



Camden Council

Business Paper

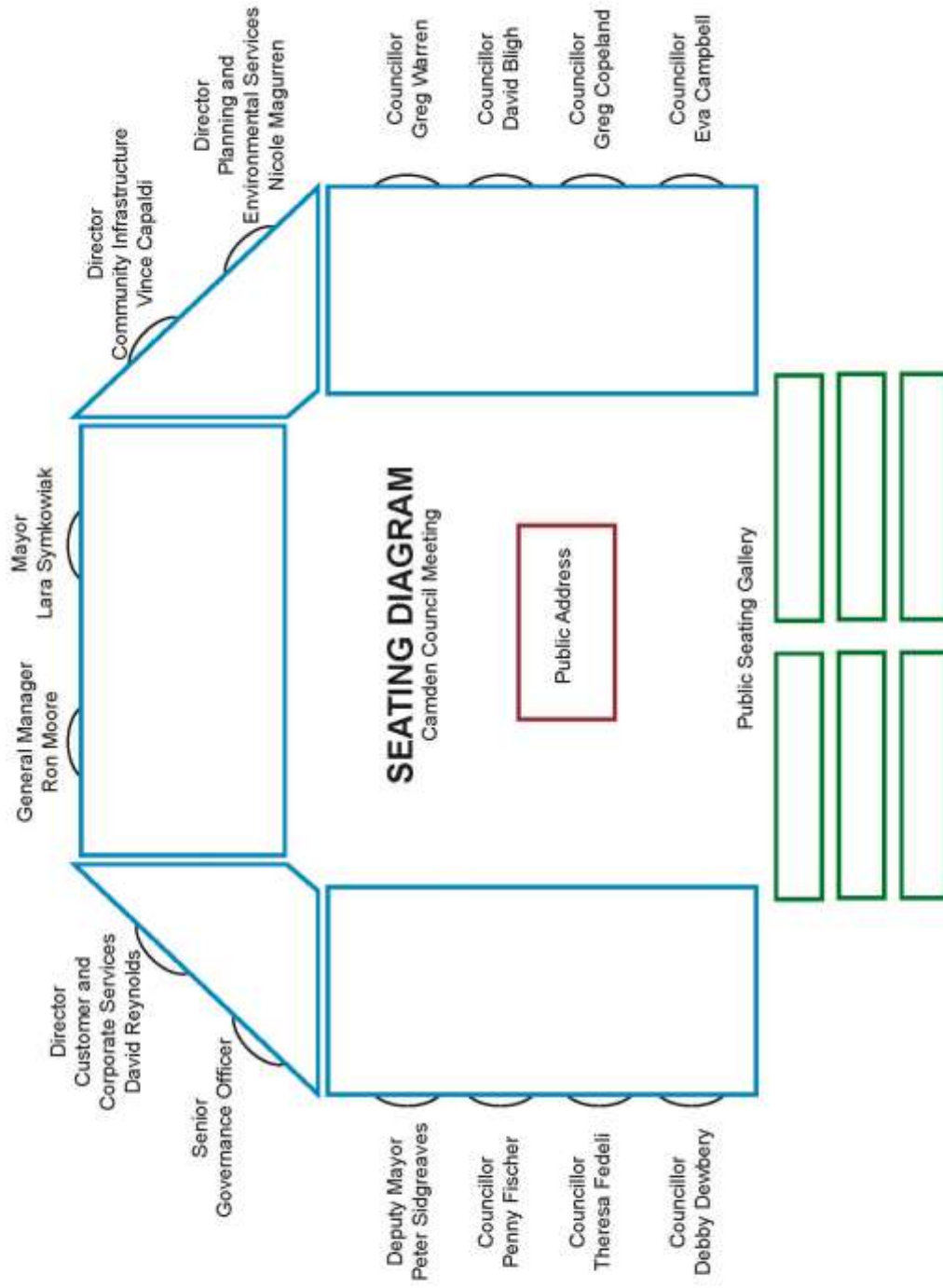
Ordinary Council Meeting
10 November 2015

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: ACKNOWLEDGEMENT 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.

No other recording by a video camera, or any other electronic device capable of recording speech, is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the Local Government Act be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.



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 via telephone to Council's Governance Team 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. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

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 27 October 2015.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 27 October 2015, 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: DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF A NEW TWO STOREY DWELLING AND ASSOCIATED SITE WORKS, 19 PHOENIX PLACE, NARELLAN VALE
FROM: Director Planning & Environmental Services
TRIM #: 15/280559

APPLICATION NO: 833/2015
PROPOSAL: Demolition of existing dwelling, construction of a new two storey dwelling and associated site works
PROPERTY ADDRESS: 19 Phoenix Place, Narellan Vale
PROPERTY DESCRIPTION: Lot 2029 DP 863922
ZONING: R2 Low Density Residential
OWNER: SB & K Harrison
APPLICANT: SB Harrison

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the demolition of the existing dwelling, construction of a new two storey dwelling and associated site works at 19 Phoenix Place, Narellan Vale.

The DA is referred to Council for determination as there remain unresolved issues received in one submission from the adjoining property.

SUMMARY OF RECOMMENDATION

That Council determine DA 833/2015 for the demolition of the existing dwelling, construction of a two storey dwelling and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the demolition of the existing dwelling, construction of a two storey dwelling and associated site works at 19 Phoenix Place, Narellan Vale.

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). **A copy of the submission 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.

The issues raised in the submission relate to tree removal on the subject site which was approved under a previous DA (DA383/2012). The submission raises concerns with the previous approval and associated assessment. The submission requests no further trees be removed as part of this DA.

The concerns raised in the submission were discussed with the submission writer.

The proposal for the demolition of the existing dwelling, construction of a new two storey dwelling and associated site works does not propose any tree removal. The removal of the trees was considered under DA 383/2012. Notwithstanding this, the concerns raised by the submission writer were referred to Council's Vegetation Management Officer. A condition is recommended requiring additional planting. This has been discussed with the applicant who has agreed to this condition.

The proposal fully complies with the relevant controls.

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

AERIAL PHOTO



THE SITE

The site is commonly known as 19 Phoenix Place, Narellan Vale and is legally described as Lot 2029 DP 863922.

The site has a frontage of 12m to Phoenix Place, a depth of 41.61m and an overall area of 1489m².



ORD01

The site currently accommodates a single storey dwelling. The immediate area is characterised by a mixture of detached single/two storey dwellings and public open space.

HISTORY

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

| Date | Development |
|---------------|--|
| 20 April 2012 | Removal of 3 trees approved under DA 383/2012 |
| 9 August 2002 | Construction of an in-ground swimming pool approved under DA 58/2002 |
| 25 June 2002 | Provision of an awning approved under DA 958/2002 |
| 9 April 1997 | Construction of a brick veneer dwelling approved under BA 373/1997 |

THE PROPOSAL

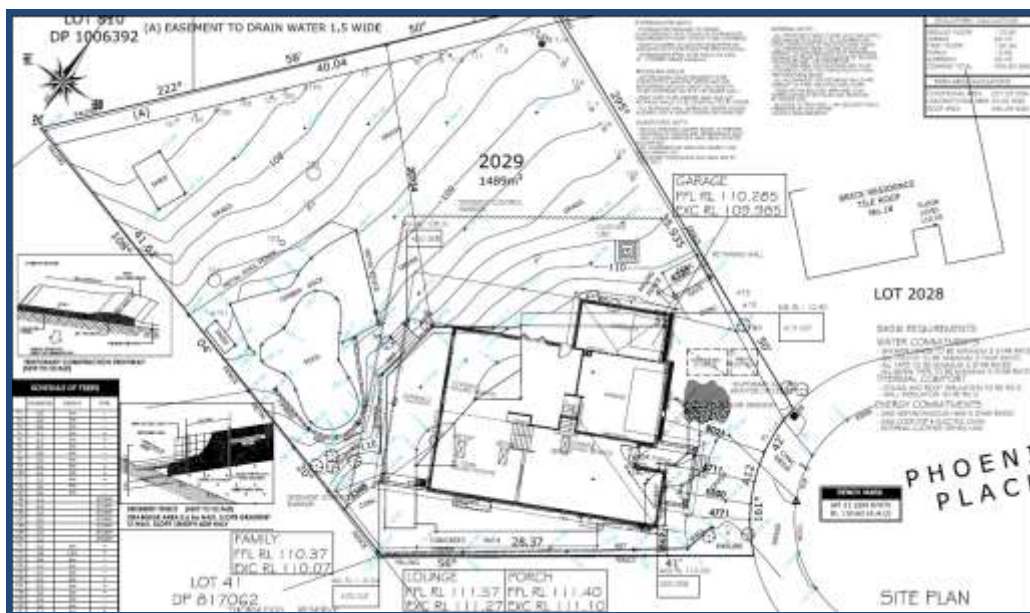
DA 833/2015 seeks approval for the demolition of the existing dwelling, construction of a new two storey dwelling and associated site works.

