



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**12 May 2015**

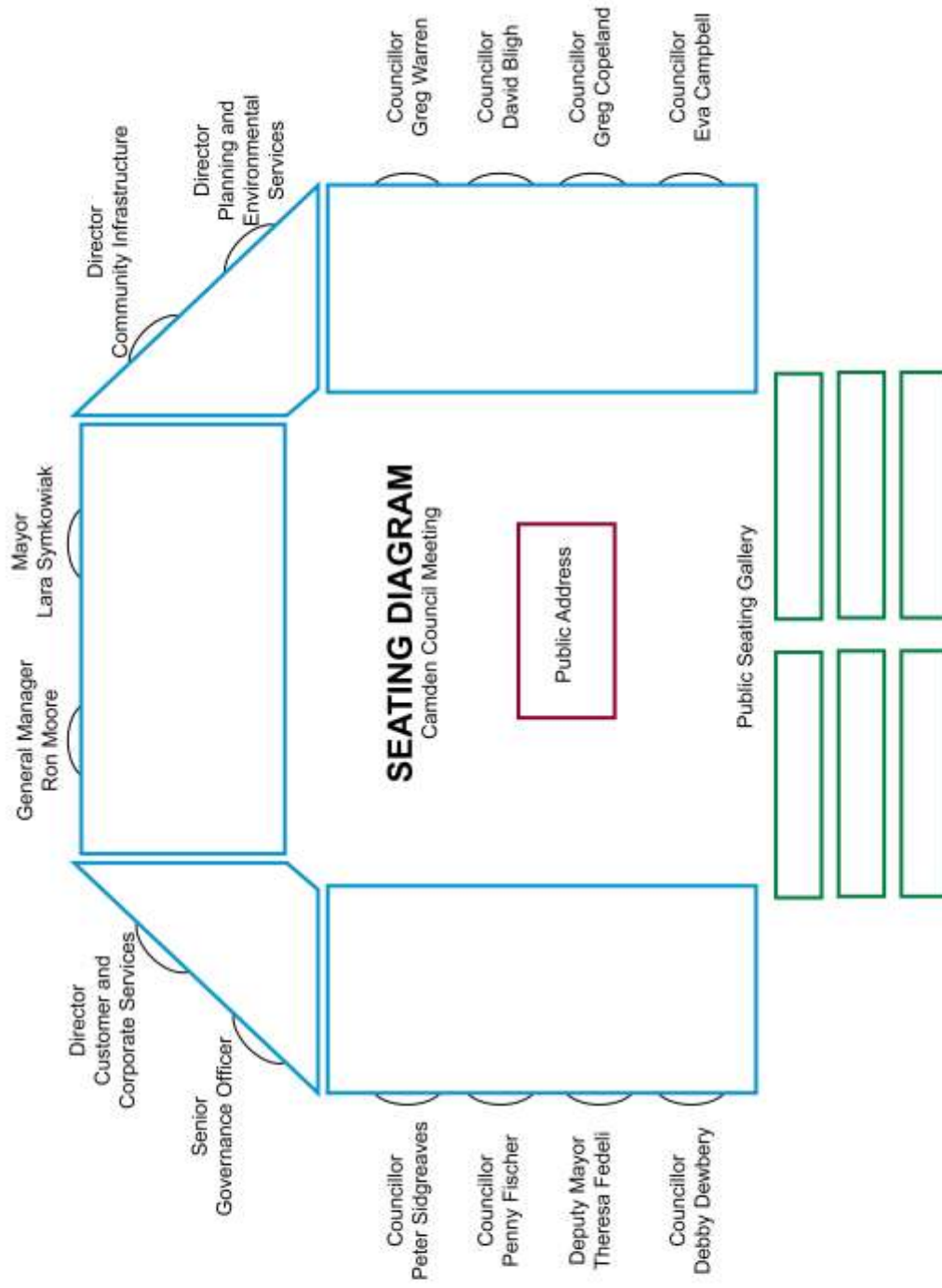
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**Camden Civic Centre**  
**Oxley Street**  
**Camden**



## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
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.**





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# ORDINARY COUNCIL

## ORDER OF BUSINESS - ORDINARY COUNCIL

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## ORDINARY COUNCIL

SUBJECT: PRAYER

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### 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

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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)*

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## **ORDINARY COUNCIL**

**SUBJECT:       ACKNOWLEDGEMENT OF COUNTRY**

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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.



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## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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





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## **ORDINARY COUNCIL**

**SUBJECT: APOLOGIES**

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

### **RECOMMENDED**

**That leave of absence be granted.**



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## **ORDINARY COUNCIL**

**SUBJECT:       DECLARATION OF INTEREST**

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

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

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

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

### **RECOMMENDED**

**That the declarations be noted.**



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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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

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

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

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

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

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

### **RECOMMENDED**

**That the public addresses be noted.**



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## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 28 April 2015.

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 28 April 2015, copies of which have been circulated, be confirmed and adopted.**



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## **ORDINARY COUNCIL**

**SUBJECT:       MAYORAL MINUTE**

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Consideration of Mayoral Minute (if any).



ORD01

## ORDINARY COUNCIL

ORD01

**SUBJECT:** DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF A NEW COMMERCIAL BUILDING CONTAINING AN ALDI SUPERMARKET, 1 RETAIL TENANCY, DISPLAY OF SIGNAGE, CONSOLIDATION OF ALL LOTS INTO 2 SEPARATE LOTS AND ASSOCIATED SITE WORKS

**FROM:** Director Planning & Environmental Services

**TRIM #:** 15/73923

**APPLICATION NO:** DA 1039/2014

**PROPOSAL:** Demolition of existing buildings, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all 6 lots into 2 lots and associated site works

**PROPERTY ADDRESS:** 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street Narellan

**PROPERTY DESCRIPTION:** Lot 56 DP 657166, Lot 1 DP 741401, Lot Y DP 445704, Lot 200 DP 841048, Lot 1 DP 163991 and Lot B DP 156888

**ZONING:** B2 Local Centre

**OWNER:** Domenic & Lucia Furiglio, Vinkat Pty Ltd

**APPLICANT:** Milestone Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the demolition of existing buildings, vegetation removal, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all 6 lots into 2 lots and associated site works at 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street, Narellan

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

### SUMMARY OF RECOMMENDATION

That Council determine DA1039/2014 for the demolition of existing buildings, vegetation removal, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all lots into 2 lots 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 existing buildings, vegetation removal, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all 6 lots into 2 lots and associated site works at 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street, Narellan.



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

The DA was publicly exhibited in accordance with Camden Development Control Plan 2011. One submission was received objecting to the proposed development. **A copy of the submission is provided with the Business Paper supporting documents.**

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

The issues raised in the submission relate to traffic impacts, parking issues, safety concerns for drivers and pedestrians on Coghill Street.

A condition is recommended which restricts the Aldi driveway on Coghill Street to entry only. This will limit the amount of additional traffic using Coghill Street. In addition, no service vehicles will be permitted to enter the site from Coghill Street.

Also, a condition is recommended requiring the installation of a “No Stopping” zone on the eastern side of Coghill Street from the intersection of Camden Valley Way to the Aldi driveway. This will improve the existing situation as it will prevent cars backing up on Coghill Street, which currently occurs at school peak times.

A condition is recommended requiring the applicant to provide 5 additional angled parking spaces, located to the south of the Aldi driveway on the western side of Coghill Street to compensate for the above “No Stopping” zone.

Overall, it is considered that the proposed traffic generated from the development can be satisfactorily accommodated on the existing street network and subject to the recommended conditions, will not have a negative impact on surrounding land uses.

The proposed development **complies** with all applicable controls except for three DCP non-compliances as explained in this report.

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

## AERIAL PHOTO



## THE SITE

The site comprises of 6 individual land parcels commonly known as 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street, Narellan. The lots are legally described as Lot 56 DP 657166, Lot 1 DP 741401, Lot Y DP 445704, Lot 200 DP 841048, Lot 1 DP 163991 and Lot B DP 156688.

The site has a frontage of 37m to Camden Valley Way, a frontage of 79m to Queen Street and a frontage of 60m to Coghill Street. The total area of the site is 6,337.39m<sup>2</sup>.

The site currently accommodates MCV Commercial Vehicles Sales and Déjà Vu car wash at 304-306 Camden Valley Way, D'Agostino Kustoms car accessories at 2 Queen Street, Taylor Industrial Supplies at 4 Queen Street and one single storey detached residential dwelling on both 1 and 3 Coghill Street respectively.

Landscaping within the site is concentrated in the south-western portion. There are a number of mature trees lining Coghill Street and dispersed throughout the properties.

The site is located at the edge of the Narellan commercial area. The adjoining land uses comprise a mix of commercial, residential and educational uses.

The land at the corner of Camden Valley Way and Coghill Street to the north and west of the site accommodates a commercial centre known as Triple One which contains a mixture of commercial premises.

To the east of the site, on the corner of Camden Valley Way and Queen Street, is a vacant lot, however a DA is currently being assessed by Council which proposes a Caltex service station. The new extension to the Narellan Town Centre has recently been approved and is located to the east of the site.





There are a number of commercial business premises located to the south of the site on Queen Street, including the Narellan Town Centre along the eastern side of the street. The access to the loading dock for the Narellan Town Centre is located opposite the site on Queen Street.

Coghill Street which abuts the site to the west is a cul-de-sac which contains detached residential dwellings and the Narellan Public School.

**HISTORY**

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

Date	Development
4 January 2006	DA 1282/2005 – Approval for use of the site for sale of cars
29 November 2005	DA 1060/2005 – Approval for signage
26 August 2005	DA 733/2005 – Approval of retail store (Tool store) & BOC gases depot
17 August 2004	DA 887/2004 – Approval of Prestige Auto Trim and Window Tint
5 August 2004	DA 747/2004 – Approval of change of use for gymnastics and dance classes
22 August 1995	DA 119/1195 – Approval for church & hall for Salvation Army

**THE PROPOSAL**

DA 1039/2014 seeks approval for the demolition of existing buildings, vegetation removal, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all 6 lots into 2 lots and associated site works.

Specifically the proposed development involves:

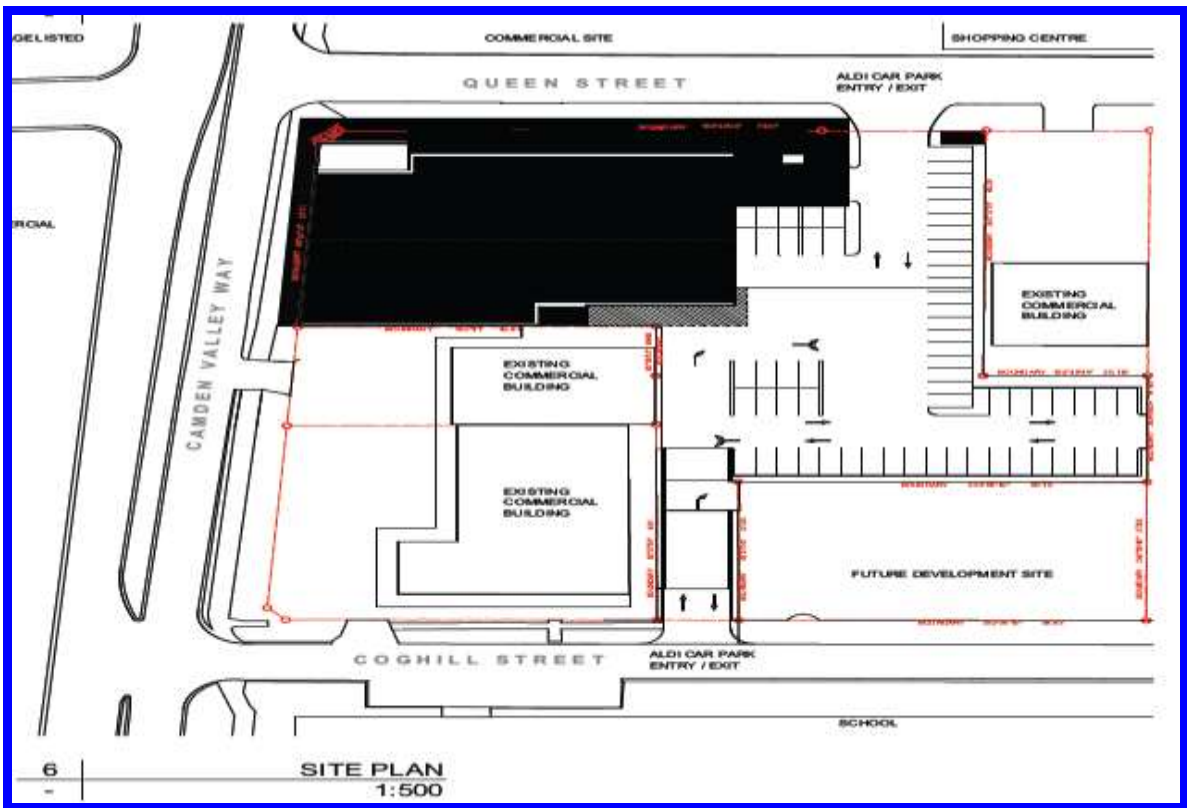
- demolition of all existing structures on the subject site which includes 4 commercial buildings and 2 residential buildings;
- removal of vegetation which includes trees, shrubs and various weed species;
- construction of a new commercial building comprising of a retail tenancy at ground floor level having a GFA of 456m<sup>2</sup> and fit out of a new Aldi store at first floor level having a GFA of 1683m<sup>2</sup>;
- the Aldi store proposes to operate from 7am to 10pm, seven days a week and will employ of up to 20 staff;
- construction of a carpark to provide 100 car spaces and 3 motorcycle spaces;
- construction of a loading dock and waste storage/collection area;
- construction of 2 vehicle accessways from Queen Street and Coghill Street;
- construction of drainage infrastructure and the installation of landscaping within the site;

- installation of acoustic fencing along the southern and western boundaries of the site;
- the display of 9 business identification signs and 1 graphic panel sign; and
- consolidation of 6 lots into 2. Lot 1 will measure 4,944.27m<sup>2</sup> and contain the proposed Aldi and speciality retail tenancy. Lot 2 will measure 1,393.12m<sup>2</sup> and will be subject to a future DA.

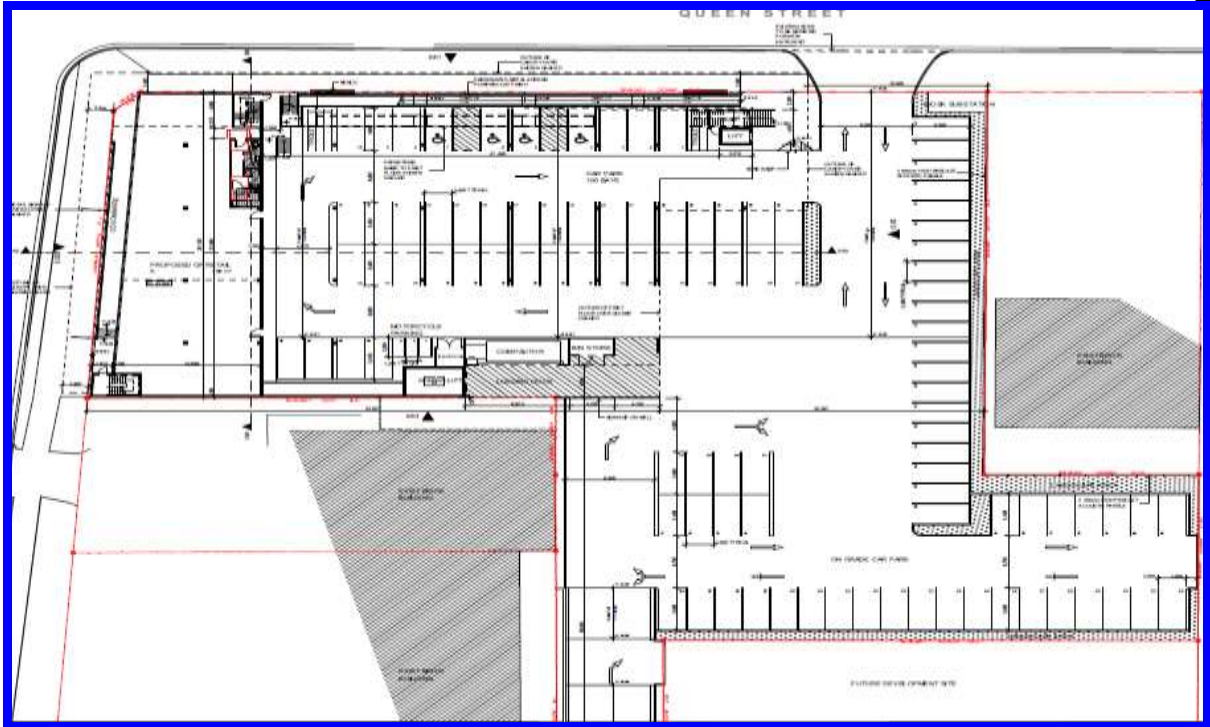
The value of the works is \$7,760,613 (including GST).

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

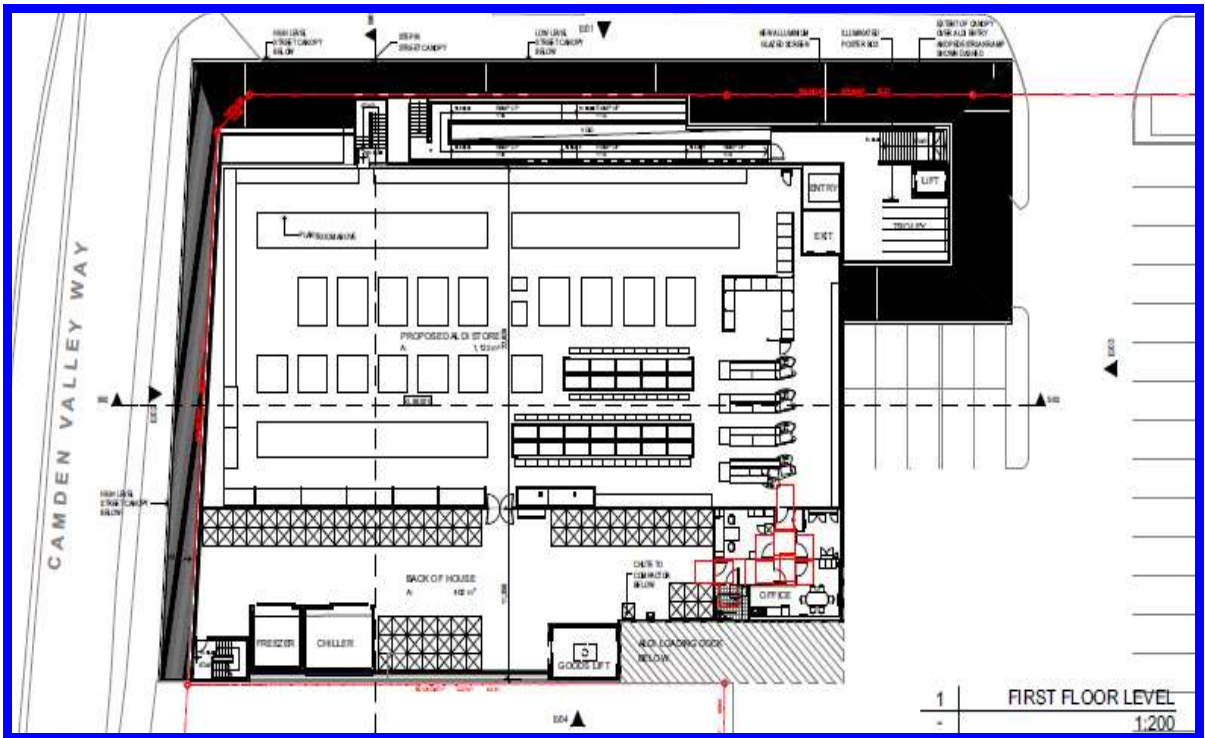
**PROPOSED SITE PLAN**



### PROPOSED GROUND FLOOR PLAN



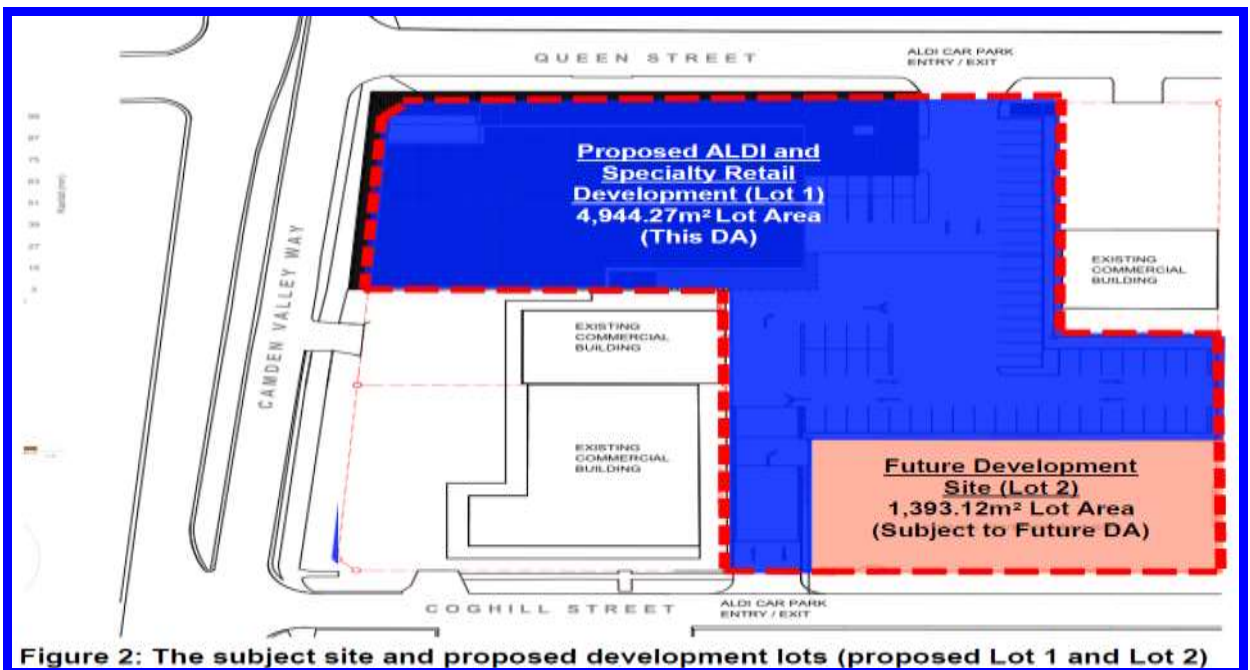
### PROPOSED UPPER FLOOR PLAN



**PROPOSED ELEVATIONS**



**PROPOSED PLAN OF CONSOLIDATION**



**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 (Infrastructure) 2007
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy No 64 – Advertising and Signage
- 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 (Infrastructure) 2007 (ISEPP)

Pursuant to Clause 104 of the ISEPP, the DA was referred to the Roads and Maritime Services (RMS) for comment as the proposed development is classed as traffic generating development. The RMS has raised no objection to the proposed development subject to conditions.

Council staff have reviewed the RMS conditions and are satisfied that the conditions can be met.

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

SEPP 55 requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

This applicant has submitted a detailed site investigation report in support of this DA. The report submits that hydrocarbons and asbestos were detected within the site. Further analysis confirmed that the samples taken met the criteria for commercial/ industrial land uses. Council's Environmental Health Officer is satisfied that there is no requirement for a Remediation Action Plan at this stage however a condition of consent will require further environmental assessment to be undertaken once the existing buildings are demolished.

In addition, a standard contingency condition is recommended that requires any hydrocarbon contamination or asbestos to be managed in accordance with Council's Management of Contaminated Lands Policy.

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)

The proposed development includes a number of business identification signs for Aldi which are proposed to be erected on the building facades and one pole sign in the car park. One graphic panel sign is proposed on the upper floor of the eastern elevation. Two under awning signs are proposed along Camden Valley Way.

Pursuant to Clause 4(1) of SEPP 64, the proposed signs are considered to be "business identification signs" as opposed to "advertisements" as they identify the business and do not include general advertising of products, goods or services. A full assessment of the proposed signage against the criteria listed in Schedule 1 of the SEPP 64 has been undertaken and is considered satisfactory.



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Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River  
(No 2 - 1997) (Deemed SEPP)

The proposed development is consistent with the aim of the Deemed 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 and sediment control measures have been proposed and a condition is recommended to provide a water pollution control device as part of the development.

Camden Local Environmental Plan 2010 (LEP)

*Permissibility*

The site is zoned B2 Local Centre under the provisions of the LEP. The proposed development is defined as a “commercial premises” by the LEP which is a permissible land use in this zone. The proposed business identification signs and associated site works are also permitted with consent in this zone.

*Objectives*

The objectives of the B2 Local Centre zone are as follows:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.

Officer comment:

The proposed development will provide retail and business uses through the provision of retail floor space which will serve the needs of the people who live in, work in and visit the local area.

- To encourage employment opportunities in accessible locations.

Officer comment:

The proposed development will generate employment opportunities by allowing new businesses to operate on the site in accessible locations. The proposal is therefore consistent with this objective.

- To maximise public transport patronage and encourage walking and cycling.

Officer comment:

The location of the site within the Narellan commercial area is accessible by public transport and within walking and cycling distance from the primary shopping area. The proposal is therefore consistent with this objective.

- To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.



Officer comment:

The location of the retail tenancy on the ground floor presents an active frontage to the street.

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

Officer comment:

The proposed development is not considered to have any significant adverse impacts on any other land uses subject to conditions relating to the control of offensive noise, access to car parking, pedestrian access and construction works.

- To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.

Officer comment:

The DA proposes a commercial development which will support the vitality and viability of retail and business within the zone.

*Relevant Clauses*

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

Clause	Requirement	Provided	Compliance
2.6 Subdivision - consent requirements	Subdivision requires development consent	Consent has been sought for the proposed subdivision as part of this DA	Yes
2.7 Demolition requires development consent	Demolition requires development consent	Consent has been sought for demolition as part of this DA	Yes
4.1 Minimum subdivision lot size	Minimum lot size	There is no minimum lot size applicable to the site The proposed lot sizes and configuration are considered appropriate. Proposed Lot 2 has direct access to Coghill Street	Yes
4.3 Height of Buildings	Maximum 15.5m building height	A maximum building height of 14.1m is proposed	Yes
4.4 Floor Space Ratio	Maximum 1:1 floor space ratio (FSR) or 1.5:1 if the floor space ratio within that building does not exceed 1:1 for commercial premises	The floor space ratio for this development as calculated for Lot 1 is 0.43:1	Yes



ORD01

Clause	Requirement	Provided	Compliance
5.9 & 5.9AA Trees or Vegetation	Preserve the amenity of the area through the preservation of trees and other vegetation	<p>The DA proposes the removal of vegetation to facilitate the proposed development. The vegetation to be removed includes trees, shrubs and weed species. Council's Landscape Officer has confirmed that the retention value of the vegetation as a whole is low and none of trees warrant retention. All vegetation is within the site boundaries with the exception of one street tree. The street tree to be removed is in poor health</p> <p>The removal of this vegetation is considered to be acceptable in this instance and the landscaping proposed will offset any loss</p>	Yes
5.10 Heritage Conservation	Consideration as to whether a heritage management document should be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned	There are 2 local heritage items (Narellan Public School and Ben Linden homestead) in proximity to the proposed works. A statement of heritage impact was submitted in support of the DA. The report concludes the proposed development will not materially impact the heritage significance of items in the vicinity. Council staff agree with the findings of the report. It is not considered there will be any adverse impacts on the heritage items within the vicinity of the proposed development	Yes





Clause	Requirement	Provided	Compliance
7.2 Air Space Operations	Development consent must not be granted to development if the consent authority is satisfied that the proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface (OLS) Map	The subject site is located within the 115m and 150m AHD OLS. The proposed development will have a maximum height of 100m AHD and will not penetrate the OLS. A referral to Camden Airport is not required as it is 5m below OLS	Yes
7.4 Earthworks	Consider a number of matters relating to earthworks including detrimental effects on drainage patterns, fill quality and amenity of adjoining properties	Minimal cut and fill is required due to the flat nature of the site. It is considered that the earthworks proposed will not have any adverse impact on environmental functions of adjoining/ land uses. Adequate conditions will be included in the consent	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. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Incorporate soil conservation measures to control soil erosion and siltation during and following completion of development	Erosion and sedimentation control measures have been provided and are considered to be sufficient. The applicant has submitted details on soil erosion and	Yes



ORD01

Control	Requirement	Provided	Compliance
	<p>All sediment and erosion controls must be installed prior to works commencing</p> <p>Appropriate dust suppression measures must be implemented</p>	<p>sediment control which demonstrate compliance with the Managing Urban Stormwater – Soils and Construction, Landcom ('The Blue Book') and Council's Engineering Specifications</p> <p>A condition is recommended requiring that erosion and sediment control measures in accordance with the plans submitted are implemented prior to works commencing</p> <p>A condition is recommended requiring dust suppression measures to be implemented during construction works</p>	<p>Yes</p> <p>Yes</p>
B1.2 Earthworks	<p>Building work must be designed to ensure minimal cut and fill is required</p> <p>Use of clean fill</p>	<p>The DA proposes minimal cut and fill (max 1.5m cut) and this is considered to be acceptable</p> <p>Any importation of fill on the site will be required to comply with the standard Council requirements for clean fill material and this requirement is a recommended condition</p>	<p>Yes</p> <p>Yes</p>
B1.3 Salinity Management	Salinity resistant construction	The development will be constructed to be salinity resistant	Yes



ORD01

Control	Requirement	Provided	Compliance
		A condition of consent will require compliance with the approved Salinity Management Plan	
B1.4 Water Management	Stormwater management and drainage to comply with Council's Engineering Specifications	Plans detailing concept on-site stormwater detention and disposal have been lodged in support of the DA. These plans are considered acceptable. It is a recommended condition that the proposed development comply with Council's Engineering Specifications	Yes
	All development must provide a WSUD strategy and must demonstrate compliance with stormwater targets	The DA was accompanied by an adequate concept stormwater strategy. A condition is recommend to ensure compliance with this control	Yes
B1.5 Trees and Vegetation	Preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation	The DA proposes vegetation removal to facilitate the proposed development. The removal of this vegetation is considered acceptable as the majority of the vegetation is weed species and does not warrant retention. Council's Landscape Officer is satisfied that the landscaping proposed will offset any loss	Yes
B1.8 Environmental and Declared Noxious	All applications for development are to consider	It is a recommended condition that the applicant suppress	Yes



ORD01

Control	Requirement	Provided	Compliance
Weeds	the need to minimise weed dispersion and to ensure weed infestations are managed during the stages of development	and destroy, by appropriate means, any noxious or environmentally invasive weed infestations that occur during and after construction works. It is also recommended that machinery, vehicles and other equipment entering or leaving the site must be clean and free of noxious weed material	
B1.9.1 Waste Management Plan	A waste management plan is required	A waste management plan has been provided and is considered to be satisfactory	Yes
B1.12 Contaminated and Potentially Contaminated Land Management	A contamination assessment and remediation (if required)	The applicant has submitted a detailed soil investigation report for the site. Council staff are satisfied that the site is suitable for its intended commercial use  A condition is recommended that provides instruction in the event that any unexpected contamination finds are encountered	Yes
B1.13 Mine Subsidence	Applications for development within the area shown on Figure B2 requires the approval of the Mine Subsidence Board (MSB) prior to the submission of a DA to Council	The applicant has obtained the approval of the MSB	Yes
B1.15 Development near	Buildings or structures within	The subject site is located within the	Yes



ORD01

Control	Requirement	Provided	Compliance
Camden Airport	<p>the area affected by the Camden Airport Obstacle Limitations Surface (OLS) or Procedures for Air navigation Services-Aircraft operations (PANS-OPS) contained in the Camden Airport Master Plan must not exceed the obstacle height limit shown on the OLS Map</p> <p>Stack and efflux installations located within 15km of the Camden Airport must comply with the requirements set out in Advisory Circular 139-05 issued by Civil Aviation Authority</p> <p>Buildings or structures located within the area affected by the Camden Airport OLS or PAN-OPS contained in the Camden Airport Master Plan must use materials that have low reflectivity</p>	<p>115m AHD and 150m AHD OLS. The proposed development will have a maximum height of 100m AHD and will not penetrate the OLS</p> <p>It is a recommended condition that any stack and efflux installations comply with the requirements set out in Advisory Circular 139-05 issued by Civil Aviation Authority</p> <p>The construction materials proposed for the building have low reflectivity</p>	<p>Yes</p> <p>Yes</p>
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy (ENP)	<p>The DA was supported by an acoustic report and is generally compliant with Council's Noise Policy</p> <p>Acoustic barriers are proposed</p>	Yes



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Control	Requirement	Provided	Compliance
		<p>around the roof decks to attenuate any adverse noise impacts from the proposed mechanical plant equipment</p> <p>In addition, acoustic walls are proposed along the southern and western boundaries of the site to protect adjoining properties. The height of the acoustic fencing along the boundaries varies from 1.2m to 2.4m. The section along the southern boundary is 1.2m at Queen Street and tapers up to 1.8m in height. The section of acoustic fence around the car park will measure 2.4m in height. The acoustic barrier between the loading dock and the adjoining property to the west is to be 2m in height.</p> <p>A condition of consent will require a Noise Management Plan to be prepared prior to the operation of site commencing</p> <p>A number of other conditions will ensure that noise from the loading dock is minimised</p> <p>The above is</p>	



Control	Requirement	Provided	Compliance
		consistent with Council's ENP	
B2 Landscape Design	Landscaping is to be designed to integrate new development with existing landscape character of the street and be sensitive to site attributes, existing landscape features, streetscape view and vistas	The trees and shrubs to be planted within the site will integrate with the existing character of the area. The proposed landscaping will enhance the site's presentation along Queen Street	Yes
	Landscaping to enhance the visual setting, accentuate the design qualities of the built form and screen visually obtrusive land uses or buildings	The landscaping proposed will help soften the carpark and proposed acoustic barriers	Yes
	Landscaping to encourage development of tree canopy to soften built environment	A condition is recommended requiring consistency with this control	Yes
	Landscaping designed to minimise overlooking between properties	The landscaping proposed provides a softening effect to the existing premises without forming a physical barrier	Yes
	Landscape design to consider solar access within the site and adjacent sites	The planting proposed will not result in overshadowing of adjacent premises	Yes
	A landscape plan must be provided	A landscape plan has been provided and is considered	Yes

