



Camden Council

Attachments

Ordinary Council Meeting
22 September 2015

Camden Civic Centre
Oxley Street
Camden



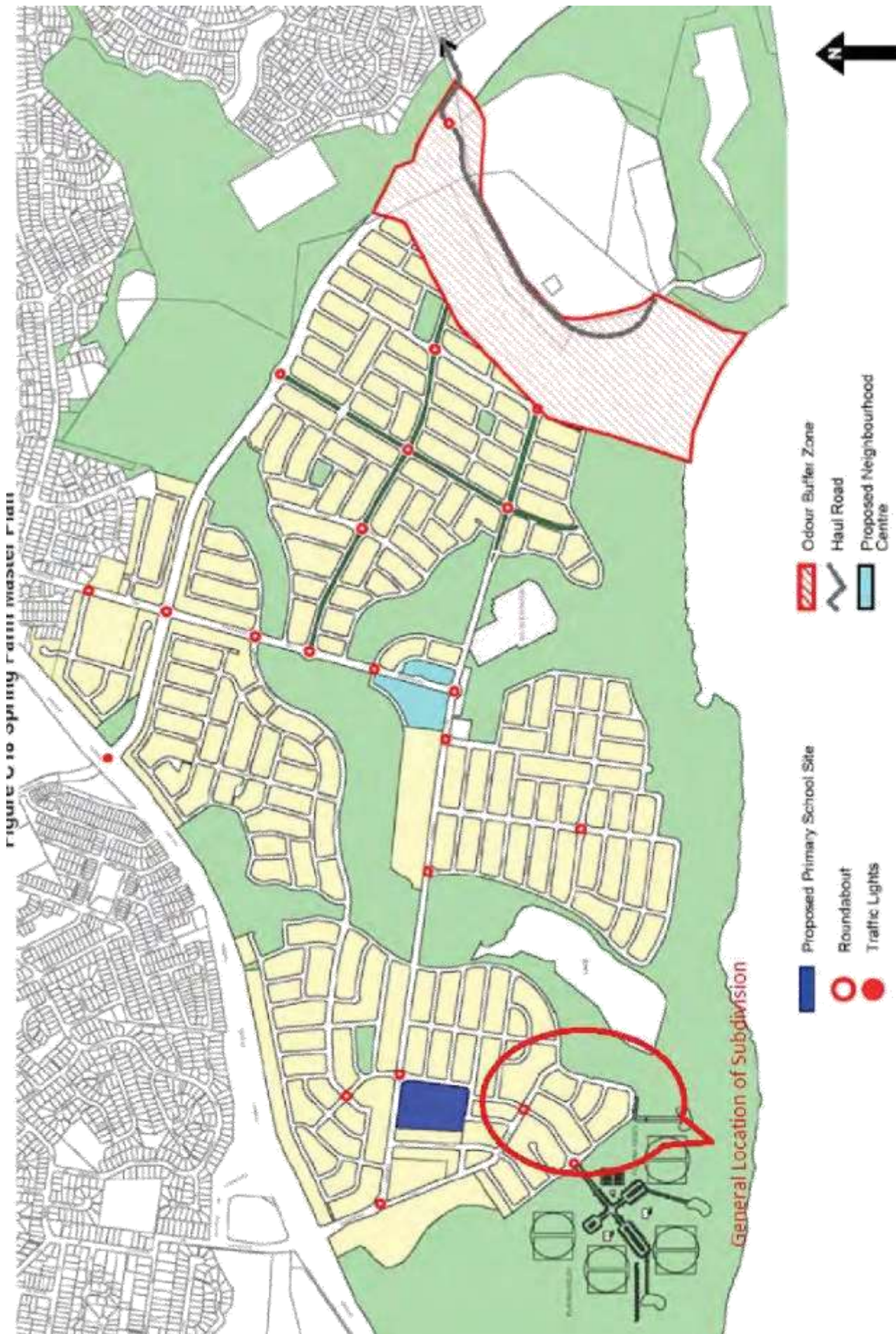
ORDINARY COUNCIL

ATTACHMENTS - ORDINARY COUNCIL

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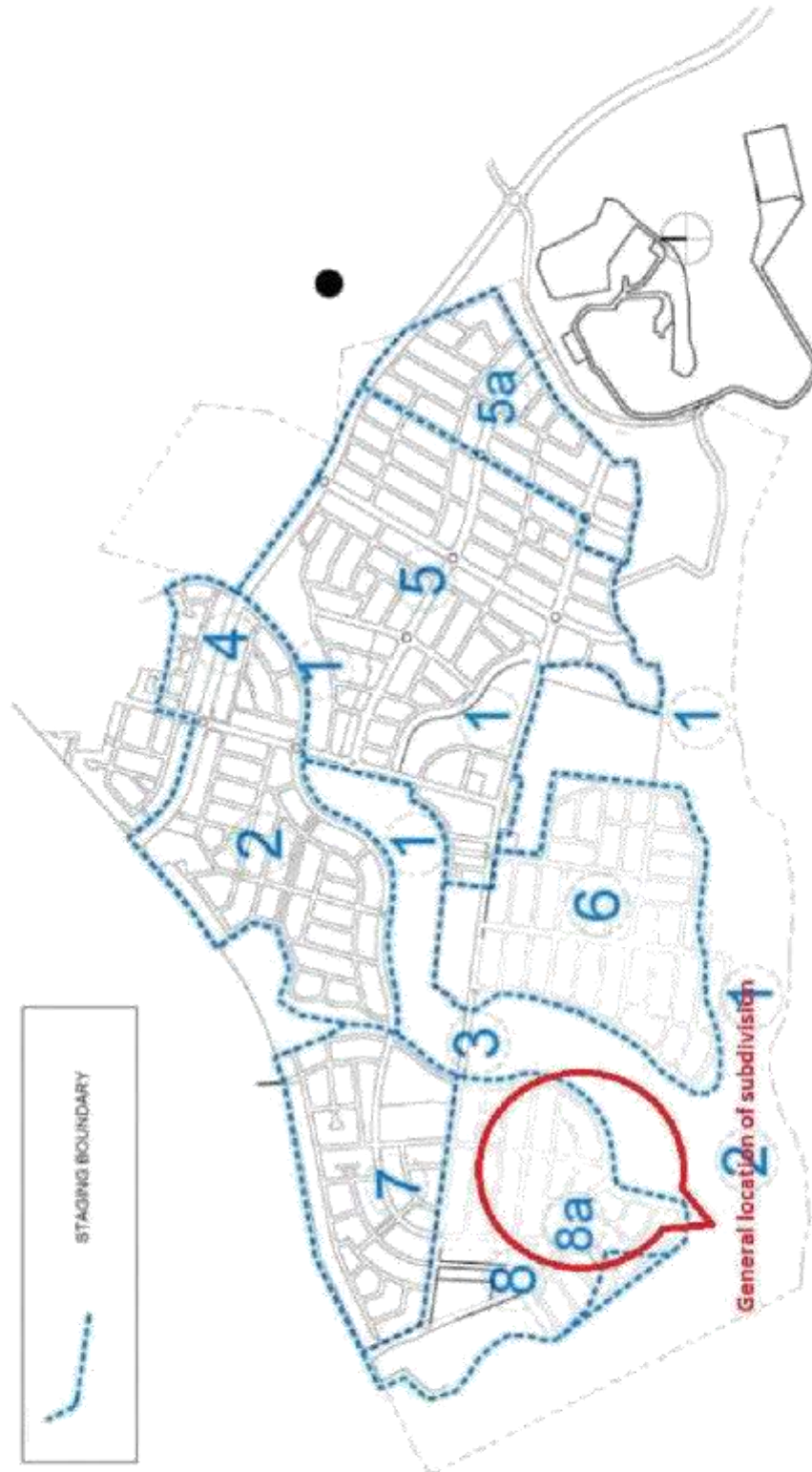
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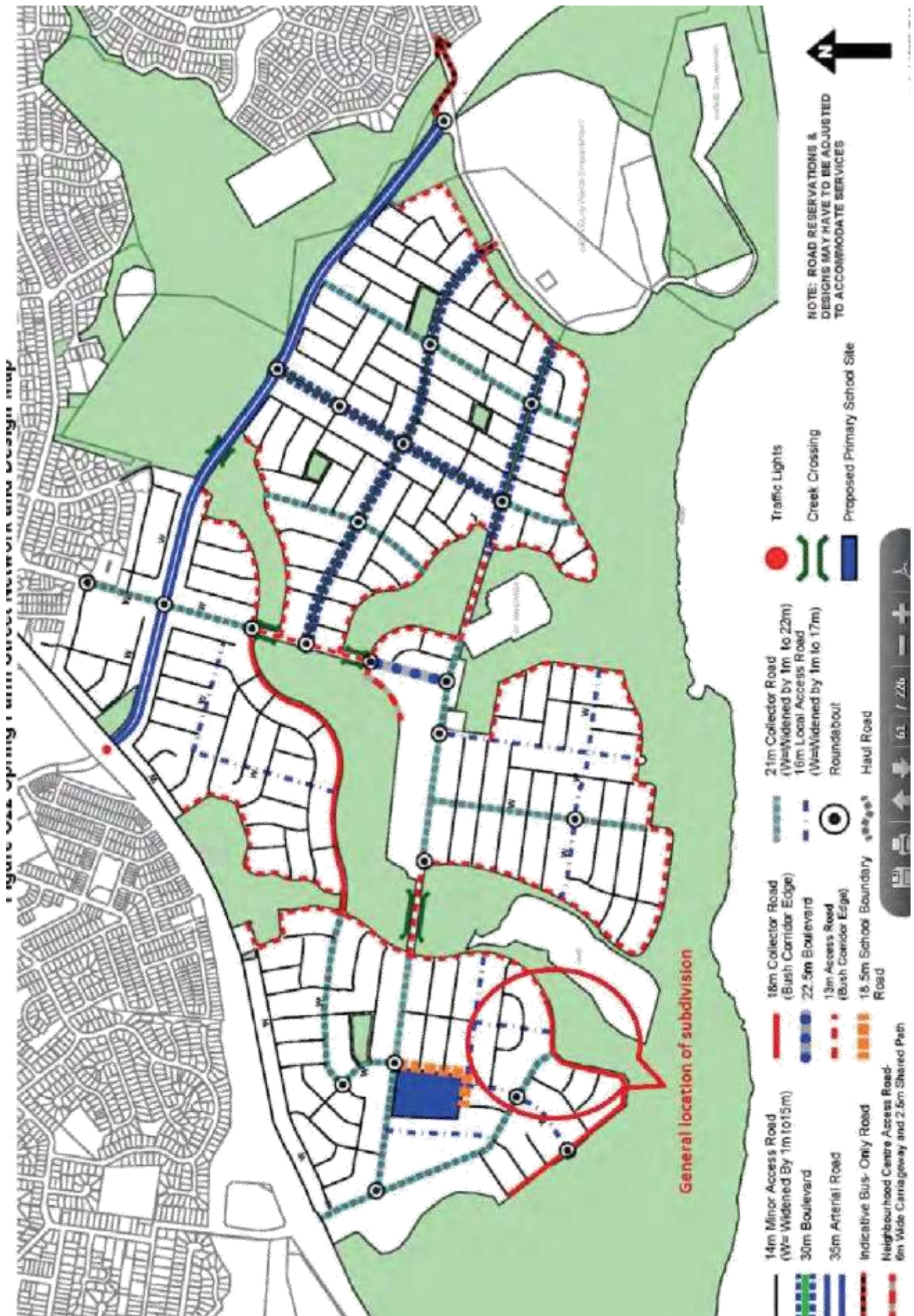


Attachment 1
ORD01

ORD01

Attachment 1



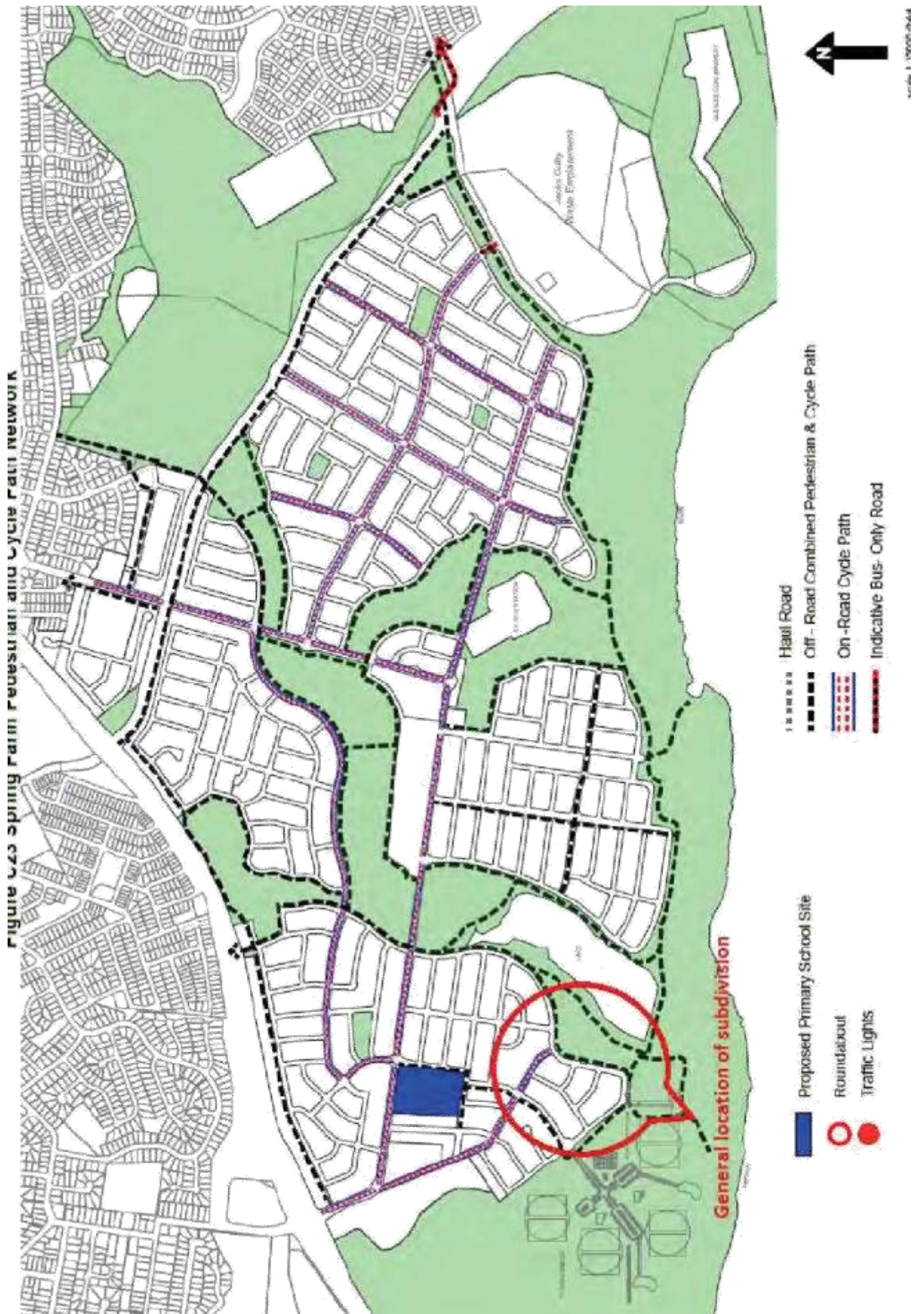


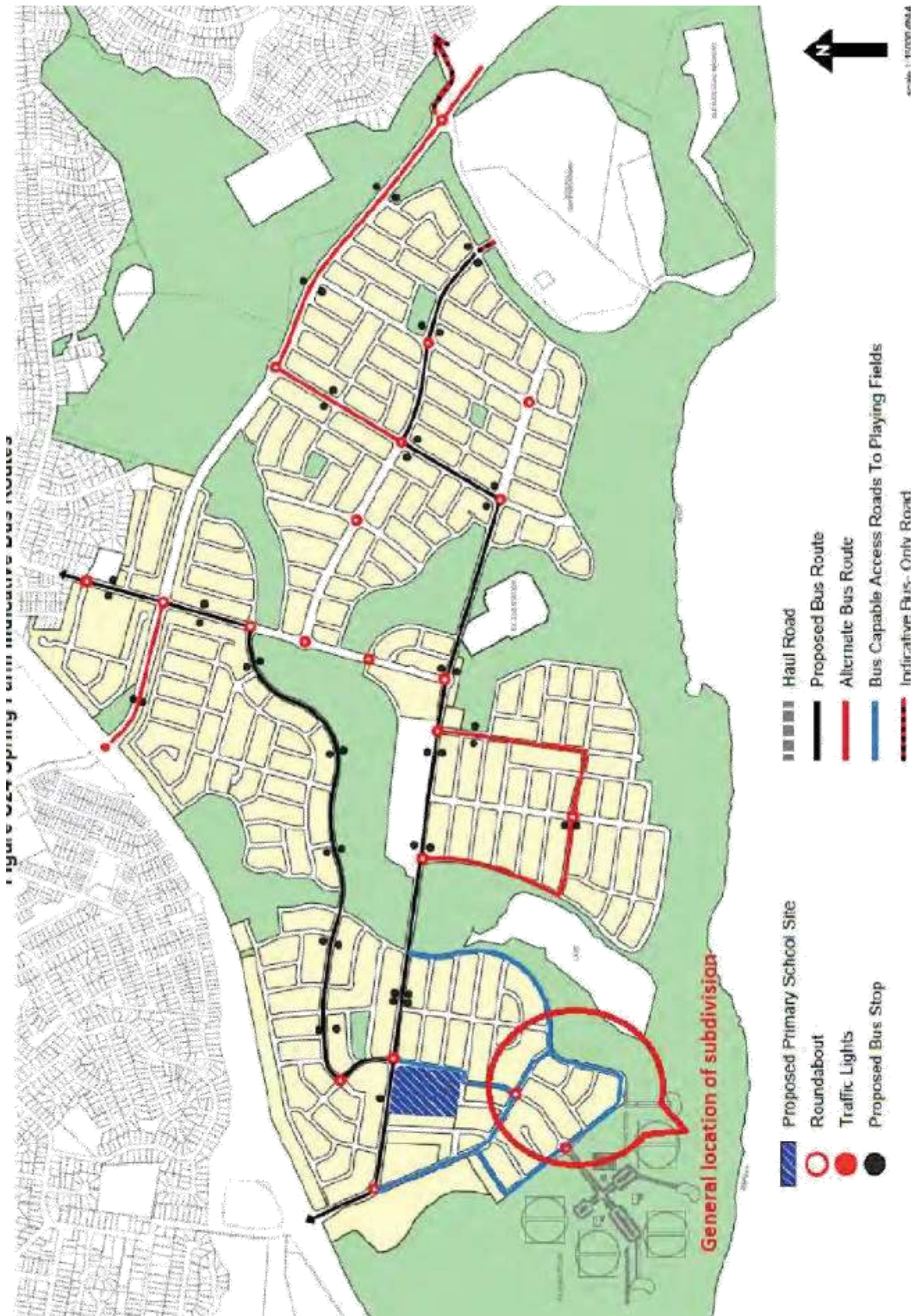
ORD01

Attachment 1

ORD01

Attachment 1





ORD01

Attachment 1

ORD01

Attachment 2



SPRING FARM
STAGE 45, 46 & 47
CAMDEN COUNCIL
PLAN OF PROPOSED SUBDIVISION

SMC
SMC AUSTRALIA PTY LTD
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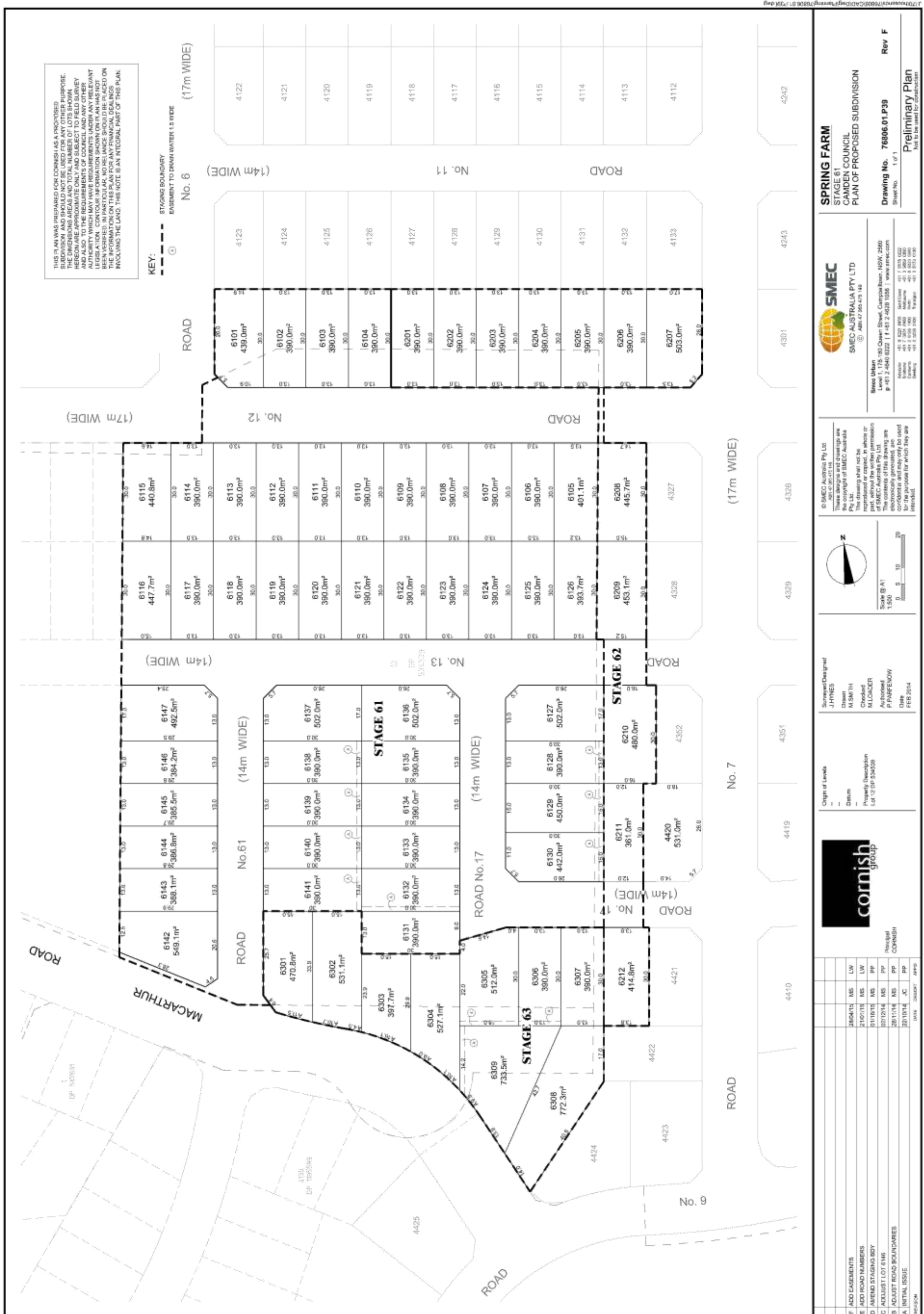
Surveyed/Designed
J. HYNES
Drawn
M. SMITH
Checked
L. WARD
Authorised
P. PARFENKOW
Date
JUN 2013

Origin of Levels
Datum
Property Description
LOT 4138 DP 119599

cornish group

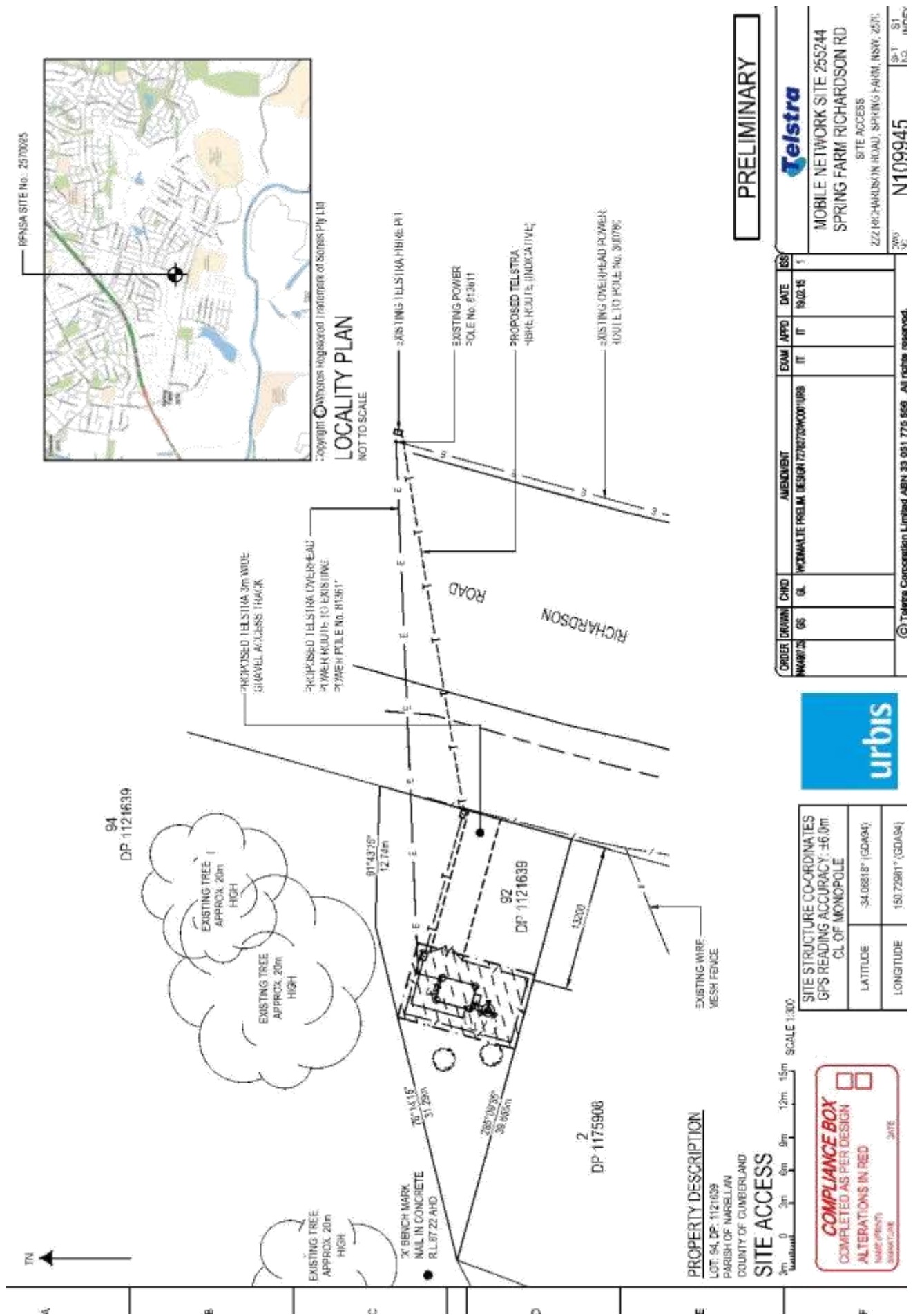
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A. INITIAL ISSUE	21/07/15	MS	LW

