

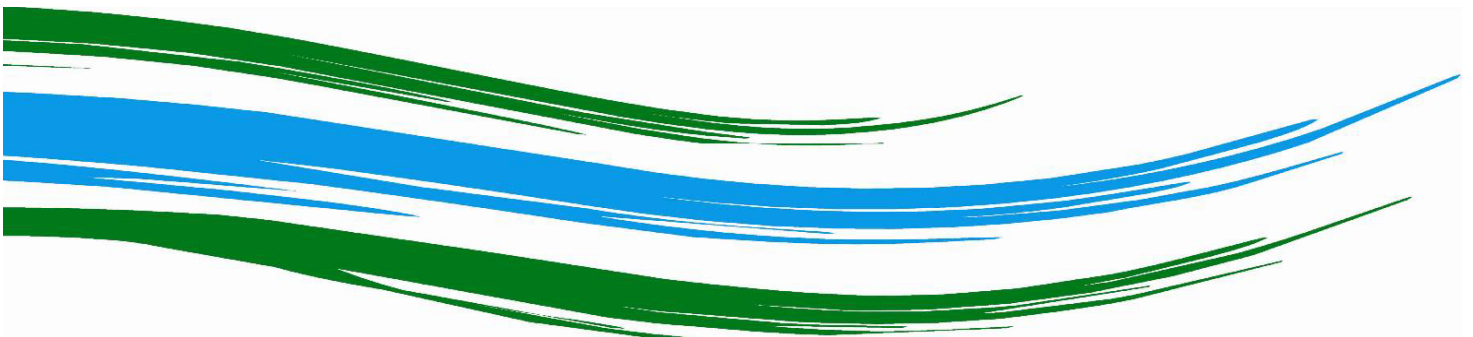


Camden Council

Business Paper

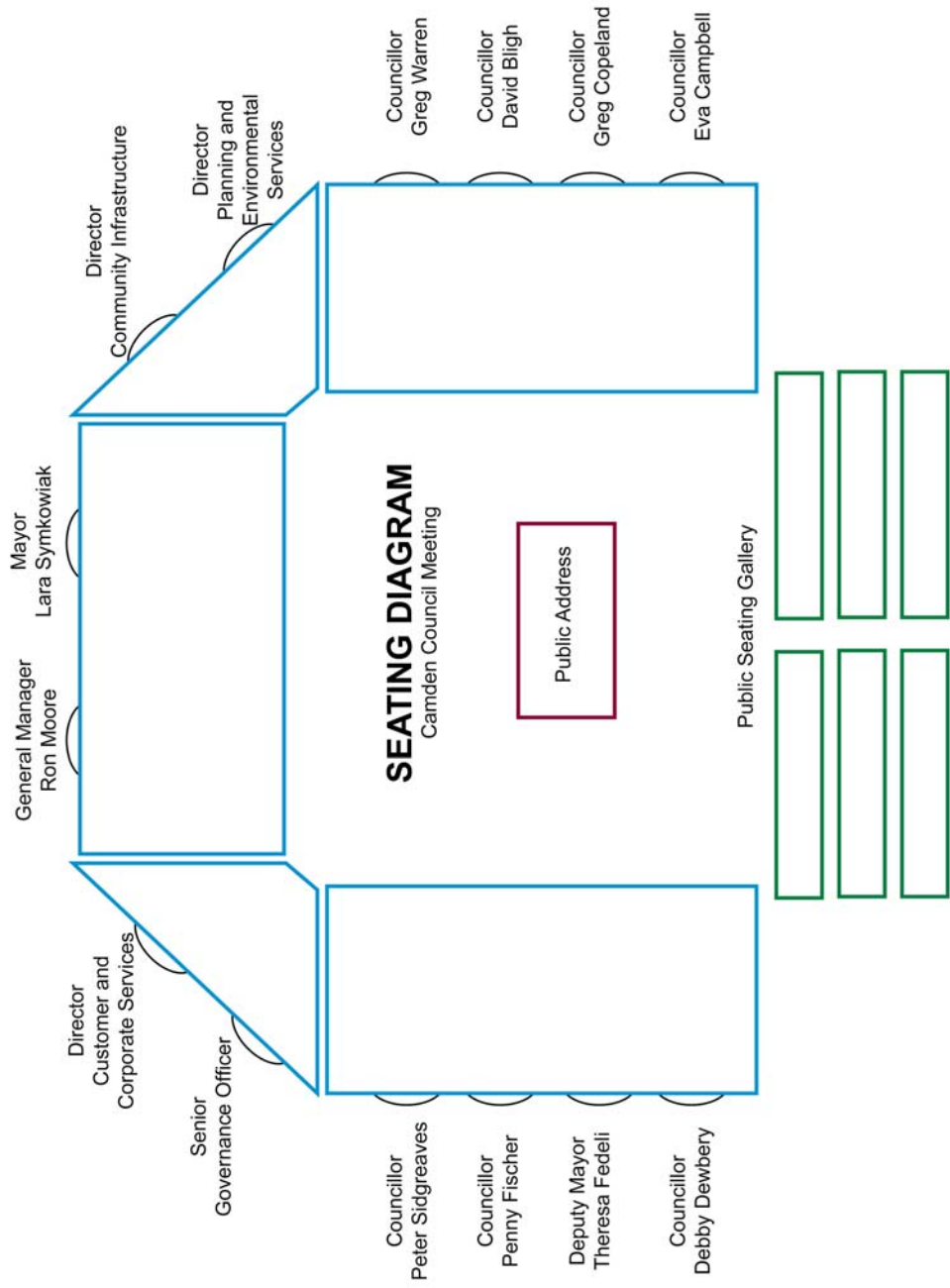
Ordinary Council Meeting
14 October 2014

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 |
| DoPE | Department of Planning & Environment |
| 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 |
| OLG | Office of Local Government, Department of Premier & Cabinet |
| 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

ORDER OF BUSINESS - 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 23 September 2014 and the Local Traffic Committee Meeting held 16 September 2014.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 23 September 2014 and the Local Traffic Committee Meeting held 16 September 2014, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORD01

ORDINARY COUNCIL

ORD01

SUBJECT: SUBDIVISION TO CREATE 2 RESIDENTIAL LOTS AT 27 EASTON AVENUE, SPRING FARM

FROM: Acting Director Planning and Environmental Services

TRIM #: 14/145166

APPLICATION NO: 618/2014
PROPOSAL: Subdivision to create 2 residential lots
PROPERTY ADDRESS: 27 Easton Avenue, Spring Farm
PROPERTY DESCRIPTION: Lot 114, DP 1150306
ZONING: R1 General Residential
OWNER: Ms Siska Anggraeni
APPLICANT: Mr Rico Mangun Rahardjo

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a subdivision to create 2 residential lots at 27 Easton Avenue, Spring Farm.

The DA is referred to Council for determination as there remains unresolved issues received in one submission from the public.

SUMMARY OF RECOMMENDATION

That Council determine DA 618/2014 for a subdivision to create 2 residential lots 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 2 residential lots at 27 Easton Avenue, Spring Farm.

This matter was discussed at a Council briefing on 23 September 2014.

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

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2011. One submission was received (objecting to the proposed development). Council staff contacted the submission writer via telephone to discuss their concerns, however were unsuccessful in resolving the issues raised in the submission. **A copy of the submission is provided with the Business Paper supporting documents.**

The issues raised in the submission relate to the reduction in breathing space between dwellings as a result of the additional lot being created; the future dwelling will overshadow and invade privacy of an adjacent dwelling to the west; the proposed subdivision will devalue surrounding properties; and the submitter was informed by Landcom (at the time of purchase) that this block could not be further subdivided.

The issue of breathing space between dwellings has been assessed by Council staff. The minimum lot size applicable to the subject site is 300m² and the proposed lots are both greater than the minimum requirement with proposed lot 1141 proposing an area of 321.28m² and proposed lot 11472 proposing an area of 470.22m². Proposed lot 1142 has a dwelling constructed on it and complies with all applicable setback requirements. Proposed Lot 1141 does not propose a dwelling at this stage, however it is considered that a dwelling is capable of being constructed on this block whilst meeting all setback requirements set out in the DCP, thus allowing for sufficient breathing space between dwellings.

The issue of overshadowing and privacy has been considered, however the application is for subdivision of land only and no dwelling house is proposed as part of this development application. The issue of overshadowing and privacy will be dealt with as part of a dwelling DA. In addition, the proposed lot (lot 1141) is considered to be capable of accommodating the construction of a dwelling whilst meeting all solar access and privacy requirements set out in the DCP.

Loss of property values is not a matter for consideration under the *Environmental Planning and Assessment Act 1979*.

The issue of further subdivision of this block has been assessed and as aforementioned. The minimum lot size applicable to the subject site is 300m². Council staff cannot comment on advice provided by Landcom, however based on the subdivision proposed, the proposal fully complies with both the LEP and DCP requirements.

The proposed development **fully complies** with all applicable planning controls.

Based on the above 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 27 Easton Avenue, Spring Farm and is legally described as Lot 114, DP 1150306.

The site is located on a corner site and has a frontage of approximately 23m to Easton Avenue and a secondary frontage of approximately 26m to Partridge Street and an overall area of 792m². The site currently accommodates an existing single story brick veneer dwelling which has garage access from Partridge Street and an entry fronting Easton Avenue.

The surrounding properties are characterised by residential developments together with their associated driveways, landscaping and fencing.

To the north of the site lies Narellan Vale whilst to the east lies the existing residential suburb of Mount Annan. The south of the site is bound by Springs Road whilst the west of the site is bound by the Camden Bypass.

HISTORY

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

| Date | Development |
|------------------|--|
| 2 September 2011 | Creation of this lot approved by DA 4/2011 |
| 22 February 2013 | Approval of DA 25/2013 for a single story dwelling |

THE PROPOSAL

DA 618/2014 seeks approval for subdivision to create 2 residential lots.