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Control	Requirement	Provided	Compliance
		sufficient	
B3 Environmental Heritage	Development within the vicinity of a heritage item must be assessed to determine whether it will have any impact on the significance of the heritage place and how this can be mitigated	There are 2 heritage items within the vicinity of the proposed development (the Narellan Public School and the Ben Linden homestead). The applicant has submitted a statement of heritage impact. Council's heritage officer is satisfied that there will be no impact on the heritage items	Yes
B4.1 General Requirement for Signs	Signs to not detract from amenity/character	The proposed signs will not detract from the amenity/character of the area	Yes
	Signs must be in scale with development	The proposed signs are in scale with the proposed building	Yes
	Signs must be located wholly within the site's property boundaries	All signs with the exception of 2 under-awning sign will be contained within the subject site. The under awning signs are considered appropriate in the commercial context in which they are located. It is a recommended condition that all signs are wholly located within the site boundaries with the exception of the 2 under awning signs	<b>No – Minor variation acceptable</b>
B4.4 Commercial and Mixed	The total combined area of	The total combined area of the signs will	Yes





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Control	Requirement	Provided	Compliance
Use Zones	the signs must not exceed 20% of the visible wall area	not exceed 20% of the visible wall area	Yes
	The number of advertising signs must not exceed two per elevation that is visible from a public place	The DA does not propose more 2 business identification signs per elevation. The sign on the automated door on the upper level will not be highly visible from the street due to the glazing on the upper level of the forecourt	
	Signs must be located wholly within the site's property boundaries	All signs with the exception of 2 under-awning sign will be contained within the subject site. The under awning signs are considered appropriate in the commercial context in which they are located. It is a recommended condition that all signs are wholly located within the site boundaries with the exception of the 2 under awning signs	<b>No – Minor variation acceptable</b>
	All illumination must comply with AS 1158 and AS 4282	All of the signs except the graphic panel sign are proposed to be illuminated. A condition of consent will require compliance with the standards as specified	Yes
	A maximum of one pole/pylon	One 5.4m high free-standing sign is	Yes



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Control	Requirement	Provided	Compliance
	<p>sign per street frontage not exceeding 6m above natural ground level is permitted</p> <p>Signs must only identify the business name and unit number</p> <p>All signage visible from a public place must be of a complementary size, shape and style throughout the development</p>	<p>proposed at the site entrance on Coghill Street</p> <p>The DA proposes 9 business identification signs and one graphic panel sign which is not considered to be a business identification sign or an advertisement, and is acceptable as it will provide visual interest to the façade</p> <p>All of the proposed signage is visible from a public place and is of a complementary size, shape and style throughout the proposed development</p>	<p>Yes</p> <p>Yes</p>
<p>B5.1 Off-street Car Parking Rates and Requirements</p>	<p>The requirements for retail premises/shops is</p> <p>1 car parking space per 22m<sup>2</sup> of GFA</p> <p>Bicycle parking and motorcycle parking be provided at the</p>	<p>Based on a GFA of 1663m<sup>2</sup> for Aldi and 456m<sup>2</sup> for the ground floor retail tenancy, a total GFA of 2119m<sup>2</sup> is proposed</p> <p>A total of 97 car spaces are required on site. 100 spaces are proposed to be provided which is an excess of 3 spaces</p> <p>3 motorcycle spaces are proposed which complies with the</p>	<p>Yes</p> <p>Yes</p>



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Control	Requirement	Provided	Compliance
	<p>rate of 1 space per 25 car parking</p> <p>Preparation of a car parking/traffic impact statement required as the DA must be referred to RMS as a traffic generating development under the ISEPP</p> <p>Service Vehicle Provisions – Supermarkets, Shops and Restaurants require 1 space per 400m<sup>2</sup> GFA or part thereof for the first 2000m<sup>2</sup></p>	<p>requirement. A condition of the consent will require 3 bicycle spaces to be provided on the site</p> <p>A traffic report was prepared and submitted in support of the DA. The DA was referred to the RMS and Council's Traffic Unit</p> <p>The RMS did not raise any issues regarding the proposed development</p> <p>Council's Traffic Section is satisfied that the proposed development will not have any unacceptable impact on traffic flows in the area subject to conditions. This is discussed in detail in the likely impacts section of this report</p> <p>The proposed carpark layout including car park space dimensions, aisle widths and access points are in accordance with the DCP</p> <p>1 loading space is to be provided on site</p>	<p>Yes</p> <p><b>No – See DCP Variation 1</b></p>



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Control	Requirement	Provided	Compliance
	Disabled Parking Spaces – The design of off-street parking must comply with the Australian Standard	4 compliant disabled parking spaces are provided	Yes
B5.2 Car Parking Design Criteria	Car parking lighting must be designed to AS 4282 and 1158	A condition is recommended to ensure all lighting complies with AS4282 and AS1158	Yes
	Landscaping must be provided to soften car parking areas	Appropriate landscaping has been proposed to soften the car parking areas	Yes
	Garbage storage and collection areas should be conveniently located and designed without causing unacceptable on-street conflicts	The proposal can facilitate waste truck collection via the proposed loading dock within the site	Yes
D3.2.1 Function and Use	Development within business zones must incorporate a range of local retail, commercial, entertainment, childcare, residential and community uses to serve the needs of the local community	The DA proposes additional retail floor space which will serve the needs of the community	Yes
D3.2.2 Layout/Design	Location and layout must consider potential future noise and amenity conflicts for both the subject development and adjoining	Noise, amenity and traffic conflicts have been considered and subject to a number of conditions relating to compliance with the submitted noise report, car parking	Yes



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Control	Requirement	Provided	Compliance
	<p>development</p> <p>Where development fronts a street, it must be designed so that it addresses the street</p> <p>New development must not detract from significant existing views and vistas</p>	<p>and access provisions, it is not considered that there will be any significant adverse conflict between the subject and adjoining developments</p> <p>The development proposes an active frontage that addresses both Camden Valley Way and Queen Street. Any future development on Lot 2 which fronts Coghill Street will be subject to a future DA</p> <p>Whilst the DA proposes a significant development in terms of scale, it is not considered to detract from existing views/vistas. It proposes a maximum building height of 14.1m and this will not detract from any significant views into or out of the area</p>	<p>Yes</p> <p>Yes</p>
<p>D3.2.3 Built Form and Appearance</p>	<p>Buildings should have similar mass and scale to create a sense of consistency and should feature high quality architectural design and built form</p>	<p>The proposed building is an appropriate scale for the area noting the DCP and FSR controls.</p> <p>The building comprises a range of materials, finishes and colours to ensure a high quality architectural design is achieved</p>	<p>Yes</p>



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Control	Requirement	Provided	Compliance
	Development must be compatible with surrounding businesses	It is considered that its design, bulk and scale is consistent with nearby commercial buildings including the Narellan Town Centre (existing and proposed) which is located in close proximity	Yes
	Building wall planes must contain variations and provide visual interest	The building proposes a coordinated mix of colours, materials, finishes and height variations to provide sufficient visual interest	Yes
	Where multiple tenancies are located in one building, each tenancy must be defined by appropriate architecture design features	The proposed building will contain two commercial tenancies which are defined by appropriate design features	Yes
	Consideration is to be given to the interface where buildings and awning abuts an adjoining development	The proposed building, being on the corner of the site, will abut one property which is located to the west. It is considered that the interface between the proposed building and this property is appropriate noting its potential to be redeveloped in the future	Yes
	Roof forms should be appropriately designed to respond to the	The proposed flat roof form is compatible with the contemporary design of the	Yes



Control	Requirement	Provided	Compliance
	built form of other nearby business developments	building. The variation in the height articulates the building form	
	New developments must not cause significant overshadowing or overlooking of public places	The proposed development does not cause any significant overshadowing, or overlooking of public places	Yes
	Where a building addresses a corner, the entrance should be on or near the corner and should have positive frontage to both streets, and the corner should be emphasised through a built form element	The proposed building addresses its corner frontage along Camden Valley Way and Queen Street through the provision of a 14.1m high tower which acts as a landmark feature that identifies the site on the street. The proposed glazed entrance wraps around the corner which also provides a distinctive architectural feature	Yes
	Buildings on corner lots may have feature elements that exceed the building height limitation prescribed in LEP 2010	The building has a maximum height of 14.1m and therefore complies with the prescribed 15.5m height limitation set by the LEP. The proposed building height variations is considered to be acceptable in that it provides for additional articulation of the roof form and adds to the overall streetscape	Yes
	Service Infrastructure	It is a recommended condition that the	Yes

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Control	Requirement	Provided	Compliance
	<p>such as air conditioning must be screened from public view</p> <p>Site facilities such as loading, waste storage and servicing must be designed to minimise visual impact on the public domain and neighbours</p> <p>Security devices must be built into the design of the building</p>	<p>design of the air conditioning and plant screening must have regard to the architectural design of the building and use similar colours and materials as the building</p> <p>The proposed loading dock for Aldi is located behind the proposed building and will not be visible from the street. The loading dock will be screened from the adjoining properties by acoustic fencing</p> <p>The Camden Local Area Command (CLAC) require security devices including CCTV to be installed</p>	<p>Yes</p> <p>Yes</p>
D3.2.4 Pedestrian Amenity	<p>Business development must be designed to facilitate high levels of pedestrian amenity and permeability and include weather sheltered access</p> <p>Buildings should be designed to minimise overshadowing of pedestrian thoroughfares and footpaths where possible</p>	<p>The DA proposes high levels of pedestrian amenity by providing covered pedestrian walkways along the street frontages and providing an undercroft carpark and shade in the uncovered car park through landscaping</p> <p>The building has been designed to provide an appropriate level of sun and shade to pedestrians</p>	<p>Yes</p> <p>Yes</p>
D3.2.5 Public Domain	Development must include a	A landscape plan was lodged with the	Yes





Control	Requirement	Provided	Compliance
	<p>high quality landscape design including a coordinated package of street furniture and lighting that enhances the character of the business zone</p> <p>The building and landscape design is to be complementary to ensure legible, safe and comfortable access for pedestrians</p> <p>Street trees and open space plantings are to provide generous shade for pedestrians</p> <p>All signage and advertising is to be designed in a coordinated manner</p>	<p>DA which provides for high quality landscaping to soften the proposed development</p> <p>Both the landscape and building design are complementary in that they provide a safe, comfortable and legible environment for users and do not result in the creation of areas of concealment</p> <p>The proposed trees within the car park will provide shade for pedestrians</p> <p>As outlined in part B4 of this report, the proposed signage is designed in a consistent and coordinated manner</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>D3.2.6 Parking and Access</p>	<p>The visibility of parking areas at street frontages must be minimised through parking layout, design and landscape treatments</p>	<p>The car parking area is predominantly located behind the building and located within the centre of the site away from the street frontages. The car spaces located near the Queen Street entrance will be softened by landscaping. In addition, landscaping along the boundary</p>	<p>Yes</p>



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Control	Requirement	Provided	Compliance
	<p>Car parking areas must be designed to enable safe, comfortable and easy access for pedestrians</p> <p>Car parking must be provided in accordance with Part B5 of the DCP</p>	<p>between Lot 1 and Lot 2 will screen the car park from Coghill Street</p> <p>The walking distances from the car park to the building is appropriate and allows for easy pedestrian access</p> <p>The DA provides for sufficient car parking in accordance with Part B5 of the DCP</p>	<p>Yes</p> <p>Yes</p>
D3.6.1 Desired future character for Narellan Town Centre	<p>Narellan town centre area is anchored by a large shopping centre and supported by a range of other uses</p> <p>Demonstrate leading edge urban design principles to provide a sense of place and attractive streetscape</p> <p>Camden Valley Way to become a community heart with a strong emphasis in integrated design and linkages at multiple levels</p> <p>Highly accessible place for all modes of transport</p>	<p>The DA proposes two additional retail uses</p> <p>The proposed development provides a link to surrounding developments and establishes new pedestrian links and public domain areas of high architectural quality</p> <p>The proposal orientates itself to actively front Camden Valley Way</p> <p>The development is accessible from public transport, private vehicles, cyclists and pedestrians</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>



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Control	Requirement	Provided	Compliance
	A place of high amenity and quality	It is considered that the proposed development will create an activated corner on the edge of the commercial centre which will increase the vitality and viability of the Narellan commercial centre	Yes
	A successful commercial hub that encourages ongoing growth	The proposed additional retail floor space within the commercial hub will further encourage growth	Yes
	A place that reflects the history and promotes heritage items as an asset	The layout, bulk and scale of the building will not impact on the nearby heritage items	Yes
	Provide employment opportunities in a range of industries	The DA proposes additional retail floor area which will allow for employment generation in commercial activities	Yes
	Narellan town centre area must be prosperous and vibrant during the day and at night	The DA proposes a supermarket that will operate between 7am and 10pm, 7 days a week	Yes
	Narellan town centre area should be a true community hub providing services and facilities that a community needs	The DA proposes a use which will add to the commercial hub and will facilitate the needs of the community	Yes
D3.6.2.1 Town Centre Structure Plan Layout	Development should be generally in	The proposed development is generally in	Yes



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Control	Requirement	Provided	Compliance
	accordance with the principles set out in Figure D48.1 – Town Centre Structure Plan	accordance with the principles set out in Figure 48.1 in that new commercial uses are proposed	
D3.6.2.2 Land Uses	Achieve a large scale focus of retail premises with a maximum floor space ratio of 1:1	The DA proposes retail floor space compliant with the DCP FSR requirement	Yes
	Incorporate a variety of retail, commercial, entertainment, recreation, accommodation and community uses to serve the needs of the wider community	The DA proposes an increase of commercial floor area to meet the needs of the wider community	Yes
	Maximise employment opportunities within the Narellan town centre area	The DA will result in the creation of additional employment opportunities	Yes
	Co-locate uses and facilities where possible to maximise the efficient use of space	The DA provides for commercial premises through the additional floor space. This floor space can be utilised by a range of users	Yes
D3.6.2.4 Views, Vistas and Gateways	Development should protect key sight lines as shown in Figure D48.2	The development will not obscure key sight lines	Yes
D3.6.2.5 Interaction with Surrounding Land Uses	Ensure provision of high level pedestrian connectivity between adjacent uses	The DA proposes a safe, legible and connected pedestrian network within the site and along the street frontages	Yes
D3.6.3.1 Vehicle Movement	Traffic management	Conditions relating to traffic	Yes



Control	Requirement	Provided	Compliance
Network	<p>measures must be utilised around Narellan Town Centre, Somerset Avenue, Queen and Elyard Street</p> <p>Principles of CPTED must be incorporated in the design</p>	<p>management on Coghill Street are required as conditions of the consent including a no stopping zone and an entry only restriction</p> <p>A CPTED analysis has been provided and reviewed by the CLAC and are considered to be sufficient. These principles include clear sight lines, promotion of territorial reinforcement, lighting and signage to delineate spaces</p>	Yes
D3.6.3.2 Pedestrian and Cycle Movement	<p>Narellan town centre area is to be designed to provide clear, legible pedestrian and cycle connections as shown in Figure D48.3</p> <p>Continuous weather protection for pedestrians is to be provided in key locations</p>	<p>The DA proposes clear, legible pedestrian connections in accordance with Figure D48.3</p> <p>The DA proposes covered awnings along both street frontages. The proposed landscaping in the carpark will also provide additional shade in summer</p>	<p>Yes</p> <p>Yes</p>
D3.6.4.2 Street Trees	Each DA must provide a landscape plan to demonstrate its ability to comply with CPTED principles	The landscaping proposed complies with CPTED principles in that the plant species selected will not generate areas of concealment or hiding spaces. This has also been assessed by the CLAC and	Yes



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Control	Requirement	Provided	Compliance
		considered to be acceptable	
D3.6.5.1 Built Form Articulation	<p>Articulation zones should be provided to complement the building mass and emphasis key design elements</p> <p>Articulation zones should respond to conditions including solar access, noise, privacy and views</p>	<p>Building facades have been articulated in both form and colour along their overall building length</p> <p>The articulation zones include a range of measures to allow for sufficient solar access and view protection via building orientations and acoustic attenuation measures to minimise noise impacts</p>	<p>Yes</p> <p>Yes</p>
D3.6.5.2 Architectural Character Objectives	<p>Buildings within Narellan Town Centre are to generally align with street edges.</p> <p>Corners are to be visually prominent in a contemporary manner</p> <p>The interface between the building and public domain is to be designed to create safer streets, create flexible uses for ground level and provide weather protection for pedestrian</p>	<p>The buildings align with street edges where possible</p> <p>The corner treatment of Camden Valley Way and Queen Street is visually prominent through the use of design features including a tower feature and use of different materials and colours</p> <p>The ground floor commercial tenancy facing Camden Valley Way has a colonnaded awning protection for pedestrians</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>



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Control	Requirement	Provided	Compliance
	amenity		
	Building facades are to be designed to accentuate key architectural features such as building entries, vertical and horizontal elements	The focal entry points are accentuated being at the corners of the building under the tower elements. The entry point to Aldi is via lifts, stairs and a ramp. The design utilises vertical and horizontal elements	Yes
	Building facades are designed to incorporate a variety of finishes and materials which provide visual relief to the built form and be robust to withstand constant use	The primary building structure comprises a steel frame and concrete panel construction which is robust and capable of withstanding constant use. A combination of blockwork, concrete panels, glass and metallic screens articulate the built form. The recessing and protruding elements of the building provide visual interest	Yes
	A diverse palette of durable and cost efficient external materials used to create a contemporary urban character and introduce a fine grade façade treatment along street edges	A diverse palette of external materials have been proposed and these comprise precast panels, blockwork, painted welded metal, colour back glass, perforated metal screens and colorbond steel. These materials have a contemporary feel and are durable	Yes
D3.6.5.3 Safety and Surveillance	Buildings should be designed to overlook streets	The proposed buildings are oriented toward the	Yes



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Control	Requirement	Provided	Compliance
	and other communal areas	street where possible and provide direct surveillance	
	Developments are to avoid creating areas for concealment and blank walls	The DA does not create any areas for concealment and the building has been designed to ensure sufficient passive surveillance is maintained at all times	Yes
	Pedestrian and communal areas are to have lighting to ensure safety	It is a recommended condition that lighting is provided and is compliant with AS1158 and AS4828	Yes
	All development should aim to provide casual surveillance by maximising outlooks and views but minimising overlooking of neighbouring properties	The buildings has been designed to achieve casual surveillance from the surrounding street network	Yes
	All development must incorporate Crime Prevention Through Environmental Design (CPTED)	The DA was accompanied by a CPTED analysis which has been reviewed by the CLAC. CLAC have identified the site as a 'low crime risk' and have recommended a number of conditions to ensure CPTED principles are incorporated. It is a recommended condition that the CLAC requirements are fully complied	Yes
D3.6.5.5	Prominent street	A tower feature of	Yes





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Control	Requirement	Provided	Compliance
Building Envelopes/Bulk and Scale	corners should be reinforced in a visual context through concentrating building height and built form	14.1m in height has been incorporated into the design of the building. The built form is designed to create a focal point at the corner through a range of elements including differing materials, colours and finishes	
	Buildings are to be designed to ensure a human scale is maintained at street level	The proposed building is designed to ensure a human scale is maintained through awnings at the ground floor level, setbacks, maintaining strong linkages between the building entries and footpath and also by creating a strong link between frontages and the street	Yes
	Minimum floor to ceiling heights of 3.6m for the ground floor	A minimum height of 3.2m is proposed at ground floor	<b>No - DCP Variation 2</b>
	Minimum floor to ceiling heights of 3.3m for all other floors	The floor to ceiling height of the first floor level is 4.27m	Yes
D3.6.5.6 Weather Protection	Weather protection must maintain a feeling of openness and enhance the public function of the space/street in all weather conditions	The proposed weather protection elements include colonnades/awnings which maintain a sense of openness whilst ensuring the usability of the space in all weather conditions. Trees within the car park will also provide for shade and protection from wind	Yes



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Control	Requirement	Provided	Compliance
	<p>Weather devices must consider the scale of adjacent buildings to ensure appropriate proportions and feel</p> <p>The front fascia of an awning is to be setback a minimum 500mm from the kerb of the street carriageway including at street corners</p>	<p>The weather devices proposed are in scale with the existing buildings surrounding the site and are designed appropriately in terms of scale and functionality</p> <p>The awning is setback greater than 500mm from the kerb</p>	<p>Yes</p> <p>Yes</p>
D3.6.5.7 Setbacks	The urban character is achieved by adopting zero setback conditions to create street walls. The main building facades are to be built to the block edge with allowances for insets and projections	The proposed development maintains a zero setback to the block edge with an inset proposed on the ground level frontage of Camden Valley Way. The inset is required for a pedestrian walkway/ramp which provides access to the retail tenancy from Camden Valley Way	Yes
D3.6.5.8 Streetscape Activation	Active frontages must be provided at ground level and include entrances, shop fronts, glazed entries, cafes etc.	The DA proposes a retail tenancy on the ground floor which provides floor to ceiling glazing fronting Camden Valley Way and Queen Street. A glazed entry on the corner and the wrapping of the shop frontage around the corner provides an active frontage to both streets. On the ground level fronting Queen Street,	Yes



Control	Requirement	Provided	Compliance
	<p>Large form retail such as supermarkets and parking areas are to be sleeved or hidden where appropriate</p> <p>No external security shutters are permitted</p> <p>On corner sites, shops are to wrap around the corner</p>	<p>entries to the Aldi store are provided via stairs, lifts and a pedestrian ramp</p> <p>The proposed Aldi supermarket is located on the upper level which is appropriate in this case. The covered car parking area is sleeved and suitably screened from public view through the use of screening. The uncovered carpark is suitably located towards the rear of the site. Landscaping is proposed to soften the appearance of the parking area</p> <p>No security shutters are proposed</p> <p>The retail tenancy at ground floor level wraps around the corner of the site providing a glazed entry way on the corner which addresses both streets</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>D3.6.6.1 Vehicle Parking and Storage</p>	<p>Access, parking and loading areas must comply with Chapter B5 of the DCP</p> <p>Car parking dimensions are to be provided in a accordance with the relevant Australian Standard</p>	<p>Access, parking and loading dock areas generally comply with the requirements of Chapter B5</p> <p>The proposed car parking spaces fully comply with the requirements of AS2890</p>	<p>Yes</p> <p>Yes</p>



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Control	Requirement	Provided	Compliance
D3.6.6.2 Loading Docks	Loading docks are to be provided in accordance with Part B5 of the DCP	One loading dock is proposed	<b>No - DCP Variation 1</b>
D3.6.7 Signage and Graphics	All signage must be provided in accordance with Part B4 of the DCP	The DA proposes signage which complies with the requirements of Part B4 of the DCP	Yes
	All signage must be integrated into the architectural form of the building	The proposed signage is integrated into the architectural design of the building	Yes
	Signage and graphic elements should not detract from significant views or vistas to or from the site	The proposed signage will not detract from views or vistas as it is integrated into the building facades	Yes
	Signage is permitted for the purposes of business identification	The DA proposes 9 business identification signs	Yes

DCP Variation 1 – Service Vehicle Provision

*DCP Control*

The DCP requires 1 service vehicle space per 400m<sup>2</sup> GFA for supermarkets and shops. The DCP provisions allow for Council to assess the extent and size of the service vehicle parking area to be provided having regard to the nature of the development.

*Variation Required*

- Under the provisions of the DCP, 5.2 loading spaces are required for the development. One loading dock has been provided which can cater for 19m long delivery vehicles.

*Council Staff Assessment*

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



- the number of deliveries proposed by Aldi is between 3 and 5 in any 24 hour period. It is considered that one loading dock is sufficient to cater for this number of deliveries and those from the ground floor retail premises;
- the loading dock can service up to 19m long articulated vehicles and can also service waste trucks; and
- there is an over supply of car parking which can be used for loading and unloading for smaller deliveries in the event that the loading dock is in use.

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

#### DCP Variation 2 – Minimum Floor to Ceiling Height

The DCP requires a floor to ceiling height of 3.6m for ground floor retail within the Narellan town centre area. The DA proposes a floor to ceiling height of 3.2m for a portion of the ground floor retail tenancy.

#### *Variation Request*

The applicant has requested that Council support a variation to this DCP control on the basis that:

- lowering the floor level to achieve the required floor to ceiling height would result in the floor level being below the street level which is not a preferred outcome having regard to accessibility and street activation; and
- raising the ceiling height of the ground floor level would require the overall height of the development to increase and would result in longer pedestrian ramps and stair access which will have an unacceptable visual impact.

#### *Council Staff Assessment*

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

- the floor to ceiling height proposed complies with the BCA requirements being 2.4m;
- the front portion of the ground floor unit that adjoins the street will comply with the 3.6m floor to ceiling height requirement which will give the impression from the street that the buildings has the higher ceiling height;
- stepping down the ground floor level from the street would not be a good outcome as it would create accessibility issues and would be inconsistent with the DCP requirements;
- raising the upper floor level will increase the overall building height and scale of the building which is not deemed necessary in this instance as a portion of the retail unit complies; and
- raising the upper floor level will require longer access ramps and stairways which will occupy more of the frontage on Queen Street and would have a negative visual impact on the streetscape.



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

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

No relevant agreement exists or has been proposed as part of this 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 will not have an any unacceptable impact on the natural and built environments, and the social and economic conditions of the locality.

The proposed development will improve the built form presentation to both Camden Valley Way and Queen Street and will activate an underutilised and highly visible corner site within the Narellan commercial area.

The proposed Aldi store will provide employment opportunities, greater choice and competition in the locality. Therefore the proposed development is anticipated to have a positive economic and social impact in the locality.

#### Traffic Impacts on the Surrounding Area

The proposed development complies with the car parking requirements of the Camden DCP for commercial premises. The provision of 100 car spaces on site provides an excess of 3 spaces to that required by the DCP.

A traffic assessment report has been submitted in support of the development. The application was referred to the RMS who raised no objection to the proposed development.

Council's traffic section have considered the potential traffic impacts and found the development to be acceptable in the context of the surrounding road network, subject to a number of conditions being imposed on the consent.

The site is located on the corner of Camden Valley Way and Queen Street. The main access to the site is proposed from Queen Street which has a 9m wide carriageway and provides for two traffic lanes and parking on both sides. The proposed access to Queen Street will provide entry to and exit from the development site and can accommodate 19m long service vehicles. All traffic exiting the site will be required to exit via Queen Street. It is not anticipated that the development and its associated traffic will have any material detriment to the functioning of Queen Street.

The site also fronts Coghill Street which adjoins the site to the west. A second access is proposed from Coghill Street which has a carriageway width of 7m with parking on both sides of the street. When the on-street parking is utilised only one way traffic can proceed on the carriageway.



The Narellan Public School is located directly opposite the site on the corner of Coghill Street and Camden Valley Way, with the main entrance to the school being located 30m from the intersection. Council is aware of the existing congestion issues in this area at school pick up and drop off times. Restrictions currently apply on Coghill Street which prevent a right turn onto Camden Valley Way during school start and finish times.

The RMS has advised that Council must ensure that the existing right turn bay on Camden Valley Way, at its intersection with Coghill Street is adequate to cater for the traffic generated by the proposed development. The traffic modelling submitted as part of the application has been assessed by Council's Traffic Engineers and it is considered that the additional traffic generated by this development can be accommodated during the school peak periods as described below.

Council's Traffic Section has recommended restricting Coghill Street to entry only, with all traffic exiting the development via Queen Street. This will reduce the potential for conflict on Coghill Street resulting from the proposed Aldi and retail tenancy.

Further, it is recommended that the on-street parking provision on the eastern side of Coghill Street from the intersection of Camden Valley Way to the Aldi driveway be removed and "No Stopping" restrictions be imposed. This will allow two way traffic in this section of Coghill Street and provide unobstructed access to the development site.

To achieve this, a total of 5 on-street car spaces will be removed from the eastern side of Coghill Street. Given the existing parking demand in the vicinity, it is recommended that the removal of the 5 on-street car parking spaces be compensated by the provision of 5 additional angled parking spaces, located to the south of the Aldi driveway on the western side of Coghill Street.

Overall, it is considered that the proposed traffic generated from the development can be satisfactorily accommodated on the existing street network, and subject to the recommended conditions, will not have a negative impact on surrounding land uses.

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

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

The proposed development is in accordance with the desired future character of the Narellan commercial centre area which has been endorsed and supported by Council through the existing zoning and DCP provisions. The proposed Aldi and retail tenancy accords with the desired and permissible land use for this site and complies with the maximum FSR for the site under the LEP 2010.

**(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 27 November 2014 to 11 December 2014. One submission was received objecting to the proposed development. **A 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.





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

- Increased traffic entering and exiting the proposed premises will increase the potential for accidents due to the proximity of the entrance to the school.

Officer Comment:

A condition is recommended which restricts the Aldi driveway on Coghill Street to entry only. This will limit the amount of additional traffic using Coghill Street. In addition, no service vehicles will be permitted to enter the site from Coghill Street. The main accessway to the development will be via Queen Street which will allow both entry to and exit from the site.

A condition is recommended requiring the installation of a “No Stopping” zone on the eastern side of Coghill Street from the intersection of Camden Valley Way to the Aldi driveway. This will allow for two way traffic in this section of the street and an unobstructed path of travel from Camden Valley Way to the development site. This will improve the existing situation as it will prevent cars backing up on Coghill Street which currently occurs at school peak times.

It is not considered that the proposed development will increase the potential for accidents due to the proximity of the school.

- Coghill Street being a very narrow street is often congested with minimal room for passing cars and not having a concrete footpath cannot cater for additional traffic.

Officer Comment:

A condition is recommended requiring a “No Stopping” zone on the eastern side of Coghill Street from the intersection of Camden Valley Way to the Aldi driveway. This will allow a clear path of travel to site from Camden Valley Way and enable cars to pass each other on Coghill Street which will improve the existing situation.

Independent of this DA, Council’s is working with the NSW Education Department to enable construction of a concrete footpath on the western side of Coghill Street. The footpath is scheduled to be constructed in 2016.

- If “No Stopping” zones are introduced this will greatly reduce the parking available to the community placing extra pressure on the surrounding area.

Officer Comment:

The recommended “No Stopping” zone on the eastern side of Coghill Street will remove 5 existing on-street car spaces. Given the parking demand in the vicinity, it is recommended that the removal of the 5 on-street car parking spaces be compensated by the provision of 5 additional angled parking spaces, located to the south of the Aldi driveway on the western side of Coghill Street.

- The existing traffic flow in the area is poor at school start and finish times.

Officer Comment:

This is an existing problem in the area. It is considered that the recommended “No Stopping” restriction on Coghill Street will improve the existing traffic flow situation.





- Insufficient parking in the area with surrounding streets almost at capacity. This limits parent's access to parking near the school.

Officer Comment:

The proposed development does not reduce the amount of car parking in the area. The development will provide 100 additional car spaces which exceeds the amount required by the DCP.

- The redevelopment and new restrictions on parking at the Narellan Town Centre has already created a significant impact on parking around the school.

Officer Comment:

The proposed development will provide 100 car spaces on site which is an excess of 3 spaces to that required by the DCP.

Independent of this DA, Council are seeking to commence discussions with the Narellan Town Centre to discuss the redevelopment and parking restrictions recently introduced.

- People doing U turns and 3 point turns on Coghill Street has caused damage to vehicles parked on Coghill Street.

Officer Comment:

This is an existing problem in the area. It is considered that the recommended "No Stopping" restriction on Coghill Street will improve the existing traffic flow situation.

**(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.

The proposed development facilitates the orderly growth and development of land zoned for business and retail purposes. Based on the above assessment, the proposed development is consistent with the public interest.

**EXTERNAL REFERRALS**

*Roads and Maritime Services (RMS)*

The DA was referred to the RMS pursuant to Clause 104 of the ISEPP, as the proposed development is classed as a traffic generating development. The RMS has made several recommendations in relation to the proposed development. Council staff have reviewed the conditions of consent and are satisfied that the proposed development can meet the conditions as specified.

The RMS has highlighted that Council must be satisfied that the existing right turn bay on Camden Valley Way, at its intersection with Coghill Street is adequate to cater for the traffic generated by the proposed development. Council's Traffic Engineers have



assessed the traffic modelling submitted as part of the application and have advised that the intersection can cater for the additional traffic generated by the development.

**A copy of the RMS response is provided as an attachment to this report.**

*Mine Subsidence Board (MSB)*

Pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979*, the DA is classed as Integrated Development as the site is located within the South Campbelltown Mine Subsidence District and requires the approval of the MSB. The applicant has submitted the plans which have been approved by the MSB for the proposed development.

*Camden Local Area Command (CLAC)*

The DA was referred to the CLAC for comment and CLAC have identified the site as a 'low crime' risk. The CLAC have recommended several safety features for this development including CCTV cameras, anti-vandal lighting, an intruder alarm system and bollards to prevent ram raids. All of the CLAC's recommendations are recommended as conditions.