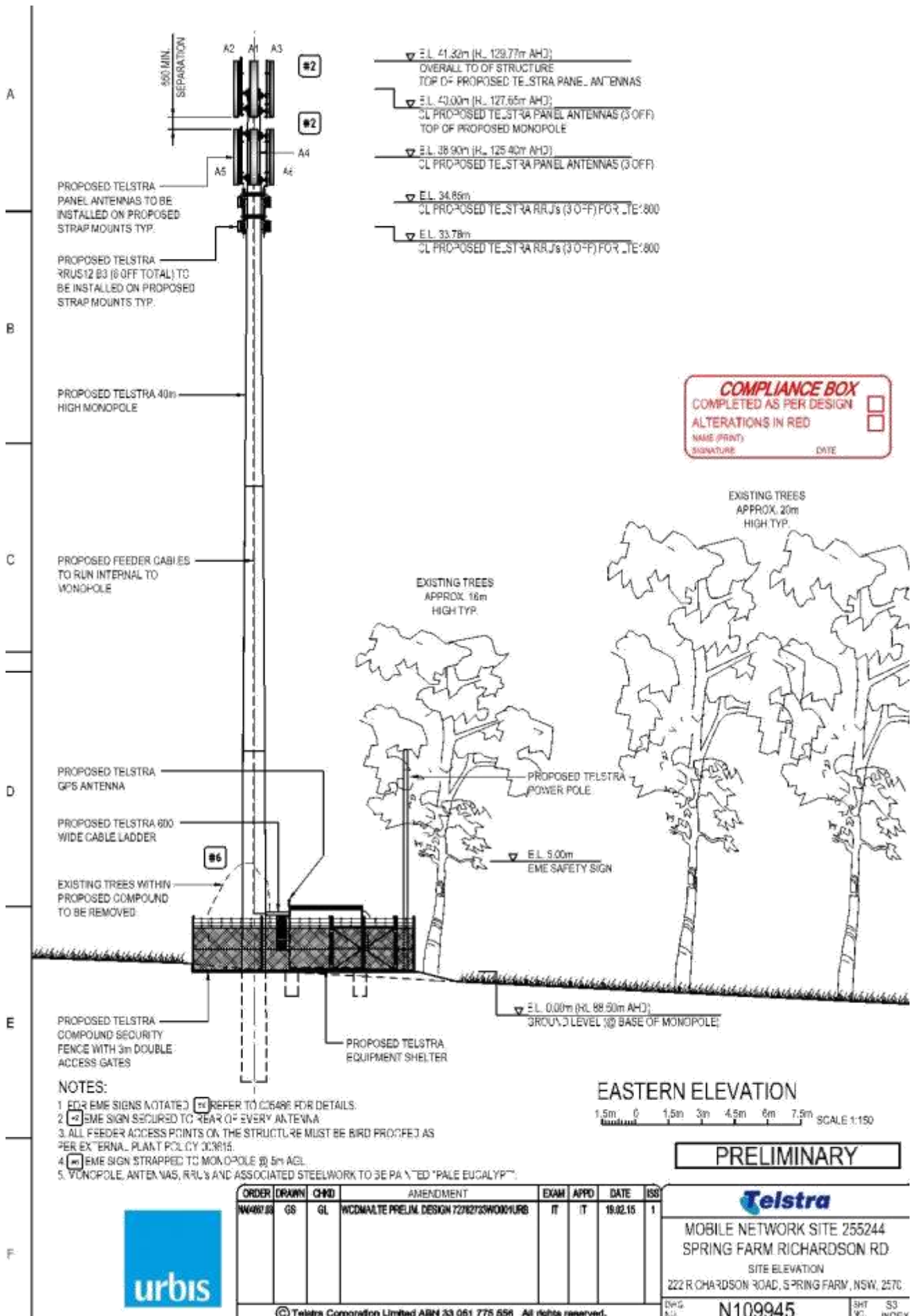
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Drawing No. 76806.01.P43
Rev B



Attachment 1

ORD02





ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPR	DATE	ISS
NW48733	GS	GL	WCDM/ALTE PRELIM DESIGN 7216273W0001URB	IT	IT	19.02.15	1

Telstra

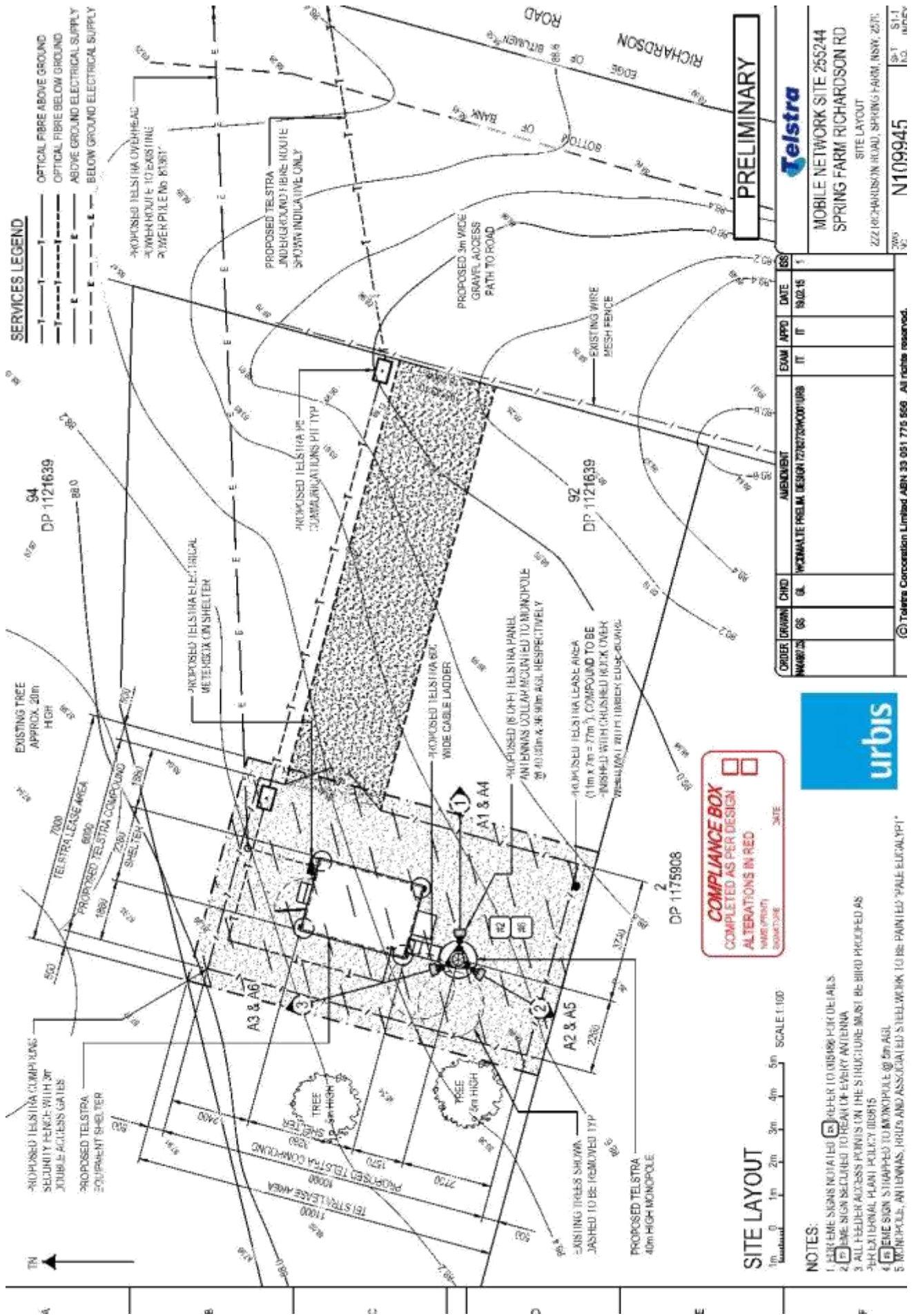
MOBILE NETWORK SITE 255244
SPRING FARM RICHARDSON RD
 SITE ELEVATION
 222 RICHARDSON ROAD, SPRING FARM, NSW, 2570.

DRG NO. **N109945** SHEET NO. **S3** OF **WHP02**

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Attachment 1

ORD02



TELSTRA ANTENNA CONFIGURATION TABLE					
ANTENNA No.	ANTENNA TYPE & SIZE H x W x D	ACTION REQUIRED	ANTENNA HEIGHT CL A.G.L. (x'1)	ANTENNA BEARING	SECTOR NO. & SYSTEM
A1	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	40.00m	90°	S1: WCDMA850 S1: WCDMA850 S1: LTE1800 S1: LTE1800 S1: LTE1800 S1: LTE1800
A2	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	40.00m	210°	S2: WCDMA850 S2: WCDMA850 S2: LTE1800 S2: LTE1800 S2: LTE1800 S2: LTE1800
A3	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	40.00m	345°	S3: WCDMA850 S3: WCDMA850 S3: LTE1800 S3: LTE1800 S3: LTE1800 S3: LTE1800
A4	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	36.90m	90°	S1: LTE700 S1: LTE700 S1: SPARE S1: SPARE S1: SPARE S1: SPARE
A5	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	36.90m	210°	S2: LTE700 S2: LTE700 S2: SPARE S2: SPARE S2: SPARE S2: SPARE
A6	ANGUS HVVPK31BEZ PANEL 2533 x 353 x 209	INSTALL	36.90m	345°	S3: LTE700 S3: LTE700 S3: SPARE S3: SPARE S3: SPARE S3: SPARE

PRELIMINARY

MOBILE NETWORK SITE 255244
 SPRING FARM RICHARDSON RD
 ANTENNA CONFIGURATION TABLE
 222 RICHARDSON ROAD, SPRING FARM, NSW, 2575

ORDER DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA48/15	GL	WCDMA LTE PRELIM DESIGN 12/02/2015 00:00:00	IT	IT	19/02/15	1



COMPLIANCE BOX

COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
NAME/PRINT DATE

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ORD02

Attachment 1

ORD02

Attachment 2

Our Ref: 15.159
Your Ref: DA338/2015

27 August 2015

General Manager
 Camden Council
 PO Box 183
 CAMDEN NSW 2570



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 Suite 5 488 High Street
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 F 4731 2370

Tamworth
 108 Brisbane Street
 P 6766 5505

All mail to
 PO Box 1912 Penrith NSW 2751

Attention: Kate Drinan – Strategic Planning Manager

Dear Ms Drinan

Re: Peer Review of Development Assessment for DA338/2015, 222 Richardson Road, Spring Farm

Stimson & Baker Planning has been engaged by Camden Council to undertake an independent peer review of the Council's development assessment of a development application (DA) for a telecommunication facility proposed by Telstra on land owned by Camden Council. The land subject to the DA is known as 222 Richardson Road, Spring Farm. As Council is the landowner there is opportunity for financial benefit through lease arrangements with Telstra which would be settled pending determination of the application.

For probity reasons, the assessment of the application requires an independent peer review of the development assessment carried out by Council. Further, this review will provide an independent opinion of whether the final assessment undertaken by the Council is consistent against the relevant legislation, planning instruments and policies and codes; and whether Council has been transparent and followed due process in its decision making as it relates to its own land.

The review is structured in the following manner:

- 1 Site context and overview of the proposal
- 2 Overview of the statutory planning framework applying to the site and proposed development
- 3 Summary of the development applications compliance against the planning framework
- 4 Conclusion

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1 Site context and overview of the proposal

1.1 The Subject Site

The development application relates to land legally described as Lot 92 DP1121639 and known as 222 Richardson Road, Spring Farm. Council owns this land which is classified as community land. Council is able to enter into lease arrangements in relation to the land under Division 2 of the Local Government Act 1993.



Figure 1 Subject Site (Source: SIX Maps)

1.2 Proposal Overview

The proposed development for a telecommunication facility, specifically involves:

- installation of a 41.32m high monopole with a non-reflective, neutral colour finish;
- installation of 6 panel antennas (each with the following dimensions 2533mm x 363mm x 209mm). Three of the antennas will be located at a height of 36.9m and the remaining 3 will be located at a height of 40m.
- construction of an ancillary equipment shelter to accommodate electrical and telecommunication equipment associated with the facility (dimensions of 3.28m x 2.28m x 2.995m) within a fenced off area with 3m wide double access gates;
- installation of 6 remote radio units located beneath the antennas;
- clearing of land, including the removal of 3 trees (planted acacias);
- installation of associated feeder cable running internally within the monopole, providing a connection from the monopole to the equipment shelter;
- ancillary works to include the installation of a concrete footing and the provision of a 600mm wide Telstra cable ladder; and
- access to the site for construction and maintenance purposes from Richardson Road.



2 Planning framework

The assessment of telecommunication facilities are legislated at a Commonwealth and State level. This section outlines the applicable statutory planning framework and guidelines that are to be considered in the assessment of the telecommunications facility on the subject site:

Commonwealth

2.1 *Telecommunications Act 1997*

This federal legislation provides a framework for regulating the provision of telecommunications services throughout Australia. This exempts certain telecommunication facilities from some State and territory laws, which are described in Schedule 3 of this Act.

The proposal is not described in Schedule 3 of this Act and therefore not exempt from NSW planning legislation.

2.2 *Telecommunications (Low-Impact Facilities) Determination 1997*

This specifies what telecommunication facilities are considered low impact as outlined in Part 3 in this Determination.

The proposal is not defined as a 'low impact' telecommunication facility and therefore not exempt from NSW planning legislation.

2.3 *Environment Protection and Biodiversity Conservation Act 1997*

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) requires the approval of the Commonwealth Minister for Environment Protection, Heritage and the Arts for actions that may have a significant impact on matters of National Environmental Significance (NES). The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal.

The site has identified native vegetation on the site and therefore the EPBC Act was considered by the applicant with the submission of a *Flora and Fauna Assessment* prepared by *Eco Logical Australia* including an *EPBC Act Protected Matters Report*.

State

2.4 *Environmental Planning and Assessment Act 1979*

The proposal is defined as development in Section 4 of the *Environmental Planning and Assessment Act 1979* (EPA Act). Section 76A of the EPA Act stipulates that the development must not be carried out on the subject site until consent has been obtained. Section 79BA requires the application to be referred to the NSW Rural Fire Service due to land being located on bushfire prone land.

Furthermore, the application is identified as 'nominated integrated development' under S91 of the Act and so a third party approval is required by NSW Office of Water under Part 3 of Chapter 3 of the Water Management Act 2000 as the site is within 40m of a watercourse.

An assessment under S79C was carried out by the applicant and the Council and the required authority referrals were undertaken.



2.5. *State Environmental Planning Policy (Infrastructure) 2007*

The aim of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) is to facilitate the effective delivery of infrastructure across the State. The ISEPP provides certain provisions under Division 21 for Telecommunications and other communications facilities. These provisions determine those telecommunication facilities that can be undertaken with and without consent.

The proposal does not meet the provisions for exempt or complying development, however under Clause 115(1) the proposal is permissible with consent on any land within NSW. This permissibility prevails over the land use tables within Camden Local Environmental Plan which is outlined below.

The principles outlined in *NSW Telecommunications Facilities Guideline including Broadband July 2010* are to be considered in the site selection, design and construction and operation of telecommunications facilities in NSW to ensure best practice is followed. These guidelines were addressed by the applicant and assessed by the Council

Further, the following standards and codes were referred to and addressed in the consideration of the above principles as it relates to health, risk and compliance:

- *Industry Code Q564: 2011 Mobile Phone Base Station Deployment* was used in the consideration of siting of the telecommunications facility where the 'precautionary approach' was followed by the applicant.
- *Radio Communications (Electromagnetic Radiation- Human Exposure) Standard 2003*.

The Council also referred the application to Endeavour Energy under Clause 45 of the ISEPP due to the proximity of an electrical easement for comment.

2.6. *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The Policy establish appropriate planning controls to encourage ecologically sustainable development. Clause 13 requires consideration for development to ensure it is compatibility with current and future mining, petroleum production and extractive industries.

Council undertook this assessment given the site is in close proximity to sand and soil extractive 1.5km west of the site.

2.7. *Sydney Regional Environmental Plan No.9 – Extractive Industries (No.2 – 1995) (deemed SEPP)*

SREP 9 identifies regionally significant extractive resources within the Sydney Region to facilitate their utilisation. The plan ensures extraction is carried out in an environmentally acceptable manner and prohibits extraction from certain environmentally sensitive areas. It ensures that decisions on future urban expansion take into account the ability to realise the full potential of important deposits. Under Clause 8 of the SREP, Council referred the application to the Department of Trade and Investment, Regional Infrastructure and Services for comment.

2.8. *Sydney Regional Environmental Plan No.20 – Hawkesbury-Nepean River (No.2-1997) (deemed SEPP)*

The aim of SREP 20 is to protect the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The site is not located within a riverine corridor or an area of local or regional scenic significance.

An NSW Office of Water referral was undertaken under S91 of the EPA Act and in addition to those general terms of approval, Council imposes conditions of consent that would normally be applied to any approval to ensure the health of the river system is not compromised by way of sediment or erosion from the works or use.

ORD02

Attachment 2

*Local*

2.9 Camden Local Environmental Plan 2010

The Camden Local Environmental Plan 2010 (LEP) is the relevant planning instrument applying to the land. SEPP (Infrastructure) enables the development within the E2 Environmental Conservation zone which prevails over the LEP in relation to permissibility.

An assessment of the LEP provisions were undertaken by Council.

2.10 Camden Development Control Plan 2011

Camden Development Control Plan 2011 (DCP) is the relevant local planning controls for the site. There are no specific controls relevant to telecommunications facility, however, there are general controls to help guide development as it relates to this proposal.

An assessment of the DCP controls were undertaken by Council.



3 Assessment against the planning framework

This section of the review addresses whether the Council's assessment of proposed addresses the applicable planning framework outlined in Section 2 and within the development application material. It should be noted that this is not a new and comprehensive assessment of the proposed development, it is limited to a review of the assessment by Council and can mainly be addressed under Section 79C of the Environmental Planning and Assessment Act 1979. Further detail of the assessment made by the Council include:

3.1 Environment Protection and Biodiversity Conservation Act 1997

A *Flora and Fauna Assessment* prepared by *Eco Logical Australia* including an *EPBC Act Protected Matters Report* accompanied the application and was assessed by Council. Council's Natural Resource Officer concludes that the vegetation removal is acceptable.

This matter has been appropriately assessed by the Council and conditions of consent have included measures for bushland protection.

3.2 Environmental Planning and Assessment Act 1979 – 79C Evaluation

- Section 79C(1)(a)(i) – Any Environmental Planning Instruments

The relevant environmental planning instruments for consideration are outlined above in Section 2.

The proposal is permissible with consent and is considered satisfactory when assessed against the relevant planning instruments.

This matter has been appropriately assessed by the Council.

- Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instrument

There are no known draft Environmental Planning Instruments relevant to the proposal or the subject site.

- Section 79C(1)(a)(iii) – Any Development Control Plan

The DCP has no specific controls for telecommunications facilities, the general parts of the DCP, namely Part B was assessed by the Council for those parts relevant to the site.

Compliance against the relevant DCP parts have been appropriately assessed by Council.

- Section 79C(1)(a)(iia) – Any Planning Agreement or Draft Planning Agreement entered into under Section 93f

There are no known planning agreements that apply to the site or development.

- Section 79C(1)(a)(iv) – The Regulations

There are no sections of the regulations that are relevant to the proposal at this stage.

- Section 79C(1)(b) – The Likely Impacts of the Development

Council have considered the following impacts:



1. Health impacts – the application was supported with Predictive EME Mapping which indicates that the proposal emits radiofrequency EME well below the standard maximum exposure levels.
2. Visual impacts – the application was supported by a detailed *Visual Impact Assessment*.

Other impacts as they relate to environmental matters and bushfire have been addressed elsewhere in Council's report where referrals to NSW Rural Fire Service and NSW Office of Water have been undertaken and appropriate conditions imposed by these authorities. Also, compliance with the requirements of NSW Department of Trade and Investment – Resources and Energy and Endeavour Energy are also conditions of consent.

Council's assessment of the likely impacts is adequate and where required have applied appropriate conditions of consent to mitigate any impacts.

- Section 79C(1)(c) – The Suitability of the Site

Based on Council's assessment the proposal the site is suitable for the proposal:

- The application was accompanied by a detailed site selection assessment, nominating other possible sites to service the Spring Farm area and as required by the legislative framework.
- Is permissible in the zone and is generally consistent with the planning controls that apply in the zone.
- Has considered all the likely impacts as they relate to removal of vegetation, visual, environmental and bushfire and assessed them adequately.

- Section 79C(1)(d) – Any Submission Made

Council exhibited the proposal for 30 days which is the minimum requirement for nominated integrated development. The applicant also consulted with the community prior to lodgement of the application.

Council's assessment of the submissions is considered to be adequate and where required applied condition of consent to mitigate any impacts and resolution to matters raised during the consultation process.

- Section 79C(1)(e) – The Public Interest

Given the type of development, its general compliance with the planning controls, how the objectives are satisfied, the suitability of the site and the broader public benefit of this facility it is considered that the public interest would not be jeopardised as a result of this development.

- Section 79C(3A) – Development Control Plans

The relevant DCP provisions have been addressed, there are no specific standards relevant to the telecommunications facilities. Council has not imposed more onerous standards.

In reviewing the assessment of the application, Council has considered and assessed appropriately all the above legislation, planning instruments, policies and codes as outlined in Section 2 and 3 of this review.



4 Conclusion

This independent peer review in relation to Council's assessment of DA338/2015 for a telecommunications facility at 222 Richardson Road, Spring Farm has concluded that Council has carried out its assessment in accordance with the relevant legislative and statutory planning framework as it relates to telecommunication facilities. Camden Council has been transparent and followed due process in its decision making as it relates to its own land.

Sincerely

Stimson & Baker Planning

A handwritten signature in black ink, appearing to read "Natasha Baker", written over a circular stamp or mark.

Natasha Baker MPA

Director

ORD03

Attachment 1



Pre-Gateway Review

FINDINGS AND
RECOMMENDATIONS REPORT



Planning &
Environment



ORD03

Attachment 1

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ORD03

Attachment 1

Part 1 Introduction

1.1 Purpose

The Department of Planning and Environment (the Department) has undertaken a review of the pre-Gateway review process, introduced in 2012 as part of a package of reforms aimed at improving the plan-making process under Part 3 of the *Environmental Planning and Assessment Act 1979* (the Act). The scope of this review is to consider:

- whether the pre-Gateway review is achieving the following objectives for which it was established:
 - provide a mechanism for applicants to have council rezoning decisions reviewed
 - ensure decisions on planning proposals that are well located, planned, and assist housing and job supply can be independently reviewed
 - increase transparency and provide greater certainty in plan making
- the efficiency and effectiveness of the pre-Gateway review to date
- the role and performance of the Department and Joint Regional Planning Panels. (JRPP)

The review has been informed by targeted consultation with the local government sector and key community and industry stakeholders.

This report provides the findings of the review, based on analysis of all pre-Gateway review requests to date and makes recommendations for improvements to the process to increase transparency and reduce time frames for decisions on review requests.



Part 2 Background to the Gateway

2.1 The Gateway

In 2009, Part 3 of the Act was amended to improve the process for making local environmental plans (LEPs). This included the introduction of the 'Gateway' which replaced the former 'one size fits all' system under which all LEPs were subject to the same approval steps.

The Gateway ensures there is sufficient justification early in the process to proceed with a planning proposal. The Gateway determination is a checkpoint for planning proposals before resources are committed to carrying out investigative research, preparatory work and consultation with agencies and the community. It enables planning proposals that lack strategic planning merit to be stopped early in the process before time and resources are committed. The Gateway also enables the Minister for Planning to amend or refuse planning proposals inconsistent with Ministerial directions and strategic planning.

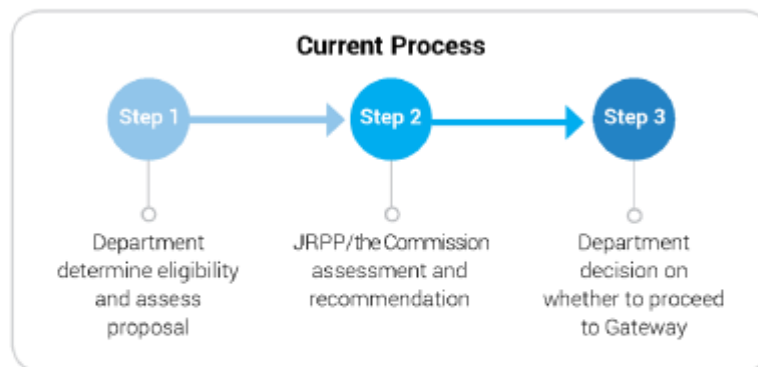
The Minister can appoint a body other than the council to prepare amendments to local environmental plans. Under the Act, every planning proposal requires a relevant planning authority to be appointed. Ordinarily this would be a council however the Minister can appoint an alternate relevant planning authority.





2.2 Introduction of pre-Gateway reviews

The pre-Gateway review was introduced in October 2012. The pre-Gateway review was introduced to increase transparency and provide greater certainty in plan making. Prior to the pre-Gateway review, there was no formal process for reviewing the merit of a planning proposal that a council refused to submit to the Gateway or delayed submitting to the Gateway. The pre-Gateway review meant that rezoning proposals which demonstrated strategic merit could be supported after being independently considered.



Under the policy for pre-Gateway reviews all eligible requests seeking a review are considered by an independent third party, either a Joint Regional Planning Panel (JRPP) or the Planning Assessment Commission (the Commission), if the proposal was in the City of Sydney. These bodies make a recommendation to the Department of Planning and Environment.