Specifically the proposed development involves:

- demolition of a single storey dwelling;
- construction of a double storey dwelling with 4 bedrooms and a triple garage; and
- associated site works.

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

PROPOSED PLANS



PROPOSED ELEVATIONS



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 (Building Sustainability Index: BASIX) 2004
- 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 (Building Sustainability Index: BASIX) 2004 (SEPP)

The SEPP aims to encourage sustainable residential development and requires DAs for such development to be accompanied by a list of BASIX commitments as to the manner in which the development will be carried out.

Council staff have reviewed the BASIX certificate for the proposed development and are satisfied that it has been designed to achieve the minimum targets for water, thermal comfort and energy. It is a recommended condition that the proposed development is carried out in accordance with the commitments described in the BASIX certificates.

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 on the Hawkesbury-Nepean River system as a result of the proposed development. A condition is recommended to provide sediment and erosion controls as part of the development.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R2 Low Density Residential under the provisions of the LEP. The proposed development is defined as a "dwelling house" by the LEP which is a permissible land use in this zone.

Objectives

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

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

Officer comment:

This proposal replaces an existing dwelling and maintains the low density residential character of the existing area. The proposal therefore meets the objective of the zone:

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

Officer comment:

These objectives are not relevant to the proposed development as the proposal is for a dwelling house.

Relevant Clauses

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

| Clause | Requirement | Provided | Compliance |
|------------------------------------|------------------------------------|---|------------|
| 4.3 Height of Buildings | Maximum height of 9.5m | 8.617m | Yes |
| 5.9 & 5.9AA Trees or Vegetation | Protection of trees and vegetation | The proposal does not include tree removal. | 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 |
|--|--|---|--|
| Cut & fill | Max 1m Additional cut may be permitted on sloping sites where there is no adverse impact on adjacent dwellings The use of a deepened edge beam shall not exceed 1m above natural ground level. | Max 1m The proposed dwelling incorporates a split level design. The use of a 1.285m deepened drop edge beam is required where the lounge/study areas transition down to the lower ground area and is considered satisfactory | Yes No – DCP variation 1 |
| Fill distance from boundary | No fill within 2m of boundary (unless drop edge beam) | To be addressed as a recommended condition of consent | Yes |
| Trees & vegetation | Impact to trees | No tree removal is proposed as part of this application | Yes |
| Height | ≤ 2 storeys | ≤ 2 storeys | Yes |
| Visual and Acoustic Privacy | Windows of habitable rooms (not bedrooms) of first floor must not overlook unless window treatment provided | Windows to habitable rooms at first floor level do not overlook the adjoining properties | Yes |
| Garages, Site Access & Parking (D2.1.6) | Lots >20m - Front loaded triple garages are permitted | >20m wide at the building façade line Triple garage proposed | Yes |
| Front setback | ≥ 4.5m | 6.711m | Yes |
| Side setback | ≥ 0.9m | 4.32m (RHS) | Yes |
| Side setback | ≥ 0.9m | 1.86m (LHS) | Yes |



ORD01

| Control | Requirement | Provided | Compliance |
|--|--|--|----------------|
| Rear setback | ≥ 4m (single storey or single storey portion) ≥ 6m (two storey portion) | 20.734m | Yes |
| Garage setback (front) | ≥ 5.5m | 8.021m | Yes |
| Garage setback (side) | ≥ 0.9m | 4.32m | Yes |
| Garage setback behind building line | ≥ 1.0m Third garage to be set back an additional 1m | 1m behind front articulated wall. The third garage is setback 600mm. A condition is recommended requiring the third garage to be setback 1m behind the double garage. | Yes Yes |
| Front articulation (D.2.1.1.6) | 1.5m | 4.77m | Yes |
| Eaves, fascias, downpipes & chimneys setback | ≥ 450mm | 450mm | Yes |
| Site cover | Lots >450m ² Two storey ≤50% ground ≤30% upper | Two storey 20.1% - ground 8.9% - upper | Yes |
| Roof pitch | ≥ 22.5 ⁰ to ≤45 ⁰ | 25 ⁰ | Yes |
| Eaves | ≥ 450mm | ≥ 450mm | Yes |
| Internal garage dimension | Single ≥ 3m wide x 5.5m length OR Double ≥ 5.5m x 5.5m | Double – 6.410m x 5.990m Single – 3.510m x 6.480m | Yes |
| Garage door width | Lots greater than 15m wide 50% of front elevation | 44.2% | Yes |
| Driveway length | ≥ 5.5m | ≥ 5.5m | Yes |
| Driveway width | ≥ 3m & ≤ 5.5m | 3.5m | Yes |
| Landscape area | ≥ 30% | >30% | Yes |
| Private open space | ≥24m ² with a minimum dimension | ≥24m ² with a minimum dimension 4m and no | Yes |



| Control | Requirement | Provided | Compliance |
|---|--|--|------------|
| | 4m and no more than 1:10 gradient | more than 1:10 gradient | |
| Private space access open solar | <p>≥3hrs solar access between 9am & 3pm on 21st June</p> <p>North facing windows of living areas ≥3hrs solar access between 9am & 3pm on 21st June</p> <p>North facing windows to living areas of neighbouring properties shall not have sunlight reduced to less than 3 hours between 9 and 3pm on June 21st.</p> | <p>≥3hrs solar access between 9am & 3pm on 21st June to POS of both the subject site and adjoining property</p> <p>North facing windows of subject site and adjoining properties receive sunlight all day</p> | Yes |
| Common boundary fence height | ≤ 1m to 1m behind front building façade then 1.8m | Plans indicate an existing fence on site | Yes |

DCP Variation 1 – Cut and Fill

DCP Control

The DCP limits the maximum height of a deepened edge beam to 1m above natural ground level. The use of a 1.285m deepened drop edge beam is required where the lounge/study areas transition down to the lower ground area.

Council Staff Assessment

Council staff have reviewed this variation and recommend that it be supported for the following reasons:

- as the proposal incorporates a split level design, the 1.285m beam is very minor and located within the internal footprint of the dwelling where the lounge/study areas transition down to the lower ground area. As the increased finished floor level is only relative to the internal of the dwelling, the overall visual bulk will not appear excessive.
- the non-compliance will not result in privacy impacts or overshadowing to the adjoining property
- the proposed dwelling will not result in any detrimental impact on the amenity of the surrounding residents.



Consequently it is recommended that Council support this proposed variation to the DCP.

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

No relevant agreement exists or has been proposed as part of this 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 11 August to 25 August 2015. One submission was received (objecting to the proposed development).

A copy of a Public Exhibition and Submissions Map is provided with the Business Paper supporting documents.

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

1. *Concerns are raised with regards to a previous DA for tree removal (DA 383/2012) and the associated assessment.*

Officer comment:

The assessment and approval process for the tree removal under DA 383/2012 has been discussed with the submission writer and written correspondence has been provided. The correspondence provided a summary of the matters considered as part of the application, including the health of the trees, location of the pool and safety hazards.

2. *Requests no further tree removal*

Officer comment:

No tree removal is proposed as part of this DA. Notwithstanding this, the DA was referred to Council's Vegetation Management Officer. A condition is recommended



requiring additional planting. Seven replacement shrubs have been conditioned to be positioned along the southern boundary corresponding with T14 to T20 marked on the concept landscape plan. The planting of one local native tree has been conditioned to be planted and corresponds with T22 on the concept landscape plan. This has been discussed with the applicant who has agreed to this condition.