**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 1039/2014 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
DA-02	Site Plan & Site Analysis	Ink Architects	21/10/2014
DA-03	Demolition Plan	Ink Architects	21/10/2014
DA-04	Proposed Ground Floor Plan	Ink Architects	21/4/2015
DA-05	Proposed First Floor Plan & Roof Plan	Ink Architects	21/4/2015



DA-06	Sections & Elevations	Ink Architects	21/4/2015
DA-07	Signage	Ink Architects	19/02/2014
DA-08	Materials and Colours Schedule	Ink Architects	19/02/2014
A08	Masonry Retaining and Acoustic Wall Elevations	Ink Architects	15/4/2015
146414_DA_C100	Detail Plan	Henry & Hymas	19/2/2015
146414_DA_C111	Vehicle Turning Path	Henry & Hymas	19/2/2015
146414_DA_C200	Stormwater Miscellaneous Details & Pit Schedule	Henry & Hymas	19/2/2015
146414_DA_C201	Catchment Control Plan	Henry & Hymas	19/2/2015
146414_DA_C202	OSD Tank Plan Section & Details	Henry & Hymas	19/2/2015
146414_DA_SE01	Sediment Erosion Control Plan	Henry & Hymas	21/10/2014
146414_DA_SE02	Sediment Erosion Control Details	Henry & Hymas	21/10/2014
SS14-2895	Landscape Plan	Site Image	21/12/2014
SS14-2895	Landscape Details	Site Image	21/12/2014
A111A	Lighting Design	Korkis Consulting	20/10/2014

Document Title	Prepared by	Date
Statement of Environmental Effects	Milestone Pty Ltd	November 2014
Statement of Heritage Impact	Artefact	17/10/2014
Traffic Report	Colston Budd Hunt & Kafes Pty Ltd	October 2014
Traffic Assessment	Colston Budd Hunt & Kafes Pty Ltd	11/02/2015
Saline Soils Management Plan	Geo-environmental Engineering	21/10/2014
Noise Impact Assessment	Marshall Day Acoustics	17/10/2014

- (2) **NSW Roads and Maritime Services Requirements** - The NSW Roads and Maritime Services, Ref No. SYD14/1408 dated 18 December 2014 shall be complied with prior to, during, and at the completion of the development.
- (3) **Camden Local Area Command Requirements** - The NSW Police Force, Ref No D/2014/465082 dated 11 December 2014 shall be complied with prior to, during, and at the completion of the development.
- (4) **Modified Documents and Plans** - The development shall be modified as follows:
  - a) Landscaping - The landscaping plan must be amended as follows:
    - i) The trees must be planted at 8m centres;
    - ii) The nominated tree species *Fraxinus* 'Raywoodii' be substituted with at least three different tree species drawn from the following list:



Cupaniopsis anarcardioides	Tuckeroo
Fraxinus oxycarpia	Raywood varieties
Quercus palustris 'Pringreen'	Narrow Green Pillar
Syzygium paniculatum	Bush Cherry
Waterhousea floribunda	Weeping Lilly Pilly
Zelkova serrata	Zelkova
Acer buergeranum	Trident Maple
Lirodendron tulipefera fastigatum	Tulip Tree
Pistacia chinensis	Chinese Pistachio
Jacaranda mimosifolia	Jacaranda
Lophostemon confertus	Brush Box

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

- (5) **Modified Documents and Plans** - An amended plan detailing the design, materials and colours of the acoustic fence must be submitted to and approved by Council prior to the issue of a Construction Certificate.
- (6) **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.
- (7) **Footpath Requirement** – A footpath must be constructed within the Queen Street road reserve and must be provided as follows:
  - a) a continuous 2m wide footpath must be constructed from the corner of Camden Valley Way to driveway access on Queen Street;
  - b) the footpath must be constructed directly adjacent to the property boundary;
  - c) the remainder of the verge on Queen Street is to be returfed as specified in the landscape plan (Ref No. SS14-2895 prepared by Site Image dated 21/12/2014; and
  - d) the footpath must be constructed in accordance with Camden Council's Engineering Specifications.

Plans reflecting the above must be submitted with the Construction Certification application.

- (8) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan under "Section 5" in the report *titled "Saline Soils Management Plan: Proposed Supermarket Development 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street Narellan, Prepared by Geo-environmental, Dated 21 October 2014."*



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- (9) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (10) **Entry Only Restrictions** - Coghill Street is restricted as an entry only into the development.
- (11) **Entry Directional Traffic Flow Signs** - All driveways shall be suitably signposted and directional arrows painted on the internal driveways. All signs shall be maintained in good repair at all times.
- (12) **Vehicular Area Design Standards** - The internal driveway and car parking area must be designed in accordance with AS2890.
- (13) **Street Furniture** - The benches proposed must be located fully within the Queen Street road reserve and must be designed in accordance with Street Furniture Australia Seat CMP1.
- (14) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (15) **Signage** – All signage proposed must be wholly located within the subject site and must not encroach on public land, with the exception of the 2 under awning signs located on the Camden Valley Way frontage.
- (16) **Stack and Efflux Installations** - Any stack and efflux installations must comply with the requirements set out in Advisory Circular 139-05 issued by Civil Aviation Authority.
- (17) **Selection of Mechanical Plant** – The selection of mechanical plant / services must be undertaken and assessed for noise compliance with “Section 6.0 – Environmental Noise Criteria” and “Table 5 – Operational Noise Criteria” contained within the *“ALDI Narellan Noise Impact Assessment, Prepared by Marshall Day, Report No RP001r02 2012377ML, Dated 17 October 2014.”* Where plant noise exceedance is identified, acoustic treatment / control must be provided to meet all relevant noise criteria referenced in the acoustic assessment report.
- (18) **Rooftop Plant Platform Acoustic Treatment for Mechanical Services** – The external face of the perimeter walls surrounding the mechanical services rooftop platform must be of solid construction with a minimum performance of Rw 25. The internal face of the perimeter wall must be lined with acoustic absorption to a level of NRC 0.8. Ventilation and other performance measures consistent with the BCA must also be considered in the design of this platform and wall area.
- (19) **Food Premises** - The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
- a) the *Food Act 2003*;
  - b) the *Food Regulation 2004*;
  - c) *Food Standards Australia and New Zealand – Food Standards Code 2003*;
  - d) *Council’s Food Premises Code*;
  - e) *AS 1668 'The use of ventilation and air conditioning in buildings'*;



- f) the BCA; and
  - g) AS 4674-2004. Design, construction and fitout of food.
- (20) **Tree Removal** – The trees as shown in the approved Landscape Plan (Ref No. SS14-2895) prepared by Site Image dated 21/12/2014 are the only trees approved for removal.
- (21) **Liquid Wastes** - All liquid wastes other than stormwater generated on the site must be discharged to the sewer in accordance with the requirements of Sydney Water.
- (22) **Noxious Weeds Management** - Noxious weeds management shall occur in accordance with Camden Development Control Plan 2011.

## 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) **Parking Provision** - Prior to the issue of an Construction Certificate, plans are to be amended to show the provision of 5 car spaces on the western side of Coghill Street, to the south of the proposed developments driveway. The spaces must be designed in accordance with Camden Council's Engineering Specification.
- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- Note.** Under the *Roads Act 1993*, only the Council can approve commencement of works within an existing road reserve.
- (3) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (4) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications.
- (5) **Soil, Erosion, Sediment and Water Management** - An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification





shall be provided to the Certifying Authority. The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The Environment Management Plan shall include but not be necessarily limited to the following:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- c) soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- e) measures and procedures for the removal of hazardous materials that include waste and their disposal;
- f) any other recognised environmental impact; and
- g) community consultation.

(7) **Section 94 Contributions – Monetary** - A contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Contributions Plan No. 3	Trunk Drainage, Water Quality Facilities and Professional Services - indexed Quarterly to the Road Cost Index.	\$11,985 per hectare	\$ 6,012.00
Contributions Plan No. 17	Streetscape, Public Domain, Traffic Facilities and Roadworks, Rights of Carriageway and Professional Services - indexed Quarterly to the CPI.	\$77 per m <sup>2</sup>	\$ 161,237.00
	<b>Total</b>		<b>\$167,249.00</b>

A copy of the Section 94 Contributions Plan may be inspected at Council's Camden office at 37 John Street, Camden or can be accessed on Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

(8) **Section 94 Contributions – Works In Kind** – Section 94 Contributions may be in the form of carrying out works as part of a 'Works in Kind' agreement with Council in lieu of making monetary contributions. Works in Kind to be carried out shall be agreed to by Council in writing prior to the payment of the contributions and the commencement of works relating to the Works in Kind. All such agreements shall be in accordance with Council's Works In Kind Policy.

(9) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS



1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

### 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) **Performance Bond** - Prior to commencement of works a performance bond of \$15,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (6) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.
- (7) **Demolition Work** - Consent is granted for the demolition of all buildings currently existing on the site, 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) The developer shall notify WorkCover NSW at least seven (7) days before work starts in accordance with Clauses 333 and 345 of the *Occupational Health and Safety Regulation 2001*.
  - c) Persons undertaking demolition work shall be licensed under the *Occupational Health and Safety Regulation 2001*. A copy of this licence must be obtained from WorkCover NSW and displayed on the site where demolition work is carried out.
  - d) 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:



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- a pre-commencement inspection when all the site works are installed on the site and prior to demolition commencing; and
  - a final inspection when the demolition works have been completed.
- e) 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.
- f) 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.
- g) 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.
- h) All services (such as sewer, telephone, gas, water and electricity) must be disconnected prior to the commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- i) All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind blown dust, debris, noise and the like.
- j) Demolition of the building shall be carried out in accordance with the requirements of Australian Standard AS2601:2001 - Demolition of Structures.
- k) 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.
- l) 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.
- m) All works/ demolition works involving the removal and disposal of asbestos over 10m<sup>2</sup> must only be undertaken by contractors who hold an appropriate and current WorkCover Asbestos Licence.
- n) The removal of asbestos shall be carried out in accordance with the "Asbestos Code of Practice" for the safe removal of asbestos (National Occupational Health and Safety commission).
- o) The burning of any demolished material on-site is not permitted and offenders will be prosecuted.

- p) All services (such as sewer, telephone, gas, water and electricity) must be disconnected prior to the commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- q) 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.
- (8) **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 revegetation).
- (9) **Construction Management Plan** - A Construction Management Plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (10) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (11) **Lighting Plan** – A lighting plan that demonstrates full compliance with “AS 4282 -1997 Control of the obtrusive effects of outdoor lighting” when assessed at the adjoining property boundaries must be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.
- (12) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.

#### 4.0 - During Works

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

- (1) **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.

- (2) Fill Material - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- c) be prepared in accordance with:

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material:
- i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations,
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:



Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (3) **Vehicles Leaving the Site** - The contractor/demolisher/construction supervisor must ensure that:
  - (a) all vehicles transporting material from the site, cover such material so as to minimise sediment transfer;
  - (b) the wheels of vehicles leaving the site:
    - (i) do not track soil and other waste material onto any public road adjoining the site; and
    - (ii) fully traverse the Stabilised Access Point (SAP).
- (4) **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.
- (5) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (6) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage; and
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.



- (7) **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 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.

- (8) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (9) **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/envguidlms/index.htm](http://www.environment.nsw.gov.au/waste/envguidlms/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.

- (10) **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.

- (11) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.

- (12) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:

- a) for installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc. an application shall be made for a Road Opening Permit and an approval under Section 45 of the *Roads Act 1993*;
- b) for construction/ reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter and stormwater drainage, an application shall be made for a Roadworks Permit under Section 138B of the *Roads Act 1993*.





**Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.

(13) **Site Management Plan** - The following practices shall be implemented during construction works:

a) a sign shall be erected at all entrances to the subdivision site and be maintained until the subdivision has reached 80% occupancy. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

*"WARNING UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."*

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

(14) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends:

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

(15) **Demolition and Construction Waste Management Plan** – A suitable demolition and construction waste management plan must be created to address the management of construction waste for the development/ business. The plan must incorporate recycling and reuse of waste materials where opportunities exist and receiving facilities are available. The waste management plan shall be kept on the premises.

## 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) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.



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- (3) **Footpath Construction** – The footpath required to be constructed as per condition 1.0(7) of this consent must be constructed prior to the issue of an Occupation Certificate.
- (4) **Parking Restrictions** - Prior to the issue of an Occupation Certificate, double barrier centreline and kerbside “No Stopping” parking restrictions must be installed on the eastern side of Coghill Street from the intersection of Camden Valley Way to the Aldi driveway. This must be done at the cost of the applicant and is subject to concurrence of the Camden Local Traffic Committee.
- (5) **Parking Provision** - Prior to the issue of an Occupation Certificate, 5 car spaces are to be constructed on the on the western side of Coghill Street to the south of the proposed developments driveway in accordance with the approved plans, at the cost of the applicant.
- (6) **Entry Only Restrictions** - Coghill Street is restricted as an entry only into the development. Prior to the issue of an Occupation Certificate, this restriction must be sign-posted accordingly at the cost of the applicant.
- (7) **Solid Acoustic Fences and Heights** – Along the southern boundary for the first 2 car parking spaces only, a solid acoustic fence of 1200mm in height is required to be constructed with the fence tapering up to 1800mm in height at the third car parking space. The remaining acoustic fence along this southern boundary is to be constructed 1800mm high and extend to a distance that is 1m from the rear of the building located on the adjoining lot. The remaining section of acoustic fence is to be constructed beside the building and extend behind the adjoining lot bounding the Aldi carpark; is to be 2400mm in height; and be located consistent in location with “Figure 3” contained within the “*Aldi Narellan Noise Impact Assessment prepared by Marshall Day, Report No RP001r02 2012377ML, dated 17 October 2014.*” Construction materials must achieve a surface mass of 12 kg/m<sup>2</sup>.
- (8) **Solid Acoustic Boundary Barrier** – A solid acoustic barrier is to be constructed a minimum of 2000mm high above the carpark ground level and be consistent in location with “Figure 3” contained within the “*Aldi Narellan Noise Impact Assessment prepared by Marshall Day, Report No RP001r02 2012377ML, dated 17 October 2014.*” Where the barrier meets the Aldi Building beside the loading dock, it must join the façade of the Aldi building. Construction materials must achieve a surface mass of 12 kg/m<sup>2</sup>.
- (9) **Bicycle Parking** – 3 bicycle spaces must be provided on-site in accordance with the Camden DCP 2011 and AS2890.5, prior to the issue of an Occupation Certificate.
- (10) **Food Premises** - Council shall be notified if the premises are being used for the preparation, manufacture or storage of food for sale, and an inspection of the completed fitout is to be conducted.

A 'Food Business Registration' form can be found on Council's website. The NSW Food Authority shall be notified and a copy of the notification shall be provided to Council (notification can be completed on the NSW Food Authority website).





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- (11) **Protection of Street Trees** - During any earthworks, development works or during the maintenance and establishment period relating to this Consent, the applicant is advised:
- (a) that any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred; and
  - (b) any repairs, relocations, reinstallations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers are to be completed with the same type, species, plant maturity, materials and initial installation standards, and the works and successful establishment of the trees carried out prior to the issue of a related Occupation Certificate.
- (12) **Landscaping** – The landscaping within the site as approved must be installed prior to the issue of an Occupation Certificate.

### 6.0 – Operational Conditions

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

- (1) **Approved Hours of Operation** - Subject to the other conditions of this consent, the approved hours of operation for this development are 7am to 10pm, seven days a week.
- (2) **Lighting** - All lighting must comply with AS4282 and AS1158.
- (3) **Light Spillage** - The lighting of the premises must be directed so as not to cause nuisance to owners or occupiers of adjoining premises.
- (4) **Graffiti Removal** - A graffiti management plan must be established prior to the operation of the development. All graffiti must be removed within 48 hours of occurrence.
- (5) **Maintenance** - The approved signs must be maintained in good order at all times.
- (6) **Noise Management Plan** – A suitable noise management plan must be created to identify and control all potential noise generating activities conducted on the premises that occur outside of or underneath the Aldi building. The objective of the NMP is to control noise so that it significantly reduces any noise impact on all adjoining premises. The Aldi approved management plan must be understood by all employees and be complied with at all times that the business is in operation.
- (7) **External Mechanical Plant Noise Restriction** – The noise level from the combined use and operation of all external mechanical plant must not exceed 47dB(A) LAeq 15 minutes for day period; 45 dB(A) 15 minutes for evening; and 41 dB(A) 15 minutes for night period; when measured 1m inside the nearest residential boundary.
- (8) **Delivery Vehicles Reversing Alarm** – The reversing alarms on all Aldi delivery vehicles must be modified to ensure that any person in the immediate area is



alerted to the vehicle's operation. Noise levels from any Aldi delivery vehicle alarm shall not exceed background +5dB(A) measured at the nearest residential boundary.

- (9) **Delivery Vehicle Noise Management** – All delivery vehicles whilst making deliveries to the loading dock during the night time period (10.00pm to 7.00am) on any night must comply with the following in order to reduce noise levels and maintain noise amenity:
  - a) not utilise reversing alarms unless modified when approaching the loading dock and also utilise reversing cameras; and
  - b) ensure that refrigeration units and truck engines are switched off when unloading.
- (10) **Driver and Delivery Dock Personnel Training** – Aldi must ensure that all night time vehicle delivery drivers and unloading dock personnel receive appropriate training in noise reduction practices. These practices are to be incorporated into Aldi approved working procedures and applied by drivers and dock personnel when night time unloading of deliveries take place.
- (11) **Service Vehicle Deliveries** – A maximum of 2 truck movements per night are allowed into the loading dock between the hours of 10pm-7am.
- (12) **Deliveries** – All service and delivery vehicles must use the Queen Street access way only. The loading dock is to be available for use by Aldi and the ground floor retail premises.
- (13) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the Protection of the Environment Operations Act 1997 and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (14) **Operational Waste Management Plan** – A suitable operational waste management plan must be created to address the management of operational waste for the development/ business. The plan must incorporate recycling and reuse of waste materials where opportunities exist and receiving facilities are available. The waste management plan shall be kept on the premises.
- (15) **Waste Storage** - All waste materials or products must be stored in enclosed receptacles.
- (16) **Storage of Materials** – All materials must be stored within the building or within approved designated external areas only.
- (17) **Use of the Compactor** – Use of the compactor is limited to the hours between 7am and 10pm.

## 7.0 - Prior to Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for Subdivision Certificate shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.

- (2) **Show Easements/ Restrictions on the Plan of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (4) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (5) **Fill Plan** - A Fill Plan shall be provided to the PCA prior to the issue of any Subdivision certificate. The plan must show:
  - a) lot boundaries;
  - b) road/drainage/public reserves;
  - c) street names;
  - d) final fill contours and boundaries; and
  - e) depth in filling in maximum 0.5m Increments.

The Fill Plan is to be provided electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes, and provided both on compact disk and an A1 paper plan.

- (6) **Incomplete Works** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.
- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.
- (9) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) energy supplier – evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development;
  - b) telecommunications – evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and



ORD01

c) water supplier – evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

(10) **Works as Executed Plan** - Works as Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

(11) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:

- a) easement for services;
- b) easement to drain water; and
- c) Easement for support and maintenance of retaining walls.

### **RECOMMENDED**

**That Council approve DA 1039/2014 for demolition of existing buildings, construction of a new commercial building containing an Aldi supermarket and 1 retail tenancy, display of signage, consolidation of all 6 lots into 2 lots and associated site works at 304-306 Camden Valley Way, 2-4 Queen Street and 1-3 Coghill Street Narellan subject to the conditions listed above.**

### ATTACHMENTS

1. Proposed Plans
2. Roads and Maritime Response
3. Submission - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*



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## ORDINARY COUNCIL

ORD02

ORD02

**SUBJECT: SECTION 96(2) MODIFICATION - MODIFIED ACOUSTIC BARRIER MATERIAL AT 124 GEORGE ROAD, LEPPINGTON**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 15/68567

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**APPLICATION NO:** 1107(2)/2008  
**PROPOSAL:** Section 96(2) Modification Application – Modified acoustic barrier material  
**PROPERTY ADDRESS:** 124 George Road, Leppington  
**PROPERTY DESCRIPTION:** Lot 2, DP 200915  
**ZONING:** RU4 Primary Production Small Lots  
**OWNER:** Australasian Conference Association Ltd  
**APPLICANT:** Mr S Teupa

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Section 96(2) Modification application to modify a previously approved development application (DA) for a place of public worship at 124 George Road, Leppington.

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

In addition, the original DA was determined by Council at the Ordinary Council meeting of 26 October 2010 and the proposed modifications impact on an issue that required the initial referral to Council (an unresolved submission issue relating to the original DA).

### SUMMARY OF RECOMMENDATION

That Council determine Section 96(2) Modification Application 1107(2)/2008 to modify a previously approved place of public worship pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979* subject to the modified conditions contained in this report.

### EXECUTIVE SUMMARY

Council is in receipt of a Section 96(2) modification application to modify a previously approved place of public worship at 124 George Road, Leppington.

The original DA was approved by Council at the Ordinary Council meeting of 26 October 2010. **A copy of the Council report for the original DA is provided as attachment 1 to this report.**

The original DA included the construction of two 3m high acoustic walls adjacent to the site's side boundaries. These walls were required to achieve compliance with Council's Environmental Noise Policy. Both barriers were approved with a 2m wide landscaped setback from the side boundaries.



This application proposes to modify the material of the barriers from a combination of masonry and timber to concrete panels. It is noted that almost all of the barriers have already been constructed on the site and that they have been constructed of concrete panels.

The modification application 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 modification application was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2011 (DCP). One submission was received (objecting to the proposed modifications). **A copy of the submission is provided with the Business Paper supporting documents.**

The issues raised in the submission relate to:

- the fact that the barriers have already been constructed of concrete panels non-compliant with the original DA;
- the modified acoustic barriers are bulky, have a negative appearance and are unsuitable for a rural area;
- concern that the barriers have been constructed closer to the side property boundaries than originally approved;
- the land under and around the barriers has been filled which increases their overall height, overshadowing and visual dominance. This also results in concerns regarding potential erosion impacts;
- that the barriers should comply with the original DA however as a minimum the top 1.5m must be constructed of new lapped and capped timber;
- the steel girders used to support the barriers that protrude above 3m must be cut to be no more than 3m high;
- appropriate landscaping must be used to screen the barriers and a landscaping plans must be submitted to Council;
- certification of the structural adequacy of the barriers must be provided by the applicant;
- the barriers must be professionally painted in a dark or light grey colour;
- the height of the barriers must be no greater than 3m; and
- concern that the dam at the rear of site has been filled with rubbish.

It is recommended that a number of modified and new conditions be imposed to mitigate the above issues. Council staff have met with the applicant to discuss the recommended conditions and all of the recommended conditions have been agreed to by the applicant.

It is noted that the barriers have already been constructed of concrete panels. Whilst this does not comply with the original DA, the applicant has lodged the subject modification application to allow for the retention of the barriers in their constructed form.

As part of the original DA, the barriers were approved with a 2m wide landscaped setback. The approved landscaping consists of trees and shrubs to screen the barriers from view.

Conditions are recommended that require the steel girders used to support the barriers be cut to a maximum height of 3m, and that the barriers be repaired such that there are



no cracks or gaps. Further, both sides of the barriers must be painted in a dark, neutral recessive colour to blend with the surrounding environment.

Certification from a structural engineer attesting to the structural stability of the barriers must also be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate. Modifications to the original landscaping conditions are also recommended to ensure sufficient landscape screening of the barriers.

The applicant has submitted a survey plan which shows that the barriers have been constructed between 1.86m and 3.75m from the property boundaries. This is generally compliant with the original consent apart from the 140mm variation for a small section of the northern barrier. The 140mm variation is considered to be inconsequential to the acoustic and aesthetic outcome of the overall development and is supported.

The land under the northern barrier has been filled to a height of 600mm as this was required to create a stormwater drainage swale within the site. The creation of the swale was required by the original DA to control stormwater run-off from the front car park area. The approved Construction Certificate plans show this fill tapering down to natural ground level and ending 0.5m away from the northern property boundary.

The applicant has confirmed that this barrier reaches a height of 2.4m above the fill for an overall height of 3m. This is consistent with the Construction Certificate plans approved for the development.

A condition was imposed on the original DA that required all earthworks to be properly compacted in accordance with Council's Engineering Specifications. In addition, once the approved landscaping is installed it will assist in deterring erosion impacts.

No evidence has been provided to substantiate that an existing dam at the rear of the site has been filled with rubbish. However a condition is recommended that requires evidence that all fill material used for the development complies with the standard condition to be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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



**AERIAL PHOTO**



**THE SITE**

The site is commonly known as 124 George Road, Leppington and is legally described as lot 2, DP 200915.

The site has a frontage of approximately 77m to George Road, a maximum depth of 278m and an overall area of 2ha. The site slopes upwards from George Road before falling to its sides and rear. Remnant Cumberland Plain Woodland exists in the middle and rear of the site. The previously approved place of public worship is at an advanced stage of construction on the front half of the site.

The site is located within the future Catherine Fields North precinct of the South West Growth Centre with almost the entire property being mapped as bush fire prone land.

The surrounding area is characterised by undulating topography, scattered vegetation, low density detached dwellings set on large rural lots and a range of agricultural activities undertaken in open paddocks, rural sheds and igloos.

The future Leppington Town Centre lies to the north of the area with Camden Valley Way, the East Leppington growth centre precinct and the Emerald Hills urban release





area to the east. To the south lies the State heritage item “Raby” (homestead and grounds) with the rural/residential suburb of Catherine Field to the south and west.

**HISTORY**

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

<b>Date</b>	<b>Development</b>
26 October 2010	Approval of DA 1107/2008 for the erection and use of a church hall as a place of public worship, construction of a car park and associated site works

On 17 December 2014, Council issued a Notice of Proposed Order (383/2014) to cease using the premises and to comply with the conditions of consent of DA 1107/2008.

On 5 January 2015, Council issued an Order (4/2015) in accordance with Section 121B of the *Environmental Planning and Assessment Act 1979* to cease using the premises and to comply with the conditions of consent of DA 1107/2008.

On 23 January 2015, the Applicant requested approval to use the hall at 14 George Street, Leppington. On 2 February 2015, Council advised that no use of the hall is permitted and that the Order 4/2015 remains in effect.

**THE PROPOSAL**

Section 96(2) Modification Application 1107(2)/2008 seeks approval to modify a previously approved place of public worship.

Specifically the proposed modifications involve:

- Modifying the material of the two approved acoustic barriers from a combination of masonry and timber to concrete panels.

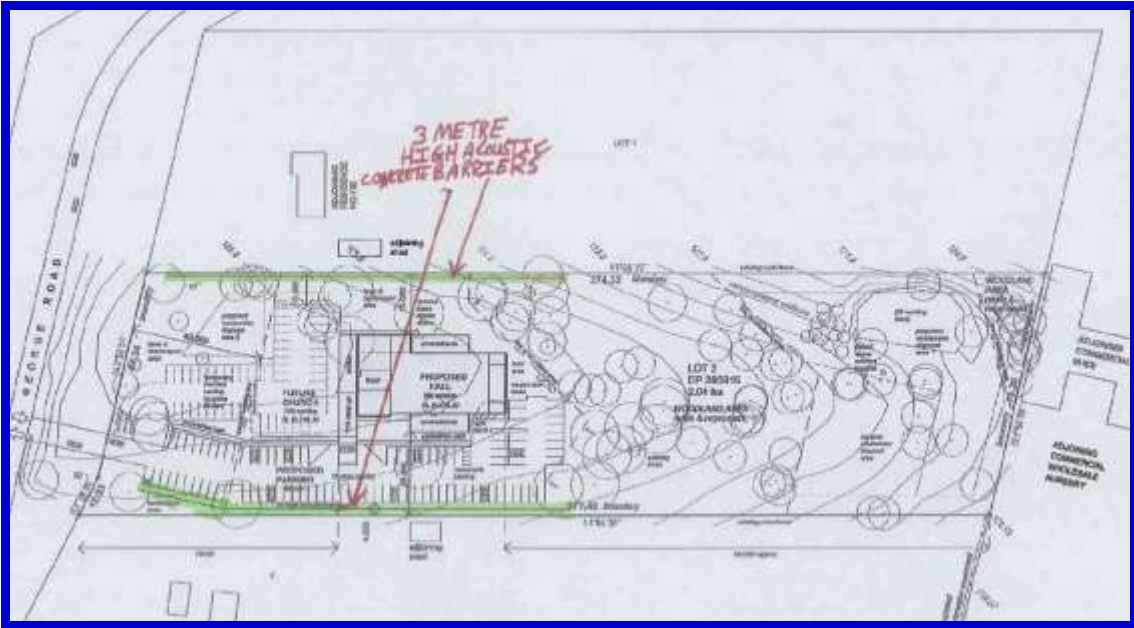
The Section 96 Modification Application arose from Order 4/2015 requiring the applicant to cease using the premises and to comply with the conditions of consent.

The modified acoustic barriers, being 100mm thick concrete blocks, have been erected. Section 96 of the *Environmental Planning and Assessment Act 1979* enables Council to grant retrospective approval for works which have commenced.



ORD02

**SITE PLAN SHOWING THE LOCATIONS OF THE ACOUSTIC BARRIERS IN GREEN**



**PHOTOGRAPHS OF THE AS-BUILT ACCOUSTIC BARRIER AS VIEWED FROM THE NORTHERN NERIHBOURING BOUNDARY**



**PHOTOGRAPHS OF NORTHERN ACOUSTIC BARRIER LOOKING EAST FROM GEORGE ROAD**



ORD02

**PHOTOGRAPH OF ACOUSTIC BARRIER LOOKING NORTH-WEST (FROM RILEY ROAD) WITH APPROVED CHURCH HALL IN BACKGROUND**







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## **ASSESSMENT**

Pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979*, the modified development is considered to be substantially the same as the originally approved development. In addition, the modification application has been publicly exhibited and the submission received has been considered. An assessment against Section 79C of the *Environmental Planning and Assessment Act 1979* is provided below:

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

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

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

The Environmental Planning Instrument that relates to the proposed modifications is:

- Camden Local Environmental Plan 2010

An assessment of the proposed modifications against this Environmental Planning Instrument is detailed below.

#### **Camden Local Environmental Plan 2010 (LEP)**

##### *Permissibility*

The site is zoned RU4 Primary Production Small Lots under the provisions of the LEP. The application proposes modifications to an approved “place of public worship” which are permitted with consent.

##### *Zone Objectives*

The objectives of the RU4 Primary Production Small Lots zone are as follows:

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.

##### **Officer comment:**

The above objectives are not relevant to the proposed modifications as they involve changing the material of two approved acoustic barriers.

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

##### **Officer comment:**

The proposed modification has been assessed and it is not considered that it will result in conflict between land uses within this zone and land uses within adjoining zones. The previously approved 2m wide landscaped setback for each barrier will provide



screening and a recommended condition requiring the barriers to be painted a neutral or recessive colour will allow them to blend with the surrounding area.

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

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

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

Camden Development Control Plan 2011 (DCP)

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

Control	Requirement	Provided	Compliance
B1.16 Acoustic amenity	Compliance with Council's Environmental Noise Policy (ENP)	The acoustic barriers were originally approved in order to ensure that the place of public worship would comply with the ENP  The applicant has submitted acoustic design certification from an acoustic consultant verifying that the modified acoustic barrier material will meet the applicable acoustic criteria  Council staff have assessed the proposed modifications and are satisfied that substituting a combination of masonry and timber for concrete panels will still achieve compliance with the ENP	Yes
D1.5.2 Rural Fences	Compliance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 – 1.8m post and wire/rail fencing, however variations may be supported on merit	The modification application proposes that the 3m high acoustic barriers' material be changed from a combination of masonry and timber to concrete panels. Whilst this type of fencing is not typical of rural areas, it is considered acceptable given that a 2m wide landscaping strip will be provided to screen them from view	Yes



ORD02

Control	Requirement	Provided	Compliance
	Solid fencing may be provided behind intensive landscaping	Suitable landscaping to screen the barriers was previously approved as part of the original DA and is not proposed to be modified	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 modification application.

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

The Regulations do not prescribe any additional matters that are relevant to the proposed modifications.

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

As demonstrated by the above assessment, the proposed modifications are unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Visual and Amenity Impacts of the Modified Acoustic Barriers

Three metre high concrete panel barriers are not a desirable feature for rural areas and their appearance can potentially be detrimental to the character of the area. However, as part of the original DA, the barriers were approved with a 2m wide landscaped setback. The approved landscaping consists of trees and shrubs that will screen the barriers.

The acoustic barriers as currently constructed are visually unacceptable noting the presence of graffiti, cracks, holes and gaps. However, conditions are recommended that require the steel girders used to support the barriers be cut to a maximum height of 3m and that the barriers be repaired such that there are no cracks or gaps. Further, both sides of the barriers must be painted in a dark, neutral, recessive colour to blend with the surrounding environment. Subject to the above conditions, the acoustic barrier will be of a similar appearance to other noise walls throughout Camden including along Camden Valley Way and the Camden Bypass.

Certification from an engineer attesting to the structural stability of the barriers must also be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate. Modifications to the original landscaping conditions are also recommended to ensure sufficient landscape screening of the barriers.

It is noted that the site and surrounding area are part of the future Catherine Fields North precinct of the South West Growth Centre. Whilst the area currently has a rural



character it will undergo significant redevelopment in the future during which it will transition to a more urban character.

Almost the entire site is mapped as bush fire prone land. Replacing the timber with concrete in the barrier construction will improve the development's fire resistance in the event of a bush fire.

Taking into account all of the above factors, it is considered that the proposed change in barrier material will not have a greater impact upon the character and amenity of the surrounding area than the original barrier material approved as part of the original DA.

The following table outlines the proposed modifications to the conditions that were imposed on the original consent.

Condition No.	Condition Requires	Proposed Change	Officer Comment
1.0(9) Approved Plans	Compliance with approved plans and documents	Modify condition to reference an updated site plan showing the acoustic barriers, the submitted barrier location survey plan and the acoustic design certification from an acoustic consultant	It is recommended that this condition be modified to reference an updated site plan showing the acoustic barriers, the submitted barrier location survey plan and the acoustic design certification from an acoustic consultant
1.0(18) Additional Landscaping	Landscape screening to be provided within the 2m setback area of each barrier	The modification to this condition is proposed by Council staff	It is recommended that this condition be modified to reinforce the 3m mature height of the approved landscaping and to require a 75mm layer of mulch to be provided for the landscaping
1.0(19) Approved Acoustic Report	That the approved development be undertaken in accordance with the approved acoustic report with specifications regarding the acoustic barrier construction	Modify condition text to remove the reference to the acoustic barriers being constructed of a combination of masonry and timber and stipulate their concrete construction  Also modify the condition to approve the small section of the northern barrier, as detailed on the submitted survey plan, that is set back only 1.86m from the northern property boundary instead of	Supported. It is recommended that this condition be modified to remove the reference to the acoustic barriers being constructed of a combination of masonry and timber and stipulate their concrete construction.  The modification to approve the small section of the northern barrier that is set back only 1.86m, not 2m, from the northern boundary is also supported as this change is minor and inconsequential to the outcome of the overall development



ORD02

		the originally approved 2m	
5.0(1) Survey Report	A survey report to be submitted to the Principal Certifying Authority upon completion of the building	The modification to this condition is proposed by Council staff	It is recommended that this condition be modified to require that the survey report for the completed building also confirms that the height of the barriers is no greater than 3m from natural ground level (ie. prior to the development commencing)
N/A	This is a new condition proposed by Council staff	This is a new condition proposed by Council staff	<p>It is recommended that a new condition be added to Section 5.0 – Prior to Issue of Occupation Certificate requiring the following for the barriers:</p> <ul style="list-style-type: none"> <li>• that both internal and external sides of the barriers be professionally painted in a dark, neutral, recessive colour to help them blend in with the natural environment;</li> <li>• the support posts must be cut so that they are flush with the top of barriers;</li> <li>• the barriers are to be repaired such that there are no cracks or gaps; and</li> <li>• certification from a qualified structural engineer must be provided which confirms the structural adequacy of the barriers.</li> </ul> <p>Details demonstrating compliance with all of the above requirements must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate</p>





N/A	This is a new condition proposed by Council staff	This is a new condition proposed by Council staff	It is recommended that a new condition be added to Section 5.0 – Prior to Issue of Occupation Certificate requiring evidence that all fill material used for the development complies with Council’s standard fill condition
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All of the above new and modified conditions have been discussed with and agreed to by the applicant.

