposes only;
- (ii) the singular includes the plural and vice versa;
- (iii) words denoting any gender include all genders;
- (iv) reference to a person includes any other entity recognised by law and vice versa;
- (v) where a word or phrase is defined its other grammatical forms have a corresponding meaning;
- (vi) any reference to a party to this Deed includes its successors and permitted assigns;
- (vii) any reference to any agreement or Deed includes that agreement or Deed as amended at any time;
- (viii) the use of the word **includes** or **including** is not to be taken as limiting the meaning of the words preceding it;
- (ix) an agreement, representation or warranty on the part of two or more persons binds them jointly and severally;
- (x) an agreement, representation or warranty on the part of two or more persons is for the benefit of them jointly and severally;

ORD07

Attachment 1

- (xi) reference to an item is a reference to an item in the schedule to this Deed;
- (xii) reference to an exhibit, annexure, attachment or schedule is a reference to the corresponding exhibit, annexure, attachment or schedule in this Deed;
- (xiii) reference to a provision described, prefaced or qualified by the name, heading or caption of a clause or subclause in this Deed means a cross reference to that clause or subclause; and
- (xiv) reference to a statute includes all regulations and amendments to that statute and any statute passed in substitution for that statute or incorporating any of its provisions to the extent that they are incorporated.

**Schedule 1
(Clause 2(c))**

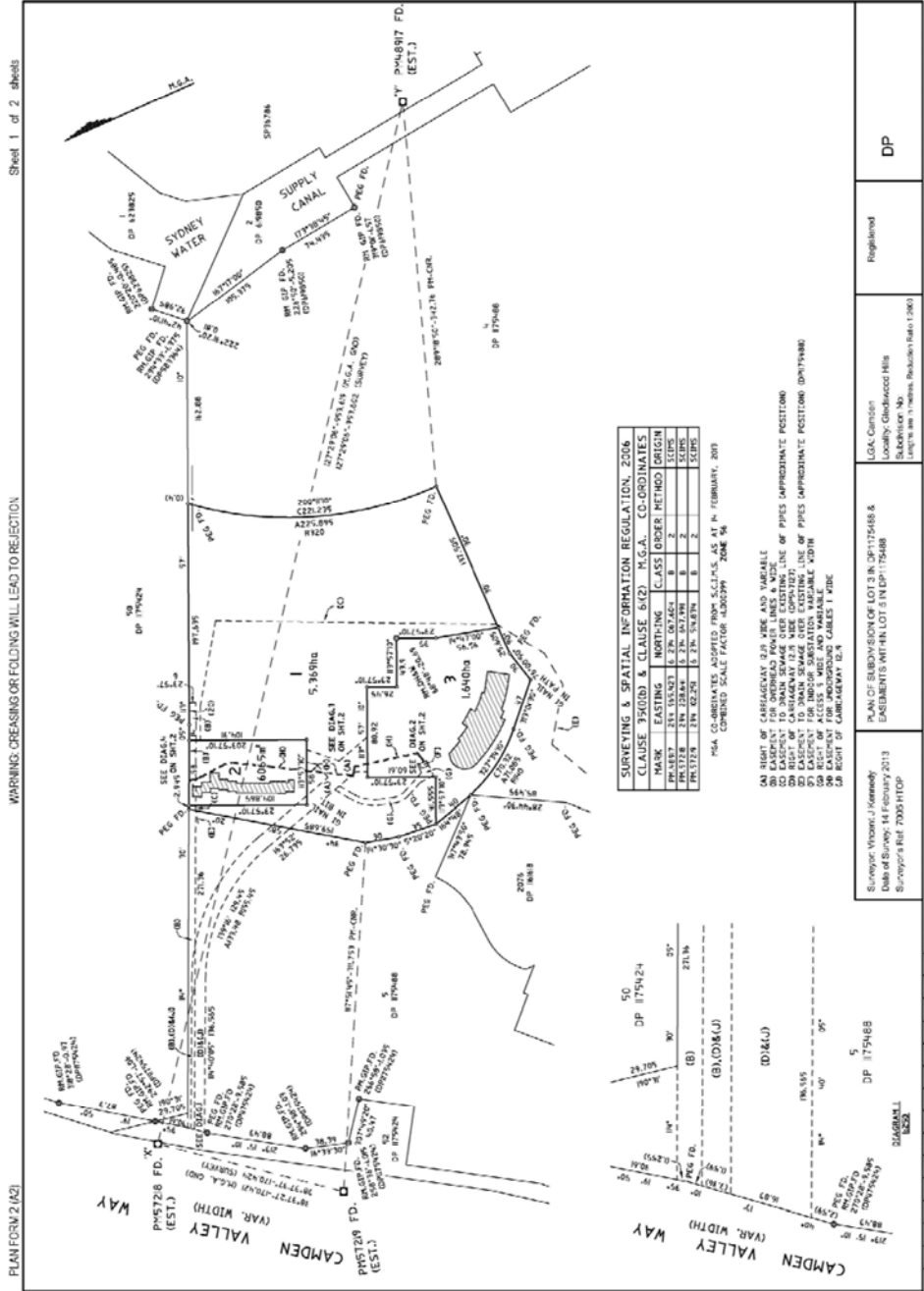


11613417.1 MDS MDS

ORD07

Attachment 1

Schedule 2
(Clause 2(e), Clause 3(a))



11613417.1 MDS MDS

Executed as a deed.

Signed sealed and delivered on behalf of
Camden Council by

General Manager

Print name

Mayor

Print name

Executed on behalf of **SH Camden Valley Pty Limited (As Trustee fir the SH Camden Valley Unit Trust)** in accordance with s127(1) of the Corporations Act (Cth) 2001 by:

Secretary/Director

Print name

Director

Print name

ORDINARY COUNCIL

ORD08

SUBJECT: STAGE 2 COAL SEAM GAS EXCLUSION ZONES EXHIBITION
FROM: Acting Director Governance