Introducing the policy for pre-Gateway reviews did not require an amendment to the Act and is administrative in nature. The pre-Gateway review is the only review mechanism of council decisions (or failure to make a decision in a reasonable time) about planning proposals.

2.3 The pre-Gateway review

A proponent may request a pre-Gateway review where the relevant local council has determined not to support the planning proposal or has failed to make a decision within 90 days of lodgement of a planning proposal.

Under the policy the Department makes the final decision on each pre-Gateway review request. This decision is informed by:

- material submitted from the applicant
- a council assessment report and/or any submission made during the review
- a report by the Department identifying whether the planning proposal has strategic merit
- independent advice from the JRPP or the Commission on the strategic merit and site-specific merit of the proposal.



Attachment A sets out the steps in the pre-Gateway review under the current policy.

Where a pre-Gateway review recommends that a proposal should proceed, either the council or the JRPP/the Commission can be appointed as the relevant planning authority and a Gateway determination issued. The Department offers councils the opportunity to be the relevant planning authority for the planning proposal that arises out of a successful pre-Gateway review request unless council has expressly indicated a preference not to.

The Gateway determines the level of community consultation including the length of time a proposal is to be publicly exhibited, relevant public authorities to be consulted and whether a public hearing is to be undertaken.

2.4 Role of the Joint Regional Planning Panels

The six JRPPs were established in 2009 to provide independent, merit-based advice and to determine regionally significant development applications. Schedule 4A of the Act identifies the classes of regional development considered by a JRPP, which includes development with a capital investment value over \$20 million.

Central to the pre-Gateway review is the expert independent advice provided by the JRPP on the strategic and site-specific merit of a planning proposal and whether it should proceed to Gateway. The role of JRPPs in considering pre-Gateway review requests does not extend to consideration of detailed development design.

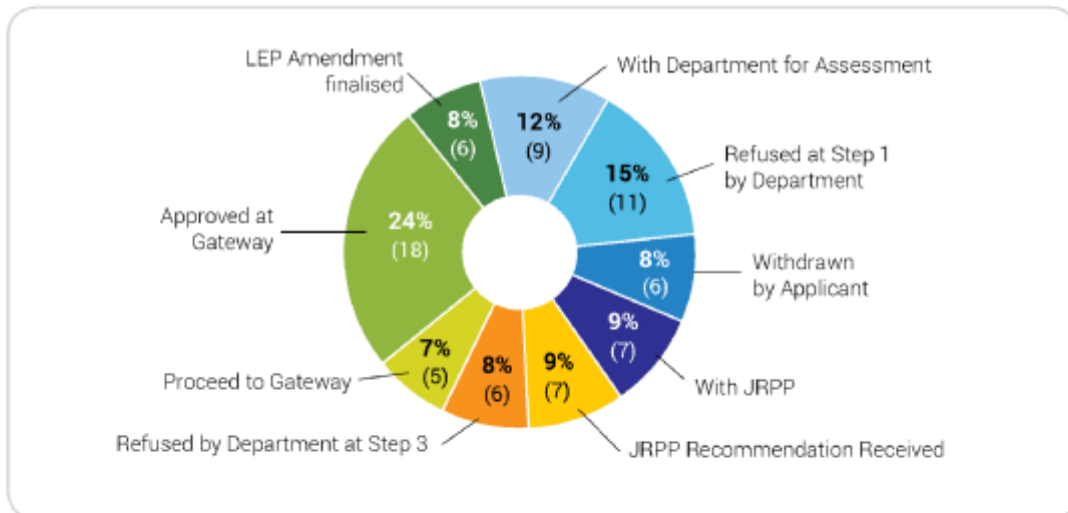
Like other functions performed by JRPPs pre-Gateway reviews are considered by a panel of five members comprising:

- two independent experts appointed by the Minister for Planning
- two nominees by the relevant local council (these can be councillors, council staff or independent appointments)
- an independent chairperson who is appointed by the Minister for Planning with the concurrence of the President of Local Government NSW.

The Commission performs the role of the JRPP in providing independent expert advice in the City of Sydney local government area as there is no JRPP. The Commission can also perform that role in other circumstances if required.

2.5 Summary of Pre-Gateway review requests 2012-2015

Since the commencement of the pre-Gateway review in October 2012, 75 pre-Gateway reviews have been lodged for consideration. As at 18 June 2015, the status of these review requests was as follows:



The JRPPs have considered requests for pre-Gateway reviews and provided independent advice to the Department on all except two occasions. These pre-Gateway reviews were referred to the Commission, in one case at council's request and in the other because the JRPP had previous involvement in the development application for the site.

Of the 75 pre-Gateway review requests, six (6) have been withdrawn and 46 have been determined. To date, 17 have been refused. This means that of the 52 reviews finalised, 56% of reviews have been successful and 44% have not.

Of the 29 reviews that have been determined to proceed to Gateway, 24 planning proposals have been issued with a Gateway determination. Six (6) of these 24 have been completed. Five (5) of the six (6) reviews have resulted in local environmental plans being made. One (1) of the 6 (six) was refused.

A relevant planning authority has been appointed for 25 of the 29 review requests determined to proceed. The relevant council agreed to be the relevant planning authority 15 times. The JRPP has been appointed as the relevant planning authority on 10 occasions.

2.6 Fees

To support the pre-Gateway reviews undertaken by the JRPPs and the Commission, fees were prescribed to recover costs and to establish required administrative arrangements so that the reviews operate effectively and provide proponents with certainty. Fees were introduced as follows:

- \$5,000 for the initial eligibility assessment stage
- \$15,000 for assessment of a pre-Gateway review by the relevant JRPP or the Commission
- A fee of \$25,000 for the processing of a planning proposal where the matter is supported and progressed to Gateway determination stage and where an alternative relevant planning authority (other than the council) is appointed.

Part 3 Key pre-Gateway review statistics

The following provides an outline of the key pre-Gateway statistics that have been used to inform this review and the recommendations for reforming the current process. A number of the statistics demonstrate a clear need for reform to improve efficiency.

Pre-Gateway Applications to date
<ul style="list-style-type: none"> • Since October 2012, 75 pre-Gateway review requests have been submitted to the Department.
<ul style="list-style-type: none"> • 29 pre-Gateway requests were considered to have strategic merit and have been determined to proceed to Gateway (39% of all review applications) – of which 21 were originally refused by council.
<ul style="list-style-type: none"> • 17 pre-Gateway review requests have been refused.
<ul style="list-style-type: none"> • 6 pre-Gateway review requests have been withdrawn by the applicant.
<ul style="list-style-type: none"> • 23 pre-Gateway review requests are under consideration as at 18 June 2015, of which 9 are awaiting referral to a JRPP, 7 with the JRPP for advice and the JRPP has provided its independent expert advice on 7.
<ul style="list-style-type: none"> • 24 (out of the 29 pre-Gateway review requests) have progressed and received a Gateway determination and planning proposals are progressing.
<ul style="list-style-type: none"> • 6 planning proposals have been finalised and 5 LEPs gazetted. 1 planning proposal was refused – the JRPP was the relevant planning authority for 2 of the planning proposals and the relevant council was the planning authority for 4.
<ul style="list-style-type: none"> • 50 pre-Gateway review requests have been in metropolitan Sydney.
<ul style="list-style-type: none"> • 56% of pre-Gateway review requests have been successful and 44% have not.
<ul style="list-style-type: none"> • 72% of planning proposals approved to proceed to Gateway after a pre-Gateway review request were initially refused by council.
<ul style="list-style-type: none"> • 28% of planning proposals approved to proceed to Gateway after a pre-Gateway review request were not determined by council in the first instance.

Reason for Pre-Gateway Review Request
<ul style="list-style-type: none"> • Over two thirds of pre-Gateway review requests (55 out of 75) have been submitted following council refusal.
<ul style="list-style-type: none"> • Over 80% of pre-Gateway review requests in metropolitan Sydney (41 of 50) have been submitted following council refusal.
<ul style="list-style-type: none"> • Just under half (44%) of pre-Gateway review requests submitted from regional areas are in response to councils not determining within a reasonable time (90 days).



Pre-Gateway Average Timeframes
<ul style="list-style-type: none"> • average time to process proposals from lodgement to the date a decision is made on whether the proposal should proceed to Gateway determination or be refused is 167 days
<ul style="list-style-type: none"> • average time to determine if a pre-Gateway review requests is eligible for referral for independent expert advice is 87 days
<ul style="list-style-type: none"> • average time for JRPPs to provide independent expert advice is 56 days
<ul style="list-style-type: none"> • average time for the Department to make a determination following receipt of independent expert advice is 41 days.
Appointment of relevant planning authority
<ul style="list-style-type: none"> • a relevant planning authority has been appointed on 25 occasions following the completion of the pre-Gateway review (4 pre-Gateway reviews are awaiting the appointment of the relevant planning authority)
<ul style="list-style-type: none"> • the relevant council has accepted this role on 16 occasions
<ul style="list-style-type: none"> • the JRPP has been appointed as an alternate relevant planning authority on 10 occasions
<ul style="list-style-type: none"> • of the 25 reviews where a relevant planning authority has been appointed, 17 proposals were originally refused by council. Council has then accepted the role of relevant planning authority on 10 occasions.
Benefit of the Pre-Gateway Review
<ul style="list-style-type: none"> • the 29 pre-Gateway review requests determined to proceed to Gateway determination would deliver a combined capacity of approximately 4,737 homes and 4,585 jobs.
<ul style="list-style-type: none"> • the number of pre-Gateway review requests equates to approximately 7% of planning proposals submitted to Gateway annually.

Part 4 Results of targeted consultation

4.1 Consultation responses

Targeted consultation was undertaken with the local government sector and key community and industry stakeholders. As can be seen from the summary of responses below, opinion was divided about whether the pre-Gateway review process should continue at all, and what the respective roles of councils, the Department and the JRPPs and the Commission should be. However, there were some common suggestions from stakeholders, should the process be retained. These were to:

- strengthen consideration of strategic merit, having regard to the currency of LEPs and local, subregional and regional planning strategies, and the time that has elapsed since the community has been consulted about the zoning of land the subject of pre-Gateway review requests
- increase transparency of the process and decisions by clarifying the respective roles of the council, Department and the JRPPs, and the matters taken into consideration in making decisions
- reduce the time taken to make decisions about review requests
- establish an eligibility threshold for regional significance
- charge fees at each stage of the process, and that the fee structure was appropriate



Summary of Targeted Consultation Responses	
Issue	Comments
Should the pre-Gateway review process continue	<ul style="list-style-type: none"> • Positions in relation to whether the pre-gateway process should continue were divided. • Responses were received stating that the pre-Gateway should be abolished and that local decisions should rest with local councils. • Responses were also received stating it is essential that a mechanism is available to review councils' decisions, but the Department and JRPP should not play an extended negotiating role in the process. • Concern some proponents manipulate the system preferring the pre-Gateway review over negotiating an outcome with Council. • The pre-Gateway has become a mechanism for developers to circumvent council decisions. • The process fails its own objectives to increase transparency when decisions are made behind closed doors. • Focus should be directed toward developing sound local strategic planning to inform council decisions. • The role of the Department and JRPP needs to be more clearly defined. The Department needs to support councils' strategic work and remove itself from a negotiator role between the proponent, council and JRPP.
Strategic focus	<ul style="list-style-type: none"> • There should be a threshold to ensure matters subject to review are genuinely significant. The threshold should relate to strategic planning outcomes, which will also ensure up to date strategic plans are maintained, but numerical or monetary thresholds are considered to be practical to achieve the intent of the threshold. • A threshold to establish regional significance should be considered for proposals which are eligible for review in metropolitan areas. • If a Council's decision is consistent with an approved strategy, then the decision should not be reviewed. • Pre-Gateway review is opposed where the local environmental plan has been the subject of a recent strategic review and consultation process. Pre-Gateway review could only be justified where no up-to-date approved strategic local environmental plans are in place. • The JRPP needs to focus on strategic matters in its consideration of review requests. In doing so the members of the JRPP should have adequate strategic planning expertise for pre-Gateway reviews noting that the JRPP was initially set up to provide advice on development applications, not strategic planning.

<p>Transparency, roles and matters for consideration</p>	<ul style="list-style-type: none"> • The Department should release an explanatory document so that the broad community understands the process. • Lack of skills and expertise on the JRPP to make significant planning decisions. • Oppose expanding the role of Panels on planning matters. In the event that Panels were to be given a limited role in the process, guidelines and procedures must be prepared for the JRPP to ensure a strategic focus and efficient operational process. • The role of councillors on the panel is unclear and is also considered to be a conflict having previously voted on a matter when considered by council (where review request is submitted on grounds of council refusal). The roles and constitution of the Panel needs to be communicated and clearly articulated. • The composition and operations of the JRPP should be reviewed, including ensuring appropriate strategic expertise for making land use planning decisions. In the interests of maintaining independence, if a council has rejected a proposal, it is not appropriate that it be represented on the JRPP. • The value in allowing the council to be the RPA for a matter it has previously refused is questioned. The Department or JRPP is a more suitable alternative. • The council should not be approached to be the RPA where a planning proposal has already been rejected by that council. • The community should be informed of when the Panel sits on a matter and should be able to make representations at this stage.
<p>Reducing time frames</p>	<ul style="list-style-type: none"> • Setting of statutory time frames would improve efficiency of the process, particularly time periods for the Department's initial assessment and the independent body's advice. • The community should have input at an early stage to reduce delays later in the process.

Part 5 Findings of the Review

5.1 Is the pre-Gateway review achieving its objectives?

The original objectives for introduction of the pre-Gateway review were to:

- provide a mechanism for applicants to have council rezoning decisions reviewed;
- ensure decisions on planning proposals that are well located, planned, and assist housing and job supply can be independently reviewed; and
- increase transparency and provide greater certainty in plan making.

5.1.1 The provision of a review mechanism for rezoning applications

Prior to the pre-Gateway review, no mechanism existed to allow applicants to seek a merit-based review from an independent expert body of council decisions on requests to amend local environmental plans. The only other review mechanism available involves the review of the legality of a council decision or action by the Land and Environment Court (judicial review).

5.1.2 Planning proposals that assist housing and job supply

As of 18 June 2015, 29 pre-Gateway review applications determined to proceed to Gateway, of which 21 had previously been refused by the council. The 29 approved applications will deliver a total of 4,737 homes and 4,585 jobs. This includes a major pre-Gateway review request within a single local government area which is estimated to introduce approximately 1,500 homes and 2,500 jobs. The pre-Gateway review is assisting with the delivery of housing and jobs that may otherwise have not been realised.





5.1.3 Increasing transparency and certainty

This review has found a number of issues in the way the pre-Gateway review process operates that do not result in greater transparency and certainty in plan-making. These issues include:

- the respective roles of the Department and the JRPPs in the process, and the multiple roles of the Department
- time delays at different stages of the process
- lack of community awareness of review applications
- the scope of the review
- the need for a greater focus on strategic consistency
- inadequate weight given to the currency of strategic planning applying to the land

These issues also impact adversely on the efficiency and effectiveness of the pre-Gateway review process as it currently operates.

5.2 The role and performance of the Department and JRPPs

5.2.1 Delays in the process

The average total time from lodgement of a proposal with the Department for pre-Gateway review to recommendation by the JRPP is 167 days. This is more than the 90 days originally envisaged. The additional length of time can be attributed to the three-step process and requests for additional information to the proponent.

The average time for the Department to determine whether a proposal is eligible and should be referred to an independent panel for review is 87 days. This is often due to requests for additional information to the proponent. Once referred to a JRPP the average time for the panel to provide its independent advice is a further 55 days. Finally, the average time for the Department to make a decision on whether the matter should proceed to Gateway is 41 days.

5.2.2 Role of the Department in the initial eligibility assessment

The initial assessment by the Department comprises an assessment of the strategic merit to determine eligibility and also includes a site-specific merit analysis. It can duplicate subsequent consideration by the JRPP who also undertake a similar assessment exercise.

It is therefore recommended that the Department no longer undertake the initial assessment of strategic and site-specific merit, and that requests eligible for review be submitted instead directly to the relevant JRPP for consideration. This will reduce time-frames and avoid duplication, as the review process will now be undertaken by the independent expert panel.

The Department will forward all review requests to the JRPP, and concurrently notify the council.



5.2.3 Community awareness of review requests

Some stakeholders have suggested that there be an initial round of community consultation in connection with the pre-Gateway review process.

The principal place for community consultation for planning proposals is after a Gateway determination is issued. The Gateway determination specifies the level of information to be made available to the community during the exhibition process and who must be consulted. This includes additional expert studies that enable the community to make better informed submissions. Consultation twice on the same proposal may not provide additional insights on the impacts of the proposal. It would also introduce a further step to the process, potentially affecting the overall timeframe to assess a proposal.

For this reason it is not proposed to mandate pre-Gateway public consultation of planning proposals by councils or as part of the pre-Gateway review process. However to ensure that communities are aware of the pre-Gateway review requests all requests will be uploaded to the public application tracking system by the JRPP within 5 working days of receipt.

A council may consider informally consulting its community at any stage particularly in circumstances where a planning proposal would result in a significant departure from recently completed strategic planning.

It is recommended that the Department's Guide to Preparing Planning Proposals and the Guide to Preparing LEPs be amended to note that in specified circumstances councils can consider the benefit of community participation at an early stage prior to making a decision on the merits of a spot re-zoning or LEP amendment. This should be at the discretion of the local council, where a proposal has been sufficiently developed and some form of consultation at an early stage may assist council in formulating the planning proposal. This could be the case if the proposal is a significant departure from recent strategic planning involving the community and would not meet recently established community expectations, or if the planning proposal was complex and early consultation may assist council in determining the final scope of the proposal.

5.2.4 Role of the JRPP

Under the current policy, if the JRPP recommends a proposal be submitted to the Gateway, the Minister (or delegate) determines whether to proceed with the proposal and who the relevant planning authority will be. This requires the JRPP to pass the review back to the Department for the next steps in the process.

To streamline the process and reduce time delays, the JRPP will make the final decision on whether the pre-Gateway review should be supported and proceed to Gateway or not. It is recommended that the Minister delegate the power to appoint the relevant planning authority to the JRPPs and the Commission (for the City of Sydney).

This will save time and improve transparency, as the entire process will be managed by the relevant independent panel. The relevant planning authority (i.e. council or the JRPP) will submit the planning proposal to the Department for a Gateway determination, in the same way as all other planning proposals are submitted to the Gateway.



5.2.5 Role of relevant planning authority

Industry representatives raised concern regarding the current practice of the Department to offer councils the role of relevant planning authority notwithstanding that a council may have previously resolved to not support the planning proposal.

Of the 25 pre-Gateway reviews where a relevant planning authority has been appointed, 17 proposals were originally refused by council. Council has then accepted the role of relevant planning authority on 10 occasions: 6 times in metropolitan Sydney and 4 times in regional areas. On 48% of occasions where a council originally refused a planning proposal, the same council accepted the role as relevant planning authority.

As council officers ordinarily seek a resolution of council to determine whether council accepts the role of relevant planning authority, this request can add considerable time to the pre-Gateway review process. Extensions of time are regularly sought. In one instance it took a council more than four months to respond to the Department's request.

The Department recommends that councils continue to be given the option of accepting the relevant planning authority role, so that local matters can continue to be dealt with at the local level where appropriate.

Recognising council procedures, it is proposed that a 42 day time-frame for acceptance of the role will be introduced. After that the JRPP will automatically be authorised to appoint itself as the relevant planning authority for that proposal. This will remove the need for the Department to separately request the appointment of an alternative relevant planning authority.

5.2.6 Making LEPs following a review

Consistent with the Government's policy of delegating plan-making powers, it is proposed that the Minister also delegate plan-making powers to the JRPPs and the Commission.



5.3 Is the pre-Gateway review process efficient and effective?

5.3.1 Number of applications

To date, the Department has received 75 requests to review proposals under the pre-Gateway review since its introduction in October 2012. Of the 75 requests, 60 have been within metropolitan Sydney where 80% were originally refused by Council, and 25 have been in regional NSW where 44% were not considered within 90 days.

During this period, the Department has received 716 planning proposals from Councils seeking a Gateway determination. The number of pre-Gateway review requests received by the Department equates to approximately 7% of the total number of planning proposals received annually, which is an average of 2 proposals every month with two-thirds of applications being in metropolitan Sydney.

Given that Councils are supporting the vast majority of planning proposals and forwarding them to the Department for a Gateway determination, the number of proposals being considered under the pre-Gateway review is relatively minor. On this basis, it appears that the inefficiencies in the process are not a consequence of the volume of reviews.

5.3.2 The scope of the review

The pre-Gateway review was designed to deliver a focused review of council decisions by the Department informed by independent expert advice and with input by council and the proponent.

The pre-Gateway review has evolved in a way that has contributed to delays in finalising pre-Gateway review requests. Proposals as considered by councils are often amended through the pre-Gateway review resulting in an outcome that is different to that originally submitted to the council. This is partly due additional information being sought from the proponent or council at the request of the JRPP or another party. This was not intended under the policy and has resulted in delays in finalisation of proposals and created a lack of certainty and transparency about planning outcomes.

The pre-Gateway review should be refocused to be a review of the proposal as submitted to and considered by council. When the Department forwards review requests to the JRPP, it will concurrently notify the council and request that any comments, additional information and confirmation that the proposal is consistent with the original submission be forwarded to the relevant JRPP within 21 days. The role of the Department will be administrative only.





5.3.3 Thresholds for reviews

During consultation some stakeholders suggested that a threshold could be imposed so that only genuinely significant proposals are eligible for review. A capital investment value threshold or a numerical threshold such as dwelling yield were identified as possible thresholds.

An analysis was undertaken of the 29 pre-Gateway reviews that have been determined to proceed to Gateway and the number of dwellings potentially delivered at various monetary thresholds.

Construction Value	Indicative number of dwellings	Number of reviews (of those determined to proceed to Gateway)
Less than \$20 million	>65 dwellings	16
\$20-30 million	65 – 100 dwellings	3
\$30-40 million	100 – 135 dwellings	1
\$40-50 million	135 – 165 dwellings	0
\$50+ million	<165 dwellings	9

Note: These numbers are indicative and have assumed an individual dwelling/unit construction cost of \$300,000. It is acknowledged construction costs will vary for each development.

The review shows that 16 of the 29 proposals that proceeded had a capital investment of less than \$20 million. Introducing a threshold, similar to that currently used to define regionally significant development applications referred to the JRPPs, would reduce the number of eligible review applications eligible for the review process.

The Department recommends against this approach because:

- it is considered that a review mechanism should be available for all proposals, regardless of their size as the review was designed to increase transparency and certainty in the plan making process;
- there is no such threshold for proposals when they are submitted to the relevant planning authority by proponents in the first instance; and
- eligibility for progress of a planning proposal to the Gateway should be assessed solely on its strategic and site-specific merit, tested against relevant regional and local planning strategies, and not against an arbitrary capital investment value or dwelling yield.



5.3.4 Strategic focus of reviews

Consultation with stakeholders through this review has identified strong support for strategic merit being a key consideration in whether a proposal should proceed to the Gateway. It is therefore considered that the strategic merit test be retained, but a more rigorous assessment of this key element be applied. It is proposed to do this by better linking it to adopted or draft regional, subregional or local planning strategies and to the currency of the planning controls (LEP) applying to the land.

The strengthened test places increased emphasis on whether existing LEPs reflect the current strategic direction for planning in the area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and changing circumstances in the area.

Current strategic merit test	Proposed strategic merit test
<p>Is the proposal:</p> <ul style="list-style-type: none"> consistent with a relevant local strategy endorsed by the Department consistent with the relevant regional strategy or Metropolitan Plan otherwise able to demonstrate strategic merit, having regard to relevant section 117 directions, applying to the site and other strategic considerations (eg proximity to existing urban areas, public transport and infrastructure, accessibility, providing jobs closer to home etc) 	<p>Is the proposal:</p> <ul style="list-style-type: none"> consistent with the relevant regional or subregional strategy. This would include all Regional Strategies (when in place) and A Plan for Growing Sydney; consistent with a relevant local council strategy, endorsed by the Department; the contemporary nature of the relevant LEP, measured by the time elapsed since the community has been consulted on the zoning of the subject area (including, for example, as part of the introduction of standard instrument LEPs); and demonstrable reason for the rezoning or change in planning controls to occur, based on changed circumstances since the LEP was made, such as: <ul style="list-style-type: none"> new infrastructure; a new or updated regional, subregional or local strategy to address an inconsistency between strategic planning and zoning and/or development standards; or the public interest.

5.3.5 Site-specific merit test

The site-specific merit test will also be undertaken by the JRPP under the new arrangements. No adverse comment was received about the site-specific merit test during targeted consultation, and it has not changed from the current policy. It requires an assessment of site-specific merit and compatibility with surrounding land uses, having regard to:

- the natural environment (including known significant environmental values, resources or hazards)
- the existing uses, approved uses and likely future uses of land in the vicinity of the proposal
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The JRPP will notify the council of its recommendations when it has completed the strategic and site-specific merit tests.



