



Camden Council

Business Paper

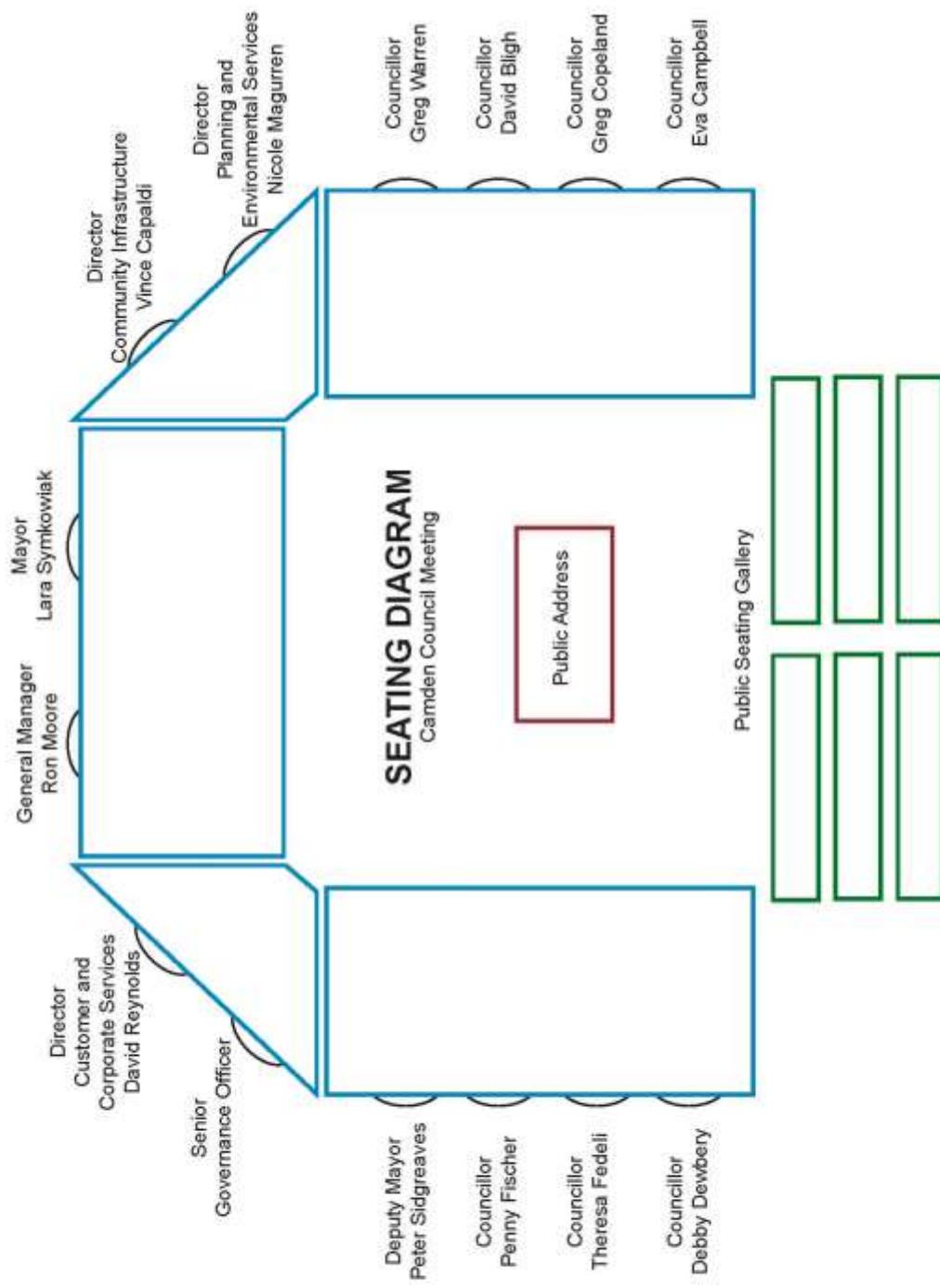
Ordinary Council Meeting
12 April 2016

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DoPE	Department of Planning & Environment
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OLG	Office of Local Government, Department of Premier & Cabinet
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



*Please do not talk during Council Meeting proceedings.
Recording of the Council Meeting is not permitted by members of the public at any time.*



ORDINARY COUNCIL

ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer.....	6
Acknowledgment of Country	7
Recording of Council Meetings	8
Apologies.....	9
Declaration of Interest.....	10
Public Addresses	11
Confirmation of Minutes	12
Mayoral Minute	13
ORD01 Construction of a Two Storey Dwelling - 10 Kelly Street, Oran Park	14
ORD02 Construction of a Two Storey Dwelling, In Ground Concrete Swimming Pool, Outbuilding and Associated Site Works - 8 Newmarket Street, Currans Hill	20
ORD03 Consolidation of Three Existing Lots, Demolition of Existing Buildings, Tree Removal, Construction of a Child Care Centre, Car Parking, Landscaping, Signage and Associated Site Works - 25 & 27 Somerset Avenue and 24 Doncaster Avenue, Narellan	29
ORD04 Construction of an Attached Two (2) Storey Dual Occupancy Including Site and Drainage Works - 4 Kelly Street, Oran Park.....	39
ORD05 Code of Meeting Practice Amendments.....	45
ORD06 Amendment of Corporate Documentation - Camden Region Economic Taskforce	52
ORD07 Investment Monies - February 2016	55
ORD08 Camden Town Farm Master and Management Plan 2016.....	56
ORD09 YMCA Management Contract - Third Term.....	58

NOTICES OF MOTION

ORD10 Notice of Motion - The Impact of Celtis Sinensis, Celtis Australis and Celtis Occidentalis on the Environment	60
ORD11 Notice of Motion - Outstanding Community Contribution (Group).....	61
ORD12 Closure of the Meeting to the Public	62



ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

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



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

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

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

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 22 March 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 22 March 2016, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

SUBJECT: CONSTRUCTION OF A TWO STOREY DWELLING - 10 KELLY STREET, ORAN PARK

FROM: Director Planning & Environmental Services

TRIM #: 16/68991

APPLICATION NO: DA 1051/2015
PROPERTY ADDRESS: 10 Kelly Street, Oran Park
APPLICANT: Mrs R Yousif

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of a two storey dwelling at 10 Kelly Street, Oran Park.

The DA is referred to Council for determination as there is one submission objecting to the proposal that has not been resolved.

SUMMARY OF RECOMMENDATION

That Council determine DA 1051/2015 for the construction of a two storey dwelling pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 1051/2015 seeks approval for the construction of a two storey dwelling.

Specifically the proposed development involves:

- Construction of a two storey dwelling containing 5 bedrooms, three bathrooms and a double garage; and
- Associated landscaping and site works.

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

THE SITE

The site is commonly known as 10 Kelly Street, Oran Park and is legally described as Lot 4328 DP 1195720.



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is fully compliant. Below is a summary of the key development statistics associated with the DA.

	Standard	Proposed	Compliance
State Environment Planning Policy Sydney Region Growth Centre 2006			
4.3 Height	Maximum height 9.5m	9.3m	Yes
Oran Park Development Control Plan 2007			
7.6.3 Front Setback	4.5m to building façade line 3.0m to articulation zone 5.5m to garage line and 1m behind the building façade line	4.5m 4m articulation zone proposed. The garage is setback 5.5m from the front boundary & 1m behind building façade line.	Yes
7.6.4 Side & Rear Setback	Side setbacks - 0.9m at ground and 0.9m at upper	Side setbacks Lower 0.9m both sides Upper 0.9m and 4m	Yes



	Rear setbacks – 4m ground floor and 6m first floor	Lower 6.3m Upper 8.8m	
7.6.5 Dwelling Height, Massing and Siting	2 storey maximum Upper level no more than 40%	The proposed dwelling is two storey. The upper floor has an area of 132m ² = 29%.	Yes
7.6.6 Landscaped Area	Min 25% of lot area	161m ² landscaped area = 35%.	Yes
7.6.7 Private Space Open	PPOS (Principal Private Open Space) requires a minimum 20m ² of the lot area and minimum dimension of 4m 50% of the PPOS(of both the proposed development and adjoining properties) is required to be to receive 3 hours of sunlight between 9am and 3pm on 21 June	95sqm of PPOS is provided with a minimum dimension of 6.3m. The PPOS of the proposed development and adjoining properties will receive adequate sunlight. This has been demonstrated on the shadow diagrams submitted with the DA.	Yes
7.6.8 Garages & Car parking	Single, tandem or double garages permitted 3 bedrooms or more, dwellings must provide at least 2 car spaces	One double garage is proposed providing 2 car spaces.	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	R1 General Residential
Permissibility:	The proposed development is defined as a "dwelling" by the LEP which is a permissible land use in this zone.



Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration

State Environmental Planning Policy(s) - S79C(1)(a)(i)	<p><u>State Environmental Planning Policy 55 – Remediation of land</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</u> Compliant with conditions recommended where necessary.</p> <p><u>Deemed State Environmental Planning Policy No 20–Hawkesbury-Nepean River</u> Compliant with conditions recommended where necessary.</p>
Local Environmental Plan - S79C(1)(a)(i)	None applicable.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	<p><u>Oran Park Development Control Plan 2007 (DCP)</u> Compliant with conditions recommended where necessary.</p> <p><u>Camden Development Control Plan 2011 (DCP)</u> Compliant with conditions recommended where necessary.</p>
Planning Agreement(s) - S79C(1)(a)(iiiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	One submission was received which is discussed in the submissions section of this report
Public Interest - S79C(1)(e)	The development is in the public interest

Key Issues

The key issues associated with the DA are limited to the submission issues discussed in this report.

Submissions



The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 23 September 2015 to 6 October 2015. One submission was received objecting to the proposed development.

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

The following discussion addresses the issues and concerns raised:

1. *Ceiling heights of the building are too high and will compromise privacy.*

Officer comment:

The maximum height of the proposed dwelling is 9.3m and two storeys which complies with the 9.5m maximum building height control applicable for the site. The internal floor to ceiling height is 3 metres on the ground floor and 2.75 metres on the upper level.

The proposal does not result in unacceptable overlooking and privacy concerns. A 1.8m high lapped and capped timber fence will obscure the view between the dwellings at ground level.

The finished floor level of the dwelling is raised to the rear and it is noted that the kitchen window on the southern elevation will be a similar height to the boundary fence. However overlooking opportunities from this window will be limited given there will be a 600mm bench top and stove in front of the window which will prevent a person standing right at this window. The outlook from this window given the location of bench top combined with the 1.8m high boundary fence will not allow overlooking into the adjoining property which is approximately 600mm lower due to the topography of the land.

A condition of consent will require an additional 1.7m high privacy screen to be erected along the southern side of the concrete landing to reduce direct overlooking into the adjoining property from this private recreation space.

2. *Privacy concerns with large upper floor window overlooking backyard.*

Officer comment:

The window on the upper floor facing the property to the south is setback 4.7 metres from the side boundary and services a stairway. As a result this does not raise any unacceptable overlooking concerns given it is a thoroughfare and not a likely area of congregation.

3. *The proposed dwelling will cast a full shadow over the majority of my house.*

The upper floor of the proposed dwelling is setback 4.7m from the southern boundary. Shadow diagrams have been submitted demonstrating compliance with the DCP controls for overshadowing. The neighbouring property to the south will receive the required 3 hours of solar access to 50% of their private open space, with only a portion of this area being overshadowed between 9am and 12pm. There will be no overshadowing of the private open space after 12pm.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.



CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1051/2015 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve the development application for the construction of a double storey dwelling at 10 Kelly Street, Oran Park subject to the recommended conditions.

ATTACHMENTS

1. Recommended Conditions
2. Proposed Plans
3. Floor Plans - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*
5. Submission - *Supporting Document*



ORDINARY COUNCIL

ORD02

SUBJECT: CONSTRUCTION OF A TWO STOREY DWELLING, IN GROUND CONCRETE SWIMMING POOL, OUTBUILDING AND ASSOCIATED SITE WORKS - 8 NEWMARKET STREET, CURRANS HILL

FROM: Director Planning & Environmental Services

TRIM #: 16/73599

APPLICATION NO: 94/2016

PROPERTY ADDRESS: 8 Newmarket Street, Currans Hill

APPLICANT: Mr S Yako

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a two storey dwelling, in ground concrete swimming pool, outbuilding and associated site works at 8 Newmarket Street, Currans Hill.

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

SUMMARY OF RECOMMENDATION

That Council determine DA 94/2016 for a two storey dwelling, in ground concrete swimming pool, outbuilding and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 94/2016 seeks approval for a two storey dwelling, in ground concrete swimming pool, outbuilding and associated site works.

Specifically the proposed development involves:

- construction of a two storey dwelling consisting of five bedrooms and a triple garage;
- construction of an in ground concrete swimming pool;
- construction of an outbuilding for pool facilities, pump room and a bathroom; and,
- associated site works.

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

THE SITE

The site is commonly known as 8 Newmarket Street, Currans Hills and is legally described as Lot 612 DP 1163903.



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is generally compliant with the exception of the variation noted below. Below is a summary of the key development statistics associated with the DA and any variations.

	Standard	Proposed	Compliance
Camden Local Environmental Plan 2010			
4.3 Height of Building	Maximum 9.5m	Max 8.648m above NGL	Yes
Camden Development Control Plan 2011 – Dwelling House			
D2.3.3 Front Setback	Minimum 5.5m	5.5m	Yes
	1.5m (max) encroachment	An encroachment of 1.5m has been proposed for architectural elements (4m to the front porch)	Yes
	Garage setback 1m behind building line and 5.5m from the front boundary Third garage setback an additional 1m	The double garage is located 1.0m behind front façade and 6.58m from the front boundary. The third garage is setback an	Yes



	behind double garage	additional 1.08m	
D2.3.3 Rear Setback	4m - ground floor	9.71m to ground floor	Yes
	6 m - first floor	11.8m to upper floor	Yes
D2.3.3 Side Setbacks	1.5m	1.545m to northern side and 1.545m to southern side	Yes
D2.1.5 Site Coverage	Maximum 50% Ground Floor Maximum 30% Upper Floor	Site area 900m ² Ground Floor 373.6m ² = 41.5% (including pool facilities room and excluding alfresco and porch). Upper Floor 260.58m ² =28.9% (Excluding balcony to front façade)	Yes
D2.1.5 Landscaped Area	Minimum 30% of landscaping area Site	272.6m ² available as landscaped area which equates to 30.2%	Yes
B5.1 Off Street Car parking	Dwelling houses with more than 2 bedrooms require 2 car parking spaces, one of which must be behind the building line	A triple garage is proposed which provides for more than 2 car spaces behind the building line with additional car spaces available on the driveway.	Yes
D2.1.5 Private Open Space (POS)	Minimum 20% Site Area	More than 20% available = 180m ²	Yes
	An area of principal private open space (PPOS) with a minimum area of 24sqm, minimum length of 4m and a maximum gradient of 1:10 must be provided.	PPOS in excess of 24m ² with a maximum gradient of 1:10. Minimum dimension of 5.85m provided	Yes
	The PPOS must be adequately screened for privacy	The PPOS is adequately screened for	Yes



	At least 65% of the POS areas must be soft landscaping	privacy by way of a 1.8m high fence. More than 65% of the POS area is soft landscaped.	Yes
D2.1.5 Solar Access	Sunlight must reach 50% of the PPOS (in the proposed surrounding development) for a minimum of 3 hours between 9am and 3pm on 21 June.	More than 50% PPOS to receive more than 3hrs solar access between 9am & 3pm on 21 st June for proposed dwelling and adjacent dwelling. The adjacent dwelling will receive solar access to their PPOS between 9am and 12pm	Yes
	North facing windows of living areas in proposed and Surrounding development shall receive a minimum of 3 hours of sunlight between 9am and 3pm on 21 June	The northern portion of the adjoining dwelling is overshadowed for 3 hours between 9am and 3pm on 21 June. The windows on the northern side of the adjoining dwelling contain bedrooms which are not identified as habitable rooms. The proposed dwelling therefore complies with this control as the adjoining dwelling does not contain living areas on the northern side of the dwelling.	Yes
	At least one principal living area must face predominantly north	At least one principal living area faces north.	Yes



Camden Development Control Plan 2011 - Outbuilding			
D2.1.11 Side Setback	All outbuildings must comply with the setback provisions in Clause 3.16 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Required side setback = 1.5m	The proposed setback is 1m. A condition is recommended to ensure that the outbuilding is setback 1.5m from the side setback.	Yes subject to condition
D2.1.11 Rear Setback	All outbuildings must comply with the setback provisions in Clause 3.18 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Required rear setback = 1.5m plus ¼ of the height above 3.8m (52mm) Total required = 1.552m	2.880m	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	E4 Environmental Living
Permissibility:	The proposed development is defined as a "dwelling house" by the LEP which is a permissible land use in this zone.

Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration

State Environmental Planning Policy(s) - S79C(1)(a)(i)	Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River - Compliant with conditions recommended where necessary State Environmental Planning Policy 2004 (Building Sustainability Index: BASIX) 2004 – Compliant with conditions recommended where necessary
Local Environmental Plan -	Camden LEP 2010 - Compliant with conditions



S79C(1)(a)(i)	recommended where necessary
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable
Development Control Plan(s) - S79C(1)(a)(iii)	Camden Development Control Plan 2011 - Compliant with conditions recommended where necessary
Planning Agreement(s) - S79C(1)(a)(iiiia)	None
The Regulations - S79C(1)(a)(iv)	None applicable
Likely Impacts - S79C(1)(b)	No significant impacts
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development
Submissions - S79C(1)(d)	Two submissions were received which are discussed in the Submissions section of this report
Public Interest - S79C(1)(e)	The development is in the public interest

Key Issues

The key issues associated with the DA are limited to the submissions issues discussed in this report.