TRIM #: 13/44661

PURPOSE OF REPORT

The purpose of this report is to inform Council of the NSW Government's exhibition of Stage 2 Coal Seam Gas Exclusion Zones. The Stage 2 exclusion zones will prohibit coal seam gas exploration and development in and within 2 kilometres of identified future residential areas. Stage 2 lands are in addition to lands previously identified prohibiting coal seam gas activity in and within 2 kilometres of existing residential zones across the state.

BACKGROUND

Stage 1 exclusion zones which cover all existing residential zoned lands in NSW came into force on 4 October 2013. The Stage 2 exclusion zones currently on exhibition proposed to include future residential areas identified in planning instruments or government endorsed planning strategies.

It is noted that transitional provisions included within the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) do not prohibit the operation of gas works where there is an existing valid approval.

MAIN REPORT

Lands within the Camden Local Government Area have been identified for inclusion in the Stage 2 exclusion zones. **Attachment 1 to this report** identifies lands to which Stage 2 applies.

The proposed Stage 2 maps include all of the Camden LGA growth centres land, and other key non growth centres sites such as:

- Emerald Hills;
- El Caballo Blanco;
- Lakeside; and
- The Chambers Site.

All new coal seam gas activities are prohibited in the CSG exclusion zones and the 2km buffer. Pipelines associated with CSG development will also be prohibited within the exclusion zones, but are permitted within the two (2) kilometre buffer zone, subject to development approval.

Spring Farm

The proposed Stage 2 exclusion zones also include two small areas in the existing Spring Farm release area; the two (2) areas were subject to a boundary amendment which was gazetted on 18 January 2013. The areas were rezoned from E2 Environmental Conservation Zone to R1 General Residential. These lands were not

residential at the time of the identification of Stage 1 exclusion zones. Inclusion of these parcels in Stage 2 results in all residential lands within Spring Farm being contained within exclusion zones.

