



Camden Council

Business Paper

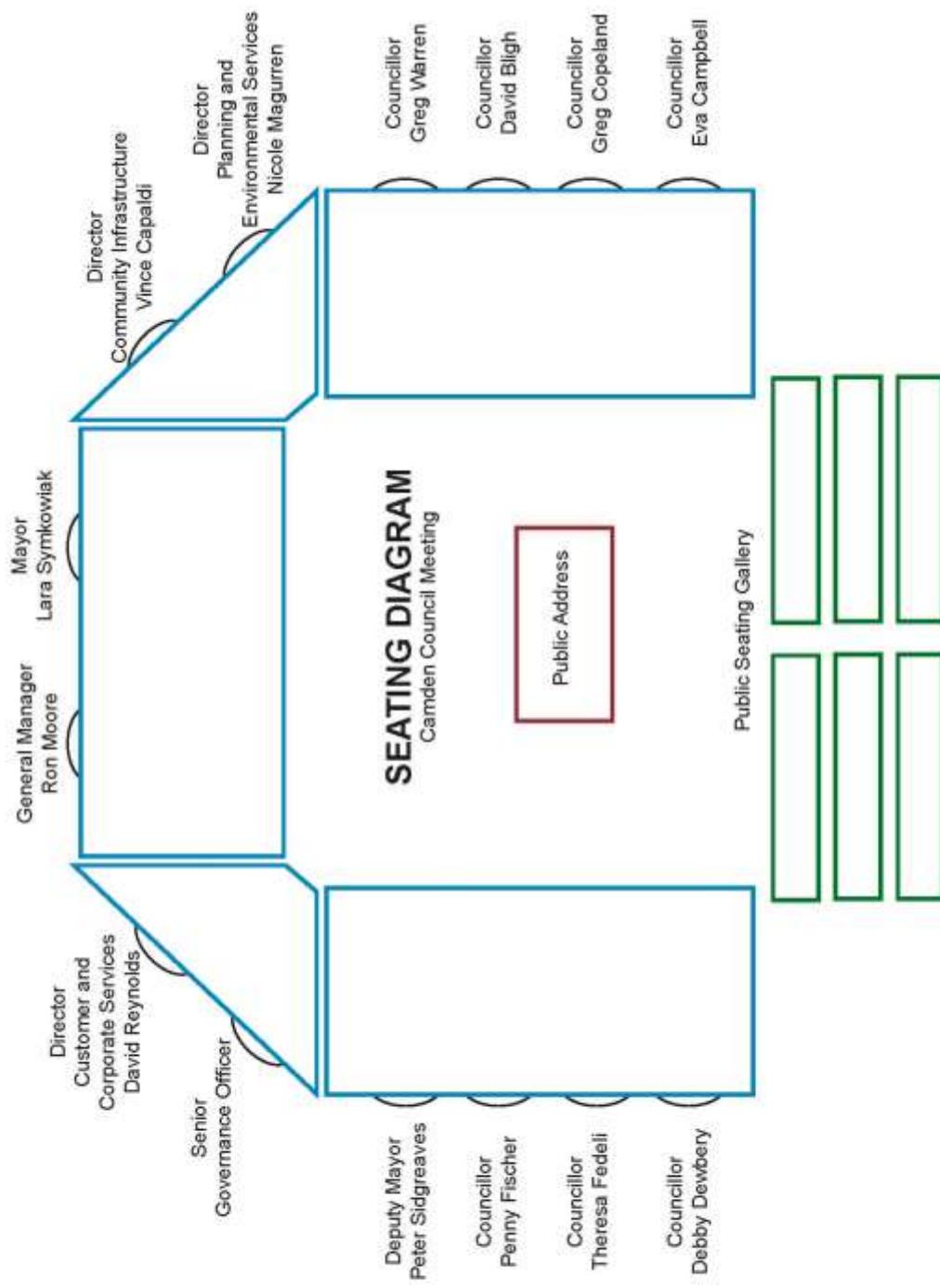
Ordinary Council Meeting
22 March 2016

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

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

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



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 8 March 2016.

Confirm and adopt the Minutes of the Local Traffic Committee Meeting held 16 February 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 8 March 2016, copies of which have been circulated, be confirmed and adopted.

That the Minutes of the Local Traffic Committee Meeting held 16 February 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 AN OUTBUILDING, EXTENSION OF DRIVEWAY AND ASSOCIATED SITE WORKS - 35 HARBEN VALE CIRCUIT, GRASMERE

FROM: Director Planning & Environmental Services

TRIM #: 16/39733

APPLICATION NO: 15/2016

PROPERTY ADDRESS: 35 Harben Vale Circuit, Grasmere

APPLICANT: Mr and Mrs Borg

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of an outbuilding, extension of an existing driveway and associated site works at 35 Harben Vale Circuit, Grasmere.

The DA is referred to Council for determination as there remain unresolved issues received in 1 submission.

SUMMARY OF RECOMMENDATION

That Council determine DA 15/2016 for the construction of an outbuilding, extension of an existing driveway 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 15/2016 seeks approval for the construction of an outbuilding, extension of an existing driveway and associated site works.

Specifically the proposed development involves:

- the construction of a 90m², 4.65m high colorbond clad outbuilding with 2 separate single roller-doors;
- extension of the existing driveway to service the outbuilding; and
- minor earthworks associated with site grading and footings.

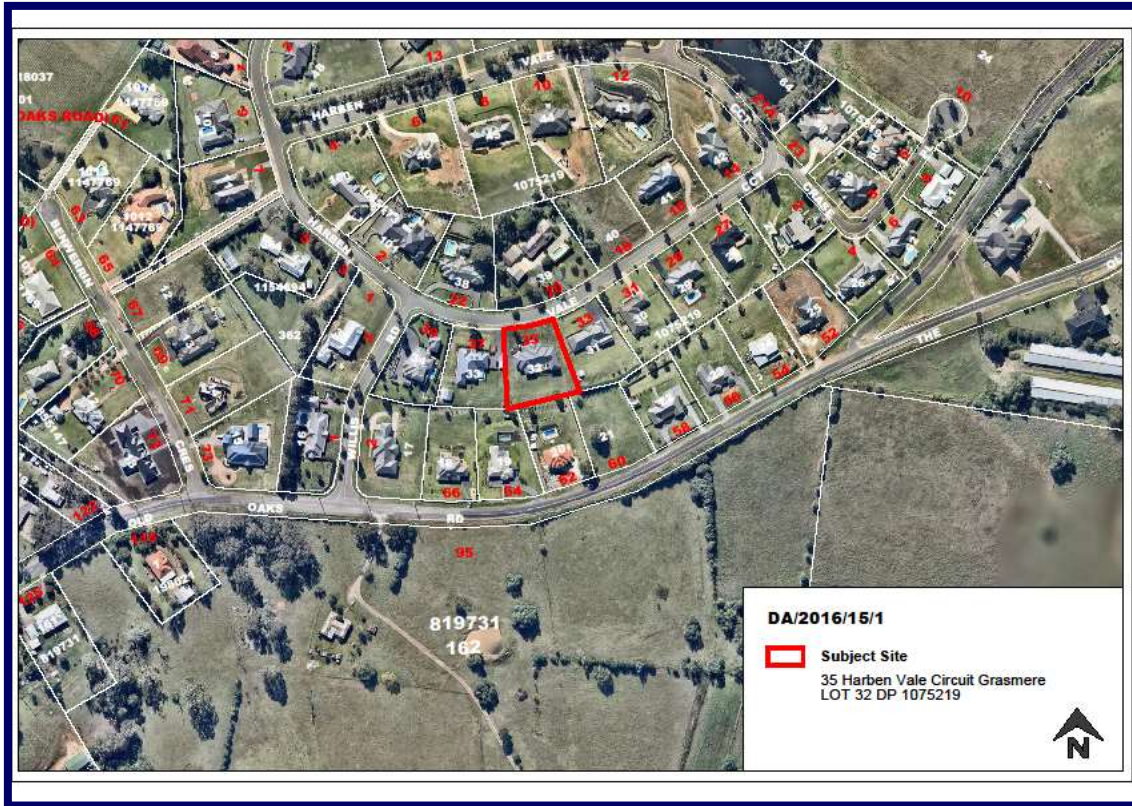
The estimated value of works is \$30,000.

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

THE SITE

The site is commonly known as 35 Harben Vale Circuit, Grasmere and is legally described as Lot 32 DP 1075219.

The allotment is surrounded by large residential lots containing dwellings and outbuildings within a landscaped setting. The site slopes from the street to the rear with a cross fall from the west to the east.



DEVELOPMENT HISTORY

The following provides a summary of previous applications relating to the subject property:

Application Number	Description	Status
DA 1161/2011	Construction of a single storey dwelling and modification to site building envelope.	Approved via delegated authority on 14 December 2011.
DA 608/2015	Construction of a new shed and extension of driveway.	Application withdrawn.

KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is generally compliant with the relevant controls with the exception of a variation to the building envelope control. Below is a summary of the key development statistics associated with the DA.

Control	Requirement	Provided	Compliance
Camden Development Control Plan 2011			
D2.1.5 Site Cover	Maximum 50% for the ground floor.	Ground floor site coverage - 528m ² or 18% (Garage)	Yes



Control	Requirement	Provided	Compliance
Camden Development Control Plan 2011			
Landscaped Area	30% min landscaped area.	single storey). Approximately 68% (2028m ²) landscaped area.	Yes
Private Open Space (POS)	Minimum 20% behind the building line.	Approximately 1512m ² or 48% of POS is located behind the building line.	Yes
Solar Access	Solar access to 50% of the Principle Private Open Space (PPOS) on subject site and adjoining allotments.	Complies	Yes
D2.1.7 Streetscape and Architectural Design	Sited and designed consistent with the locality	The siting of the outbuilding is consistent with surrounding development.	Yes
	Neutral colours and finishes required.	Conditioned to comply.	Yes
D2.1.10 Setbacks in the R5 Zone	Contained within the prescribed building envelope.	The proposed outbuilding is outside of the building envelope (side and rear setback).	No - DCP Variation 1
D2.1.11 Outbuildings	Retain existing vegetation.	No vegetation to be removed. Additional screen planting will be conditioned between the outbuilding and the boundary to soften the view from neighbouring properties. The applicant has agreed to this condition.	Yes
	Outbuilding to be a maximum of 100m ² .	Outbuilding = 90m ² .	Yes
	Maximum height is 4.8m.	Height = 4.65m.	Yes
	Outbuildings to be located behind the building line and be predominantly hidden from the public domain.	Outbuilding is setback greater than 30m from the street frontage, with a height of 4.65m. It is not considered visually dominant.	Yes



Control	Requirement	Provided	Compliance
Camden Development Control Plan 2011			
	Outbuildings must comply with the setback provisions of the Exempt and Complying Code		
	Front boundary setback - average setback of the nearest 2 dwellings. Equates to 19m.	Front setback >30m.	Yes
	Minimum side boundary setback of 2.5m.	Side Setback = 5m.	Yes
	Rear setback - 2.5m + one-quarter the height of the outbuilding above 3.8m. Equates to 2.7m based on 4.65m high outbuilding.	Rear setback = 14m	Yes
	Wall cladding to be masonry or colorbond sheet metal.	Conditioned to comply.	Yes
	The roof cladding to be of tiles or colorbond sheet metal.	Colorbond roofing proposed which will be conditioned to be pre-colour coated on manufacture.	Yes
	Cladding colours to be low reflective natural earth and vegetation tones.	Conditioned to comply.	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	R5 Large Lot Residential
Permissibility:	The proposed outbuilding is ancillary to an existing residential dwelling, which is permitted with consent in the R5 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.
Local Environmental Plan - S79C(1)(a)(i)	Camden Local Environmental Plan 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 Development Control Plan 2010 - Generally compliant with 1 variation 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.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	1 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.

Compliance with Plans or Policies

DCP Variation 1 – Compliance with Registered Building Envelope

DCP Control

Pursuant to D2.1.10 of the Camden DCP, where a registered building envelope is provided the development is to be contained within that building envelope.

A registered building envelope exists for the site. A portion of the proposed outbuilding is located outside of the building envelope by 4.6m to the west (side) and 2.1m to the south (rear). Refer to **Figure 1** below where the building envelope has been shown overlaying the proposed development.