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Attachment 1

Part 6 Recommendations and revised process flow chart

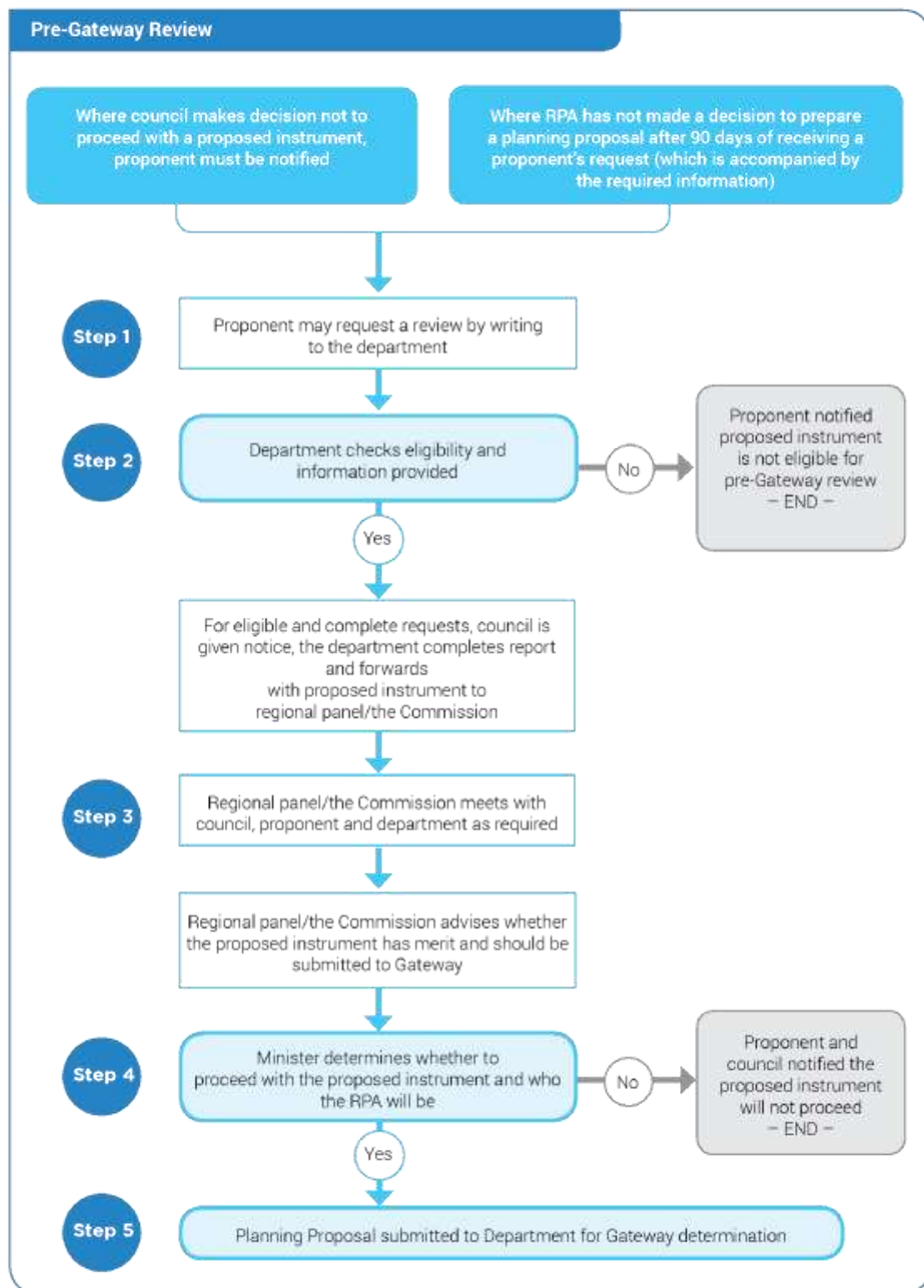
This Review recommends retaining the pre-Gateway process and for the Minister to adopt a suite of administrative and procedural changes that aim to improve transparency and certainty, reduce time-frames for decisions on review requests, and strengthen the requirement for proposals to be consistent with relevant planning strategies.

Attachment B sets out the proposed steps in the revised process.

The key proposals for change are:

1. The Department will no longer undertake an initial assessment.
2. All review requests should be automatically referred to the relevant JRPP/the Commission within 3 days of receipt.
3. The Council will be notified upon receipt of an application and requested to provide any comments, additional information and confirmation that the proposal is consistent with that considered by Council to the JRPP.
4. A revised strategic merit test will be applied by the JRPP/the Commission to clarify in more detail the basis upon which a review will be considered, including taking into account the time that has elapsed since the last zoning of the land took place.
5. Proposals that do not meet the strategic merit test will not be able to proceed to Gateway.
6. Those that do meet the new strategic merit test will also have to meet the existing site-specific merit test before they can be recommended for a Gateway by the JRPP/the Commission.
7. The power to appoint an alternative relevant planning authority will be delegated to the JRPPs and the Commission (in the case of the City of Sydney).
8. Plan-making powers will be delegated to the JRPPs and the Commission. This is consistent with the delegations to councils, as relevant planning authorities, to make plans.
9. Requests for review will be uploaded to the JRPP or the Commission public application tracking system within five working days of receipt.
10. If the JRPP/the Commission recommends that a proposal should proceed to Gateway, it will concurrently notify the relevant council and ask if it will accept the role of relevant planning authority to take the proposal to the Gateway and then finalise the proposal.
11. Councils will have 42 days to accept the relevant planning authority role; otherwise the relevant JRPP/the Commission will appoint itself as relevant planning authority.
12. The Department's Guide to Preparing Planning Proposals and the Guide to Preparing LEPs will be amended to note that in specified circumstances councils consider the benefit of community participation at an early stage prior to making a decision on the merits of a spot rezoning or LEP amendment.

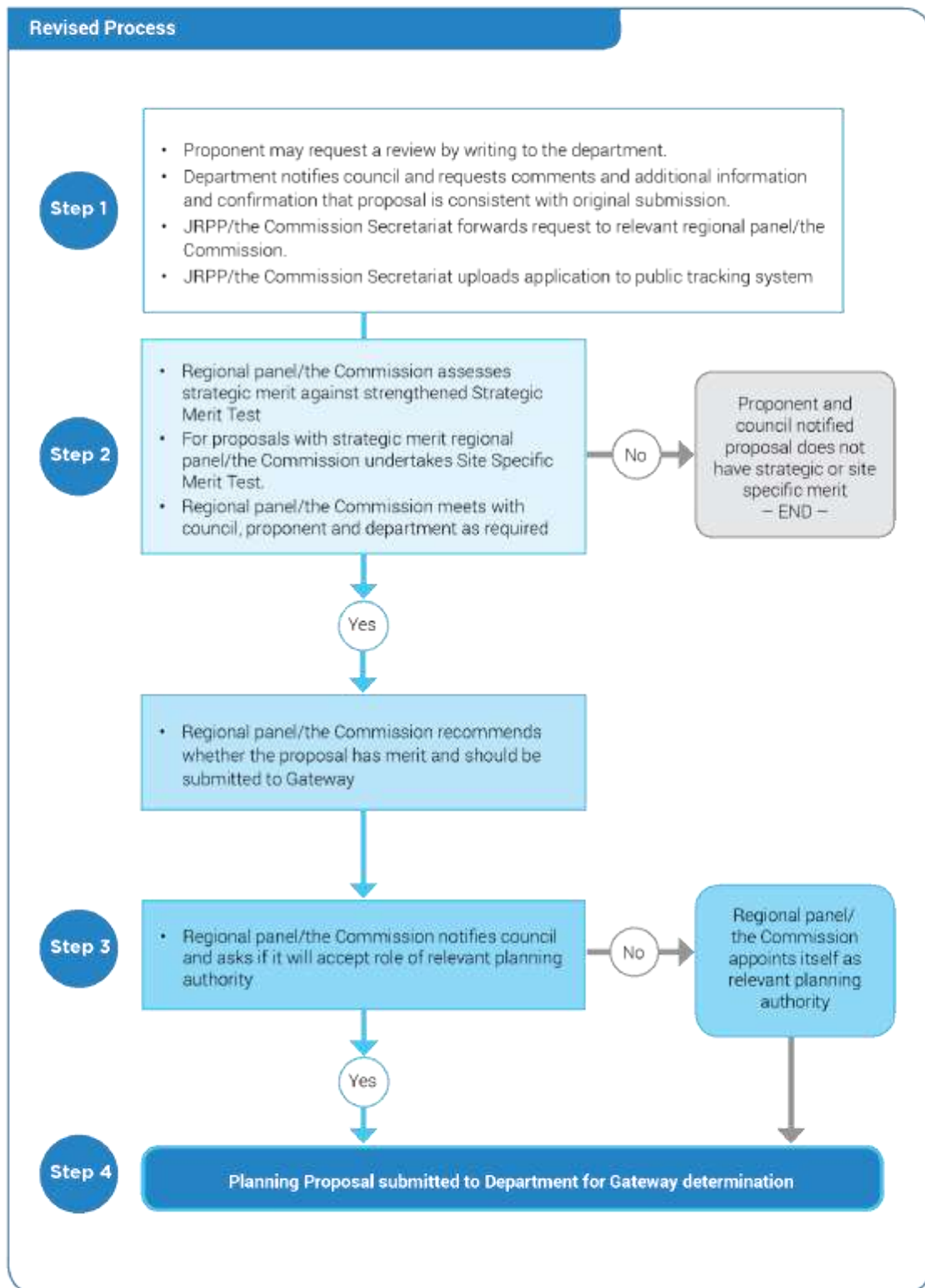
Attachment A – Current Pre-Gateway review process



ORD03

Attachment 1

Attachment B – Revised process



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September 2015

**PRE-GATEWAY REVIEW PROCESS
Findings and Recommendations
Report**

**SUBMISSION FROM CAMDEN
COUNCIL SEPTEMBER 2015**

Camden Council does not support the principle of a Pre-Gateway review process. Council maintains its position that pre-Gateway reviews are not in accordance with the State Government's intentions to return planning powers to the community and that the process does not allow sufficient local representation.

Notwithstanding this position Council have reviewed the proposed changes to the process and provide the following comments. It is noted that Councils position with regards to the Pre Gateway review process remains unchanged.

1. The Department will no longer undertake an initial assessment.

Reason given for this – initial assessment of strategic and site specific merit is also undertaken by the JRPP. Therefore if submitted directly to the JRPP will reduce time-frames and avoid duplication.

Council Comment:

Council's officers currently work closely with DPE officers on local and regional planning strategies. Therefore there is some concern that by removing the assessment by DPE officers, local planning issues may not be taken into consideration.

2. All review requests should be automatically referred to the relevant J R P P /the Commission.

Reason given for this – there was some stakeholder suggestion to have a capital investment value threshold or a numerical threshold such as a dwelling yield. The DPE recommends that all review requests will be passed on to the JRPP/the Commission because the process was designed to increase transparency, there are no thresholds for proposals when submitted to the RPA in the first instance, and the proposal should be assessed solely on its strategic and site-specific merit and not against arbitrary capital investment value or dwelling yield.

Council comment:

Whilst this recommendation is expected to reduce the time taken for a review to be completed, it removes the opportunity for DPE officers to assess the planning proposal prior to referral to the JRPP.

There is a concern that this recommendation removes the opportunity for planning proposals to be assessed by a planner and/or other specialists (as required) with the relevant qualifications and experience along with knowledge of local planning issues and concerns.

- 3. The Council will be notified upon receipt of an application and requested to provide any comments, additional information and confirmation that the proposal is consistent with that considered by Council.**

Reason given for this – variations to proposals from that referred initially to Councils can mean lengthy delays in assessment due to further information being required by the JRPP, and lack of transparency.

Council Comment:

The current process has a significant impost on Council resources. One of the recommendations that the review application received by the DPE is to be the same as that submitted and considered by Council will in part address this issue, however Council resources will still be required to be dedicated to pre-Gateway reviews.

- 4. A revised strategic merit test will be applied by the JRPP/the Commission to clarify in more detail the basis upon which a review will be considered, including taking into account the time that has elapsed since the last zoning of the land took place.**

Reason given for this – currently a strategic merit test is applied but it is intended that a more rigorous strategic merit test be applied by better linking it to adopted or draft regional, subregional or local planning strategies and on whether existing LEPs reflect the current strategic direction for planning in the area, the length of time that has elapsed since the community was consulted about the planning controls, and changing circumstances in the area.

Council Comment:

It is recommended that pre-Gateway reviews be primarily assessed against local planning documents and strategies. In some instances it can be difficult to assess planning proposals against broader planning strategies such as “the Plan for Growing Sydney” and associated sub-regional plans, as these strategies lack detail on local planning matters.

- 5. Proposals that do not meet the strategic merit test will not be able to proceed to Gateway.**

Reason given for this – consultation with stakeholders through the review process has identified a strong support for strategic merit being a key consideration in whether a proposal should proceed to the Gateway.

Council Comment:

Strategic merit is important in an assessment of any proposal. However local planning merit is also important. Sometimes strategic merit could see a proposal as worthy of review but a closer look at site specific merit may clearly show that a proposal should not proceed. Site specific merit should also be considered at this stage.

- 6. Those that do meet the new strategic merit test will also have to meet the existing site-specific merit test before they can be recommended for a Gateway by the JRPP/the Commission.**

Reason given for this – no adverse comments were received about the site-specific merit test that is currently undertaken.

Council Comment:

Refer to comments to recommendation 5.

- 7. The power to appoint an alternative planning authority will be delegated to the JRPPs and the Commission.**

Reasons given for this – to streamline the process and reduce time delays, especially as the DPE will not play a role in the assessment of the proposal.

Council Comment:

Council has concerns regarding the removal of an assessment role of the DPE officer, who are often specialists in the local planning issues.

- 8. Plan-making powers will be delegated to the JRPPs and the Commission. This is consistent with the delegations to councils, as relevant planning authorities.**

Reasons given for this – is consistent with the Governments policy of delegating plan-making powers.

Council Comment:

The role of the JRPP in the plan making process should be consistent with that currently undertaken by the DPE.

- 9. Requests for review will be uploaded to the JRPP or the Commission public application tracking system within five working days of receipt.**

Reasons given for this – the lack of community awareness of applications for review to the JRPP.

Council Comment:

Community notification of a pre-Gateway review is supported, however clarification is required on the proposed method of notification.

It is recommended that on receipt of a pre-Gateway review, the DPE notify and consult with all affected and surrounding landowners to assist in understanding of local and residential concerns.

- 10. If the JRPP/the Commission recommends that a proposal should proceed to Gateway, it will concurrently notify the relevant council and ask if it will accept the role of relevant planning authority to take the proposal to the Gateway and then finalise the proposal.**

Reason given for this – industry representatives raised concern regarding the current practice of the DPE to offer Councils the role of RPA notwithstanding that a council may have previously resolved to not support the planning proposal. However the review process including the statistical finding found that this concern was not relevant.

Council Comment:

The statistics show that less than half of the occasions that Councils have been asked to be the RPA after the JRPP review have they agreed. It is not clear, from the statistics

given, how many Councils then proceeded to not support the proposal again.

While it is clear why proponents would object to Councils again being appointed the RPA it does give Councils input into the final outcome. Refer to comments to recommendation 2.

11. Councils will have 42 days to accept the relevant planning authority role; otherwise the relevant JRPP/the Commission will appoint itself as relevant planning authority.

Reason given for this – this recognises Council procedures (particularly if a Council resolution is required to determine if Council accepts the role of RPA). The capping of the timeframe for this consideration is so that review timeframes are not overly extended. The ability of the JRPP to appoint itself if this timeframe has elapsed is to remove the need for the DPE to appoint a separate RPA.

Council Comment:

Depending on the nature of the planning proposal, a decision on whether Council agrees to act as the RPA may not be achievable within 42 days. The need for a time limit is acknowledged, however it is recommended that Council's be granted 60 days to respond to such requests.

12. The Department's Guide to Preparing Planning Proposals and the Guide to Preparing LEPs will be amended to note that in specified circumstances councils consider the benefit of community participation at an early stage prior to making a decision on the merits of a spot rezoning or LEP amendment.

Reasons given for this – the lack of community awareness of applications for review to the JRPP.

Council Comment:

This recommendation is supported.

OUTSTANDING COUNCIL CONCERNS

Recent involvement in a pre-Gateway review has identified other outstanding issues not addressed by the review

Resource impost on Councils

In some instances, such as with the Kirkham planning proposal, significant Council resources are required to be committed to the pre-Gateway review process.

The review recommends that proponents not be permitted to modify a planning proposal lodged for review, from that previously considered by Council. This recommendation will in part address resource impacts however Council resources will still be required to be dedicated to pre-Gateway reviews.

It is also noted that the pre-Gateway review process currently allows for the JRPP to meet with Council, the proponent and the DPE as required. These meetings are not identified in the proposed pre-Gateway review process. Council therefore seeks clarity on whether there will be an opportunity for Council to discuss the review with the JRPP.

JRPP representation

The pre-Gateway review recommends additional responsibility be given to the JRPP. There is concern that not all members of the JRPP have a full understanding of local planning issues and community concerns.



CAMDEN COUNCIL DRAFT PLANNING PROPOSAL

**Amendment No. 39 - LGA boundary
re-alignment housekeeping amendment
to Camden LEP 2010**

September 2015

Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

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Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

BACKGROUND

At the meeting of 9 December 2014, Camden Council resolved to realign the Local Government Area (LGA) boundary between Camden and Campbelltown Councils in order to address historic anomalies which affect the East Leppington/Willowdale and Emerald Hills developments. Campbelltown Council similarly resolved to proceed with the boundary realignment.

A request was subsequently made to the Office of Local Government (OLG) to undertake the realignment. At the date of preparation of this planning proposal, both Camden and Campbelltown Councils have agreed to the maps and Metes and Bounds (which outline the extent of the proposed changes) prepared by the OLG and gazettal of the amended boundaries is pending.

The amendment to the LGA boundaries is included as **Attachment A to this Planning Proposal**.

Given that the LGA boundary defines the edge of the land to which the Camden LEP 2010 and Campbelltown LEP 2002 applies, an amendment is required to the maps contained in these LEPs to reflect the amended LGA boundary.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to amend the relevant maps under the Camden LEP 2010 to reflect the amended LGA boundary between the Camden and Campbelltown LGAs.

PART 2 – EXPLANATION OF PROVISIONS

The Planning Proposal intends to amend the following maps under the Camden LEP 2010 to reflect the re-alignment of the LGA boundary between the Camden and Campbelltown LGAs:

- Land Application Map LAP_001 (1450_COM_LAP_001_060_20140808)
 - Land Zoning Map LZN_015 (1450_COM_LZN_015_020_20140808)
 - Land Zoning Map LZN_016 (1450_COM_LZN_016_020_20141216)
 - Height of Buildings Map HOB_015 (1450_COM_HOB_015_020_20140808)
 - Height of Buildings Map HOB_016 (1450_COM_HOB_016_020_20141216)
 - Lot Size Map LSZ_015 (1450_COM_LSZ_015_020_20140808)
 - Lot Size Map LSZ_016 (1450_COM_LSZ_016_020_20141216)
-

 Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

- Land Reservation Acquisition Map LRA_016 (1450_COM_LRA_016_020_20140709)
- Heritage Map HER_015 (1450_COM_LRA_016_020_20140709)
- Heritage Map HER_016 (1450_COM_HER_016_020_20140808)
- Additional Permitted Uses Map APU_015 (1450_COM_APU_015_020_20140808)
- Additional Permitted Uses Map APU_016 (1450_COM_APU_016_020_20140808)
- Urban Release Area Map URA_016 (1450_COM_URA_016_020_20140808)

A detailed explanation of the proposed map amendments is included in **PART 4 – MAPS** of this Planning Proposal.

It is noted that the above Camden LEP 2010 map reference numbers are correct at the date of preparation of this planning proposal. Should any amendments occur to these maps via a separate planning proposal (thereby altering the date reference in the map title), this planning proposal seeks to amend whichever maps are in force at the time of the map amendments taking place.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

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

No. The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature.

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

The Planning Proposal is the best means of implementing the necessary changes to the Camden LEP 2010 maps as a result of the re-alignment of the Camden and Campbelltown LGA boundaries. There is no alternative option to undertake the proposed amendments.

Section B – Relationship to strategic planning framework.

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

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The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature; and are consistent with the applicable regional or sub-regional strategies.

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

The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature and are not relevant to Camden 2040.

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

State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
Standard Instrument—Principal Local Environmental Plan	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
State Environmental Planning Policy No 1—Development Standards	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 14—Coastal Wetlands	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 15—Rural Landsharing Communities	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 19—Bushland in Urban Areas	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 21—Caravan Parks	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 26—Littoral Rainforests	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 29—Western Sydney Recreation Area	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 30—Intensive Agriculture	n/a	This SEPP is not relevant to the planning proposal.	n/a

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Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	✓	This SEPP applies to the state, however, the application primarily applies to the urban consolidation of land for the purposes of multi-unit residential development. This Planning Proposal is not inconsistent with the SEPP.	✓
State Environmental Planning Policy No 33—Hazardous and Offensive Development	✓	This SEPP applies to the state, however, the proposal is not hazardous or offensive. This Planning Proposal is not inconsistent with the SEPP.	✓
State Environmental Planning Policy No 36—Manufactured Home Estates	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 39—Spit Island Bird Habitat	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 44—Koala Habitat Protection	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 47—Moore Park Showground	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 50—Canal Estate Development	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 55—Remediation of Land	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 62—Sustainable Aquaculture	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 64—Advertising and Signage	✓	SEPP 64 will apply to the new land to be located within the Camden LGA as a result of the boundary re-alignment. The Planning Proposal is consistent with the SEPP.	✓
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy No 71—Coastal Protection	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Affordable Rental Housing) 2009	n/a	This SEPP is not relevant to the planning proposal.	n/a

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State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	✓	This Planning Proposal is consistent with the provisions of this SEPP.	✓
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Infrastructure) 2007	✓	This Planning Proposal is consistent with the provisions of this SEPP.	✓
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Kurnell Peninsula) 1989	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Major Development) 2005	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Rural Lands) 2008	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (State and Regional Development) 2011	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	✓	The planning proposal includes the amendment of the Camden LEP 2010 maps near the East Leppington South West Growth Centre precinct which was rezoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in March 2013. The map amendments relate to the LGA boundary at East Leppington only, and do not propose to make any changes to the SEPP. The Planning Proposal is not inconsistent with the SEPP.	✓
State Environmental Planning Policy (Urban Renewal) 2010	n/a	This SEPP is not relevant to the planning proposal.	n/a

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State Environmental Planning Policy (Western Sydney Employment Area) 2009	n/a	This SEPP is not relevant to the planning proposal.	n/a
State Environmental Planning Policy (Western Sydney Parklands) 2009	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 16—Walsh Bay	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 18—Public Transport Corridors	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 24—Homebush Bay Area	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 25—Orchard Hills	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 26—City West	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 28—Parramatta	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 30—St Marys	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan No 33—Cooks Cove	n/a	This SEPP is not relevant to the planning proposal.	n/a
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	n/a	This SEPP is not relevant to the planning proposal.	n/a

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

The following table provides an assessment of the planning proposal with the relevant S117 Directions:

Ministerial Direction	Compliance	Comment
1. Employment and Resources		

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1.1 Business and Industrial Zones	N/A	This s.117 direction is not relevant to the planning proposal.
1.2 Rural Zones	N/A	This s.117 direction is not relevant to the planning proposal.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	This s.117 direction is not relevant to the planning proposal.
1.4 Oyster Aquaculture	N/A	This s.117 direction is not relevant to the planning proposal.
1.5 Rural Lands	N/A	This s.117 direction is not relevant to the planning proposal.
2. Environment and Heritage		
2.1 Environment Protection Zones	Yes	The proposal intends to apply an E2 Environmental Conservation zone to land which will be subject to a Biobanking Agreement under the Emerald Hills development. This is consistent with the zoning applied to the Biobanking land under the original Emerald Hills rezoning.
2.2 Coastal Protection	N/A	This s.117 direction is not relevant to the planning proposal.
2.3 Heritage Conservation	Yes	The proposal has no impact upon the heritage listing of the adjacent Sydney Upper Canal which is a State heritage item.
2.4 Recreation Vehicle Areas	N/A	This s.117 direction is not relevant to the planning proposal.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	N/A	This s.117 direction is not relevant to the planning proposal.
3.2 Caravan Parks and Manufactured Home Estates	N/A	This s.117 direction is not relevant to the planning proposal.
3.3 Home Occupations	N/A	This s.117 direction is not relevant to the planning proposal.
3.4 Integrating Land Use and Transport	N/A	This s.117 direction is not relevant to the planning proposal.
3.5 Development Near Licensed Aerodromes	N/A	This s.117 direction is not relevant to the planning proposal.

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3.6 Shooting Ranges	N/A	This s.117 direction is not relevant to the planning proposal.
4. Hazard and Risk		
4.1 Acid Sulphate Soils	N/A	This s.117 direction is not relevant to the planning proposal.
4.2 Mine Subsidence and Unstable Land	N/A	This s.117 direction is not relevant to the planning proposal.
4.3 Flood Prone Land	N/A	This s.117 direction is not relevant to the planning proposal.
4.4 Planning for Bushfire Protection	N/A	This s.117 direction is not relevant to the planning proposal.
5. Regional Planning		
5.1 Implementation of Regional Strategies	N/A	This s.117 direction is not relevant to the planning proposal.
5.2 Sydney Drinking Water Catchments	N/A	This s.117 direction is not relevant to the planning proposal.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	This s.117 direction is not relevant to the planning proposal.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This s.117 direction is not relevant to the planning proposal.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	This s.117 direction is not relevant to the planning proposal.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	N/A	This s.117 direction is not relevant to the planning proposal.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	N/A	This s.117 direction is not relevant to the planning proposal.
5.8 Second Sydney Airport: Badgerys Creek	N/A	This s.117 direction is not relevant to the planning proposal.
6. Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The proposal as submitted is consistent with the objectives of this direction.

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6.2 Reserving Land for Public Purposes	Yes	The proposal as submitted is consistent with the objectives of this direction.
6.3 Site Specific Provisions	N/A	This s.117 direction is not relevant to the planning proposal.
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney	Yes	The Planning Proposal is consistent with the relevant actions from the draft South West Subregional Strategy.

Section C – Environmental, social and economic impact.

- 7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature. The application of an E2 Environmental Conservation zoning to the portion of the Emerald Hills lot which now sits wholly within the Camden LGA is consistent with the zoning applied during the Emerald Hills rezoning process in consultation with the Office of Environment and Heritage.

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

The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature and no adverse environmental impacts are likely to occur as a result of the Planning Proposal.

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

The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature and no adverse social or economic impacts are likely to occur as a result of the Planning Proposal.

Section D – State and Commonwealth interests.

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

The Planning Proposal is required so that the Camden LEP maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown LGA boundaries. The amendments are minor and administrative in nature, and do not propose any

 Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

intensification of land use or rezoning of land to enable development to occur. The Planning Proposal does not place any additional demand upon existing public infrastructure.

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

State and Commonwealth public authorities have not been consulted at the pre-Gateway stage. However, given that the planning proposal is administrative in nature and reflects the recent gazettal of the re-aligned LGA boundary between Camden and Campbelltown Councils, it is proposed that agency consultation will be limited.