Non-Identified Future Residential Areas

The future residential lands identified within the proposed Stage 2 maps include only those lands currently the subject of inclusion in State Government strategic planning documents or the subject of a planning proposal.

While this is likely to form the majority of all future residential lands, there is the potential for other lands outside of these parameters to be the subject of future planning proposals and rezonings.

It is recommended that where lands such as this are the subject of a planning proposal a mechanism be placed within the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 that prohibits coal seam gas exploration and development and applies the 2km buffer. This will further help protect Camden's residential lands.

FINANCIAL IMPLICATIONS

There are no direct financial implications to Council as a result of this report.

CONCLUSION

The Stage 2 coal seam gas exclusion zones will further protect Camden's residential lands from future coal seam gas exploration, and gas related infrastructure. All of Camden's identified future residential lands are included within the mapped exclusion zones.

RECOMMENDED

That Council:

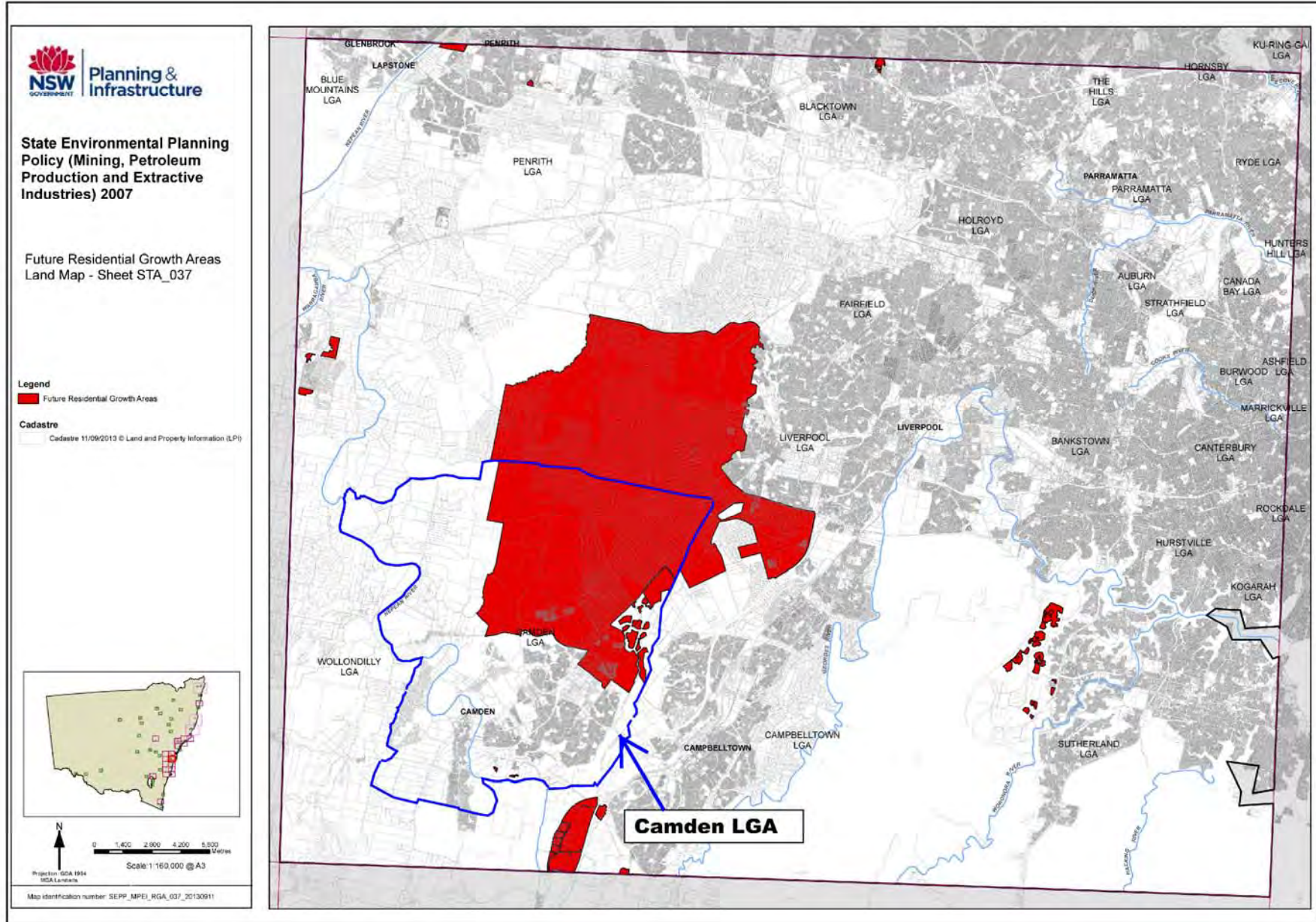
- i. that Council forward a submission to the DPI requesting additional protection for future residential lands not yet identified within government endorsed planning strategies.**