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 4 February 2016 to 17 February 2016. Two submissions were received (both objecting to the proposed development).

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

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

1. *The proposal does not meet the objectives of the E4 Environmental Living zone.*

Officer comment:

The subject site is zoned E4 Environmental Living. The objectives of the zone include the following:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.

The subject site is located approximately 100m north of a core riparian zone. The core riparian zone is a conservation area and is zoned E2 Environmental Conservation. The E4 zone provides a transition zone between the conservation area and the R1 General Residential zone, as the other side of the Newmarket Road is zoned R1 General Residential. Within the E4 zone, larger lot sizes and greater front and side boundary setbacks apply to that of the R1 Residential zone opposite to reflect this transition between the two precincts.



The proposal is considered to provide a low-impact residential development and does not impact on the values of the ecological habitat located to the south of the property. The bulk and scale of the proposed development is consistent with the character of the surrounding streetscape and is considered acceptable. The LEP permits two storey dwellings as identified in the compliance table above and the proposed development complies with applicable controls, including site coverage and setbacks. The dwelling is therefore considered to be consistent with the objectives of the E4 Environmental Living zone.

- 2. There is an underestimate of the cost of development which will lead to the construction of the property not being completed and will lead to visual unattractiveness of the neighbourhood.*

Officer comment:

Council requested that the estimated cost of works prepared by a suitably qualified person be submitted to Council. A detailed cost summary was provided which reflects the estimated cost of works provided on the Development Application form. Council staff reviewed the cost summary and are satisfied that the estimated cost of works are genuine in accordance with clause 255 of the *Environmental Planning and Assessment Regulation 2000*.

- 3. Concerns the property will overshadow the adjoining properties northern windows and impact on access to solar energy.*

Officer comment:

The proposal complies with the DCP requirements for solar access for the proposed development and the adjoining property. The controls require sunlight reach at least 50% of the principal private open space (PPOS) areas of both the subject and adjoining dwellings, for not less than 3 hours between 9.00am and 3.00pm on 21 June. Both the subject and the adjoining dwellings receive 3 hours of sunlight between the hours of 9am and 3pm to 50% of their PPOS areas on 21 June.

It is also required that the adjoining properties north facing windows to living areas receive at least 3 hours of solar access between 9am and 3pm on June 21st over a portion of their surface. It was suggested by the submission writer that the proposed dwelling be mirror reversed to reduce solar impacts to their northern windows. Council staff contacted the applicant to negotiate this request. The applicant confirmed that they are not supportive of the suggestion, due to increased site costs and the potential non-compliance of solar access to their private open space. Council staff considered that requiring a redesign of the proposed dwelling would be unreasonable as the dwelling complies with the solar access controls specified within the DCP.

The north facing windows of the adjoining property are to bedrooms which are not identified as living areas as specified within the DCP. Also, given the topography of the land, the subject site is higher than the objecting neighbour's property. The objecting neighbours dwelling is excavated by approximately 700mm at the highest point located to the rear of the dwelling. Some overshadowing to the northern side of the adjoining dwelling is inevitable even with the provision of a single level dwelling due to the topography of the land combined with the orientation of the block.

Council staff have assessed the orientation of the site and the shadow diagrams submitted by the applicant and are satisfied that the above controls are met. The

provision of solar access complies the DCP requirements for both properties based on the shadow diagrams, being a representation of the shortest day of the year.

4. *Concerns that the shadow diagrams are inadequate and not a true indication of the extent of overshadowing.*

Officer comment:

One of the concerns raised in the submission relates to the accuracy of the shadow diagrams taking into account the change in the ground level between the two properties. As discussed above, the adjoining dwelling to the south has been excavated by approximately 700mm at the highest point to the rear of the dwelling. Approximately 1 metre has been retained to the rear of the dwelling for an outdoor area. The shadow diagrams have been prepared by a suitably qualified person and take the orientation and topography of the land into account.

Council staff have reviewed the shadow diagrams submitted by the applicant and are satisfied that the diagrams presented are accurate.

5. *Concerns with the bulk and scale of the development and that the development does not fit in with the surrounding area.*

Officer comment:

The LEP permits two storey dwellings and the proposed dwelling fully complies with the applicable controls including site coverage and setbacks with the exception of the side setback for the single level outbuilding. The design of the development responds to the surrounding characteristics of the area and is considered acceptable.

6. *Concerns that the proposed dwelling will have an impact on adjoining properties and the proximity of the dwelling to the adjoining property located at the rear of the property.*

Officer comment:

The proposal is not considered to raise unacceptable overlooking and privacy concerns. Windows of habitable areas on the first floor have been positioned to minimise overlooking.

A television room is located on the first floor and is situated at the front of the dwelling. The windows to this room are located along the front façade. There is also a upper level window to a gallery area which accesses a guest bedroom and linen cupboard. This area within the dwelling is considered to be a low traffic area and is setback 5.985m from the side boundary.

7. *Concerns that the capacity of rainwater tank and stormwater drainage is insufficient to collect stormwater and will overflow onto the adjoining property.*

Officer comment:

The stormwater plan submitted with the DA demonstrates that the roof stormwater is proposed to be connected to the rainwater tank. Overflow stormwater is proposed to be discharged to the existing street kerb outlet. The BASIX certificate submitted with the DA specifies that the applicant must install a rainwater tank of at least 3000 litres. The



proposed rainwater tank complies with the BASIX certificate and it is considered that the stormwater drainage network will not impact on adjoining properties.

8. *Concerns that the proposed position of the air conditioning unit will have an acoustic impact on the adjoining property.*

Officer comment:

A standard condition will be included within any consent granted to ensure that the operation of the air conditioning unit does not have an acoustic impact on neighbouring residential properties.

9. *Concerns that the proposed dwelling will dominate the skyline and impact on views available to adjoining properties.*

Officer comment:

A site inspection revealed that the current dwellings located in close proximity to the proposed dwelling, particularly the elevated properties to the rear which have not objected to the proposal, do not have a view to any landmarks of significance. Council staff have considered the potential impacts and conclude that the proposed dwelling does not obstruct the line of sight to any objects/landmarks of significance to the community.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 94/2016 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve DA 94/2016 for the construction of a two storey dwelling, in ground concrete swimming pool, outbuilding and associated site works at 8 Newmarket Road, Currans Hill subject to the conditions attached.

ATTACHMENTS

1. Recommended Conditions
2. Proposed Plans
3. Floor Plans - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*
5. Submissions - *Supporting Document*



ORDINARY COUNCIL

ORD03

SUBJECT: CONSOLIDATION OF THREE EXISTING LOTS, DEMOLITION OF EXISTING BUILDINGS, TREE REMOVAL, CONSTRUCTION OF A CHILD CARE CENTRE, CAR PARKING, LANDSCAPING, SIGNAGE AND ASSOCIATED SITE WORKS - 25 & 27 SOMERSET AVENUE AND 24 DONCASTER AVENUE, NARELLAN

FROM: Director Planning & Environmental Services
TRIM #: 16/75406

APPLICATION NO: 1029/2015
PROPERTY ADDRESS: 25, 27 Somerset Avenue and 24 Doncaster Avenue, Narellan
APPLICANT: Edwin Vanegas

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for consolidation of three existing lots, demolition of existing buildings, tree removal, construction of a child care centre, car parking, landscaping, signage and associated site works at 25 & 27 Somerset Avenue and 24 Doncaster Avenue, Narellan.

The DA is referred to Council for determination as there are two submissions objecting to the proposal that have not been resolved.

SUMMARY OF RECOMMENDATION

That Council determine DA 1029/2015 for consolidation of three existing lots, demolition of existing buildings, tree removal, construction of a child care centre, car parking, landscaping, signage and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 1029/2015 seeks approval for consolidation of three existing lots, demolition of existing buildings, tree removal, construction of a child care centre, car parking, landscaping, signage and associated site works.

Specifically the proposed development involves:

- Demolition of all the existing structures on the land;
- Removal of thirteen trees which are mainly exotics with a few planted natives which are not endemic to the area;
- Construction of a new single storey child care centre with a building area of approximately 500m² comprising four play rooms, kitchen, laundry, store rooms and amenities, staff room, meeting room and office;



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- Use of the child care centre for a maximum of 88 children aged 0 to 5 years comprising of 40 (0 to 2 year olds), 28 (2 to 3 year olds) and 21 (3 to 5 year olds);
 - Outdoor play area and associated structures;
 - Erection of two business identification signs;
 - Hours of operation between 7.00am and 7.00pm, Monday to Friday;
 - Car parking for a total of 23 vehicles, consisting of 4 designated staff only parking spaces, 12 dedicated pick up/drop off spaces and 7 remaining spaces for use by both staff and visitors; and
 - Associated landscaping and site works.