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

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

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

The modification application was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 25 February to 11 March 2015. One submission was received (objecting to the proposed modifications). **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 submission.

1. The barriers have already been constructed of concrete panels non-compliant with the original consent.

Officer comment:

It is noted that the barriers have already been constructed of concrete panels. Whilst this does not comply with the original DA, the applicant has lodged the subject modification application to allow for the retention of the barriers in their constructed form.

Section 96 of the *Environmental Planning and Assessment Act 1979* enables Council to grant retrospective approval for works which have commenced.

2. The modified acoustic barriers are bulky, have a negative appearance and are unsuitable for a rural area.

Officer comment:

Three metre high concrete panel barriers are not a desirable feature for rural areas and their appearance can potentially be detrimental to the character of the area. However, as part of the original DA, the barriers were approved with a 2m wide landscaped setback. The approved landscaping consists of trees and shrubs that will screen the barriers from view. In addition, both the subject site and adjacent properties contain some existing vegetation that will further soften and screen the appearance of the barriers.



Conditions are recommended that require the steel girders used to support the barriers be cut to a maximum height of 3m and that the barriers be repaired such that there are no cracks or gaps. Further, both sides of the barriers must be painted in a dark, neutral, recessive colour to help them blend in with the natural environment.

Certification from a structural engineer attesting to the structural stability of the barriers must also be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate. Modifications to the original landscaping conditions are also recommended to ensure sufficient landscape screening of the barriers is provided.

It is noted that the site and surrounding area are part of the future Catherine Fields North precinct of the South West Growth Centre. Whilst the area currently has a rural character, it will undergo significant redevelopment during which it will transition to a more urban character.

It is not considered that the proposed change in barrier material will have a greater impact upon the character and amenity of the surrounding area than the original barrier material approved as part of the original DA.

3. Concern that the barriers have been constructed closer to the side property boundaries than originally approved.

Officer comment:

In response to this issue Council staff requested that the applicant provide a survey plan, prepared by a registered surveyor, which sets out where the barriers have been constructed in relation to the property boundaries.

The applicant has submitted a survey plan which shows that the barriers have been constructed between 1.86m and 3.75m from the property boundaries. This is generally compliant with the original consent apart from the 140mm variation for a small section of the northern barrier.

The 40mm variation is considered to be inconsequential to the acoustic and aesthetic outcome of the overall development and is supported. It is also noted that large sections of the barriers have been set back greater than the required 2m to preserve existing trees, which is a more positive outcome.

4. The land under and around the northern barrier has been filled which increases its overall height, overshadowing and visual dominance. This also results in concerns regarding potential erosion impacts.

Officer comment:

The land under the northern barrier has been filled to a height of 600mm as this was required to create a stormwater drainage swale within the site. The creation of the swale was required by the original DA to control stormwater run-off from the front car park area. The approved Construction Certificate plans show this fill tapering down to natural ground level and ending 0.5m from the northern property boundary.

The applicant has confirmed that this barrier reaches a height of 2.4m above the fill for an overall height of 3m. This is consistent with the approved Construction Certificate plans.



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It is recommended that Condition 5.0(1) Survey Report be modified to ensure that the required survey report for the completed building also confirms that the height of the barriers is no greater than 3m above natural ground level (ie. prior to the development commencing).

A condition was imposed on the original DA that required all earthworks to be properly compacted in accordance with Council's Engineering Specifications. In addition, once the approved landscaping is installed it will further deter erosion.

It is noted that because the development is still under construction the site is still a construction site. All completed earthworks must be consistent with the approved Construction Certificate plans prior to the issue of an Occupation Certificate.

5. The barriers should comply with the original DA however as a minimum the top 1.5m must be constructed of new lapped and capped timber.

Officer comment:

As aforementioned, the aesthetic impacts of the proposed modified barrier material have been assessed and are considered acceptable subject to the modified conditions contained in this report.

6. The steel girders used to support the barriers that protrude above 3m must be cut to be no more than 3m high.

Officer comment:

A modified condition is recommended that requires the barrier support posts be cut so that they are flush with the top of barriers.

7. Appropriate landscaping must be used to screen the barriers and landscaping plan must be submitted to Council.

Officer comment:

A landscaping plan for this development was approved as part of the original DA. This plan was augmented by a condition requiring additional landscaping to be provided to provide screening for the barriers.

Modification to this original condition is recommended to reinforce the 3m mature height of the approved landscaping and to require a 75mm layer of mulch to be provided for the landscaping.

The requirements of the approved landscaping plan and the modified condition are adequate without the need for an additional plan to be submitted to Council.

8. Certification of the structural adequacy of the barriers must be provided by the applicant

Officer comment:

A modified condition is recommended that requires certification from a qualified structural engineer to be provided which confirms the structural adequacy of the barriers.



9. The barriers must be professionally painted in a dark or light grey colour.

Officer comment:

A modified condition is recommended that requires both the internal and external sides of the barriers be professionally painted in a dark, neutral recessive colour to blend with the surrounding environment.

10. Concern that the dam at the rear of site has been filled with rubbish.

Officer comment:

As part of the original DA an existing dam at the rear of the site was approved to be filled. A standard condition was imposed requiring all imported fill material to be clean.

No evidence has been provided to substantiate that the dam has been filled with rubbish. However a condition is recommended that requires evidence that all fill material used for the development complies with the standard condition to be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

**(e) *The public interest***

The public interest is served through the detailed assessment of this modification application 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 modifications are consistent with the public interest.

**EXTERNAL REFERRALS**

No external referrals were necessary for the assessment of this modification application.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The modification application 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, Section 96(2) Modification Application 1107(2)/2008 is recommended for approval subject to the modified conditions contained in this report.

**CONDITIONS**

**1.0 - General Requirements**

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

- (1) **Landscaping Maintenance and Establishment Period** - All Landscaping works associated with this Consent are to be maintained for a period of 12 months from the Date of Practical Completion.

At the completion of the 12 month landscaping maintenance period, all areas of lawn and plantings, including any nature strip/road verge areas and garden bed areas, shall have signs of healthy and vigorous growth. Any trees, shrubs, grasses, nature strip/road verge areas, garden areas or lawn areas in a state of decline, damaged or missing are to be replaced or restored to a healthy and vigorous condition.

At the completion of the 12 month landscaping maintenance period, the landscaping works must comply with the Consent approved Landscaping plans.

Any landscaping that requires repair or replacement at the end of the 12 month maintenance period is to be repaired or replaced within 60 days following the end date of the 12 month maintenance period.

- (2) **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:

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

- (3) **Wet Area Water Proofing** - The application of waterproof membranes in wet areas must comply with the requirements of the *Building Code of Australia*.
- (4) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (5) **Disability Discrimination Act** - This approval does not necessarily guarantee compliance with the Disability Discrimination Act 1992, and the applicant/owner is therefore advised to investigate their liability under the Act.

Your attention is drawn to AS1428 parts 2, 3 and 4 inclusive. This may be used as a comprehensive guide for disability access.

- (6) **Food Codes and Regulations Compliance** - The construction and fit-out of the premises or any part thereof to be used for the manufacture, preparation or storage of food for sale, must comply with Camden Council's Food Premises Code, the Food Act 2003 and the Food Regulations 2004 (incorporating the Food Standards Code).
- (7) **Flyscreens** - Flyscreens must be provided for all window openings and door openings.
- (8) **Salinity Management** – All buildings and services within lot 2, DP 200915, known as 124 George Road, Leppington shall be constructed in accordance with the salinity management plan and erosion and sediment control plan prepared by Ross Morton Sundersigned dated 8 May 2009.



(9) **Approved Plans – The development must be carried out strictly in accordance with the following approved plans or other documentation:**

- **Site plan dwg no. 921DA.1/6C dated 1 February 2010 by Ross Morton Sundesign (marked in red and green by Camden Council).**
- **Ground and first floor plans dwg. no. 921DA.2/6A dated 20 November 2008 by Ross Morton Sundesign.**
- **Building elevations and sections dwg. no. 921DA.3/6A dated 20 November 2008 by Ross Morton Sundesign.**
- **Lighting layout concept dwg no. 921DA.5/6A dated 20 November 2008 by Ross Morton Sundesign**
- **Kitchen detail dated 9 May 2009.**
- **Stormwater concept plans CSW-01 and CSW-02 dated 2 August 2010 by Civil Engineering Services.**
- **Landscape concept plan dwg. no. 14000/L01/09B dated 11 May 2009 by Genesis Solutions Pty. Ltd.**
- **Artefact protection plan dated 8 May 2009.**
- **Statement of Environmental Effects prepared by Ross Morton Sundesign.**
- **Waste Management Plan prepared for the Australasian Conference Association Ltd**
- **Traffic and parking impact report dated July 2009 by ML Traffic Engineers.**
- **Noise assessment report no. 3691 by RSA Acoustic Consultants dated (including updates dated 22 September 2009 and 13 November 2009).**
- **Certification of acoustic barrier design change dated 27 January 2015 by Rodney Stevens Acoustics.**
- **Proposed waste water system report dated 11 January 2010.**
- **Salinity investigation report dated 25 September 2008 by Envirotech.**
- **Salinity management and erosion and sediment control plan dated 8 May 2009 by Ross Morton Sundesign.**
- **Aboriginal and European Cultural Heritage Assessment dated November 2008 by Dominic Steele Consulting Archaeology.**
- **Flora and fauna survey and bushland management plan dated 11 January 2009 by Malcolm Bruce.**
- **Bush fire management plan by Malcolm Bruce.**
- **Sound wall location survey plan by John Lowe and Associates Pty Ltd.**

**Note: The tennis courts, associated access driveway and car parking spaces, as shown on any of the approved plans, are not approved by this Development Consent.**

**The development must also comply with the conditions of approval imposed by Council hereunder.**

**Where there is an inconsistency between the approved plans/documentation and conditions of consent, the conditions of consent take precedence to the extent of the inconsistency.**

**Amendments or modification of the approved development requires the written prior approval of Camden Council.**





**(This condition was modified by Section 96 Modification 1107(2)/2008 on 12 May 2015).**

- (10) **Lighting** - All approved lighting must be designed, installed and permanently maintained to fully comply with AS 4282-1997 "Control of the obtrusive effects of outdoor lighting."
- (11) **Asset Protection Zone** – A 10m wide Asset Protection Zone must be provided and permanently maintained at the rear of the church hall building.
- (12) **Bushfire Construction Standards** – All structures must be constructed to Category 2 of AS 3959-2009 "Construction of buildings in bushfire prone areas."
- (13) **Relic Protection** – The aboriginal relic identified at the rear of the site must be fully protected during all construction works and the ongoing operations of the approved land use. This Development Consent does not approve this relic to be destroyed, defaced or damaged.
- (14) **Advertising Signs Application** - Outdoor advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (ie. Camden Council) prior to the erection of any advertising signs.

The design, style, colour, height and type of any advertising sign must have regard to the character of the development, any existing advertising theme and Camden Development Control Plan (DCP) 2006.

- (15) **Stormwater Tanks** – In accordance with Part D, Chapter 3 of Council's Development Control Plan, a stormwater tank(s) with a minimum volume of 5,000 litres must be provided for this development. This tank(s) must capture a minimum of 80% of the stormwater runoff from the development's roof area and not impact on car parking spaces, accesses, driveways or landscaping areas. The stored stormwater must also be reticulated across the site as needed.
- (16) **External Glass** - The reflectivity index for glass used externally shall not exceed 20%.
- (17) **Roof Mounted Equipment** – Such as air conditioning units and communication towers, which protrude above the general roofline of the building, shall not be installed except where they have been appropriately integrated into the design of the building and do not dominate the skyline
- (18) **Additional Landscaping** - **Additional landscape screening must be provided in the 2 metre set back area between the side boundaries of no. 124 George Road and the approved 3 metre high acoustic fence. This landscaping must comprise the following dwarf cultivars or hybrid crosses, capable of reaching a mature height of at least 3m, of:**

- **Pittosporum undulatum**
- **Syzygium luemannii**
- **Syzygium paniculatum**
- **Loropetalum chinense**





(at a rate of 1 for every 2.5 metres with a minimum container size of 35 litres)

Lomandra (particularly cultivars of Lamandra Longifolia) must be used to separate out the above planting. These must be planted at a rate of 2 for every 1m<sup>2</sup> with a minimum container size of 200mm.

A 75mm layer of mulch must be provided for all of the above landscaping.

This landscaping must be properly irrigated and be permanently maintained in a complete and healthy condition on the site.

(This condition was modified by Section 96 Modification 1107(2)/2008 on 12 May 2015).

- (19) **Approved Acoustic Report** – The recommendations outlined in Section 7 of the acoustic report prepared by RSA Acoustics report no. 3691 must be implemented. This includes roof/ceiling construction, external wall construction, window construction, external doors, acoustic barriers and ventilation.

**Notes:** The location of the 3m high concrete acoustic barriers shall be in accordance with the updated configuration in the RSA acoustic report dated 13 November 2009 and as marked in red on the approved site plan dwg no. 921DA.1/6C dated 1 February 2010 by Ross Morton Sundesign (marked in red and green by Camden Council).

The barriers must be set back 2m from the property boundaries unless otherwise identified on the approved plans/reports. The only exception to this is the small section of the northern acoustic barrier that has been set back only 1.86m from the site's northern property boundary as shown on the submitted sound wall location survey plan by John Lowe and Associates Pty Ltd.

This 2m setback area must be landscaped in accordance with condition 1.0(18) of this Development Consent.

(This condition was modified by Section 96 Modification 1107(2)/2008 on 12 May 2015).

- (20) **Acoustic Attenuation Compliance Report** – A report from a qualified acoustic engineer that contains a certifying statement confirming that the provisions and noise criteria for the consent conditions have been implemented and are compliant must be submitted to the Principal Certifying Authority. The acoustic compliance assessment (that leads to the issue of the certifying statement) must be undertaken within 6 months from the commencement of the approved use.

The acoustic consultant must conduct sufficient inspections to verify that all construction aspects of the noise attenuation components/measures are being carried out in accordance with the final acoustic report – RSA Acoustics report no. 3691. The acoustic study is to be undertaken during operational hours.

Should the acoustic consultant confirm that:

1. any specific construction aspect does not comply with the final acoustic report recommendations; or
2. the constructed noise attenuation components/measures do not achieve the criteria set by the final acoustic report and the consent conditions;

the acoustic consultant must advise the applicant and the Principal Certifying Authority of such non-compliance. The applicant must arrange for the submission of an application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 for the modification of the issued development consent to the Consent Authority, Camden Council, for determination. This modification must propose solutions to any identified acoustical non-compliance.

- (21) **Bush Fire Management Plan** – All of the recommendations of the bush fire management plan prepared by Malcolm Bruce and submitted with the development application must be fully implemented.
- (22) **Stormwater Pipes** - All proposed drainage pipes shall comply with the cover requirements specified by their manufacturer.
- (23) **Drainage Discharge to George Road** – All drainage discharge to George Road must be contained within the existing table drain in accordance with Council's engineering specifications.
- (24) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. Engineering details and supporting calculations must be prepared by a qualified Hydrology Engineer and submitted to the PCA for approval with the Construction Certificate.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a registered surveyor or the design engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Occupation Certificate. The plans are to be certified by the designer and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans,
- actual storage volume and orifice provided; and
- the anticipated performance of the system with regard to the design intent.

The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie. Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:

- (i) view the state of repair of the basin;
- (ii) execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand; and
- (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.

**Note:** In this condition any reference to a basin refers to the surface on-site detention to be provided in the development's car park and as detailed in the approved stormwater concept plans CSW-01 and CSW-02 dated 2 August 2010 by Civil Engineering Services.

- (25) **Grassed Swale** - A grassed swale must be provided to direct stormwater flows from the grass overflow car parking area at the front of the site along the site's north-west boundary and along the south-eastern side of the acoustic barrier to maintain existing water quality levels. The swale may only end at the termination of the adjacent acoustic barrier where the stormwater flows must be dispersed as sheet flow to minimise stormwater impacts or loss on the adjacent properties to the north/north-west of the subject site.

## 2.0 - Construction Certificate Requirements

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

- (1) **Fire Safety Measures** – Prior to the issue of the Construction Certificate, the following information is to be submitted to the certifying authority:
  - (a) a list of any fire safety measures that are **proposed** to be implemented in the building or on the land on which the building is situated.
- (2) **Access for People with Disabilities** - Access for people with disabilities shall be provided in accordance with the requirements of Part D3 of the Building Code of Australia. Prior to the issue of a Construction Certificate, the plans shall be amended to reflect the above.
- (3) **Disabled Toilets** - Plans and details of the disabled toilet complying with the provision of AS1428.1 - 2001, shall be submitted to Council or an Accredited Certifier **prior to issue of a Construction Certificate.**
- (4) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority **prior to the Engineering Construction Certificate being issued.**

- under the Roads Act 1993, only the Council can issue a Construction Certificate for works within an existing road reserve.
- under section 109E of the Environmental Planning and Assessment Act 1997, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.

**Note:** The developer must obtain a Construction Certificate prior to commencement of any physical site works.

- (5) **Development Certification** - As the allotment is flood affected, the following information must be submitted **prior to a Construction Certificate being issued:**
- (a) a survey report indicating the position and level of the 1:100 year flood level (1% AEP) affecting the allotment and the proposed floor level of the buildings in relation thereto.
- (6) **Structural Engineer's Certificate** - A certificate must be prepared by a practising structural engineer and must be submitted to Council attesting that the building design is capable of withstanding the effects of water and water pressure due to flooding **prior to a Construction Certificate being issued.**
- (7) **George Road Entry/Exit** – The intersection of the site's access driveway with George Road must be upgraded to a Type AUR intersection in accordance with the RTA Road Design Guide for a design speed of 80km/hr. The intersection design is to be submitted to Council's Local Traffic Committee for approval **prior to the issue of a Construction Certificate.**
- (8) **Retaining walls** – All retaining wall details must be provided with appropriate certification from a structural engineer.
- (9) **Environmental Management Plan** - An Environmental Site Management Plan must be submitted to the Principal Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 - 2005 and must address, but not be limited to, the following issues:
- (a) All matters associated with Council's Erosion and Sediment Control Policy.
- (b) All matters associated with Occupational Health and Safety.
- (c) All matters associated with Traffic Management/Control during construction, which should address issues of access of construction traffic, storage material, location of site office, and parking for workers, use of equipment and other matters which has an impact on the road network or immediate environment.
- (d) All other environmental matters associated with the site works such as noise control, dust suppression, waste management and the like.
- (e) Any construction work which involves access to public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by a RTA accredited Certifier.
- (10) **Parking Spaces** – All car parking spaces, and associated access driveways and manoeuvring areas must conform with Camden Council's Car Parking Code (Camden Development Control Plan (DCP) 2006), and must be designed in



accordance with a pavement design prepared by a Geotechnical Engineer and the Consent Authority's (ie. Camden Council) standard. Documentary evidence of compliance from an Accredited Certifier/suitably qualified person must be submitted to the Principal Certifying Authority **prior to a Construction Certificate being issued.**

- (11) **Car Parking Design** - The design, construction details of the parking spaces, access thereto and all other external hardpaved areas must conform to the Consent Authority's (ie. Camden Council) standard, and documentary evidence of compliance of above condition must be submitted by a Accredited Certifier/suitably qualified person/Council or the Principal Certifying Authority **prior to a Construction Certificate being issued.**

A work-as-executed plan and/or documentary evidence of compliance with the above, conditions must be provided by an Accredited Certifier or Council **prior to an Occupation Certificate being issued.**

For the purpose of this condition a parking space must only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

- (12) **Design Standards** - Engineering design drawings are to be prepared strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications.
- (13) **Civil Engineering Details** - The developer must submit details of all engineering works on engineering plans to the Certifying Authority for approval **prior to a Construction Certificate being issued.**
- (14) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS1742.3 1985 and to the requirements and approval of Council. Plans and proposals must be approved by Council **prior to a Construction Certificate being issued.**

The Traffic Management Plan must address the construction process and construction access for the development for all stages of the development, the storage of materials, import of fill materials, location of site offices, turning areas for the delivery vehicles, parking for construction staff, any casting and erection of building components. Appropriate Traffic Control Plans shall be submitted for all stages of constructions including the use of Council's road and foot path for construction purposes.

- (15) **Earthworks** – Proposed earthworks shall be designed to provide a cut and fill balance in order to achieve no loss of flood storage with in the site. All proposed filling on the site must be compacted to 95% standard compaction and be tested in accordance with Camden Council's Engineering Construction Specification and AS 1289 by a NATA registered laboratory. The validation of the fill material must be done prior to use of any fill material from an external sources and validation report must be submitted to the Certifying Authority prior to the issues of the Construction Certificate.
- (16) **Public Risk Insurance Policy** - **Prior to the issue of a Construction Certificate**, the owner or contractor is to take out Public Risk Insurance Policy

with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve. The Policy is to note Council as an interested party and a certificate of currency from the insurer of such policy must be submitted to the Council as evidence of such policy. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer, provided to Council.

Failure to keep the works insured shall be reason for Council to make the works safe and all costs associated with making the works safe shall be a cost to the owner of the land.

- (17) **Drainage Design** - A stormwater management plan is to be prepared **prior to the issue of a Construction Certificate** to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (18) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with the Camden Council's "Soil Erosion and Sediment Control Policy."

Control measures must be maintained during the entire development procedure and can only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised.

Plans containing a minimum of four (4) sets of the undermentioned information must be prepared and submitted to the Principal Certifying Authority for approval **prior to a Construction Certificate being issued:**

- (a) existing and final contours
  - (b) the location of all earthworks including roads, areas of cut and fill and re-grading
  - (c) location of impervious areas other than roads
  - (d) location and design criteria of erosion and sediment control structures
  - (e) location and description of existing vegetation
  - (f) site access (to be minimised)
  - (g) proposed vegetated buffer strips
  - (h) catchment area boundaries
  - (i) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
  - (j) location of topsoil or other stockpiles
  - (k) signposting
  - (l) diversion of uncontaminated upper catchment around areas to be disturbed
  - (m) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
  - (n) procedures for maintenance of erosion and sediment controls
  - (o) details for staging of works
  - (p) details and procedures for dust control.
- (19) **Pre-Treatment of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge.





The applicant is advised to contact the Appropriate Regulatory Authority for the design criteria.

The pre-treatment devices must collect and dispose of hydrocarbons and heavy metals.

- (20) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, foot paths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council **prior to the issuing of the Construction Certificate**.

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

- (21) **Service Pipes** - All service pipes and electrical conduits shall be concealed within the floor, plinths, walls or ceilings.

**or**

All service pipes and electrical conduits which are not capable of being concealed within walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe and adjacent horizontal surface.

- (22) **Dishwashing Facilities** - The premises must be provided with a:

- (a) commercial dishwashing machine capable of achieving a hot water temperature of at least 77<sup>o</sup> celsius that is fitted with a temperature thermostat or gauge; and
- (b) at least one single bowl cleaning sink or tub containing at least one compartment.

- (23) **Detailed Vegetation Management Plan (VMP) - Prior to the issue of a Construction Certificate**, a detailed vegetation management plan for the site must be prepared and be submitted to Council for written approval. This plan must include:

- Vegetation species composition, planting layout and densities must be identified. Plantings should emulate the ecotone of vegetation naturally or previously occurring on the site.
- Seed/plant sources must be identified and where possible native plants and seed sources of local provenance should be utilised.
- Details of the planting program, rehabilitation methods and staging must be provided.
- Maintenance requirements must extend for a minimum of two years after the completion of works or until such time as a minimum 80% survival rate for all plantings and a maximum five percent (5%) weed cover is achieved.



- Project tasks must be defined and described, including a schedule detailing the sequence and duration of works necessary for the implementation of the VMP.
- Maps or diagrams which identify the above detailed works (including existing vegetation to be retained, vegetation to be cleared) etc. must be prepared.
- Photographs of the site must be supplied and photo points must be identified for future monitoring and reporting purposes.
- Processes for monitoring and review, including a method of performance evaluation, must be identified. This must include assessing the need for replacing plant losses, addressing deficiencies, problems, climatic conditions, successful completion of works, etc.

- (24) **Special Infrastructure Contribution** - The applicant must obtain a Certificate from the Growth Centres Commission stating that the Special Infrastructure Contribution determined in accordance with Section 94EE of the Environmental Planning and Assessment Act 1979, and the Growth Centres Special Infrastructure Practice Note for this proposal has been paid. This Certificate must be presented to the Principal Certifying Authority (PCA) **prior to the issue of any Construction Certificate.**

Information on the Special Infrastructure Contribution can be found at the Growth Centre Commission's website [www.gcc.nsw.gov.au](http://www.gcc.nsw.gov.au). To obtain an estimate of the Special Infrastructure Contribution that may be payable for the application please e-mail [infrastructurecontribution@gcc.nsw.gov.au](mailto:infrastructurecontribution@gcc.nsw.gov.au).

- (25) **Section 68 Approval - Prior to the issue of a Construction Certificate**, a Section 68 approval to operate must be obtained from Camden Council.

This approval must be in accordance with the approved plans for this Development Consent. Should the Section 68 approval require amendments to the approved development a Section 96 modification application proposing these amendments must be submitted to and approved by Council.

- (26) **Water Supply** - Water services must be provided to the proposed development. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice must be submitted to the Principal Certifying Authority **prior to a Construction Certificate being issued.**



### 3.0 - Prior to Works Commencing

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Signs to Be Erected on Building and Demolition Sites** – Under Clause 98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, and
  - (b) showing the name of the ‘principal contractor’ (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

**Note: The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.**

- (3) **Toilet Facilities** - Toilet facilities must be provided at the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (4) **Notice of Commencement of Work** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act, 1979* and Clause 103 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated ‘principal contractor’ for the building works.
- (5) **Construction Certificate before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.
- (6) **Access from Public Places** - Construction access from public places (reserves, parks, walkways and the like) other than roads shall not occur without the prior



consent of Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.

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

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

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

An Infringement Notice issued under the Environmental Planning and Assessment Act, 1979, which imposes a monetary penalty of \$600, may be initiated by the Principal Certifying Authority (PCA) and issued by Camden Council where the implementation or maintenance of measures is considered to be inadequate. In the event that a risk of environmental pollution occurs an Infringement Notice issued under the Protection of the Environment Operations Act 1997, which imposes a monetary penalty of \$750 for an individual or \$1500 for a corporation may be issued by Camden Council.

- (8) **WorkCover Approval** - It is the responsibility of the owner to contact WorkCover Authority with respect to any demolition work or use of any crane, hoist, plant or scaffolding prior to any work commencing on the site.
- (9) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point.
- (10) **Public Road Activity** – An approval under Public Road Act shall be obtained prior to the commencement of any work in public road subject to lodgement of application and relevant fees. Such application must include appropriate traffic control plans which provides details of traffic control measures to be installed to ensure the safety and unobstructed flow of vehicular and pedestrian traffic and such control plan must be prepared by a RTA Accredited Certifier.

#### 4.0 - During Construction

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

- (1) **Nature Strip/Road Verge, Street Trees and Street Tree Protective Guards** - Any nature strip/road verge area, street tree, lawn area, tree guards if applicable, protective bollards if applicable which are disturbed, removed or damaged during the development and maintenance works, shall be repaired and the tree, lawn area, bollards, tree guards, nature strip/road verge area repaired or replaced with the same type, species and maturity.

- (2) **Survey Report (Peg Out)** - The building must be set out by a registered land surveyor. A survey report detailing the siting of the building in relation to the allotment boundaries shall be submitted to the Principal Certifying Authority (PCA) prior to the placement of any concrete.
- (3) **Survey Report (Finished Floor Level)** - A survey report prepared by a registered land surveyor must be submitted to Principal Certifying Authority (PCA) verifying the finished floor level of the building. Finished floor levels must conform to levels approved by the development consent.
- (4) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
  - (a) 7am and 6pm Monday to Friday (inclusive);
  - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
  - (c) work on Sunday and Public Holidays is prohibited.
- (5) **Damaged Assets** – All engineering works and public utility relocation shall incur at no cost to Camden Council. Any damage to Camden Council's assets shall be rectified prior to the commencement of use or occupation of a building.

A security deposit of \$10,000 shall be lodged with Council **prior to the issue of a Construction Certificate.**

- (6) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
  - The delivery of material shall only be carried out between the hours of 7am - 6pm Monday to Friday, and between 8am - 4pm on Saturdays.
  - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
  - Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
  - Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
  - A waste control container shall be located on the development site.
- (7) **Footpath Levels** - The ground levels of the footpath area within the road reserve (between the boundary of the subject site to the kerb and gutter) must not be altered (by cut or fill) as a consequence of building design and/or construction.
- (8) **Excavation and Backfilling** – All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(9) **Support for Neighbouring Buildings** - If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. In this condition, 'allotment of land' includes a public road and any other public place.

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

- is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

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

(11) **Drainage Easements** - No changes to site levels, or any form of construction shall occur within any drainage easements that may be located on the allotment.

(12) **Compaction** - Any filling up to 1 metre on the site must be compacted to 95% standard compaction and be tested in accordance with Camden Council's Engineering Construction Specification and AS 1289 by a NATA registered laboratory. The validation of the fill material must be done prior to use of any fill material and validation report must be submitted to the Principal Certifying Authority **prior to the issues of the Construction Certificate.**

(13) **Construction Standards** - All civil engineering work associated with the development must be carried out strictly in accordance with Camden Council's Development Control Plan 2006 and Engineering Specifications for roadworks, drainage and other works associated with subdivisions and other developments.

(14) **Affected Services** – All services within 1 metre of the crossing and any affected services due the proposed work shall be adjusted in consultation with the appropriate service authority.



- (15) **Gaps Sealed** - All gaps between shelves and vertical surfaces must be sealed to prevent the accumulation of grease and food particles. Alternatively 25mm clearance is required to allow the area to be cleaned.
- (16) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

- (17) **Fill Material - Prior to the importation and/or placement of any fill material on the subject site** a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- i) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- ii) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- iii) be prepared in accordance with:
  - a) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - b) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- iv) confirm that the fill material:
  - a) provides no unacceptable risk to human health and the environment;
  - b) is free of contaminants;
  - c) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - d) is suitable for its intended purpose and land use, and





e) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes: -

- v) less than 6000m<sup>3</sup> - 3 sampling locations,
- vi) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For (v) and (vi) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of Contamination should be undertaken in accordance with the following table:-

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated	1	1,000
Natural Material	(see Note 1)	

*\*Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.*

- (18) **Unexpected Findings Contingency** – Upon the identification of any contamination or hazardous materials at any stage of the construction process all construction works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DECCW Guidelines. The assessment results, together with a suitable management plan, must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination / hazardous materials.
- (19) **Dewatering of Dams** – No dams are to be breached for the purpose of water removal. All surplus dam water must be irrigated onto the property and this irrigated water must be contained within the property boundary. Alternatively, the dam water may be used for dust suppression during construction works. No dam water is allowed to discharge or flow directly into any stream, creek, or river unless the water being discharged has been further tested to meet the relevant water quality discharge criteria as contained within Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

**5.0 - Prior To Issue Of Occupation Certificate**

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

- (1) **Survey Report (Completion)** - A survey report prepared by a registered land surveyor shall be provided upon completion of the building. **The survey report must also confirm that the height of the two approved acoustic barriers is no greater than 3m from natural ground level (ie. prior to the development commencing) as required by this development consent.** The survey report





shall be submitted to the Principal Certifying Authority (PCA) upon completion of the building and prior to the issue of an Occupation Certificate.

**(This condition was modified by Section 96 Modification 1107(2)/2008 on 12 May 2015).**

- (2) **Structural Certification (Completed Building)** – Prior to the issue of an Occupation Certificate, a certificate prepared by a practising structural engineer, certifying the structural adequacy of the building, shall be submitted to the Principal Certifying Authority (PCA).
- (3) **Footpath Crossing Construction** – Prior to use or occupation of the development, a footpath crossing must be constructed in accordance with Camden Council's issued footpath crossing information.

To obtain such information a Public Road Activity application must be submitted to Camden Council with the appropriate fee. Applications forms are available from Council's Customer Service Centre, and/or Internet site – [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

- (4) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:
  - (a) has been assessed by a properly qualified person; and
  - (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

As soon as practicable after the Final Fire Safety Certificate has been issued, the owner of the building to which it relates:

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
  - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (5) **Works as Executed Plan - Prior to the Occupation Certificate being issued**, a works-as-executed drawing signed by a registered surveyor must be submitted to the Principal Certifying Authority showing that the stormwater drainage and finished ground levels have been constructed as approved.
- (6) **Registration and Notification** - Proprietor/s of a business are required to register the business with Camden Council and complete a Food Business Notification Form. The registration form must be returned to Council, whereas the Notification Form may be completed on-line on the Internet (free of charge) or returned to Council with an administration processing fee of \$55 (inclusive of GST).