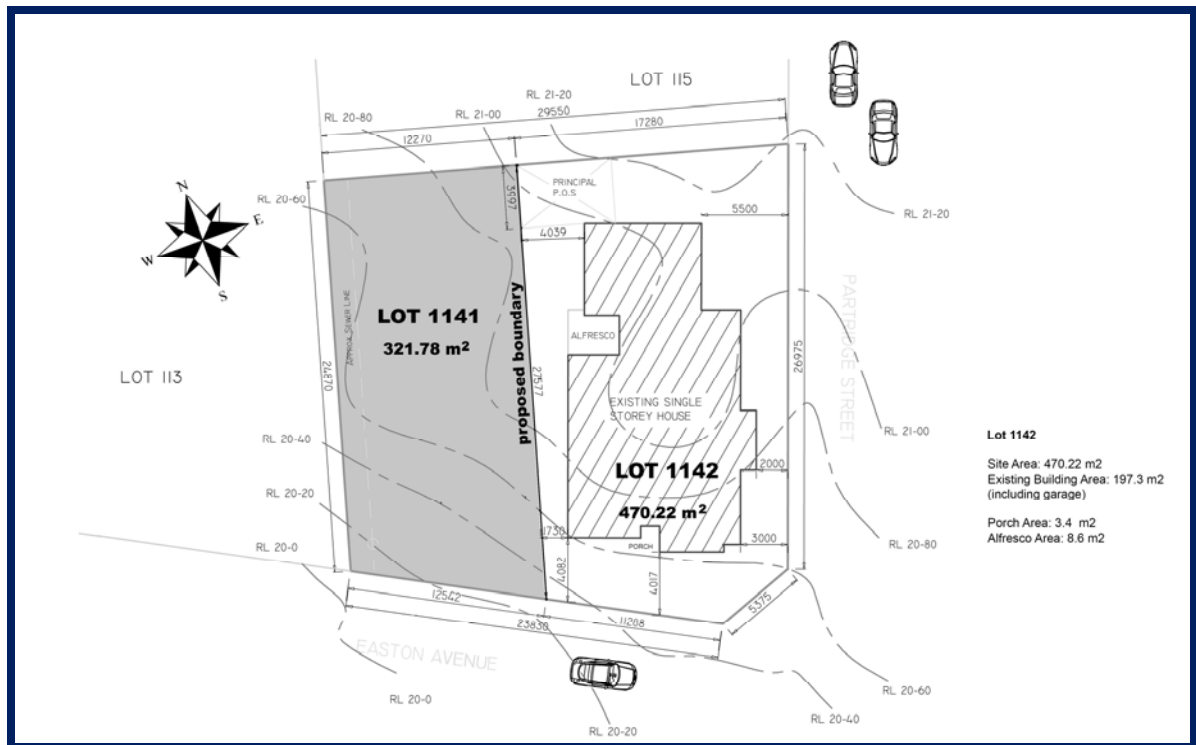
Specifically the proposed development involves:

- Subdivision to create two residential lots - lot 1141 to have an overall area 321.78m² and lot 1142 to have an overall area of 470.22m²

No physical works are proposed as part of this DA.

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

PROPOSED PLANS



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:

- State Environmental Planning Policy No 55 – Remediation of Land
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River

- Camden Local Environmental Plan 2010

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

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

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting consent. The subject lot was approved by DA 4/2011 which was accompanied by a phase 2 contamination assessment and Remediation Action Plan. The subject site has now undergone remediation, and a Site Validation Report has now been submitted which notes the site is suitable for its intended residential use. It is noted that the requirements of the SEPP have been met.

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. Appropriate erosion control and sediment control measures have been proposed as part of the proposed development.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R1 General Residential under the provision of the LEP. The proposed development is for subdivision of land which is permissible with development consent within the R1 General Residential zone.

Zone Objectives

The objectives of the R1 General residential zone are as follows:

- To provide for the housing needs of the community.

Officer comment:

The proposed development will create a residential lot that will provide additional housing opportunities for the community.

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

Officer comment:

The proposed subdivision will allow for a variety of housing types and densities.

- 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 development as the proposal is for a two lot residential subdivision.

- 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 development as the proposal is for a residential subdivision.

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

Officer comment:

The proposed development will not conflict with any land uses within this or any adjoining zones.

Relevant Clauses

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

| Clause | Requirement | Provided | Compliance |
|---|--|--|------------|
| 4.1 Minimum Subdivision Lot Size | Minimum 300m ² lot area | Lot 1141 has an area of 321.76m ² and lot 1142 has an area of 470.22m ² | Yes |
| 6.2 Public Utility Infrastructure | Appropriate public utility infrastructure to service the development | A condition is recommended which requires the installation of all necessary services prior to the issue of a Subdivision Certificate | Yes |
| 6.5 Matters to be Considered for Residential Development at Spring Farm | Council to consider whether: | | |
| | (a) remnant vegetation and bush corridors will be protected, enhanced and managed; | The proposed development will not negatively impact upon any remnant vegetation or bush corridors in that the site has been cleared of vegetation under DA4/2011 | Yes |
| | (b) adverse odour impacts from the Spring Farm Advanced Resource Recovery Facility (AART) will be mitigated; and | The proposed development will not be impacted by the AART in that it is located approximately .390m to the north east of AART | Yes |

| Clause | Requirement | Provided | Compliance |
|--------|---|---|------------|
| | (c) adverse noise and dust impacts from the sand mining operations will be mitigated. | Given the location of the extraction activities, it is not considered there will be any adverse impacts from noise on the proposed lots | Yes |

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

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

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

Camden Development Control Plan 2011 (DCP)

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

| Control | Requirement | Provided | Compliance |
|--|--|---|------------|
| B1.3 Salinity Management | Salinity investigation and management plan required | A condition is recommended to ensure all future works comply with the Salinity Management Plan approved by DA4/2011 | Yes |
| B1.9 Waste Management Plan for Subdivisions | A waste management plan (WMP) is required | This has been addressed in the SEE as no construction works are proposed | Yes |
| | Street layout and road designs to make satisfactory provision for waste collection | The subdivision will have adequate street frontage to facilitate waste collection | Yes |
| B1.12 Contaminated and Potentially Contaminated land | Contamination assessment and remediation (if required) to be prepared in accordance with Council's Management of Contaminated Lands Policy | The land is suitable for its intended use. The parent lot has been remediated and validated in accordance with DA4/2011 | Yes |
| B1.13 Mine Subsidence | Mine Subsidence Board (MSB) Approval required | MSB approval has been obtained by the applicant and submitted with the DA | Yes |

| Control | Requirement | Provided | Compliance |
|---|---|---|------------|
| B1.16 Acoustic Amenity | Compliance with Council's Environmental Noise Policy, which may require provision of a traffic noise assessment | The subject site fronts Easton Avenue which is not a collector road. A traffic noise assessment is not warranted in this instance, so noise levels are not an issue | Yes |
| C5.1 Neighbourhood Amenity and Subdivision Design | High level of pedestrian connectivity | The proposed subdivision is within an existing residential area | Yes |
| | Legible and permeable street hierarchy | The subdivision conforms to the previously approved legible and permeable street hierarchy under DA4/2011 | Yes |
| | Lot orientations of north-south, east-west | The subdivision has an east-west orientation | Yes |
| | Lots generally rectangular and battle-axe lots limited | The proposed lots are rectangular in size | Yes |
| | Easements for services to be incorporated into road reserves | All utility services are existing and have been incorporated into the road reserves of Easton Avenue and Partridge Street | Yes |
| | Smaller lots located closer to neighbourhood centre, public transport and parks | The proposed lot sizes are appropriate for their location and fully comply with the minimum lot size of 300m ² | Yes |
| C5.2 Street Network and Design | Street layout to be consistent with Spring Farm Master Plan | The proposed subdivision will not alter the existing street layout as approved by DA4/2011 | Yes |
| C5.3 Pedestrian and Cycle Network | Pedestrian and cycle connections to be consistent with Spring Farm Master Plan | The proposed subdivision is located in an existing residential street and will not impact the existing pedestrian and cycle connections as approved by DA4/2011 | Yes |
| C5.4 Public Transport Network | Bus routes and stops to be in accordance with the Spring Farm indicative bus route | The proposed subdivision complies with these requirements will not impact the | Yes |

ORD01

ORD01

| Control | Requirement | Provided | Compliance |
|---|---|--|------------|
| | map | existing bus routes as approved by DA4/2011 | |
| | Roads to be wide enough to accommodate bus movements | No roads proposed as part of this development application | Yes |
| | Road connections to adjoining areas to be provided to provide connectivity and link activity centres | The roads are existing and provide adequate links to activity centres | Yes |
| C5.7 Provision of Adequate Infrastructure and Facilities | Demonstrate local public infrastructure and facilities will be provided | Conditions are recommended which require the payment of Section 94 Contributions in accordance with Camden Contributions Plan 2011 | Yes |
| C7.1 Residential Density Targets and Staging for Spring Farm | Demonstrate that density targets for Spring Farm (15 dwellings per hectare) and the dwelling targets in Figure C20 will be achieved | The subdivision complies with the requirements of the density control | Yes |
| C7.2 Neighbourhood and Subdivision Design | No residential development below 100 year ARI flood line | The proposed residential lots are above the 100 year ARI flood line | Yes |
| C7.3 Street Network and Design | Compliance with Figure C22 – Spring Farm Street Network and Design Map | The proposed development will not alter the existing street network as approved by DA4/2011 | Yes |
| | Existing alignments of Springs Road and Ettlesdale Road to be retained | The proposed subdivision will not impact the existing alignments of Springs or Ettlesdale Roads | Yes |
| | Kerb returns with a minimum radius of 8.5m required for intersections | No roads proposed as part of this development application | N/A |
| | Streets to be constructed in accordance with The DCP | No roads proposed as part of this development application | N/A |

| Control | Requirement | Provided | Compliance |
|---|--|---|------------|
| C7.4 Pedestrian and Cycle Network | Pedestrian and cycle path network to be consistent with Figure C23 | Approved pedestrian and cycle paths will not be altered as part of this development application | Yes |

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

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

(a)(iv) The Regulations

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

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts 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 for 14 days in accordance with the DCP. The exhibition period was from 14 August 2014 to 28 August 2014. One submission was received (objecting to the proposed development). **A copy of the public exhibition and submissions map is provided with the Business Paper supporting documents.**

Council staff contacted the submission writer to discuss their concerns, however were unsuccessful in resolving the issues raised in the submission.

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

1. Reduction in breathing space between dwellings as a result of the additional lot being created

Officer comment

The issue of breathing space between dwellings has been assessed by Council staff. The minimum lot size applicable to the subject site is 300m² and the proposed lots are both greater than the minimum requirement with proposed lot 1141 proposing an area of 321.28m² and proposed lot 11472 proposing an area of 470.22m². Proposed lot 1142 has a dwelling constructed on it and complies with all applicable setback requirements.