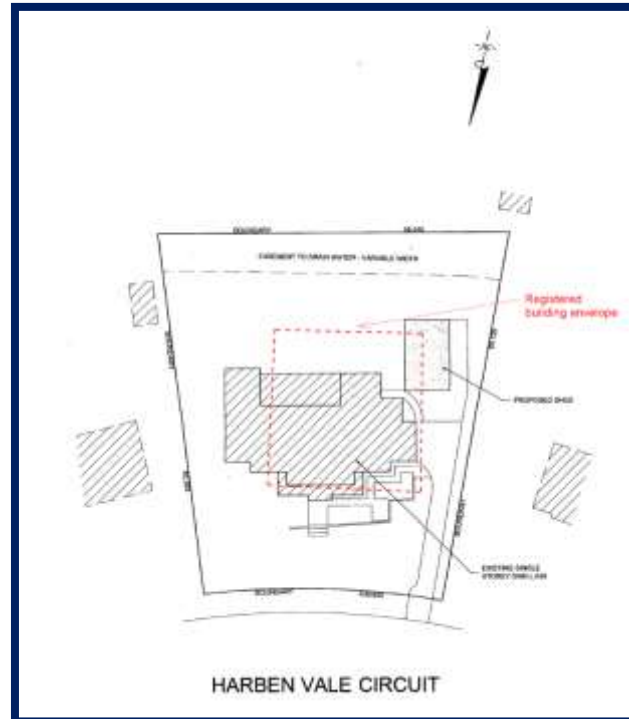


Figure 1 – Registered building envelope overlay

Variation Request

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

- The proposed outbuilding has been reduced in size as far as practicable; and
- The non-compliance is consistent with other development in the surrounding area.

Council Staff Assessment

A review of this variation has been undertaken and the variation is considered worthy of support, for the following reasons:

- The development meets the objectives of the building envelope controls as no sight lines are impacted by the location of the outbuilding.

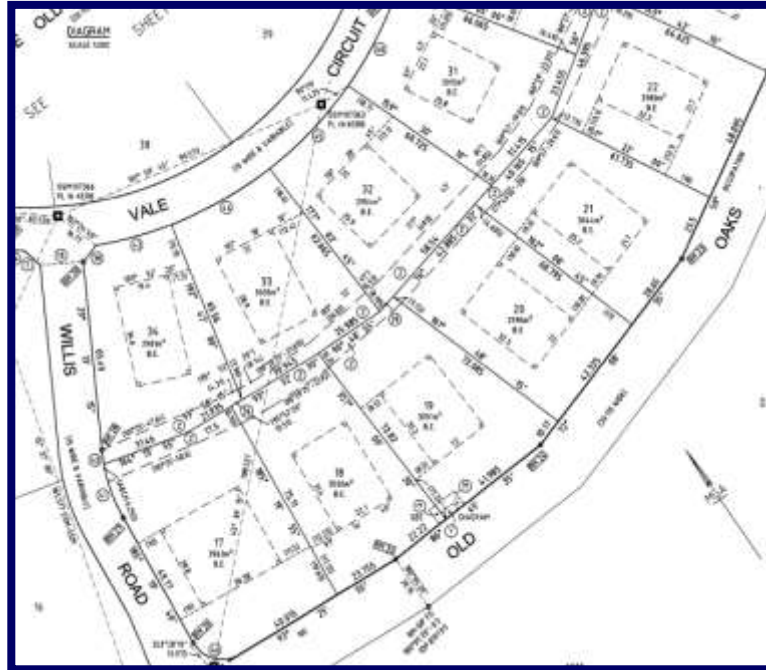


Figure 2 – Registered building envelopes for subject lot (Lot 32) and surrounding lots

The following variations have been supported:

Lot 32 (the subject site) variation to side setback.

Lot 31 (east of the site) variation to side setbacks.

Lot 21 rear southern lot - variation to side setbacks.

Lot 19 rear southern the swimming pool breaches the building envelope to the rear.

Lot 22 a lot to the south-east - variation to side setback.

A condition is recommended requiring the 88B Instrument be updated to reflect the approved works, so the development envelope, as amended by this DA, is consistent with that referenced in the 88B Instrument and referenced on the Deposit Plan 1075219.

- An outbuilding at 37 Harben Vale (Lot 33) exists outside of the building envelope, in the south-west corner of the site.
- The proposed development is not inconsistent with the objectives of the building envelope control approved via DA 15/2002. The building envelopes were imposed as a requirement of the Grasmere Master Plan (LEP no. 118).

According to the Grasmere Master Plan,

“building envelopes are to maximise the privacy, outlooks, view lines and generous landscaped spaces around buildings, which will enhance the general appearance of the estate. The envelopes will also enable owners to site their house to minimise overlooking by neighbouring buildings.”

The outbuilding will not impact prominent view lines and will not result impact on views from Werombi Road. See Figure 3 below.

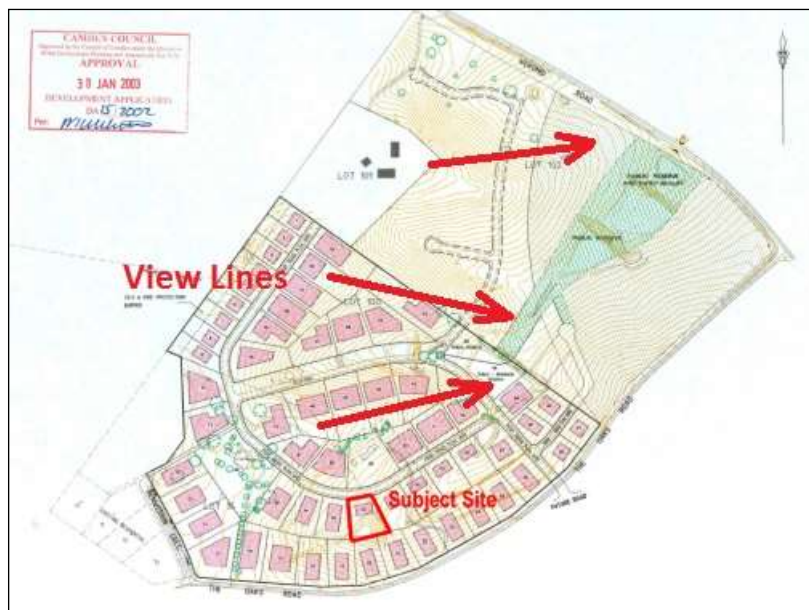


Figure 3 - Approved subdivision plan illustrating overlaid view corridors

- The development exceeds the minimum setback controls of the Camden DCP 2011. Clause D2.1.11 of the Camden DCP requires setbacks for outbuildings to comply with State Environmental Planning Policy – Exempt and Complying Development (SEPP).

Clause 3.16 of the SEPP a side boundary setback of 2.5m - exceeded.

Clause 3.18 of the SEPP requires a rear boundary setback of 2.7m – exceeded.

Clause 3.14 of the SEPP requires a front boundary setback of at least the average setback of the nearest 2 dwellings - exceeded.

- The outbuilding is partially screened by the dwelling minimising the impact on the streetscape and retaining the streetscape integrity. The height and floor area satisfies the planning controls.

Clause 1.9A of the Camden Local Environmental Plan 2010 (LEP) permits particular restrictions to be varied enabling assessment and support of this application. The proposed outbuilding is in accordance with the established character of the area and will not impact upon the amenity of adjacent lots. The variation to the building envelope is therefore recommended to be varied.

Key Issues

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

Submissions

No notification of the DA was required, however Council Officers consulted with the adjoining owner noting they had raised previous concerns with an outbuilding in this



location. Following that consultation a submission was received objecting to the proposed development.

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

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

1. *The proposed shed breaches the registered building envelope (Restriction 8 on 88B Instrument).*

Officer comment:

The proposed variation to the building envelope relates to the side (west), and the rear (south) of the outbuilding being outside the prescribed building envelope. The remainder of the outbuilding is within the building envelope and is considered acceptable.

A minimum side setback of 5m extending to 7.1m is proposed. The building envelope requires a setback of 9.7m (north-western corner) to 11.4m (south-western corner). This represents a variation of 4.3m to 4.7m for the western side boundary. For the southern rear boundary a setback of 14.4m is proposed with 16.8m required, representing a variation of 2.4m.

The dwellings on other lots in the vicinity (including lots 19, 21 and 31) together with the subject site (lot 32) have approved variations to their respective prescribed building envelopes. The approved setbacks on these lots represent a variation that is generally larger than proposed by this application. The proposal is therefore not inconsistent with the established residential character of the area.

The approved plans for the original subdivision contained view corridors as outlined in the Grasmere Master Plan. The subject lot is not affected by any view corridor; the proposed outbuilding location does not impact upon the intent of the registered building envelope.

As was provided on the other development consents relating to lots 19, 21 and 31 together with the subject sites dwelling application (lot 32), a condition was imposed requiring that prior to the issue of an Occupation Certificate, the building envelope (B.E.) as noted on the Deposit Plan 1075219 shall be amended.

Considering the above, the variation to the building envelope restriction is considered appropriate and acceptable.

2. *The proposed shed is intended to house a large caravan. Vehicles in excess of 3.5 tonnes shall not be stored on site (Restriction 30 on 88B Instrument).*

Officer comment:

The applicant has indicated that the proposed outbuilding is intended to contain a motorhome that was originally to have a tonnage of 3550kg. The applicant has since indicated they are likely to purchase a smaller motorhome with less tonnage.

The intent of the restriction is to prevent larger, non-domestic vehicles occupying the site that might be contained within an outbuilding that will impact upon the visual amenity of the locality due to its size and use. The proposed outbuilding complies with

height and floor area controls and is of a domestic scale and use that is considered appropriate for the large lot residential character of the area.

It is the applicant/owner's responsibility to ensure the use of the outbuilding is in accordance with relevant restrictions and conditions imposed on the consent. A condition reinforcing the restriction will be imposed.

- 3. The proposed construction material is not similar to the materials used to construct the existing dwelling on site (Restriction 30 on 88B Instrument).*

Officer comment:

An 88B Restriction on the land requires certain buildings erected in materials which are the same or similar to those used in the main building.

The proposed outbuilding incorporates colorbond cladding for external walls. Although colorbond cladding is not used as part of the main dwelling (which was approved with rendered brickwork finished in a neutral, earthy tone), D2.1.11 of the Camden DCP requires external wall claddings and roofs of outbuildings to be of tiles or colorbond sheet metal that is compatible with surrounding development in terms of profile, colour and finish.

The proposed outbuilding incorporates colorbond cladding for external walls. Although colorbond cladding is not commonly used throughout the immediate area it is considered acceptable subject to the material being colour coated on manufacture and consistent with the colours used in the dwelling.

A condition is recommended so that the finished colour of the cladding is the same as the walls of the approved residential dwelling, which is of a neutral earthy tone.

- 4. The proposed outbuilding will disrupt site lines from adjacent properties.*

Officer comment:

The proposed outbuilding has been designed and sited to ensure minimal impact to adjacent properties. The proposed height (4.65m) is less than the maximum permitted which is 4.8m. The outbuilding proposes a floor area of 90m², which is less than the maximum permitted being 100m². Although the outbuilding does not comply with the registered building envelope, the setbacks proposed exceed that required by Clause D2.1.11 of the Camden DCP. The main site lines as referenced in the Grasmere Masterplan (shown in **Figure 3**) do not effect this site and as a result the proposed outbuilding will not affect key site lines.

Considering the reasons given above, the proposed outbuilding does not affect site lines.

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 15/2016 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve DA 15/2016 for the construction of an outbuilding, extension of driveway and associated site works subject to the attached conditions.

ATTACHMENTS

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



ORDINARY COUNCIL

ORD02

SUBJECT: SUBDIVISION OF LAND TO CREATE 2 RESIDENTIAL LOTS AND ASSOCIATED SITE WORKS - 56 CLOVERHILL CRESCENT, GLEDSDOOD HILLS

FROM: Director Planning & Environmental Services

TRIM #: 16/52677

APPLICATION NO: 1157/2015

PROPERTY ADDRESS: 56 Cloverhill Crescent, Gledswood Hills

APPLICANT: Mr Ahmad – Ozy Homes

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a proposed subdivision to create two residential lots and associated site works at 56 Cloverhill Crescent, Gledswood Hills.

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

SUMMARY OF RECOMMENDATION

That Council determine DA 1157/2015 for a proposed subdivision to create two residential lots and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

THE PROPOSAL

DA 1157/2015 seeks approval for a proposed subdivision to create two residential lots.

Specifically the proposed development involves:

- Subdivision to create two Torrens title lots (310.5sqm and 329.4sqm); and,
- Associated minor stormwater works to allow proposed Lot 1 to drain across proposed Lot 2 into the existing stormwater network.

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

THE SITE

The site is commonly known as 56 Cloverhill Crescent, Gledswood Hills and is legally described as Lot 1053 DP 1185518.



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

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.