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- (7) **Certification of Exhaust System** - Where an exhaust ventilation system is installed, a Certificate of Compliance must be submitted to Camden Council, prior to occupation. The certificate must be issued by a suitably qualified person and verify that the kitchen exhaust system as installed, has been tested and complies with Australian Standard 1668 – 1991 Parts 1 & 2 and the Building Code of Australia.
- (8) **Thermometers** - Any appliance used for the storage of hot and cold food must be provided with a numerically scaled and accurate thermometer.
- (9) **Compliance Letter** - Where the consent authority is not the Principal Certifying Authority (PCA) an additional inspection of the commercial kitchen must be undertaken by the Consent Authority) **prior to the issue of an Occupation Certificate**. A letter is to be issued from the Consent Authority certifying that the kitchen complies with the Food Codes and Regulations.
- (10) **Acoustic Compliance** – A certificate of compliance shall be issued to the certifying authority prior to the issue of the occupation certificate that all the recommendations as outlined in Section 7 of the Acoustic report prepared by RSA Acoustics Report No. 3691 have been implemented.
- (11) **Lighting Compliance – Prior to the issue of an Occupation Certificate**, a lighting compliance report, certifying that all installed lighting complies with AS 4282-1997 "Control of the obtrusive effects of outdoor lighting," shall be submitted to and approved by the Certifying Authority.
- (12) **Services** - All services (water, sewer, electricity, telephone and gas including the provision of service conduits and stub mains) are to be installed within the proposed public roads before final inspection of the engineering works.

**Prior to the issue of an Occupation Certificate** the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:

- A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water Corporation.
  - A letter from Integral Energy stating that all its requirements and any conditions of this consent have been satisfied.
  - A letter 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 development.
- (13) **Acoustic Barrier Construction – The acoustic barrier construction must comply with the following requirements:**
- **the acoustic barriers are to be repaired such that there are no cracks or gaps;**
  - **the internal and external sides of the two approved acoustic barriers must be professionally painted in a dark, neutral, recessive colour. This colour must be permanently maintained in a complete condition;**



- the support posts must be cut so that they are flush with the top of acoustic barriers; and
- certification from a qualified structural engineer must be provided which confirms the structural adequacy of the acoustic barriers.

Details demonstrating compliance with all of the above requirements must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(This condition was added by Section 96 Modification 1107(2)/2008 on 12 May 2015).

- (14) Evidence for Fill Material – Evidence that all fill material used for the development complies with condition 4.0(17) of this development consent must be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(This condition was added by Section 96 Modification 1107(2)/2008 on 12 May 2015).

#### 6.0 - Operational Conditions

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

- (1) **Hot Storage** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.
- (2) **Cold Storage** - All equipment used for the display or storage of cold food shall maintain the food temperature of not more than 5°C.
- (3) **Soap Towels** - An adequate supply of liquid soap and single use clean hand towels or other suitable hand drying facilities shall be provided to the staff toilet and near the hand basin, and must be maintained at all times.
- (4) **Offensive Noise** - The use and occupation of the premises, including all plant and equipment installed thereon, must not give rise to any offensive noise within the meaning of the Protection of the Environment Operations Act 1997.
- (5) **Maximum Occupancy** - The maximum number of people approved to attend church sermons (Fridays: 7.00pm-8.30pm) and social and sport events (Saturdays: 8.00pm-10pm) at the approved church hall is 195.

The maximum number of people approved to attend congregation worship activities (Saturdays: 9.30am-5.00pm) is 390.

**Note:** The only approved activities are those detailed in the development application documentation submitted to Council with the development application.

- (6) **Hours of Operation** - The hours of operation for the approved land-use are:



Church sermons: Fridays between 7.00pm-8.30pm only.

Congregation worship: Saturdays between 9.30am-5.00pm only.

Social and sport events: Saturdays between 8.00pm-10.00pm only.

First floor office/meeting room: Fridays between 7.00pm-8.30pm only.  
Saturdays between 9.30am-5.00pm only.  
Saturdays between 8.00pm-10.00pm only.

**Note:** The social and sport events and first floor office/meeting room, used on Saturday evenings between 8.00pm-10.00pm must end before 10.00pm and all vehicles must have left the site by 10.00pm.

**Note:** The only approved activities are those detailed in the development application documentation submitted to Council with the development application.

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alterations to these hours will require the prior written approval of Camden Council.

- (7) **Overflow Car Park** - The overflow car park area in front of the church hall building is only to be used once all other constructed car parking spaces on the site have been fully occupied.

All vehicular access to, within and from the overflow car park area is to be controlled and managed by accredited traffic controllers.

This overflow car park area is to be regularly maintained as a mown grass lawn when not in use.

- (8) **Lighting** - All of the approved lighting must be turned off outside of the development's approved hours of operation.
- (9) **Amenity** - The business shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, adjoining occupations, and residential premises.
- (10) **Ancillary Office Area** - The use of the office area shall be ancillary to the use of the premises at all times.
- (11) **Graffiti Removal** – All graffiti must be removed from the building within 48 hours of occurring.
- (12) **Unloading of Deliveries** - All unloading of deliveries must only ever take place within the approved site.
- (13) **Vehicles Entering and Exiting the Site** – All vehicles entering and exiting the site must only do so in a forward direction.
- (14) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied



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that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

### **RECOMMENDED**

**That Council approve Section 96(2) Modification Application 1107(2)/2008 for the modification of a previously approved place of public worship at 124 George Road, Leppington, subject to the modified conditions listed above.**

### ATTACHMENTS

1. Original Council Report 26/10/2010
2. Survey - Sound Wall and Pits
3. Submissions - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*



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## ORDINARY COUNCIL

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**SUBJECT: SUBDIVISION OF LAND TO CREATE 65 RESIDENTIAL LOTS, 1 DRAINAGE RESERVE LOT, 1 OPEN SPACE LOT, CONSTRUCTION OF ROADS, DRAINAGE, LANDSCAPING AND ASSOCIATED SITE WORKS, 19-21 AND 810 LILYDALE AVENUE, GLEDSDOOD HILLS**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 15/77699

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**APPLICATION NO:** DA 142/2015

**PROPOSAL:** Subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping and associated site works

**PROPERTY ADDRESS:** 19–21 and 810 Lilydale Avenue, Gledswood Hills

**PROPERTY DESCRIPTION:** Lot 2000, DP: 1161618 and Lot 1, DP: 1193953

**ZONING:** R1 General Residential

**OWNER:** SH Camden Valley Way Pty Ltd

**APPLICANT:** SH Camden Valley Way Pty Ltd c/o SJB Planning

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping and associated site works at 19 - 21 and 810 Lilydale Avenue, Gledswood Hills.

The DA is referred to Council for determination as there remains unresolved issues received in one submission from the public and there are proposed variations to the Turner Road Development Control Plan 2007.

### SUMMARY OF RECOMMENDATION

That Council determine DA 142/2015 for the subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping 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 subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping and associated site works at 19-21 and 810 Lilydale Avenue, Gledswood Hills.

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

The DA was publicly exhibited in accordance with Camden Development Control Plan 2011. Two submissions were received (1 in support and 1 objecting to the proposed



development). **A copy of the submissions is provided with the Business Paper supporting documents.**

The issue raised in the submission objecting to the proposal relates to the positioning of a drainage pipe through an existing sound mound on the subject site. The submission writer believes that this pipe will drain directly on to a private dam on his property to the west of Camden Valley Way. In addition, a further query was raised in relation to changing the suburb address of an adjacent lot.

The drainage pipe referred to in the submission relates to an outlet approved and constructed under DA 268/2014 as part of Stage 24 of the Hermitage Estate. The current application proposes to discharge stormwater to 3 outlet points to the south of the submitter's property along Camden Valley Way and Fairbank Drive. As such, the stormwater from the current application will not drain towards the submitter's property and there will be no impact to properties along this section of Camden Valley Way from the subject DA.

Furthermore, the stormwater management strategy for the subdivision and the development of the land has been assessed by Council's development engineers. This strategy will satisfactorily manage stormwater flows, in accordance with Council's Engineering Specifications. This ensures that the subject site will not drain into a private dam on the submission writer's property.

The request to change the current suburb name of a property from Catherine Field to Gledswood Hills has been considered. The Geographical Names Board (GNB) sets the boundary for all suburbs and the property in question is wholly located within the Catherine Field suburb. It is unlikely that the GNB would support a request to change an individual property address.

When originally lodged, the DA proposed a variation to three local roads in that it proposed laneways in their place. Following discussions with Council staff, the applicant has provided revised plans which proposed local roads that now fully comply with the DCP requirements.

The application proposes a variation to the Turner Road DCP 2007 relating to the provision of no more than 40% of the lots with the same lot type. The subdivision proposes 43% of the lots with a similar frontage type being 13m to 15m.

Council staff have assessed the DCP variation and recommend that it be supported in that the subdivision continues to provide a range of densities, lot sizes and potential for differing dwelling types which will allow the fostering of a diverse community and interesting streetscape.

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 19–21 Lilydale Avenue, Gledswood Hills and is legally described as Lot 2000, DP 1161618 and Lot 1, DP 1193953.

The site is irregular in shape with frontages of approximately 380m to Camden Valley Way and Lilydale Avenue, a 150m frontage to Fairbank Drive to the south and an overall area of 3.237ha.

The subdivision provides for Stage 23 of The Hermitage Estate, which forms part of the Turner Road Precinct for the South West Growth Centre. The site is largely vacant except for 2 dams currently used for erosion and sediment control purposes, scattered trees and temporary landscaping along the southern boundary of the site. The trees and existing dams will be removed under DA189/2014 approved by Council.

The surrounding properties are characterised by various stages of residential subdivision associated with the developing Gledswood Hills residential suburb.

The Smeaton Grange industrial estate lies to the south with the existing Currans Hill residential suburb to the south-east. On the opposite side of Camden Valley Way to the south-west lies Harrington Park and the urban release area of “Harrington Grove.” The Oran Park precinct of the South West Growth Centre exists to the west whilst to the north the site is bound by the El Caballo Blanco/Gledswood site. To the east is the Sydney Catchment Authority upper canal and the Camden/Campbelltown LGA boundary.

## HISTORY

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



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Date	Development
17 January 2011	DA 1305/2009 approved the subdivision to create 150 residential lots, 1 superlot, 1 residue lot, construction of bulk earthworks, roads, drainage, services, landscaping and remediation of contaminated land
14 October 2013	DA 667/2013 approved a 19 lot subdivision, 1 open space lot, 1 residue lot and construction of roads, drainage and associated site works
27 May 2014	DA 189/2014 approved bulk earthworks and associated site works

**THE PROPOSAL**

DA 142/2015 seeks approval for the subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping and associated site works.

Specifically the proposed development involves:

- creation of 65 residential lots, ranging in size from 250m<sup>2</sup> to 582m<sup>2</sup>;
- creation of an open space lot (lot 2367) with an area of 9604m<sup>2</sup> which comprises the existing landscaped acoustic mound. This land is to be dedicated to Council;
- creation of a drainage reserve lot (lot 2366) with an area of 1,278m<sup>2</sup> to be dedicated to Council;
- construction of internal road network;
- minor earthworks; and
- landscaping works.

The value of works is \$2,715,718.00.

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

## PROPOSED SUBDIVISION PLAN



## ASSESSMENT

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

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

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

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

- State Environmental Planning Policy 55 – Remediation of Land
- Deemed State Regional Environmental Policy No 20 – Hawkesbury – Nepean River
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

#### **State Environmental Planning Policy 55 – Remediation of Land (SEPP)**

Remediation of the subject site was approved under DA 1305/2009 and DA 189/2014. Council staff have reviewed the approved documentation and subject to its findings, consider the site can be made suitable for residential uses thereby satisfying the requirements of the SEPP. In addition, it is a recommended condition that a site validation report and site audit statement are submitted prior to the issue of a Subdivision Certificate.

Subject to this occurring, the requirements of the SEPP are deemed to be met.




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### Deemed State Environmental Planning 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. Conditions are recommended that water quality and water quantity measures be consistent with the adopted and endorsed strategies and masterplans for water quality and water quantity in Turner Road, and requirements of Camden Council's current engineering.

It is not considered there will be any adverse impacts on downstream properties or those to the west of the subject site subject to the imposition of those conditions.

### State Environmental Planning Policy (Sydney Regional Growth Centres) 2006

#### *Permissibility*

The land subject to this DA is zoned R1 – General Residential under the provisions of the SEPP. The proposed development is defined as 'subdivision' by the SEPP, which is a permissible land use in the abovementioned zones. The associated road, drainage and landscape are also permissible with development consent in the applicable R1 zone.

#### *Zone Objectives*

In terms of the proposed development's consistency with the zone objectives, the relevant objectives of the zone seek:

- To provide for housing needs for the community.

#### Officer Comment

The DA proposes a subdivision of 65 residential lots, which will provide for the future housing needs of the community.

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

#### Officer Comment

The DA proposes a range of residential lot sizes from 250m<sup>2</sup> to 582m<sup>2</sup>. This will allow for a variety of housing types and densities to be provided for the estate.

- To enable other land uses that provide facilities or services to meet the day to day needs of the residents.
- To support the wellbeing of the community, including educational, recreational, community, religious and other activities, and where appropriate, neighbourhood shops, if there will be no adverse effect on the amenity of proposed or existing nearby residential development.
- To allow for small scale kiosks, function centres, restaurants and markets that support the primary function and use of recreation areas, public open space and recreation facilities located within residential areas.
- To allow for small scale intensity tourist and visitor accommodation that does not interfere with residential amenity.





- To provide for a variety of recreational uses within open space areas.

Officer Comment

The above objectives are not relevant as the application is proposing the subdivision of land for residential purposes.

*Relevant Clauses*

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

Clause	Requirement	Provided	Compliance
2.6 Subdivision Consent Requirements	Development Consent	Development Application lodged	Yes
4.1 Minimum Lot Size	Minimum 125m <sup>2</sup>	The proposed residential lots vary from 250m <sup>2</sup> to 582m <sup>2</sup>	Yes
4.1A Minimum Lot Sizes for other Development	Minimum lot size of 250m <sup>2</sup> for dwelling house and 125m <sup>2</sup> for attached dwelling	The proposed lot sizes are suitable for both dwelling houses and attached dwellings as a minimum	Yes
4.1C Residential Density – Turner Road Precinct	Consent must not be granted unless the Consent Authority is satisfied that the delivery of 4,020 new dwellings in the Turner Road Precinct can be achieved	This DA proposes 65 residential lots and therefore contributes to the overall minimum dwelling density targets set out by this clause.	Yes
	Each subdivision must contain provision to encourage a mix of dwelling types to be provided	The proposed subdivision layout provides for a mix of dwelling types through the provision of a range of lot sizes	Yes
5.9 Preservation of Trees or Vegetation	Development consent is required for the removal of trees	No tree removal is proposed as part of this application. Tree removal has been approved under DA 189/2014	Yes
5.10 Heritage Conservation	To conserve the European and Aboriginal heritage of the Turner Road Precinct	The site is covered by an area wide Aboriginal Heritage Impact Permit (AHIP) granted by the Office of Environment and Heritage (OEH) for	Yes



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Clause	Requirement	Provided	Compliance
		the Turner Road North Precinct	
6.1 Public Utility Infrastructure	Public utility structure is to be made available to the site	All required public utility infrastructure including water, sewer and electricity will be made available to service the proposed subdivision. A condition is also recommended which requires approval from all relevant public utility authorities prior to the issue of a subdivision certificate	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***

Turner Road Development Control Plan (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP. Discussion of any variations of the controls is provided after the compliance table.

Control	Requirement	Provided	Compliance
A 2.1 Indicative Layout Plan (ILP)	Development to be in accordance with the indicative layout plan (ILP)	The proposed development is generally in accordance with the requirements of the ILP. <b>A copy of the ILP layout plan is provided as an attachment to this report.</b>	Yes
A 2.2 Vision and Development Objective	Development to be in accordance with the vision and objectives for the Turner Road Precinct	The proposed development is consistent with the vision and objectives for the Turner Road Precinct	Yes



Control	Requirement	Provided	Compliance
<p>A 2.3 Residential Density Targets</p>	<p>The residential density target for sub-precinct A of 195 dwellings must be achieved</p>	<p>This DA is the fifth development within sub-precinct A as shown below:</p> <p>DA 1305/2009 (Stage 2) approved 150 residential lots, 79 of which are located within sub-precinct A</p> <p>DA 268/2014 (Stage 24) approved 66 residential lots, of which 3 are located in sub-precinct A</p> <p>DA 592/2014 (Stage 6 part A) approved 15 residential lots, all of which are located in sub-precinct A</p> <p>DA 1173/2014 (Stage 6 part B) approved 19 residential lots, of which 18 are located in sub-precinct A</p> <p>This equates to an approved yield of 115 dwellings within the sub-precinct</p> <p>The current DA proposes an additional 65 dwellings within sub-precinct A, which will result in a total dwelling yield of 180 dwellings</p> <p>The remaining 15 dwellings will be provided to the east of the site once a further DA has been lodged</p> <p>Council staff are therefore satisfied that the minimum dwelling targets can be met</p>	<p>Yes</p>

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Control	Requirement	Provided	Compliance
		through the endorsement of this subdivision layout and the further subdivision of land within sub-precinct A	
A 3.1 Street Network and Design	Street network design must be provided in accordance with the ILP and Street Network Plan	The proposed street network provides for a grid pattern which will generally be in accordance with the ILP and Street Network Plan	Yes
	Roads are to be provided in accordance with the cross-sections of the DCP:	The extension to Coldstream Lane provides a maximum overall cross section of 19.9m with a carriageway width of 7.5m and 6.2m verges to either side of road	Yes
	Local Street requires a minimum 14.4m cross-section with a 7.4m carriageway and 3.5m verge	Road No. 2301 is also a local road with an overall cross section of 14.4m, including a carriageway width of 7.4m and 3.5m verge on the either side of the street. Where the road is adjacent the landscaped acoustic mound, the verge width has been reduced to 1m in accordance with Figure 11 of the DCP	Yes
	<u>Note:</u> Where roads are adjacent to open space or drainage reserves, the verge may be reduced to 1m, resulting in a minimum cross section of 11.9m	Road No's 2302 and 2303 are also local roads with an overall cross section of 11.9m, including a carriageway width of 7.4m and verges adjacent to the future drainage reserve (lot 2366) of 1m and 3.5m on the opposite side	Yes
	Local streets must have front loaded	More than minimum road cross sections	Yes



Control	Requirement	Provided	Compliance
	access to no more than 30 allotments where the minimum road cross section is proposed	proposed, therefore front loaded access to all proposed allotments	
	Traffic management devices should be provided in local streets and access ways	Appropriate traffic management devices are provided for within the proposed roads	Yes
	Intersection spacing and design is to be consistent with the best practice guidelines of the DCP	The subdivision is proposed in accordance with the best practice guidelines of the DCP	Yes
	Street trees are required on all streets. Detailed design of street tree planting within the road reserve is to be submitted	Lily Pilly, Blueberry Ash, Bradford Pear, Early Defoliating Pine Oak and Todd Elm trees will be planted as street trees, which is consistent with other streets within the Hermitage Estate	Yes
	Location and design of signage, street furniture and street lighting is to be indicated on the Engineering construction drawings	Appropriate street lighting etc. can be provided to be consistent with this existing infrastructure within the estate. Street lighting is addressed by recommended conditions	Yes
	The design of signage, street furniture and street lighting is to be consistent with Council's Landscape and Streetscape Elements Manual for Camden	Street lighting and the like can be provided which will be generally consistent with the aims and objectives of the Elements Manual	Yes
	The minimum kerb radii for intersections of local roads shall	The local road intersections proposed radii of at	Yes



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Control	Requirement	Provided	Compliance
	be 7.5m with a minimum verge width of 3.5m	least 7.5m and a verge width greater than 3.5m	
A 3.2 Pedestrian and Cycle network	Pedestrian and cycleway routes are to be provided in accordance with Figure 17 in the DCP, along with relevant road cross sections	The proposed pedestrian and cycleway does not immediately impact the lots and the local streets with Stage 23. Footpaths of 1.5m wide are provided for within each local road	Yes
A 3.3 Public Transport Network	Bus routes are to be provided generally in accordance with the Figure 18 in the DCP	The proposed bus routes do not immediately impact the lots and the local streets with Stage 23	Yes
A 4.1 Public Parks and Landscape Strategy	Public parks and other open space areas are to be provided generally in accordance with Figure 19 of the DCP  Landscape plan to be submitted at time of subdivision and provide details on	The DA proposes to dedicate Lot 2367 to Council as an open space lot (this lot has an area of over 1ha and also includes an acoustic mound). This arrangement is consistent to the open space lot approved to the south of Fairbank Drive under DA 667/2013 which also contains an acoustic mound  All landscaping works have been previously approved under DA 1305/2009	Yes  Yes



Control	Requirement	Provided	Compliance
	elements including earthworks, landscaping treatments and plant species	An appropriate landscape plan has been submitted with the application for street tree planting and landscaping to the drainage reserve	
A 6.2 Flooding and Watercycle Management	Residential lots to be above the 1 in 100 year flood line plus a 500mm freeboard	All proposed residential lots are above the 1 in 100 year flood line, including minimum freeboard	Yes
	Subdivision DAs to be accompanied with a Water Sensitive Urban Design (WSUD) Strategy	The Stormwater Management report addresses the provision of clause 6.2 satisfactorily and appropriate water sensitive design measures have been implemented	Yes
A 6.3 Salinity and Soil Management	Salinity resistant construction	A Salinity Assessment Report was submitted as part of the DA. Compliance with this report is a recommended condition	Yes
A6.4 Aboriginal and European Heritage	To ensure that Aboriginal and European heritage is protected	The site is covered by an area wide Aboriginal Heritage Impact Permit (AHIP) granted by the Office of Environment and Heritage (OEH) for the Turner Road North Precinct	Yes
A 6.7 Tree Retention and Biodiversity	To ensure the protection of significant trees, maintain and improve biodiversity values within the precinct and to prevent the spread of weed during and after construction	The removal of trees within the site was approved under DA 189/2014 as part of the bulk excavation works. Any additional vegetation removal is deemed to be acceptable and is supported	Yes
A 6.8 Contamination Management	Contamination assessment and remediation (if	Remediation of contamination within the subject site was	Yes



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Control	Requirement	Provided	Compliance
	required)	approved under previous development consent DA 1305/2009 and DA 189/2014. Conditions are recommended to ensure compliance with these previous approvals in relation to contamination. A site validation report and a site audit statement is also required to be submitted prior to the issue of a subdivision certificate to ensure the site has been made suitable for its intended residential use	
A 6.10 Acoustics	Compliance with Council's Environmental Noise Policy	<p>An Acoustic report for the proposed subdivision has been submitted with the DA. The report demonstrates compliance with the internal and external amenity criteria contained within the Policy, subject to:</p> <ul style="list-style-type: none"> <li>- Alternative ventilation will be required for sleeping room windows and various upper and ground floors facades for all lots;</li> <li>- Solid 1.8m high boundary fencing for lots 2321, 2323, 2324, 2328, 2329 2333. 2344, 2350 and 2358.</li> </ul> <p>Compliance with the report can be achieved through a recommended</p>	Yes



Control	Requirement	Provided	Compliance
		<p>condition requiring a section 88B instrument to restrict the affected lots.</p> <p>It should be noted that a 3m high acoustic mound along the boundary of Camden Valley Way has also been constructed in accordance with DA 1305/2009 to mitigate the impact of noise from Camden Valley Way and Fairbank Drive</p>	
<p>A 7.1 Neighbourhood and Subdivision Design</p>	<p>Meets the minimum residential density targets of the precinct plan</p>	<p>This DA is the fifth development within sub-precinct A as shown below:</p> <p>DA 1305/2009 (Stage 2) approved 150 residential lots, 79 of which are located within sub-precinct A</p> <p>DA 268/2014 (Stage 24) approved 66 residential lots, of which 3 are located in sub-precinct A</p> <p>DA 592/2014 (Stage 6 part A) approved 15 residential lots, all of which are located in sub-precinct A</p> <p>DA 1173/2014 (Stage 6 part B) approved 19 residential lots, of which 18 are located in sub-precinct A</p> <p>This equates to an existing approved yield of 115 dwellings.</p> <p>The current DA proposes an additional 65</p>	<p>Yes</p>



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Control	Requirement	Provided	Compliance
	Residential development is to be generally consistent with Table 10	<p> dwellings within sub-precinct A, which will result in a total dwelling yield of 180 dwellings.</p> <p>The remaining 15 dwellings will be provided within Stage 11 to the east of the site.</p> <p>Council staff are therefore satisfied that the minimum dwelling targets can therefore be met through the further subdivision of land within sub-precinct A.</p> <p>The proposal results in a density of 19.36dw/ha. The subdivision design is generally in accordance with the characteristics identified for this density band in Table 10 of the DCP</p>	Yes
A 7.2 Block and Lot Layout	<p>Street blocks are generally to be no more than 250m long x 70m wide</p> <p>Minimum lot frontages shall comply with Table 12:</p> <ul style="list-style-type: none"> <li>- 20 to 45dw/ha – 7m minimum lot frontage for front loaded sites</li> </ul> <p>No more than 40% of the lots may be of the same lot type (lot frontage)</p>	<p>The maximum proposed street block is 90m x 49m, which meets the requirements of the DCP</p> <p>All lots exceed 7m in width</p> <p>The subdivision proposes that 43% of the lots will be of a similar frontage type. As such the</p>	<p>Yes</p> <p>Yes</p> <p><b>No - DCP Variation 1</b></p>





Control	Requirement	Provided	Compliance
	<p>Lots should be rectangular</p> <p>Corner lots are to be designed to allow dwellings to positively address both street frontages</p>	<p>development results in a variation to the DCP</p> <p>All lots proposed are generally rectangular in shape</p> <p>The proposed corner lots are considered to of a size and configuration to ensure that both street frontages are positively addressed</p>	<p>Yes</p> <p>Yes</p>
A 7.3 Subdivision Approval Process	The subdivision is in accordance with the Subdivision Approval Process Table in Table 13 of the DCP	The approval process has been undertaken in accordance with Table 13 of the DCP – Pathway A1 and A2	Yes
A 8.2 Stormwater and Construction Management	Compliance with Council's policies	The applicant has submitted details in relation to soil and water management which have been reviewed by Council staff and are considered to be acceptable	Yes
A 8.3 Waste Management	Provision of an acceptable Waste Management Plan	A Waste Management Plan is submitted as part of the DA	Yes
A 8.4 Site Facilities and Servicing	Underground services are required for all domestic servicing utilities, including electrical services	All required services will be provided underground within the proposed road infrastructure	Yes
A 8.6 Safety and Surveillance	Pedestrian and communal areas are to have sufficient lighting, be designed to minimise opportunities for concealment and to incorporate principles of Crime Prevention through Environmental Design (CPTED)	The proposed footpaths within the public domain will be adequately lit by street lighting. All lots will be oriented to the street to encourage passive surveillance opportunities	Yes

DCP Variation 1 – Provision of lots with no more than 40% of the same frontage type



*DCP Control*

The DCP requires that no more than 40% of the total residential lots in a subdivision should be of the same lot frontage type. This application proposes 43% of the lots to have a frontage of between 13m – 15m in width, which is considered to be a similar frontage.

*Variation Request*

The applicant has requested that Council support a variation to the DCP control on the following basis:

- Individual lots vary between 250m<sup>2</sup> and 582m<sup>2</sup> in area with frontages ranging from 10m to 29.84m. This range in width and area will provide a variety of lot sizes that will accommodate a range of housing forms and sizes; and
- the residential lots are typically rectangular in shape and designed to respond to local topography. The geometry of the site will not restrict width, depth and areas to provide for suitable future dwellings.

Council Officer Assessment

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

- the subdivision continues to provide a range of densities, lot sizes and potential for differing dwelling types which will allow the fostering of a diverse community and interesting streetscape;
- the proposed subdivision is considered to achieve the objectives of the DCP control; and
- the proposed variation is minor in nature.

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

Camden Development Control Plan (DCP)

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

Control	Requirement	Provided	Compliance
B1.1 Erosion and sedimentation	Erosion, sediment and dust control measures to be provided	Appropriate erosion, sediment and dust control measures have been proposed and will also be required to be implemented as part of the recommended conditions of approval	Yes
B1.2 Earthworks	Subdivision to respond to site’s	An acceptable amount of cut and fill	Yes



Control	Requirement	Provided	Compliance
	natural topography and minimise cut and fill	is proposed to establish final levels for the residential lots. This will be necessary to establish level building platforms for future dwellings. The depths of cut and fill would not significantly alter the existing site levels or topography	
	Clean fill material should be used	A condition of approval is recommended which will require that clean fill material is used	Yes
	DAs involving earthworks to include supporting information which addresses fill, stormwater management and site revegetation	Appropriate cut and fill details, soil and water management and landscaping have been provided, to meet the requirements of the DCP	Yes

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

The Gledswood Hills Planning Agreement between Council and SH Camden Valley Pty Ltd (as amended 14 February 2014) applies to the Hermitage Estate and to Stage 23 which is the subject of this DA.

Stage 23 is located within Stage A of the planning agreement. One item identified within this stage of the VPA (which includes Stage 23) is the provision of water cycle management land adjacent to Camden Valley Way for future dedication to Council.

The applicant has advised that the proposed subdivision is in accordance with the terms of the VPA as it makes provision for water cycle management land within this required part of the site (which will be within the proposed lot 2366). The applicant has further indicated that the land as identified in the VPA will be dedicated to Council as part of the application.

A condition is also recommended which requires compliance with the VPA applicable to the site.

***(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.

Road Traffic Noise

An acoustic report for the proposed subdivision has been submitted with the application which addresses the potential impacts of road traffic noise on the future dwellings within Stage 23 from traffic using Camden Valley Way and Fairbank Drive. The report demonstrates compliance with the relevant internal and external noise amenity criteria within Council's Environmental Noise Policy and within EPA's Environmental Criteria for Road Traffic Noise) subject to:

- the 3m high acoustic mound adjacent to Camden Valley Way, which has already been constructed;
- alternate ventilation requirements for sleeping room windows on various ground or upper floor facades, for all of the proposed lots; and
- solid fencing to specified boundaries of 9 lots.

The acoustic report has been reviewed by Council's environmental staff. Compliance with the recommendations of the acoustic assessment report is to be achieved through the recommended conditions of approval, including a restriction on the relevant lots through an 88B instrument to confirm the ventilation and fencing requirements.

Stormwater Management

A stormwater management strategy has been submitted as part of the application which addresses the construction and installation of a site subsurface drainage network for the development. The submitted plans and documentation propose that the development will discharge to 3 outlet points to the south of the site towards Camden Valley Way and Fairbank Drive. The report concludes that the drainage network has been designed to ensure that the peak flows are not increased from the catchment and will therefore not adversely impact on adjacent lots to the west of Camden Valley Way.

Council staff have reviewed the proposed drainage network and are satisfied that the stormwater modelling undertaken is sufficient and complies with all relevant controls applicable to the site.

**(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 24 February 2015 to 9 March 2015. 2 submissions were received (1



supporting and 1 objecting to the proposed development). **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. *The 1m drainage pipe through the sound mound on Camden Valley Way will drain directly through the culvert onto our land*

#### Officer Comment

The issue raised relates to the positioning of an approximately 1m drainage pipe through an existing sound mound on the subject site. The submission writer believes that this pipe will drain directly onto his property to the west of Camden Valley Way.

The drainage pipe referred to in the submission relates to an outlet approved and constructed under DA 268/2014 as part of Stage 24 of the Hermitage Estate. The current application proposes to discharge stormwater to 3 outlet points to the south of the submitter's property along Camden Valley Way and Fairbank Drive. As such, the stormwater from the current application will not drain towards the submitter's property and there will be no impact to properties along this section of Camden Valley Way as a result of this DA.

Furthermore, the stormwater management strategy for the subdivision and the development of the land has been assessed by Council's development engineers. This strategy will satisfactorily manage stormwater flows, in accordance with Council's Engineering Specifications.

2. *Request that a property has suburb name change to Gledswood Hill.*

#### Officer Comment

The requests to change the current suburb name of a property from Catherine Field to Gledswood Hills has been considered. The Geographical Names Board (GNB) sets the boundary for all suburbs and the property in question is wholly located within the Catherine Field suburb. It is unlikely that the GNB would support a request to change an individual property address.

#### **(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 142/2015 is recommended for approval subject to the conditions contained in this report.

## CONDITIONS

### 1.0 - General Conditions of Consent

- (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
TR23-CI-000 Issue 2	Cover Sheet and Drawing List	Sekisui House	14 April 2015
TR23-CI-001 Issue 2	General Notes	Sekisui House	14 April 2015
TR23-CI-002 Issue 2	Survey Plan	Sekisui House	14 April 2015
TR23-CI-003 Issue 2	General Arrangement Plan	Sekisui House	14 April 2015
TR23-CI-100 Issue 2	Erosion and Sediment Control Plan	Sekisui House	14 April 2015
TR23-CI-200 Issue 2	Bulk Earthworks Plan	Sekisui House	14 April 2015
TR23-CI-201 Issue 2	Site Sections Sheet 1	Sekisui House	14 April 2015
TR23-CI-202 Issue 2	Site Sections Sheet 2	Sekisui House	
TR23-CI-300 Issue 2	Siteworks and Stormwater Drainage Plan	Sekisui House	14 April 2015
TR23-CI-301 Issue 2	Catchment Plan	Sekisui House	14 April 2015
TR23-CI-400 Issue 2	Roadworks Longitudinal Sections Sheet 1	Sekisui House	14 April 2015
TR23-CI-401 Issue 2	Roadworks Longitudinal Sections Sheet 2	Sekisui House	14 April 2015
TR23-CI-600 Issue 2	Stormwater Drainage Details	Sekisui House	14 April 2015
TR23-CI-601 Issue 2	Typical Cross Sections and Siteworks Details	Sekisui House	14 April 2015
7005/344L	Plan of Stage 23 at The Hermitage – Gledswood	YSCO Geomatics	26 August 2014
LD DA 01 Revision 2	Street Tree Planting Plan	Tract	13 February 2015
LD DA 02 Revision 1	Landscape Details	Tract	13 February 2015
7005/344N	Plan of Stage 23 at The Hermitage	YSCO Geomatics	30 April 2015

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

- a) engineering plans must be revised to address the amendments to Road No's 2301, 2302 and 2302 (which must be local roads with a minimum carriageway width of 7.4m, a verge width of 3.5m and a 1m verge adjacent



to open space/drainage reserve) as shown on the plan of subdivision. The revised engineering plans must also show the proposed retaining along the acoustic mound as shown on drawing number 7005/344N dated 30 April 2015.