The following table assesses the existing dwelling against the relevant DCP and Exempt and Complying SEPP controls:

| Control | Requirement | Provided | Compliance |
|--|-------------|---|------------|
| Front setback (min) | 4m | The existing dwelling provides 4.01m setback | Yes |
| Side setbacks (min) | 0.9m | 1.73m to the south west boundary | Yes |
| Rear setback ground floor (min) | 3m | 3.997m to the north east boundary has been provided | Yes |
| Secondary street setback of a residential building | 1m | 2m to the secondary street frontage has been provided | Yes |

| | | | |
|--|---------------------------------|--|-----|
| Site coverage (max) – Lots < 450m ² | single storey development – 60% | Existing building area is 197.3m ² and the proposed site area is 470.22m ² The total site coverage is 42% | Yes |
| Landscape area (min) | 30% | Landscape area is approximately $239.7m^2/470.22m^2 = 51\%$ | Yes |
| Private open space (min) | 20% | Private open space area is approximately $120.5m^2/470.22m^2 = 25\%$ | Yes |

Proposed Lot 1141 does not propose a dwelling at this stage, however it is considered that a dwelling is capable of being constructed on this block whilst meeting all setback requirements set out in the DCP thus allowing for sufficient breathing space between dwellings.

- Future dwelling will over shadowing and invade privacy of adjacent dwelling to the west.

Officer comment

The issue of overshadowing and privacy has been considered, however the application is for subdivision of land only and no dwelling house is proposed as part of this development application. The issue of overshadowing and privacy will be dealt with as part of a dwelling DA. In addition, the proposed lot (lot 1141) is considered to be capable of accommodating the construction of a dwelling whilst meeting all solar access and privacy requirements set out in the DCP.

- The proposed subdivision will devalue surrounding properties.

Officer comment

Loss of property values is not a matter for consideration under the *Environmental Planning and Assessment Act 1979*. There is no evidence to suggest that the proposed development will devalue surrounding properties.

4. Landcom has suggested further subdivide of subject properties could not occur.

Officer comment

The issue of further subdivision of this block has been assessed and as aforementioned. The minimum lot size applicable to the subject site is 300m². Council staff can not comment on advice provided by Landcom, however based on the subdivision proposed, it fully complies with both the LEP and DCP requirements.

(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

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

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 618/2014 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 |
|------------------------------------|--|----------------------|-------------------------------------|
| Statement of Environmental Effects | Proposed subdivision of land lot 1141 and lot 1142 | Rico Mangun Rahardjo | Lodged with development application |
| Drawing No: 102014-1 Revision B | Proposed Subdivision Plan | Rico Mangun Rahardjo | 4 August 2014 |

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.

2.0 - Subdivision Certificate

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

- (1) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$7,110 per additional lot or dwelling, total \$7,110, for **Open Space, Recreation & Community Land**.

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

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

- (2) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$10,008 per additional lot or dwelling, total \$10,008, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services**.

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

- (3) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$41,609 per additional lot or dwelling, total \$41,609 for **Drainage, Road works, Traffic Facilities, Open Space Embellishment and Master Plan**.

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

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

- (4) **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.
- (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.
- (4) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates all necessary easements and restrictions to user.
- (6) **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) Restriction as to user detailing that all proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the report titled "*Spring Farm Validation: Mirvac Stage 1 Superlot Part B: Draft Validation Report Revision 1, Prepared by SME, Ref 3001090.002, Dated October 2007.*"

RECOMMENDED

That Council approve DA 618/2014 for a subdivision to create 2 residential lots at 27 Easton Avenue, Spring Farm subject to the conditions listed above.

ATTACHMENTS

1. Plan of Subdivision
2. Submission - *Supporting Document*
3. Public Exhibition and Submissions Map - *Supporting Document*



ORD02

ORDINARY COUNCIL

ORD02

**SUBJECT: CAMDEN LOCAL ENVIRONMENTAL PLAN 2010 AMENDMENT NO.33
- CANAL LANDS AT GREGORY HILLS**

FROM: Acting Director Planning and Environmental Services

TRIM #: 14/139976

PREVIOUS ITEMS: ORD02 - Amendment No. 33 to Camden LEP 2010 -
Amendment to rezone Canal Land Gregory Hills - Ordinary
Council - 27 May 2014 6.00pm

PURPOSE OF REPORT

The purpose of this report is to advise receipt of a Gateway Determination from the Department of Planning and Environment (DPE) and to seek Council endorsement for the public exhibition of the revised Planning Proposal and proposed amendment to the Gregory Hills Voluntary Planning Agreement.

The Planning Proposal seeks to rezone Lot 51 of DP 1134649, Turner Road from SP2 Infrastructure to R1 General Residential to correct a mapping anomaly. The subject land forms part of the Marist Brothers land holding, and is directly adjoining the Gregory Hills development and the Upper Sydney Canal. The revised Planning Proposal is provided as **Attachment 1 to this report**.

As part of preparing an amendment to the VPA, the opportunity has also been taken to correct an error in the schedule of works relating to the land area of 'TL5', being part of the electricity easement land being dedicated to Council.

BACKGROUND

The Turner Road Precinct was rezoned by the Department of Planning and Infrastructure (now known as the Department of Planning and Environment) in December 2007. At the time of the initial rezoning process when the boundaries of the precinct were determined, a small parcel of land sitting between the residential zoned land and the Sydney Catchment Authority Upper Sydney Canal land was incorrectly excluded from the Turner Road Precinct (see Figure 1 on page 2).

This small parcel of land is currently zoned SP2 Infrastructure however, it does not form part of the Upper Sydney Canal lands, and is not land required for infrastructure provision. The land is in private ownership and is not necessarily accessible to the public.

On 7 November 2013, Council received a planning proposal from Dartwest Developments proposing to rezone the subject lands from SP2 Infrastructure to R1 General Residential (the adjacent residential zone). Discussions were held with the developer regarding appropriate treatment of development contributions that would be required as a result of developing this land. Agreement was reached that the required local open space will be provided within the Gregory Hills precinct and the balance of obligations are to be paid as contributions in accordance with the Camden Contributions Plan 2011. A draft amendment to the Gregory Hills Voluntary Planning Agreement (VPA) has been prepared to provide for the embellishment and dedication of the local open space and is **provided as Attachment 3 to this report**.

The rezoning proposal was workshopped with Councillors on 8 April 2014. On 27 May 2014, Council resolved to endorse the draft Planning Proposal and to forward the Planning Proposal to the DPE for Gateway Determination. It was also resolved that a further report be submitted to allow consideration of the Planning Proposal and Gregory Hills VPA amendment prior to public exhibition.

The rezoning proposal has strategic merit as it is consistent with the draft Metropolitan Strategy for Sydney 2031 and Camden 2040. The proposed amendments to Camden LEP 2010 are considered relatively minor, but will contribute to the ongoing delivery of housing in South West Sydney.



Figure 1: Subject Site is highlighted in bright pink. The Sydney Catchment Authority Upper Sydney Canal Land is highlighted brown. The subject site does not form part of the canal.

MAIN REPORT

Subject Site and proposed changes

The subject site is located within lands administered under the Camden LEP 2010 and does not fall within the SEPP Sydney Region Growth Centres (2006). Therefore the proposal seeks to amend the Camden LEP 2010. If Council resolves to rezone the land, the Camden Development Control Plan 2011 (DCP) will apply to the land. As such, there is no need to amend the DCP to facilitate this rezoning proposal.

The following changes to Camden LEP are proposed:

- change the zoning from SP2 Infrastructure to R1 General Residential;
- provide a minimum lot size of 450 squares metres; and
- provide a maximum height limit of 9.5 metres.

It should be noted that amendments to the Turner Road DCP will be required to reflect the provision of the additional local open space and will be made as part of a future housekeeping amendment.

The proposed rezoning will ensure that this parcel of land will not become an isolated and unusable pocket of land, and will instead be integrated into the ongoing development of the adjacent Turner Road precinct.

Gateway Determination

On 3 September 2014, Council received Gateway Determination from DPE with approval to proceed subject to conditions. The Gateway Determination is **provided as Attachment 2 to this report**.

The Gateway Determination stipulates that the amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination.

LEP Delegation

Pursuant to Section 23 Environmental Planning and Assessment Act 1979, the General Manager has been issued with an authorisation to exercise delegation to make the plan. This delegation enables Council to streamline the processing of the amendment to the Camden LEP.

Development Contributions and amendment to the Gregory Hills VPA

The Canal Land Planning Proposal generates a need for an additional 2,055m² of open space based on a provision rate of 2.83ha/1000 people, which is consistent with best practice and the Growth Centres Development Code. The open space is to be located at Area 1 on the plan as shown in Figure 2. This new open space of 2,055m², while smaller than Council's guidelines (for the size of isolated pocket parks) adjoins a connected corridor of proposed open space and riparian lands forming a larger contiguous open space. The proposed additional open space is not land which is already proposed to be dedicated to Council under the existing Gregory Hills VPA but was originally designated as R1 General Residential.

It is intended that embellished local open space will be provided within the Gregory Hills development (shown as Area 1) and will require an amendment to the Gregory

Hills Voluntary Planning Agreement (VPA). The VPA is a legally binding agreement that will ensure that the land is embellished and dedicated for the purposes of open space. As a matter of practice, the Turner Road Development Control Plan will be updated as part of the next 'housekeeping' review of the DCP to identify the new open space land on all relevant figures. A draft amendment to the VPA has been prepared and is **provided as Attachment 3 to this report**. It is intended that the draft VPA amendment will be publicly exhibited with the Planning Proposal for community comment.