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

THE SITE

The site is commonly known as 25 & 27 Somerset Avenue and 24 Doncaster Avenue, Narellan and is legally described as Lots 49, 50 & 74 DP 30539.

The site is located at the intersection of Somerset Avenue and Elyard Street which is on the fringe of Narellan's existing commercial area.

Directly adjoining the site are residential properties.

The site currently accommodates three single storey dwellings, outbuildings and a swimming pool.

The site is irregular in shape with a frontage of 30.48m to Somerset Avenue, a frontage of 15.24m to Doncaster Avenue and an overall area of 1950.9m².



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is generally compliant with the exception of the variations noted below. The DA has been assessed against the controls that were in force at the time of DA lodgement. The DA was lodged prior to the amended DCP controls for Child Centres which came into force on 22 December 2015. This is discussed in more detail in the Compliance with Plans or Policies section of this report.

Below is a summary of the key development statistics associated with the DA and any variations.

Camden Local Environmental Plan 2010			
Clause	Requirement	Provided	Compliance
4.3 Height Buildings	of Maximum 9.5m building height	Proposed 5.2m building height.	Yes
7.5 Child Centres	Care Child care centres must:		
	(i) Have a minimum area of not less than 1200 square metres; and,	1950m ²	Yes
	(ii) Not have a boundary that adjoins an existing or proposed classified road.	The site does not have a boundary with an existing or proposed classified road.	Yes



Camden Development Control Plan 2011			
Clause	Requirement	Provided	Compliance
B5 Access and Parking	<p>Child care centres requires</p> <p>1 car parking space per employee</p> <p>1 car parking space per 6 children</p> <p>For the purposes of this calculation, the number of employees is based on the staffing requirements of the Children's Service Regulation 2004.</p>	<p>The proposed development will employ 16 staff and accommodate 88 children which would require 31 car parking spaces on site.</p> <p>23 car spaces are proposed</p>	No – See DCP Variation 1
D5.1 Child Care Centre			
D5.1 (3) Site Planning	Child care centres should be located where traffic control devices do not impede vehicular access into the site.	There is an existing concrete median in Somerset Avenue which will allow left in and left out of the proposed childcare centre.	No – See DCP Variation 2
D5.1 (4) Setbacks	<p>Front Setback – Min. 5.5m</p> <p>Secondary Street – Min. 4m</p> <p>Side Setback – Min. 1.2m</p> <p>Side setback to access door from children's internal space – 4m</p> <p>Rear Setback – 4m from ground floor, 8m from first floor</p>	<p>Front Setback to Somerset Avenue - 19m</p> <p>Front Setback to Doncaster Avenue – 12.6m</p> <p>North – 1.2m South – 1.2m</p> <p>No access points are located within 4.0m of a side elevation.</p> <p>Given the site orientation, there is no applicable rear boundary.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
D5.1 (16) Hours of Operation	Hours of operation will be restricted between 7am and 6pm Monday to Friday. Extended hours	The proposed development will operate between 7.00am and 7.00pm, Monday to	Yes



Camden Development Control Plan 2011			
Clause	Requirement	Provided	Compliance
	maybe considered where it can be demonstrated that there will be no adverse impacts on neighbouring properties.	Friday. Clause 17 of Section D5 of the DCP allows Council to consider longer hours of operation. This discussed further in the key issues impacts of the report.	

ASSESSMENT

Zoning and Permissibility

Zoning:	R3 – Medium Density Residential
Permissibility:	The proposed development is defined as a “child care centre” by the LEP which is a permissible land use in this zone.

Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration

State Environmental Planning Policy(s) - S79C(1)(a)(i)	State Environmental Planning Policy 55 – Remediation of Land - Compliant with conditions recommended where necessary. State Environmental Planning Policy 64 – Advertising and Signage - Compliant with conditions recommended where necessary. Deemed State Environmental Planning Policy 20 – Hawkesbury-Nepean River - Compliant with conditions recommended where necessary.
Local Environmental Plan - S79C(1)(a)(i)	Camden LEP 2010 - Compliant with conditions recommended where necessary.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	Camden DCP 2011 - Generally compliant with variations proposed as discussed below.
Planning Agreement(s) - S79C(1)(a)(iiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions.
Likely Impacts - S79C(1)(b)	No significant impacts. The likely impacts are discussed in the Key Issues section of this report.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	Two submissions were received which are discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.



Compliance with Plans or Policies

The subject DA was lodged on 11 September 2015. On 22 December 2015 the DCP controls for child care centres and associated car parking requirements were amended coming into force on that date. In accordance with A1.11 of the DCP, the transitional arrangements note that the DCP applies from the date of commencement. As such the new amended DCP controls are not retrospectively applied to development applications lodged prior to the commencement date.

DCP Variation 1 – Car Parking

DCP Control

Section B5 of the Camden DCP relates to Access and Parking. When the application was lodged on the 11 September 2015, the car parking requirements for childcare centres included 1 car parking space per employee plus 1 car parking space per 6 children to be provided on site.

The proposed development will employ 16 staff and accommodate 88 children which would require 31 car parking spaces on site.

Variation Request

The applicant has requested a variation to car parking based on the fact that the proposed car parking complies with the amended DCP.

As previously noted, on 22 December 2015 the DCP controls for child care centres and associated car parking requirements were amended. The amended controls in Section B5 of the Camden DCP specify 1 car parking space per 4 children to be provided on site. The proposed childcare centre will accommodate 88 children, therefore 22 car spaces are required under the new provisions. The application proposes to provide 23 car spaces on site.

The applicant has provided a revised traffic report including details of staffing arrangements and how the car park will be managed. The staff start and finish times will be staggered and 16 staff will be required during the middle of the day between 10.00am and 2.00pm. A maximum of 11 staff will be on site at peak arrival and departure times.

Given the location of the proposed child care centre close to the Narellan town centre and within 100m of a bus route staff may walk to work, use public transport or get dropped off at work. The worst case scenario if all 11 staff members park on site there will be 12 spaces available for parent pick up and drop off at peak periods.

The pick-up and drop off times will be staggered. Generally drop offs will occur between 7.00am and 9.00am and pick up times will occur between 3.00pm and 6.00pm.

As shown on the site plan submitted, four car spaces for staff will be located to the rear of the site and accessed off Doncaster Avenue. Signage will be erected indicating that these are staff only spaces. The parent pick-up and drop off spaces are located in the main car park accessed off Somerset Avenue. A condition of consent will require that 12 spaces are clearly marked for pick up and drop off only and the other 7 spaces can be used by staff and visitors.

The 23 car spaces provided on site are considered adequate to cater for the parking demand.

Council Staff Assessment

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

- The DCP has been amended as of 22 December 2015 and the number car spaces proposed is in accordance with the amended controls.
- The revised car parking requirements for childcare centres as adopted were amended to be consistent with the RMS recommendations for car parking.
- One additional car space is provided in excess of the requirements of the amended DCP controls.
- Council's Traffic Section are satisfied that the car parking arrangement and the number of car spaces provided is adequate for the childcare centre as proposed.
- Conditions of consent will require the car parks to be appropriately sign posted and marked to clear show the pick-up and drop areas and staff spaces.
- A condition of consent will require an operational management plan to be implemented to include traffic and car park management which must then be adhered to by parents, visitors and staff.

Consequently it is recommended that the variation to the DCP be supported in this instance.

DCP Variation 2 – Traffic Control Device

DCP Control

Section D5.1 of the Camden DCP specifies that child care centres should be located where traffic control devices do not impede vehicular access into the site.

The proposed entrance to the site is located approximately 20m from the intersection of Somerset Avenue and Elyard Street. There is an existing concrete median on Somerset Avenue which will restrict access to left in and left out of the site. Therefore the proposal does not comply with the DCP control regarding access to the site.

Variation Request

The applicant has requested a variation to allow the child care centre at this location as it is not considered the existing traffic control device will have any detrimental effect on traffic flow.

Council Staff Assessment

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



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- Council's Traffic Section have reviewed the Traffic, Access and Parking Assessment submitted to support the application and are satisfied that the location of the combined entry/exit which is located to the southern end of the Somerset Avenue frontage is adequate.
 - Council Officers are satisfied that all vehicles can enter and exit the site in a forward direction and that the left in and left out restriction will not have any adverse impact on traffic flow in the area.
 - The existing concrete median will be extended by approximately 2m to prevent illegal right turns onto Somerset Avenue.
 - Appropriate signage regarding the left out exit into Somerset Avenue will be installed by the applicant.