The landscape plan also identifies additional shrubs to be located within the front setback of the dwelling and is identified within Planting Schedule 1 on the landscape plan.

A copy of the Concept Landscape Plan is provided as an attachment to the report.

(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 833/2015 is recommended for approval subject to the conditions contained in this report.

CONDITIONS

1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

| Plan Reference/ Drawing No. | Name of Plan | Prepared by | Date |
|--------------------------------|-----------------|------------------------------|------------|
| Rev F | Original Survey | G2P Architectural Designs | 24/07/2015 |
| Rev F | Site Plan | G2P Architectural Designs | 24/07/2015 |



| | | | |
|-------|------------------------|---------------------------|------------|
| Rev F | Site Analysis Plan | G2P Architectural Designs | 24/07/2015 |
| Rev F | Concept Hydraulics | G2P Architectural Designs | 24/07/2015 |
| Rev F | Concept Landscape Plan | G2P Architectural Designs | 24/07/2015 |
| Rev F | Winter Shadow June | G2P Architectural Designs | 24/07/2015 |
| Rev F | Ground Floor Plan | G2P Architectural Designs | 24/07/2015 |
| Rev F | First Floor Plan | G2P Architectural Designs | 24/07/2015 |
| Rev F | Proposed Elevation | G2P Architectural Designs | 24/07/2015 |
| Rev F | Proposed Elevation | G2P Architectural Designs | 24/07/2015 |
| Rev F | Proposed Section A-A | G2P Architectural Designs | 24/07/2015 |

| Document Title | Prepared by | Date |
|-------------------------------|---------------------------------|------------|
| BASIX Certificate No. 653512S | Going 2 Plan | 2/08/2015 |
| Waste Management Plan | Submitted with DA Documentation | 24/07/2015 |

(2) **Modified Documents and Plans** - The development shall be modified as follows:

- a) amended plans must be prepared third garage to be setback 1m behind the double garage.

Amended plans or documentation demonstrating compliance shall be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate.

(3) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.

(4) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

(5) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:

- a) in the case of work for which a principal contractor has been appointed:
 - i. has been informed in writing of the name and licence number of the principal contractor; and
 - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.

-
- b) in the case of work to be carried out by an owner-builder;
- i. has been informed in writing of the name of the owner-builder; and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (6) **Excavation for Residential Building Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining premises from possible damage from the excavation; and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying, and a copy of that written consent is provided to the PCA prior to the excavation commencing.

- (7) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval,
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual



carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (8) **Site Landscaping** – In addition to landscaping proposed in concept landscape plan prepared by G2P, dated 24/07/2015 Issue F, supplementary planting shall be installed on the land in accordance with the following conditions:
- a) The issuing of this Consent is conditioned upon the planting and maintenance of seven (7) replacement shrubs consisting of minimum 5 litre container stock capable reaching a mature height of three metres. The shrubs are to be positioned along the southern boundary corresponding with T14 to T20 as marked on the concept landscape plan and the maintenance and planting of one (1) local native tree consisting of minimum 25 litre container stock selected from following species; Eucalyptus tereticornis (Forest Red Gum), Eucalyptus moluccana (Grey Box), Corymbia maculata (Spotted Gum) or Eucalyptus crebra (Narrow Leaved Ironbark) as a means to achieve a “No Net Loss” approach to vegetation management.
 - b) The local native tree shall be installed on the subject property marked as T22 on the concept landscape plan prior to the issue of Occupation Certificate for construction of the new dwelling under DA 833/2015.
 - c) Replacement trees must be cared for and maintained until they reach a height of three (3) metres, the point at which the trees are protected by Council’s tree preservation provisions. Should any of the tree/s die before they reach the required height of three (3) metres then they shall be replaced with another tree/s.
 - d) At the appropriate time the applicant shall make arrangements for a Council officer to inspect the planting/s (referred to in the clause above) to ensure that Council’s objectives for vegetation management are being achieved.
- (9) **Waste Management Plan** - Within two days of the completion of demolition work, Council is to be provided with the following:
- a) Written advice that the demolition works have been completed; and
 - b) A copy of all receipts that account for the disposal of all demolished materials to an appropriate licenced Waste Management Facility.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer’s Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any Geotechnical Report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam



to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (3) **Driveway Gradients and Design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design shall comply with AS 2890.1-2004 'Off street car parking' and:
- a) the driveway shall comply with Council's Engineering Specifications;
 - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
 - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
 - d) a Public Road Activity approval must be obtained prior to the commencement of any works.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (4) **Salinity (Dwellings & Outbuildings)** - A site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Building in a Saline Prone Environment Policy shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (5) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.

3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;



- e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Consent Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
 - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours;



- c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (5) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (6) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this Development Consent.

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

- (7) **Demolition Work** - Consent is granted for the demolition of single storey dwelling currently existing on the property, subject to compliance with the following conditions:
- a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
 - b) Written notice shall be given to the PCA for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following inspection shall be undertaken by the PCA:
 - i) a pre-commencement inspection when all the site works are installed on the site and prior to demolition commencing;
 - ii) a final inspection when the demolition works have been completed.
 - c) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 - d) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
 - e) Suitable erosion and sediment control measures in accordance with an approved ESCP shall be installed prior to the commencement of demolition works and shall be maintained at all times.

- f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal.
- h) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- i) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
 - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
 - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
 - c) retaining walls shall not be erected within drainage easements;
 - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b or c):

- a) street gutter;
- b) drainage easement;
- c) existing drainage system.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

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

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (8) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to: www.environment.nsw.gov.au/waste/envguidlns/index.htm)

Once assessed, the materials shall be disposed to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.
- (9) **Soil, Erosion Sediment and Water Management – Implementation** - All requirements of the Erosion and Sediment Control Plan or Soil and Water Management Plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (10) **Hazardous Building Materials Assessment** - All works (including demolition and materials handling, storage, transport and disposal) shall be undertaken in accordance with the requirements outlined in the Hazardous Building Material Assessment (HBMA).
- (11) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc), such



works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (12) **Unexpected Finds Contingency (Remediation)** - Should any additional contamination or hazardous materials be encountered during any stage of the remediation process, all remediation works in the vicinity of the findings shall cease and compliance with the contingency recommendations in the approved RAP shall be adopted.

5.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.
- (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

6.0 – Ongoing Use

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

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
 - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays;
 - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.