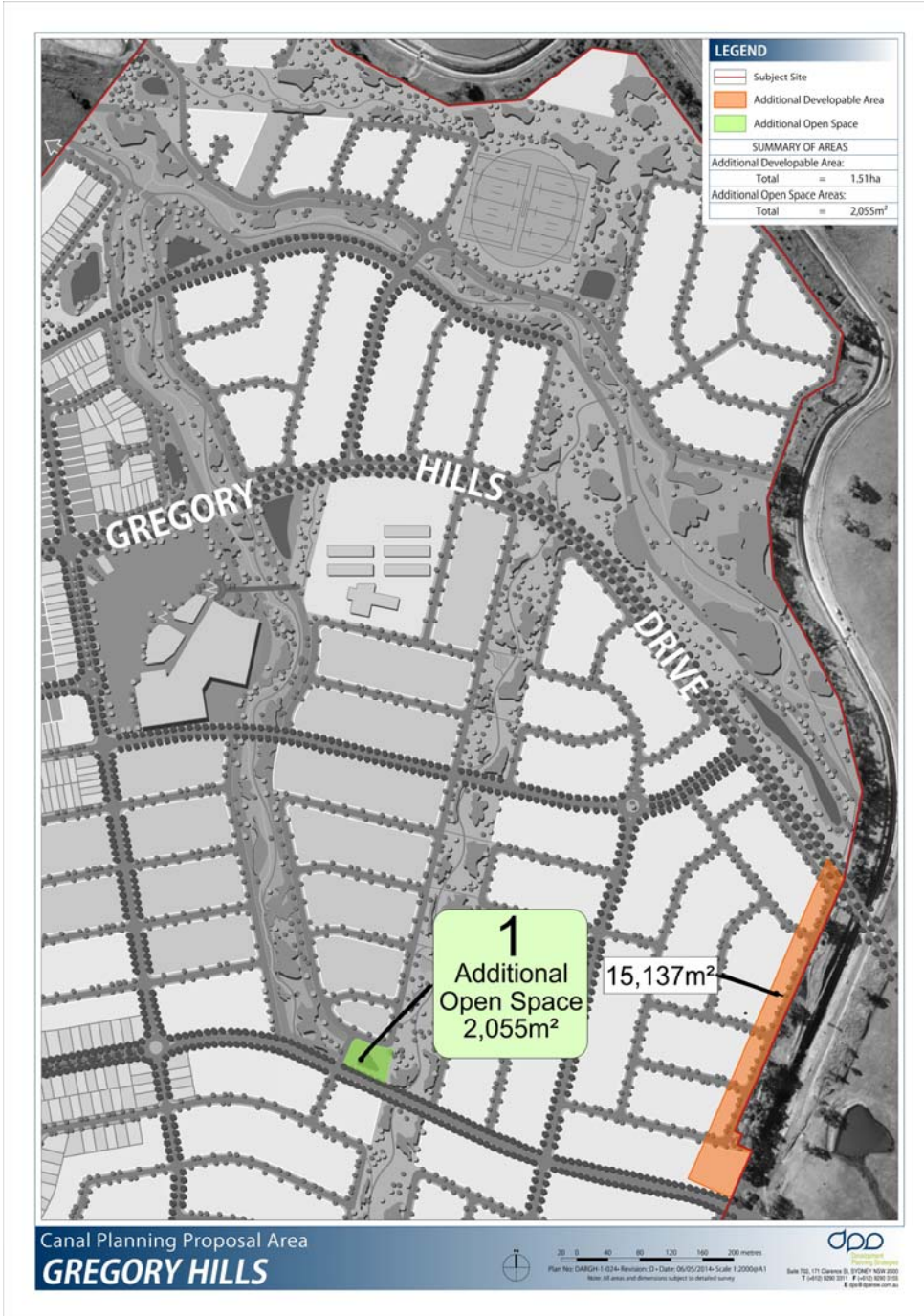


Figure 2: (shown in Orange) and proposed additional Open space. (Source: Development Planning Strategies)

The remaining contributions for recreation facilities, community facilities, emergency services and plan administration will be levied as monetary contributions in accordance with Camden Contributions Plan 2011. The contribution for recreation facilities will take into account the value of the embellishment works to be provided via amendment to the Voluntary Planning Agreement.

Based on a minimum lot size of 450 sqm, the site is expected to yield 22 lots. A development contributions package with an estimated value of \$474,982 will be provided as a combination of land dedication, embellishment works and monetary contributions. This equates to \$21,590 per lot. Contributions under the Camden Contributions Plan 2011 are currently \$17,024 per lot. The contributions package meets the needs of the new residents and is considered to be appropriate. It should be noted that the final rates will be calculated as part of the development assessment stage and will be based on the Consumer Price Index that applies at the time.

Voluntary Planning Agreement – further amendment

Council staff recently became aware of an error in the description of land in the Schedule of Works contained within the VPA relating to part of the electricity transmission easement that is to be dedicated to Council.

The VPA contains a map showing the location of electricity easement land to be dedicated at no cost to the Council. In this instance the land is identified on the map as '4-TL5' and is shown edged in heavy red, and is identified on the Schedule of Works as 'TL5' which is to be delivered in Stage 4 of the development. The land is shown in Figure 3 below (edged heavy red) and will be dedicated in accordance with the VPA maps. However, the Schedule of Works incorrectly identified the land area as 17,000 sqm instead of 8,420 sqm.

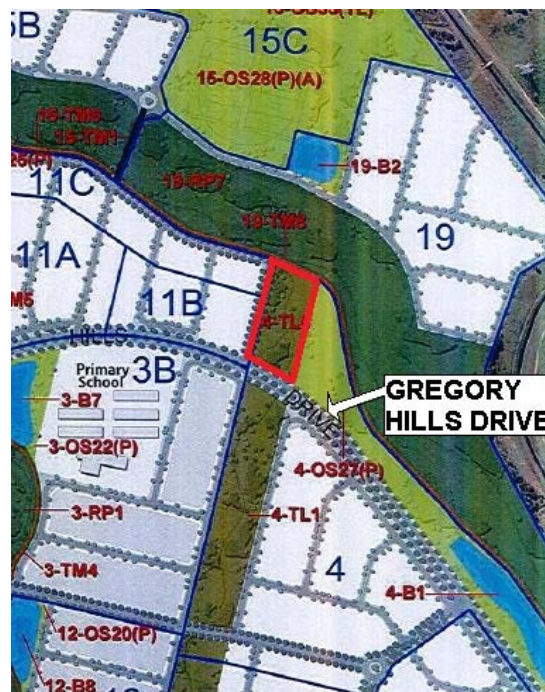


Figure 3 Land is outlined in heavy red is known as TL5 (labelled '4-TL5') and has an area of 8,420sqm.

Dart West is seeking to amend the Schedule of Works table to accurately reflect the land area that will be dedicated that is consistent with the VPA maps that identify the land and works to be provided. This could be dealt with as a variation except that the works have incorrectly been identified as having a value of \$121,966.79 instead of \$60,424, which is a more accurate reflection of the cost for this land area. This monetary amount is not treated as a 'credit' or 'offset' against contribution obligations, as the works are provided at no cost to Council. The monetary amount is only provided to assist Council in securing appropriate bond amounts if the works are to be deferred. However, as a result of the works being given a value, the correction is not able to be dealt with as a variation under delegation and requires a formal amendment to the VPA.

The change requested is minor and the land to be dedicated and embellished is consistent with the maps that inform the VPA. The electricity easement is a readily identified area and is clearly nominated on the VPA maps. The draft amendment to the VPA **provided as Attachment 3 to this report** includes amendments to correctly identify the area of 'TL5' in terms of land to be dedicated and associated embellishment works.

Public Authority Consultation

The Gateway Determination stipulates that, prior to public exhibition; Council must consult with the Commissioner of the NSW Rural Fire Service (RFS) and give consideration to the provisions of section 117 direction 4.4 Planning for Bushfire Services. In this regard, all relevant documentation was forwarded to the Commissioner and a letter was received on 19 September 2014 which advised that the RFS has no concerns in relation to bushfire. A copy of the RFS letter is provided as **Attachment 4 of this report**.

Consultation is also required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979 (EP&A Act):

- Office of Environment and Heritage (Heritage Branch); and
- Sydney Catchment Authority (SCA).

Council officers will consult with OEH and SCA during the exhibition period, however it should be noted that the SCA has previously confirmed with Council that the land is not owned by the SCA and does not form part of the Upper Canal corridor. They have previously raised no objections to the rezoning proposal provided that any future development on the land does not impact on water quality and water supply infrastructure within the Upper Canal corridor.

Public Exhibition

In accordance with the Gateway Determination and the Environmental Planning and Assessment Regulation 2000, the Planning Proposal and draft amendment to the Gregory Hills VPA will be publically exhibited for a period of 28 days. A notification will be placed in the local newspaper with 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).

A letter will also be sent to all adjoining land owners inviting comment on the Planning Proposal.

At the conclusion of the consultation period, a report will be submitted to Council detailing the submissions received.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

The developer will make development contributions in accordance with Camden Contributions Plan 2011 with the exception of local open space, which will be dedicated to Council via the proposed amendment to the Gregory Hills VPA.

The correction to the description of the 'TL5' electricity easement land area and associated cost of embellishment works has no financial implications for Council as this is being provided at no cost to Council. The monetary value of the embellishment works are only acknowledged in the VPA for the purposes of assisting in calculating relevant bond amounts, if required.

CONCLUSION

The proposed rezoning is considered minor and will ensure that the subject parcel of land will not become an isolated and unusable pocket of land, and will instead be integrated into the ongoing development of the adjacent Turner Road precinct. The land will be subject to the Camden LEP and the Camden DCP. The land will be developed for residential purposes, contiguous to the residential development of the Turner Road precinct.

A package of development contributions has been negotiated with the applicant including the dedication and embellishment of local open space to be delivered via an amendment to the Gregory Hills VPA and monetary contributions to be levied in accordance with the Camden Contributions Plan 2011. This contributions package will meet the infrastructure needs of the additional residents arising from the development of this land.

The proposed additional amendment to the Gregory Hills VPA to correct the description of the 'TL5' electricity easement land area in the schedule of works is minor in nature and does not have any material impact. The VPA clearly showed the extent of the electricity easement corridor land to be embellished and dedicated at no cost to Council and this land area is now accurately described as a result of the proposed amendment.

Should Council resolve to proceed with the draft Planning Proposal, it will be publicly exhibited with the draft VPA amendment and a further report will be submitted to Council detailing the submissions received.

Amendments to the Turner Road DCP will be made as part of a future housekeeping amendment.

RECOMMENDED

That Council:

- i. note the revised Planning Proposal to rezone Lot 51 DP1134649 which forms the Marist Brothers land holding, directly adjoining the Gregory Hills development from SP2 Infrastructure to R1 Residential;**
- ii. note the proposed changes to the Gregory Hills Voluntary Planning Agreement;**
- iii. publicly exhibit the Planning Proposal and draft Gregory Hills Voluntary Planning Agreement amendments for a period of 28 days in accordance with the Gateway Determination and with the provisions of the Environmental Planning and Assessment Regulation 2000;**
- iv. consider a further report detailing the outcomes of the community and stakeholder consultation.**

ATTACHMENTS

- 1. Attachment 1 Planning Proposal Amendment No. 33 Amendment to rezone Canal Land Gregory Hills**
- 2. Attachment 2 Amendment No 33 - Canal Land - Gateway Determination**
- 3. Attachment 3 Draft Gregory Hills Planning Agreement**
- 4. Attachment 4 RFS letter - amendment No.33**

ORDINARY COUNCIL

ORD03

SUBJECT: FOOD INSPECTION FEES FOR SCHOOL CANTEENS
FROM: Acting Director Planning and Environmental Services
TRIM #: 14/132034

PURPOSE OF REPORT

The purpose of this report is for Council to consider a request from Camden Public School to refund the food inspection fees and for Council to consider amending its Fees and Charges for not-for-profit school canteens.