Control	Standard	Proposed	Compliance
State Environmental Planning Policy (Sydney Region Growth Centres) 2006			
1.9A - Suspension of covenants, agreements and instruments	Any agreement covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to service that purpose.	A S88B has been imposed by Sekisui House Camden Valley Pty Ltd which does not permit subdivision without written consent from Sekisui House Camden Valley Pty Ltd. Written consent has been obtained by Sekisui House to permit the subdivision. This consent is provided as an attachment to this report.	Yes



4.1 Minimum subdivision lot size	Minimum lot size of 300sqm	The proposal is for a 2 lot Torrens title subdivision. The subdivision will accommodate two lots with the following areas: Lot 1: 310.5sqm Lot 2: 329.4sqm	Yes
4.1C - Residential Density – Turner Road Precinct	The objective of this clause is to make provision with respect to the delivery of 4,020 new dwellings in the Turner Road Precinct.	The proposed development comprises of the delivery of 2 residential lots which will contribute to the overall dwelling target of 4,020 new dwellings within the Turner Road Precinct.	Yes
Turner Road Development Control Plan 2007			
2.3 - Residential Density Targets	The proposal is located within sub precinct K which has a minimum residential density target of 346 dwellings.	The proposed development comprises of the delivery of an additional 2 residential lots.	Yes
7.2 - Minimum Lot Frontages	12.5m lot width based on density band of 10 to 12.5 dwellings per ha	Lot 1 – 12.66m Lot 2 – 19.20m	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	R1 General Residential
Permissibility:	The proposed development is defined as a "subdivision" by the SEPP which is a permissible 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 No 55 – Remediation of Land - Compliant with conditions recommended where necessary State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - 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)	Turner Road Development Control Plan 2014 - Compliant with conditions recommended where necessary
Planning Agreement(s) - S79C(1)(a)(iiia)	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
Submissions - S79C(1)(d)	1 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 restrictions on the land title and 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 15 October 2015 to 28 October 2015. One 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. **A copy of the submission is provided with the Business Paper supporting documents.**

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

1. *Concerns that a “medium density development” will be constructed in close proximity to the objector’s property.*



Officer comment

The site is zoned R1 General Residential pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The proposed subdivision is permitted with consent. The proposed development is consistent with the objectives of the zone and is considered to be a low density development.

The proposed lots exceed the minimum permitted lot size and are consistent with the streetscape. Any future dwelling house would not be uncommon to the surrounding locality.

2. *The proposed development will affect the property value of the surrounding properties.*

Officer comment

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

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 1157/2015 is recommended for approval subject to the conditions attached to this report.

RECOMMENDED

That Council approve DA 1157/2015 for the proposed subdivision to create two residential lots at 56 Cloverhill Crescent, Gledswood Hills subject to the conditions attached.

ATTACHMENTS

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



ORDINARY COUNCIL

ORD03**SUBJECT: LOCAL GOVERNMENT DEVELOPMENT PERFORMANCE
MONITORING REPORT 2014/2015****FROM:** Director Planning & Environmental Services**TRIM #:** 16/55718

PURPOSE OF REPORT

To inform Council that the 2014/2015 Local Government Performance Monitoring report has been released and to provide a snapshot of the data published relevant to Camden. The full report is available on the NSW Department of Planning and Environment's website at www.datareporting.planning.nsw.gov.au

BACKGROUND

On 21 December 2015, the Department of Planning and Environment released the Local Government Development Performance Monitoring Report for 2014/2015. The report provides comprehensive statistics about development in New South Wales, including annual information on the volume, value and type of development, together with detail on Council processing times. The data is compiled by the Department based on the Department's analysis of data supplied by individual local councils.

MAIN REPORT

In 2014/2015 Council determined 1136 DA's. This is an increase from 1,058 DA's approved in 2013/2014.

In 2014/2015 the value of DA's increased to \$788 million compared to \$513 million in 2013/2014. This is a significant increase and represents the increasing complexity of DA's in the Camden LGA. The value of development within Camden was the 6th highest of any local government authority in the State.

The mean DA determination time with 'stop the clock' was 40 days in 2014/2015 which is an increase from 36 days in 2013/2014. The median determination time with 'stop the clock' was 31 days in 2014/2015 which is an increase from 28 days in 2013/2014.

The report states that the council areas with the highest number of Complying Development Certificates (CDC's) determined for 2014/2015 were Blacktown (2045), Camden (1660), City of Sydney (1586), Liverpool (1127) and Penrith (1120). The highest reported number of CDC's for single dwellings in 2014/2015 was Camden (1328), Blacktown (922), Liverpool (577) and Penrith (513).

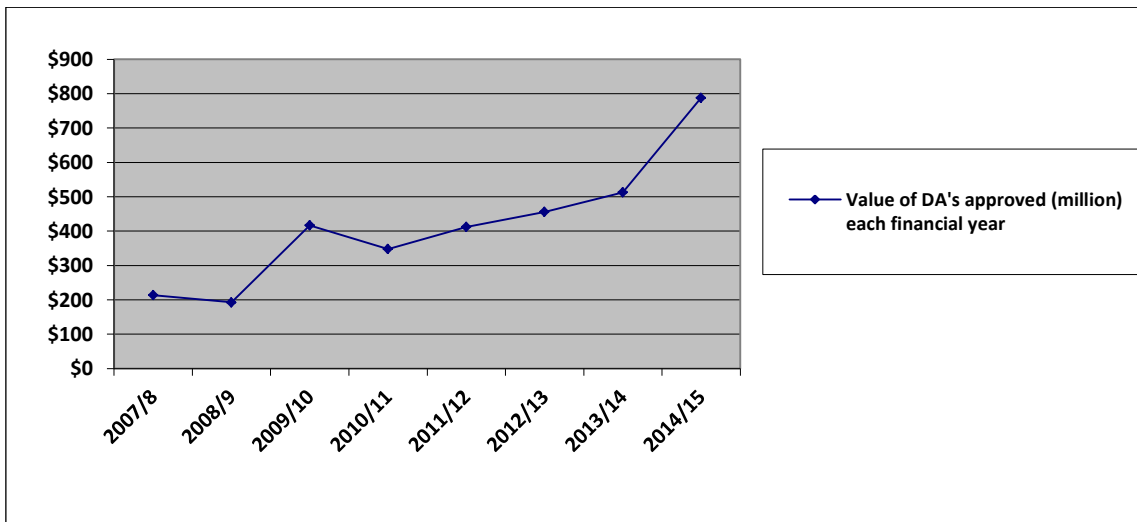
The table below provides a comparison of development activity with other local Council's within the North West and South West Growth Centres during 2014/2015. Mean DA determination time with 'stop the clock' is the average time taken by a Council to determine a DA excluding 'stop the clock' days where the council is awaiting information from the applicant.



Council	Value of DA's approved (million)	Number of DA's determined	Mean Net Time for DA's determined
Blacktown City Council	\$1159	2206	70
Camden Council	\$788	1136	40
Campbelltown City Council	\$568	713	43
Liverpool City Council	\$658	1093	87
The Hills Shire Council	\$1683	1538	51

Value of DA's approved in various growth centre Councils (2014/2015)

The graphic below shows the growth in the value of development in Camden over the last eight years.



The table below provides a comparison of the number of development consents issued by type with other Council areas within the North West and South West Growth Centre Councils during 2014/2015.

Council	Alterations and Additions	Single Dwellings	Commercial/ Retail/Office	Subdivision DA
Blacktown City Council	452	994	117	96
Camden Council	246	603	43	76
Campbelltown City Council	116	282	67	32
Liverpool City Council	135	569	49	64
The Hills Shire Council	482	525	62	182

Number of DA's approved by type in various growth centre Councils (2014/2015)

The table below provides a comparison of the mean gross determination time for development consents issued by type with other Council areas within the North West and South West Growth Centre Councils during 2014/2015.

The mean gross determination time is the average time taken by Council to determine a DA when time is measured from the day the application is lodged to the day the application is determined with no days deducted while awaiting the submission of additional information.



Council	Alterations and Additions	Single Dwellings	Commercial/Retail/Office	Subdivision DA
Blacktown City Council	67	52	113	126
Camden Council	38	51	105	120
Campbelltown City Council	115	85	130	192
Liverpool City Council	113	88	202	230
The Hills Shire Council	67	68	91	157

Mean gross DA determination times by DA type in various growth centre Councils (2014/2015)

During this reporting period, the Development Branch was restructured to create a Statutory Planning Branch comprising three development assessment teams and the Certification and Compliance Branch which includes a team of certification engineers and a team of building surveyors undertaking roles in subdivision and building certification and associated compliance functions.

Both the Statutory Planning and Certification and Compliance Branches will continue to review processes and procedures to improve efficiency and customer service. In this regard, the branch is moving towards a paperless process for lodgement and is now fully paperless for the issuing determinations. Further a review of the standard conditions of consent has been conducted.

Actions identified for further improvement will be a review of key performance indicators, working with IT to improve reporting and investigate the potential for greater use of functionality of electronic systems to generate documents used in the assessment process.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The Department's Performance Monitoring Report provides comprehensive statistics about the performance of Council's Statutory Planning and Certification and Compliance Branches against other local government authorities, including information on the volume, value and type of development occurring, as well as processing times on the range of development types. For Camden, the data reflects the continuing growth in the value of development and allows for analysis against other council's on the urban fringe.

Council's Statutory Planning and Certification and Compliance Branches continue to aim to improve its service delivery and efficiency to manage the continuing development growth in the area while complying with legislation and meeting our customer's needs.

RECOMMENDED

That Council note the information.

ORDINARY COUNCIL

ORD04

SUBJECT: PROPOSED AMENDMENTS TO CAMDEN GROWTH CENTRES DCP FOR CATHERINE FIELDS (PART) PRECINCT

FROM: Director Planning & Environmental Services

TRIM #: 16/3528

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit the proposed amendments to the Camden Growth Centre Development Control Plan (DCP). The proposed amendments relate to Schedule 4 Catherine Fields (Part) Precinct (CFPP) and minor amendments to Section 2.9 Noise and 3.3.1 Layout and Design of the main body of the draft DCP.

The draft DCP is provided as **Attachment 1 to this report** and the supporting documentation is provided as **Attachment 2 to this report**.

BACKGROUND

The applicant for this proposal is Greenfields Development Corporation 2 (GDC2) and the subject land is known as the GDC2 development area, being located within the CFPP as shown in Figure 1 below.



Figure 1: Locality Map (Source: Council Mapping System)



The CFPP is approximately 320 hectares in size and is located between Oran Park Drive and Camden Valley Way, being adjacent to the Oran Park and Turner Road Growth Centre Precincts.

The CFPP was rezoned for urban development on 20 December 2013 and the precinct planning package included an amendment to the Sydney Region Growth Centres SEPP (Growth Centres SEPP) and the addition of Schedule 4 to the Camden Growth Centres DCP. The approved Indicative Layout Plan (ILP) provides for approximately 3,200 homes and 10,000 residents.

MAIN REPORT

The proposed amendment to the Camden Growth Centres DCP involves two elements. The first involves amendments to Schedule 4 which specifically applies to CFPP. The second involves amendments to the general sections (Section 2.9 and 3.3.1 of the main body of the DCP) which applies to CFPP as well as East Leppington, Leppington Stage 1 and Leppington North precincts. Each of these is discussed in detail below.

Proposed DCP Changes to Schedule 4 – Catherine Fields (Part) Precinct

The proposed amendments to Schedule 4 of the DCP include changes to the ILP and other figures within the DCP as outlined in **Attachment 3 to this report**.

The current ILP is shown in **Figure 2** and the proposed ILP is shown in **Figure 3 in this report**.

A summary of the key changes proposed to the DCP is provided below. Each of these key changes will be discussed in further detail in this report.

Indicative Layout Plan

The proposed amendments to the ILP include:

1. Road Hierarchy Changes
 - removal of the road link to the Oran Park Drive/Dan Cleary Drive Intersection (Number 1 on Figures 2 and 3);
 - provision of traffic signals at the intersection of Oran Park Drive and Harrington Parkway extension;
 - introduction of a “Bus Capable” Local Street connecting Harrington Parkway with the Collector Road extension of Firth Avenue from Oran Park;
 - enhanced Pedestrian/Cycle Path Connections;
 - re-alignment of the east-west roadway in the central western portion of the precinct to achieve a direct sight line to Oran Park House;
 - re-alignment of Local Streets to reflect preferred design outcomes and better respond to topographical constraints.
2. Relocation of a Local Pocket Park (Number 2 on Figures 2 and 3);
3. Relocation of the proposed Primary School to deliver a site which is co-located with the future playing fields (Number 3 on Figures 2 and 3);
4. Relocation of low-medium density residential from the location of the proposed Primary School to further south in the precinct, surrounding the proposed Local Pocket Park (Number 4 on Figures 2 and 3); and

The proposed amendments will result in a more appropriate location for the proposed Primary School and pocket park, whilst improving vehicular safety and connectivity within the development. It is noted that GDC2 have not sold any land within this portion of the CFPP, therefore the proposed amendments will have no impact upon landowners who may have purchased land prior to the proposed amendment.



Figure 2 – Current Indicative Layout Plan (ILP)



Figure 3 – Proposed Indicative Layout Plan (ILP)



Road Hierarchy and Intersection Changes

The amended ILP includes modifications to the road hierarchy, layout and intersection arrangements. These amendments to the ILP are identified as No.1 on Figure 2 and 3. The modified roadway layout will deliver enhanced local and regional traffic movement outcomes, while ensuring low traffic volume local streets are able to be delivered; this is demonstrated **in Figure 4 to this report**

The key road hierarchy and intersection changes include:

- *Oran Park Drive/Dan Cleary Drive Intersection*

It is proposed to provide a signalised three-way intersection at Oran Park Drive and Dan Cleary Drive instead of the four-way intersection shown in the current DCP. This change is facilitated by the relocation of the internal collector road within the CFPP.