-
- (2) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

RECOMMENDED

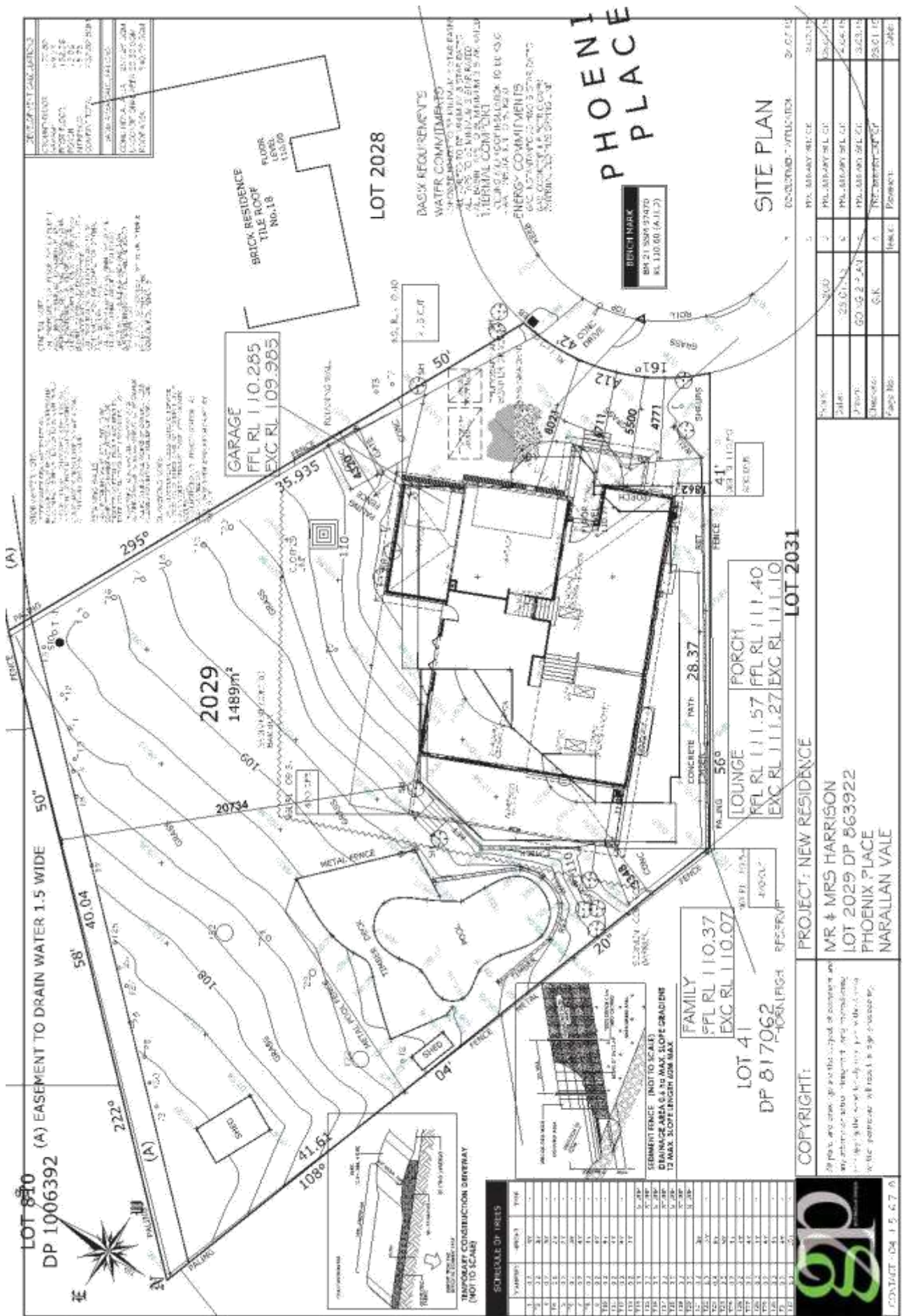
That Council approve DA 833/2015 for the demolition of the existing dwelling, construction of a new two storey dwelling and associated site works at 19 Phoenix Place, Narellan Vale, subject to the conditions listed above.

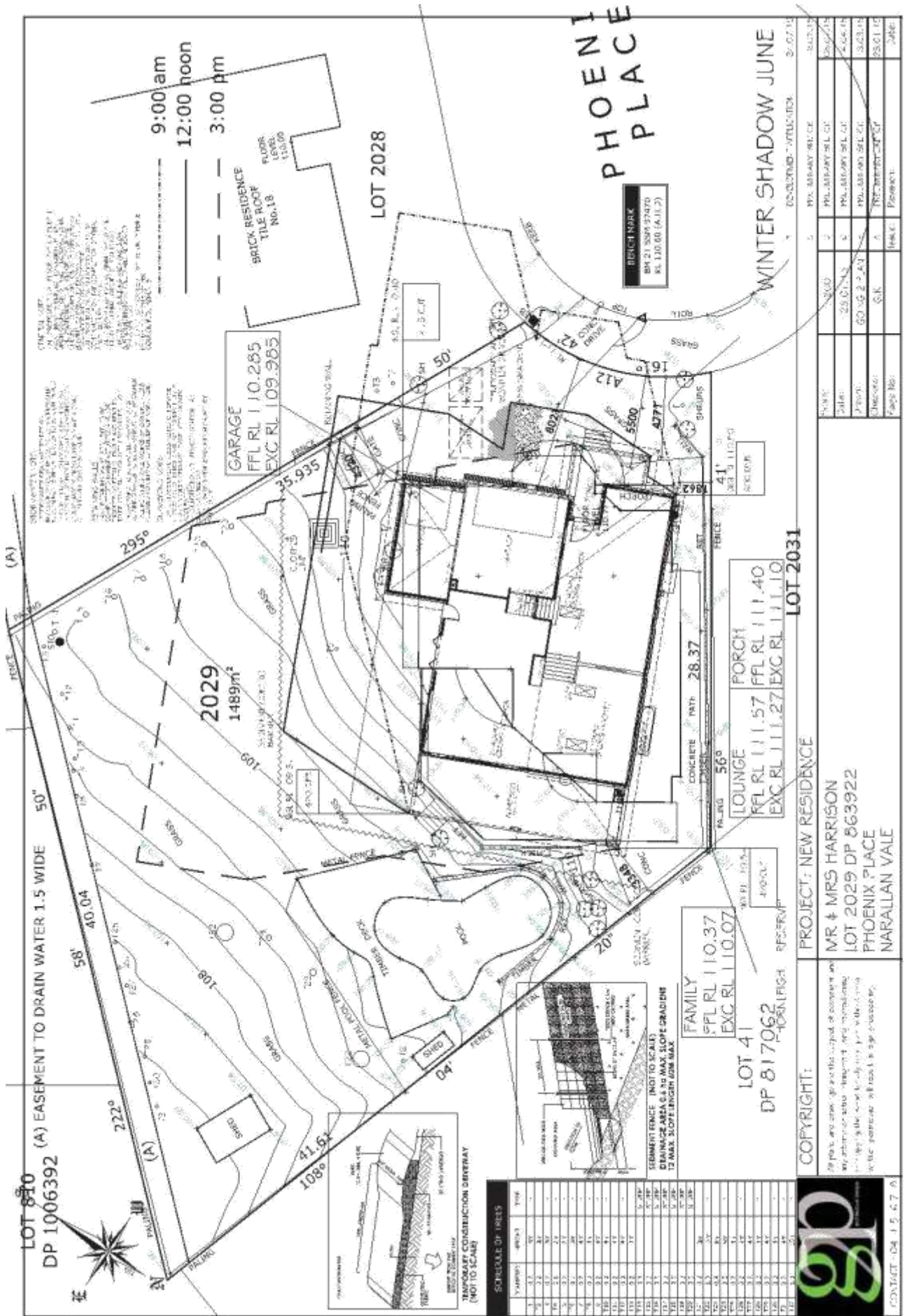
ATTACHMENTS

1. Proposed Plans
2. Concept Landscape Plan
3. Floor Plans - *Supporting Document*
4. Submission - *Supporting Document*
5. Public Exhibition and Submissions Map - *Supporting Document*