BACKGROUND

Council officers undertake routine inspections of all food premises. These inspections are undertaken in line with the recommendations set by the NSW Food Authority and fees are charged on a 'user pay' basis.

The fees are set each year in Council's adopted Fees and Charges Schedule as part of the budget process.

Council has received a request from Camden Public School seeking a waiver or refund of their canteen inspection fees, on the basis that the canteen is operated on a not-for-profit basis.

There are two components of fees currently charged to a food premises. One is an annual administration fee introduced by the *Food Act 2003* and the other component relates to the inspection of the premises by Council staff.

The adopted fees for 2014/15 are as follows:

- Annual administration fee - \$29 (exclusive of GST) ; and
- High risk inspection fee - \$140 (exclusive of GST)

All school canteens in Camden LGA are classified as high risk and are subject to two routine inspections per year. Inspection frequencies are based on the risks associated with the food prepared at the premises, as recommended by NSW Food Authority guidelines.

There may be reinspections if the routine inspection identifies problems that require further attention or if complaints are received.

There are currently 28 schools in the LGA. Council's records indicate there are 16 schools (6 public and 10 private) that operate on a not-for-profit basis.

In the last financial year, the public not-for-profit canteens paid a total of \$937 and the private not-for-profit schools paid a total of \$1,604.50 in food inspection fees to Council (\$2541.50). The remaining 12 schools have leased out the operation of the canteen to private companies. Some of the canteens were not operational last year, as such may not have been subject to inspection/fees.

The term not-for-profit in this report refers to canteens whose sole purpose is to raise funds for the school, being a community group, and are generally run by a Parents and Citizens Association.

Currently, schools that operate on a not-for-profit basis are charged the inspection fee only. The remaining canteens operate as private businesses and are charged both the annual administration fee and the inspection fee.

MAIN REPORT

In 2010, the Department of Education and Training (DET) issued a memorandum to School Principals (**see Attachment 1**) advising that the Food Regulation Forum (state advisory body on Food Regulation) considered:

- *councils should not charge an annual administration fee to canteens whose sole purpose is for raising funds for a community group;*
- *encourages councils to waive or reduce the school canteen inspection fee under the Local Government Act;*
- *Parents and Citizens Association and school run canteens can therefore seek fee waivers and reductions from their local council based on their not for profit nature.*

Recent discussions with other councils including Parramatta, Blacktown, Liverpool, Fairfield and Wollondilly confirmed they do not charge not-for-profit school canteens.

In accordance with the above, it is proposed that not-for-profit school canteens be exempt from both the annual food shop administration and inspection fee. However it is recommended that should reinspections be necessary and/or statutory Notices issued, then fees be charged in accordance with the relevant Fees & Charges Schedule applicable to non-exempt premises.

For Council to exempt not-for-profit school canteens from food shop administration and inspections fees, Council's Fees and Charges Schedule are required to be changed. Any change to the Fees and Charges are required to be placed on public exhibition for a period of 28 days.

Camden Public School Request

Council has received a request from Camden Public School requesting that "*Council consider waiving or reducing the food premise inspection fee*", as the canteen is a not-for-profit organisation. The inspections were undertaken prior to 30 June 2014 and fees which amount to \$201.50 remain outstanding.

A request to waive or refund fees is a matter for Council to determine. There are a number of options for Council to consider in relation to this request.

Council could decide not to accept the current request from Camden Public School on the basis that the fees were applicable at the time of the inspections. However in the future the inspection fee will not apply (subject to Council adopting the recommended change to the Fees and Charges).

Alternatively, Council could resolve to waive the fee in accordance with the request from Camden Public School. It is noted that this may generate further requests for refunds from the remaining 15 schools with not-for-profit canteens. In total \$2541.50 was charged in fees from not-for-profit canteens in the last financial year.

The waiving or refund of fees is a matter for Council to determine.

FINANCIAL IMPLICATIONS

For the 2014/15 financial year, the high risk food premises inspection fee is \$140 and the annual administration fee is \$29. Based on 16 not-for profit school canteens and two inspections per annum, the financial implication of not charging routine inspection fees is \$4,480 (16 x \$140 x 2). This would be in addition to the administration fee that is already waived at a cost of \$464 to Council.

| Financial year | Charge per inspection (2 inspections per year) | Schools inspected | Total income |
|----------------|---|-------------------|--------------|
| 2013/14 | \$133.50 | 14 | \$2541.50 |
| 2014/15 | \$140 | 16 | \$4,480 |

In the past, where Council has resolved to refund fees, the funds have been allocated from Ward Funds. The current balance of Ward Funds is \$65,097.

CONCLUSION

Council has received a request from Camden Public School requesting that Council consider waiving or reducing the food premise inspection fee as the canteen is a not-for-profit organisation. The inspections were undertaken prior to 30 June 2014 and fees which amount to \$201.50 remain outstanding.

A request to waive or refund fees is a matter for Council to determine. However in accordance with advice from the Food Regulation Forum and the practice of other councils, and in the interest of supporting local community groups, it is recommended that Council change its Fees and Charges to exempt not-for-profit school canteens from paying routine inspection fees.

RECOMMENDED

That Council:

- i. determine the request to waive or reduce food inspection fees received from Camden Public School;**
- ii. exempt food inspection fees for not-for-profit schools as of 2014/15;**
- iii. place a revised Fees & Charges Schedule on public exhibition for a period of 28 days to exempt not-for-profit school canteens from being required to pay both food premises administration charges and routine food shop inspection fees;**
- iv. consider a further report at the conclusion of the exhibition period taking into account any submissions received.**

ATTACHMENTS

1. School canteen inspection fees memorandum
2. Camden Public School letter - *Supporting Document*



ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: PROPOSED ROAD NAMING - NEW ROAD IN ELDERSLIE
FROM: Acting Director Customer & Corporate Services
TRIM #: 14/130494

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit a proposed road name to be assigned to a new road in Hilder Street, within the Suburb of Elderslie.

BACKGROUND

Elderslie is a suburb of the Macarthur Region. It is located on the east side of the Nepean River and north of the Spring Farm urban release area.

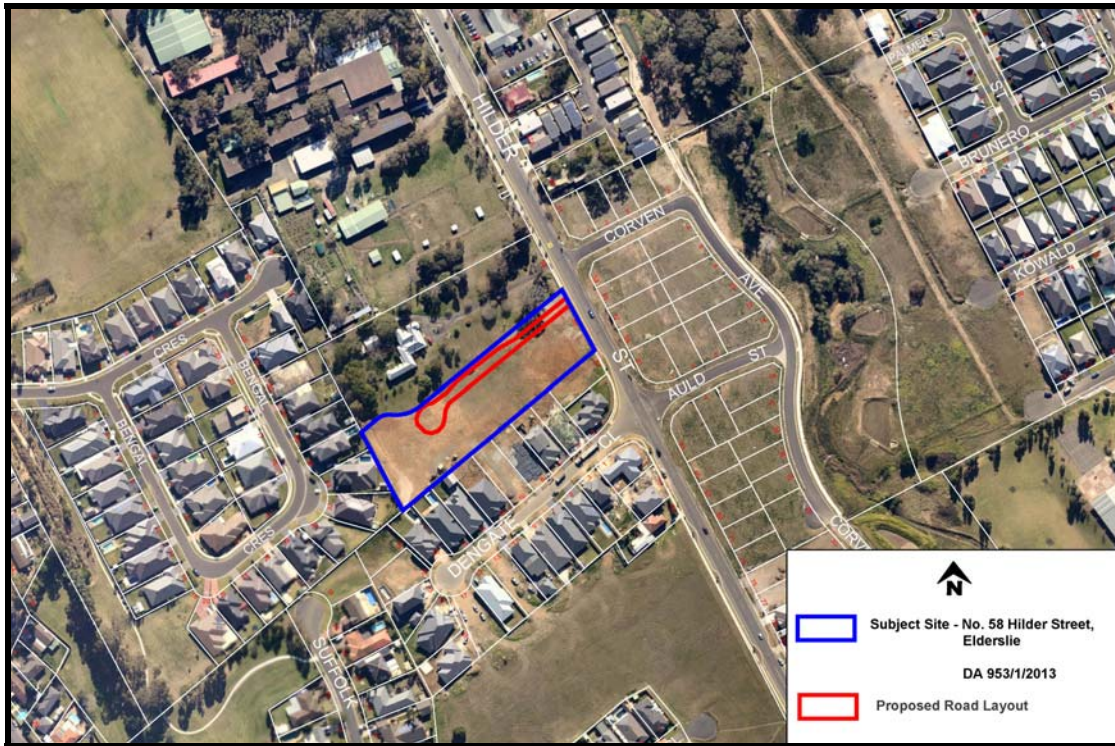
Development Application DA 953/1/2013 was approved for the site by Council staff under delegated authority on 30 May 2014. This DA approved the creation of 11 residential lots and the construction of a new public road.

The proposed road name has been considered by the Geographical Names Board (GNB) in accordance with their guidelines for the naming of roads. The GNB has raised no objection to the proposed name.

Cavasinni Enterprises Pty Ltd (the developer) proposed a road name selected from Council's preferred road names list.

A copy of the submission from Cavasinni Enterprises Pty Ltd is provided with the Business Paper supporting documents.

AERIAL PHOTO



MAIN REPORT

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

The proposed road name is:

| Street Name | Street Type | Meaning |
|-------------|-------------|---|
| Crank | Place | Henry Crank was born in the colony in 1801 and was a shoemaker working at the Camden Park estate between 1828 and 1838. |

The process, should Council endorse the name for public exhibition, is:

1. The proposed name is published in a notice in a local newspaper, ensuring that the notice states that written submissions on the proposed road name may be made to Council;
2. Council concurrently serves notice of the road naming proposal on Australia Post, the Registrar General, the Surveyor General and in the case of a classified road, the Roads and Maritime Services (RMS);
3. All submissions are compiled and the proposed road name is reviewed again by Council staff;

4. The results of the public exhibition period are reported back to Council with any recommendation for approval;
5. The approved name is published in the NSW Government Gazette and in local newspapers; and
6. Council informs Australia Post, the Registrar General, the Surveyor General and the RMS of the new road name and gives sufficient particulars for it to be identified.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed road name has been assessed by Council staff in accordance with the GNB criteria and Council's road naming policy.