The traffic report contained within **Attachment 2**, reviewed the existing and proposed design of this intersection and concluded that the amendment to a three-way signalised intersection will alleviate safety concerns relating to the poor sight lines at the crest of the hill, and the increase in vehicular traffic resulting from the addition of a fourth leg to the intersection.

- *Intersection of Oran Park Drive and Harrington Parkway extension.*

It is proposed to provide a four-way signalised intersection at the intersection of Oran Park Drive and Harrington Parkway extension, in place of the roundabout currently shown in in the DCP. Concern has been raised that a four-way roundabout will be unable to cope with the projected future traffic volumes, resulting in possible localised congestion at the roundabout. The proposed four-way signalised intersection will address these concerns.

- *“Bus Capable” Local Road Alignment*

The existing ILP includes a “Key Local Road” which runs parallel to the boundary of the riparian corridor along Kolombo Creek, and connects to the Kolombo Creek bridge crossing to Oran Park. The “Key Local Road” is located too close to the bridge crossing and cannot be constructed due to practical construction and safety considerations. To address these issues, the DCP amendment proposes to remove the “Key Local Road” connection and provide a new Bus Capable Local Street to the south of the existing “Key Local Road”. The proposed amendment will ensure safe vehicular movements around the Kolombo Creek crossing and ensures that bus connectivity is maintained.

- *Re-alignment of Local Streets*

The current ILP shows residential blocks and roads in a predominantly east-west direction alignment. The amendment proposes to realign the roads and residential blocks to follow the north-south contours of the site wherever possible. This outcome will minimise the need for retaining walls to be constructed along the rear boundary of residential lots.

Council’s officers have reviewed the proposed road and intersection changes and have provided in-principle support to the changes, subject to further detail being provided as part of a future Development Application process.

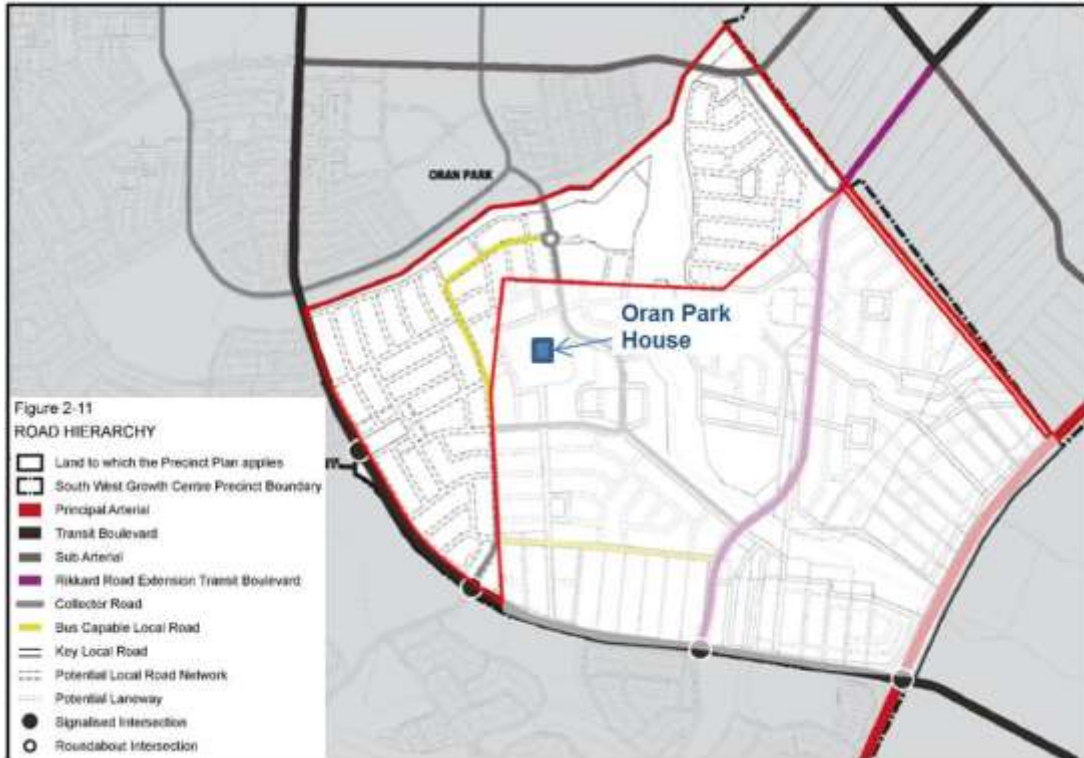


Figure 4 – Proposed Road Hierarchy Plan

Pedestrian Connectivity

The draft amended ILP includes a number of additional pedestrian/cycle share paths **as shown in Figure 5 in this report**. Two additional north-south pedestrian/cycle share paths, the Harrington Parkway Share Path Connection (Path A on the figure below) and the Pocket Park Share Path Connection (Path B on the figure below) are also proposed. These amendments will provide greater connectivity for future residents.

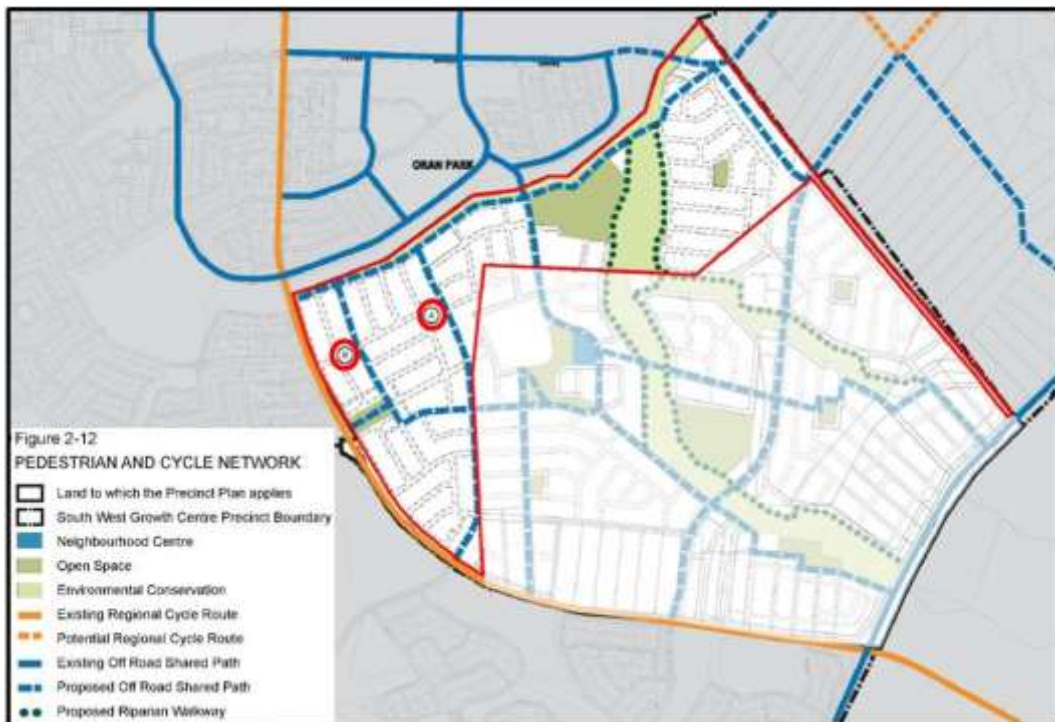


Figure 5 – Proposed Pedestrian and Cycle Network Plan



Relocation of Pocket Park

The existing Local Pocket Park (LP1A) which is located adjacent to the Primary School site on the existing adopted ILP is proposed to be relocated along Oran Park Drive, at the intersection of Dan Cleary Drive. The changes are identified as No.2 on Figures 2 and 3. The relocation of LP1A will create a direct view line from Oran Park Drive, east to Oran Park House. The Local Pocket Park is proposed to be reduced in size from 12,000m² to 9,000m² with the remaining 3,000m² to be included in the Local Park (LP1B) associated with the Playing Fields located next to the amended proposed Primary School site **as shown in Figure 6 to this report.**

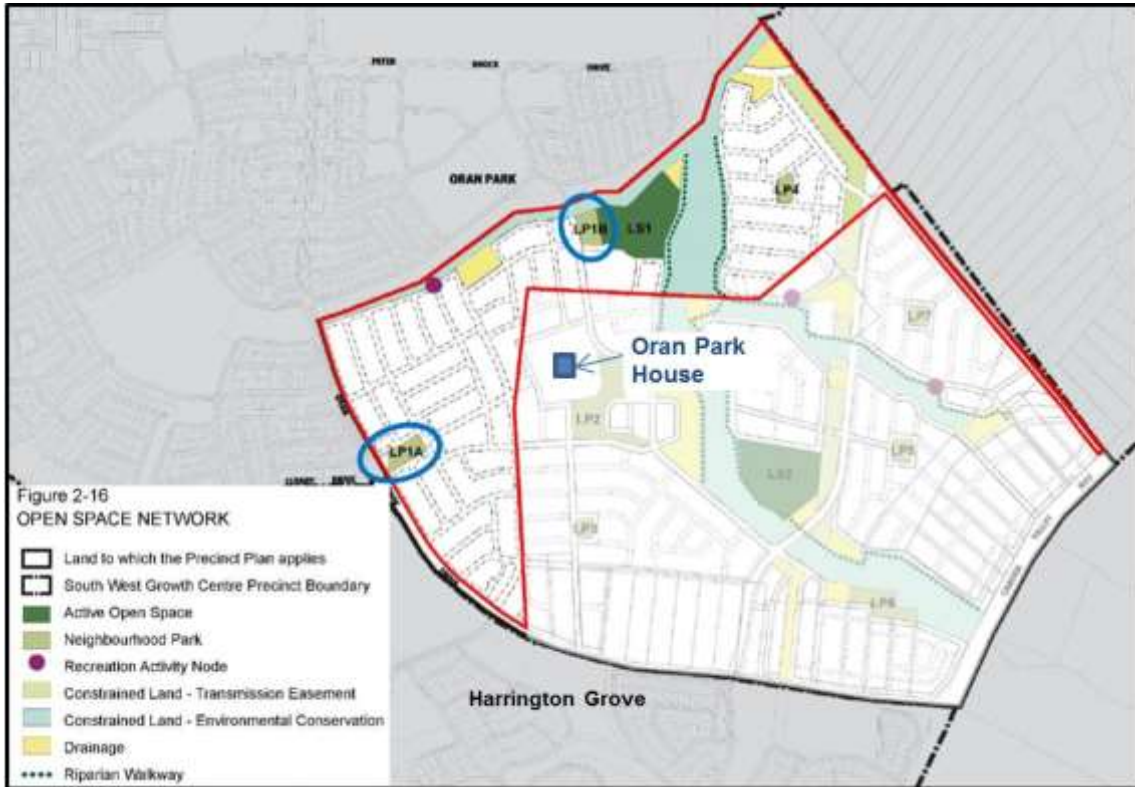


Figure 6 – Proposed Open Space Network Plan

Relocation of the Primary School

The proponents undertook a review of the existing Primary School site shown in the ILP and concluded that this site was not ideal due to the topography of the land (due to the amount of cut and fill required) and the change in road network following the proposed amendment to the intersection at Oran Park Drive and Dan Cleary Drive.

The draft amended ILP includes a revised school site co-located with the proposed open space and playing fields along the north-south Collector Road. The land is significantly flatter and requires fewer earthworks to accommodate a school. The proposed changes to the ILP are identified as No.3 in Figure 2 and 3.

The Department of Education and Communities (DEC) has been consulted prior to lodgement of the draft DCP proposal. Further consultation has been undertaken as part of the assessment of the proposal by Council officers. The DEC representative has no objection to the proposal. The DEC will be formally consulted as part of the public exhibition of the DCP amendment.

Relocation of Low-Medium Density Housing

The revised relocation of the Primary School site (as identified as No.4 on Figure 2 and 3) sits within part of the ILP previously identified as low-medium density housing. The draft amended ILP proposes to relocate this low-medium density housing to the land surrounding the Local Pocket Park along Oran Park Drive, **as shown in Figure 7 to this report**. The amount of low-medium density housing shown on the existing ILP is 1.37 hectares and the amount of low-medium density housing proposed to be provided around the Local Pocket Park under the draft amended ILP is approximately 1.51 hectares. As the land is within an area that has a minimum density of 15 dwellings per hectare under the Growth Centre SEPP, an amendment to the SEPP to accommodate this change is not required.

Whilst the quantum of medium density is higher, other amendments to the ILP layout have reduced the developable area which would result in approximately two (2) additional dwellings for the overall GDC2 landholdings of the CFPP. This increase in dwellings is considered minor and is supported as the low-medium density residential area is located around open space and within close proximity to public transport along the Oran Park Drive transit boulevard.



Figure 7- Proposed relocation of low-medium density dwellings

Proposed changes to main body of DCP

It is proposed to amend DCP Clauses 2.9 Noise and 3.3.1 Layout and Design which are included in the main body of the Growth Centres DCP. These changes were not initiated by the applicant but instead were identified during the exhibition of the Leppington Precinct and are considered to be of a housekeeping nature. These amendments will apply to the CFPP as well as other growth centre precincts including East Leppington, Leppington Stage 1 and Leppington North precincts.