ORD01

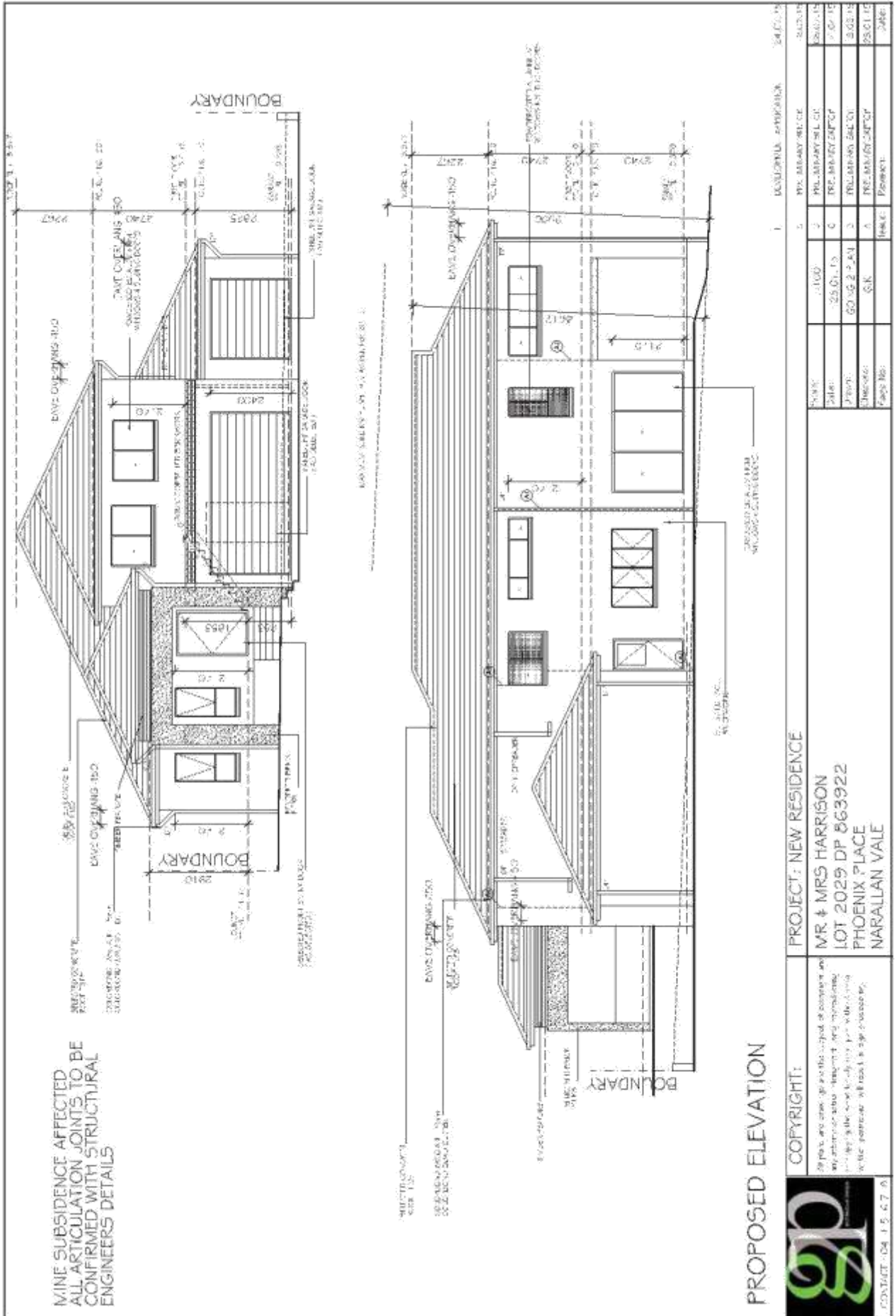
Attachment 1

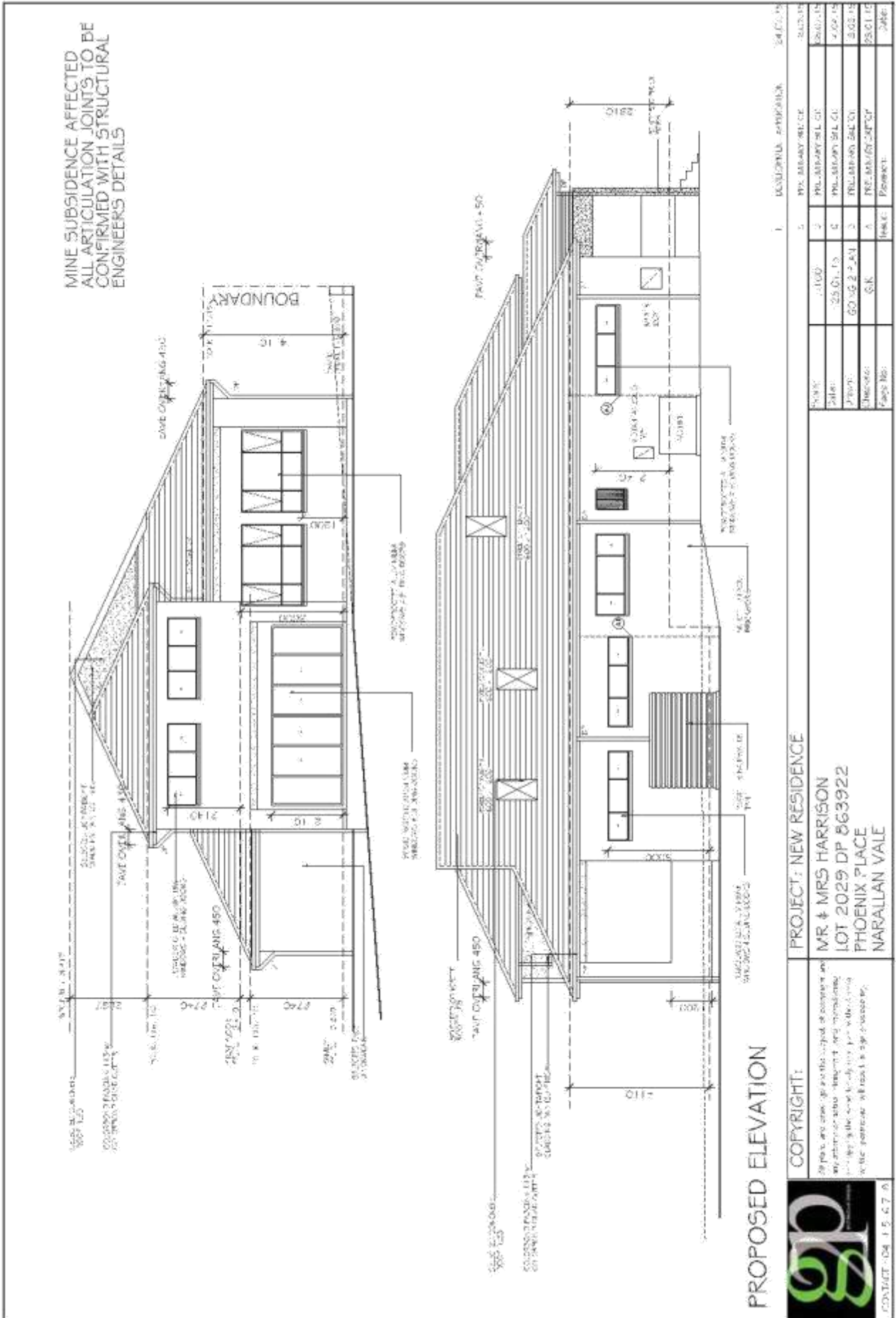




Attachment 1
ORD01

Attachment 1
ORD01

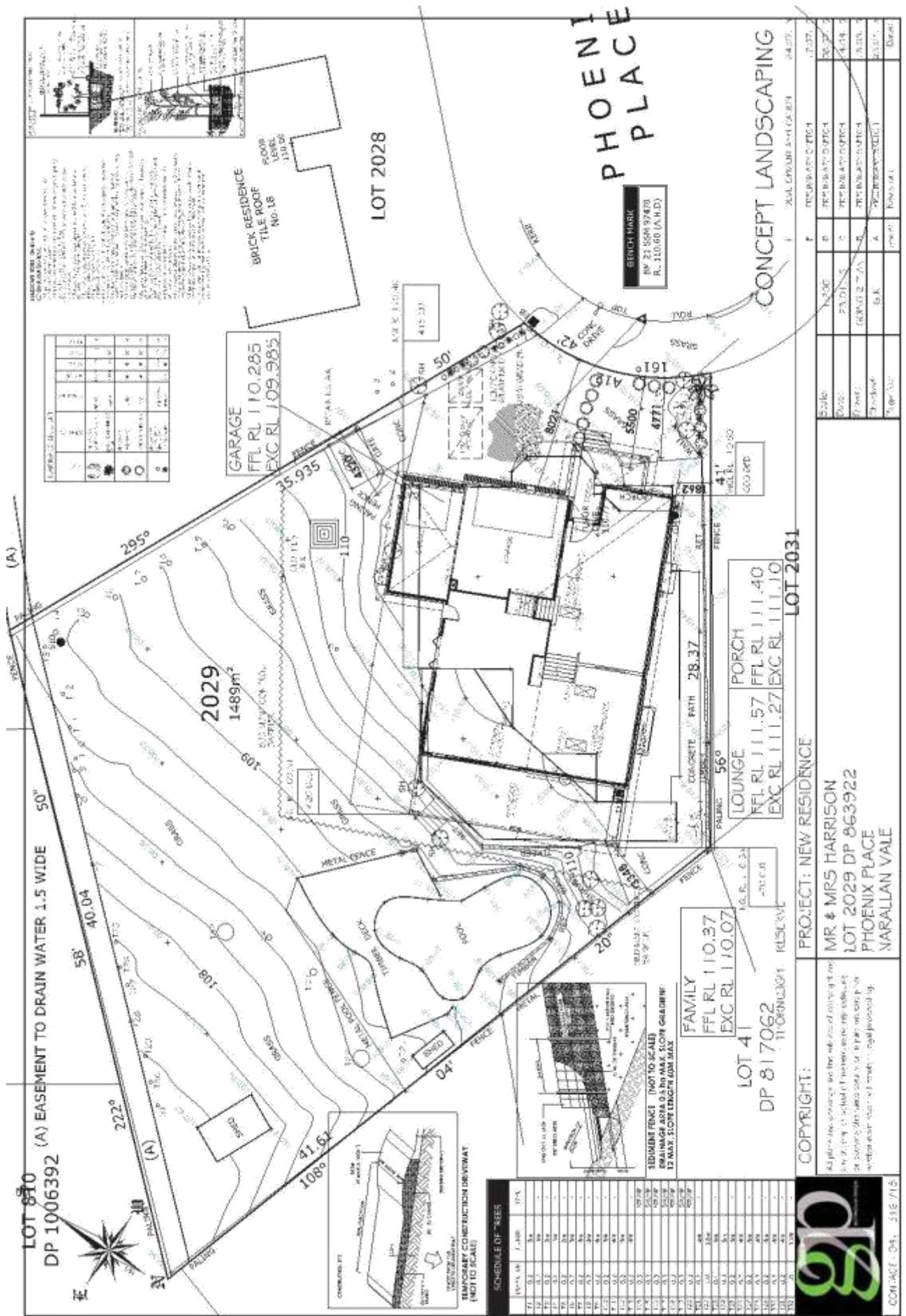




Attachment 1
ORD01

ORD01

Attachment 2



EXISTING TREE SCHEDULE
 This schedule lists the existing trees on the site and their approximate location. The trees are identified by their species, height, and diameter. The schedule is as follows:

| Tree No. | Species | Height (m) | Diameter (cm) | Location |
|----------|---------|------------|---------------|----------|
| 1 | ... | ... | ... | ... |
| 2 | ... | ... | ... | ... |
| 3 | ... | ... | ... | ... |
| 4 | ... | ... | ... | ... |
| 5 | ... | ... | ... | ... |
| 6 | ... | ... | ... | ... |
| 7 | ... | ... | ... | ... |
| 8 | ... | ... | ... | ... |
| 9 | ... | ... | ... | ... |
| 10 | ... | ... | ... | ... |

| Tree No. | Species | Height (m) | Diameter (cm) | Location |
|----------|---------|------------|---------------|----------|
| 1 | ... | ... | ... | ... |
| 2 | ... | ... | ... | ... |
| 3 | ... | ... | ... | ... |
| 4 | ... | ... | ... | ... |
| 5 | ... | ... | ... | ... |
| 6 | ... | ... | ... | ... |
| 7 | ... | ... | ... | ... |
| 8 | ... | ... | ... | ... |
| 9 | ... | ... | ... | ... |
| 10 | ... | ... | ... | ... |

SCHEDULE OF TREES

| Tree No. | Species | Height (m) | Diameter (cm) | Location |
|----------|---------|------------|---------------|----------|
| 1 | ... | ... | ... | ... |
| 2 | ... | ... | ... | ... |
| 3 | ... | ... | ... | ... |
| 4 | ... | ... | ... | ... |
| 5 | ... | ... | ... | ... |
| 6 | ... | ... | ... | ... |
| 7 | ... | ... | ... | ... |
| 8 | ... | ... | ... | ... |
| 9 | ... | ... | ... | ... |
| 10 | ... | ... | ... | ... |

CONTRACT NO. 316/715

PROJECT: NEW RESIDENCE
MR & MRS HARRISON
LOT 2029 DP 863922
PHOENIX PLACE
MARALLAN VALE

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| Sheet No. | Description | Date |
|-----------|-------------|------|
| 1 | ... | ... |
| 2 | ... | ... |
| 3 | ... | ... |
| 4 | ... | ... |
| 5 | ... | ... |
| 6 | ... | ... |
| 7 | ... | ... |
| 8 | ... | ... |
| 9 | ... | ... |
| 10 | ... | ... |



ORDINARY COUNCIL

ORD02

ORD02

SUBJECT: FEEDBACK ON IPART'S ASSESSMENT OF CAMDEN COUNCIL'S FIT FOR THE FUTURE SUBMISSION

FROM: Director Customer & Corporate Services

TRIM #: 15/300986

PURPOSE OF REPORT

For Council to determine its response to the NSW State Government's final consultation period for Local Government reform.

BACKGROUND

Fit for the Future is the NSW State Government's plan to improve the strength and effectiveness of local Councils in providing services and infrastructure that communities need. Under this reform the Independent Local Government Review Panel (ILGRP) has made recommendations for local Councils either to 'Merge' with other Councils or undergo 'No Change' or create 'Regional Joint Organisations'.

The NSW State Government appointed IPART and the South Australian Local Government Expert (John Comrie) as the advisory panel to assess all NSW Councils' proposals.

IPART released its report on 20 October 2015 to the NSW State Government. This report confirmed that Camden Council had the necessary scale and capacity and is fit to stand alone.