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

RECOMMENDED

That Council:

- i. **endorse the proposed road name for No. 58 Hilder St, Elderslie for a 30 day exhibition period; and**
- ii. **be provided with a further report detailing the results of the 30 day public exhibition period.**

ATTACHMENTS

1. Cavasinni Proposed Road Naming application letter - *Supporting Document*

ORDINARY COUNCIL

ORD05**SUBJECT: PROPOSED ROAD NAMING - NEW ROADS IN TRIBECA HOMES
RELEASE AREA OF COBBITTY****FROM:** Acting Director Customer & Corporate Services**TRIM #:** 14/131411

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit a list of proposed road names to be assigned to new roads within the Tribeca Homes release area, part of the Oran Park precinct in Cobbitty.

BACKGROUND

Tribeca Homes release area is located west of the Oran Park precinct release area, corner of The Northern Road and Charles McIntosh Parkway, and is within the South West Growth Centre in the suburb of Cobbitty.

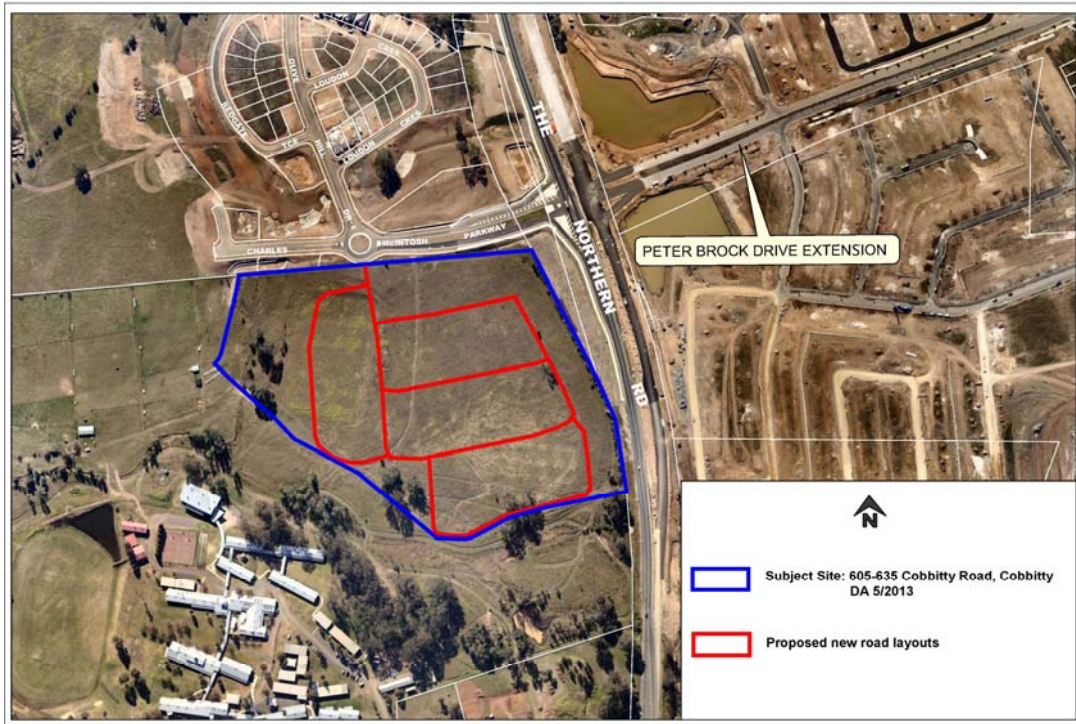
Development Application DA 5/2013 was approved for the site by Council staff under delegated authority on 21 March 2014. This DA approved the creation of 105 residential lots and the construction of new roads.

The list of proposed road names has been considered by the Geographical Names Board (GNB) in accordance with their guidelines for the naming of roads. The GNB has raised no objections to the proposed names.

Tribeca Homes submitted a list of proposed road names selected from Council's preferred road names list.

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

AERIAL PHOTO



MAIN REPORT

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

The list of proposed road names is:

| Street Name | Street Type | Meaning |
|-------------|-------------|---|
| Blacksmith | Crescent | The building of Belgenny Farm included a blacksmith's shop, stables, creamery, smokehouse, slaughter house and the farm cottage where John Macarthur spent the last few years of his life. |
| Boardman | Road | William Boardman arrived from England in 1838 and worked on Camden Park. In 1841 he took up the property know as "Lynn Farm and raised a large family. |
| Egan | Crescent | George Egan was a Burragorang Valley Pioneer. |
| Gill | Street | Silas Gill Emigrated from Sussex to Cobbitty in 1838 and was an active Methodist lay preacher in the district. He moved to the North coast in 1845. |
| Goodluck | Circuit | Joseph T. Goodluck(e) was a proprietor of the "Camden Inn" on the corner of Argyle and Elizabeth Streets. He was the first licensee on 21 June 1842. This hotel is now known as the "Merino Tavern". In |

| | | |
|--|--|---|
| | | 1838 he was the general overseer of Camden Park Estate. He was a trustee responsible for the building of St. Johns. |
|--|--|---|

The process, should Council endorse the names for public exhibition, is:

1. The proposed names are published in a notice in a local newspaper, ensuring that the notice states that written submissions on the proposed road names may be made to Council;
2. Council concurrently serves notice of the road naming proposal on Australia Post, the Registrar General, the Surveyor General and in the case of a classified road, the Roads and Maritime Services (RMS);
3. All submissions are compiled and the proposed road names are reviewed again by Council staff;
4. The results of the public exhibition period are reported back to Council with any recommendation for approval;
5. The approved names are published in the NSW Government Gazette and in local newspapers; and
6. Council informs Australia Post, the Registrar General, the Surveyor General and the RMS of the new road names and gives sufficient particulars for them to be identified.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed road names have been assessed by Council staff in accordance with the GNB criteria and Council's road naming policy.

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

RECOMMENDED

That Council:

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

ATTACHMENTS

1. Tribeca Homes-Road Naming Application - *Supporting Document*



ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: ANNUAL FINANCIAL STATEMENTS - YEAR ENDING 30 JUNE 2014
FROM: Acting Director Customer & Corporate Services
TRIM #: 14/159051

PURPOSE OF REPORT

To advise Council of a change in date for the auditor's presentation and public advertising of the Annual Financial Statements for the year ending 30 June 2014.

MAIN REPORT

Council was advised on the 9 September 2014 that the Annual Financial Statements had been completed and were ready for external audit. Council was also advised that Council's auditors (PricewaterhouseCoopers) would present a summary of their findings at the meeting of 14 October 2014.

This is PricewaterhouseCoopers first year of audit at Camden Council; the finalization of the audit has taken longer than anticipated as the auditor becomes familiar with Council's financial practices. The auditor's presentation has been changed to the Ordinary Council meeting to be held on the 28 October 2014. Public notice of the meeting will appear in the local newspaper (Camden Advertiser) and placed on Council's website from Wednesday 22 October 2014.

It should be noted that no advertising had commenced to advise the public that the presentation would be at tonight's Ordinary Council meeting.

The Annual Financial Statements will be distributed to Councillors (under separate cover) on 23 October 2014 for consideration at the meeting of 28 October 2014 in accordance with the notice provisions of the Local Government Act.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report.

RECOMMENDED

That Council:

- i. note the change in date for the auditor's presentation for the Annual Financial Statements for the year ending 30 June 2014; and**
- ii. notify the public that the Annual Financial Statements and Audit Report will be presented to Council on 28 October 2014.**

ORDINARY COUNCIL**ORD07**

SUBJECT: PECUNIARY INTEREST RETURNS - 1 JULY 2013 TO 30 JUNE 2014
FROM: Acting Director Customer & Corporate Services
TRIM #: 14/146361

Pursuant to section 449(3) of the *Local Government Act 1993* ("the Act"), a councillor or designated person holding that position at 30 June in any year must complete and lodge with the General Manager within 3 months after that date a Pecuniary Interest Return.

Under section 450A of the Act, completed Pecuniary Interest Returns are required to be tabled at the first meeting of Council held after the lodgement date (being 30 September 2014).

The completed Ordinary Returns for the period 1 July 2013 to 30 June 2014 are tabled and available to be viewed.

RECOMMENDED

That the information be noted.

ORDINARY COUNCIL

ORD08

ORD08

SUBJECT: OUTDOOR DINING FRAMEWORK
FROM: Acting Director Customer & Corporate Services
TRIM #: 14/142338

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to adopt the "Outdoor Dining Framework" following public exhibition.

BACKGROUND

The draft framework was workshopped with Councillors on 8 July 2014 and considered by Council on 22 July 2014 where it was resolved that the draft framework be submitted for public exhibition for 28 days and, following the public exhibition process, a report be brought back to Council for adoption. The proposed framework was placed on public exhibition in conjunction with the Camden Town Centre Improvement Strategy and Camden Town Centre Retail and Commercial Study.

MAIN REPORT

From 30 July 2014, the draft framework was placed on Council's website and advertised in the Camden Narellan Advertiser on 30 July, 6, 13, 20 and 27 August 2014. Hardcopies of the proposed policy were also available at Council's Administration Centres and Libraries.

As part of the public exhibition process, a letter was sent to all restaurant and café businesses adjacent to Council controlled footpaths within the Local Government Area advising them of the proposed policy and how they may make a submission.

Council has not received any submissions during the 28 day public consultation period.

A copy of the draft "Outdoor Dining Framework" as publicly exhibited is **attached to this report**.

Should Council adopt the exhibited framework, Council officers will again write to all restaurant and café businesses adjacent to Council controlled footpaths within two weeks to inform them of the adoption of the policy and the requirement to apply for formal approval to occupy the footpath for outdoor dining.

If approved, operators who currently hold a valid approval will be offered a revised approval, free of charge under the new policy if they apply by 5 December 2014.

A visual inspection of the major town centres has been conducted and all operators who have been found using Council's footpaths, with or without a current approval, will also be sent a copy of the policy, application form and proposed approval. Council officers will follow up these operators after 7 days to offer assistance with the application and answer any questions.

Council officers will contact any outstanding operators who have not lodged an application after 4 weeks to determine if they wish to continue to use the footpath and talk to any operators that have not complied with the new policy. Further non-compliance after this period may result in enforcement action.