Consequently it is recommended that the variation to the DCP be supported in this instance.

Key Issues

Hours of Operation

Camden DCP specifies that the hours of operation for childcare centres will be restricted between 7am and 6pm Monday to Friday. The proposed hours of operation are 7am to 7pm Monday to Friday. However, the DCP specifies that Council may consider longer hours if it can be demonstrated that there will be no adverse impacts on neighbouring properties.

Officers consider that the hours of operation are appropriate for the following reasons:

- The hours of operation proposed are in accordance with the amended DCP controls for childcare centres adopted on 22 December 2015 which allow 7am to 7pm Monday to Friday.
- The proposed hours are not likely to give rise to any adverse impacts on neighbouring residential development.
- The additional hour in the evening is likely to encourage greater flexibility in terms of pick up times and reduce numbers at peak pick up times.

Car parking and Security

A condition of consent will require access to the site off Doncaster Avenue to be signposted, restricting this access and car park to staff only. The requirement for a security gate to allow staff only access to the building will also be imposed as a condition of consent.

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 24 September 2015 to 7 October 2015. Two (2) submissions were received both objecting to the proposed development.

Council staff contacted both submission writers to discuss their concerns however were unsuccessful in resolving the issues raised in the submissions.

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

1. Proposal will exacerbate existing traffic issues

Officer comment:

The DA has been accompanied by a detailed traffic assessment which specifically assesses the existing traffic network and projects the likely impacts of the proposal on the local road network. The report concluded that the existing road network will be able to accommodate the proposed development without any significant traffic impacts. The traffic report was assessed by Council's Traffic Engineer, who recommends approval subject to the imposition of conditions on any development consent issued.

Particular concerns were raised regarding the existing traffic situation in Somerset Avenue and parking of vehicles by staff of existing businesses within Somerset Avenue, Slade Street and in front of existing driveways. These issues are existing issues and it is anticipated that the traffic issues in this area will be reduced once the works to the Narellan Town Centre and shopping centre are completed.

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

2. Traffic impacts and vehicular access conflicts.

Officer comment:

Concern was raised regarding vehicular access to and from the site from Somerset Avenue and Elyard Street due to proximity of the entrance to the intersection. Council's Traffic Engineer shared similar concerns and requested that the applicant combine the entrance/exit and locate it to the south of the site away from the intersection. The applicant provided an updated traffic report and amended plans which addressed the concerns raised. The amended plans were provided to both submitters for review.

There is an existing concrete traffic median on Somerset Avenue so that only left in and left out can occur. The extension of the concrete traffic island will be imposed as a condition of any development consent issued by Council. Council's Traffic Engineer is satisfied that this mechanism will prevent drivers attempting a right hand turn into or out of the site.

The access from Somerset Avenue will be the principal entrance to the site for patron vehicles. The pick-up and drop off car park is considered to be of a sufficient size that on street parking in Somerset Avenue is not anticipated. To ensure that Doncaster Avenue is not utilised by parents dropping off their children (which may result in cars parking on the street) signage will be installed through conditions and restricted access to staff only will be provided.

3. Insufficient car parking provided.



Officer comment:

As noted previously, the DA was accompanied by a detailed traffic report which considered the adequacy of the proposed car parking area in terms of the number of off-street car parking spaces and the access arrangements. The report concluded that the existing road network will be able to accommodate the proposed development without any significant impacts, and this is supported by Council's Traffic Engineer.

With respect to the number of parking spaces proposed, a total of twenty three (23) spaces are provided on site. As discussed in this report, the car parking complies with the current requirements of the Camden DCP as of 22 December 2015. The development provides one additional space in excess of the current minimum DCP requirements.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1029/2015 is recommended for approval subject to the recommended conditions attached to this report.

RECOMMENDED

That Council approve the application to consolidation of three existing lots, demolition of existing buildings, tree removal, construction of a child care centre, car parking, landscaping, signage and associated site works at 25 & 27 Somerset Avenue and 24 Doncaster Avenue, Narellan.

ATTACHMENTS

1. Recommended Conditions
2. Proposed Plans
3. Public Exhibition and Submissions Map - *Supporting Document*
4. Submissions - *Supporting Document*



ORDINARY COUNCIL

ORD04

SUBJECT: CONSTRUCTION OF AN ATTACHED TWO (2) STOREY DUAL OCCUPANCY INCLUDING SITE AND DRAINAGE WORKS - 4 KELLY STREET, ORAN PARK

FROM: Director Planning & Environmental Services

TRIM #: 16/92855

APPLICATION NO: DA/2015/1172
PROPERTY ADDRESS: 4 Kelly Street Oran Park
APPLICANT: Mr A Taleb

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of an attached two (2) storey dual occupancy including associated site and drainage works at 4 Kelly Street Oran Park.

The DA is referred to Council for determination as there is one submission objecting to the proposal that has not been resolved.

SUMMARY OF RECOMMENDATION

That Council determine DA 2015/1172 for the construction of an attached two (2) storey dual occupancy including associated site and drainage works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 2015/1172 seeks approval for the construction of an attached two (2) storey dual occupancy including associated site and drainage works.

Specifically the proposed development involves:

- Construction of a two (2) storey dual occupancy with each of the dwellings containing 4 bedrooms and a double garage;
- Connection of the drainage lines to an easement at the rear of the site;
- Site works to facilitate the development; and
- Landscaping of the site.

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

THE SITE

The site is commonly known as 4 Kelly Street Oran Park and is legally described as Lot 4325 of DP1195720.

The site is located on the western side of Kelly Street Oran Park. To the south is a single storey dwelling and to the north the site adjoins 2 allotments one of which contains a single storey dwelling and the other is vacant.



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is fully compliant. Below is a summary of the key development statistics associated with the DA.

	Standard	Proposed	Compliance
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP)			
4.1A Minimum Lot Size	Minimum lot size for dual occupancies of 500m ² .	The site has an area of 627.8m ²	Yes
4.3 Height of Building	Maximum 9.5m building height	Proposed 9m maximum building height	Yes
Oran Park Development Control Plan 2007 (DCP)			
7.6.3 Front Setback	4.5m to building façade line 3.0m to articulation zone 5.5m to garage line and 1m behind the building façade line	Dwelling 1 – 4.5m Dwelling 2 – 4.5m Dwelling 1 – 3.0m Dwelling 2 – 3.0m Dwelling 1 – 6.8m Dwelling 2 – 6.8m Both garages are	Yes



		setback 1m behind building façade line.	
7.6.4 Rear Setback	Rear setbacks – 4m ground floor and 6m first floor	Dwelling 1 Lower 8m Upper 13m Dwelling 2 Lower 7.2m Upper 12.1m	Yes
7.6.4 Side Setbacks	0.9m at ground and 1.5m at upper	Dwelling 1 Lower 1.2m Upper 1.8m Dwelling 2 Lower 1.2m Upper 1.5m	Yes
7.6.5 Site Coverage	Two storey dwellings 50% ground floor 30% upper floor	Total ground floor coverage is 244.753m ² = 39%. The two upper floors have an area of 180.3m ² = 28.7%.	Yes
7.6.6 Landscaped Area	Min 30% of lot area	199.1m ² landscaped area= 31.7%.	Yes
7.6.8 Car parking	3 bedrooms or more, dwellings must provide at least 2 car spaces.	Both dwellings provide 2 spaces within a double garage.	Yes
7.6.7 Principal Private Open Space (PPOS)	Minimum 24m ² per dwelling.	Dwelling 1 has 59m ² of PPOS is provided with a minimum dimension of 4m. Dwelling 2 has 52.567m ² of PPOS is provided with a minimum dimension of 4.8m.	Yes
7.6.7 Solar Access	50% of the PPOS (of both the proposed development and adjoining properties) is required to receive 3 hours of sunlight between 9am and 3pm	50% of the PPOS for both the proposed development and adjoining properties will receive sunlight	Yes



	on 21 June.	between 9am and 3pm on 21 June.	
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ASSESSMENT

Zoning and Permissibility

Zoning:	R1 General Residential
Permissibility:	The proposed development is defined as a "dual occupancy" by the LEP which is a permissible land use in this zone.

Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration

State Environmental Planning Policy(s) - S79C(1)(a)(i)	<p><u>State Environmental Planning Policy 55 – Remediation of land</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</u> Compliant with conditions recommended where necessary.</p> <p><u>Deemed State Environmental Planning Policy No 20–Hawkesbury-Nepean River</u> Compliant with conditions recommended where necessary.</p>
Local Environmental Plan - S79C(1)(a)(i)	None applicable.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	<p><u>Oran Park Development Control Plan 2007 (DCP)</u> Compliant with conditions recommended where necessary.</p> <p><u>Camden Development Control Plan 2011 (DCP)</u> Compliant with conditions recommended where necessary.</p>
Planning Agreement(s) - S79C(1)(a)(iiia)	None
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions or None applicable
Likely Impacts - S79C(1)(b)	No significant impacts
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development
Submissions - S79C(1)(d)	One submission was received which is discussed in the submissions section of this report



Public Interest - S79C(1)(e)	The development is in the public interest
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Key Issues

The key issues associated with the DA are limited to the submissions issues discussed in this report.