The State Government has provided Local Government with a final opportunity to provide feedback on the findings in IPART's report. Council has until 18 November 2015 to provide feedback via an on-line portal.

MAIN REPORT

IPART has found Camden Council to be fit for the future; the finding is consistent with Council's submission and the findings of the ILGRP's assessment of Council as having the necessary scale and capacity to stand alone.

IPART's assessment reports that Camden Council meets all of the criteria to stand alone including:

- Scale and Capacity,
- Performance against the Fit for the Future benchmarks for Sustainability, Infrastructure and Service Management and Efficiency,
- Strategies developed in order to improve the performance against the Fit for the Future benchmarks.

The analysis did not identify a merger alternative that was better than remaining a stand-alone Council.

Camden Council also supported the ILGRP's recommendation in April 2013 (Ordinary Council meeting 9 July 2013) that in order to best facilitate growth in the South West



ORD02

Growth Centre, the Growth Centre should be located within the Camden Council's LGA to the extent possible.

It is recommended that Camden Council supports the ILGRP view of 'No Change' and the IPART finding of 'Fit for the Future'.

FINANCIAL IMPLICATIONS

No implications.

CONCLUSION

Council's proposal is consistent with ILGRP's assessment. Council has met all the necessary requirements of being Fit for the Future and IPART has assessed Council as 'Fit'.

The evidence validates Council's capabilities, efficiencies and leadership to govern effectively to meet the needs of our community and the future development of the South West Growth corridor.

RECOMMENDED

That Council:

- i. inform the NSW State Government that Council supports the ILGRP's view of 'No Change' and IPART's findings of 'Fit for the Future'; and**
- ii. support IPART's recommendation of a 'stand-alone Council'.**

ATTACHMENTS

1. Camden Council final Report - Assessment of Council Fit For the Future Proposals

CAMDEN COUNCIL – CIP

| FIT | | | |
|------------------------------------|---|--------------------------|---------------------------------|
| Area (km ²) | 206 | Population 2011 | 58,450 |
| OLG Group | 6 | (2031) | 162,350 |
| ILGRP Group | Sydney Metro | | |
| Operating revenue (2013-14) | \$64.9m | TCorp assessment | Moderate FSR Neutral Outlook |
| ILGRP options (preference in bold) | No change or combine as a strong JO with Liverpool, Fairfield, Bankstown, Campbelltown, and Wollondilly (shaded area). | | |
| Assessment Summary | Scale and capacity | Satisfies | |
| | Financial criteria: | Satisfies overall | |
| | • Sustainability | Satisfies | |
| | • Infrastructure and service management | Satisfies | |
| | • Efficiency | Satisfies | |

**Fit for the Future – FIT**

- The council satisfies the scale and capacity criterion.
- The council satisfies the financial criteria overall. It satisfies the sustainability, infrastructure and service management and efficiency criteria.
- The council satisfies the criterion for sustainability based on its operating performance ratio being close to the benchmark and our assessment that its performance is adversely affected by its high growth.