Following approval of applications, Council's Governance Team will work alongside Council's Community Infrastructure Teams to ensure that plans are drawn up and tactile markers installed.

It is noted that upon adoption of the policy by Council, it is likely there will be an initial influx of applications for outdoor dining. Council staff will endeavour to process the applications as soon as possible (within 4-6 weeks). In order to ensure that Council's policies and procedures are user-friendly to the business community, it is noted that upon lodgement of an application, Council will not take any enforcement action against holders who currently do not have an approval (except where there is a risk of harm to the health and safety of the public) and will provide a revised approval for businesses who currently hold a valid approval for outdoor dining where they make an application by 5 December 2014.

FINANCIAL IMPLICATIONS

As advertised, it is proposed that the annual fees and charges be amended from \$50.00 (GST free) per seat per annum, to \$50.00 (GST free) per square metre per annum. The application fee (currently \$230.00 GST free) is to remain unchanged.

CONCLUSION

The new Outdoor Dining Framework establishes a more autonomous and user-friendly system that will benefit both existing and future businesses within the Camden LGA. Council did not receive any submissions during the public exhibition period. It is therefore recommended that Council adopt the proposed framework.

Consistent with Council's commitment to being small business user friendly, the transition to this new policy framework has been undertaken in consultation with the business community and will be implemented in a collaborative manner.

RECOMMENDED

That Council:

- i. adopt the proposed Outdoor Dining framework consisting of the proposed policy, standard conditions of approval and application form attached to this report;**
- ii. adopt the proposed change to Council's annual fees and charges to amend the annual rental fee for outdoor dining from \$50.00 (GST free) per seat per annum to \$50.00 (GST free) per square meter per annum; and**
- iii. that the application fee for operators to obtain a revised approval under the new scheme be waived for those who hold a valid approval for outdoor dining as at the date of the Council's adoption of the policy and who apply for a revised approval by 5 December 2014.**

ATTACHMENTS

1. Outdoor Dining Policy
2. Draft Standard Conditions
3. Application Form

ORD08

ORDINARY COUNCIL

ORD09

SUBJECT: NARELLAN SPORTS HUB
FROM: Acting Director Community Infrastructure
TRIM #: 14/149752

PURPOSE OF REPORT

To consider and endorse the draft masterplan for the proposed Narellan Sports Hub, and agree to public exhibition for a period of 28 days. **(attachment 1)** To endorse the proposal to continue to negotiate with Dandaloo Pty Ltd about required amendments to the adopted Harrington Grove Voluntary Planning Agreement (VPA) for the delivery of district playing fields. To seek Council's approval to bring forward a portion of the funding currently allocated in 2015/16 to this year's budget.

BACKGROUND

The development of the Camden Sportsground Strategy 2014 identified the need for additional netball courts as well as additional sports grounds to conduct sports such as athletics, to cater for the growth within the Camden Area. In addition, the 2014 Camden Recreation Demand Study identified the development of a new netball complex as one of the top 10 priorities to cater for growth within the Camden Local Government Area (LGA).

In the process of consulting with each sporting code to prepare the Camden Sportsground Strategy, it was identified that there was a need to develop a strategic direction for better use of existing sports grounds and to cater for the increasing demand for facilities. Both netball and athletics have strong growth in the number of participants however there is little opportunity for expansion of the respective sports on their existing sites.

In developing a strategic direction for both sports, an opportunity was realised, to use land that is planned to be delivered to Council through the Harrington Grove VPA adjacent to the existing Hockey and Rugby League grounds in Narellan Park, for the purpose of creating a sporting facilities hub.

As part of the adjoining new residential developments of Dandaloo Pty Ltd, the Harrington Grove VPA included the delivery of a defined level of facilities to be dedicated to Council including land. Consideration was given to the feasibility of including adjoining Council owned land and developing a masterplan which incorporated athletics and netball, as well as additional multi-purpose sports grounds.

Preliminary discussions with relevant local sporting groups and NSW sport governing bodies resulted in a very positive response to the proposed relocation and expanded facilities at the identified Narellan site. The Narellan Sports Hub was identified to include 44 netball courts, athletics facilities, and additional sports grounds potentially for the sports of rugby league, touch football and soccer, enabling year round training and competition. Additional complementary facilities such as a walking/cycling network, playground, and ancillary facilities have also being considered. A centrally located amenities building is proposed between the athletics and netball areas.

A presentation to the Councillors on the Narellan Sports Hub draft masterplan occurred at a briefing session on 19 August 2014.

MAIN REPORT

The Harrington Grove VPA includes a contribution item for delivery of 3 sporting fields, 2 netball courts, parking, amenities and associated works on part of the proposed Narellan Sports Hub site. The draft masterplan for the site defines a much greater level of facilities than that identified in the VPA. Council has commenced discussions with Dandaloo Pty Ltd regarding the proposed draft masterplan and the possibility of amending the VPA to enable delivery of the new facilities proposed at the site, as well as arrangements for revised timing to dedicate the land. Dandaloo Pty Ltd has agreed in principle to working with Council to achieve this outcome. Details of the proposed amendments to the Harrington Grove VPA will be presented to Council in a separate report.

The draft masterplan has been developed to determine the potential layout and initial considerations such as access, vehicle and pedestrian movements, and the provision of services. The draft masterplan is subject to further traffic analysis to confirm entry and exit requirements to the site. There are no funds currently allocated in 2014/15 to undertake this required study.

The draft masterplan reflects the expressed level of facilities desired by the sporting codes. The level of facilities planned will enable high level competition to be staged in the Camden LGA. Discussions have been held with netball and athletics regarding a contribution to the development of the facilities from both codes.

Subsequent to the draft masterplan being developed, Council has been advised by Road and Maritime Services (RMS) of the Northern Road widening adjacent to the proposed Narellan Sports Hub and the RMS requirement to acquire land for this purpose. The RMS has also indicated that they wish to lease additional land for temporary storage and access to the roadwork site. The impact of the road widening is currently being considered and will be the subject of a separate report to Council.

FINANCIAL IMPLICATIONS

The total value of the Narellan Sports Hub project is approximately \$13.5M. Delivery of the proposed Narellan Sports Hub will need to be staged in line with available funding.

At completion of the public exhibition of the draft masterplan, a further report will be provided to Council outlining the proposed scope and budget for Stage 1 of the project. This scope will be subject to community feedback on the proposal, the outcome of further traffic analysis and funding arrangements for access to the site.

Council has identified \$2.8M from section 94 contributions in the 2015-16 financial year towards the first stage of the Narellan Sports Hub. In order to progress the planning for this project, it is recommended that \$200,000 of this budget be allocated in 2014/15 to enable preliminary design investigations including the required traffic assessment to be undertaken.

Negotiations with Dandaloo Pty Ltd for amendment to the VPA may allow for a cash contribution in lieu of the delivery of sporting infrastructure which will be in addition to the above Council funding allocation.

Further, Council will continue to seek available grants to assist with the delivery of the remaining facilities.

CONCLUSION

Council's Sportsground Strategy 2014 identified the need for additional netball courts and additional sports grounds to cater for growth within the Camden Area. The endorsement of the Narellan Sports Hub draft masterplan supports the Sportsground Strategy and will allow for the expansion of sport in Camden.

It is proposed to place the draft masterplan on public exhibition for a period of 28 days with a further report to be presented to Council on the outcome of the public exhibition period and any submissions that may have been received. This report will also outline the proposed scope and budget for stage 1 of the project.

Endorsement of the draft masterplan will enable Council to continue to liaise with relevant sporting codes and their NSW governing bodies to consider their ability to contribute towards the costs of delivering these facilities to a level that will support their specific needs.

The Harrington Grove VPA will require amendments to enable the revised level of facilities to be delivered at the Narellan Sports Hub site.

RECOMMENDED

That Council:

- i. endorse the draft masterplan of the proposed Narellan Sports Hub;**
- ii. agree to public exhibition of the draft masterplan for a period of 28 days;**
- iii. hold further discussions with relevant sporting organisations on the proposal to develop the Narellan Sports Hub;**
- iv. continue negotiations with Dandaloo Pty Ltd regarding possible amendments to the Voluntary Planning Agreement for Harrington Grove;**
- v. receive a further report in relation to any amendments to the Voluntary Planning Agreement for Harrington Grove;**
- vi. receive a further report in relation to the outcome of the public exhibition period and any submissions that have been received as well as the proposed scope and budget for Stage 1 of the project; and**
- vii. agree to bring forward \$200,000 from the current budget allocation of \$2.8M in 2015/16 to 2014/15 enable preliminary design investigations including the required traffic assessment to be undertaken as soon as possible.**

ATTACHMENTS

- 1. Attachment 1 - Draft Masterplan for Narellan Sports Hub**

ORDINARY COUNCIL

ORD10

ORD10

SUBJECT: NEW PLAYGROUND DEVELOPMENTS
FROM: Acting Director Community Infrastructure
TRIM #: 14/152745

PURPOSE OF REPORT

To determine preferred sites for the construction of new larger playgrounds to complement the existing range of facilities provided in the public open space network throughout the Camden Local Government Area (LGA).

BACKGROUND

A presentation to the Councillors on the site options for the development of additional playgrounds occurred at a briefing session on 19 August 2014.

In the 2014/15 budget Council allocated \$183,400 for the development of new playgrounds in response to the recommendations of the Camden Recreation Demand Study 2013, which identified the need for greater challenges in play spaces for older children.

MAIN REPORT

The Camden Recreation Demand Study identified adventure playgrounds for older children as one of the top ten priorities. The study identified the need to provide more challenging play opportunities for children aged 9-13 years, such as adventure playgrounds, to complement the existing range of playgrounds.

The study found that Camden has a favourable provision of local and district playgrounds in comparison with other LGAs. Most playgrounds are however similar, comprising limited equipment catering for a narrow band of children's age groups and play experiences.

An analysis was undertaken of the current distribution of playgrounds as well as a consideration of the most used sites to develop options (**attachment 1**), for consideration of sites that would be suitable for the development of adventure playgrounds to cater for older aged children. The options were developed based on available suitable sites, level of use of existing venues, as well as the current level of provision.

It is recommended that the locations of Chellaston Street end of the Kings Bush Reserve, Camden and Currans Hill Reserve are the most appropriate sites for the construction of playgrounds to meet the needs of older children. Kings Bush Reserve due to its popularity for use, the additional playground will complement the current play spaces available at this site. Currans Hill Reserve is recommended due to the growing youth population in this area as identified in the Camden Recreation Demand Study. Construction of a playground at this site will also complement the current play spaces at this reserve. Both sites will provide valuable infrastructure to address the needs of older children in Camden.