ATTACHMENTS

1. Coal Seam Gas Stage 2 Exclusion Zones- Camden LGA

ORD08

Attachment 1





ORDINARY COUNCIL

ORD09

ORD09

SUBJECT: LOOK PEDESTRIAN SAFETY PROGRAM - ACCEPTANCE OF GRANT FUNDS

FROM: Director Works & Services

TRIM #: 13/55213

PURPOSE OF REPORT

To inform Council of grant funds obtained from the Roads and Maritime Services to conduct a pedestrian safety program and to seek endorsement to accept the funding.

BACKGROUND

Each year the Roads and Maritime Services make available grant funds through the Local Government Road Safety Program in order for Council to improve road safety outcomes in the Camden Local Government Area. This year the Roads and Maritime Services made available extra funding after the first round had been completed. This funding was to be used for a LOOK Pedestrian Safety Program. Council applied for the funding and were successful.

MAIN REPORT

One of the key road safety objectives is pedestrian safety. Pedestrians are vulnerable road users and the LOOK program will aim to improve education as to the need to LOOK before crossing the road, providing a visual reminder through stencil placement at crossing points.

The LOOK stencils have been successfully installed in the Camden Local Government Area previously and this project aims to build and extend on this. High pedestrian activity areas not previously covered will be included, in addition to identified problem areas, and a focus on mid intersection crossing points will be a priority for this project. These crossing points require a higher level of engagement by pedestrian as there is often no traffic facilities such as pedestrian crossings or refuges, therefore pedestrians need to be more aware of the need to LOOK and be mindful of vehicles. It is anticipated that the grant funds obtained will allow the installation of the LOOK stencilling at 30 sites in the Camden Local Government Area.

The letter confirming the grant funding from the Road and Maritime Services is given in **Attachment 1**.

FINANCIAL IMPLICATIONS

No financial cost to Council. Grant funds of \$2,000 has been secured through the Roads and Maritime Services – Local Government Road Safety Program.

CONCLUSION

Pedestrian are vulnerable road users and the provision of this funds will facilitate the installation of the LOOK stencils in order to improve pedestrian safety in the Camden Local Government Area.

RECOMMENDED

That Council:

- i. accepts RMS funding of \$2,000 under the Local Government Road Safety Program; and**
- ii. writes to the funding body – Roads and Maritime Services thanking them for their assistance.**

ATTACHMENTS

- 1. Letter from RMS**



Transport
Roads & Maritime
Services

ORD09

Attachment 1

21 August 2013

The General Manager
Camden Council
37 John Street
Camden NSW 2570

Attention: Adam Wilkinson

Local Government Program Funding 2013-2014

I refer to the submission from Camden Council for funding for road safety projects and I am pleased to confirm that the following has been approved:

Pedestrian 'LOOK' stencilling \$2,000

These funds are to be used for the installation of the pedestrian 'LOOK' stencilling as outlined and approved as per your submission; all other expenses are to be covered by Council. Please note that the following conditions will need to be met:

1. All components of this project must be approved by Council's Traffic Committee prior to commencement.
2. A pedestrian safety audit of the environment should be undertaken to identify other potential engineering treatments and any recommendations should comply with RMS Standards.
3. Crash data should be analysed to identify suitable sites for stencil placement.
4. Stencils must not be applied to the road pavement.
5. Any changes to this submission, including the budget must be received in writing and approved by RMS.
6. Expenditure for this project will be reimbursed upon receipt of an initial invoice of 80% to RMS which may be forwarded from today's date. The final 20% invoice is due no later than 1st June 2014 and must include a final report.
7. The project evaluation and financial statement must be completed before the final invoice will be processed.