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 14 October 2015 to 27 October 2015. One (1) submission was received objecting to the proposed development.

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

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

1. *Concerns with the impact of overlooking and loss of privacy.*

Officer Comment:

The submitter has raised concerns with the impact of overlooking and loss of privacy.

The upper level of the proposed dwellings contain bedrooms and service areas, there are not entertaining areas. Bedrooms are considered low use rooms and therefore do not result in unacceptable privacy impacts.

The windows in the south-eastern elevation of the subject development service a garage, living area and alfresco at the ground level.

Due to the site topography the relationship of this development to the adjoining neighbour will not result in considerable or unacceptable level of overlooking. A 1.8m high lapped and capped fence along the property boundary will prevent overlooking from the living room windows.

The rear of the development has been stepped down with the site topography so the ground floor level is not elevated. The setback of the adjoining development from the common boundary provides visual relief through distance. In this regard it is considered the development is acceptable.

A condition is recommended requiring a 1.7m high privacy screen along the south eastern side of the alfresco area to dwelling 2, to prevent overlooking to the rear yard and entertaining space of the adjoining developments.

The development subject to the privacy screen is acceptable with respect to residential amenity.

2. *Proposal will cause overshadowing impacts.*

Officer Comment:

The site complies with the DCP requirements for solar access for the proposed development and the adjoining property. The controls require that sunlight must reach



at least 50% of the PPOS of both the subject dwelling and the adjoining dwelling, for not less than 3 hours between 9.00am and 3.00pm on 21 June.

Shadow diagrams provided with the DA demonstrate that both the subject site and the adjoining dwellings receive 3 hours of sunlight between the hours of 9am and 3pm to 50% of their principal private open space areas on 21 June.

The northern side of the dwelling adjoining to the south will be overshadowed to various degrees throughout the day in mid-winter. There will be some solar access to the guest bedroom early morning, however the remainder of this space is in shade.

The rear north western side of the yard within the southern allotment will receive solar access after 12 noon with the remainder of the rear yard receiving sunlight throughout the day.

As a result there will be in excess of 3 hours of sunlight to 50% of the private open space of the subject and adjoining allotments during the day, which complies with the minimum requirements of the DCP.

3. *Dual occupancies are not permitted in a low density area.*

Officer Comment:

The submitter has indicated they were of the opinion dual occupancies were not permitted in a low density area.

A dual occupancy development is permissible in the zone. The DA before Council is compliant with all the planning controls for dual occupancy development and is considered acceptable.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1172/2015 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve the development application for the construction of an attached two (2) storey dual occupancy including associated site and drainage works at 4 Kelly Street, Oran Park.

ATTACHMENTS

1. Recommended Conditions
2. Proposed Plans
3. Floor Plans - *Supporting Document*
4. Public Exhibition and Submissions Map - *Supporting Document*
5. Submission - *Supporting Document*



ORDINARY COUNCIL

ORD05

SUBJECT: CODE OF MEETING PRACTICE AMENDMENTS
FROM: Director Customer & Corporate Services
TRIM #: 16/11591

PURPOSE OF REPORT

To seek Council approval of proposed amendments to the Code of Meeting Practice in accordance with legislative requirements, and to authorise public exhibition of a draft amended Code.

BACKGROUND

While legislation sets out certain procedures that must be followed in council and committee meetings, additional procedures vary from council to council. These differences often reflect local cultural practices and priorities.

A council's meeting procedures must follow the *Local Government Act 1993* (the Act), the *Local Government (General) Regulation 2005* (the Regulation), and Council's Code of Meeting Practice. The Act and Regulation must be followed if the Code of Meeting Practice is inconsistent with them.

The attached proposed draft Code of Meeting Practice is designed to contribute to good public decision-making through the setting out of sound meeting practices.

Council are also aware that on 8 Jan 2016, The NSW Government commenced consultation on the first phase of amendments to the Act. One of the proposed amendments includes a model code of meeting practice (a Model Meeting Code). The proposed Model Meeting Code will comprise mandatory provisions and non-mandatory best practice provisions with the possibility that Councils will be required to adopt meeting codes that incorporate the mandatory provisions.

Council's Code of Meeting Practice was last updated in 2012 and it is timely to undertake a review prior to any new Model Meeting Code being developed.

MAIN REPORT

It is proposed to make a number of amendments to clarify certain aspects of the legislation and local practice, as indicated in the attached draft and summarised below:



CLAUSES	ACTION	REASONS
WHOLE DOCUMENT	Spelling corrections, minor clarifications, reference changes, definitions, and grammatical changes made	Added for clarity and to ensure consistency and accuracy
PREAMBLE / BACKGROUND	Replacement made including objectives and the review process	Added for clarity and compliance with the Act
TABLE OF CONTENTS & HEADINGS , APPENDIX	Minor amendments made to numbering and some titles	Added for clarity and to ensure consistency
DEFINITIONS	New definitions added for <i>Closed Council, Councillor, Council Chamber, Personally Present, Quorum, Section, The Act</i>	Addition based upon other Codes of Meeting Practice and for clarity
2.1 NOTICE OF MEETING	New clauses 2.1.5, 2.1.6, 2.1.7, 2.1.8 and 2.1.9 added concerning sending meeting notices, obligation to open meeting and requirement to meet	Addition based upon other Codes of Meeting Practice and for clarity
2.2 QUORUM	New clause 2.2.4 added concerning failure to achieve quorum due to pecuniary interests	Addition based upon other Codes of Meeting Practice and for compliance with the Act



CLAUSES	ACTION	REASONS
2.4 PRESENCE AT COUNCIL MEETINGS	New clauses 2.4.2, 2.4.3, 2.4.4, 2.4.5 added concerning public and GM attendance	Addition based upon other Codes of Meeting Practice and for clarity
2.5 LEAVE OF ABSENCE	New clauses 2.5.2, 2.5.3, 2.5.4, 2.5.5, 2.5.6, 2.5.7 added concerning apologies and leave of absence	Addition based upon other Codes of Meeting Practice and for clarity
2.6 EXTRAORDINARY MEETINGS	New clause added concerning calling of extraordinary meetings	Addition based upon other Codes of Meeting Practice and for clarity
3.3 CHAIRPERSON'S DUTY WITH RESPECT TO MOTIONS	New clause 3.3.4 added concerning recording divisions on all matters	Added to ensure clear records of voting on all matters
3.4 ORDER OF BUSINESS	Inserted into clause 3.4.1 'Acknowledgment of Country' and 'Closed Council'	Reflects current practice
3.5 AGENDA AND BUSINESS PAPERS FOR COUNCIL MEETING	New clause 3.5.6 added to prevent alteration of issued business papers	Added for clarity
3.6 PUBLIC ADDRESSES AT COUNCIL MEETINGS	Existing clause updated with reference to new guidelines at Appendix C, and new clause 3.6.3 added to provide notice of public addresses to Councillors	Replaced by new public address guidelines



CLAUSES	ACTION	REASONS
3.11 NOTICE OF MOTION—ABSENCE OF MOVER AND GENERAL REQUIREMENTS	New clauses 3.11.2, 3.11.3, 3.11.4 added to address lodgement of motions, motions concerning donations, and mayoral motions	Added for clarity and compliance with Council policy
3.13 HOW SUBSEQUENT AMENDMENTS MAY BE MOVED	New clauses 3.13.2, 3.13.3, 3.13.4, 3.13.5 added to clarify amendments	Added for clarity and consistency
3.15 QUESTIONS MAY BE PUT TO COUNCILLORS AND COUNCIL EMPLOYEES	Clause 3.15.3 amended to include 1 minute restriction on Councillors per item to put questions or a series of related questions	Added to expedite Council business
3.16 LIMITATION AS TO NUMBER OF SPEECHES	New clause 3.16.8 added to restrict interruptions to issues of disorder	Added to expedite Council business
3.17 VOTING AT COUNCIL MEETINGS	Clause 3.17.3 amended to require divisions for all decisions	Added to ensure clear records of voting on all matters
3.20 CLOSING A MEETING 3.21 WHICH PARTS OF A MEETING CAN BE CLOSED 3.22 FURTHER LIMITATIONS RELATING TO CLOSURE OF PARTS OF MEETINGS TO THE PUBLIC	New clauses added to set out the legislative requirements for closing meetings	Added for clarity