Scale and capacity – satisfies

- The council proposal is consistent with the ILGRP's preferred option to stand alone.
- Given the ILGRP's preferred option, the council was not required to demonstrate how it met each of the elements of scale and capacity.
- However, the council meets some of the elements. In particular, it has a robust revenue base and scope to undertake new functions and major projects.
- Our analysis has not identified evidence for a better alternative to the council's proposal to stand alone.

Sustainability – satisfies

- The council's forecast performance against the financial ratio benchmarks by 2019-20 is not strong, however we consider they are within an acceptable range given its prospective high growth.
- Camden is the fastest growing council in NSW based on the DP&E forecasts, with population growth of 178% from 2011 to 2031, compared to a Sydney average of 36%.
- The council has forecast it will be below the benchmark for the operating performance ratio, own source revenue ratio and the building and infrastructure asset renewal ratio by 2019-20. However, our analysis suggests the failure to meet these benchmarks is not a result of any underlying weakness in Camden's financial performance. Rather, Camden's particularly high forecast growth requires the council to deliver significant amounts of infrastructure and services to new areas before additional rate income and other revenues can be realised for that growth. The council has forecast its operating performance ratio will improve over the period to 2019-20 to be close to the benchmark. Over the long term, as Camden's growth rates moderate to more normal levels, it would be likely to meet the operating performance benchmark based on current data.

Infrastructure and service management - satisfies

- The council satisfies the criterion for infrastructure and service management based on a low infrastructure backlog ratio and a debt service ratio that meets the benchmark by 2019-20.

Efficiency - satisfies

- The council satisfies the criterion for efficiency based on a forecast decline in real opex per capita to 2019-20.
- Camden's operating expenditure per capita is significantly lower than other councils and is forecast to fall to \$84 by 2019-20. The council states this is because most of its expenditure is on capital.

ORD02

Other relevant factors

| | |
|------------------------------|--|
| Social and community context | Camden notes its population is one of the fastest growing areas in NSW and it faces challenges in managing new developments and providing the associated infrastructure to meet its forecast growth. |
| Community consultation | No details of community consultation were included in the proposal. |
| Water and/or sewer | The council does not have a water/sewer business. |
| Submissions | There were no submissions received in relation to Camden's proposal. |

Attachment 1



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: MINUTES TO THE 29 JULY 2015 AND 12 OCTOBER 2015 BUSINESS ASSURANCE AND RISK COMMITTEE MEETINGS

FROM: General Manager

TRIM #: 15/248393

PURPOSE OF REPORT

The purpose of this report is to provide Council with the minutes to the 29 July 2015 and 12 October 2015 Business Assurance and Risk Committee meetings.

BACKGROUND

The Business Assurance and Risk Committee are required to meet a minimum of four times per year. At their first meeting, the Committee recommended revisions to the Business Assurance and Risk Committee Charter to Council for adoption.

On 13 October 2015 Council resolved to adopt the revised Business Assurance and Risk Committee Charter. The revised Charter includes a requirement to report to Council the minutes to the Business Assurance and Risk Committee meetings for noting.

MAIN REPORT

The Business Assurance and Risk Committee held its inaugural meeting on 29 July 2015. The first meeting focused on the establishment of the Committee, risk management programs and progress in the development of Council's internal audit function. The agenda for the first meeting included consideration of the following:

- Business Assurance and Risk Committee Charter
- Internal Audit Charter
- Business Assurance Strategy and Internal Audit Plan
- External Audit Update – Audit Plan and Interim Audit
- United Independent Pool Continuous Risk Improvement Program Audit Report
- Camden Council's Fit for the Future Submission
- Proposed Business Assurance and Risk Committee Meeting Timetable and Agenda Items

The Business Assurance and Risk Committee met again on 12 October 2015. One of the Committee's responsibilities is to review the annual financial statements and the results of the financial statement external audit. At the October meeting, the Business Assurance and Risk Committee considered the financial statements and a presentation by Council's external auditors (PricewaterhouseCoopers) on the audit for the year ended 30 June 2015.

The minutes for the Business Assurance and Risk Committee meetings of 29 July 2015 and 12 October 2015 are attached.



ORD03

FINANCIAL IMPLICATIONS

Nil

CONCLUSION

The Business Assurance and Risk Committee play an important role in supporting the governance framework of Council. Reporting the minutes from Committee meetings keeps Council informed of the outcomes from those meetings.

RECOMMENDED

That Council note the Minutes to the Business Assurance and Risk Committee meetings of 29 July 2015 and 12 October 2015

ATTACHMENTS

1. Minutes to the 29 July 2015 Business Assurance and Risk Committee meeting
2. Minutes to the 12 October 2015 Business Assurance and Risk Committee meeting



Camden Council Minutes

**Business Assurance and Risk Committee
Meeting**
29 July 2015

Oran Park Work Hub Meeting Room
4.30pm



ORD03

BUSINESS ASSURANCE AND RISK COMMITTEE

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Attachment 1

Voting Members Present

| | |
|----------------|----------------------------|
| John Gordon | Independent Member (Chair) |
| Bruce Hanrahan | Independent Member |
| Cr Fischer | Camden Council Councillor |
| Cr Sidgreaves | Camden Council Councillor |

Attendees:

| | |
|--------------------|---|
| Ron Moore | General Manager |
| Michelle Brockwell | Business Assurance Officer |
| Paul Rofe | Manager Finance and Corporate Reporting |
| Megan Roberts | Senior Governance Officer |
| Warren Kear | Risk Management Officer |
| Chloe Morris | Executive Officer |

Invitees:

| | |
|------------------|------------------|
| Dennis Banicevic | External Auditor |
|------------------|------------------|

APOLOGIES

There was no leave of absence to be granted.

DECLARATION OF INTEREST

The Independent Members noted that they have given their written declaration to Council's Business Assurance Officer. The members have advised their involvement on a number of other Council Audit Committees which are not considered a conflict. Mr Gordon also noted his involvement with the South Western Sydney Local Health District Board and Audit Committee. Mr Gordon also reminded the Committee that he had previously worked with Mr Banicevic several years ago when employed at PriceWaterhouseCoopers.

INTRODUCTION

Mr Gordon welcomed members, attendees and the invitee to the first meeting of the Camden Council Business Assurance and Risk Committee. Mr Gordon acknowledged the initiative taken by Council to strengthen internal control and corporate governance through the appointment of a Business Assurance Officer and formation of the Committee.

BUS01 Business Assurance and Risk Committee Charter**Recommendation:**

That the Business Assurance and Risk Committee endorse the revised Business Assurance and Risk Committee Charter for recommendation to Council for adoption.

Decision:

That the Business Assurance and Risk Committee endorse the revised Business Assurance and Risk Committee Charter ("Charter") for recommendation to Council for adoption subject to the following changes being made and circulated to the Committee out of session:

- (i) Insertion of version number on cover page of the Charter;

- (ii) Last bullet point under the Heading "Internal Audit" page 5 of the Charter to read "Every two years review ..."
- (iii) Clause 4 on page 6 of the Charter to be amended so that the Members (voting) consist of a minimum of two (2) and maximum of three (3) independent external members..."
- (iv) Insertion of a new clause 5.6 to read "A voting member shall no longer be a voting member of the Committee if they fail to attend three (3) consecutive meetings without a leave of absence being granted";
- (v) Clause 5.17 to be amended to read "Minutes, after every meeting, are to be reported to Council for noting."
- (vi) Clause 6.1 be amended to read "The Committee shall report after each meeting in the form of minutes and an Annual Report to the governing body of Council..."
- (vii) Insertion of "Next revision date will be _____" at the conclusion of the Charter.

BUS02 Internal Audit Charter

Recommendation:

That the Business Assurance and Risk Committee approve the Internal Audit Charter.