If you have any concerns or require further information regarding these issues, please do not hesitate to contact our office on 8849 2361.

Yours sincerely

A handwritten signature in cursive script that reads 'P. Murray'.

Paul Murray
Road User Safety Manager

Roads & Maritime Services

Level 7, 27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973 Parramatta CBD NSW 2124
T 02 8849 2361 | F 02 8849 2745 | E paul.a.murray@rms.nsw.gov.au

www.rms.nsw.gov.au | 13 22 13

ORDINARY COUNCIL

ORD10

SUBJECT: TENDER T003/2014 - LIQUIDAMBER RESERVE SPORTSFIELD RECONSTRUCTION

FROM: Director Works & Services

TRIM #: 13/56839

PURPOSE OF REPORT

To provide details of the current funding arrangements for renewal works required at Liquidamber Reserve in the 2013/14 and 2014/15 budgets, and to seek approval to reallocate the distribution of funds to enable the immediate priority works, which are the subject of this tender, to proceed.

To provide details of the tenders received for contract T003/2014 for the sports field reconstruction at Liquidamber Reserve, Narellan Vale and to recommend that Council accept the tender submitted by Manoeuvre Mow Pty Ltd trading as Sustainable Turf Renovations & Equipment.

BACKGROUND

Council manages and maintains the equivalent of 27 full sized grass covered sports grounds for the community across the Camden LGA. In addition there are 6 sites that are leased to specific sporting clubs which are managed and maintained under lease terms. (Approximately 11 full sized grass fields and 3 synthetic grounds)

Council aims to deliver facilities which:

- Provide a safe and optimal playing standard surface for the sports clubs players and schools using the ground for as many hours per season as possible.
- To minimize ground closures and return the ground to play as rapidly as possible after adverse weather events or unsafe ground conditions.

Due to the diverse standard of field construction, these objectives are met to varying degrees at different sites. While parks operations maintenance programs and end of season refurbishment programs help to achieve these objectives, there are some sites that need much more extensive work to bring them up to an acceptable standard.

Liquidamber Reserve and Harrington Park Reserve have been identified as requiring major improvements and have been included in Council's Community Infrastructure Renewal Program.

Council's Parks Maintenance team have advised that the lower fields at Liquidamber Reserve are most in need of work to improve their condition and therefore playability throughout the entire season. Poor drainage of these fields was identified as a major issue.

Following any rain event Liquidamber Reserve is notoriously the last field to be back in play. Subsequently the proposed works include full surface reconstruction and levelling as well as installation of a subsurface drainage system. The proposed works will improve the playing surface in wet conditions, and in turn ground closures due to wet weather will be reduced.

MAIN REPORT

Invitation to Tender

The tender for Liquidamber Reserve sports field reconstruction was advertised in the local press, Sydney Morning Herald and the NSW e-tendering website. Tenders opened on Tuesday 8 October 2013 and closed on Tuesday 29 October 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>
Manoeuvre Mow Pty Ltd	Theresa Park
M. Collins & Sons Pty Limited	Revesby
The Green Horticultural Group Pty Ltd	Annangrove

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:

- Demonstrated capacity, construction program;
- Experience in sports field reconstruction projects;
- WH&S, environment, company profile; and
- Quality of submission.

All three submissions demonstrated adequate technical capacity and experience in successfully completing similar sports field reconstruction projects. Manoeuvre Mow Pty Ltd has provided a tender which is considered most advantageous to Council in terms of cost and program, as well as meeting all requirements of Council's tender documentation.