PART 4 – MAPS

The Planning Proposal intends to amend the following maps as described below:

- Land Application Map LAP_001 (1450_COM_LAP_001_060_20140808) – amendment to reflect the re-aligned LGA boundary at East Leppington/Willowdale and Emerald Hills.
- Land Zoning Map LZN_015 (1450_COM_LZN_015_020_20140808) – amendment to reflect the re-aligned LGA boundary near East Leppington/Willowdale with no other changes to this map.
- Land Zoning Map LZN_016 (1450_COM_LZN_016_020_20141216) – amendment to reflect the re-aligned LGA boundary near Emerald Hills and to apply an E2 Environmental Conservation, RU2 Rural Landscape and SP2 Water Supply System zoning to land as shown in the diagram included in Attachment C to this Planning Proposal.
- Height of Buildings Map HOB_015 (1450_COM_HOB_015_020_20140808) – amendment to reflect the re-aligned LGA boundary near East Leppington/Willowdale with no other changes to this map.
- Height of Buildings Map HOB_016 (1450_COM_HOB_016_020_20141216) – amendment to reflect the re-aligned LGA boundary near Emerald Hills and to apply a height limit of J – 9.5m to land as shown in the diagram included in Attachment C to this Planning Proposal.
- Lot Size Map LSZ_015 (1450_COM_LSZ_015_020_20140808) – amendment to reflect the re-aligned LGA boundary near East Leppington/Willowdale with no other changes to this map.
- Lot Size Map LSZ_016 (1450_COM_LSZ_016_020_20141216) – amendment to reflect the re-aligned LGA boundary near Emerald Hills and to apply a minimum lot size of Z – 2ha and AB – 40ha as shown in the diagram included in Attachment C to this Planning Proposal.
- Land Reservation Acquisition Map LRA_016 (1450_COM_LRA_016_020_20140709) – amendment to reflect the re-aligned LGA boundary near Emerald Hills with no other changes to this map.

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- Heritage Map HER_015 (1450_COM_LRA_016_020_20140709) – amendment to reflect the re-aligned LGA boundary near East Leppington/Willowdale with no other changes to this map.
- Heritage Map HER_016 (1450_COM_HER_016_020_20140808) – amendment to reflect the re-aligned LGA boundary near Emerald Hills with no other changes to this map.
- Additional Permitted Uses Map APU_015 (1450_COM_APU_015_020_20140808) – amendment to reflect the re-aligned LGA boundary near East Leppington/Willowdale with no other changes to this map.
- Additional Permitted Uses Map APU_016 (1450_COM_APU_016_020_20140808) – amendment to reflect the re-aligned LGA boundary near Emerald Hills with no other changes to this map.
- Urban Release Area Map URA_016 (1450_COM_URA_016_020_20140808) – amendment to reflect the re-aligned LGA boundary near Emerald Hills and expand the land shown within the 'Emerald Hills' urban release area as shown in the diagram included in Attachment C to this Planning Proposal.

A copy of the original Camden LEP 2010 maps prior to the boundary re-alignment occurring is included as **Attachment B to this Planning Proposal**.

These maps will be amended, where relevant, in accordance with the diagram included as **Attachment A to this Planning Proposal** and the marked-up maps included as **Attachment C to this Planning Proposal**.

It is noted that the above Camden LEP 2010 map reference numbers are correct at the date of preparation of this planning proposal. Should any amendments occur to these maps via a separate planning proposal (thereby altering the date reference in the map title), this planning proposal seeks to amend whichever maps are in force at the time of the map amendments taking place.

PART 5 – COMMUNITY CONSULTATION

It is recommended that the Planning Proposal, along with a corresponding amendment to the Camden Growth Centres DCP and East Leppington Voluntary Planning Agreement, be publicly exhibited for a period of 28 days subject to the requirements of a future Gateway Determination. A notification will be placed in the local newspaper and the exhibition material available at:

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

During the exhibition period, any landowners who will be affected by the proposed amendments will be notified of the exhibition of the planning proposal, DCP and VPA amendment. At the

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

PART 6 – PROJECT TIMELINE

Anticipated commencement date (date of Gateway determination)	November 2015
Anticipated timeframe for the completion of required technical information	November 2015
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	No separate government agency consultation proposed – incorporate into public exhibition period
Commencement and completion dates for public exhibition period	December 2015/January 2016
Timeframe for consideration of submissions	January 2016
Date of submission to the department to finalise the LEP	February 2016
Anticipated date RPA will make the plan (if delegated)	March 2016
Anticipated date RPA will forward to the department for notification	March 2016

Schedule of Attachments

- Attachment A - Re-alignment of LGA boundaries**
- Attachment B - Original Camden LEP 2010 maps prior to re-alignment of LGA boundaries**
- Attachment C- Amendments proposed for land near Emerald Hills**

Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

Attachment A – Re-alignment of LGA boundaries



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Attachment B – Original Camden LEP 2010 maps prior to re-alignment of LGA boundaries

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Additional Permitted Uses
Sheet APU_016

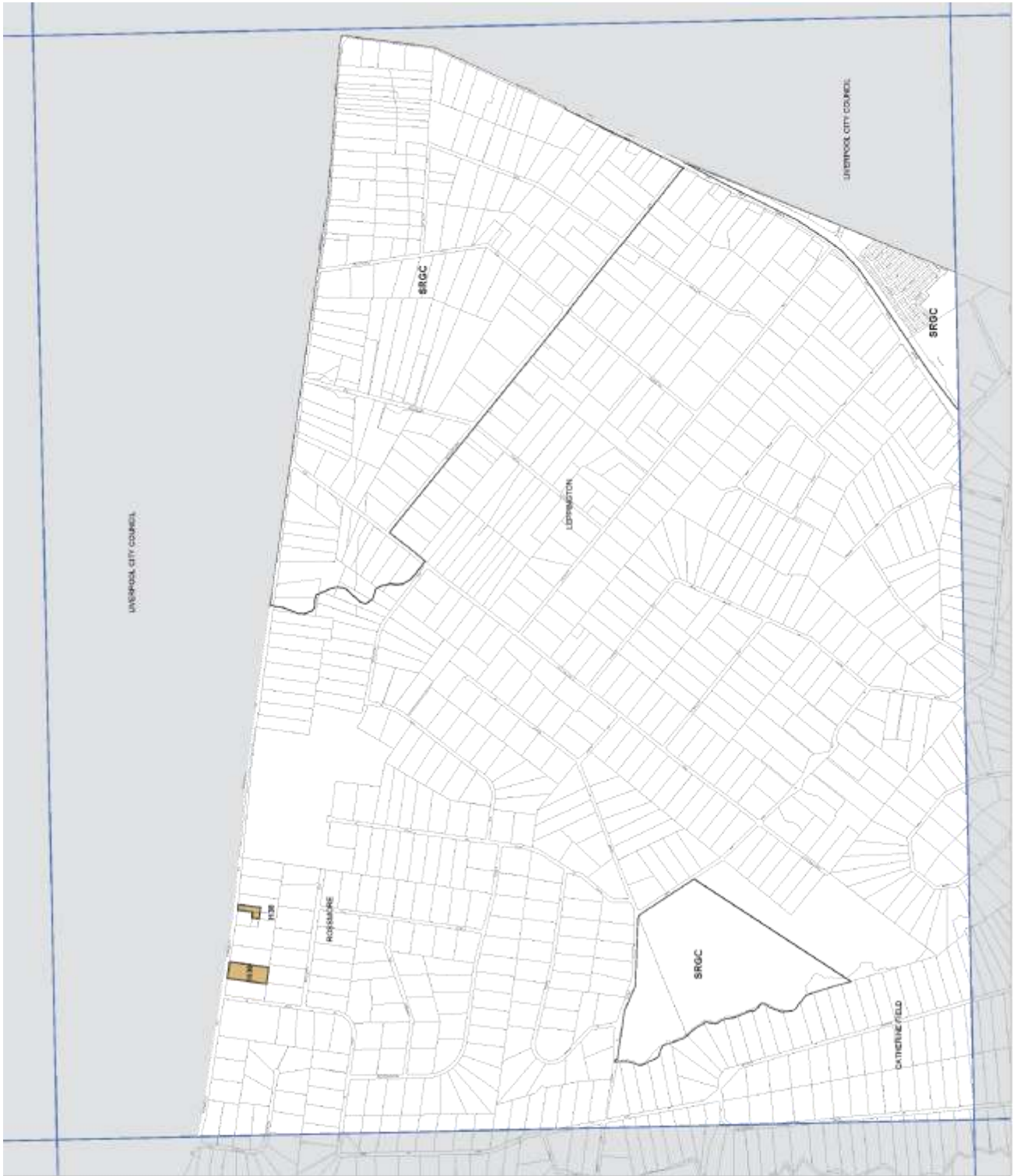
- Legend**
-  Refer to Schedule 1
 -  Refer to schedule 1 - Clause 27
 -  SRGC (Sydney Region Growth Centres) 2016

Cadastre

-  Cadastre 08/09/2014 © Camden Council



Map contributed by: <http://www.camden.nsw.gov.au>



Heritage Map - Sheet HER_015

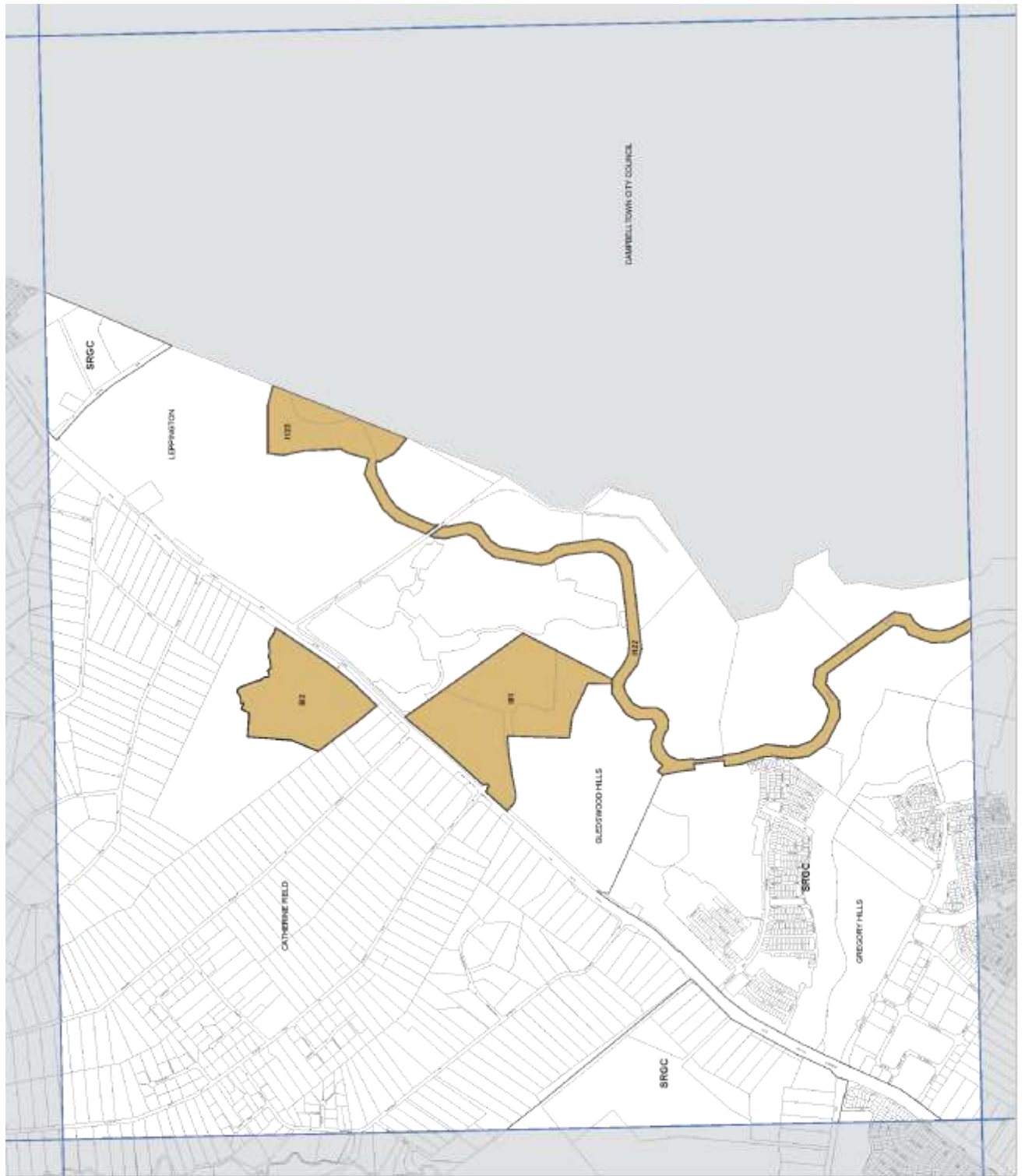
- Heritage**
- General Item
 - Conservation Area - General
 - SRGC (Sydney Region Growth Centres) 2009
 - Cuddahra
- Caddahra (20/09/2014) © Camden Council



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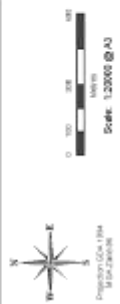
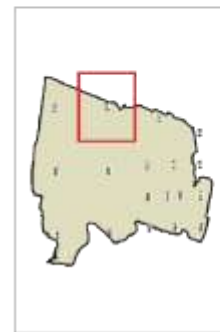
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Heritage Map - Sheet HER_016

- Heritage**
- General Item
 - Conservation Area - General
 - SEPP (Sydney Region Growth Centres) 2006
 - Cadastre
- Copyright © 2010/2013 © Camden Council



Map identifier number: HER_016_HER_016_001_2014/001



Height of Buildings Map - Sheet HOB_015

Maximum Building Height (m)



SRGC SEPP (Sydney Region Growth Centres) 2006

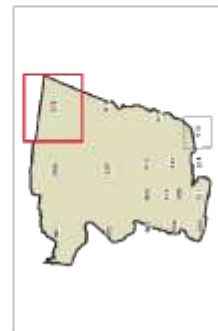
Refer to Clause 4.3A

Refer to Clause 4.3B

Refer to Clause 4.3C

Calcistrete

Custom 08/03/2014 © Camden Council



Scale: 1:2000 @ A3

Map ID: 66-001-10-002 LABEL: 0254_A4E_015_03_142009

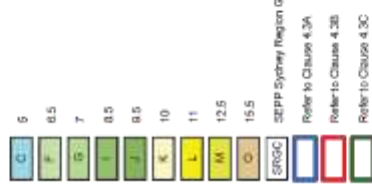
ORD04

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Height of Buildings Map - Sheet HOB_016

Maximum Building Height (m)



Calibre
 Calibre 101/1/2014 © Camden Council



Map 101/1/2014 © Camden Council
 HOB_016_016
 1:20000 @ A3
 HOB_016_016_016

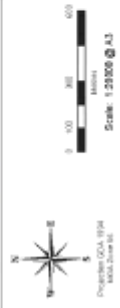
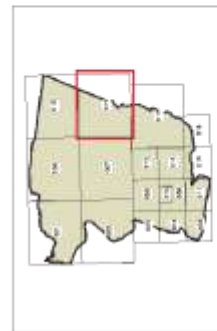
Attachment 1
ORD04



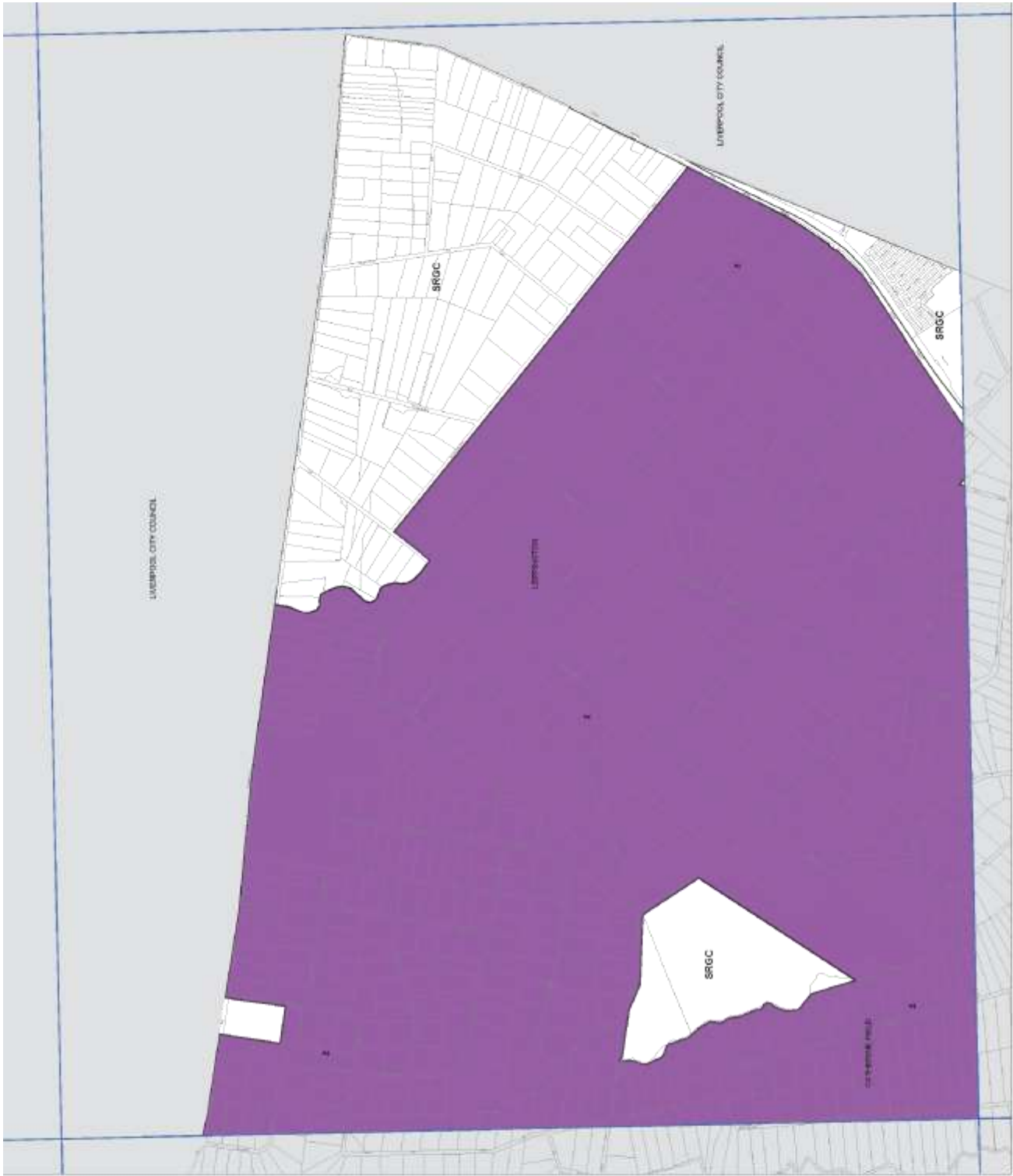
Land Reservation Acquisition Map - Sheet LRA_016

Local road/future classified road (SP2)
Future classified road/aliasing (SP2)

Cadastral
Cadastral (08/07/2014) © Camden Council



Map Coordinate System: 1430_C2014_LRA_016_001_M2015



Lot Size Map -
Sheet LSZ_015

Minimum Lot Size (sq. m)

- B 220
- C 250
- D 300
- E 450
- F 500
- G 600
- H 700
- I 800
- J 900
- K 1500
- L 2000
- M 4000
- N 6000
- O 2 ha
- P 40 ha
- SRGC SEPP (Sydney Region Growth Centres) 2006
- SRGC Refer to clause 4.14

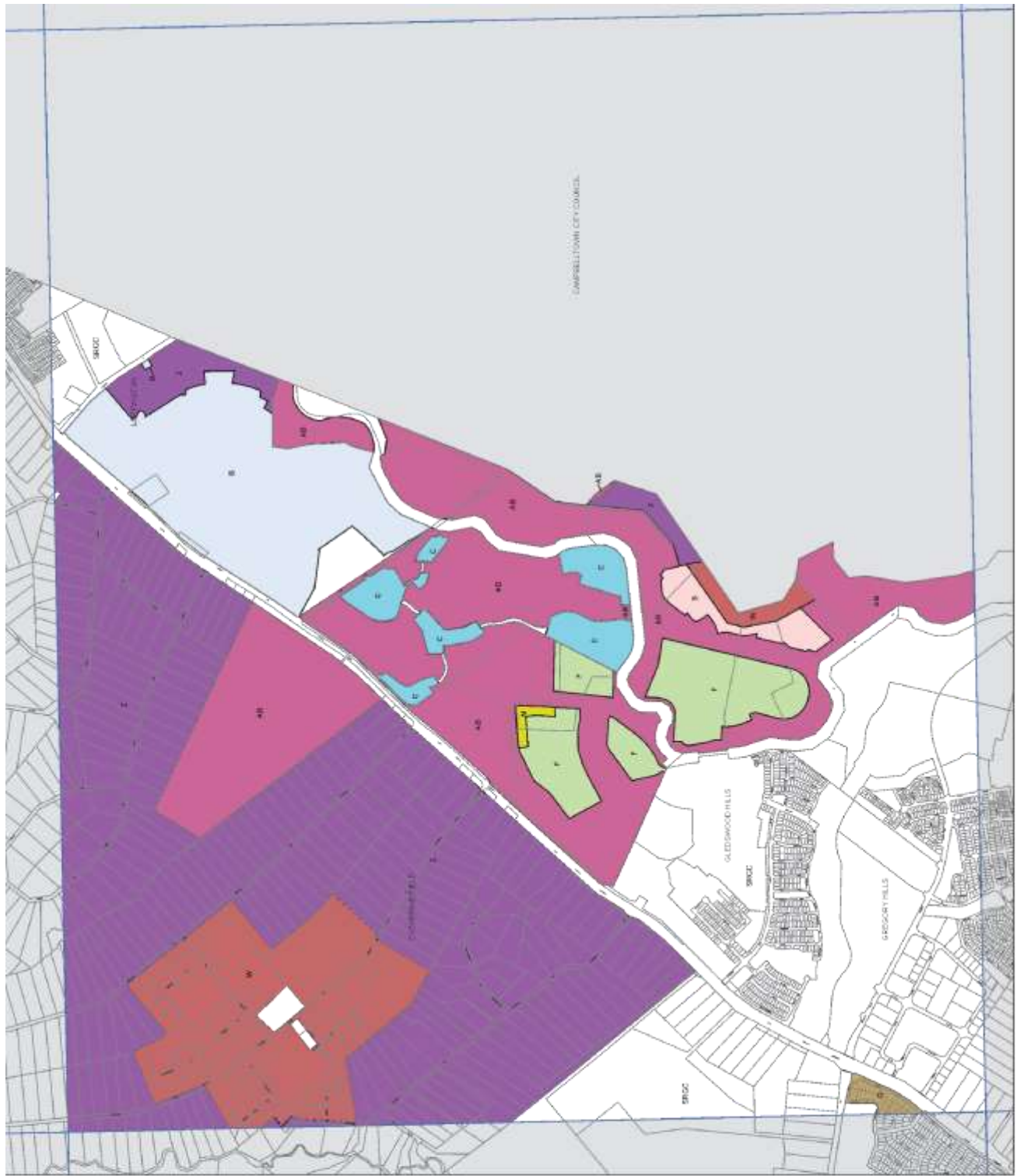
Cadastral
 Cadastral (08/08/2014 © Camden Council)



Map Sheet Name: LSZ_015_015_015_015_015
 Projection: GDA 1984
 MAP DATE: 26
 Scale: 1:2000 @ A3

ORD04

Attachment 1



**Lot Size Map -
Sheet LSZ_016**

Minimum Lot Size (sq m)

- 220
- 250
- 300
- 400
- 500
- 600
- 700
- 800
- 900
- 1500
- 2000
- 4000
- 6000
- 2 ha
- 7 ha
- 42 ha

SRGC SEPP Sydney Region Growth Centres
Refer to clause 4.1A

Cadastre
Cadastre 101 10214 © Camden Council



Map of NSW 1:250,000
M40_L04_LSZ_016_000_20141315



Land Zoning Map - Sheet LZN_015

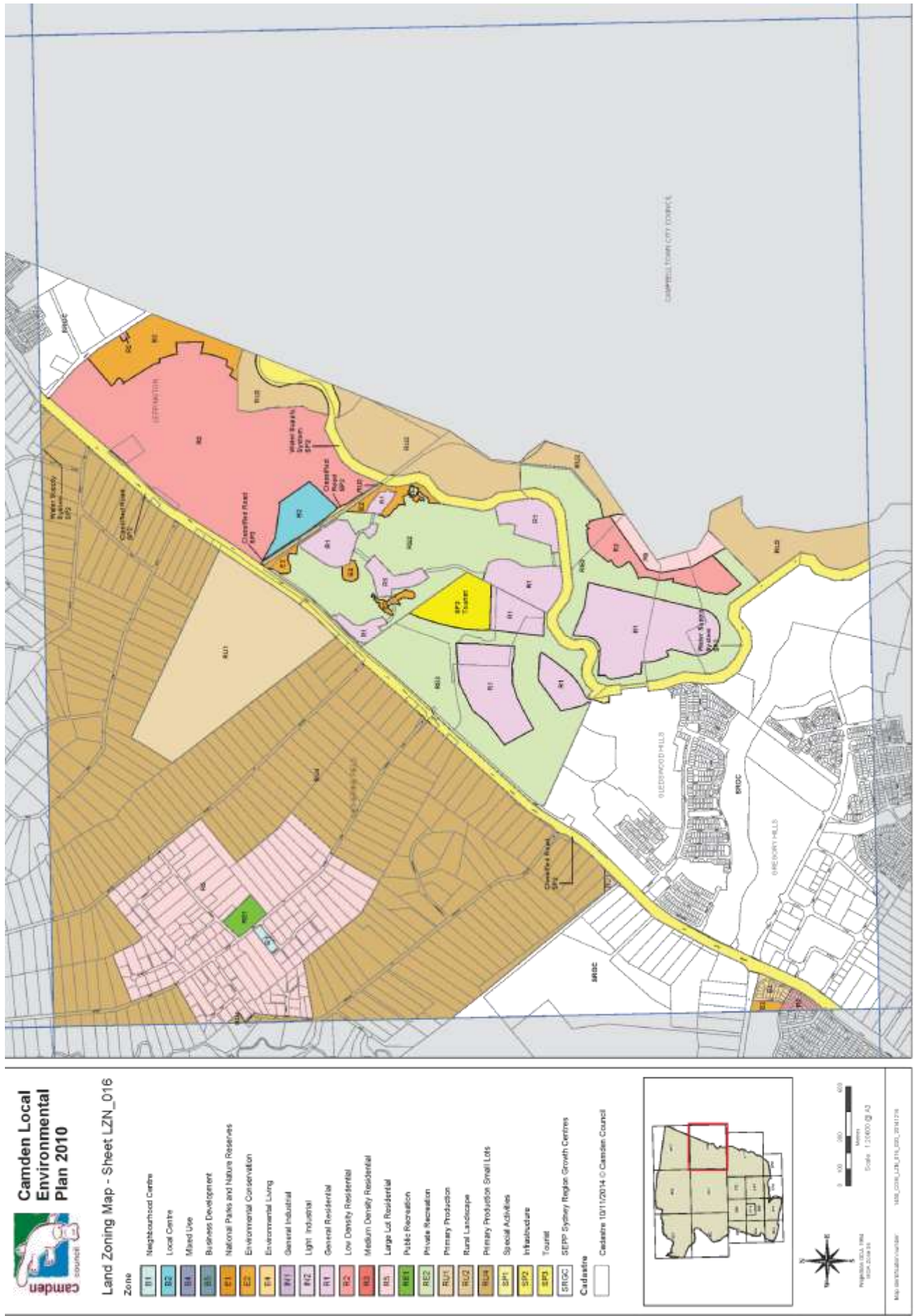
- Zone**
- Neighbourhood Centre
 - Local Centre
 - Mixed Use
 - Business Development
 - National Parks and Nature Reserves
 - Environmental Conservation
 - Environmental Living
 - General Industrial
 - Light Industrial
 - General Residential
 - Low Density Residential
 - Medium Density Residential
 - Large Lot Residential
 - Public Recreation
 - Private Recreation
 - Primary Production
 - Rural Landscape
 - Primary Production Small Lots
 - Special Activities
 - Infrastructure
 - Tourist
 - SRGC
 - SRGC
- Cartastre**
- Cadastre 00002014 © Camden Council