CLAUSES	ACTION	REASONS
3.23 NOTICE OF LIKELIHOOD OF CLOSURE NOT REQUIRED IN URGENT CASES	New clauses added to set out the legislative requirements for closing meetings	Added for clarity
3.24 GROUND FOR CLOSING PART OF A MEETING TO BE SPECIFIED		
3.27 DISCLOSURE OF INTERESTS (PECUNIARY INTERESTS/ CONFLICTS OF INTEREST)	New clauses added to set out the legislative requirements for disclosure of interests	Added for clarity
3.28 WHAT IS A PECUNIARY INTEREST		
3.29 INTERESTS THAT DO NOT REQUIRE DISCLOSURE		
3.30 WHO HAS A PECUNIARY INTEREST?		
3.31 REPORTABLE POLITICAL DONATIONS	New clause added to set out legislative requirements for political donations	Added to incorporate the requirements under the Act & <i>Election Funding, Expenditure and Disclosures Act 1981</i>
3.32 PROCEDURAL MOTION	New clause and table added to differentiate between various procedural motions	Referred to in other Council Codes of Meeting Practice and added for clarity
4.2 ACTS OF DISORDER	New clause 4.2.4 added concerning the use of irrelevant material in debate	Added to expedite Council business



CLAUSES	ACTION	REASONS
4.5 DEFAMATORY STATEMENT AT A COUNCIL MEETING	New clause added concerning defamation	Added to highlight application of defamation law
4.6 BEHAVIOUR OF MEMBERS OF THE PUBLIC ATTENDING A COUNCIL MEETING	New clause added to address behaviour of members of the public attending a council meeting	Added to provide clarity around acceptable public behaviour
5.1 COMMITTEE OF THE WHOLE	New clause 5.1.1 added concerning Council's ability to resolve into a committee	Added for clarity
6.2 RECORDING OF MEETING OF COUNCIL OR COMMITTEE BY MEMBERS OF THE PUBLIC PROHIBITED WITHOUT PERMISSION	Clause 6.2.4 amended to include restriction on use of still cameras and other devices during council meetings	Added to provide clarity and consistency around recording at council meetings
6.4 RECEIPT OF PETITIONS	Replacement clauses added to clarify practice concerning petitions and providing criteria	Added to provide clarity and consistency around the form and content of petitions
APPENDIX C Public Address Session guidelines	New appendix added	Added to provide a comprehensive set of requirements for public addresses, including limiting to matters on the business paper as per - Campbelltown (no public forum at ordinary meeting - listed items at committees only), Wollondilly (no public forum at ordinary meeting – separate community forum), City of Sydney (no public forum at ordinary meeting - listed items at committees only) Blue Mountains, Hawkesbury,



		North Sydney, Randwick, Mosman, Manly and Waverly, Canada Bay, Ashfield, Botany Bay, Canterbury, Leichhardt, Marrickville, Pittwater, Rockdale, Strathfield, Hunters Hill, Woollahra.
APPENDIX C Public Address – Application Form	New form added	Added to support new public address guidelines

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed draft Code of Meeting Practice seeks to enhance and clarify meeting procedures and will provide a clear guide to Councillors and the community. It seeks to continue to ensure that meetings are run openly, with procedures in place to increase Council's transparency and accountability in the decision-making process.

The proposed draft Code of Meeting Practice is submitted for Council's consideration.

RECOMMENDED

That Council:

- i. endorse the proposed draft Code of Meeting Practice attached to this report; and**
- ii. authorise the public exhibition of the draft Code of Meeting Practice for a period of 28 days in accordance with Section 361 of the *Local Government Act, 1993*, allowing 42 days after the date on which the draft Code is placed on public exhibition for submissions to be made to Council; and**
- iii. if no submissions are received, adopt the draft Code with effect from the day after the close of the submission period; or**
- iv. if submissions are received, receive a further report to Council following the exhibition period to consider submissions received and to adopt a final Code or re-exhibit the draft Code if further proposed amendments are substantial.**

ATTACHMENTS

- 1. Code of Meeting Practice - (revised)



ORDINARY COUNCIL

ORD06**SUBJECT: AMENDMENT OF CORPORATE DOCUMENTATION - CAMDEN
REGION ECONOMIC TASKFORCE****FROM: Director Customer & Corporate Services****TRIM #: 16/59570**

PURPOSE OF REPORT

The purpose of this report is to seek Council approval:

- (i) of the **attached** amended final draft Constitution and Section 358 Application that will provide the framework that oversees the creation, governance and operation of the **Camden Region Economic Taskforce** ("Taskforce") and;
- (ii) that the final draft Constitution and Section 358 Application be forwarded to the Office of Local Government.

BACKGROUND

At the Ordinary meeting on 25 August 2015, Council resolved to:

- i. adopt the key documents:*
 - (a) Constitution;*
 - (b) Statement of Corporate Intent;*
 - (c) Board Governance Policies;*
 - (d) Board Charter;*
 - (e) Service Level Agreement;*
- ii. determine the entity name as "Camden Region Economic Taskforce";*
- iii. resolve to proceed with seeking Ministerial approval prior to registering the entity with a name as determined following (ii) above; and*
- i. note that consultation is to occur with stakeholders concerning their engagement in partnership with the entity.*

Following Council's resolution, a detailed Section 358 Application was prepared and submitted to the Minister for Local Government on 18 November 2015 for assessment and approval.

The Office of Local Government (OLG) has deemed the application to be satisfactory from a financial perspective, however, their legal function has advised that the draft Constitution and application will require amendments prior to being recommended for approval. The proposed amendments have been reviewed by Council officers and are considered satisfactory.

MAIN REPORT

Attached are the amended Section 358 Application and draft Constitution. These must be re-submitted to the OLG following Council's endorsement.

Section 358 Application

As recommended by the OLG, the application has been amended to remove any reference to 'shareholder', as a company limited by guarantee does not have shareholders.

Draft Constitution Changes

After discussion and negotiation with the OLG, it is proposed to make a number of amendments to the Constitution, as indicated in the attached draft constitution and summarised in the document **attached**.

In summary, the amendments of a non-minor nature are:

- **Clause 3 – Not for Profit Company**, to include a statement of non-profit status, and an amended description of allowed payments.
- **Clause 19 – Appointment of Independent Directors**, to clarify that independent directors are not elected, the removal of election provisions and the addition of eligibility criteria for independent Directors.
- **Clause 25 – Remuneration and Expenses of Directors**, to clarify that expenses are included, to add prohibition on fees to Directors, to qualify the expenses as 'reasonable', and to apply payment conditions for services rendered by Directors.
- **Clause 41 – Winding Up**, was re-worded and split into 2 clauses to add reference to 'debts and liabilities', and to add references to Acts and court orders.
- **Clause 42 – Obligations and Restrictions**, was added to prohibit membership of other corporations.
- **Clause 43 – Amending this Constitution**, was added to allow amendment of the constitution subject to the Corporations Act and the consent of the Minister for Local Government.

FINANCIAL IMPLICATIONS

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

The Next Steps

Following formal adoption of the amended documents, Council officers will advise the OLG of the accepted changes and request that they progress the matter with all possible haste to the Minister for approval.

Upon receiving Ministerial approval, Council officers will attend to the filing of the appropriate documents to formally register the entity.

Following incorporation of the company, Council officers will commence consultation with the key stakeholders (as noted in earlier Council reports) concerning their engagement in partnership with the new Taskforce.

Simultaneously, officers will conduct a recruitment process for independent Directors for confirmation by Council.

Once selected, Council will then consult with the Board on the creation of KPI's with a report to be brought back to Council to allow adoption of the performance measures



and the confirmation of the reporting to be provided.

CONCLUSION

This report notes the negotiations that have been undertaken to obtain the endorsement of the Office of Local Government's Senior Lawyer for the Section 358 Application and draft amended Constitution. Following endorsement by Council, the draft amended Constitution and Section 358 Application will be sent to the OLG for final endorsement and forwarding to the Minister's office for approval.

RECOMMENDED

That Council:

- i. adopt the amended final draft Constitution and Section 358 Application;**
- ii. continue to seek Ministerial approval; and**
- iii. authorise the General Manager to make any further minor administrative amendments to the documents.**

ATTACHMENTS

1. Camden Region Economic Taskforce Amended Section 358 Application
2. Camden Region Economic Taskforce Summary of Amended Draft Constitution Changes for Council Report 12 April 2016
3. Camden Region Economic Taskforce Amended Draft Constitution



ORDINARY COUNCIL

ORD07

ORD07

SUBJECT: INVESTMENT MONIES - FEBRUARY 2016
FROM: Director Customer & Corporate Services
TRIM #: 16/95510

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 29 February 2016 is provided.

MAIN REPORT

The weighted average return on all investments was 3.41% p.a. for the month of February 2016. The industry benchmark for this period was 2.41% (Ausbond Bank Bill Index).

It is certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

The Responsible Accounting Officer is the Manager Finance & Corporate Planning.