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

- (3) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (4) **Noxious Weed Management** – Noxious weeds management shall occur in accordance with Camden Development Control Plan 2011.
- (5) **General Requirement** - All activities associated with the development must be carried out within the boundaries of the site, and must be carried out in an environmentally satisfactory manner as defined under section 95 of the Protection of the Environment Operation Act 1997.

## 2.0 - Prior To Issue Of Construction Certificate

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

- (1) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

**Note.** Under the *Roads Act 1993*, only the Council can approve commencement of works within an existing road reserve.

- (2) **Retaining Wall** - The retaining wall along the acoustic mound as shown on drawing number 7005/344N dated 30 April 2015 shall be of a masonry construction. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Maintenance Access** – Maintenance access must be provided for the proposed rain garden in accordance with Council's Engineering Specifications.
- (4) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (5) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS





1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (6) **Turning Facilities** - Turning facilities shall be provided at all dead end roads. All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc., shall be designed in accordance with Council's Engineering Specifications.
- (7) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications.
- (8) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.
- (9) **Soil, Erosion, Sediment and Water Management** - An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (10) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment is not unacceptably impacted upon by the proposal. The Environment Management Plan shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
  - b) measures to suppress odours and dust emissions;
  - c) soil and sediment control measures;
  - d) measures to control air emissions that includes odour;
  - e) measures and procedures for the removal of hazardous materials that includes waste and their disposal;
  - f) any other recognised environmental impact; and
  - g) community consultation.
- (11) **Construction Noise Management Plan** - A construction noise management plan shall be provided to the Certifying Authority and include the following:
- a) noise mitigation measures;
  - b) noise and/or vibration monitoring;
  - c) use of respite periods;
  - d) complaints handling; and
  - e) community liaison and consultation.



- (12) **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 construction site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **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.
- (3) **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.

- (4) **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.
- (5) **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; and
  - 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.
- (6) **Performance Bond** - Prior to commencement of works a performance bond of 10% of the value of civil works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (7) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.
- (8) **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).



#### 4.0 - During Works

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

- (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) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (3) **Site Management Plan** - The following practices shall be implemented during construction works:
  - a) a sign shall be erected at all entrances to the subdivision site and be maintained until the subdivision has reached 80% occupancy. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

*“WARNING UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (4) **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](http://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.

- (5) **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.
- (6) **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).
- (7) **Salinity Management Plan** - All proposed earthworks ,landscaping, buildings and associated infrastructure proposed to be constructed on the land must be



carried out or constructed in accordance with the Report on Salinity Investigation and Management Plan- The Western Precinct, The Hermitage Estate Gledswood Hills project 34295.37 dated March 2014 prepared by Douglas Partners.

- (8) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- c) be prepared in accordance with:

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material:
- i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations,
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:



Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (9) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (10) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the *Soils and Construction – Managing Urban Stormwater* manual (Blue Book).
- (11) **Construction Noise Management Plan** - All operations must be carried out in accordance with the recommendations contained in the Construction Noise Management Plan prepared by [insert company], report reference [insert ref] dated [insert date], including:
  - a) noise mitigation measures;
  - b) noise and/or vibration monitoring;
  - c) use of respite periods;
  - d) complaints handling; and
  - e) community liaison and consultation.
- (12) **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.

- (13) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
  - a) for installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 45 of the *Roads Act 1993*; and
  - b) for construction/reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application





shall be made for a Roadworks Permit under Section 138B of the *Roads Act 1993*.

**Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.

### 5.0 - Prior To Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Show Easements/ Restrictions on the Plan of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots to Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (5) **Fill Plan** - A Fill Plan shall be provided to the PCA prior to the issue of any Subdivision certificate. The plan must show:
  - a) lot boundaries;
  - b) road/drainage/public reserves;
  - c) street names;
  - d) final fill contours and boundaries; and
  - e) depth in filling in maximum 0.5m Increments.

It is to be provided electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and provided both on compact disk and an A1 paper plan.

- (6) **Incomplete Works** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.
- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.





- (8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.
- (9) **Street Lighting** - Street lighting shall be provided within the subdivision in accordance with the relevant AS and to the satisfaction of the PCA. All such work shall be complete and operative.
- (10) **Soil Classification** - A Soil Classification Report prepared by a suitable qualified person in accordance with the AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the PCA. A classification shall be provided for each lot within the subdivision. The Soil Classification Report shall also be provided to Council.
- (11) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
- a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
  - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.
  - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (12) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.
- Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).
- (13) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
- a) easement for services;
  - b) easement to drain water;
  - c) easement for support and maintenance purposes;
  - d) acoustic fence - in accordance with the Acoustic report prepared by Marshall Day Acoustics The Hermitage Stage 23, Acoustic Report Rp 001 r02 2014530SY dated 23 January 2015 A, a 1.8m high fence constructed of colour bond or double lapped and capped timber ( ensuring minimum 30mm continuous thickness and no gaps between palings) shall be constructed around:
    - i. lots 2323, 2328, 2333 and 2350 to the south-western and south-eastern side of the rear yard;

- ii. lots 2321, 2324, 2329 and 2344 to the north-eastern and south-eastern boundary fences of the rear yard; and
  - iii. lot 2358 to the south-western side of the rear yard.
- e) alternative ventilation for habitable rooms – for all lots 2301-2365 inclusive, all facades identified in Section 5.2 of the Acoustic Report “The Hermitage Stage 23, Acoustic Report Rp 001 r02 2014530SY dated 23 January 2015 prepared by Marshall Day Acoustics may require windows to be closed (but not necessarily sealed) to meet internal noise criteria. As a result, the provision of alternative ventilation (possibly mechanical provided there is a fresh air intake) that meets the requirements of the Building Code of Australia (BCA) will need to be provided to habitable rooms on these facades to ensure fresh airflow inside the dwellings when windows are closed. Consultation with a mechanical engineer to ensure that BCA and AS1668 are achieved may be required. Compliance with the above ventilation requirement is to be demonstrated for each dwelling application on the affected lots;
- f) salinity management plan - all proposed earthworks, landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the Report on Salinity Investigation and Management Plan- The Western Precinct, The Hermitage Estate Gledswood Hills project 34295.37 dated March 2014 prepared by Douglas Partners.
- (14) **Defects and Liability Bond** - The applicant is to lodge a defects and liability bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, with Council. The bond covers any defects and liabilities of the public infrastructure.
- (15) **Water Quality Facility** - A water quality facility must be constructed for the site in accordance with the approved plans and Council’s Engineering Specifications.
- (16) **Water Quality Facility Operation, Maintenance and Monitoring Manual/s** - Operation, Maintenance and Monitoring Manual/s ('Manuals') for the permanent water quality facility shall be provided for approval to the PCA. The Manuals shall be prepared by a suitably qualified person in accordance with Council's Engineering Specifications.
- (17) **Locks to Access Gates** - All gates and removable bollards that provide restricted access to Council reserves and other public property shall be fitted with a padlock, which is required to be master keyed to Council’s requirements. The supply of the padlocks is at the applicant's cost.
- (18) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the *EP&A Act 1979* under Section 94EE of that Act and as in force on the date of this consent. This contribution shall be paid to the DP&E.

Evidence of payment of the SIC shall be provided to Council and the PCA.



- (19) **Maintenance Bond** - The applicant is to lodge a maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, with Council prior to the issue of a Subdivision Certificate.

The bond covers the maintenance during or after subdivision works for a stipulated period (6 months) for matters such as riparian corridor and WSUD, public reserves or other public property that require on-going maintenance as a result the Development Consent conditions.

- (20) **Road Surface Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with Council for the placement of the final layer of Asphaltic Concrete (AC) wearing course for any proposed Public Road within the subdivision.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of Council and shall be equivalent to 150% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and is to be held until at least 80% of the subdivision occupancy, or when determined by Council.

- (21) **Footpath Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with Council for the construction of a concrete footpath and/or pedestrian/cycle shared way. This applies only where such a facility is located in existing and/or proposed public land.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of Council and shall be equivalent to 125% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and is required to be held until at least 80% of the subdivision occupancy, or when determined by Council.

- (22) **Site Validation Report** - A validation report incorporating a certificate of completion must be submitted to Council in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's Management of Contaminated Lands Policy and clause 17 & 18 of SEPP 55. The certificate/report confirming that all decontamination and remediation works as approved under DA 1305/2009 have been carried out in accordance with the remediation plan must be submitted to the Principal Certifying Authority within 30 days following completion of the works and prior to the issue of a Subdivision Certificate.

- (23) **Site Audits** – At the conclusion of all remediation works, as approved under Development Consent DA 1305/2009, the applicant shall have remediation work and validation documentation reviewed by an independent NSW EPA Accredited Site Auditor under the *Contaminated Land Management Act 1997*. The auditor shall undertake a full site audit of the works and documentation and provide a Site Audit Statement (SAS) that clearly identifies if the land is suitable for the intended use. The SAS must be submitted to the Consent Authority



(Camden Council) within 30 days following the completion of the remediation works and prior to the issue of Subdivision Certificate.

- (24) **Voluntary Planning Agreement (VPA)** – The proposed development shall be carried out in accordance with the Voluntary Planning Agreement (VPA) executed between Camden Council and SH Camden Valley Pty Ltd dated 14 February 2014 (as amended). The following payments must be made:

\$739.00 per additional hectare (total \$2,481.00) for Administration.

- (26) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control and completion of all planting, turn installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc.) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans.

### **RECOMMENDED**

**That Council approve DA 142/2015 for the subdivision of land to create 65 residential lots, 1 drainage reserve lot, 1 open space lot, construction of roads, drainage, landscaping and associated site works at 19–21 and 810 Lilydale Avenue, Gledswood Hills**

### ATTACHMENTS

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



# ORDINARY COUNCIL

ORD04

ORD04

**SUBJECT: DRAFT DEVELOPMENT CONTROL PLAN 2011 (AMENDMENT NO.16)  
- FORMER SCHOOL SITE AT SPRING FARM**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 15/70214

**PREVIOUS ITEMS:** ORD04 - Camden Development Control Plan 2011 (Draft Amendment No.16) - Former School Site at Spring Farm - Ordinary Council - 10 Mar 2015 6.00pm  
ORD04 - SPRING FARM SCHOOL SITE AND ASSOCIATED DCP AMENDMENTS - POST EXHIBITION REPORT - Ordinary Council - 25 Feb 2014 6.00pm

## PURPOSE OF REPORT

The purpose of this report is to provide Council with a summary of the post exhibition outcomes for the proposed changes to Camden DCP 2011 in relation to the former school site at Springs Road in Spring Farm, and to seek a resolution to adopt the draft DCP amendment.

## BACKGROUND

On 25 February 2014, Council considered a report regarding the post exhibition outcomes for an amendment to the Camden DCP 2011 (including the Spring Farm Master Plan). At this meeting, Council resolved to defer the matter of the former school site (Refer to Figure 1) until further investigations were completed.

Figure 1 – Subject Site (Highlighted dark blue)





Council staff subsequently worked with the landowners to address issues that affect the site and commissioned an independent consultant to undertake a review of the site and its associated development opportunity. Further work was also undertaken to investigate the potential subdivision layouts and densities for the site. Based on the conclusions of Council’s consultant, draft DCP controls have been prepared.

On the 10 March 2015, Council resolved to place the following changes to Camden DCP 2011 on public exhibition:

- Removal of green space shown on Lot 2 DP 1175936;
- Inclusion of a dwelling density range of 40-50 dwellings on the former school site;
- New control for bushfire management;
- New control for variation of block depth; and
- Rectify DCP mapping anomaly.

The matter was exhibited from 18 March 2015 to 15 April 2015 and four (4) submissions have been received which have been addressed in this report. A schedule of amendments is **provided as Attachment 1 to this report**. The draft DCP is **provided as Attachment 2 to this report**.

**MAIN REPORT**

**Site Analysis**

The site comprises three (3) separate lots owned by three different landowners (Refer to Figure 3). The site is constrained by bushfire and sensitive vegetation (E2 Environment Conservation zoned land). Refer to Figure 2 below for zoning map.

Figure 2 - Zoning Map



Figure 3 – Aerial Photograph and land ownership



The R1 General Residential portion of the site is adjoined by E2 Environment Conservation zoned land which comprises predominantly Elderslie Banksia Scrub Forest (EBSF) which is listed as an Endangered Ecological Community under the Threatened Species Conservation Act 1995. The proximity to this corridor and bushland raises the bushfire risk and the requirement for an APZ.

It is noted that EBSF was nominated and exhibited in August 2014 as a Preliminary Nationally listed threatened ecological community under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). If EBSF is nationally listed, any future development application that proposes clearing of vegetation may need to be referred to the Commonwealth Government.

Lot 2 is traversed by an electrical easement along the eastern boundary within the site. Further to the east is the future Spring Farm Neighbourhood Centre which has approval for a shopping centre containing a supermarket, commercial and retail premises and associated parking.

**Exhibited Proposed DCP Amendments**

The Council report of 10 March 2015 proposed the following changes to the DCP:

**Change 1 – Removal of green space shown on Lot 2 DP 1175936 (Tripodi site)**

This “green space”, as shown in figure 4, was originally intended as private open space as part of an out of school care “OOSH/CARE” facility. Given that the school has been relocated. The green space is no longer required.



Figure 4 – Location and size of 'green space'



As such, it is proposed to remove the green space from the Spring Farm Master Plan and associated maps. The road layout around the green space is also proposed to be removed. It should be noted that there is no change to the public open space provision.

### **Change 2 – Inclusion of a dwelling density range of 40-50 dwellings on the former school site.**

Given the site was originally identified for a school, there is currently no dwelling density range identified for the site.

The new primary school site (which was earmarked for housing) was expected to deliver between 36 and 40 residential lots. It is proposed to amend the Residential Dwelling Range Map to accommodate a higher yield (40-50 dwellings) for the former school site, resulting in an increase of up to 10 dwellings. The site, being located adjacent to the Spring Farm Neighbourhood Centre, is well positioned to accommodate a slightly higher yield. The additional 10 dwellings was calculated so as to not exceed 15dw/ha for the site.

### **Change 3 – New control for bushfire management**

Given the complex bushfire constraints on the site, it is proposed to add a new site specific control which stipulates that any development application for the site is required to demonstrate appropriate consideration and documentation for the appropriate management of bushfire in accordance with RFS *Planning for Bushfire* requirements. Any proposed road layout would also be required to satisfy these requirements.



**Change 4 – New Control for variation of block depth**

The Camden DCP 2011 (Control C7.2(1)) currently adopts a typical block depth of 60m in the traditional subdivisions area, and 50m in the small lot and medium density areas. Given the constraints and shape of the site, it is proposed that a new site specific control be added which allows the existing block depth controls to be reduced where it can be demonstrated to provide a better urban design and traffic outcome.

This site specific control will allow greater flexibility and provide opportunity for an innovative solution for the site. It is likely it will also assist in the efficient assessment of any development application.

**Change 5 – Rectify DCP mapping anomaly**

It is proposed to amend Figure C22 (Spring Farm Street Network and Design Map) to rectify a mapping anomaly in the previous DCP amendment. This figure does not accurately reflect the approved development application (DA541/2013) for the construction of the Spring Farm Neighbourhood Centre and should be corrected.

The DCP mapping change will include the identification of the approved road along the Spring Farm Neighbourhood Centre’s northern boundary with a 6m wide carriage way and a 2.5m shared path. This is a minor change that will help ensure the Spring Farm DCP maps are accurate and up to date.

**Public Exhibition**

In accordance with Council’s resolution dated 10 March 2015, the DCP amendment was exhibited between 18 March 2015 and 15 April 2015. A notice was placed in the local newspaper, letters were sent to the relevant public authorities and to the relevant land owners. During this time, exhibition material was available to view on Council’s website and at Council’s administration centres and libraries.

During the exhibition period, Council received four (4) submissions; the issues raised have been summarised in Table 1. Copies of original submissions are **provided as supporting documents**.

*Table 1 – Summary of submissions*

Submitter	Issue	Comment
<b>Endeavour Energy</b>	Endeavour Energy have provided advice about easement management, earthing, safety clearances, and network capacity/connection.	These matters can be investigated at the development assessment stage.
<b>Office of Environment and Heritage (OEH)</b>	<p>OEH’s primary concern is to ensure that the Elderslie Banksia Scrub Forest (EBSF) within the E2 Environmental Conservation zone is protected and conserved in perpetuity.</p> <p>OEH note that any future assessment of significance for</p>	<p>There is no road layout proposed in the draft DCP. The draft controls provide an opportunity for the land owners to deliver a workable and innovative solution that may or may not be a perimeter road.</p> <p>The Camden LEP 2010 permits</p>



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Submitter	Issue	Comment
	<p>development in the E2 corridor is likely to trigger the need for a Species Impact Statement and require OEH concurrence. Given the high conservation value of the site, it is highly unlikely that OEH will support concurrence.</p>	<p>roads in the E2 land, but as OEH have pointed out, it is unlikely that concurrence would be supported.</p> <p>To help address the concerns of OEH, it is proposed to amend the draft DCP to note that any development proposed in land zoned E2 Environmental Conservation, must be in accordance with the relevant legislation.</p> <p>This change will bring attention to the need for an assessment of significance.</p>
<p><b>NSW Rural Fire Service (RFS)</b></p>	<p>The RFS notes that there are areas identified as bush fire prone on the Camden Bush Fire Prone Land Map. As such future development will be subject to the requirements of Section 79BA of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires Act 1997.</p>	<p>Noted.</p>
	<p>The RFS note that Special Fire Protection Purpose (SFPP) development is permissible within the R1 General Residential zone. SFPP developments require greater consideration in regards to bush fire protection an evacuation.</p>	<p>Sensitive land uses (SFPP developments) are permissible in the R1 zone. Should a development application be received for a SFPP development, it will be assessed against the relevant Planning for Bushfire requirements.</p>
	<p>The RFS have raised the issue of higher density development on the site and note that applications for dual and multiple occupancies are required to meet the specifications and requirements outlined in section 4.3.5 of the NSW RFS publication 'Planning for Bush Fire Protection' (PBP)</p>	<p>The draft DCP specifies a residential density range of 40-50 dwellings across the site. Any development application will be assessed against the relevant Planning for Bushfire requirements.</p>
	<p>The RFS have requested that Council amend the proposed bushfire controls to specifically reference the specific Planning</p>	<p>To help address the concerns of the RFS, it is proposed to amend the draft DCP to specifically reference the NSW RFS</p>



Submitter	Issue	Comment
	for Bush Fire Protection publication.	publication 'Planning for Bushfire Protection'.
<b>Mine Subsidence Board</b>	Any development will require the Board's approval.  Development will be required to be in accordance with the Board's Surface Development Guidelines and consideration will need to be given to flooding in the event of mine subsidence up to 1.6m.	A referral to the Mine Subsidence Board will be sent at the development assessment stage.

**Proposed amendments resulting from submissions**

Change resulting from NSW RFS submission

To address the concerns raised by the NSW Rural Fire Service (refer to Table 1) a minor change to the draft DCP as exhibited is proposed. The proposed change seeks to improve clarity by referencing the NSW RFS publication 'Planning for Bushfire Protection'. It is proposed to amend draft control 1 to Part C7.2.1 to read as follows:

- 1. Any development application for this site is required to demonstrate appropriate consideration and documentation as to the appropriate management of bushfire in accordance with the NSW RFS publication 'Planning for Bushfire Protection'.*

Change resulting from OEH submission

To address the concerns raised by OEH (refer to Table 1) a minor change to the draft DCP as exhibited is proposed. It is proposed to add the following control to Part C7.2.1 (Specific controls for Spring Farm Former School Site):

- 3. Any development proposed in land zoned E2 Environmental Conservation, must be in accordance with the relevant legislation.*

This change will bring attention to the need for an assessment of significance if an applicant proposes to develop in the E2 zone. The wording has been drafted so as to avoid any confusion if legislation is changed.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council as a result of this proposal.

**CONCLUSION**

Extensive consideration of potential development options for the Spring Farm Former School Site has been undertaken by Council staff and verified by an independent peer review. The draft controls provide an opportunity for the land owners to work with Council to deliver a workable and innovative solution, without being overly restrictive.



ORD04

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The draft DCP amendment for the Spring Farm former school site was exhibited from 18 March 2015 to 15 April 2015; during this time, four submissions were received. Minor changes to the exhibited draft DCP are proposed to address the concerns of the Office of Environmental Heritage and of the NSW Rural Fire Service.

**RECOMMENDED**

**That Council:**

- i. note the submissions received during the public exhibition period;**
- ii. adopt the draft Camden DCP 2011 (as revised) relating to Spring Farm Former School Site;**
- iii. place a notification in the local newspaper advising of the adoption of the amendment to the Camden DCP 2011; and**
- iv. notify submitters of the outcome of this report.**

**ATTACHMENTS**

1. Attach 1 Post exhibition version -- schedule of changes - Spring farm former school site
2. Attachment 2 - Draft DCP - Amendment No.16 - Spring Farm Former School Site Amendment V2
3. Submissions Spring Farm Supporting Doc - *Supporting Document*



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## ORDINARY COUNCIL

ORD05

ORD05

**SUBJECT: 2013/14 - 2016/17 REVISED DELIVERY PROGRAM AND 2015/16 DRAFT OPERATIONAL PLAN (BUDGET)**

**FROM:** Acting Director Customer & Corporate Services

**TRIM #:** 15/51248

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### PURPOSE OF REPORT

The purpose of this report is to inform Council that the Revised 2013/14 – 2016/17 Delivery Program and Draft 2015/16 Operational Plan (Budget) are now in a position to be formally considered by Council and, if endorsed, placed on public exhibition.

### BACKGROUND

Council's Integrated Planning and Reporting Package was adopted on the 25 June 2013. The package included the following key documents:

1. Community Strategic Plan – Camden 2040,
2. Resource Strategy (comprising a Long Term Financial Plan, Asset Management Plans and a Workforce Plan),
3. 2013/14 – 2016/17 Delivery Program,
4. 2013/14 Operational Plan (including the 2013/14 Budget).

Council adopted the 2013/14 – 2016/17 Revised Delivery Program and 2014/15 Operational Plan (Including Budget) on 24 June 2014.

The Local Government Amendment (Planning and Reporting) Act, 2009 states that any major variations to the adopted Delivery Program must be publicly exhibited for a period of 28 days (minimum).

As part of the 2015/16 annual budget process, there have been a number of recommended inclusions to the 2015/16 budget over and above what was included in the Revised 2013/14 – 2016/17 Delivery Program. For these reasons, it is appropriate that Council publicly exhibit the relevant documents for a period of 28 days.

**A copy of the Revised Delivery Program and 2015/16 Operational Plan (Budget) were distributed to Councillors under separate cover 16 April 2015. A council budget workshop was held 21 April 2015 with a follow up workshop 5 May 2015.**

### INTEGRATED PLANNING & REPORTING

The current Integrated Planning and Reporting Package has now been in place for approximately two years.

At the core of the Integrated Planning and Reporting Package is the establishment of strong links between the 4 key component documents to demonstrate that what Council does is driven in the main by community priorities (from Camden 2040) and that sufficient resources have been allocated to these programs and activities so that service outcomes can be delivered on time, in a sustainable manner.





Council and the community should be able to see a strong connection between strategy, resourcing needs, service delivery and ultimately monitoring and review. The focus during the development and review of the Integrated Planning and Reporting Package has been on making these links as clear as possible and ensuring alignment of resourcing strategies and programs in an affordable way.

The Integrated Planning and Reporting process is considered important for a number of reasons, including;

- enabling the community to have a greater say in the direction of their community,
- creating more informed discussion in the community on priorities and an understanding of the resources required to successfully achieve these priorities,
- providing the Council with a greater mandate for its decision making,
- ensuring service delivery can focus on agreed community priorities,
- taking a long term sustainable view of the cost and implications of delivery of agreed service levels so that the 'big picture' is clear over time,
- enabling an informed debate on priorities and options where services or programs are not sustainable, and
- ensuring progress is regularly measured and reported.

**REVISED DELIVERY PROGRAM**

Council's Delivery Program and Operational Plan outlines 30 Local Services and the supporting programs and activities that Council proposes to undertake over a 4 year period to help achieve the aspirations espoused in Camden 2040. This document details the range of services Council delivers, the primary activities involved in delivering those services, the timeframe in which those activities will be delivered and the manner in which success will be measured.

There are a number of changes which have been made to the Revised Delivery Program. These changes are largely a result of Council's ability to allocate additional funding to a range of workforce, operational and capital funding requirements.

*It should be noted that the inclusion of Birriwa Reserve Outdoor Youth Space (change in scope) and Improved Plantings on Roundabouts and Corner Locations are subject to the outcome of reports being considered at tonight's Council meeting.*

The primary changes to the Revised Delivery Program that was adopted in June 2014 are as follows:

Delivery Program Changes	Cost	Expected Delivery	Funding
<b>Workforce Funding</b>			
Additional Staffing	\$583,800	2015-16	Additional 18 positions in 2015/16 (Recurrent Funding)





Delivery Program Changes (Continued)	Cost	Expected Delivery	Funding
<b>Operational Funding</b>			
Open Space Maintenance & Presentation (includes staffing and capital)	\$543,200	2015-16	Recurrent funding through General Fund
High Impact Planting Maintenance Costs (includes staffing) * subject to separate report to Council tonight	\$153,000	2015-16	Recurrent funding through General Fund
Internal Audit Program Costs	\$100,000	2015-16	Recurrent funding through General Fund
Business Improvement Plan – Fit for the Future	\$100,000	2015-16	Recurrent funding through General Fund
Capital Works - Design Program Allocation	\$50,000	2015-16	Non-recurrent funding through General Fund
Priority Tree Management Program	\$50,000	2015-16	Recurrent funding through General Fund
Community Events – Additional Funding	\$50,000	2015-16	Recurrent funding through General Fund
Work Health & Safety Initiatives	\$50,000	2015-16	Recurrent funding through General Fund
Electronic Documentation Scanning	\$50,000	2015-16	Non-recurrent funding through General Fund
Risk Management Action Plan & Program Costs	\$40,000	2015-16	Recurrent funding through Risk Mgmt Reserve in 2015/16 and General Fund in LTFP
Strategic Planning Studies	\$250,000	2016-17	Non-recurrent funding through General Fund in 2015/16 (\$150K) and 2016/17 (\$100K)
Development Urban Design Panel	\$100,000	2016-17	Non-recurrent funding through General Fund
Property Development Fund – Seed Funding	\$51,500	2016-17	Recurrent funding through General Fund
<b>Capital Funding</b>			
Birriwa Outdoor Youth Space * subject to separate report to Council tonight	\$1,476,300	2015-16	Non-recurrent funding through Section 94 Cash Reserves (\$900K) and General Fund (\$50K 14/15) (\$526K 15/16)
Technology – GIS Replacement	\$618,000	2015-16	Non-recurrent funding from Technology Reserve (\$593K) and General Fund (\$25K)
Technology – Disaster Recovery	\$200,000	2015-16	Non-recurrent funding through General Fund



ORD05

Delivery Program Changes (Continued)	Cost	Expected Delivery	Funding
Works Depot Improvements	\$165,000	2015-16	Non-recurrent funding through General Fund
Camden Cemetery Masterplan Works	\$150,000	2015-16	Non-recurrent funding from the Cemetery Reserve
Libraries – RFID System	\$55,000	2015-16	Non-recurrent funding through General Fund
Springs Rd / Macarthur Rd Roundabout Studies	\$50,000	2015-16	Non-recurrent funding from Section 94 Reserves
Technology – Mobile Devices Integration	\$50,000	2015-16	Non-recurrent funding through General Fund
Technology - Community Web App	\$35,000	2015-16	Recurrent funding through General Fund
Bus Shelter Bin Purchases / Upgrades	\$30,000	2015-16	Non-recurrent funding through General Fund
Stage 1 – Narellan Sporting Precinct	\$7,704,600	2016-17	Non-recurrent funding through Section 94 Cash Reserves (\$5.5M) and VPA Contribution (\$2.2M)
PCYC Building Construction	\$3,510,000	2016-17	Non-recurrent funding through Federal Grant (\$1.4M) and Section 94 Cash Reserves (\$2.1M)
Building Review Strategy Implementation	\$250,000	2016-17	Non-recurrent funding through General Fund
LGA Playground Equipment Shade Structures	\$40,000	2016-17	Recurrent funding through General Fund

**2015/16 OPERATIONAL PLAN (BUDGET)**

In summary, the draft 2015/16 Operational Plan is as follows:

Draft Operational Plan	2015/16
Operating Expenditure	\$88,283,700
Capital Expenditure	\$110,643,900
<b>Gross Expenditure Budget</b>	<b>\$198,927,600</b>
Less: Non Cash and Reserve Transfers	
Works In Kind Land & Infrastructure	\$47,340,000
Non Cash Depreciation Expense	\$15,713,000
Transfer to Cash Reserves	\$13,711,800
<b>Net Cash Expenditure Budget</b>	<b>\$122,162,800</b>



Council's proposed gross expenditure budget for 2015/16 is \$198,927,600. Upon removing non cash expenditure and transfers to reserve, Council's proposed cash budget for 2015/16 is \$122,162,800.

**BUDGET RESULT AND ALLOCATION OF SURPLUS**

The 2015/16 Operational Plan (Budget) provides the financial resources for Council to continue to deliver the services, programs and activities outlined within the Delivery Program. In reviewing the 2015/16 Operational Plan (Budget), Council has prudently considered both the needs of the community and long term financial sustainability of the organisation.

A review of the 2015/16 Operational Plan identified a budget surplus of \$2,481,400. The proposed allocation of the budget surplus is shown in the following table:

<b>2015/16 Budget Surplus</b>	
Draft Budget Surplus	<b>\$2,481,400</b>
<b>Surplus Allocation</b>	
1 - Workforce Positions	\$583,800
2 - Operational Expenditure (Net)	\$1,173,200
3 - Capital Expenditure (Net)	\$530,000
4 - Transfers from Reserve (Net)	(\$942,700)
5 - Councillor Priority Works	\$1,137,100
<b>2015/16 Balanced Budget Position</b>	<b>\$0</b>

1 - Additional Workforce Positions

A total of 18 additional positions have been proposed for inclusion in the 2015/16 budget. These positions are considered high priority positions and are consistent with Council's adopted workforce plan. The positions will assist in areas where services are under pressure to keep pace with the demands of urban development and represent a combination of leadership, technical and operational staff.

The 18 new positions includes the maintenance crews proposed in this budget.

2 – Operational Expenditure

In addition to the funds allocated in the 2013/14 – 2016/17 Revised Delivery Program, Council has proposed the following additional operational items for inclusion in the 2015/16 budget.

<b>Operational Expenditure</b>	
Open Space Maintenance & Presentation (includes staffing and capital)	\$543,200
Strategic Planning Studies	\$150,000
Internal Audit Program Costs	\$100,000
Business Improvement Plan – Fit for the Future	\$100,000
Capital Works - Design Program Allocation	\$50,000
Priority Tree Management Program	\$50,000
Community Events – Additional Funding	\$50,000
Work Health & Safety Initiatives	\$50,000



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Electronic Documentation Scanning	\$50,000
Risk Management Action Plan & Program Costs	\$40,000
Minor Operational Funding under \$15,000	\$30,000
Less: Reserve Funding Available	(\$40,000)
<b>Total – Operational Funding Requests</b>	<b>\$1,173,200</b>

### 3 - Capital Expenditure

In addition to the capital projects already approved as part of the Revised 2013/14 – 2016/17 Delivery Program, it is proposed to also include the following capital items in the 2015/16 budget.

<b>Capital Expenditure</b>	
Technology – GIS Replacement	\$618,000
Technology – Disaster Recovery	\$200,000
Works Depot Improvements	\$165,000
Camden Cemetery Masterplan Works	\$150,000
Libraries – RFID System	\$55,000
Technology – Mobile Devices Integration	\$50,000
Technology - Community Web App	\$35,000
Less: Reserve Funding Available	(\$743,000)
<b>Total – Additional Capital Works Projects</b>	<b>\$530,000</b>

### 4 – Proposed Reserve Transfers

In addition to the reserve transfers already approved as part of the 2013/14 – 2016/17 Revised Delivery Program, the following reserve transfers are also proposed to be made as part of the 2015/16 budget.

<b>Proposed Reserve Transfers</b>	
Capital Works Reserve (transfer to reserve)	\$67,000
Asset Renewal Reserve (transfer from reserve)	(\$409,700)
Working Funds Reserve (transfer from reserve)	(\$500,000)
Commercial Waste Reserve (transfer from reserve)	(\$100,000)
<b>Proposed Transfers from reserve (net)</b>	<b>(\$942,700)</b>

Please refer to the Reserves Section of this report for further information on proposed reserve balances and transfers.



5 – Councillor Priority Works

Council has proposed the following additional priority works for inclusion in the 2015/16 budget.

<b>Councillor Priority Works</b>	
Birriwa Reserve Outdoor Youth Space * <sup>1</sup>	\$1,426,300
High Impact Planting (includes staffing) * <sup>2</sup>	\$153,000
Springs Rd / Macarthur Rd Roundabout Studies * <sup>3</sup>	\$50,000
Bus Shelter Bin Purchases / Upgrades	\$35,000
Less: already funded in 2015/16 budget	(\$600,000)
Less: S94 Reserve Funding Available	(\$949,600)
<b>Total – Councillor Priority Works</b>	<b>\$114,700</b>
Transfer to Asset Renewal Reserve	\$1,022,400
<b>Total – Surplus Allocation</b>	<b>\$1,137,100</b>

- \* Note: 1. Subject to a separate report to Council tonight – Birriwa Reserve Outdoor Youth Space
- \* Note: 2. Subject to a separate report to Council tonight – Improved Plantings on Roundabouts and Corner Locations.
- \* Note: 3. Report to be presented to Council on outcome of safety audit and design works including total cost of construction.