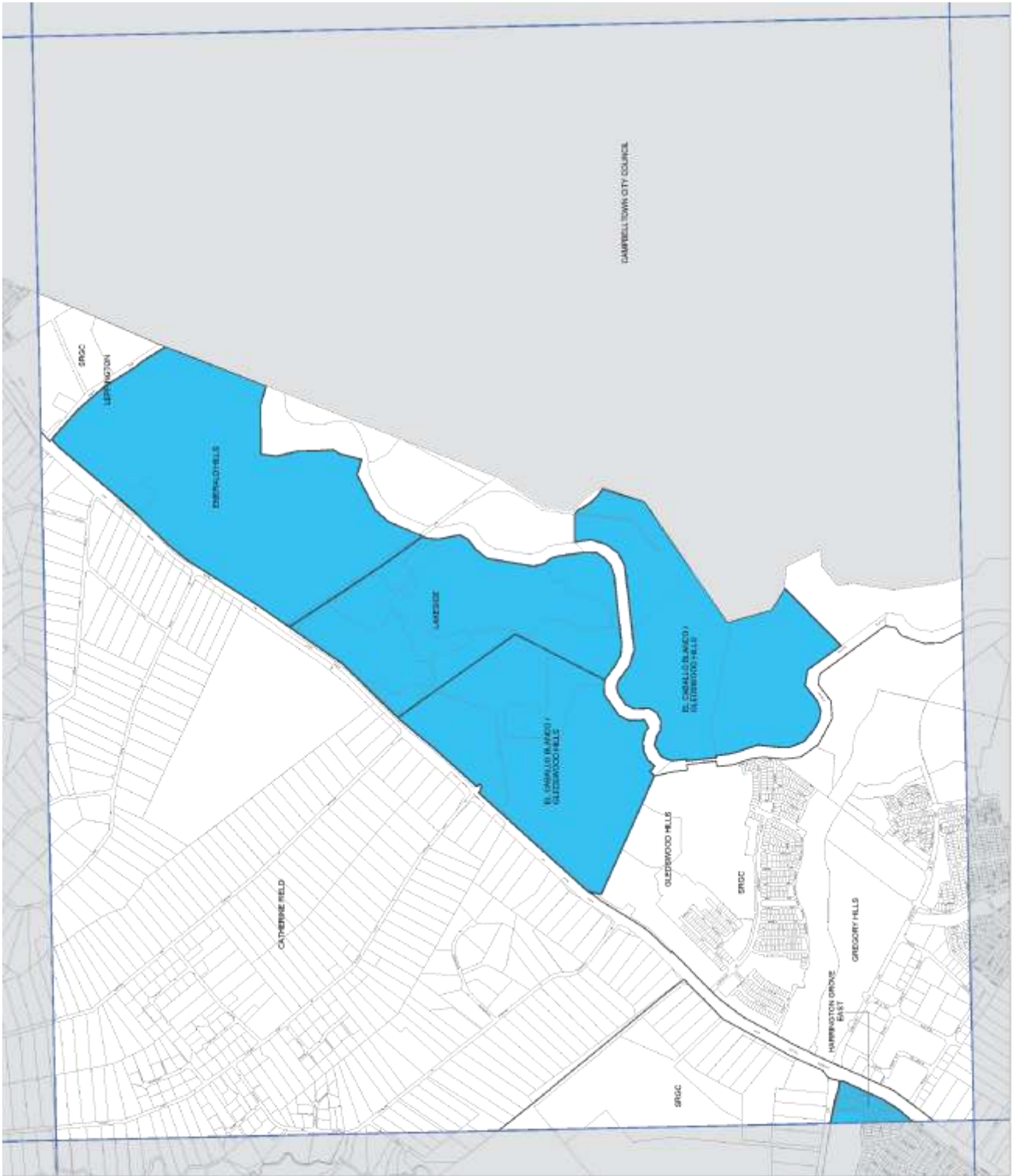


Map created by: MPM
 Projection: GDA 1984
 Scale: 1:25000 @ A3
 0 100 200 300 400
 Metres
 Scale: 1:25000 @ A3
 LZN_015_LZN_015_20150901

ORD04

Attachment 1





Urban Release Area Map -
Sheet URA_016

- Legend**
- Urban release area
 - MacArthur Resource Recovery Park
 - SRGC
 - Cadastre
- Caldate 08/08/2014 © Camden Council



Scale: 1:25000 @ A3

Projection: GDA 1984
Meters

North Arrow

Map ID: URA_016_001_0110000

Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

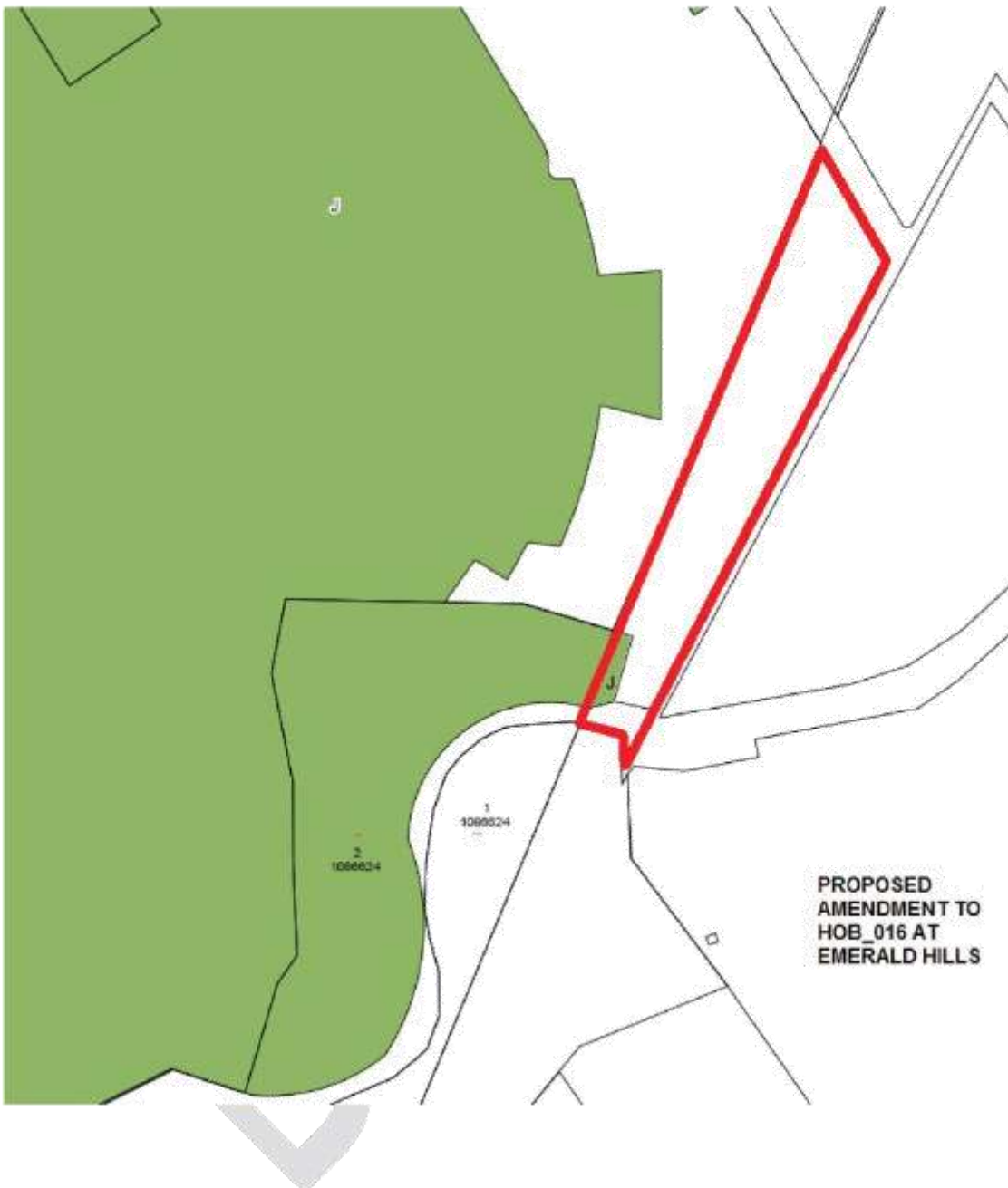
ORD04

Attachment C – Amendments proposed for land near Emerald Hills

Attachment 1

DRAFT

Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010



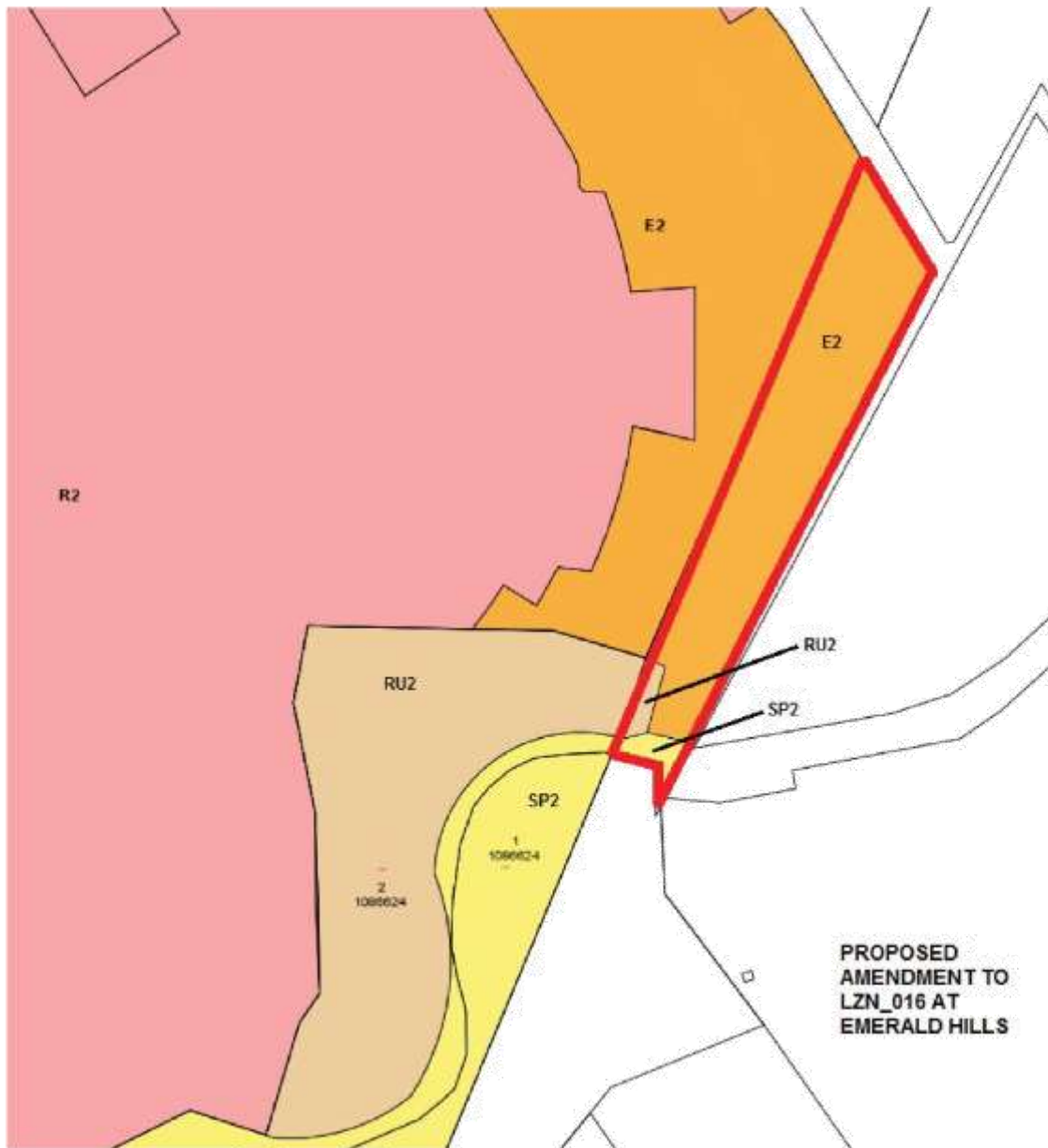
ORD04

Attachment 1

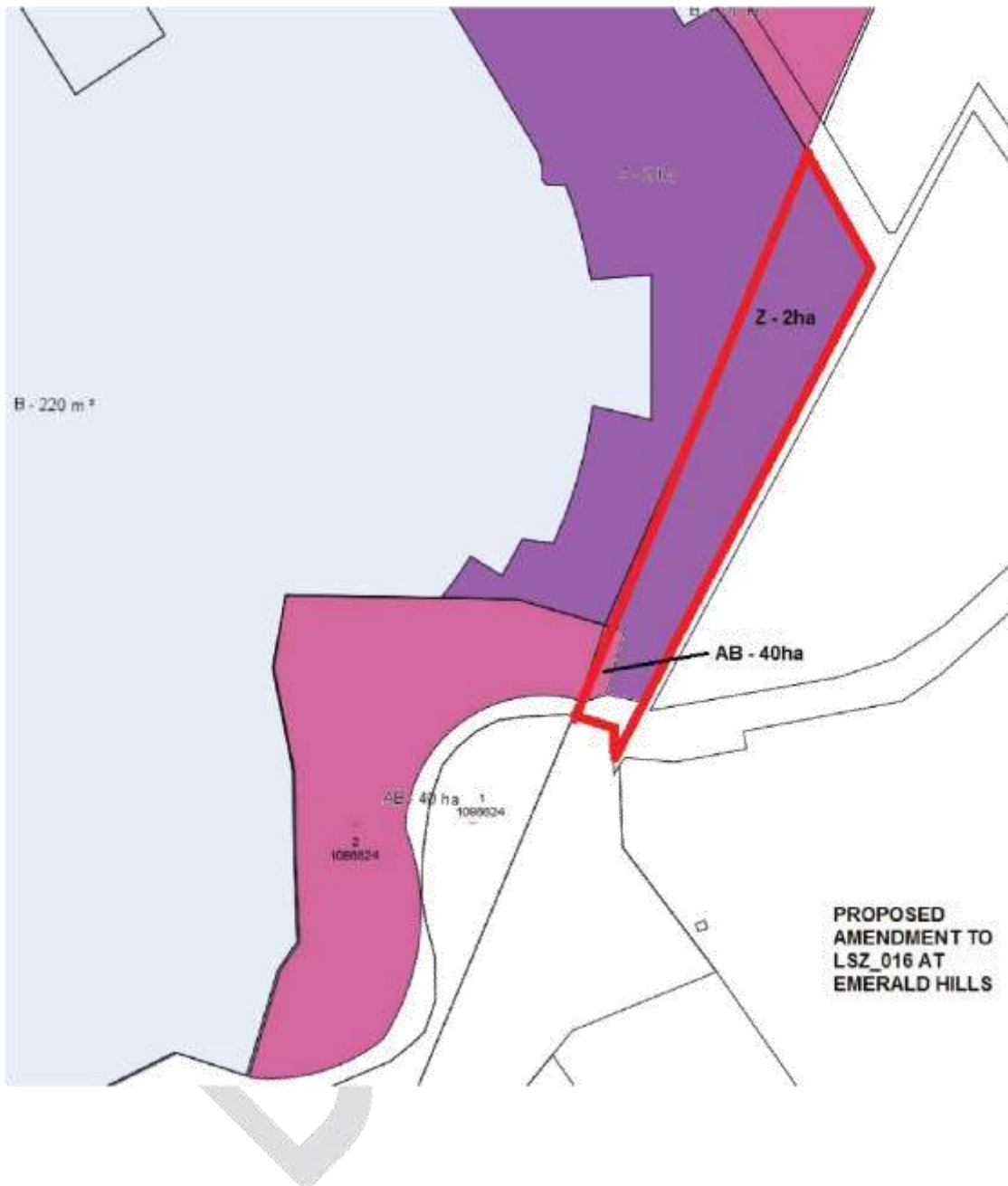
Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

ORD04

Attachment 1



Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010



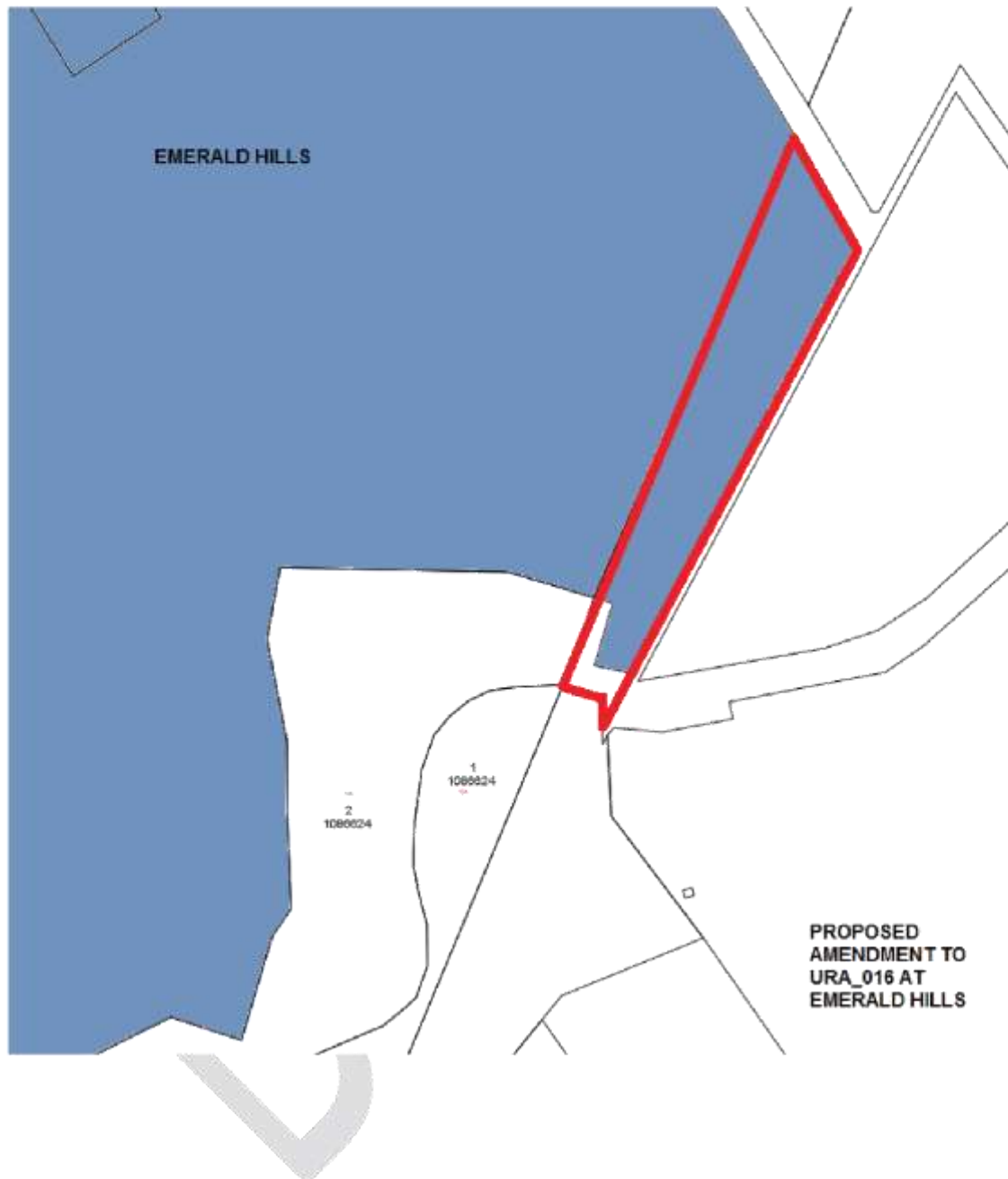
ORD04

Attachment 1

Amendment No. 39 – LGA boundary re-alignment housekeeping amendment to Camden LEP 2010

ORD04

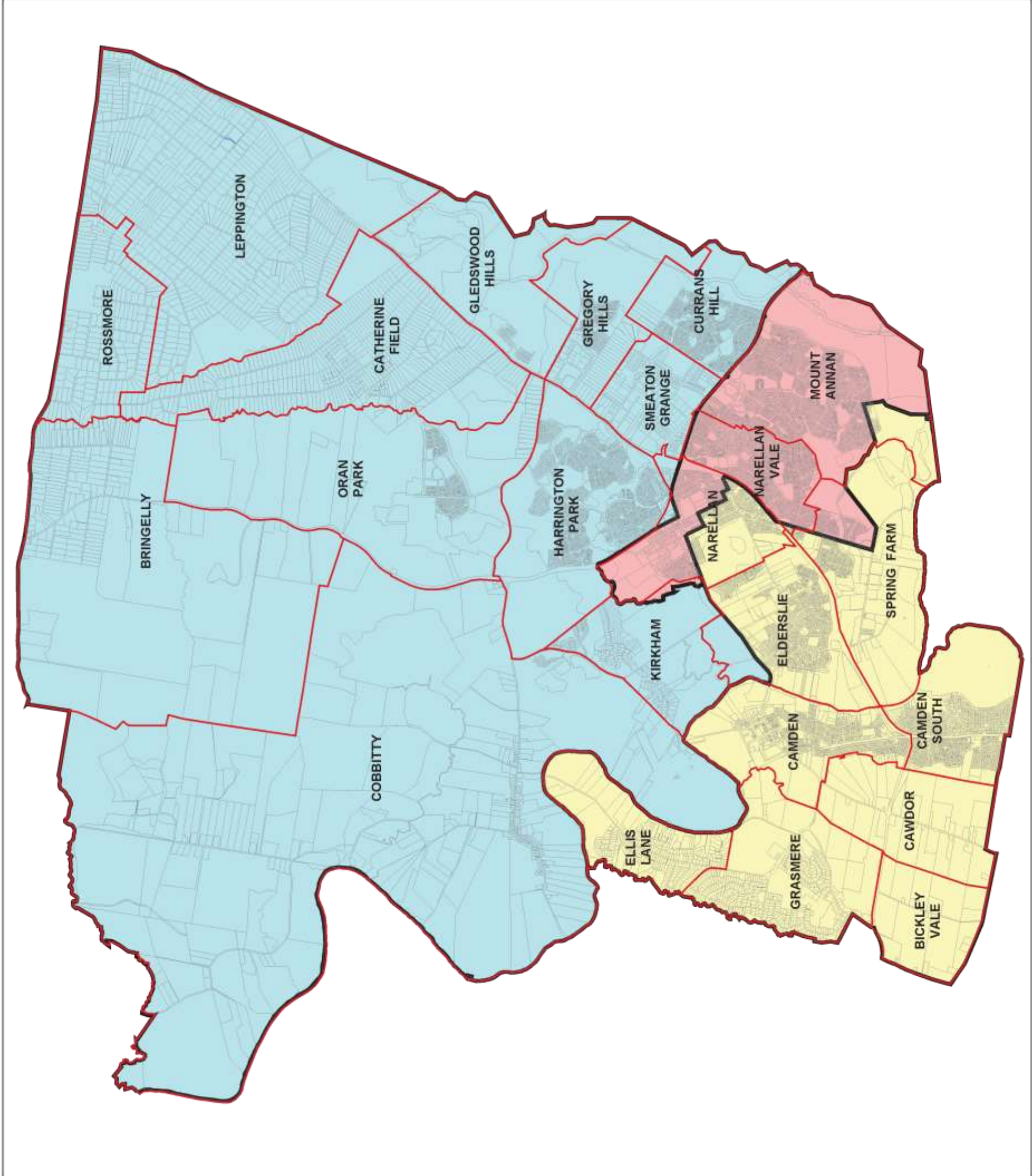
Attachment 1





WARD BOUNDARIES

Scale 1:20000
Plotted 17/09/12

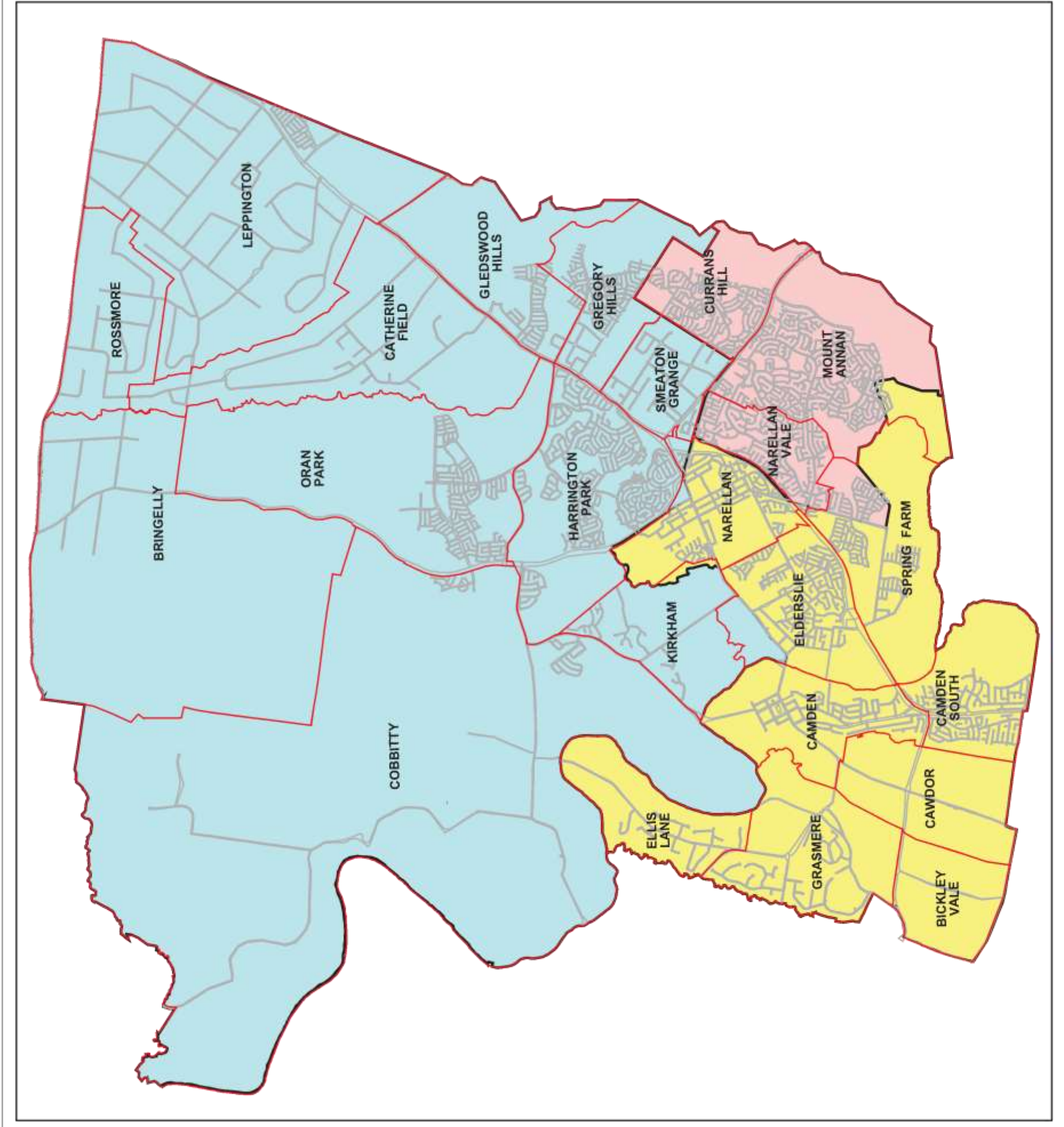




WARD BOUNDARIES

OPTION 1:

Narellan moves from Central Ward to South Ward
 Currans Hill moves from North to Central Ward





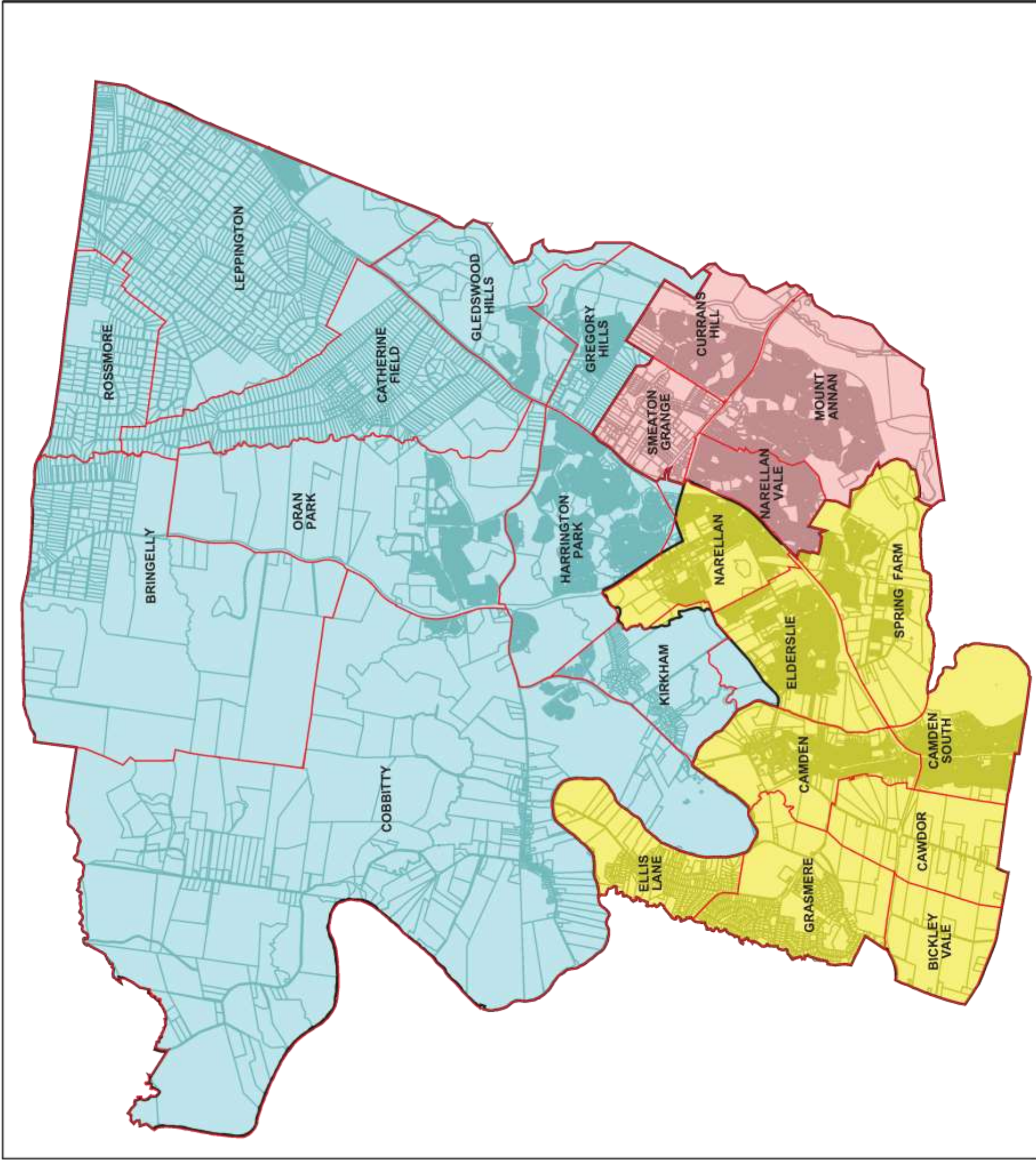
WARD BOUNDARIES

OPTION 2:

Narellan moves from Central to South Ward
Currans Hill and Smeaton Grange move from North Ward to Central Ward

Part of Spring Farm moves from Central to South Ward. The whole Spring Farm is within South Ward

Part of Mount Annan move from South to Central Ward. The whole Mount Annan is within Central Ward
Narellan Vale contained with Central Ward





Monthly Report

Camden Council

August 2015

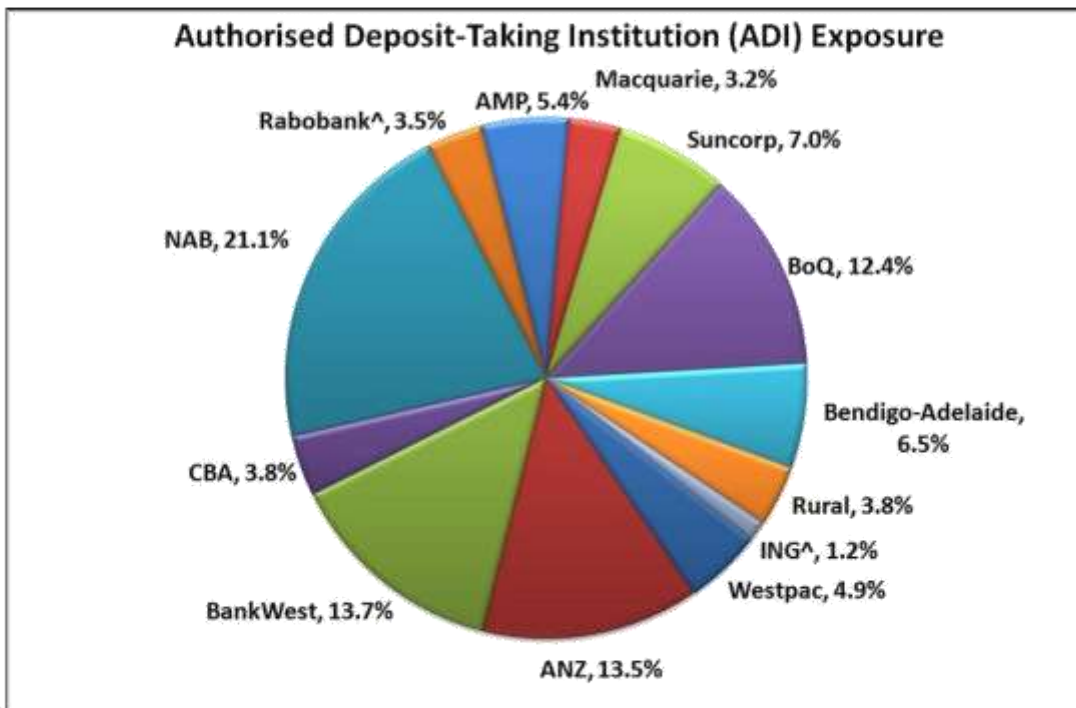
Investment Exposure

Council's investment portfolio is mainly directed to the higher rated ADIs. Council remains close to capacity limits with NAB, Rabobank and BoQ. Council will continue to predominately diversify the investment portfolio across the higher rated ADIs (A1 or higher).

ADI	Exposure \$M	Rating	Policy Limit	Actual	Capacity
Westpac	\$4.50M	A1+	25.0%	4.9%	\$18.60M
ANZ	\$12.50M	A1+	25.0%	13.5%	\$10.60M
BankWest	\$12.70M	A1+	25.0%	13.7%	\$10.40M
CBA	\$3.50M	A1+	25.0%	3.8%	\$19.60M
NAB	\$19.50M	A1+	25.0%	21.1%	\$3.60M
Rabobank [^]	\$3.20M	A1	5.0%	3.5%	\$1.42M
AMP	\$5.00M	A1	15.0%	5.4%	\$8.86M
Macquarie	\$3.00M	A1	15.0%	3.2%	\$10.86M
Suncorp	\$6.50M	A1	15.0%	7.0%	\$7.36M
BoQ	\$11.50M	A1	15.0%	12.4%	\$2.36M
Bendigo-Adelaide	\$6.00M	A1	15.0%	6.5%	\$7.86M
Rural	\$3.50M	A1	15.0%	3.8%	\$10.36M
ING [^]	\$1.00M	A2	5.0%	1.2%	\$3.51M
Total	\$92.40M			100.0%	

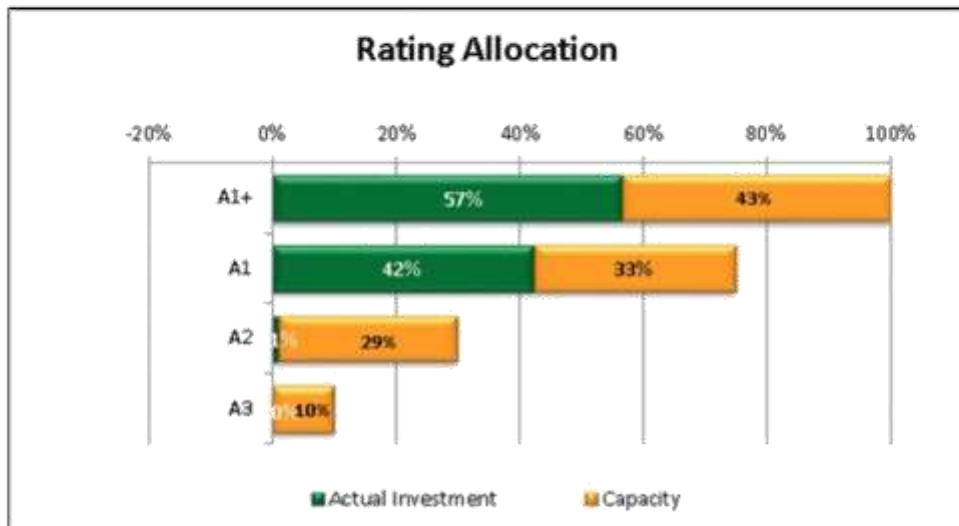
[^]Foreign subsidiary banks are limited to 5% of the total investment portfolio as per Council's investment policy.

The investment portfolio is predominately directed to the higher rated entities led by NAB and BankWest.



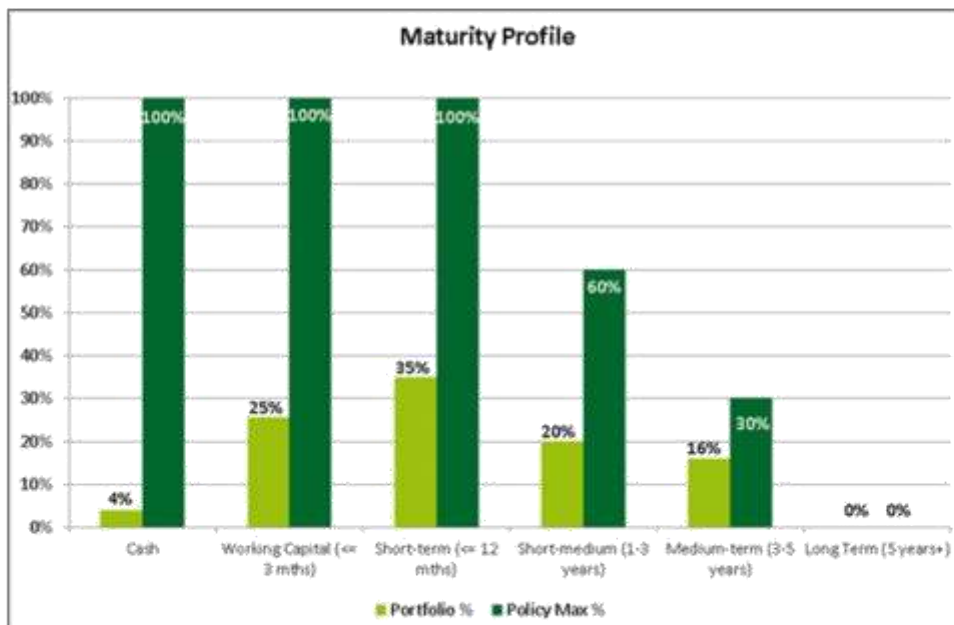
Credit Quality

A1+ (the domestic majors) and A1 (the higher rated regionals) rated ADIs are the largest share of Council’s investments. There is still capacity to invest across the entire credit spectrum.



Term to Maturity

The portfolio remains adequately liquid with approximately 3.8% of investments at-call and around another 25.4% of assets maturing within 3 months. There is still high capacity to invest in terms greater than 1 year. In consultation with its investment advisors, Council has strategically diversified its investments across various maturities up to 5 years over recent years.



ORD07

In the historic low interest rate environment, as existing deposits mature, they will generally be reinvested at much lower rates than preceding years. A larger spread of maturities in medium-term assets would help income pressures over future financial years. This is becoming increasingly difficult with the RBA's pair of rate cuts in 2015, coupled with deposit margins contracting sharply. The futures market is now factoring in at least one more rate cut by early 2016.

As such, we recommend taking advantage of any 'one-off specials' or above market deposit rates that are still available in the medium-term (2-5 years). At the time of writing, Rabobank's (A+) 3 year fixed deposit at 3.00% p.a. remains attractive and should be considered. With Council's investment portfolio likely to rise towards \$100M, there is some capacity (\$1M) to invest with Rabobank.

2015-16 Budget

Current Budget Rate	3.00%
Source of Funds Invested	
Section 94 Developer Contributions	\$42,148,000
Restricted Grant Income	\$627,000
Externally Restricted Reserves	\$10,210,000
Internally Restricted Reserves	\$29,325,000
General Fund	\$10,090,000
Total Funds Invested	\$92,400,000

Council's investment portfolio has increased by \$5.5m since the July reporting period. The increase primarily relates to the first rates instalment for the 2015/16 financial year and Section 94 cash receipts received for the August period. The source of funds invested are indicative only, due to Council's annual financial reports still being finalised for 30 June 2015.

INTEREST RECEIVED DURING 2015/16 FINANCIAL YEAR				
	August	Cumulative	Projected Interest	*Original Budget
General Fund	\$117,122	\$223,336	\$1,000,400	\$1,000,400
Restricted	\$153,148	\$305,462	\$951,200	\$951,200
Total	\$270,270	\$528,798	\$1,951,600	\$1,951,600

*The Original Budget is reviewed on a quarterly basis as part of the Budget Process

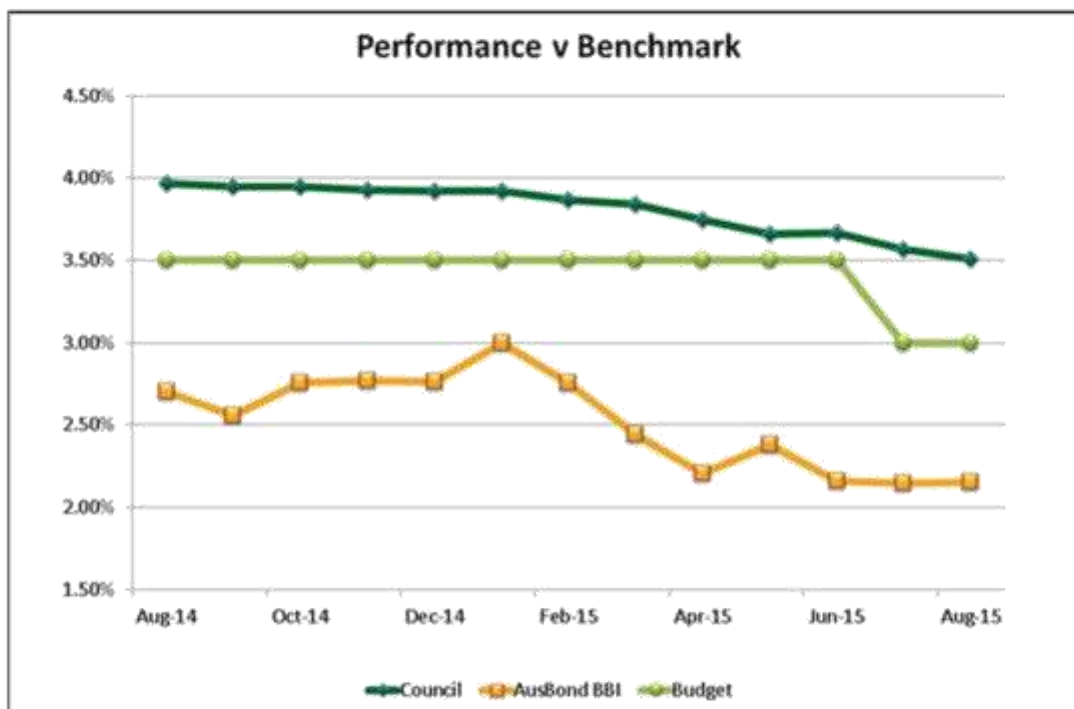
Attachment 1

Interest Summary

The portfolio's interest summary as at 31 August 2015 is as follows:

NUMBER OF INVESTMENTS	64
AVERAGE DAYS TO MATURITY	468
AVERAGE PERCENTAGE	3.56% p.a.
WEIGHTED PORTFOLIO RETURN	3.51% p.a.
CBA CALL ACCOUNT *	1.70% p.a.
HIGHEST RATE	5.10% p.a.
LOWEST RATE	2.85% p.a.
BUDGET RATE	3.00% p.a.
AVERAGE BBSW (30 Day)	2.04% p.a.
AVERAGE BBSW (90 Day)	2.14% p.a.
AVERAGE BBSW (180 Day)	2.23% p.a.
OFFICIAL CASH RATE	2.00% p.a.
AUSBOND BANK BILL INDEX	2.15% p.a.

*Note: CBA call account is not included in the investment performance calculations



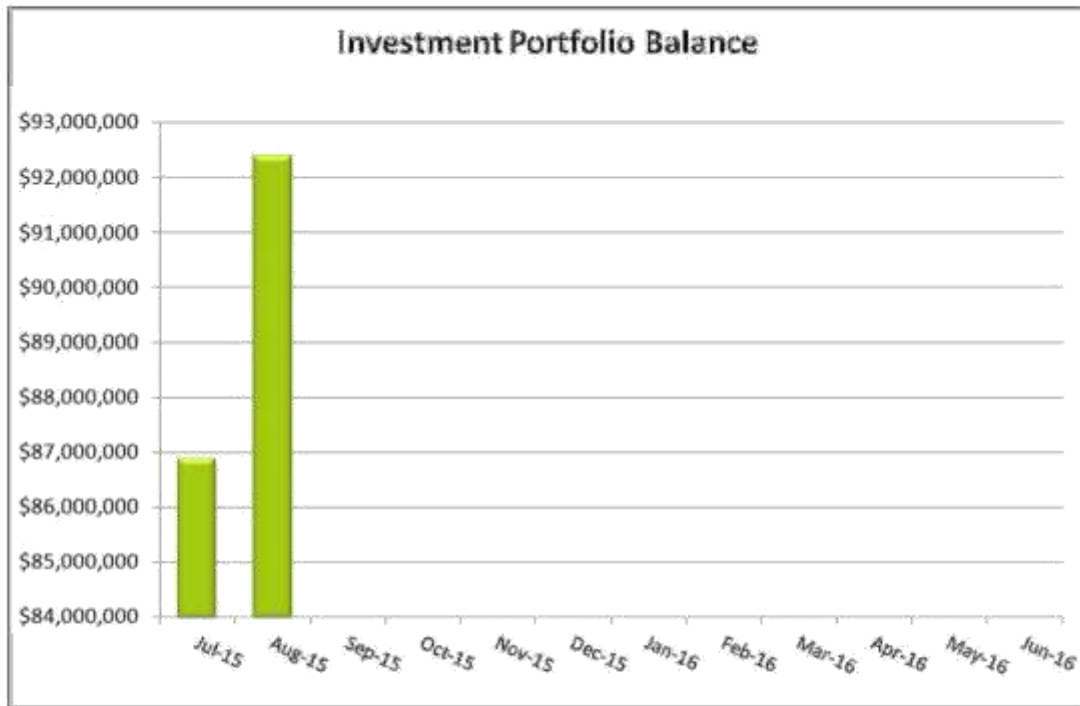
The portfolio's outperformance over the benchmark (AusBond Bank Bill Index) will continue to be attributed to the longer-dated deposits in the portfolio. Deposits invested close to or above 4% will contribute strongly to outperformance over future financial years. As existing deposits mature, performance will generally fall as deposits will be reinvested at much lower prevailing rates. FY16 budgets and beyond should be adjusted to reflect a longer period of low interest rates.