Attachment 4 to this report provides a table that summarises the current and proposed DCP provisions and the reasons for the changes being sought. A summary of the key changes proposed to the DCP is provided below.



DCP Clause 2.3.9(5) – Noise

This clause provides objectives and controls aimed at minimising the impacts of noise on residential amenity and achieving an acceptable residential noise environment whilst maintaining well designed and attractive residential streetscapes.

It is proposed to amend Clause 2.3.9(5) to include 'service roads' as being a supported use for achieving internal noise standards. This change is proposed to recognise that service roads (local roads that run parallel to a higher order road) can contribute to a noise mitigation strategy, such as by increasing the setback distance between the noise source and the noise receptor. A service road also encourages developments to not "turn their back" to the noise source such as a busy road.

DCP Clause 3.3.1 - Layout and Design

This DCP clause includes "typical" cross sections for street network and design for the Camden Growth Centre Precincts area.

It is proposed to amend the following:

- Figure 3-12 - amend the title from "Typical collector road" to "Typical collector road (off road cycle path)". This change is proposed to distinguish between the existing collector road design and the new collector road design (new figure 3-13).
- Figure 3-13 – delete current ("Typical local street") and insert new figure "Typical collector road (on road cycle path)". This new road design will apply to collector roads that have active frontages (driveway cuts) and will cater for on road cycling. Therefore reducing the potential for conflict between vehicles and cyclists.
- Figure 3-14 – delete current figure and insert a new figure for "Primary local street". A 16 metre road reserve / 9 metre road carriageway is suitable to support traffic movements associated with sportsgrounds and schools.
- Figure 3-15 – insert new figure "Typical local street", this replaces the current Figure 3-14. The proposed local street design is consistent with that adopted in the Oran Park and Turner Road DCPs.
- Delete controls 29 to 32 as they relate to current DCP Figure 3-14 that is proposed to be deleted.

Next steps

If Council resolves to support the proposed changes to the Camden Growth Centres DCP:

- the draft DCP and associated information will be placed on public exhibition for a period of 28 days;
- a copy of the draft DCP will be forwarded to the Department of Planning and Environment and relevant public authorities at the same time as it is placed on public exhibition;
- if no submissions are received the General Manager may adopt the draft DCP under Delegated Authority, in accordance with the delegations; or
- if any submissions are received, a further report to Council will be prepared which outlines the result of the public exhibition.



FINANCIAL IMPLICATIONS

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

CONCLUSION

The proposed amendments to the Camden Growth Centres DCP include changes to the ILP and figures which apply to Catherine Fields (Part) Precinct, along with minor amendments to Section 2.9 Noise and 3.3.1 Layout and Design of the main body of the DCP. The changes will improve the design, layout and functionality of the precinct, as well as clarifying the noise controls and street cross-sections that apply to the Growth Centres.

RECOMMENDED

That Council:

- i. endorse the draft Camden Growth Centres DCP and proceed to exhibition for a period of 28 days in accordance with the provisions of the Environmental Planning Assessment Act 1979 and Regulations;**
- ii. forward a copy of the draft Camden Growth Centres DCP to the Department of Planning and Environment in accordance with delegations issued to Council dated 19 January 2015;**
- iii. grant delegation to the General Manager to adopt the proposed changes to the Camden Growth Areas DCP in accordance with the delegations dated 19 January 2015 if no submissions are received during the exhibition period, and publicly notify the adoption of the DCP in accordance with the provisions of the Act and Regulations; or**
- iv. require a further report outlining the result of the public exhibition of the draft Camden Growth Centres DCP for Council's consideration if unresolved submissions are received during the exhibition period.**

ATTACHMENTS

1. Attachment 1 - Draft Camden Growth Centre Precincts DCP
2. Proposed Amendments to Schedule 4 of the Camden Growth Centres DCP
3. Schedule 4 DCP Figures Changes
4. Main body of changes to DCP



ORDINARY COUNCIL

ORD05

SUBJECT: SUBMISSION TO DEPARTMENT OF FINANCE, SERVICES & INNOVATION - REVIEW OF THE MINE SUBSIDENCE COMPENSATION ACT 1961

FROM: Director Planning & Environmental Services

TRIM #: 16/46006

PURPOSE OF REPORT

The purpose of this report is to inform Council of the review of the *Mine Subsidence Compensation Act 1961*.

The report seeks Council's endorsement of the attached submission to be forwarded to the Department of Finance, Services & Innovation, (provided as **Attachment 1 to this report.**)

BACKGROUND

On 10 February 2016, Council received notification that the Department of Finance, Services & Innovation (DFSI) has commissioned a review of the *Mine Subsidence Compensation Act 1961*.

The Act sets out the legal and administrative arrangements for the Mine Subsidence Board (MSB) and establishes the Mine Subsidence Compensation Fund and obligations for payment of levies by coal mining companies. The Act provides development control powers for the Board and defines the nature of work and compensation the Board can fund.

Terms of reference for the review of the *Mine Subsidence Compensation Act 1961* are provided as **Attachment 2 to this report**. The DFSI has confirmed that a review of Mine Subsidence Districts is within the scope of the review. The DFSI has requested submissions by 18 March 2016 however Council has received an extension from DFSI until 24 March 2016.

Part of the Camden Local Government Area (LGA) is located within the South Campbelltown Mine Subsidence District that was proclaimed on 30 June 1976. Development within that area requires the concurrence from the MSB with their prior approval required under section 15 of the *Mine Subsidence Compensation Act 1961* for subdivision of land and erection or alteration of any improvements.

Figure 1 shows the South Campbelltown Mine Subsidence District within the Camden LGA.

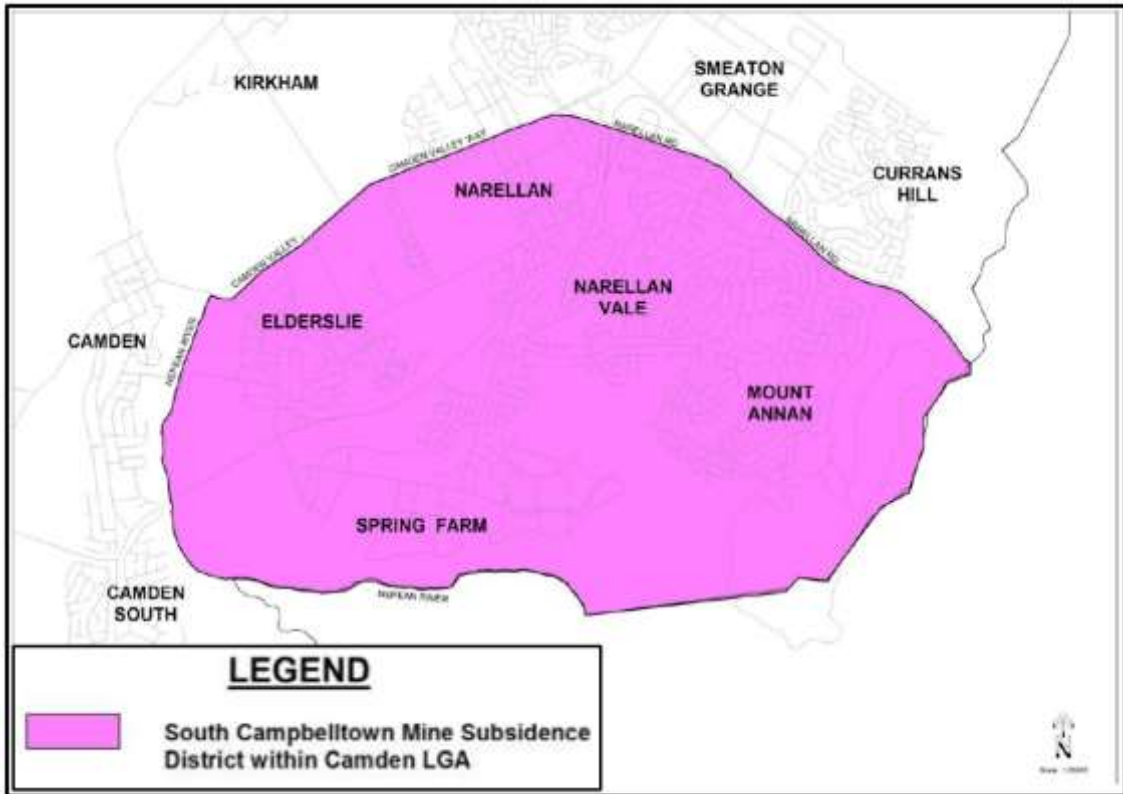


Figure 1: South Campbelltown Mine Subsidence District within the Camden LGA

Key localities of the LGA affected by the Mine Subsidence District include Narellan and Mount Annan town centres.

Building heights are generally limited to two storeys in the Mine Subsidence District. Increased building heights are permitted in the Narellan centre (25 metres maximum) and Mount Annan centre (10 metres maximum) consistent with Camden Local Environmental Plan 2010 (Camden LEP 2010).

MAIN REPORT

Key Concern: Need for planning flexibility

Issue

The future role and function of Camden's centres, employment land and residential areas require flexibility to enable them to adapt and respond to population growth and economic growth. The Mine Subsidence District presents a constraint in this regard.

Discussion

The Mine Subsidence District's proclamation some forty years ago predates Camden's rise as a growth Council. Key centres such as Narellan and Mount Annan may need to change in the future in response to our growth. For example, the announcement of the South West Rail Link extension to Narellan, along with other key infrastructure, may change the hierarchy and size of these centres in the future.



Response

Council requests a review of the boundary of the Mine Subsidence District with respect to the hierarchy of centres, State Government infrastructure investment and strategic planning flexibility. In particular, a review on the need for the Narellan and Mount Annan town centres to be included within the Mine Subsidence District.

Other Issues/Concerns: Mine Subsidence Board systems/processes

Issue

It is considered that some of the processes for lodgement of development plans seeking MSB approval could be improved.

Discussion

Council officers have identified that the lodgement of applications to the MSB could be made simpler, if for example, applications were submitted electronically for assessment and MSB concurrence e-mailed (including stamped plans) to the applicant.

In addition, it is requested that the current system for obtaining retrospective MSB approval (completing form, payment of application fee and application being referred to the MSB Newcastle office) be reviewed, as it can be time consuming and inefficient.

Response

Council requests a review of the MSB's systems and processes to identify opportunities for improved customer service and document management.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council has been advised by the Department of Finance, Services and Innovation of the review of the *Mine Subsidence Compensation Act 1961*. This report has identified the need for planning flexibility to enable Council to harness the opportunities presented by large scale urban expansion and population growth.

The Mine Subsidence District constraint may limit Council's planning flexibility in the future. It is requested that the boundary extent of the South Campbelltown Mine Subsidence District affecting Camden LGA be reviewed.

RECOMMENDED

That Council:

- i. **endorse the attached Draft Submission to be forwarded to the Department of Finance, Services & Industry; and**
- ii. **forward a copy of the submission to Mr Chris Patterson MP, State Member for Camden.**



ATTACHMENTS

1. Attachment 2 Terms of Reference
2. Council Submission on Review of Mine Subsidence Compensation Act 1961 V2



ORDINARY COUNCIL

ORD06

SUBJECT: PROPOSED AMENDMENT NO. 27 TO CAMDEN LEP 2010 AND CAMDEN DCP 2011 - 121 RABY ROAD, LEPPINGTON (LOTS 1 & 2, STRATA PLAN 37300)

FROM: Director Planning & Environmental Services

TRIM #: 16/41802

PURPOSE OF REPORT

The purpose of this report is to seek a Council resolution to publicly exhibit the draft Planning Proposal and draft amendment to Camden Development Control Plan 2011 (Camden DCP 2011) for 121 Raby Road, Leppington. The draft Planning Proposal is included as **Attachment 1 to this report**.

BACKGROUND

A draft Planning Proposal for 121 Raby Road, Leppington was submitted to Council by TN Consulting Pty Ltd in March 2013 to rezone the subject site to 'R5 - Large Lot Residential'. At the meeting of 22 April 2014, Council resolved to forward the draft Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

The Gateway Determination was issued from DPE on 15 August 2014. It required the preparation of a number of specialist studies including a Part 2 Land Capability Assessment and Traffic Report. The findings of the studies are detailed later in this report.

Locality

The site is located on the eastern boundary of the Camden Local Government Area (LGA) in an area of rural land bounded to the south by Raby Road, to the west by the Sydney Catchment Authority (SCA) water supply canal, and abutting the LGA boundary with Campbelltown Council to the east. A location map for this site is shown in **Figure 1**. The subject site is not within the South West Growth Area.