**2015/16 OPERATIONAL PLAN HIGHLIGHTS**

Rate Income

Council was advised in December 2014 that IPART had determined an allowable increase in rating income for 2015/16 of 2.40%. Rate estimates included within Council’s Revenue Policy have been prepared on the basis of a 2.40% rate increase.

The impact on the average residential assessment is approximately \$12.50 per year (24c per week).

Council has not made an application for a rate increase above the allowable increase of 2.40% for the 2015/16 financial year and does not propose any changes to its current rating policy.

Council will continue to levy properties that receive a stormwater service with the Stormwater Management Levy. No change is proposed to the levy amount, which is \$20 per annum for land categorised as residential.

Domestic Waste Charges

It is proposed to increase domestic waste charges by 5.50%. The impact on the average 120 litre service is approximately \$16.70 per year (32c per week). This increase is required to recover the cost of providing the service, future increases in disposal costs and funding Council’s waste plant replacement program.

The list of proposed charges applicable to waste services can be found in Council’s Fees and Charges schedule for the 2015/16 financial year.



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### Fees and Charges

Proposed fees and charges for 2015/16 have generally been increased by 2.60% in line with CPI with the exception of fees which are set by regulation, are prepared on a cost recovery basis or where Council provides the service in a competitive market.

Council's Fees and Charges schedule for the 2015/16 financial year will be part of the documentation placed on exhibition for public comment.

### Investment Income

Council has an adopted investment policy which outlines the manner in which Council may invest funds, risk profile considerations, and the types of institutions and products which it may invest in.

Interest projections for 2015/16 have been prepared on the basis of generating a return on investment of 3.00%. This is less than the previously expected rate forecast of 4.20% which was used as part of the 2014/15 budget. Council is currently achieving a return on investments portfolio of approx. 3.84% (March 2015).

Council can expect to see a decline in investment income as the Reserve Bank continues to reduce the official cash rate.

The projected decrease in general fund investment return for 2015/16 is estimated at \$118,200.

### Pensioner Subsidy

Pensioner rebate estimates have been revised to reflect the current number of residents who can claim a pensioner rebate.

As part of the 2014/15 budget, the Federal Government announced that it would cease paying its 5% subsidy towards pensioner rebates. This decrease was subsequently covered by the NSW State Government for 2014/15.

The NSW State Government have again confirmed that they will continue to cover 55% of the pensioner rebate for 2015/16, however Council's LTFP assumes this will decrease to 50% in 2016/17 and onwards.

It is projected that over the remaining life (9 years) of the Long Term Financial Plan the estimated cost to Council would be \$413,800 if the 5% was not funded by Government.



Capital Expenditure Program

The Capital Works Program for 2015/16 is \$103,270,200. A breakdown of this program is shown in the following table:

Local Service	2015/16
Road / Transport Infrastructure	\$30,086,300
Drainage Infrastructure	\$21,478,500
Waste Management	\$1,517,500
Parks & Playgrounds	\$15,595,500
Community Facilities	\$4,098,500
Recreational Facilities	\$2,306,100
Public Libraries	\$371,400
Central Administration Building	\$25,679,700
Governance & IT	\$2,136,700
	<b>\$103,270,200</b>
<i>Funded By</i>	
Works In Kind Agreements	\$47,340,000
Section 94 Funds (Cash Reserves)	\$14,487,200
Waste Management Reserve	\$1,516,100
External Grants	\$4,319,400
Central Admin Building Reserve	\$234,000
Loan Borrowings	\$23,000,000
Land Compensation Income	\$567,700
Community Infrac. Renewal Program	\$964,600
Internal Reserves	\$5,640,200
General Fund	\$5,201,000
	<b>\$103,270,200</b>

Loan Borrowings

The following loan borrowings are included in Council's Revised 2013/14 – 2016/17 Delivery Program.

	2014/15	2015/16	2016/17
Recurrent Loan Borrowing Program	\$0	\$0	\$1,000,000
Local Infrastructure Renewal Program	\$2,250,000	\$0	\$0
Central Administration Centre	\$0	\$23,000,000	\$0
<b>Total – Loan Borrowings</b>	<b>\$2,250,000</b>	<b>\$23,000,000</b>	<b>\$1,000,000</b>
<b>Principal Outstanding</b>	<b>\$19,722,000</b>	<b>\$39,610,000</b>	<b>\$36,977,000</b>
<b>Debt Servicing Costs (principal &amp; interest)</b>	<b>\$3,166,000</b>	<b>\$3,793,000</b>	<b>\$5,367,000</b>

In June 2013, Council approved a debt reduction strategy, which will gradually reduce the reliance on recurrent loan borrowings to part-fund Council's road reconstruction program. Council had previously been advised that the reliance on recurrent loan borrowings would





be phased out by 2021/22, this has been revised to 2016/17 on the basis of Council's improving cash position. The indicative loan borrowing required for 2016/17 is \$1 million.

Council was advised in November 2014 that it was successful in securing a \$2.25 million interest subsidised loan under Round 3 of the Local Infrastructure Renewal Scheme. This loan will be drawn down in 2014/15 and is part of a total \$4.7 million works package of road reconstruction and Camden Town Centre asset renewal works.

It is important to note that Council will save over \$700,000 in interest repayments as a result of the interest subsidy it will receive from the NSW Government through rounds 2 and 3 of the LIRS. The savings from the Local Infrastructure Renewal Scheme (LIRS) will be transferred to the Asset Renewal Reserve to fund future asset renewal projects as endorsed by Council at its Ordinary Meeting 13 May 2014 (ORD 91/14).

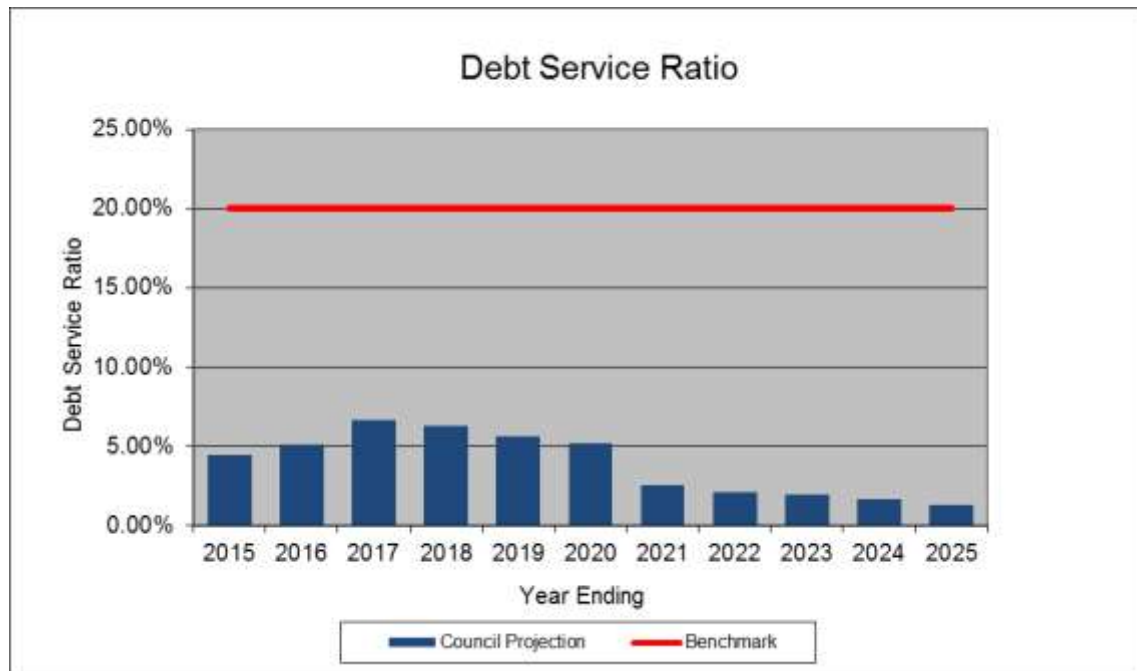
Council also approved the funding package required for the Central Administration Centre in April 2015 (ORD 93/15). The loan borrowings required to part fund this project is \$23 million and will not be required until the end of 2015.

The debt servicing for these loans is already included in Council's long-term financial plan and formed part of NSW Treasury Corporation's (TCorp's) independent assessment of Camden Council's ability to service the debt and with continued prudent financial management remain financially sustainable.

**FINANCIAL SUSTAINABILITY INDICATORS**

**Debt Service Ratio**

The Debt Service Ratio measures what percentage of Council's revenue is being used to service debt.



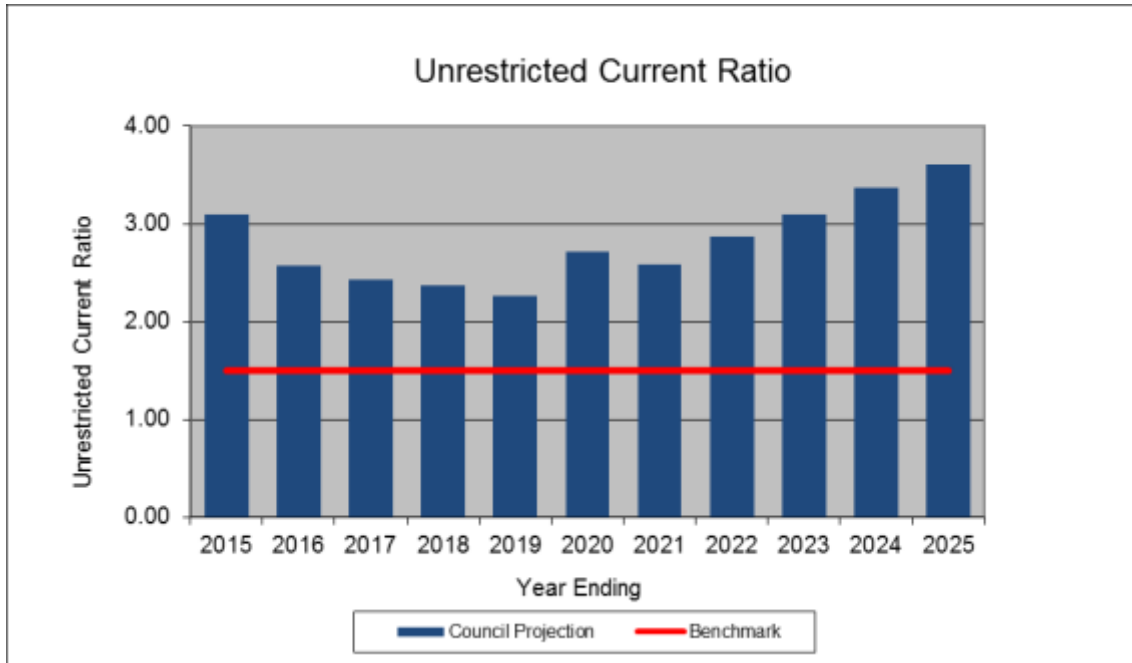
Council's capacity to service debt remains strong. The borrowing for the new Central Administration Centre has already been factored into Council's LTFFP peaking in 2016/17 but still well within the industry benchmark of below 20%. Council's capacity to



service debt improves even further in future years as our budget capacity grows over the next 10 years.

Unrestricted Current Ratio

The unrestricted current ratio measures Council's ability to fund short term financial obligations such as loans, payroll and leave entitlements (measures liquidity).



Over the next 2 years Council will commit to a number of essential capital projects that will drawdown on Council's cash reserves, the impact will reduce the amount of unrestricted cash Council has available for use. Council continues to be financially sustainable, with the indicator remaining above TCorps industry benchmark of 1:1.50 throughout the Long Term Financial Plan.

The use of reserve funds does not impact Council's ability to deliver existing services or service levels. Council's Long Term Financial Plan (LTFP) remains funded and balanced over life of the plan.

Reserves are essentially created to hold funds for a future purpose, in 2015/16 Council will deliver a much needed new Central Administration Building that will serve our community for years to come. The use of reserve funds is completely justified and will ultimately reduce Council's reliance on long-term debt.

Asset Performance Ratio's

Council's Asset Management Section is currently undertaking a review of Council's assets which will provide critical information about our asset base. This information will also provide Council with a better understanding of what long-term funding might be required to improve this ratio.

The Asset Performance Ratio's will be presented to Council and the Community as part of Council's Fit for the Future Application.



ORD05

## INTERNAL RESERVES

The following table details the main transfers proposed from internal reserves within the 2015/16 Operational Plan which require Council's approval.

<b>Proposed Reserve Transfers</b>	<b>Amount</b>	<b>Reason</b>
<b>Net Transfers from Reserves</b>		
Capital Works Reserve	\$1,274,200	The net transfer from reserve to fund the 2015/16 budget, includes \$800,000 of internal borrowings to fund the Central Administration Centre.
Working Funds Reserve	\$834,300	The net transfer from reserve to fund the 2015/16 budget.
Camden Town Centre Reserve	\$794,500	Funds are required for Stage 1 works at Argyle Street.
Technology Improvements Reserve	\$593,000	The balance held in reserve is required to fund the purchase of a new GIS System.
Asset Renewal Reserve	\$400,000	The net transfer from reserve to fund the 2015/16 budget – includes internal borrowings to fund the Central Administration Centre – 2015/16 \$756,600 and 2016/17 \$143,400.
Plant Replacement Reserve	\$321,400	Internal borrowings to fund the Central Administration Centre – 2015/16 \$321,400 and 2016/17 \$278,600.
Administration Building Reserve	\$234,000	Required to fund construction costs for the Central Administration Centre.
Commercial Waste Reserve	\$290,000	Transfer of \$290,000 from reserve to fund the 2015/16 budget.
Cemetery Reserve	\$150,000	Funds are required for further implementation of the Cemetery Masterplan.
Risk Management Reserve	\$40,000	Funds are required for risk management program and action plan costs in 2015/16.

Other minor or recurrent reserve transfers are contained within the draft 2015/16 Operational Plan (budget). This report will recommend that Council approve all internal reserve transfers.



## RESERVE BALANCES

The balances available to Council for future allocation from its two major reserves are shown below.

<b>Capital Works Reserve</b>	
<b>Current Reserve Balance</b>	<b>\$2,025,000</b>
Less: Camden Town Centre Stage 1 Works	(\$441,200)
Less: Forward Funding Camden Carpark Design	(\$100,000)
Less: Transfer to General Fund (Harrington Park Waterbodies commitment not required)	(\$233,000)
Less: Internal Borrowings – Central Admin. Centre	(\$800,000)
Add: Transfer to Reserve (2015/16 Budget)	\$300,000
<b>Subtotal - 2015/16 Transfer (net)</b>	<b>(\$1,274,200)</b>
<b>Projected Reserve Balance – 2015/16</b>	<b>\$750,800</b>
Less: Funds Committed in Future Years - Argyle Street Lighting	(\$39,700)
<b>Uncommitted Reserve Balance Available for Allocation</b>	<b>\$711,100</b>

<b>Asset Renewal Reserve</b>	
<b>Current Reserve Balance</b>	<b>\$1,422,400</b>
Add: LIRS Interest Savings	\$66,300
Add: Transfer to Reserve (Already funded in 2014/15)	\$437,100
Less: Camden Town Centre Stage 1 Works	(\$759,500)
Less: Balance to fund 2015/16 Budget	(\$409,700)
Less: Internal Borrowings – Central Admin. Centre	(\$756,600)
<b>Subtotal - 2015/16 Transfer (net)</b>	<b>(\$1,422,400)</b>
<b>Projected Reserve Balance – 2015/16</b>	<b>\$0</b>
Add: Proposed Budget Surplus Transfer	\$1,022,400
<b>Uncommitted Reserve Balance Available for Allocation</b>	<b>\$1,022,400</b>

It should be noted that the above uncommitted balances do not include funds to be returned to reserves as part of the adopted funding strategy for the new Central Administration Centre.

## 2014/15 LIST OF UNFUNDED PROJECT AND SERVICES

As part of the adoption of the 2013/14 – 2016/17 Revised Delivery Program, Council endorsed the list of unfunded projects and services. This list identified projects or services that Council is unable to fund or commence at this point in time.

It is important to note that items on this list are not currently included in Council's long-term financial plan (LTFP) for funding over the next 10 years. These items are not seen



as a Council or organisational priority, it is therefore misleading to represent the list as a backlog of works when some items may never be funded.

It is recommended as part of adopting the 2015/16 Draft Delivery Program and Operational Plan (budget) that the list be removed for reporting purposes but remain as an internal working document to identify historical requests for funding. The list is an **attachment to this report**.

It is important to note that a request for funding can be made through a notice of motion or as part of an annual or quarterly budget review process in any given year.

### **PUBLIC EXHIBITION & FEEDBACK**

Public exhibition will commence Thursday 14 May and conclude Wednesday 10 June 2015 (inclusive).

The 2013/14 – 2016/17 Revised Delivery Program and 2015/16 Draft Operational Plan (Budget) will be advertised in a local newspaper. These documents will also be available at Council's Customer Service Centres (Narellan and Camden), the Camden and Narellan Libraries and will be published on Council's website throughout the course of the exhibition period.

Submissions and/or comments received from residents or community groups will be reported back to Council as part of the adoption of the Revised Delivery Program and 2015/16 Operational Plan (budget).

### **CONCLUSION**

The 2013/14 – 2016/17 Revised Delivery Program & 2015/16 Draft Operational Plan (Budget) is now in a position to be presented to Council and, if approved, be placed on public exhibition for a period of 28 days.

The Revised Delivery Program and 2015/16 Operational Plan (budget) maintains existing services and service levels, provides additional staffing to ensure Council is able to service its growing population and addresses much needed infrastructure to be delivered over the next 1-2 years.

Included within this report are details of new major projects and initiatives by Council that will result in a more customer service focussed and technology enabled organisation. Some of these initiatives include the establishment of a customer service centre with 3 new customer service operator positions, 2 new business focused technology positions, and capital funding of over \$900,000 for technology based solutions.

Council welcomes community feedback by way of a submission/s for Council to consider before adopting the budget at its Ordinary Council meeting 23 June 2015.

### **RECOMMENDED**

**That Council adopt, for public exhibition purposes,:**

- i. the Draft Revised 2013/14 - 2016/17 Delivery Program;**
- ii. the Draft 2015/16 Operational Plan (Budget);**



- iii. **the 2015/16 Draft Revenue Policy and Pricing Policy, including Draft Fees and Charges and a continuation of the Stormwater Management Levy;**
- iv. **the Minister’s Allowable limit of a 2.40% rate increase to apply to the 2015/16 rating year;**
- v. **the following proposed reserve transfers.**

<b>Proposed Reserve Transfers</b>	<b>Amount</b>
<b>Net Transfers from Reserves</b>	
Capital Works Reserve	\$1,274,200
Working Funds Reserve	\$834,300
Camden Town Centre Reserve	\$794,500
Technology Improvements Reserve	\$593,000
Asset Renewal Reserve	\$400,000
Plant Replacement Reserve	\$321,400
Administration Building Reserve	\$234,000
Commercial Waste Reserve	\$290,000
Cemetery Reserve	\$150,000
Risk Management Reserve	\$40,000

- vi. **the Unfunded Projects and Services List be removed for reporting purposes but remain as an internal working document to identify historical requests for funding.**

ATTACHMENTS

- 1. Unfunded Projects and Services - Attachment



ORD06

## ORDINARY COUNCIL

ORD06

**SUBJECT: PROPOSED ROAD NAMING FOR TRIBECA HOMES RELEASE AREA AT COBBITTY**

**FROM:** Acting Director Customer & Corporate Services

**TRIM #:** 15/80681

### PURPOSE OF REPORT

The purpose of this report is to advise Council of the results of the public exhibition period for the naming of a future road within the Tribeca Homes release area in the suburb of Cobbitty, and to seek Council's approval of the proposed name.

### BACKGROUND

At the Ordinary Council meeting of 24 February 2015, Council resolved to endorse the proposed road name of Bibb Avenue for a future road in the new release area within the suburb of Cobbitty and to place the proposed name on public exhibition for a period of 30 days.

### MAIN REPORT

As a result of an objection to the naming of a future road, Boardman Road, in the Tribeca Homes release area within the suburb of Cobbitty, Council resolved at its meeting of 24 February 2015 to endorse another proposed road name and that a further report detailing the results of a 30 day public exhibition period be provided to Council.

### AERIAL MAP



The proposed road name that was placed on exhibition is:





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Street Name	Street Type	Meaning
Bibb	Avenue	John Bibb (1810-1862), architect, was born in Liverpool, England, the son of Samuel Bibb and his wife Phoebe, née Rogers. He arrived in Sydney in 1832 on the <i>Marianne</i> . St Paul's church at Cobbitty was designed by colonial Architects John Verge and John Bibb in the 1830's.

**NOTIFICATION**

The proposed road name was placed on public exhibition for a 30 day period from 11 March 2015 to 9 April 2015.

**CONCLUSION**

The proposed road name has been assessed by Council staff in accordance with the GNB criteria and the names satisfy the GNB's guidelines and Council's Road Naming Policy for the naming of the road. The name has been publicly exhibited for a period of 30 days with no submissions being received.

This matter is now reported to Council with a recommendation to approve the proposed name for the future road.

**RECOMMENDED**

**That Council:**

- i. approve the name of Bibb Avenue for the Tribeca Homes release area in the suburb of Cobbitty; and**
- ii. publish the approved name in the NSW Government Gazette and in local newspapers; and**
- iii. inform Australia Post, the Registrar General and the Surveyor General of the approved name.**



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## ORDINARY COUNCIL

**ORD07**

**SUBJECT: DELIVERY PROGRAM 6 MONTH REPORT JULY - DECEMBER 2014**  
**FROM:** Acting Director Customer & Corporate Services  
**TRIM #:** 15/38713

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### PURPOSE OF REPORT

To report Council's progress on the Four Year Delivery Program for the period July to December 2014.

### BACKGROUND

In accordance with the *Local Government Amendment (Planning and Reporting) Act 2009*, all Councils are required to report their progress on the Four Year Delivery Program every six months. A copy of the July to December 2014 report is included as **Attachment 1** to this report.

Integrated Planning and Reporting is the term applied to the planning framework where long term community aspirations and goals are addressed through relevant resources and action.

The Integrated Planning and Reporting (IP&R) Framework is made up of four main elements:

1. **The Community Long Term Strategic Plan – Camden 2040;**
2. **The Resourcing Strategy** – incorporating the Long Term Financial Plan, Asset Management Strategy & Plan and the Workforce Plan;
3. **Four Year Delivery Program and Operational Plan / Budget;** and
4. **Reporting Framework** – Six Month Delivery Program Reports (January – June and July – December periods), Annual Report, End of Term Report (to the last meeting of the outgoing Council) and the State of the Environment Report (prepared the year of the Council election).

The Six Month Delivery Program Report details Council's progress in implementing activities identified as fundamental in achieving the vision set out in *Camden 2040*.

In reporting the progress of Council's activities for the period July to December 2014, Council's primary aim is to produce a transparent, meaningful and comprehensive report on key achievements and areas for improvement, particularly highlighting the context within which Council is operating and managing large scale urban development and population growth in the local area.





It is important to note that Delivery Program reports are retrospective in nature and detail activities and outcomes from a specific period in time. Council revisits the Delivery Program annually. In June 2014, Council revised and adopted the Delivery Program and Operational Plan for the 12 months ahead.



## MAIN REPORT

The Delivery Program Report is centred on Council’s thirty Local Services and how these services have performed against established success indicators. It also provides commentary around all activities that Council has undertaken within the reporting period.

Each Local Services has two sets of indicators, and each is reported in the following way:

	Target met or exceeded
	Progress made towards target
	Requires attention
	No data currently available

1. *Delivery Program Success Indicators:* these indicators provide information about how the service as a whole is performing in meeting objectives outlined in the Delivery Program. These indicators each have a target assigned to them and use a ‘traffic light’ approach to provide an ‘at-a-glance’ overview of the Local Service performance against target and highlight those areas that require further monitoring and attention by Council. Comment is provided on each of the indicators to further understand how Council is tracking in relation to meeting the objectives.
2. *Activity Indicators:* these indicators report on the progress of the individual activities which are detailed within the Delivery Program for each Local Service. The performance and progress in these indicators is typically provided in a more commentary based fashion, and highlight Council’s many achievements over the period.

The Delivery Program Success Indicator results are made up of data that is captured both internally and externally. Data is obtained from many sources, predominantly Council uses:

**Annual Telephone Survey:** Council undertakes an annual telephone survey; this is done on an alternating basis. In even years, Council’s survey is based on the Sustainability Indicators (as found in the annual report) and in odd years, Council’s survey is centred on the community’s overall satisfaction with Council’s services. Given data frequency, there is no further update in this reporting period for satisfaction levels; this will next be captured in mid-2015.

**Census Data:** As the census is only conducted every 5 years, where data becomes out-dated, Council uses modelled data and forecasts until figures can be updated when the next census is undertaken.

**Internal Data:** Council staff continually monitor and evaluate both input and output to be able to provide both qualitative and quantitative data to support the Delivery Program Success Indicators. The frequency of this data is all dependent on resources available at the time of reporting and access to the data source.



**External Data:** Council works closely with many key stakeholders who can provide valuable data on the Camden LGA. In some instances, external data reporting cycles do not correlate with Council's mandatory reporting cycles; therefore, can sometimes not be available at the time of reporting. Where this occurs, data will be updated in the next reporting period.

## **Performance Against Targets – July to December 2014**

### **1. Key Achievements**

The Delivery Program Activity Indicators provide details of the range of work that has been carried out across the organisation in the period. The following is a snapshot of some of the key activities and achievements that Council accomplished in the period between July to December 2014.

#### **Actively Managing Camden's Growth**

- Council continues to complete development assessments in a timely fashion, seeing the result of a 29.5 day average well below the 40 day target.
- Council continues to provide construction certificates in a timely fashion with a 15 day average well below the 28 day target.
- The Narellan Sports Complex Strategy Master Plan has been adopted by Council, and design investigations have commenced.

#### **Healthy Urban and Natural Environments**

- Council continues to observe an increase in the percentage of waste diverted from landfill. This figure is currently sitting at 78%.
- Volunteer bushcare hours continue to increase. This reporting period 605.5 hours were donated in the process of enhancing King's Bush, Sickles Creek Reserve, Matahil Creek (Ron Dine Reserve), Matahil Creek (Hayter Reserve) and Parrots Farm following the establishment of new Bushcare Groups.
- Over 2,000 people have been engaged in environmental education programs during the reporting period. Council has continued to educate the community about sustainability through events such as Project Lunchbox, Wood Smoke Reduction Program, Macarthur Sustainable Schools Program, Macarthur Nature Photography Competition and the Threatened Species Art Competition. In addition, Council has developed the Seeds of Sustainability Program and kit of resources for local pre-schools.

#### **A Prosperous Economy**

- This reporting period saw a 16.41% increase on the regional tourism website visitation on the previous period. This is also a 116% increase on the same period from 2013.

- Council joined the Small Business Friendly Council Program in September. As part of this program Council has committed to a range of business improvement initiatives designed to assist our local economy grow and prosper. One of these initiatives was the development and implementation of an On-Time Payment Policy. This policy applies to small business suppliers registered with Council and it ensures Council's commitment to pay invoices within 30 days of receipt as part of the small business friendly Council's initiative.
- Group Tour bookings increased by 12% over the reporting period and Council's website and Facebook continue to increase their online presence. Macarthur's Facebook page now has over 7000 likes.

### Effective and Sustainable Transport

- 7.2km of shared cycleways and paths were created on Camden Valley Way.
- Council continues to promote safe road practices and has launched the SMART Traffic Offenders Program, held 2 daytime and 1 night time Drives for Learners events, held a Graduated Licensing Scheme Workshop and fitted and/or checked 54 vehicles' child restraints.
- Two Black Spot projects were funded on Raby Road and Cut Hill Road.

### Enriched and Connected Community

- Council received a total of 137 sportsground bookings over the reporting period. The Summer Season has a total number of participants of 6,357 in cricket, netball, athletics, oz tag, summer soccer and 2 new activities baseball and tagleague.
- 83 equestrian, community and private events were booked at the Bicentennial Equestrian Park over the reporting period and artisan markets at Oran Park Town and Narellan Community Centre provided local artisans with opportunities to sell products and residents with access to local market goods.
- Over the reporting period 121,284 people visited the upper level of the Camden Civic Centre. Likewise the lower level saw an 11% increase. These figures suggest that works undertaken to upgrade the facility continue to have a positive influence on the number of bookings and style of events attracted to the venue.
- Council's Family Day Care received the highest possible assessment rating under the National Framework.

### Strong Local Leadership

- Council's Organisational Development / Business Improvement Plan (OD/BIP) implementation continues with the formation of cross-organisational teams to address the 57 actions within the plan. Six immediate priorities have been delivered. In particular those priorities linked to organisational growth including the establishment of the Technology Solutions Branch.
- An extensive community engagement program took place for the Camden Town Centre Enhancement Strategy. 587 formal submissions were received with 3,000 comments.



- Council continues to utilise social media to provide valuable information to the community, Council's Facebook page 'likes' increased by 2,390 in the reporting period.

**All Indicators**

There are 108 Success Indicators in total contained within the Delivery Program. The following table provides a breakdown of these indicators by their status for the period of July to December 2014.

		Jan to June 2014	July to Dec 2014
●	Target met or exceeded target	45%	49%
●	Progress made towards target	7%	5%
●	Requires attention	10%	9%
●	No data currently available	38%	37%

**2. Movement Towards or Away from Target**

Each reporting period we expect to see fluctuations in the Delivery Program Success Indicators, these changes can be either toward target or away from target. It is important to note that seeing a red indicator signals attention required by Council, but does not necessarily mean that there is an ongoing trend of moving away from target. It serves as a flag for Council to monitor and identify what contributing factors are responsible for the result.

Based on the results from the previous reporting period (January to June 2014), a number of Delivery Program Success Indicators moved either towards, and achieved the target, or away from the target where the target had been previously achieved. This means that the indicator has changed in the second six month reporting period.

The following table is a snapshot of these indicators:

Indicators that have Achieved Target ●	Indicators that Moved Away from the Target ●
<ul style="list-style-type: none"> <li>• Number of incidents of illegal dumping in the LGA</li> </ul>	<ul style="list-style-type: none"> <li>• Onsite sewage approvals to operate</li> </ul>
<ul style="list-style-type: none"> <li>• Number of improvement notices issued to non-complying food and skin penetration premises</li> </ul>	<ul style="list-style-type: none"> <li>• Council utilises natural resources more efficiently</li> </ul>
<ul style="list-style-type: none"> <li>• Number of residents using Council's facilities for active recreation</li> </ul>	<ul style="list-style-type: none"> <li>• Number of residents using website as a source of information</li> </ul>
<ul style="list-style-type: none"> <li>• Council's community halls are utilised</li> </ul>	<ul style="list-style-type: none"> <li>• Lost time as a proportion of full time employees</li> </ul>
<ul style="list-style-type: none"> <li>• Increase attendance at Council run events</li> </ul>	<ul style="list-style-type: none"> <li>• Liability claims</li> </ul>
<ul style="list-style-type: none"> <li>• Proportion of staff accessing education assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Motor vehicle claims</li> </ul>



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Detailed information about the movement of indicators can be found in the Delivery Program Report **attached** this report.

### **Delivery Program Indicators under Review**

This reporting period, July to December 2014, identifies a number of Indicators that are currently under review. Some indicators will be recommended for change where they do not consider population growth or deletion where the information is no longer available or relevant. These indicators are noted in the comments section of the attached report as “Indicator is under review”. The Office of Local Government has advised that to change the indicators will require a resolution of Council and a 28 day exhibition period. As a result those indicators that require change will be reported to Council as a separate report and the changes will be reflected in the next Six Month Delivery Program Progress Report, January to June 2015.

### **FINANCIAL IMPLICATIONS**

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

### **CONCLUSION**

This report presents Council’s performance and subsequent achievements in implementing the Delivery Program for the period of July to December 2014.

Council has continued to make significant progress in achieving priorities identified in the Delivery Program in the face of significant changes associated with managing large-scale urban and population growth. Council’s intent is to respond to the community’s vision and priorities in a realistic and meaningful way, further demonstrating Council’s commitment to delivering upon the community’s long term vision for Camden.

### **RECOMMENDED**

**That Council: note the report.**

### **ATTACHMENTS**

1. Six Month Delivery Program Progress Report - July to December 2014





## ORDINARY COUNCIL

ORD08

**SUBJECT: EXTENSION OF LIBRARY HOURS TO SUPPORT HSC STUDENTS**  
**FROM:** Acting Director Customer & Corporate Services  
**TRIM #:** 15/61547

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### PURPOSE OF REPORT

This report provides information relating to the trial Sunday opening of both libraries during part of the 2014 HSC period. At the meeting of 28<sup>th</sup> October 2014 Council resolved to:

- i. prepare a report examining the cost and benefits of providing extended library opening hours during the 2015 HSC, including the study break immediately preceding the commencement of the exam period;*
- ii. provide information about the use of the library during the 2 week trial extension period currently underway; and*
- iii. contact high schools in the Local Government Area and conduct a survey with students asking when they would be more likely to use the Library if Council were to open the Library beyond existing opening hours. ( ORD 232/14)*

This report provides the information requested and recommends an extension to operating hours for both libraries on Sundays. It is recommended that libraries open for 4 hours each for a 9 week period from the first weekend in September, up to and including the 1st Sunday in November 2015. Camden library to operate from 10am-2pm and Narellan Library from 12noon to 4pm.

It is also recommended that Narellan Library opens for an additional 3 hours for a 10 week period on Thursday evenings from Thursday 3rd September up to and including Thursday 5<sup>th</sup> November. Thursday hours at Narellan will be 9.30am to 8pm during this time period meaning that both libraries will be open to 8pm on Thursdays during the HSC study and exam period.

### BACKGROUND

In October last year Council extended the opening hours of both our libraries to provide additional support to students during the Higher School Certificate (HSC), examinations period. Councillors requested a report on usage during this period and also that a survey identifying study support needs of students undertaking their HSC in 2015, in relation to library opening hours be undertaken.

### MAIN REPORT

Camden and Narellan Libraries were open on Sunday 26 October and Sunday 2 November 2014.

Sunday 26 October visits included 10 HSC students and 2 general customers to Camden Library and 5 HSC students and 8 general customers to Narellan Library.