ORD07

Attachment 1

Appendix A – List of Investments

Camden Council Investment Portfolio as at 31 August 2015								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/08/2015
Westpac	TD	\$500,000.00	4.55%	17/05/2013	19/05/2016	1098	262	\$6,669.18
BOQ	TD	\$2,500,000.00	5.00%	4/11/2013	1/11/2018	1823	1158	\$103,082.19
BOQ	TD	\$1,500,000.00	4.50%	7/11/2013	2/11/2016	1091	629	\$95,109.99
BOQ	TD	\$1,000,000.00	5.10%	25/11/2013	22/11/2018	1823	1179	\$39,123.29
ING Bank	TD	\$1,000,000.00	4.63%	28/11/2013	23/11/2017	1456	815	\$35,137.26
BOQ	TD	\$1,000,000.00	4.85%	28/11/2013	23/11/2017	1456	815	\$36,806.85
BOQ	TD	\$1,000,000.00	4.50%	28/11/2013	24/11/2016	1092	451	\$34,150.68
Macquarie Bank	TD	\$1,000,000.00	4.15%	20/01/2014	20/01/2016	730	142	\$25,468.49
BOQ	TD	\$1,000,000.00	4.65%	27/02/2014	22/02/2018	1456	906	\$23,695.89
Rabobank	TD	\$1,000,000.00	5.00%	28/02/2014	28/02/2019	1826	1277	\$25,205.48
Rabobank	TD	\$1,200,000.00	5.00%	3/03/2014	6/03/2019	1829	1283	\$29,917.81
Westpac	TD	\$1,500,000.00	4.55%	15/05/2014	15/05/2019	1826	1353	\$20,381.51
Westpac	TD	\$1,500,000.00	4.55%	21/05/2014	22/05/2019	1827	1360	\$19,259.59
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.05%	22/05/2014	24/05/2017	1098	632	\$16,976.71
Bendigo Adelaide Bank	TD	\$1,000,000.00	4.05%	27/05/2014	31/05/2017	1100	639	\$10,763.01
Bendigo Adelaide Bank	TD	\$2,000,000.00	4.05%	30/05/2014	31/05/2017	1097	639	\$20,860.27
NAB	TD	\$2,000,000.00	4.00%	5/06/2014	7/06/2017	1098	646	\$19,287.67
Macquarie Bank	TD	\$1,000,000.00	4.00%	1/08/2014	31/07/2017	1095	700	\$3,397.26
BOQ	TD	\$1,000,000.00	4.15%	5/08/2014	1/08/2018	1457	1066	\$3,069.86
ANZ	TD	\$2,000,000.00	3.64%	2/09/2014	2/09/2015	365	2	\$72,600.55
ANZ	TD	\$1,000,000.00	3.64%	10/09/2014	9/09/2015	364	9	\$35,502.47
ANZ	TD	\$1,000,000.00	3.64%	16/09/2014	16/09/2015	365	16	\$34,904.11
Rabobank	TD	\$2,000,000.00	4.10%	27/11/2014	27/11/2019	1826	1549	\$31,227.40
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.25%	28/11/2014	4/12/2019	1832	1556	\$48,380.34
AMP	TD	\$1,000,000.00	3.40%	11/12/2014	9/12/2015	363	100	\$24,591.78
NAB	TD	\$1,500,000.00	4.00%	16/12/2014	11/12/2019	1823	1563	\$42,575.34
Macquarie Bank	TD	\$1,000,000.00	3.85%	19/12/2014	19/12/2019	1826	1571	\$27,002.74
Rural Bank	TD	\$2,000,000.00	3.70%	9/01/2015	9/01/2018	1096	862	\$47,643.84
Rural Bank	TD	\$1,500,000.00	3.70%	14/01/2015	15/01/2018	1097	868	\$34,972.60
Westpac	TD	\$1,000,000.00	3.90%	2/02/2015	2/02/2020	1826	1616	\$22,545.21
Suncorp Metway	TD	\$1,000,000.00	3.10%	18/02/2015	23/09/2015	217	23	\$16,561.64
NAB	TD	\$1,000,000.00	3.15%	25/02/2015	2/03/2016	371	184	\$16,224.66
NAB	TD	\$1,000,000.00	3.14%	25/02/2015	30/09/2015	217	30	\$16,173.15
NAB	TD	\$1,000,000.00	3.15%	27/02/2015	1/03/2017	733	548	\$16,052.05
Suncorp Metway	TD	\$1,500,000.00	3.06%	2/03/2015	7/10/2015	219	37	\$23,012.88
NAB	TD	\$1,000,000.00	3.13%	4/03/2015	14/10/2015	224	44	\$15,521.37
Suncorp Metway	TD	\$1,500,000.00	3.05%	12/03/2015	21/10/2015	223	51	\$21,684.25
NAB	TD	\$1,500,000.00	2.91%	8/04/2015	28/10/2015	203	58	\$17,460.00
ANZ	TD	\$2,000,000.00	2.85%	15/04/2015	4/11/2015	203	65	\$21,706.85
ANZ	TD	\$2,000,000.00	2.90%	22/04/2015	11/11/2015	203	72	\$20,975.34
BOQ	TD	\$1,000,000.00	2.95%	22/04/2015	25/11/2015	217	86	\$10,668.49
ANZ	TD	\$2,000,000.00	2.90%	23/04/2015	18/11/2015	209	79	\$20,816.44
NAB	TD	\$2,000,000.00	2.90%	29/04/2015	16/12/2015	231	107	\$19,863.01
NAB	TD	\$1,500,000.00	2.93%	6/05/2015	16/12/2015	224	107	\$14,208.49
NAB	TD	\$1,000,000.00	2.93%	8/05/2015	16/12/2015	222	107	\$9,311.78
Bankwest	TD	\$2,000,000.00	3.00%	20/05/2015	23/09/2015	126	23	\$17,095.89
Bankwest	TD	\$2,000,000.00	3.00%	20/05/2015	14/10/2015	147	44	\$17,095.89
NAB	TD	\$1,000,000.00	2.95%	20/05/2015	18/11/2015	182	79	\$8,405.48
Suncorp Metway	TD	\$1,000,000.00	2.90%	25/05/2015	2/12/2015	191	93	\$7,865.75
NAB	TD	\$1,500,000.00	3.00%	3/07/2015	27/01/2016	208	149	\$7,397.26
Bankwest	TD	\$1,000,000.00	2.95%	1/07/2015	7/01/2016	190	129	\$5,010.96
Bankwest	TD	\$3,000,000.00	2.95%	1/07/2015	13/01/2016	196	135	\$15,032.88
Bankwest	TD	\$2,000,000.00	2.95%	1/07/2015	20/01/2016	203	142	\$10,021.92
BOQ	TD	\$1,500,000.00	2.95%	8/07/2015	3/02/2016	210	156	\$6,667.81
Bankwest	TD	\$1,700,000.00	2.85%	21/07/2015	10/02/2016	204	163	\$5,575.07
NAB	TD	\$500,000.00	2.92%	22/07/2015	15/02/2016	208	168	\$1,640.00
Bankwest	TD	\$1,000,000.00	2.90%	24/07/2015	17/02/2016	208	170	\$3,098.63
NAB	TD	\$1,500,000.00	2.93%	29/07/2015	3/02/2016	189	156	\$4,093.97
NAB	TD	\$1,500,000.00	2.93%	5/08/2015	24/02/2016	203	177	\$3,251.10
AMP	TD	\$1,000,000.00	2.90%	13/08/2015	11/05/2016	272	254	\$1,509.59
AMP	TD	\$2,000,000.00	2.90%	19/08/2015	18/05/2016	273	261	\$2,065.75
AMP	TD	\$1,000,000.00	2.90%	28/08/2015	2/03/2016	187	184	\$337.81
Suncorp Metway	TD	\$1,500,000.00	2.85%	27/08/2015	2/03/2016	188	184	\$585.62
ANZ	TD	\$2,500,000.00	2.90%	28/08/2015	9/03/2016	194	191	\$794.52
# TD Investments	64	\$88,900,000.00	3.51%					\$1,328,075.07
CBA	Call Account	\$3,500,000.00	1.70%					
		\$92,400,000.00						



ORD07

Attachment 1

Appendix B – Ratings Definitions

Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general credit worthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment
- Nature and provisions of the obligation
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights
- The issue rating definitions are expressed in terms of default risk.

S&P Short-Term Obligation Ratings are:

- **A-1:** This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
- **A-2:** A short-term obligation rated A-2 is somewhat more susceptible to the adverse changes in circumstances and economic conditions than obligations in higher rating categories. However the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
- **A-3:** A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

S&P Long-Term Obligations Ratings are:

- **AAA:** An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- **AA:** An obligation/obligor rated AA differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.
- **A:** An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligors in higher rated categories. However the obligor's capacity to meet its financial commitment on the obligation is strong.
- **BBB:** A short-term obligation rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
- **Unrated:** Financial Institutions do not necessarily require a credit rating from the various ratings agencies such as Standard & Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all authorised Deposit Taking Institutions (Banks, Building societies and Credit Unions).
- **Plus (+) or Minus(-):** The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories

Fitch and Moody's have similar classifications.

Appendix C – Recently Invested ADIs

Rural Bank

Historically, the Bank was formed as Elders Rural Bank and received its banking licence in 2000. In August 2009, Elders Rural Bank Limited changed its name to Rural Bank Limited and, in December 2010, Rural Bank became a fully-owned subsidiary of the Bendigo and Adelaide Bank Group.

In December 2010, Bendigo and Adelaide Bank announced that it would increase its shareholding in Rural Bank from 60% to 100% for \$165m, or approximately 1.2 times book value. As such, Rural Bank takes on its parent's company's long-term credit rating of A- by S&P.

Over the years, the bank's business model has expanded, but its core business has not changed. They specialise in lending to the agricultural sector in rural and regional centres across the country. Rural Bank's products and services are now available at more than 400 locations nationally.

Financial Results

As at 31 March 2015, Bendigo-Adelaide Bank's Tier 1 Capital Ratio stood at 9.8% and its Total Capital Ratio at 11.7%, well above Basel III minimum capital requirements.

At a group level, Bendigo-Adelaide Bank Ltd announced a statutory profit after tax of \$191.6 million for the 6 months ending 30 June 2014, a 6.0% decrease on the prior corresponding period. The cash earnings result is \$196.4 million for the 6 months ending 30 June 2014, a 5.7% increase on the prior corresponding period. Retail deposits stood at \$44.84 billion (up from \$42.65 billion in December 2013), an increase of 5.0%.

Rabobank Australia

With over 110 years of history, the Rabobank Group is a leading provider of financial services around the world and has a strong historical presence for the global food and agriculture industry. Headquartered in Utrecht, the Netherlands, Rabobank is a cooperative bank with over AUD\$926.4 billion in assets (€732 billion)¹, approximately 10 million clients, more than 59,000 employees, and a presence in 48 countries. Rabobank is one of the 30 largest financial institutions in the world based on Tier 1 Capital.

Rabobank established an office in Australia in 1990 and acquired the Primary Industry Bank of Australia (PIBA) operating in Australia and New Zealand in 1994. With headquarters in Sydney, Rabobank has 61 branches throughout Australia and 32 branches in New Zealand. As at December 2011, the Group employed more than 1,000 people in Australia and New Zealand, with more than half based in regional locations.

In early November, ratings agency Standard & Poor's downgraded the Dutch Rabobank group, and therefore Australia's long-term credit rating from AA- to A+ (short-term rating from A-1+ to A-1). Rabobank Australia itself remains financially solid with a Tier 1 Capital of 11.38% and Total Capital Ratio of 13.16% as at March 2015.

¹ As a comparison, CBA has approximately AUD\$750 billion in total assets and 45,000 employees

From May 2015, new Rabobank Australia deposits will not be guaranteed by the global group, but existing deposits will have their guarantee grandfathered.

BankWest

Bankwest is an ADI based in Perth, Western Australia. Formerly a wholly owned subsidiary of HBOS plc but was sold in October 2008 to the Commonwealth Bank of Australia (CBA) for \$2.1 billion. BankWest continues to operate independently of its parent company but has the same long-term credit rating of CBA, being "AA-" by ratings agency S&P.

At a group level, as at 31/03/2015, CBA had a Tier 1 Capital of 11.0% and Total Capital Ratio of 12.1%.



Camden Council

Civic Centre Cultural Performance Subsidy

Policy 4.31

1. INTRODUCTION

Camden Council provides a small amount of funds as Civic Centre fee relief for not for profit performance groups. Events subsidised under the policy form part of the annual Camden Civic Centre cultural program.

A single funding round will be conducted in June each year to attract six high quality cultural performances to be scheduled in the July - June financial year to follow; funding will not exceed \$1200 for any event funded.

Civic Centre management will review applications in light of the community cultural needs. The objective will be to meet key demographic groups; seniors, family, youth and children. Centre Management will seek to source up to 3 events to compliment those funded in order to deliver a cultural program that meets the needs of the community and its demographic breakdown; funding again will not exceed \$1200 for any event funded.

Any balance of funds will be utilised to fund one off events that meet the criteria outside of the funding round; funding will not exceed \$400 for any event funded.

2. OBJECTIVES

- ◆ To **increase accessibility** to the Civic Centre venue for not for profit community performance groups
- ◆ To **enhance community awareness and involvement in cultural performances** and heighten the profile of community performance groups
- ◆ To **enhance community wellbeing, sense of belonging** through exposure to high quality cultural events and activities that are of interest to key demographic groups.

3. TARGET

- ◆ Local not for profit performance groups in each of the key demographics
- ◆ Projects where there may be no other source of funding available or any other opportunity to fundraise to sustain the group.
- ◆ Performances which offer a free or nominal entry fee
- ◆ New and emerging cultural performers offering the community a unique experience

Under Council's Policy no solely government-funded organisations will be considered for funding by Council.

Funds provided under this policy may not be used in conjunction with funds secured through any other Camden Council financial assistance policy specific to the event in question.

The following means of advertising will be available to events funded under the policy:

- Civic Centre Web-site listing
- Poster (provided by the applicant where possible) display on each of the community noticeboards
- Inclusion in Civic Centre mail out to the existing database
- In house promotion of the event as a component of the Civic Centre Annual Cultural Calendar

4. ELIGIBILITY CRITERIA

- ◆ Applications for cultural performances scheduled to be held at Camden Civic Centre in the July to June period, dates must coincide with availability of the facility
- ◆ Funds will be available to non government organizations who are not for profit and or community groups either based in the Camden LGA or undertaking a performance of direct benefit to the community and people of Camden LGA; and
- ◆ Applications may be for a portion of venue hire costs up to the value of and not exceeding \$1200 (excluding gst) . (Funds which provide for either the cost of the Auditorium on a Saturday evening, or a day hire of the Auditorium and Gallery for six hours from Sunday to Friday.)

5. ASSESSMENT CRITERIA

Proposed events must

- ◆ Demonstrate value to both the Camden community and Camden Council through the provision of high quality cultural performances.
- ◆ Involve participation and audience from local residents
- ◆ Indicate local support either financial or in kind
- ◆ Show evidence that the proposed activity is well planned and likely to attract the target audience
- ◆ Contribute to the Annual Civic Centre cultural program

Preference is given where:

- Funding will provide opportunity for the community to access high quality entertainment
- ◆ There is little opportunity for funding to come from other sources.
- ◆ Partnership arrangements are in place between organizations.
- ◆ Events are scheduled to fall within the July to June period, immediately following the June funding round

6. INELIGIBLE APPLICATIONS

- ◆ Political parties;
- ◆ For profit, government, business or private organizations;
- ◆ Reoccurring events within the funding period, (note that an organisation is entitled to stage self funded events in the same funding period);
- ◆ Events not planned to be held within the Civic Centre facilities;
- ◆ An organization with substantial unallocated resources;
- ◆ For events to be staged in consecutive funding rounds.

7. CONDITIONS

- ◆ Successful applicants must not vary the purpose or date of the grant without written approval from Council
- ◆ The applicant must provide a copy of their most recent audited financial statement where available
- ◆ Successful applicants must acknowledge Council's financial contribution through;
 - Joint promotion
 - Acknowledgement of Council's support
 - Invitation extended to Council representatives to be present.
 - The inclusion of Council's logo on all promotional material
 - A brief evaluation on the outcome of the event is required within one month of the event

8. FUNDING:

- One funding round will be held in June each year, with amounts of up to \$1200 allocated to events scheduled to be staged within the July to June period following the funding round
- Funding applications will be assessed against the policy objectives with recommendations to council for endorsement
- Camden Civic Centre management will source an additional three events to meet the needs of the community, ensuring key demographic groups are catered for within the funded program and calendar of events
- Any balance of funds will be utilised to fund one off events that meet the criteria outside of the funding round; funding will not exceed \$400 for any event funded
- The program will be advertised broadly through local media, all council websites, lets connect, civic centre publications, and direct target mail distribution
- Information packages including applications will be provided to applicants on request.

All payments under this policy will be limited to one hall hire donation in any financial year and will be paid directly to the Camden Civic Centre account.

9. APPROVALS PROCEDURE:

- ◆ Funding submissions received in June will be assessed by Civic Centre Management against the policy with a recommendation provided to Council for endorsement.
- ◆ Details of events sourced by Centre Management or one off applications for funding outside of the funding round will be provided to a committee comprising of the Mayor, Deputy Mayor and General Manager for approval.

10. CANCELLATION

In the event that the performance is cancelled, 50% of costs incurred by the venue will be the responsibility of the hirer.

RECORD KEEPING:

Camden Council maintains records of all funding approved under the financial assistance policy 4.3

ALLOCATION OF FUNDS

Applications will be assessed and ranked, Low, Medium or High as a basis for consideration by Council.

Low application is outside the guidelines

Medium application is within the guidelines however

- ◆ Alternative sources of funding are available, or
- ◆ Application is not considered as high a priority as other applications;
- ◆ Applications budget is outside the resources of this program
- ◆ The event would not enhance the cultural event calendar or provide an event of broad interest to the community

High application meets the guidelines and is considered appropriate for Council to fund
The event will enhance the cultural program and provide an event of interest to the community.

Notification of the outcome of your application will be provided in writing.

All funds will be paid directly to the Civic Centre account.

ORD08

Attachment 1



Camden Council

**CIVIC CENTRE Cultural Performance Subsidy
Application Form 4.31.**

PART I PROJECT DETAILS

1. Performance Name: _____

2. Organisation Name: _____

3. Contact person responsible for performance:

Name: _____

Address: _____

Telephone: (Work) _____ (Home) _____

(Mobile) _____

Does your performance meet the criteria for the policy? Yes/No

- ◆ Demonstrate value to both the Camden community and Camden Council through the provision of high quality cultural performances.
- ◆ Involve participation and audience from local residents
- ◆ Indicate local support either financial or in kind
- ◆ Show evidence that the proposed activity is well planned and likely to attract the target audience
- ◆ Contribute to the Annual Civic Centre cultural program

Please summarise how

5.)



5. Funds being applied for: \$ _____
Please complete the attached budget template for the performance.

<p>6.. Brief Description of the cultural performance and the particular demographic the performance will appeal to, indicating the anticipated audience size.</p>
<p>7. Provide detail of any other funding applied for this performance? (please note that events funded through alternate Council funding are not eligible for funding under this policy) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>8. If yes, please give details of amount requested, funding body and whether funding has been approved/received.</p>
<p>9. Proposed date for the event? Note the event must be scheduled from July – June period following the funding period.</p>
<p>10. How will you promote your project in the community? Please identify any opportunities for joint promotion of the cultural calendar.</p>
<p>11. What activities/services have your organisation or group provided or been involved in over the last twelve (12) months within the community?</p>
<p>12. How many local community members belong to your organisation?</p>
<p>13. Will an entry fee be charged to attend the event, if so how much will the entry fee be for adults, children and families? Note that the funding is available to free or nominal entry events.</p>

ORD08

In the event that a surplus of funds is generated, what will funds be utilised for?
14. Does the organisation have Public Liability Insurance? Please provide details of Insurance Company and cover. <input type="checkbox"/> Yes <input type="checkbox"/> No
15. Has the application been approved by your organisation? <input type="checkbox"/> Yes <input type="checkbox"/> No

I/ we have read the guidelines and conditions of Camden Council Civic Centre Cultural Performance Subsidy 4.31. and wish to proceed with this application for funding.

 _____	 _____
Signature	Signature
_____	_____
Date	Date
_____	_____
Name (please print)	Name (please print)
_____	_____
Position	Position

Attachment 1

PART II	PROJECT BUDGET
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ITEM	\$
A.INCOME	
1 Funds sought from Council for Civic Centre Hire Fee Subsidy	
2 Applicants Contribution	
3 Other Income ; please specify	
Total(A)	

ORD08

Attachment 1

ORD08

Attachment 1

B EVENT COSTS	Applicants Contribution	Funds sought from Council
Venue hire		
Sound and lighting		
Marketing and promotion		
Other ; please specify		
Subtotal (B)		
C. LABOUR COSTS	Applicants Contribution	Funds sought from council Eg sound and lighting
Sound and lighting technical support		
Ushers		
Security, please provide licence details		
Stage management		
Other ; please specify		
Subtotal (C)		
D. OTHER PROJECT COSTS	Applicants Contribution	
Subtotal (D)		
E. TOTAL COSTS (B+C+D)		
Subtotal B		
Subtotal C		
Subtotal D		
Total Cost (B+C+D)		

Non Financial Contributions (eg Volunteer Work)

Guidelines to Filling out the Application Form**1. Performance Name**

This is a short title that we can use to identify your performance. The name should only relate to the performance you are seeking funding for.

2. Organisation Name

Refers to the organisation that is making the funding application.

3. Contact Person

This should be someone that has comprehensive knowledge of the performance.

4. Description of your performance

If you feel that your project does not fall into any of the options provided please complete the section entitled 'Other'.

5. Funds Sought from Council

This refers to the total amount of funding you wish to receive from Council to subsidise the hire fees of the Civic Centre pertaining to the event.

6. Estimated Budget

Budget to include all related income and expenditure refer budget sheet.

7. Brief Description

Identify the audience being targeted and the intended audience capacity to event is likely to appeal to. If a comparative event has been staged add comparative figures.

8. Details of alternative funding sought for the event**9. As above****10. Date**

Record the date the event is scheduled for; ensure the Civic Centre is holding the date and venue for you during the application process.

11. Promotion

How the event will be promoted and any mediums you intend using. Note: the cost of advertising should be shown in the budget sheet attached.

12. Activities and services

Briefly outline the activities and services your organisation has provided in the last twelve months, here you may wish to highlight events you have provided services for which relate to Camden Council community events.

13. Community members

Identify the portion of memberships held by local community members.

ORD08

14. Entry Fee

Outline the anticipated charge for audience specifically adult, child and family rates.

15. Insurance

Provide details of your insurance coverage specific to your equipment and public liability. Your performers will need to be covered by your own public liability insurance.

Note that electrical equipment utilised must also to tagged and tested.

16. Application Approval

Do you have agreement from the performers to stage the event on the performers to stage the event on the proposed date according to your application?

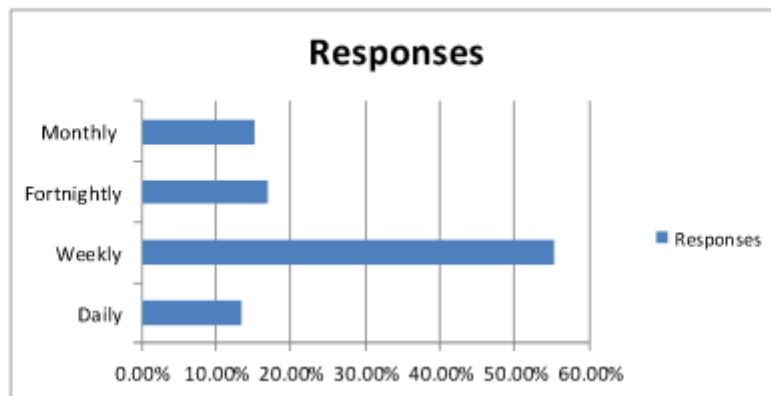
Attachment 1

CAMDEN WAR MEMORIAL POOL SURVEY RESULTS

Q.1 How often do you attend Camden War Memorial Pool during the opening season?

259 responded

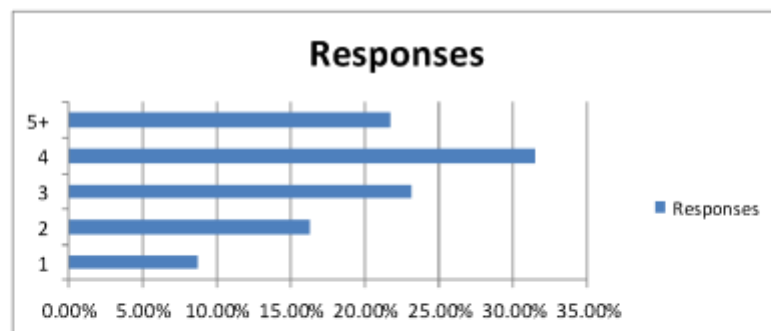
Answer Choices	Responses
Daily	13%
Weekly	55%
Fortnightly	17%
Monthly	15%



Q.2 How many members of your family utilise the pool?

276 responded

Answer Choices	Responses
1	9%
2	16%
3	23%
4	31%
5+	21%



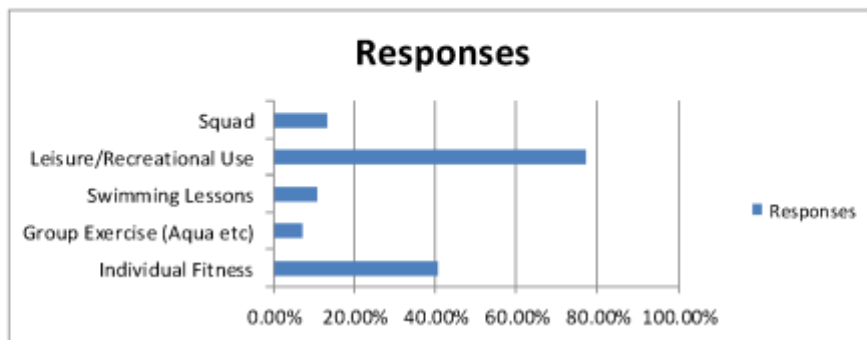
ORD09

Attachment 1

Q.3 What activities do you participate in at the Pool?

271 responded – percentages indicate that some people participated in 1 or more activities

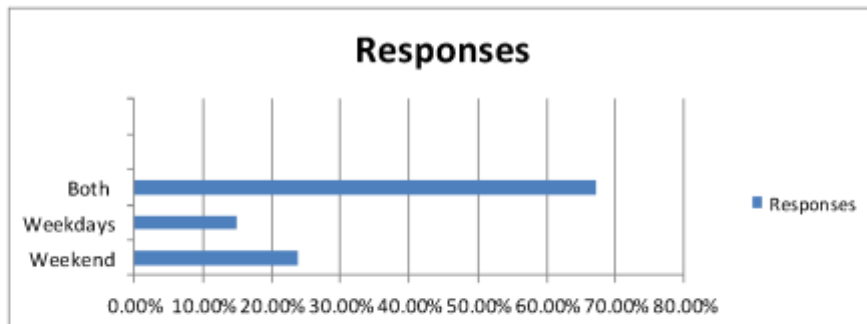
Answer Choices	Responses
Individual Fitness	40%
Group Exercise (Aqua etc)	7%
Swimming Lessons	11%
Leisure/Recreational Use	77%
Squad	13%



Q. 4 Are you more likely to attend the pool on the weekend or weekdays?

277 responded

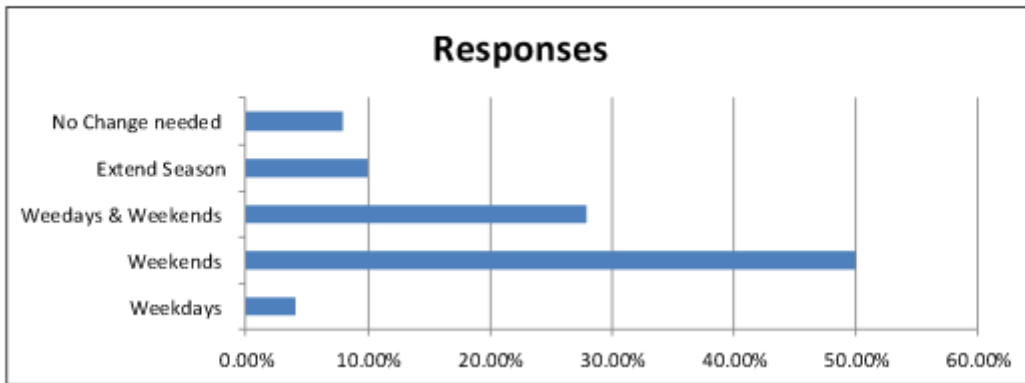
Answer Choices	Responses
Weekend	23%
Weekdays	14%
Both	63%



Q5. If Council were to extend the opening hours of the pool, what days and times would you suggest?

271 responded

Answer Choices	Responses
Weekdays	4%
Weekends	50%
Weekends/weekdays	28%
Extend Season	10%
No Change needed	8%



Q6. Other Comments

90 responded

There were opportunities for members of the public to provide free text on issues related to the pool, many chose to comment on the extension of pool hours and these comments were added to the percentages indicated in the question 5 which relate to the extension of hours.

Other responses related to the management of the facility and these have been referred to the YMCA for rectification. Most related to pool use planning and issues related to change rooms such as toilet/shower facilities.