Council's Investment Report is an **attachment to this report**.

RECOMMENDED

That Council:

- i. **note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act*, Regulations, and Council's Investment Policy;**
- ii. **note the list of investments for February 2016 and;**
- iii. **note the weighted average interest rate return of 3.41% p.a. for the month of February 2016.**

ATTACHMENTS

1. Investment Report - February 2016



ORDINARY COUNCIL

ORD08

SUBJECT: CAMDEN TOWN FARM MASTER AND MANAGEMENT PLAN 2016
FROM: Director Community Infrastructure
TRIM #: 15/328702

PURPOSE OF REPORT

The purpose of this report is to recommend Council's endorsement for placement of the draft Camden Town Farm Master and Management Plan 2016 (**Attachment 1**) on public exhibition for a period of 28 days.

BACKGROUND

The Camden Town Farm provides the Camden Local Government Area with a rural precinct that links the agricultural heritage of the Macarthur region to the Townships urbanisation.

The previous Master Plan for the Camden Town Farm was written in March 2007. A review of the Master Plan has been undertaken by the Camden Town Farm s355 Management Committee during 2015-2016. The revised plan provides greater detail in maintaining the vision for the Town Farm whilst outlining the proposed future uses, which were endorsed unanimously by the Committee on 17 February 2016.

The revised Master and Management Plan 2016 provides a strategic outline of the key elements of the Camden Town Farm, including the local heritage significance, potential development, functions, activities, their relationship and impacts as well as a clear vision and direction on the range of agricultural, livestock, community and tourism events that could be held at the Camden Town Farm.

MAIN REPORT

The Master and Management Plan 2016 is representative of the current vision and strategic directions for the Camden Town Farm and is consistent with the wishes of Miss Llewella Davies who bequeathed the farm to Camden Council.

The vision is as follows:

'The farm will be developed and maintained primarily for agricultural, tourism and educational purposes. It will be operated and managed in a sustainable manner that retains its unique character and encourages and facilitates community access, participation and visitation'

The strategies to achieve the vision are as follows:

1. Fostering agricultural pursuits and activities
2. Facilitate tourism and visitation
3. Integrate educational uses and activities
4. Establish best practice environmental management
5. Conserve and use heritage buildings and portray the history of the farm



The Master and Management Plan 2016 expands on the types of functions and activities proposed for the Camden Town Farm such as, agricultural activities and community and recreational pursuits, which are outlined in Part B of the Plan and consistent with the current vision for the Farm. The Plan aims to ensure the vision is realised and the local heritage significance of the property is upheld and sustained.

It should be noted that some of the uses identified within the Master and Management Plan 2016 will require further approvals and may require consideration under a Development Application process.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The Camden Town Farm s355 Committee has undertaken a review of the Camden Town Farm Master Plan 2007. The revised Master and Management Plan 2016 aims to ensure that the vision of the Camden Town Farm is realised.

It is therefore proposed that the draft Camden Town Farm Master and Management Plan 2016 be placed on public exhibition for a period of 28 days, at which time a further report will be presented to Council outlining submissions received during the advertising period. Should no submissions be received during the advertising period it is requested that the Plan be adopted.

RECOMMENDED

That Council:

- i. resolve to place on public exhibition the Camden Town Farm s355 Committee's draft Camden Town Farm Master and Management Plan 2016, included as Attachment 1 to the report, for a period of twenty eight (28) days, and a report be brought back to Council following the receipt of any submissions; and**
- ii. if no submissions are received, adopt the Camden Town Farm Master and Management Plan 2016 effective from the day after the close of the exhibition period.**

ATTACHMENTS

- 1. Camden Town Farm Master and Management Plan**



ORDINARY COUNCIL

ORD09

SUBJECT: YMCA MANAGEMENT CONTRACT - THIRD TERM

FROM: Director Community Infrastructure

TRIM #: 16/74742

PURPOSE OF REPORT

The purpose of this report is to inform Council that the Young Men's Christian Association (YMCA) has entered into the third contract term for the management of Council's Aquatic and Leisure Facilities and to seek Council endorsement for the contract to be signed under Power of Attorney.

BACKGROUND

In 2009 Camden Council resolved to enter into a contract with the YMCA for the management of Camden War Memorial Pool and the Mount Annan Leisure Centre for a period of three years with the opportunity to extend the contract for a further two by three year terms at the option of the YMCA.

MAIN REPORT

The YMCA, in accordance with the Conditions of Contract have advised Council of their intention to enter into a third contract term for the management of Council's Aquatic and Leisure Centres, being 2015-2018.

The YMCA has complied with the terms of the Contract and are eligible to take up the continuation of the contract into the third term. At a briefing held on 9 June, 2015 the YMCA presented to Council their achievements over the past three years and information related to management of the facilities during the future term.

As a result, the extension of contract was forwarded to the YMCA for signing early in the 2015-2016 financial year. Whilst the YMCA have been complying with the conditions of the new contract over the past few months, the signed document was delayed in being returned to Council due to changes to the members of the YMCA board and the processes by which documentation was presented to them for signing. The Contract has since been returned to Council signed, and now is required to be executed by Council.

It is requested that Council authorise the contract to be signed under Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. Budgets for the operation of the two facilities are provided by YMCA on an annual basis and considered as part of Council's budget process.



CONCLUSION

Council entered into a management contract with the YMCA in 2009 which included the option for the YMCA to extend the contract term by two additional three year contract terms, concluding in 2018.

This report is to inform Council that YMCA have requested to continue into the third term of this contract, in accordance with the Conditions of Contract, and request Council authorise the contract to be signed under Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16.

RECOMMENDED

That Council:

- i. note the information contained within this report; and**
- ii. authorise the third term of the Management Contract with YMCA be signed under Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16.**



ORDINARY COUNCIL

ORD10

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - THE IMPACT OF CELTIS SINENSIS, CELTIS AUSTRALIS AND CELTIS OCCIDENTALIS ON THE ENVIRONMENT

FROM: Cr Campbell

TRIM #: 16/106557

“I Councillor Eva Campbell hereby give notice of my intention to move the following at the Council Meeting of 12 April 2016:”

That Council investigate and report on:

- i. the impact of Celtis Sinensis, Celtis Australis and Celtis Occidentalis on the environment including the potential spread and distribution of the plant. This investigation should include an investigation into any associated health risk with the plant including the damage caused by Hackberry Wolly Aphid which infests the plant and is now known to the present in the Camden area; and
- ii. the process for having the plans declared as noxious weeds, and in the case of Celtis Sinensis and Celtis Australis having the declaration upgraded to a Class Three, to allow control and removal of the plant from the area.

RECOMMENDED

That Council:

Investigate and report on,

- i. **the impact of Celtis Sinensis, Celtis Australis and Celtis Occidentalis on the environment including the potential spread and distribution of the plant. This investigation should include an investigation into any associated health risk with the plant including the damage caused by Hackberry Wolly Aphid which infests the plant and is now known to the present in the Camden area; and**
- ii. **the process for having the plans declared as noxious weeds, and in the case of Celtis Sinensis and Celtis Australis having the declaration upgraded to a Class Three, to allow control and removal of the plant from the area.**



ORDINARY COUNCIL

ORD11

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - OUTSTANDING COMMUNITY CONTRIBUTION (GROUP)
FROM: Cr Campbell
TRIM #: 16/106571

“I Councillor Eva Campbell hereby give notice of my intention to move the following at the Council Meeting of 12 April 2016”

That Council include an annual award as part of the Australia Day celebrations, for Outstanding Community Contribution (Group), to allow recognition of groups of individuals who collectively make a significant contribution to the local community.

RECOMMENDED

That Council include an annual award as part of the Australia Day celebrations, for Outstanding Community Contribution (Group), to allow recognition of groups of individuals who collectively make a significant contribution to the local community.



ORDINARY COUNCIL

ORD12

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: Director Customer & Corporate Services
TRIM #: 16/101079

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

- Leasing of Council Properties
- General Manager Performance Review

Council may, by resolution, allow members of the public to make representations as to whether the meeting should be closed before any part of the meeting is closed to the public. A representation by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. That period would be limited to four minutes, in line with Council's Public Address Policy.

The meeting will only be closed during discussion of the matters directly the subject of the report and no other matters will be discussed in the closed section of the meeting.

Members of the public will be readmitted to the meeting immediately after the closed section is completed and if the Council passes a resolution during that part of the meeting that is closed to the public, the Chairperson will make the resolution public as soon as practicable after that closed part of the meeting has ended.

RECOMMENDED

That Council:

- i. the meeting be now closed to the media and public to discuss reports concerning commercial information of a confidential nature dealing with leasing of Council Properties, in accordance with the provisions of Section 10A(2)(a) and (c) of the Local Government Act, 1993; and**
- ii. any objections or submissions as to the closure of the meeting be now heard and be limited to a period of four minutes.**