Exact locations within each reserve and site specific play equipment will be determined following a detailed assessment of the sites. Consultation will be undertaken on with surrounding residents prior to finalising designs and the commencement of construction.

FINANCIAL IMPLICATIONS

Council has allocated funds of \$183,400 towards the development of more challenging playgrounds in the 2014/15 financial year.

CONCLUSION

It is recommended that the Chelleston Street end of Kings Bush Reserve, Camden and Currans Hill Reserve, in Currans Hill be the sites for new playgrounds to cater for older children aged 9-12 years, with an amount of approximately \$91,700 allocated for each site.

RECOMMENDED

That Council endorse the preferred locations of the Chelleston Street end of Kings Bush Reserve and Currans Hill Reserve for the new playgrounds to cater for children aged 9-12 years.

ATTACHMENTS

1. Attachment 1 Playground Development options



ORDINARY COUNCIL

ORD11

ORD11

SUBJECT: DRAFT TREE MANAGEMENT POLICY
FROM: Acting Director Community Infrastructure
TRIM #: 14/150294

PURPOSE OF REPORT

The purpose of the report is to consider the Draft Tree Management Policy and seek Council's endorsement to publicly exhibit the document.

BACKGROUND

Clearing of land for agriculture and urban development has significantly reduced the extent and condition of native vegetation across the Local Government Area (LGA). It is anticipated the extent of native vegetation will continue to decrease due to the urban development planned for the LGA.

Trees are important elements that transform the amenity and aesthetics of the area, while providing environmental, cultural and economic benefits to the community. In the long term, trees create a sense of place and enhance the streetscape.

It is estimated there are currently over 65,000 street trees within Camden LGA however this excludes parks, reserves, bushland and riparian corridors. It is anticipated with the current urban growth expected, the number of public trees will increase to an excess of 130,000 by 2050. To facilitate this increase, Council needs to be strategic in the planning, management and maintenance of these trees.

The matter was discussed at a Council briefing on 26 August 2014.

MAIN REPORT

Projected urban growth will have a transformative effect on the future shape and character of Camden. There are many competing pressures on available land to accommodate varied and affordable housing, service infrastructure and the provision of a green amenity.

Trees provide shade and habitat for wildlife and enhance the amenity of our suburbs. However, placing a street tree in front of every residential lot is becoming increasingly difficult to achieve as a result of narrow lot frontages. There is also less opportunity to establish upper canopy trees on private land due to smaller lot sizes making it even more important for trees to be installed on public land to provide a green amenity in our suburbs.

Council has prepared a draft Tree Management Policy (**attachment 1**) to ensure that the value Camden residents place on its trees is reflected through the use of tree species with known qualities and performance and that are relevant to our natural and cultural heritage and vision for how Camden will look in the future. The draft policy includes a Tree and Landscape Species (**attachment 2**) and History of Camden Trees and Landscape (**attachment 3**) will assist Landscape Architects, Developers, Public Authorities (including Council) and Residents to make informed decisions about

tree selection and ensure consistency in the management of tree assets within the Camden LGA.

The tree and landscape species palette (Appendix A) draws on Camden's unique natural heritage and rich culturally historic landscapes and excludes some species that have been problematic in the past. In addition, information available from the Asthma Foundation, Department of Health and Department of Primary Industries has been reviewed with those plant species considered to cause health issues being removed from the recommended planting lists.

The tree and landscape species palette will be reviewed on a regular basis and updated accordingly. All updates will be forwarded to Council's Executive Leadership Group for approval and adoption as outlined in the draft Tree Management Policy.

FINANCIAL IMPLICATIONS

There will be no direct financial implications to Council to publicly exhibit the draft document. There is funding allocated in Council's current budget to maintain public tree assets.

CONCLUSION

Council has prepared a draft Tree Management Policy to assist various stakeholders to ensure informed decisions are made regarding tree selection and management throughout the LGA (both public and private land).

RECOMMENDED

That Council:

- i. agree to publicly exhibit the draft Tree Management Policy for a period of 28 days; and**
- ii. be provided a further report detailing the results of the exhibition of the draft Tree Management Policy.**

ATTACHMENTS

1. Attachment 1 - Final Draft - Amended Tree Management Policy - August 2014
2. Attachment 2 - Final Draft - Appendix A - Amended Tree and Landscape Species List
3. Attachment 3 - Final Draft - Appendix B - History of Camden Trees and Landscape



ORDINARY COUNCIL

ORD12

ORD12

SUBJECT: RETAIL SUPPLY OF ELECTRICITY FOR LARGE COUNCIL FACILITIES AND FOR STREET LIGHTING

FROM: Acting Director Community Infrastructure

TRIM #: 14/150342

PURPOSE OF REPORT

To inform Council of its proposed participation in a 'reverse auction' process for the supply of electricity to Council's large sites and for street lighting and to seek the endorsement of the Director Community Infrastructure to assess the outcome of the tender process and enter into a retail supply agreement/s for Council's large sites and for street lighting.

BACKGROUND

The retail supply of electricity for all of Council's facilities was historically provided through Integral Energy, which itself took many forms over the years.

In 1998, the (then) State Minister for Energy announced the timetable for the deregulation of the electricity market and the introduction of contestability thresholds (i.e. sites consuming in excess of 160MWh per annum). In June 1999, Council became party to a Retail Electricity Supply Agreement with Energy Australia for four contestable sites; being John Street Camden, Camden Civic Centre, Camden Pool and Queen Street Narellan, which was established and available through the (Department of Commerce) NSW State Contracts Control Board (Contract 777). Over time this agreement was extended to include electricity supply for street lighting, Narellan Library and Mount Annan Leisure Centre.

At the Council meeting of 24 November 2009, Council considered an alternative purchasing approach for the procurement of electricity for large tariff sites and streetlighting and resolved to engage Regional Procurement Initiative (a division of Hunter Councils) and their partners Energy Action, to undertake a reverse auction process.

Following this process, Council resolved on 15 December 2009 to enter into a retail supply agreement with AGL Sales Pty Ltd for a 30 month period for the supply of electricity to seven nominated large sites (the aforementioned sites and Camden Library). In addition, Council resolved to enter into a retail supply agreement with TRUenergy Pty Ltd for a 30 month period for streetlighting.

Prior to the expiration of these contracts Council again undertook the reverse auction process in September 2012, with contracts awarded to AGL for the seven nominated large tariff sites and streetlighting until 30 June 2015.

MAIN REPORT

Regional Procurement Initiative (a division of Hunter Councils Inc.), in association with Energy Action (consultancy that previously ran the reverse auction process for Council in September 2012) has invited Council to once again participate in a competitive tender process to test the market for the provision of electricity supply for Council's large sites and for street lighting.

In relation to the procurement of electricity for large tariff sites and street lighting, Council considered a proposal from Local Government Procurement Pty Ltd in October 2013. However the maximum price offered was 1.1c/kWh more than Council's current contract prices. It is due to this price difference that Council will again be utilising the adopted process of reserve auction tender.

Essentially the adopted process tests the market by means of a reverse auction tender (an online platform), initially establishing a benchmark price and inviting tenderers (electricity retailers) to 'bid' online and in real-time, in a restricted open forum until the lowest price is reached.

The reverse auction process facilitated through Regional Procurement Initiative and their partners Energy Action, complies with the Local Government Tendering Guidelines and Council's Purchasing and Procurement Policy. In addition it should also be noted that in accordance with Section 55 3(f) of the Local Government Act 1993, Council is not required to invite tenders before entering into a contract where it will be entering into a contract for purchase or sale at a public auction.

Regional Procurement Initiative has advised Camden's 'reverse auction' is scheduled for Wednesday 22 October 2014. Council will be inviting electricity retailers to submit tenders for the supply of electricity to seven large sites, being; Camden Administration Building, Camden Civic Centre, Camden Library, Camden Pool, Mount Annan Leisure Centre, Narellan Administration Building and Narellan Library, and street lighting for a period of 24 months from 1 July 2014. This timeframe, as recommended by Regional Procurement, has proven attractive to retail suppliers and provides an optimum timeframe for retailers to be competitive in what is an ever changing market. This period also provides longer term certainty of pricing which assists in forecasting future budget requirements.

Tenders will be assessed against price as well as a set of pre-determined criteria including referees, quality assurance, customer service and Ecologically Sustainable Development. In addition, the tenders will be assessed against the prices currently available under the Local Government Procurement's electricity supply contract to ensure Council is obtaining the best possible price.

Due to the energy market, energy retailers can only hold firm on prices for a short period of time and acceptance of the tendered prices must be actioned within 5 to 7 working days of the close of the tender, it is at this stage that council can determine whether or not to proceed with the tendered price, which is effectively the close of the "reverse auction". In this regard, delegation to the General Manager is sought, to enable assessment of the tender and the ability to enter into a retail supply agreement for Council's large sites and for street lighting, for this and future periods. These tasks will be sub- delegated to Director Community Infrastructure.

FINANCIAL IMPLICATIONS

In 2013/14, Council's expenditure on electricity associated with the seven nominated sites and streetlighting was \$2,088,370 and a 7.5% increase in electricity costs for large tariff sites and streetlighting has been included in the budget for 2015/16.

CONCLUSION

Council currently purchases electricity for seven large sites and street lighting through a contract with AGL Pty Ltd which expires on 30 June 2015. Council has once again been invited to participate in a competitive tender process with Regional Procurement Initiative and their partners Energy Action, to procure electricity supply for a 24 month period commencing 1 July 2015.

This process will be undertaken on 22 October 2014 and due to the nature of the electricity market, and limited timeframe in which to accept tender prices, it is recommended that the General Manager be delegated authority to enable him to refer the task assessment of the tender and the ability to enter into a retail supply agreement for Council's large sites and for street lighting for this and future periods to the Director Community Infrastructure.

RECOMMENDED

That Council:

- i. note the participation in a tender process through Regional Procurement Initiative (a division of Hunter Councils Inc.) and their partners Energy Action, for the retail supply of electricity to Council's seven large sites as described in this report and for streetlighting for a period of 24 months, commencing 1 July 2015;**
- ii. delegate to the General Manager the authority to accept a tender and enter into a retail supply agreement for Council's large sites and for street lighting for this and future periods; and**
- iii. receives a further report on the outcome of the tender process.**