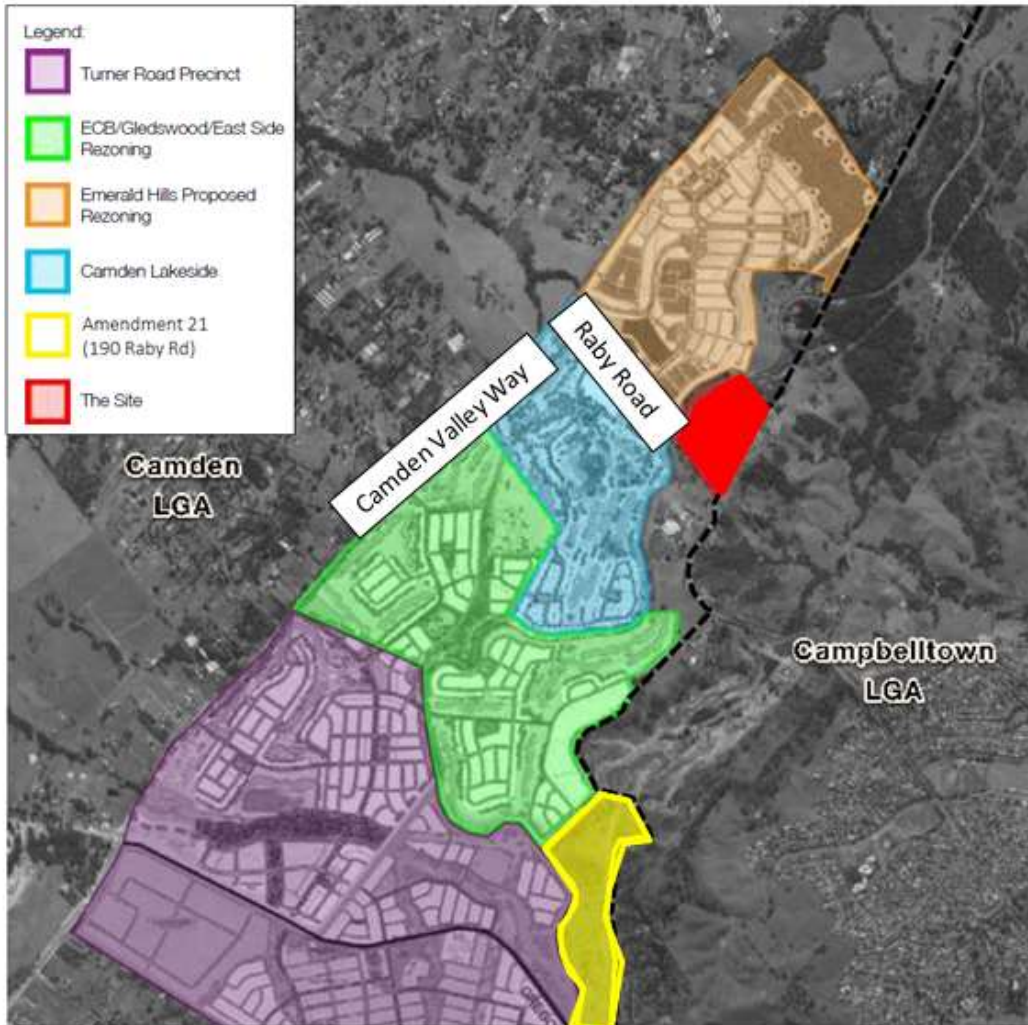


Figure 1 – Subject Site Context

MAIN REPORT

Proposal

Land use zoning for the site is identified under the Camden Local Environmental Plan 2010 (Camden LEP 2010). The draft Planning Proposal seeks to rezone the entire subject site from ‘RU2 Rural Landscape’ to ‘R5 Large Lot Residential’.

Table 1: Comparison of existing and proposed provisions under Camden LEP 2010

	Existing	Proposed
Zoning	RU2 Rural Landscape	R5 Large Lot Residential
Minimum Lot Size	40ha	4000m ²

Table 1 provides a summary of the proposed changes in the Planning Proposal. The proposed 4000m² minimum lot size is consistent with the zone objectives of ‘R5 - Large Lot Residential’. The rezoning will facilitate 30 additional residential large lots with two existing large residential lots



Under the R5 zoning (Camden LEP 2010) the highest residential use will enable attached dual occupancies.

Specialist Studies

The Gateway Determination and initial Council report identified specialist studies to be undertaken prior to public exhibition to further inform the planning process. The following studies have now been finalised:

- Landscape and Visual Analysis;
- Traffic Impact Assessment;
- Acoustic Assessment;
- Salinity Investigation and Management Plan;
- Preliminary Site Contamination Assessment;
- Bushfire Constraints Assessment;
- Aboriginal Archaeological and Cultural Heritage Assessment;
- Stormwater Management and Flood Assessment;
- Open Space and Community Facilities Assessment, and;
- Flora and Fauna Assessment.

Outcomes of the key specialist studies are summarised below and have informed the preparation of a site specific DCP. A copy of the draft amendments to Camden DCP 2011 is provided as **Attachment 2 to this report**.

Visual Impact

The assessments explored the visual impact of future development when viewed from 16 key public and private viewpoints including Raby House, Scenic Hills (in the Campbelltown LGA) and Gledswood Homestead. The assessments are provided under separate cover.

While the report identifies the development is visible from some viewpoints, visual impact on the existing rural residential character of the area is considered acceptable. Development controls proposed for landscaping, street lighting and building materials will mitigate the visual impact of development on the site. The development controls are detailed in **Table 2** of this report.

Traffic

Under the current South-West Growth Centre Road Network Framework, Raby Road is proposed to function as a sub-arterial road (non-classified regional road). Roads and Maritime Services (RMS) have been consulted regarding the widening of Raby Road. Following these discussions, a road reservation of 34.5m was agreed to be provided on the northern side of Raby Road. A site specific DCP control (Section 88B instrument) is proposed to ensure no structures are to be constructed within the proposed road reserve.

Access to the site is proposed by way of a new priority controlled (seagull) intersection to Raby Road as an interim arrangement until such time that Raby Road is reconstructed as a future sub-arterial road (subject to RMS concurrence). The sight lines have been assessed and are compliant with Austroads Guidelines. In the longer term, access to the site will be restricted to left-in/left-out only. Following gazettal of the Planning Proposal, a notation will be placed on the Section 149(5) certificates to indicate access to the site after completion of upgrade works to Raby Road will be restricted to left-in/left-out only.



Acoustic

The Acoustic Assessment prepared by PKA Acoustic Consulting assesses the traffic noise levels likely to be experienced at the future residential lots within the development, taking into account the upgrade and projected traffic levels of Raby Road.

The report recommends a 1.8m high acoustic barrier along Raby Road. This is likely to take the form of a mound/wall combination. Lots fronting Raby Road will also require acoustic-rated architectural treatments to be incorporated into the dwelling designs as well as the provision of alternative ventilation.

The recommendations comply with the internal noise criteria recommended by Camden Council's DCP 2011 and Environmental Noise Policy 2008.

Draft amendments to Camden DCP 2011

A draft site specific amendment relating to Part C (Residential Subdivision) of the Camden DCP 2011 has been prepared as a result of the specialist studies commissioned post gateway. A copy of the draft amendments to Camden DCP 2011 is provided as **Attachment 1 to this report**. A summary of the proposed DCP controls are listed below:

Table 2: Schedule of proposed Camden DCP 2011 amendments

Proposed Control	Justification
A Section 88 instrument is to be placed on the lots containing the hatched area in Figure C6.1 of the draft DCP (Attachment 2) to indicate that development for the purposes of any permanent structure shall not be undertaken to accommodate for future road purposes.	This will ensure no structures are constructed on land subject to future road widening of Raby Road.
Street lights shall have hoods or other appropriate design treatment (e.g. use of low glare street light luminaires) to minimise light spill.	The control will ensure night time light spill is minimised.
Native screen landscaping, incorporating trees and shrubs, must be planted along the perimeter of the land marked in red in Figure C6.1 of the draft DCP (Attachment 2) to screen development.	The proposed control will ensure landscaping is provided that is compatible with the locality. Further, it will mitigate the visual impact of development on the site.
Dwelling materials and colours shall adopt darker, recessive toned colours and non-reflective surfaces for both wall and roof cladding.	The proposed control will ensure residential and associated development is designed to blend in with the locality.

It is noted that the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Rural Housing Code), applies to the subject site. Under the Rural Housing Code applicants can apply for a complying development certificate for construction of a dwelling house and/or associated works. In this instance, the standard controls contained within the Rural Housing Code would override those within Part C of the Camden Development Control Plan (DCP).



Council officers have reviewed the controls contained within the Rural Housing Code and, due to the low visual significance of the subject site, consider the visual impacts to be sufficiently regulated.

Any proposed development submitted as a Development Application to Council (not undertaken as a complying development certificate under the Rural Housing Code SEPP) will be assessed against the aforementioned DCP controls.

Public Agency Consultation

The Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) (now Department of Industry, Skills and Regional Development), was notified prior to public exhibition and a submission was received in August 2014 from its Mineral Resources Branch (now NSW Resources and Energy). The submission objected to the proposal, outlining the importance of the site for future coal and coal seam gas exploration.

Following receipt of the objection, Council has made numerous efforts to liaise with DTIRIS. Following a meeting with DPE it was agreed that the matters raised in the submission are a state policy matter and as such need to be discussed between the relevant stakeholder agencies. DPE has indicated their support to proceed with the Planning Proposal to public exhibition. On this basis, it is recommended that Council proceed with the Planning Proposal to public exhibition. In accordance with the Gateway Determination, the Department of Industry will again be notified during the public exhibition period.

The following public agencies will also be notified of the exhibition period:

- Sydney Catchment Authority (now 'WaterNSW');
- Sydney Water;
- Endeavour Energy;
- Transgrid;
- Jemena (*gas distributor*);
- APA Group (*gas pipeline owner*);
- Roads and Maritime Services;
- Rural Fire Service;
- Office of Environment and Heritage;
- NSW Resources and Energy (*DTIRIS*, now 'Department of Industry'), and;
- Campbelltown City Council.

Exhibition Period

The Planning Proposal and draft DCP amendments provided in the Attachments will be publicly exhibited for a period of 28 days in accordance with the Gateway Determination and Environmental Planning and Assessment Regulation 2010. 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
- Camden Council website (Electronic Copy).

During the exhibition period, a letter notifying land owners in the vicinity of the subject site will be sent to advise them of the proposal. At the conclusion of the exhibition period, a report will be submitted back to Council detailing any unresolved submissions.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The Planning Proposal seeks to rezone the land at 121 Raby Road, Leppington to R5 Large Lot Residential to accommodate 30 additional residential large lots with two existing large residential lots. The supporting specialist studies informing the Planning Proposal have demonstrated that the site is suitable for residential development that is consistent with, and complementary to surrounding lands.

Should Council resolve to endorse the draft Planning Proposal and draft DCP amendments, it will proceed to public exhibition for a period of 28 days.

Should unresolved submissions be received during the exhibition period, a further report will be submitted back to Council detailing submissions received. Should no unresolved submissions be received the draft Planning Proposal will be forwarded to the DPE for the plan to be made.

RECOMMENDED

That Council:

- i. endorse the rezoning package for 121 Raby Road, Leppington for the purpose of public exhibition which includes the draft Planning Proposal, draft amendments to the Camden DCP 2011, and specialist studies;**
- ii. publicly exhibit the rezoning package for a period of 28 days and consult with the relevant agencies in accordance with the requirements of the Gateway Determination; and**
- iii. subject to no unresolved submissions being received:**
 - a. forward the draft Planning Proposal - Amendment 27, 121 Raby Road, Leppington to the Department of Planning and Environment for the plan to be made; and**
 - b. grant delegations to the General Manager to adopt the proposed changes to Camden DCP and publicly notify the adoption in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations; or**
- iv. if unresolved submissions are received, require a further report outlining the result of the public exhibition.**



ATTACHMENTS

1. Attachment 1 Planning Proposal Amendment 27
2. Attachment 2 Draft DCP Amendments



ORDINARY COUNCIL

ORD07**SUBJECT: STAGE 1 REFORMS LOCAL GOVERNMENT ACT - SUBMISSION FROM CAMDEN COUNCIL****FROM:** Director Customer & Corporate Services**TRIM #:** 16/33025

PURPOSE OF REPORT

The purpose of this report is to inform Council of the consultation on Phase 1 amendments to the *Local Government Act 1993* has commenced. The proposed amendments will:

- clarify roles and responsibilities of councillors, mayors, administrators and general managers;
- introduce new guiding principles for local government;
- improve governance of councils and professional development for councillors;
- expand on the framework for strategic business planning and reporting;
- prioritise community engagement and financial accountability; and
- streamline council administrative processes, including in relation to delegations and community grants.

Tabled in this report is Council's draft submission on the proposed amendments.

BACKGROUND

In August 2011, the then Office of Local Government (OLG) conducted a "Destination 2036 Workshop" (the Workshop) with all NSW councils and other related industry groups attending.

Subsequently, the Minister for Local Government (the Minister) appointed the NSW Independent Local Government Review Panel (the Panel). The Panel investigated and identified options for governance models, structural arrangements and boundary changes for local government in NSW. The Government had also previously established a Local Government Acts Taskforce (the Taskforce) to undertake a review of the Act and the *City of Sydney Act*. Both the Panel and the Taskforce submitted reports to the NSW Government.