Decision:

That the Business Assurance and Risk Committee approve the Internal Audit Charter ("Charter") for submission to Council for adoption subject to the following further changes being made and circulated to the Committee out of session:

- (i) Insertion of version number on cover page of the Charter
- (ii) Clause 3.1 should read "objectives" (plural)
- (iii) Amendment to clause 4.1 to read "As such, all Internal Audit staff (or contractors) shall ..."
- (iv) Include reference for client feedback checklists for each audit under the "Reporting Requirements" heading;
- (v) Under "Reporting Requirements" to include reference to the provision of an annual report on internal audit performance to the Business Assurance and Risk Committee
- (vi) Amend clause 13.1 to read "The Head of Internal Audit shall every two (2) years review..."
- (vii) Amend clause 14.2 to read "Internal Audit shall also be subject to an internal quality review every two (2) years and an independent quality review..."
- (viii) Insertion of "Next revision date will be _____" at the conclusion of the Charter

BUS03 Business Assurance Strategy and Internal Audit Plan

Recommendation:

That the Business Assurance and Risk Committee:

- (i) approves the Business Assurance Strategy;
- (ii) approves the three year rolling Internal Audit Plan

Decision:

That the Business Assurance and Risk Committee:

- (i) approves the Business Assurance Strategy subject to the following changes:
 - (a) The Strategy be amended under the heading "Council key business

- risks" to include work health and safety;
 - (b) Include a reference to in-depth or highlight reviews under the heading "Principles of coverage" of the Strategy;
 - (c) Include a reference in the Strategy that the Business Assurance Officer will, as appropriate, provide advice on internal control and governance matters.
- (ii) approves the three year rolling Internal Audit Plan

It was also agreed that where an audit may not be scheduled in the next 12 months, Council Divisions/Branches will brief the Committee periodically on the nature of their activities and works performed in high risk areas to allow a better understanding and monitoring of their activities.

BUS04 External Audit Update - Audit Plan and Interim Audit

Recommendation

That the Business Assurance and Risk Committee note the report

Decision:

That the Business Assurance and Risk Committee note the report and note that the Council's External Auditor provided an update of changes to accounting requirements and also advised that an updated Audit Plan and would be provided to Council. It was noted that the Committee would meet at a future date to consider the final draft Annual Financial Statements for the year ended 30 June 2015, with a view to providing an endorsement to Council.

BUS05 United Independent Pool Continuous Risk Improvement Program Audit Report

Recommendation

That the Business Assurance and Risk Committee:

- (i) review the attached report and provide feedback; and
- (ii) provide advice and support to the Risk Management Officer in implementing the recommendations of the report

Decision:

That the Business Assurance and Risk Committee noted the United Independent Pool Continuous Risk Improvement Program Audit Report and that an update on risk management be a standing item on the Business Assurance and Risk Committee agenda.

BUS06 Camden Council's Fit for the Future Submission

Recommendation:

That the Business Assurance and Risk Committee note the attached report.

Decision:

That the Business Assurance and Risk Committee note the attached report.

ORD03

**BUS07 Proposed Business Assurance and Risk Committee Meeting
Timetable and Agenda Items****Recommendation**

That the Business Assurance and Risk Committee endorse the Proposed Business Assurance and Risk Committee Meeting Timetable and Agenda Items for the 12 months to 30 June 2016.

Decision:

That the Business Assurance and Risk Committee endorse the Proposed Business Assurance and Risk Committee Meeting Timetable and Agenda Items for the 12 months to 30 June 2016 noting that all meetings are to be held at 6pm going forward. An agreed date for the review of the financial statements Committee meeting would be arranged by the Business Assurance Officer out of session.

The Meeting Closed at 6.46pm

Attachment 1



Camden Council Minutes

**Business Assurance and Risk Committee
Meeting**
12 October 2015

**Councillors Room Camden
6.00pm**



ORD03

BUSINESS ASSURANCE AND RISK COMMITTEE

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Attachment 2

Meeting commenced at 6.22pm after the Committee met separately "in-camera" with Councils external auditor, Mr Banicevic, to discuss the audit.

Voting Members present:

| | |
|----------------|----------------------------|
| John Gordon | Independent Member (Chair) |
| Bruce Hanrahan | Independent Member |
| Cr Sidgreaves | Camden Council Councillor |

Attendees:

| | |
|--------------------|---|
| Ron Moore | General Manager |
| Michelle Brockwell | Business Assurance Officer |
| Paul Rofe | Manager Finance and Corporate Reporting |

Invitees:

| | |
|------------------|--|
| Dennis Banicevic | External Auditor |
| David Reynolds | Director Customer and Corporate Services |
| Vince Capaldi | Director Community Infrastructure |
| Rahul Bhargava | Senior Financial Accountant |

APOLOGIES

A leave of absence was granted to Cr Fischer. There was no other leave of absence granted.

DECLARATIONS OF INTEREST

Mr Gordon reminded the Committee that he had previously worked with Mr Banicevic six years ago when employed at PriceWaterhouseCoopers. No other declarations of interest were made.

BUS01 Minutes To The 29 July 2015 Business Assurance And Risk Committee Meeting

RECOMMENDED

That the Business Assurance and Risk Committee approve the minutes to the 29 July 2015 Business Assurance and Risk Committee meeting.

DECISION:

That the Business Assurance and Risk Committee approve the minutes to the 29 July 2015 Business Assurance and Risk Committee meeting.

Moved: Mr Hanrahan
Seconded: Cr Sidgreaves

BUS02 Review Of Financial Statements And External Audit Reports For The Year Ended 30 June 2015

RECOMMENDED

That the Business Assurance and Risk Committee:

ORD03

Attachment 2

- i. endorse the General Purpose Financial Statements for the year ended 30 June 2015 for submission to Council for adoption;
- ii. endorse the Special Purpose Financial Statements for the year ended 30 June 2015 for submission to Council for adoption;
- iii. endorse Special Schedules 1-9 for the year ended 30 June 2015 for submission to Council for adoption;
- iv. note that any changes required to the re-votes will be reported to the next meeting of the Business Assurance and Risk Committee.

DISCUSSION

Mr Rofe provided a summary of the Council's financial statements to the Committee outlining the various ratios and advising that Council is in a solid financial position. The Committee suggested a number of minor amendments to the financial statements including the disclosure of a number of additional ratios. Mr Rofe advised the additional ratios would be included subject to the availability of information.

Mr Rofe provided the Committee with an Addendum to the financial statements advising that the addendum does not impact results but provides improved disclosure of revaluation movements and expense items.

Mr Banicevic advised that PricewaterhouseCoopers have completed their audit and only have some minor cosmetic amendments to be made to the financial statements. Mr Banicevic confirmed they intend to sign unmodified audit opinions and agreed that Council's financial position is sound.

DECISION

That the Business Assurance and Risk Committee endorse the following recommendations, inclusive of the addendum provided to the meeting, subject to minor amendments being made to the financial statements as discussed. Revised pages are to be circulated to the Committee with changes highlighted, including any changes to the revotes.

- i. endorse the General Purpose Financial Statements for the year ended 30 June 2015 for submission to Council for adoption;
- ii. endorse the Special Purpose Financial Statements for the year ended 30 June 2015 for submission to Council for adoption;
- iii. endorse Special Schedules 1-9 for the year ended 30 June 2015 for submission to Council for adoption;

The Committee acknowledged the high standard of the financial statements provided by the finance team and the assistance provided made by PricewaterhouseCoopers.

BUS03 General Business**RECOMMENDED**

That the Business Assurance and Risk Committee note any General Business items discussed.

DISCUSSION

Mr Moore advised that the Business Assurance and Risk Committee Charter and Internal Audit Charter are on Council's meeting agenda for 13 October 2015.

DECISION

That the Business Assurance and Risk Committee note the General Business items discussed.

Meeting closed at 7.27pm.

Next Meeting:

The next meeting of the Business Assurance and Risk Committee will be held on 2 DECEMBER 2015 at 6:00pm.



ORD04

ORDINARY COUNCIL

ORD04

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - FEDERAL SEAT OF MACARTHUR
FROM: Cr Symkowiak
TRIM #: 15/311257

"I Councillor Lara Symkowiak hereby give notice of my intention to move the following at the Ordinary Council Meeting of 10 November 2015:

That Council lodge a submission to the Electoral Commission in support of retaining current boundaries in the Federal seat of Macarthur to ensure that locations which are historically significant to the Macarthur region continue to remain in the electorate which bears its name."

RECOMMENDED

That Council lodge a submission to the Electoral Commission in support of retaining current boundaries in the Federal seat of Macarthur to ensure that locations which are historically significant to the Macarthur region continue to remain in the electorate which bears its name.