Implication for Users

The timing of the works is critical and needs to commence in November, following completion of the winter season sporting fixtures and in within grass growing period. This is essential in order to ensure that the grass has maximum growing time to stabilize and develop a good ground cover.



The reconstruction work will necessitate the closure of the ground for a full summer season, requiring the redirection of cricket and other summer sports to alternate grounds, or alternate arrangements.

Manoeuvre Mow Pty Ltd provided the shortest program of works minimising disruption to the sporting community and capitalising on the warmer summer months which is the preferred growing season for couch turf.

The soccer season at Liquidamber Reserve commences on 1st March 2014, it is anticipated that the fields will be established and ready to use by 18th April 2014. The soccer club at Liquidamber Reserve, the Narellan Rangers, have been advised of the works and the expected completion date. During this time alternate fields will be made available and the upper fields at Liquidamber Reserve will still be available for use.

Camden Cricket Association use this ground in the summer season. They have been advised of the proposed work and have advised they will be able to relocate games to alternate grounds.

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

Manoeuvre Mow Pty Ltd will be given possession of the site on 18th November 2013 to commence works which are scheduled to be completed by 18th April 2014.

FINANCIAL IMPLICATIONS

Council approved the \$6 million Community Infrastructure Renewal Program continuation as part of the 2013/14 - 2018/19 Delivery Program. The first 2 years of funding of the community infrastructure renewal program is sourced from the \$2 million Local Infrastructure Renewal Scheme (LIRS) loan which was drawn down on the 1 November 2013.

The Community Infrastructure Renewal Program includes a \$1.3 million works program for Parks and Reserves Renewal throughout the LGA. Included within this program is an allocation of \$325,000 to upgrade sportsfields at Liquidamber Reserve. The distribution of these funds is shown in the table below.

CURRENT BUDGET ALLOCATION		
2013/14	2014/15	TOTAL
\$89,000	\$236,000	\$325,000

The anticipated cost to reconstruct the lower fields at Liquidamber Reserve (including a 10% contingency) is \$210,000. The upper fields were not included in this tender as original estimates indicated there would be insufficient funding to include these in the scope of the project.

In order to undertake the proposed works to lower the fields between November 2013 and April 2014 which is considered most practical, it is recommended that the 2013/14 Capital Works Budget be amended to \$210,000 and the 2014/15 Capital Works Budget be amended to \$115,000. This will enable the lower fields to be reconstructed this financial year and the upper fields in 2014/15. The total funding of \$325,000 remains unchanged. The revised distribution of these funds is shown in the table below:

PROPOSED BUDGET ALLOCATION		
2013/14	2014/15	TOTAL
\$210,000	\$115,000	\$325,000

There are sufficient funds available from the \$2M LIRS loan to make these budget adjustments without affecting any other proposed works in 2013/14 or requiring any transfer from General Fund.

CONCLUSION

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

RECOMMENDED

That Council:

- i. authorise the 2013/14 Capital Works Budget to be amended to \$210,000 and the 2014/15 Capital Works Budget be amended to \$115,000;**
- ii. accepts the construction tender T003/2014 for Liquidamber Sportsfield Reconstruction provided by Manoeuvre Mow Pty Ltd for the lump sum value of \$190, 440 (GST exclusive); and**
- iii. authorise the relevant documentation to be completed under Council's Power of Attorney, granted on 27 August 2013, Minute Number ORD215/13.**

ATTACHMENTS

1. Tender Information - *Supporting Document*

ORDINARY COUNCIL

ORD11

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: Director Governance
TRIM #: 13/57377

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.

- Messina Homes Payout of Surplus Credit

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 only 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 Council:

- i. the meeting be now closed to the media and public to discuss a report concerning commercial information of a confidential nature dealing with Messina Homes Payout of Surplus Credit, in accordance with the provisions of Section 10A(2)(c) 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.**