In September 2014, the Premier and Minister released the NSW Government's response to the reports by the Panel and Taskforce. This response included the proposed "Fit for the Future" package.

In January 2016, the Minister announced the consultation period for what has been described as *Phase 1* of the proposed Act reform.

MAIN REPORT

Phase 1 of the reform program focuses mainly on changes to the governance and strategic business planning processes of councils.



Details of the proposed amendments to the Act and the explanatory paper are provided as **Attachment 1** to this report. This explanatory paper briefly summarises each of the proposed Phase 1 amendments.

The paper and survey are divided into the following sections:

1. Guiding principles for the Act and local government
2. Structural framework of local government
3. The governing body of councils
4. Elections
5. Councils' workforce
6. Ethical standards
7. Councils' strategic framework
8. Council performance

Council's feedback on the proposed amendments must be submitted electronically. A copy of Council's draft submission is provided as **Attachment 2** to this report.

Additional phases in the legislative reform process will address recommendations arising from reviews being undertaken by the IPART about the regulatory burden imposed on councils (considered by Council at the ordinary meeting of 23 February 2016) and the revenue-raising powers of councils. In each phase, opportunities will be identified to streamline the shape and structure of the legislation to ensure that the whole system of local government is fit for the future.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the submissions made, however, possible financial impacts are identified where appropriate.

CONCLUSION

There are a range of proposed reforms to the Act. Council has an opportunity to give input to this key legislation.

Consultation on Phase 1 amendments to the *Local Government Act 1993* closed on 15 March 2016, however Council obtained an extension from the OLG until 23 March 2016 to allow Council to consider the submission.

RECOMMENDED

That Council:

- i. **adopt the proposed submission and include any other issues raised by Councillors in Council's submission to the proposed amendments; and**
- ii. **authorise the Director of Customer and Corporate Services to forward Council's submission on the proposed reforms electronically to the Office of Local Government.**
- iii. **advise the State Member for Camden, Mr Chris Patterson MP, of Council's submission.**



ATTACHMENTS

1. OLG Explanatory Paper Stage 1 Proposals Local Government Act
2. STAGE 1 REFORMS TO THE LOCAL GOVERNMENT ACT 1993 - CAMDEN COUNCIL SUBMISSION



ORDINARY COUNCIL

ORD08

SUBJECT: OPPORTUNITY TO HOST A REGIONAL QUALIFYING EVENT FOR THE NSW OPEN GOLF CHAMPIONSHIP

FROM: Director Customer & Corporate Services

TRIM #: 16/74934

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a proposed 3 year partnership with Golf NSW to host a regional qualifying event for the NSW Open Golf Championships, including an investment by Council of \$5,000 per year (total \$15,000). Council has been advised that its investment is likely to generate the equivalent of \$56,000 per year in the local economy.

BACKGROUND

On 15 January 2016, the LGNSW Weekly newsletter included an article from Golf NSW inviting expressions of interest from Councils interested in hosting one or more regional qualifying events for the NSW open golf championships in 2016, 2017 and 2018. Council staff then investigated this opportunity further with Golf NSW.

Six two-day qualifying events are held annually. Each has the potential to generate interest from golfers across NSW which means more visitors, accommodation bookings, retail spending, and tourism dollars for the hosting council area.

Golf NSW is the governing body for amateur golf in NSW and provides the central forum for matters relating to golf rules, course rating, handicapping, competition conditions, inter-club, district and interstate events as well as legal, financial, industrial and administrative issues.

Golf NSW has 384 affiliated member clubs and oversees over 200 amateur golf tournaments and open championships annually. Many are state titles which provide significant economic benefits to their host regions.

Last year six regional qualifying events were staged with the stroke winner of each event being guaranteed automatic entry into the time-honoured NSW Open Golf Championship.

The initiative proved to be of benefit for the respective host regions both financially and from a public relations perspective.

MAIN REPORT

Relationship to Strategies

Camden 2040 states that a prosperous local economy will be achieved through a focus on developing and increasing tourism and visitors to the Camden area, through regional partnerships and promotion, strengthening the capacity of the local tourism industry, and supporting the ongoing improvement of local items of interest.



A key sector of Council's Economic Development Strategy is to also grow the tourism sector in the Camden LGA.

Investment

On 24 February 2016, Council submitted an expression of interest to Golf NSW to partner in hosting the regional qualifying event in 2016, and possibly for 2017 and 2018 also. Council's expression of interest is not binding and at this point does not involve the commitment of any funds.

On 1 March, a draft partnership agreement was received with the option of partnering in this event for 1 year for an investment of \$10,000 or 3 years for an investment of \$5,000 per year (total \$15,000).

Benefits and Opportunities

The regional qualifier event may be held in conjunction with an existing Club tournament, however it is suggested that a stand-alone event would deliver additional revenue to the local community courtesy of increased visitation nights.

Golf NSW would be responsible for assisting with marketing/promotion and attend the presentation to award the winning player their invitation to the 2016 NSW Open Championship.

As an event Partner, Council would receive from the Event Manager (Golf NSW):

- Name and or logo associated with the event title on all references and collateral;
- Right to deliver speech at the winner's presentation;
- Right to present the winner with the event trophy;
- Brand recognition in all event advertising, event collateral and PR;
- Permission to supply course signage at own cost.

Partnering in such an event provides a sports tourism opportunity, as sporting events have the potential to not only draw in a large number of visitors to the area for a short period of time but also offer an opportunity to promote the areas other events, attractions, dining and accommodation venues to a captive audience.

The benefit of hosting a large scale sporting event during a busier event period gives greater opportunity to showcase the LGA while there is a lot to see and do. While lack of accommodation in the Camden LGA provides constraints, visitors travelling from further distances are happy to stay as far as Southern Highlands, Wollongong and Penrith and drive for less than an hour each day. Ideally, September would be the best time to host the event as it fits with Camden Festival and Business Month activities and events in that month, and the golf championship calendar (Finals will be held in November 2016).

All six partners will be announced at the end of March/early April by the NSW Minister for Sport in Forbes NSW. The Mayor, General Manager and State MP from each partner council will be invited to the announcement in Forbes.

An economic analysis of the benefit of hosting this event was provided by .id (the population experts). Based on a variety of assumptions noted in the report **attached**,



running the Regional Qualifying Event for NSW Golf is likely to give a good return. A \$10,000 one-off spend is likely to generate around \$56,000 in value-added in the local economy and approximately 0.8 of a full-time equivalent job. A \$15,000 spend over 3 years may generate the same economic stimulus each year,.

Selecting a Preferred Club

Camden Council, as the 'Partner', would have the right to nominate a preferred date and golf course, after which the General Manager Golf NSW would then contact the Club to discuss and confirm. The 2 golf clubs of competition standard in the Camden LGA that would be suitable to host this event are Camden Golf Club and Camden Lakeside Country Club. However, officers have been informed that Camden Lakeside Country Club is undergoing course renovations and will not be available for 2016.

Camden Golf Club has advised Council that they are willing to host the event.

It would be the responsibility of Golf NSW to negotiate an agreement for the event with Camden Golf Club. The course agreement would be between Golf NSW and the club only.

Camden Golf Club would be responsible for running the tournament with scheduling to be coordinated between Council, Golf NSW and the club to maximise any additional events happening in the LGA from a visitor perspective.

The partnership agreement would be between Golf NSW and Council only.

FINANCIAL IMPLICATIONS

The cost to Council to partner in this event for 1 year is \$10,000 or for 3 years is \$5,000 per year (total \$15,000, payable year by year, not as a lump sum). As discussed above, the 3 year option is expected to generate the greatest return on investment for the LGA.

Funds will be drawn from Council's Economic Development budget.

CONCLUSION

Partnering with Golf NSW to host a regional qualifying event for the NSW Open Golf championships provides an opportunity for the Camden Local Government Area to promote and market itself as a sports tourism destination across the state via Golf NSW network of contacts, and will provide valuable direct and indirect economic benefits to the area.

As the benefits are not limited to a single year, the 3 year option is worthy of consideration to obtain maximum economic benefit and to take advantage of the lower per year financial commitment.



RECOMMENDED

That Council:

- i. authorise the 3 year partnership agreement with Golf NSW to be signed under Council's delegated authority and the associated payment of \$5,000 (exclusive of GST) for each of the next three years from the Economic Development budget; and**
- ii. authorise the Director Customer & Corporate Services to make any administrative amendments to the agreement before signing.**

ATTACHMENTS

1. Camden Council Golf Regional Qualifying Event Economic Analysis March 2016
2. Partnership Agreement One Year - *Supporting Document*
3. Partnership Agreement Three Years - *Supporting Document*



ORDINARY COUNCIL

ORD09

SUBJECT: DEDICATION OF LAND TO COUNCIL - LOT 3634 DP 880878, 45 KURRAJONG CIRCUIT, MOUNT ANNAN

FROM: Director Customer & Corporate Services

TRIM #: 16/67111

PURPOSE OF REPORT

This report seeks Council approval to accept the dedication of a parcel of land, comprising 1.928 hectares, from UrbanGrowth NSW (formerly Landcom) known as Lot 3634 DP 880878, 45 Kurrajong Circuit, Mount Annan.

BACKGROUND

UrbanGrowth has requested that Council accept the dedication of the subject land. UrbanGrowth has advised that the land forms part of the Garden Gates Estate and it has been the intention since 1998 that the land be dedicated to Council as part of the Open Space contributions.

The dedication was delayed at that time as the development required the construction of downstream drainage works and Urban Growth (then Landcom) retained the ownership of the land until the final drainage works were completed. The approval process to identify the land as a riparian corridor and drainage reserve also provided a further delay.

A search of Council records shows that the land did not form part of a WIKA or VPA and in the absence of any legal instrument for the land to be transferred to Council, it is necessary to consider whether Council has an interest in accepting the dedication/acquisition of the land.

MAIN REPORT

Part of this land runs through two Council owned reserves and from a user perspective it is difficult to delineate the boundary between Council's land and this parcel of land. Furthermore, a pathway has been constructed by UrbanGrowth across the land which connects to the adjoining Council owned land.

Council has been maintaining the grassland and garden beds as they form part of the natural boundary adjoining Council land.

UrbanGrowth has carried out defect works on the footpath, viewing platform and stormwater drainage, which have been deemed satisfactory by Council officers to enable the land to be transferred to Council.

In this instance, the acquisition of the land will ensure a cohesive open space area which is already being used by the community.

Although Council is not obliged to accept the acquisition of the land, if Council did not do so, UrbanGrowth could fence the land which would dissect the pathway and limit

access to the adjoining Council reserve. In that case, the land may not be maintained adequately, creating a visual and health risk as well as a loss of amenity.

It is noted that all land that comes into Council ownership must be classified as operational land or community land in accordance with sections 25 and 26 of the *Local Government Act 1993* (the Act). For ease of management of the land as a drainage reserve, it is appropriate that the land be classified as operational land.

Section 34 of the Act requires public notice be given of a proposed resolution to classify public land. In order to formalise the proposed classification as operational land, public notice will be given allowing for submissions to be made. Should any submissions be made against the proposed classification, a report will be presented back to Council seeking final approval of the classification.

Pursuant to section 377(1)(h) of the Act, the Council must determine the decision to purchase any land or property.

FINANCIAL IMPLICATIONS

Council is already maintaining this land and recent defects works have been carried out by UrbanGrowth. As such there should be minimal additional maintenance costs associated with the acquisition of this land.

The land is to be acquired for the nominal fee of \$1.00 and UrbanGrowth will be responsible for all legal costs incurred in relation to the transfer of the land.

CONCLUSION

Council officers have considered the acquisition of Lot 3634 DP 880878 Kurrajong Circuit, Mount Annan from UrbanGrowth (formerly Landcom) and are satisfied that it would be appropriate to take ownership of this land.

RECOMMENDED

That Council:

- i. acquire Lot 3634 DP 880878, 45 Kurrajong Circuit, Mount Annan for consideration of \$1.00 for the reasons set out in this report;**
- ii. authorise the execution of the Transfer and all necessary documents for the acquisition of Lot 3634 DP 880878 to be completed under Council's Power of Attorney, granted 23 February 2016, Minute Number ORD15/16;**
- iii. notify UrbanGrowth NSW that the transfer of land has been accepted by Council;**
- iv. place the proposed "operational" classification of the land on public exhibition;**
- v. if no submissions are received against the proposed classification, resolve to classify Lot 3634 DP 880878, 45 Kurrajong Circuit, Mount Annan as operational land with effect from the day after the close of the public exhibition period; and**
- vi. if submissions are received against the proposed classification, receive a**



further report to Council following the exhibition period.

ATTACHMENTS

1. Location plan



ORDINARY COUNCIL

ORD10

SUBJECT: STATE LIBRARY COUNCIL GRANT AND SENIORS' FESTIVAL GRANT

FROM: Director Customer & Corporate Services

TRIM #: 16/72910

PURPOSE OF REPORT

This report recommends that Council accepts two grants, a Library Council of NSW Grant of \$200,000 (GST exempt) for the Oran Park Library and Community Resource Centre, and a NSW Department of Family and Community Services Grant of \$920 (GST inclusive) for NSW Seniors Festival Program.