Sunday 2 November visits included 0 HSC students and 3 general customers to Camden Library and 4 HSC students and 4 general customers to Narellan Library.



Over the two week period 19 HSC students used the libraries on Sundays. The average cost of Sunday opening for 4 hours was \$1,350 each day for staff at both venues, plus operational costs of internet usage, cleaning and utilities.

102 responses were received to the survey which included questions on preferred topics for HSC lectures, longer opening hours in Term 3 for study space, preferred days/times for longer opening hours, which libraries students are likely to study in, and other places students like to study. The survey was promoted to local high schools, via Library's social media and the Youth Council.

Current library opening hours are:

Camden:

MON, WED, FRI	9:30am - 5:00pm
TUE, THURS	9:30am - 8:00pm
SAT	9:00am - 12:00pm

Narellan:

MON, WED	9:30AM - 8:00PM
TUE, THURS, FRI	9:30AM - 5:00PM
SAT	9:00AM - 3:00PM

Each branch is currently open 2 nights a week so a library is open Monday to Thursday until 8pm. In addition a range of resources are available on line 24/7.

From the responses received:

- Majority prefer to see libraries open longer (75%).
- Preferred days/times with preferences highlighting Narellan Library being open longer. These include 50% selecting Thursday evenings, 52% selecting Sundays, and 30% students selecting staying open until 5pm on Saturdays.
- Majority preference for libraries to be open later on weeknights
- Of those responding who preferred Sunday openings, 50% selected Narellan Library and 15% students selected Camden Library.

### **FINANCIAL IMPLICATIONS**

The cost of opening for 4 hours on Sunday for both branches for 9 weeks, covering the whole of the HSC study break and exam period, is approximately \$13,000 an additional \$3,000 would also allow Narellan library to be open Thursday until 8pm for the 10 week study period. As the HSC exam period ends on a Friday there is one more Thursday in the period than Sunday.

### **CONCLUSION**

There have been requests for Sunday opening of libraries for a number of years and 52% of students responding to the survey requested Sunday opening.

Surrounding Councils who do have Sunday opening usually have only one branch operating, usually their main branch library. Survey responses from current HSC



students also indicated a strong preference for Narellan Library to be open Thursday evening, (Camden branch is open Thursday until 8pm).

There was minimal use of the library during the trial period last year, however, it was conducted part way through the exam period and with limited opportunity to advise potential users of the change to operations.

To enable a more detailed investigation of the demand for extended opening hours during the HSC exam and study period an extensive, targeted information campaign advising students of the longer hours is needed. This advertising, combined with longer opening hours for the study vacation and the HSC period will provide more reliable information on which to base future decisions.

**RECOMMENDED**

**That Council:**

- i. open both libraries on Sundays for 4 hours each for a 9 week period from the first weekend in September, up to and including the 1st Sunday in November 2015. Camden library to operate from 10am-2pm and Narellan Library from 12noon to 4pm;**
- ii. open Narellan Library for an additional 3 hours for a 10 week period on Thursday evenings from Thursday 3rd September up to and including Thursday 5<sup>th</sup> November. Opening hours at Narellan will be 9.30am to 8pm during this time period with Camden continuing to operate from 9.30am to 8pm on Thursdays;**
- iii. advertise the additional hours to all schools and current library users;**
- iv. monitor usage this year and provide a future report to Council; and**
- v. approve funding of \$16,000 to be provided for at the March 2014/15 Quarterly Budget Review.**



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## ORDINARY COUNCIL

ORD09

ORD09

**SUBJECT: DRAFT COMMUNICATIONS AND COMMUNITY ENGAGEMENT STRATEGY AND RELATED POLICIES**

**FROM:** Acting Director Customer & Corporate Services

**TRIM #:** 15/87935

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### PURPOSE OF REPORT

The purpose of this report is to inform Council of the results of the public exhibition of the Draft Communications and Community Engagement Strategy and related policies for Councillors' consideration.

### BACKGROUND

To effectively serve our community as our population grows, it is imperative that Council has a contemporary and effective communications and engagement strategy.

Council has developed a framework for our communication and engagement activities. The overarching Strategy provides a guide for all interactions with Council's audiences and underpins a number of policies that articulate Council's position on communications and community engagement. A number of documents within the framework have not been reviewed by Council for more than a decade.

Communication and engagement with the community is an ongoing process. Council's methods for communication and engagement will constantly evolve and improve as we connect and engage with the community. Council will regularly review and build on the methods it uses to communicate and engage with the community.

Council resolved on 10 March 2015 to:

- i. endorse the draft Communications and Community Engagement Strategy, draft Community Engagement Policy, draft Special Events Management Policy, draft Civic and Ceremonial Representation Policy and draft Media Policy to be placed on Public Exhibition for 28 days; and*
- ii. if no unresolved public submissions are received during the public exhibition period, grant delegation to the General Manager to adopt the abovementioned policies*
- iii. remove the existing Dealing with the Media Policy (Council Policy 5.22)*
- iv. remove the existing Community Consultation Policy and Resource Kit (Council Policy 4.30)*
- ix. note the Communications and Community Engagement Toolkit*

In accordance with Council's resolution, the Communications and Community Engagement Strategy and related policies were placed on public exhibition for a period of 28 days, closing on 10 April 2015

### MAIN REPORT

In accordance with Council's resolution, the draft Communications and Community Engagement Strategy and related policies were placed on public exhibition. Six submissions were received (from four separate respondents) and the main issues raised are provided below.



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### Community Feedback

In three of the submissions received, it was suggested that Council extend the exhibition period. Comments in relation to this extension included that there were public holidays and school holidays within the exhibition period. It was also suggested that Council void the Community Engagement Policy and start again, this time advertising more widely, involving the community and initiating community based consultation workshops and other measures for the draft policies to achieve meaningful community input. It was also suggested that a further exhibition period be advertised in the next Let's Connect newsletter.

### Officer Comment

Council resolved to place the documents on public exhibition in order to seek feedback from the community. The documents were placed on public exhibition for a period of 28 days. In determining the period of 28 days, Council was guided by the *Local Government Act 1993* for the exhibition of a range of policies, plans of management and public notification requirements and current Council practice for exhibiting such matters.

The exhibition period was advertised in the local newspaper, placed on Council's website and was on exhibition in Council Libraries and Customer Service Centres. The exhibition period was advertised in local papers to allow the opportunity for members of the community to provide feedback on the documents. It was not possible to include the information in the Let's Connect newsletter due to the timing of the publication.

The process to develop the draft Communications and Community Engagement Strategy and related documents has been extensive and included research and information from other local government authorities, the International Association for Public Participation (IAP2) and from staff across the organisation. Key elements of Council's current Community Consultation Policy and Resource Kit were incorporated into the framework. The documents will evolve over time as Council constantly improves its processes, seeks feedback from our community and as more opportunities and methods for communication and engagement become available. Given the above, it is not considered necessary to re exhibit the documents.

### Community Feedback

Two submissions noted that amendments are required to comply with the advice from the Office of Local Government that community engagement should be undertaken so that the Council engages with our community to obtain input into the development of the community strategic plan and other proposals. It also notes that the community should be involved in each stage of the strategic planning process.

### Officer Comment

The strategies and polices in the draft Communication and Community Engagement Strategy is a broad framework for Council's communications and community engagement and is not the specific Community Engagement Strategy for Council's Strategic Plan - Camden 2040.

Camden 2040 undergoes significant review every four years and a specific Community Engagement Strategy was developed and implemented to involve and consult the community in the development of Camden 2040. Council will continue to engage with our community to regularly assess our community's priorities, and progress of the



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plan's implementation, to ensure that Camden 2040 continues to be responsive to our growing community. In addition, Council also conducts annual community telephone surveys on various aspects of Camden 2040.

Council has complied with the requirements as stated in the IP&R legislation (Section 406 and Section 402(4) of the Local Government Act 1993.

The draft Communications and Community Engagement Strategy is an overarching framework with user-friendly resources for staff to engage effectively with our community. This draft Strategy will also provide tools and resources for staff to engage effectively with the community on Camden 2040.

#### Community Feedback

It was suggested that the draft Communications and Community Engagement Policy should be reviewed and amended to comply with the International Association for Public Participation IAP2 Core Values.

#### Officer Comment

Council's draft Communications and Community Engagement Strategy framework and related documents have been developed based on research and information from other local government authorities, the International Association for Public Participation (IAP2), Council's Community Consultation Policy and Resource Kit and input from staff across the organisation.

The Communications and Community Engagement Toolkit recognises the best practice principles of the IAP2 and references their website as a handy tool for staff engaging with the community. Each circumstance when engaging and communicating with the community is different and requires varying levels of input. Council recognises this in the draft policy and has developed a set of principles for engaging with the Camden community.

Council's draft principles of Community Engagement are outlined in point 5.2 of the draft Community Engagement Policy (attachment 3).

#### Community Feedback

One submission noted that the draft Communications and Community Engagement Toolkit has not yet been made available in clear copy and the Policy and Toolkit were on the website in an unreadable form.

#### Officer Comment

Hard copy documents were placed at Council Libraries and Customer Service Centres and all documents placed on public exhibition in electronic format were legible and accessible. In response to this submission a copy of the draft Communications and Community Engagement Strategy and related policies were both emailed and posted to the respondent.

The Communications and Community Engagement Toolkit is an internal administrative document that provides staff with the tools and resources to engage effectively with the community. It is a document that will constantly evolve, incorporate new opportunities for engaging with the community and will be regularly updated.





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Community Feedback

It was raised in one submission that provision should be made for the preparation of Community Engagement Plans when engagement is intended and the level of detail required for these plans will depend on the complexity of the project from a community engagement perspective. The submission suggested a range of inclusions for Community Engagement Plans which are outlined in the supporting documents.

Feedback was given in one submission that the information in the draft Community Engagement Policy (attachment 3) 'When Should Council Engage' will lead to an ineffective outcome considered to be unacceptable.

Officer Comment

Council's Community Engagement Team has developed a template for staff to utilise when preparing a community engagement plan. The Action Plan in the Communications and Community Engagement Strategy includes a number of strategies for Council to increase awareness and strengthen Council's community engagement processes and provide training, resources and support to staff for engaging with our community.

The draft Community Engagement Policy outlines considerations in developing community engagement plans in point 7.2 of the draft Community Engagement Policy (attachment 3).

While comments in the submission are noted, Council's draft Communications and Community Engagement Strategy and toolkit have been developed following extensive research, incorporate the key elements suggested in the submission and will ensure effective communication and engagement practice.

Community Feedback

One submission noted Council's meeting procedures and refers to the two public meetings per month supported by confidential Councillor/staff workshops. It suggests reintroducing formal committees open to the public and establishing community based advisory and consultative Ward Committees to review and advise Council on broad local issues and provides a forum for discussion among Council representatives, local agencies and community members on related planning and development matters.

Officer Comment

Council has held routine Councillor briefing sessions following Council meetings for a number of years and they are conducted in accordance with the Office of Local Government's Meeting Practice Note. Such meetings are not a decision making forum and are used as informal means to brief Councillors on a range of issues. In accordance with Council's Code of Meeting Practice, Council is cognisant of its obligations and responsibilities in terms of open decision making and transparency of process.

Council presently meets fortnightly as a full Council and has a range of section 355 community committees and advisory panels. Furthermore, the Communications and Community Engagement Toolkit includes Advisory Panels and Focus Groups as methods for engaging with the community on particular issues.





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### Other feedback

One submission suggested better use of Camden Council's weekly full page advertisement and states that the Camden Memorial Pool is very seldom featured in this. It also suggests that the memorial pool should be listed in the Official Macarthur Visitors Guide and Let's Connect.

The submission also makes a recommendation on Camden's Australia Day Event and suggests an official lunch following the street parade and invitations to special civic ceremonies throughout the year. It also suggests an additional event for all Australia Day Award participants to recall their achievements.

### Officer Comment

The weekly advertisement is used primarily to provide information of a statutory nature to the community. Any available space after this essential information is included in the advertisement is used for important messages and upcoming event information.

The Camden War Memorial Pool is listed in the Official Macarthur Visitors Guide. Council's Community Engagement Team will consider featuring the Camden Memorial Pool in a future edition of the Let's Connect newsletter.

Suggestions on the Australia Day event will be forwarded to the Australia Day Committee for consideration. Council is currently developing and has implemented strategies to raise awareness of the Australia Day Awards program for example inclusion of Australia Day Award recipients in events and activities throughout the year and encouraging the sharing of their experiences more widely with the community.

### FINANCIAL IMPLICATIONS

Any financial implications will be considered within existing budgets. Any actions that cannot be funded within the existing budget will be considered during the normal budget process.

### CONCLUSION

The submissions received have been assessed and addressed in this report.

There are a number of documents within the draft Communications and Community Engagement Strategy framework that are well overdue for review and have not been reviewed for more than a decade. The documents will evolve over time as Council constantly reviews, updates and incorporates new methods for communicating and engaging with the community. Policies within this framework will be reviewed in 12 months.

This Strategy and its related policies will provide the necessary procedures and tools for staff to ensure that Council's communication and community engagement activities meet the needs and expectations of the current and growing community.

### RECOMMENDED

**That Council:**

- i. consider the submissions received during the public exhibition period;**



ORD09

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- ii. **adopt the draft Communications and Community Engagement Strategy and related policies; and**
  - iii. **write to the respondents thanking them for their submissions**

ATTACHMENTS

- 1. Table of Proposed and Existing Documents
- 2. Draft Communications and Community Engagement Strategy
- 3. Draft Community Engagement Policy
- 4. Draft Special Events Management Policy
- 5. Draft Civic and Ceremonial Functions and Representation Policy
- 6. Draft Media Policy
- 7. Existing Council Policy - Dealing with the Media
- 8. Communications and Community Engagement Tool Kit - *Supporting Document*
- 9. Existing Community Consultation Policy and Resource Kit
- 10. Submissions - *Supporting Document*



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## ORDINARY COUNCIL

ORD10

ORD10

**SUBJECT: COMMUNITY SPONSORSHIP PROGRAM - FUNDING ALLOCATIONS  
JULY TO DECEMBER 2015**

**FROM:** Acting Director Customer & Corporate Services

**TRIM #:** 15/86791

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### PURPOSE OF REPORT

This report seeks Council's endorsement of the recommended sponsorship allocations received, both monetary and in-kind, by the Sponsorship Allocation Committee as per the Community Sponsorship Program. These recommendations are for events/activities to be held July to December 2015.

### BACKGROUND

The Community Sponsorship Program was adopted by Council in October 2013, as a component of the Community Financial Assistance Policy. It sets out how Council will administer incoming sponsorship requests from community groups and organisations.

The Program is intended to provide encouragement and support to community organisations based on the needs of such groups, by supplementing funds raised for their events/activities.

Applications can be made twice per year during the following periods – 1 February to 1 March and 1 September to 1 October. All written applications are assessed by the Sponsorship Allocation Committee using set guidelines and criteria to ensure probity and consistency in evaluating requests.

### MAIN REPORT

All previous applicants for sponsorship and those organising external events were sent an application form and application timeframes were also advertised in the local newspaper and on Council's website.

A total of twelve (12) applications were received. Each application was assessed against the Program guidelines and criteria, with further consideration given to the benefit for the local community including social and economic, level of appeal and demonstrated need for funding.

After assessment against the guidelines and criteria, all twelve (12) applications have been recommended for monetary and/or in-kind support.



ORD10

The following events/activities are recommended for both monetary and in-kind support:

No	Applicant	Event/Activity	Total Recommended Monetary	Total Recommended In-Kind
1	Camden Rotary Club	Camden & District Relay for Life	\$3,000	\$2,887.50
2	Softball Macarthur	U/13 Boys & Girls Softball Championships	\$1,000	\$127.50
3	Narellan Chamber of Commerce	Christmas in Narellan	\$5,000	\$1,041.50
4	Camden Chamber of Commerce	Light Up Camden Festival	\$10,000	\$2,364.50
5	St John's Anglican Church, Camden	Carols by Candlelight – Macarthur Park	\$1,000	\$883.00
6	Harrington Park Anglican Church	Harrington Park Community Carols & Fireworks	\$1,000	\$153.00
7	New Life Anglican Church, Oran Park	Oran Park Community Carols	\$1,000	\$364.00
8	Softball Macarthur	40 <sup>th</sup> Year Celebration of Softball Macarthur	\$1,000	\$127.50
	<b>Total Recommended</b>	<b>Monetary and In-kind Sponsorship</b>	<b>\$30,948.50</b>	

The following events/activities are recommended for in-kind support only:

No	Applicant	Event/Activity	Total Recommended In-Kind
9	Mark Peters (Elderslie Public School)	Forever Waterloo (Re-enactment of the Battle of Waterloo + mini school fete)	\$255.00
10	Open House Church	Father's Day Fun Day	\$223.50
11	Camden South Public School	Camden South Public School Fete	\$382.50
12	55-56-57 Chevrolet Club of Australia	Camden Car Show	\$1,749.50
	<b>Total Recommended</b>	<b>In-Kind Sponsorship Only</b>	<b>\$2,610.50</b>

Two monetary requests were not recommended, these being 'Forever Waterloo' and 'Father's Day Fun Day'.



'Forever Waterloo' requested \$2,000 monetary support to hire re-enactors to participate in the event. The applicant advised that 'Forever Waterloo' would also incorporate a mini fete for Elderslie Public School.

According to the guidelines the incorporation of a school fete would rule out any monetary support. The guidelines only allow for support in the form of assisting with costs incurred to comply with Council regulations. As such, the SAC agreed that Council would provide in-kind support for the supply of 20 special event bins only.

'Father's Day Fun Day' requested \$4,500 monetary support. The Community Sponsorship Program provides support by supplementing funding already obtained by the organisers of events/activities.

Upon review of the application, the SAC determined that the money requested would fund the entire costs to run this event.

In this case the SAC agreed to provide in-kind support only to cover the costs associated with the hiring of Harrington Park Community Centre and the supply of 10 special event bins for the 'Father's Day Fun Day'.

### **FINANCIAL IMPLICATIONS**

The total budget allocation for Community Sponsorship, as per the 2015/16 budget, is \$58,500.

The total recommended sponsorship, both monetary and in-kind, is \$33,559 to cover events held July to December 2015.

A balance of \$24,941 remains to cover events to be held for the period January to June 2016.

### **CONCLUSION**

The breadth of events/activities being undertaken by a range of community organisations, contributing to the increase in social capital and improved community well-being, within the Camden LGA, has been demonstrated by the quality and range of worthwhile events/activities seeking sponsorship assistance.

Applications have been assessed against the criteria contained in the Program guidelines and recommendations reflect this assessment. A full list of application requests is contained in the attached supporting document.

Projects recommended for funding will complement existing events/activities within the community and provide improved opportunities for the community to access and attend events/activities within the Camden LGA.

### **RECOMMENDED**

**That Council:**

- i. approve sponsorship to the events/activities 1 to 12, totalling \$33,559 and comprising of \$23,000 cash and \$10,559 in-kind as recommended by the Sponsorship Allocation Committee and funded from the 2015/2016 budget allocation; and**



**ORD10**

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**ii. write to each applicant advising them of the outcome.**

**ATTACHMENTS**

1. 2015 July to Dec - Council Community Sponsorship Program Summary of Allocations



# ORDINARY COUNCIL

ORD11

ORD11

**SUBJECT: IMPROVED PLANTINGS ON ROUNDABOUTS AND CORNER LOCATIONS**

**FROM:** Director Community Infrastructure

**TRIM #:** 15/76089

## PURPOSE OF REPORT

The purpose of this report is to provide Council with a list of key sites identified as high profile gateway locations suitable for higher impact plantings and recommends undertakings for the works proposed in this report.

## BACKGROUND

At the ordinary meeting of Council held on 14 April 2015, a Notice of Motion was put forward requesting;

*That Council investigate and bring back a report on the following:*

- i. a list of key sites, such as highly visible roundabouts and corner locations, suitable for higher impact plantings; and*
- ii. costings for the ongoing maintenance of these sites.*

## MAIN REPORT

Council Officers have undertaken a review of our current roundabouts and high profile gateway entry points into the Camden Local Government Area and it is considered that the following locations (photos provided in **Attachment 1**) would be suitable for high impact planting. The high profile planting will provide Community benefit through the improved aesthetics of the area and the identification of these key gateway locations as listed below:

**Table 1:**

No	Location
1	Corner Burraborang Road and Old Hume Highway, Camden
2	Corner Old Hume Highway and Camden Bypass, Camden
3	Roundabout at Sheathers Lane and Cawdor Road, Camden
4	Roundabout at Elizabeth Street and Argyle Street, Camden
5	Roundabout at Edward Street and Argyle Street, Camden
6	Corner Garden bed at entrance to Cowpasture Reserve, Camden and Cowpasture Bridge, Camden
7	Corner Kirkham Park and Hilder Street, Elderslie





No	Location
8	Roundabout at Welling Drive and Richardson Road, Narellan
9	Roundabout at Richardson Road and Elyard Street, Narellan
10	Roundabout Elyard Street and Queen Street, Narellan
11	Corner Narellan Road and Camden Valley Way, Narellan
12	Roundabout at Holdsworth Drive and Main Street, Mount Annan
13	Roundabout at Waterworth Drive and Welling Drive, Mount Annan
14	Corner Mount Annan Drive and Narellan Road, Mount Annan
15	Tramway Street and Glenfield Drive, Currans Hill
16	Roundabout Hartley Road and Currans Hill Drive, Currans Hill
17	Corner Catherine Field Road & Chisholm Road, Catherine Field
18	Median Strip Hillside Drive at entry Harrington Park

Roadway entry points along the Northern Road from Bringelly to Narellan and Camden Valley Way from Liverpool to Narellan are still under construction therefore design enhancement is not recommended until the roadway completion has occurred. Areas along Cobbitty Road have also been considered but at this time no appropriate locations were identified. Sites will continue to be reviewed in order to identify future locations for embellishment, especially within the areas where development and roadworks are currently occurring.

Some of the proposed locations listed above are currently planted out and will be embellished or totally replaced with plants that provide colour through variations in foliage or flowers as displayed in **Figure 1** and **Figure 2**. Main species of plants considered for inclusion will need to be tolerant of heat and frost conditions to ensure that they provide good displays throughout the year however the inclusion of annuals will require regular planting changes approximately every quarter.

Planting within roundabouts and road verges will also consider the Roads and Maritime Services guidelines for sight lines to ensure that traffic is not impeded by the installation of plants within these areas.

Funding of approximately \$80,000 has been identified within the 2014/2015 budget to be used to establish the gardens/plantings. Should additional designs or hard landscaping be required at the identified locations, this will be managed through current maintenance budgets.

Should the proposed program of works be adopted, Council will engage a contractor for the initial landscape works, inclusive of an initial maintenance period of up to six months to ensure that the gardens establish. After the initial maintenance period the gardens will be required to be maintained by Council staff.

**Figure 1:**  
Indicative Island Planting



*Annual Garden Display*

**Figure 2:**  
Indicative Roundabout Planting



*Formalised hedge and annuals*

There will be additional work generated through the introduction of more formalised planting. It is expected that the additional planting will require a full program of works for an additional team. The additional team would consist of two staff members and plant, such as a utility vehicle fitted with a water tank and small motorised plant for hedging and hand tools etc.

The increase in staff would be required as our current work teams have a full program of activities and these activities will be further impacted by the expansion of their current program to include Oran Park, Spring Farm, Elderslie, Manooka Valley and Gledswood Hills.

The estimated re-current costs associated with the new team on an annual basis is \$153,000 inclusive of operational costs which can be funded in the 2015/16 budget. In addition, the proposed team will require a utility vehicle being a one off capital purchase of approximately \$35,000. Funds are available within the 2014/15 budget to purchase this item.

### **FINANCIAL IMPLICATIONS**

<b>Item</b>	<b>Funds Identified within 2014/2015 Budget</b>	<b>Additional Allocation required in 2015/2016 Budget</b>
Initial Planting Works	\$80,000	
One Off Plant Purchase	\$35,000	
New Parks Crew (Recurrent) inclusive of operational costs		\$153,000



ORD11

Further funding requirements of this project will be undertaken through Council's annual Parks Maintenance budget.

### **CONCLUSION**

A review of locations for the establishment of high impact planting at key gateway locations within the Camden Local Government Area has occurred. Various locations have been identified for additional planting as referred to in Table 1.

In order to maintain these sites to the standard that would be required on an ongoing basis, an additional parks landscaping team, including the capital purchase of a utility vehicle and ongoing operational costs, would need to be considered.

This project will benefit the Community through improved aesthetics of the Camden area and through the identification of key gateway locations throughout the Local Government Area.

### **RECOMMENDED**

**That Council:**

- i. endorse the sites nominated in this report for high impact planting; and**
- ii. endorse the allocation of \$153,000 for an additional Parks maintenance team inclusive of operational costs, to be funded from the 2015/16 Budget.**

### **ATTACHMENTS**

1. Photos of intersections and gardens beds for upgrade works
2. Location Map - Proposed Planting Sites



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## ORDINARY COUNCIL

ORD12

ORD12

**SUBJECT: BIRRIWA RESERVE OUTDOOR YOUTH SPACE**  
**FROM:** Director Community Infrastructure  
**TRIM #:** 15/84892

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### PURPOSE OF REPORT

The purpose of this report is to inform Council of Section 94 funding available to be utilised towards the expanded scope of the Birriwa Reserve Outdoor Youth Space formally known as the Multipurpose Outdoor Youth Space and to request the allocation of these funds to the 2015/2016 budget period to complete this project.

### BACKGROUND

At the ordinary meeting of Council held on 9 December 2014, Council resolved:

- i. adopt Birriwa Reserve as the location of the Multipurpose Outdoor Youth Space, and
- ii. proceed with the preparation of detailed designs of the Multipurpose Youth Space at Birriwa Reserve with a view to commence construction in the 2015/2016 financial year;

### MAIN REPORT

Prior to the location of the Outdoor Youth Space being formally endorsed by Council, \$600,000 was allocated for construction in 2015/16 through Council's delivery program. As a result of the decision of Council to endorse Birriwa Reserve as the location for the Outdoor Youth Space, funds to the value of \$899,600 have been identified within Section 94 Camden Contributions Plan for the embellishment of open space at Birriwa Reserve. There was an allocation of \$50,000 in 2014/15 budget, allocated for design.

Council officers have undertaken concept designs for the Birriwa Reserve Outdoor Youth Space and are now in the process of preparing detailed designs for tender. Due to the additional funds available through Section 94 for this site, the scope of the project has been increased to include an entire recreational experience for the Community. This includes:

- passive open space
- landscaping
- toilet block
- upgrade of the multi-purpose sports courts
- potential additional parking and a refurbishment of the underpass across Waterworth Drive, Mount Annan.

Should Council choose to adopt the additional program of works for the proposed Birriwa Reserve Outdoor Youth Space then the total project value would be increased to approximately \$1.5m (including design). Council officers will undertake Community Consultation with the surrounding residents, regarding the design and Youth Space



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components over the next few weeks, with a view to commencing this project in the 2015/2016 financial year.

### **FINANCIAL IMPLICATIONS**

It is requested that Council increase the cost of the project to \$1,426,300 in 2015/16, the increase in cost can be funded from Section 94 (\$899,600) and an existing allocation in general fund (\$526,700).

The additional funds from Section 94 has allowed an amount of \$73,300 to be returned to general fund for allocation within the 2015/16 Operational Plan (budget).

### **CONCLUSION**

On 9 December 2014 Council resolved to adopt Birriwa Reserve as the location for the Birriwa Reserve Outdoor Youth Space.

As a result of this resolution, additional Section 94 funds have been identified within the Camden Contributions Plan for the embellishment of open space at Birriwa Reserve for the sum of \$899,600. It is therefore requested that Council allocate these funds to the 2015/2016 financial year for the purpose of expanding the scope of works at Birriwa Reserve to provide a recreational experience for the entire Community.

### **RECOMMENDED**

**That Council increase the scope of the project to \$1,426,300 in 2015/16, by allocating \$899,600 from Section 94 funds for the purpose of completing the Birriwa Reserve Outdoor Youth Space.**



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## ORDINARY COUNCIL

ORD13

ORD13

**SUBJECT: TENDER T005/2015- SPRINGS ROAD STAGE 2 URBAN UPGRADE**  
**FROM:** Director Community Infrastructure  
**TRIM #:** 15/71153

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### PURPOSE OF REPORT

To provide details of the tenders received for Contract T005/2015 being the construction of Stage 2 of the Urban Upgrade of Springs Road and to recommend that Council decline to accept any of the tenders received. Also, to seek approval to revise the scope of these works and call fresh tenders based on the revised scope.

### BACKGROUND

Council's 2014/15 Delivery Plan includes funding for stage 2 of the upgrade of Springs Road from Ettlesdale Road to Macarthur Rd to an urban standard.

The proposed works are to increase the width of the road pavement, provide new concrete kerb and gutter, stormwater drainage, and lower the road where it joins the works previously completed under stage one. The works also include the underground installation of the existing overhead transmission and distribution power.

At the Ordinary Council Meeting held on 28 October 2014, Council resolved to accept the tender provided by Gremalco Pty Ltd to underground the existing overhead power in Springs Road.

In November 2014 tenders were invited for the road construction. Tenders opened on 25 November and closed on 23 December 2015

### MAIN REPORT

Tenders were received from the following companies listed in alphabetical order:

<b><i>Company</i></b>	<b><i>Location</i></b>
• Antouns Construction Pty Ltd	South Wentworthville
• Cadifern	Thirroul
• Celtic Civil	Concord
• Citywide Civil	Kingsgrove
• Hargraves Urban	Gordon
• Nace Civil Engineering	Prestons
• North Shore Paving	Lindfield
• TRN	Spring Farm





The works proposed under this tender are dependant upon completion of culvert construction works being undertaken in Richardson Road by the developer. These works have required closure of Richardson Road which was expected to reopen in January 2015. Substantial delays have occurred and Richardson Road is not expected to reopen until June 2015.

These delays have prevented Council from accepting any of the tenders received. The tender validity period expired on 22 April 2015.

Since inviting tenders for the above works at Springs Road, the Department of Education have obtained Development Consent through the Joint Regional Planning Panel (JRPP) and started construction of a new school on the southern side of Springs Road. The school site is adjacent to the stage 2 urban upgrade works.

The Consent requires that the school shall not commence operation until such time as a roundabout is constructed on Springs Road adjacent to the site. The timing of the construction of the roundabout is therefore critical, as the school is to be completed and operational by the second term of 2016.

The Consent does not require the Department of Education to construct the roundabout and this work was also not included in Council's proposed stage 2 works.

The Cornish Group is the owner of land opposite the school, on the northern side of Springs Road. They have agreed to design the roundabout and lodge the required Development Application to allow its construction, but have advised Council that they will not construct the roundabout.

A further condition imposed by the JRPP in their assessment of the school DA, is that a bus pick up/drop off facility must be provided on the southern side of Springs Road. The Department of Education is not required to construct the bus bay however it must ensure that an interim bus pick up/drop is in place prior the school becoming operational. No provision has been made for design or construction of this bus bay in the current stage 2 construction works.

Declining to accept the tenders and delaying construction of the Stage 2 Urban Upgrade works, allows Council the opportunity to include the construction of the roundabout and bus pick up/drop off bay in the Stage 2 Urban Upgrade works.

There are benefits in doing this work under the one contract when Richardson Road is reopened and this portion of Springs Road can be closed, rather than coming back at a later date to modify the road works under traffic control. It is therefore proposed to amend the current scope to include the required roundabout and bus pick up/drop off bay in the revised stage 2 scope of works.

Prior to the development consent being granted for the new school, submissions were received raising concerns regarding safety of pedestrians, cyclists and vehicles at the intersection of Springs Road and Macarthur Road. The submissions requested that a roundabout be constructed at this intersection. Council's S94 Development Contributions Plans include funding towards the construction of a roundabout at this intersection, however there are issues to be resolved in order for the design to be finalised and construction to commence.

These issues include land acquisition from four adjoining lots and design and certification for undergrounding of power. Given the time anticipated as required to address these issues, it is proposed that construction of this roundabout be undertaken





as a separate tender. This will ensure that the Springs Road upgrade, roundabout adjacent to the school and bus bay are completed before the school opens in Term 2 2016.

Funds have been included in the Draft 2015/16 Capital Works budget to enable design of the roundabout at the intersection of Springs Road and Macarthur Road. Once design has progressed to a point which will allow cost estimates for land acquisition, power relocation and the roundabout construction is known, a separate report will be provided to Council for this work.

During the design process we will investigate short and long term treatments for this intersection. This work will form part of the broader review of improvements on Macarthur Road from Camden Valley Way to Springs Road.

### **FINANCIAL IMPLICATIONS**

Additional funds of \$200,000 are required to be allocated to the Springs Road Stage 2 upgrade works project budget, to include the new roundabout and bus pick up/drop off bay. Funding for the urban upgrade of Springs Road including new roundabouts is included in Council's Section 94 Contributions Plans.

### **CONCLUSION**

Delays associated with culvert works being undertaken by the developer and the subsequent extended closure of Richardson Road, have prevented Council from accepting any of the tenders for T005/2015, Stage 2 upgrade of Springs Road. The tender validity period for these tenders expired on 22 April 2015.

Declining to accept the tenders and delaying the construction of the Stage 2 Urban Upgrade works, allows Council to include construction of the roundabout and bus pick up/drop off bay required for the new school at Spring Farm, in the Stage 2 Urban Upgrade works.

There are benefits in doing this work under the one contract when Richardson Road is reopened and this portion of Springs Road can be closed, rather than coming back at a later date to modify the road works under traffic control.

This is important to managing the program for delivery and to allow operation of the school when it is opened for the second term of 2016.

### **RECOMMENDED**

#### **That Council:**

- i. decline to accept any of the tenders submitted in response to Tender No T005/2015 – Springs Road, Spring Farm Stage 2 Urban Upgrade;**
- ii. approve amendments to the scope of works to include construction of the roundabout and bus bay pick up/drop off in Springs Road;**
- iii. invite fresh tenders based on the revised scope of works; and**



**ORD13**

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- iv. **approve additional funds of \$200,000 being allocated to the 2015/16 Capital Works Program from existing Section 94 funds to enable the increased scope of works to be included in the Springs Road Stage 2 upgrade.**