BACKGROUND

The Public Library Infrastructure Grants Program 2015/16 is for projects that provide significant public benefit and develop improved public library services for NSW communities. One of the strategic areas for funding involved library buildings and spaces which position libraries as community hubs including appropriate co-locations and projects that increase public space and technology.

The NSW Seniors Festival Program celebrates and recognises seniors in communities across the state. NSW Seniors Festival (previously known as NSW Seniors Week) is an annual NSW Government campaign and the largest celebration for people over 60 in the southern hemisphere. It is also for people aged 50 and older who have a lifelong disability or people who are of Aboriginal or Torres Strait Islander descent. This year, the festival will run from Friday 1 to Sunday 10 April, and the theme is *Grow Young*.

MAIN REPORT

The Oran Park Library and Community Resource Centre will incorporate a new library and community centre over two levels. The new facility will include large areas for library collections, public seating, group study and quiet study rooms, meeting rooms, four activity rooms, technology learning centre, public computers throughout the library, reading areas, and a separate children's area and youth area, including an outdoor learning space. The grant will be used to assist with building fit out and technology needs.

The NSW Seniors Festival Program, *Grow Young* is about celebrating our seniors for their energy, experience and unique ability to know who they are, and what makes them happy. At Camden Libraries we will hold 'Mind, Body & Soul' workshops for older persons in our community to learn about technology, art, recreation, health and good nutrition. The various workshops and activities are aimed at celebrating life and demonstrating how much our seniors are valued in the community. Camden Libraries will provide 8 separate activities during the festival. This event is featured in the NSW Seniors Festival Guide, one of only five to be featured out of hundreds of events being held in the metropolitan area.



FINANCIAL IMPLICATIONS

The grant of \$200,000 (GST exempt) will assist with the development of Oran Park Library and Community Centre.

The grant of \$920 (GST inclusive) will enable a Seniors Festival Program to be implemented and delivered at Camden Libraries. The existing library program budget will meet in kind costs which include library staff time for promotion and use of existing resources.

CONCLUSION

The Public Library Infrastructure Grant will provide funding to assist with the development of the Oran Park Library and Community Resource Centre Facility.

The Seniors Festival grant will provide the opportunity for older persons in the Camden community to participate in lifelong learning activities including technology, health and good nutrition.

RECOMMENDED

That Council:

- i. accept the Library Council of NSW Grant of \$200,000 (GST exempt);**
- ii. accept the NSW Department of Family and Community Services Grant of \$920 (GST inclusive); and**
- iii. write to the State Member for Camden, Mr Chris Patterson MP, thanking him for his ongoing support of Camden Library Service's Programs.**



ORDINARY COUNCIL

ORD11

SUBJECT: WESTERN SYDNEY INFRASTRUCTURE PLAN - LOCAL ROADS PACKAGE ROUND 2 - ACCEPTANCE OF FUNDING

FROM: Director Community Infrastructure

TRIM #: 16/59916

PURPOSE OF REPORT

The purpose of this report is to accept grant funding of \$7,359,567 under the Western Sydney Infrastructure Plan – Local Roads Package, to continue improvements along the Camden to Narellan road corridor.

BACKGROUND

The Western Sydney Infrastructure Plan – Local Roads Package is funded by the Australian Government, with an overall allocation of \$200 million, and is open to the Councils in the region around the proposed Western Sydney Airport. The Local Roads Package is intended to fund a range of works in local government areas which will improve local transport connections in Western Sydney.

The first funding round was in 2014 and was considered at the meeting of Ordinary Council on 27 January 2015. This report relates to the second funding round. Further funding rounds are subject to future announcements by the Federal Government.

MAIN REPORT

The Australian and NSW governments previously announced a jointly funded 10 year road investment plan of more than \$3.5 billion for Western Sydney, to support the Federal Government's decision on the airport at Badgerys Creek.

Key features of the plan include:

- Upgrade of Bringelly Road to a minimum of four lanes between The Northern Road and Camden Valley Way (construction commenced early 2015, completion 2019) – in progress;
- Upgrade of The Northern Road to a minimum of four lanes between Narellan and the M4 Motorway (construction commenced early 2016, completion 2020) – in progress;
- Construction of a new east-west motorway to the airport between the M7 Motorway and The Northern Road (construction to start late 2019); and
- A \$200 million package for local road upgrades.

In assessing the funding criteria for the Local Roads Package, the strategic corridor between Camden and Narellan (incorporating Argyle Street, Camden Valley Way, Grahams Hill Road and Porrende Street) has been identified as a key transport connection to The Northern Road, and ultimately facilitating access to the future airport and the Western Sydney Employment Area.



The Camden to Narellan Corridor Upgrade is made up of a number of separate projects designed to improve road network operation, journey times, safety and travel reliability for residents, employees and visitors in the area.

The following three projects were successful in securing multi-year funding in the Local Roads Package (Round 2).

Grahams Hill Road / Richardson Road / Camden Valley Way Intersection

This project aims to improve traffic flow, reduce travel times, and increase the safety and efficiency of Camden Valley Way at the intersection with Richardson Road and Grahams Hill Road, Narellan.

Scoping and development phases have been undertaken to establish the intersection treatment and the concept design (**Attachment 1**). The proposal is to widen and realign Grahams Hill Road to facilitate right turning bays on Grahams Hill Road and Richardson Road and widen and lengthen turning bays on Camden Valley Way.

Extensive services relocation is required to progress this project.

Macarthur Road / Camden Valley Way Intersection

The new developments in Elderslie and Spring Farm began in the early 2000's and Council had anticipated there would be increased traffic on the existing road network. The intersection of Camden Valley Way and Macarthur Road was identified in the Camden Section 94 Developer Contributions Plan as requiring a future signalised intersection upgrade.

Recent studies part funded by the Local Roads Package (Round 1) have indicated that the intersection of Camden Valley Way and Macarthur Road in Elderslie requires traffic lights to manage existing and future traffic. Council has undertaken detailed design which incorporates a realignment of Macarthur Road at its intersection with Camden Valley Way (**Attachment 2**).

The funding secured through the Local Roads Package facilitates a significantly more effective intersection treatment than would have been possible using Camden Contributions Plan funding alone, including improved landscaping and significant utility service relocations.

Porrende Street Upgrade

The project will investigate options to upgrade Porrende Street on the approach to The Northern Road including the access to the Narellan Sports Hub. Council has undertaken preliminary traffic modelling on Porrende Street.

Further grant applications will be made following the completion of the investigation to fund the actual delivery of the upgrade works.



Other Projects Investigated

Funding was not secured at this time for submissions by Council for the following:

- Liz Kernohan Drive and Hilder Street Intersections with Camden Valley Way (Scoping Phase);
- Camden Bypass Connection – link between Camden Bypass and Camden Valley Way at Fairwater Drive (Identification Phase); and
- Remembrance Driveway / Old Hume Highway Corridor Upgrade (Identification Phase).

These projects will be considered for future Local Roads Package funding rounds, and if successful will be the subject of a further report to Council.

FINANCIAL IMPLICATIONS

The Local Roads Package offers totaling \$7,359,567 are indicated in the table below:

Project	2016/17	2017/18	2018/19
Grahams Hill Rd / Richardson Rd	1,503,000	1,947,000	124,804
Macarthur Rd	3,484,763	200,000	
Porrende Street	100,000		

All figures are exclusive of GST.

The Macarthur Road intersection project also includes additional Section 94 funds of \$1,272,162 that are being used to progress the design, acquisition and utility relocations associated with the project.

Further grant funds may be available through an additional formal application for contingency funding, subject to reasonable justification and approval by the Federal Government.

The above funding will contribute to the accelerated delivery of key infrastructure, and will not impact Council's current budget.

CONCLUSION

Council has recently been advised that three grant funding applications to a value of \$7,359,567 under the Western Sydney Infrastructure Plan – Local Roads Package (Round 2), have been successful. The works focus on three locations (as noted above) as part of an overall strategy to upgrade the Camden Valley Way transport route between Camden and Narellan, contributing to the accelerated delivery of key infrastructure to benefit the local community.



RECOMMENDED

That Council:

- i. accept Federal Government funding of up to \$3,574,804 (excluding GST) for delivery of the Grahams Hill Road / Richardson Road intersection upgrade;**
- ii. accept Federal Government funding of \$3,684,763 (excluding GST) towards delivery of the Camden Valley Way / Macarthur Road intersection upgrade;**
- iii. accept Federal Government funding of up to \$100,000 (excluding GST) towards scoping for the Porrende Street upgrade;**
- iv. executes a funding agreement between Council and Roads and Maritime Services via Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16; and**
- v. write to the Federal Member for Macarthur, Russell Matheson MP, thanking him for his support.**

ATTACHMENTS

- 1. Camden Valley Way - Grahams Hill Road Concept Plan**
- 2. WSIP Local Roads Package Fact Sheet**



ORDINARY COUNCIL

ORD12**SUBJECT: TENDER T009/2016 - CONSTRUCTION OF MOUNT ANNAN LEISURE CENTRE (MALC) STAGE 2****FROM:** Director Community Infrastructure**TRIM #:** 16/53201

PURPOSE OF REPORT

To provide details of the tenders received for contract T009/2016, being the construction of Mount Annan Leisure Centre Stage 2 and to recommend that Council accept the tender submitted by ADCO Constructions Pty Ltd.

BACKGROUND

At its meeting dated 25 November, 2014, Council endorsed a project budget of \$13.65M for the development of Mount Annan Leisure Centre Stage 2 to include the following scope of works:

- Expansion and modifications to the health and fitness facilities
- Modifications to foyer and service counter
- Expansion of the crèche
- Additional office space
- Additional car parking
- 2 court multipurpose indoor sports hall
- New amenities areas to service courts and expanded health and fitness area.

At this meeting Council also accepted the tender from Facility Design Group Pty Ltd to undertake the detailed design of the Stage 2 works.

MAIN REPORT

Invitation to Tender

Expression of Interest (EOI)

In October 2015 expressions of interest were requested from firms willing to be pre-selected to tender (T009/2016) construction of MALC Stage 2. The invitation was advertised on the 22 September 2015 in the local newspaper, Sydney Morning Herald and the NSW e-tendering website. The EOI closed on 14 October 2015.

A selection panel was established and 6 companies were invited to tender.

The factors considered in the EOI process included:

- Organisation, Capability and Capacity
- Experience in similar projects and environments
- Demonstrated long term client relationships
- Project Team and experience
- Project Systems including WHS



Tenderers were advised their submission for the EOI process would form part of the overall tender evaluation of T009/2016 Principal Contractor for Construction of MALC Stage 2.

Tender Submissions

Tenders were received from the 6 selected companies listed below in alphabetical order:

<i>Company</i>	<i>Location</i>
ADCO Constructions Pty Ltd	North Sydney
Edward Constructions (NSW) Pty Ltd	Wollongong
Hines Constructions Pty Ltd	Bathurst
Lahey Constructions Pty Ltd	Pymont
Project Coordination Pty Ltd	Unanderra
Stephen Edwards Constructions Pty Ltd	Macquarie Park

An assessment of the tenders was undertaken in line with the Tender Evaluation Plan. A summary of this assessment is provided in the **Supporting Documents** which is Commercial in Confidence.

Tender Evaluation

The intention of the tender process was to appoint a contractor with proven capacity and experience in similar scale projects as well as providing good value and quality services to Council.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given weighting of 60% and non-price factors a weighting of 40%.

Non Price Factors considered for this project included:

- EOI score
- Methodology and Risk
- Project Duration

ADCO Constructions Pty Ltd provided the most competitive tender in terms of price/non-price factors and meeting all requirements of Council's tender documentation.

Relevant Legislation

The tender has been conducted in accordance with the Local Government Act 1993, the Local Government Regulations (2005) and Council's Purchasing and Procurement Policy.

Critical Dates / Time Frames

ADCO Constructions Pty Ltd have tendered to complete the works in 61 weeks from commencement dependent upon weather conditions.

FINANCIAL IMPLICATIONS

The tender price of \$10,546,777 (excl. GST) is within the budget allocation for this phase of the project and sufficient funds are available in Section 94 to accept the tender.

It should be noted that while all attempts will be made to limit the impact on normal operations of the Centre, it is expected that the Centre's earning capacity will be impacted during the construction phase. This will be monitored closely and any budget implications brought to account as part of Council's normal quarterly budget review process.

CONCLUSION

ADCO Constructions Pty Ltd has provided a conforming Tender. The Tender assessment concludes that the offer by ADCO Constructions Pty Ltd represents the best value to Council and the Company has a proven track record of performance on projects of a similar nature.

RECOMMENDED

That Council:

- i. accept the tender provided by ADCO Constructions Pty Ltd for the lump sum of \$10,546,777 (GST exclusive); and**
- ii. authorise the relevant documentation to be completed under Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16.**

ATTACHMENTS

1. Tender T009/2016 - Construction of Mount Annan Leisure Centre Stage 2 - *Supporting Document*