



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**22 October 2019**

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**Camden Council**  
**Administration Centre**  
**70 Central Avenue**  
**Oran Park**



## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DPIE	Department of Planning, Industry & Environment
TfNSW	Transport for NSW
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
S10.7 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
S603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
S73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement

General Manager  
Ron Moore

Mayor  
Theresa Fedeli

Director Customer and  
Corporate Strategy  
Tim Butler

Director Sport  
Community and Activation  
Tina Chappell

Acting Chief Financial Officer  
Matthew Walsh

Director Planning and Environment  
Nicole Magurren

Director Community Assets  
Sandra Kubecka

# SEATING DIAGRAM

Camden Ordinary Council Meeting

Deputy Mayor  
Rob Mills

Councillor  
Peter Sidgreaves

Councillor  
Lara Symkowiak

Councillor  
Michael Morrison

Councillor  
Eva Campbell

Councillor  
Ashleigh Cagney

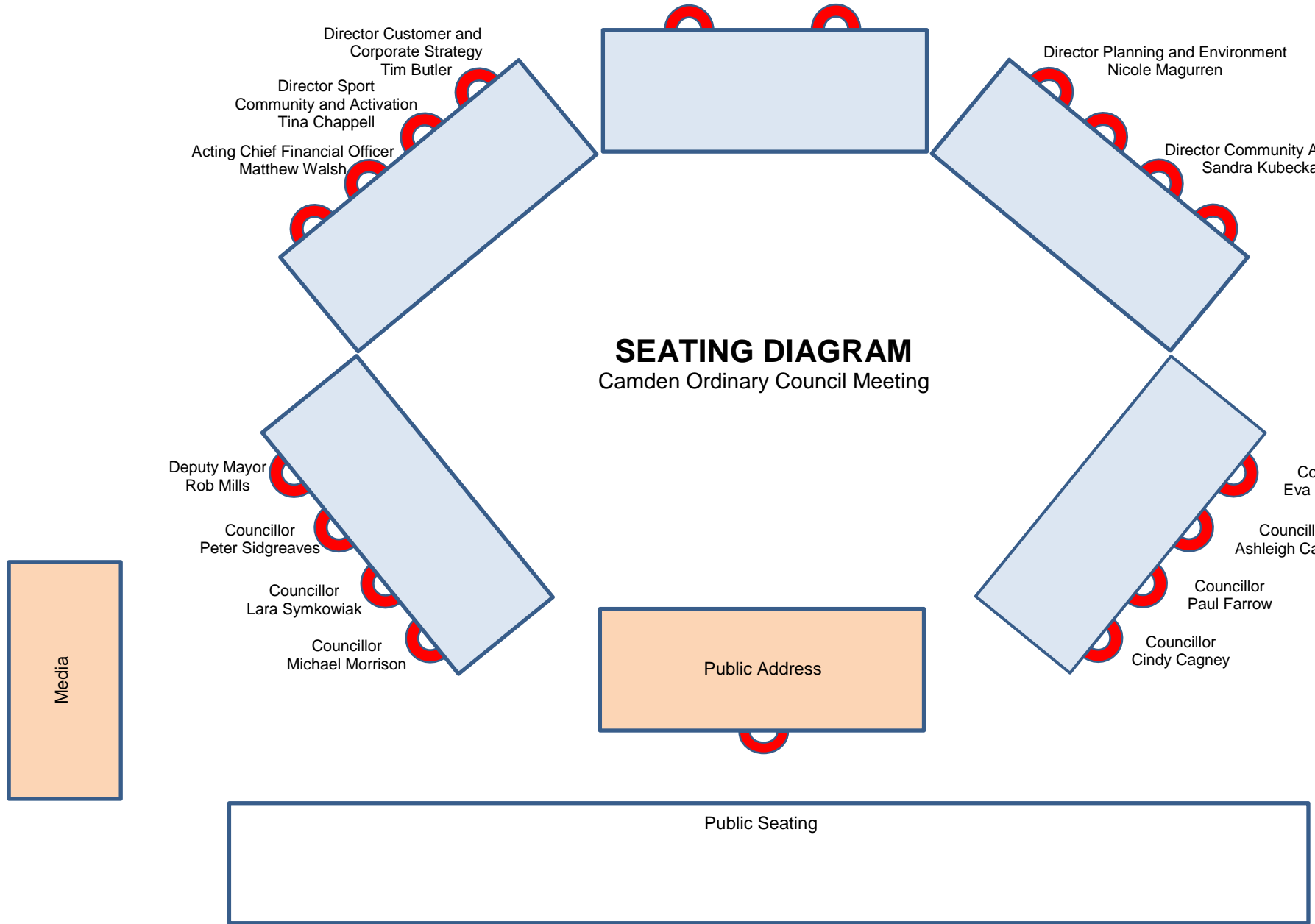
Councillor  
Paul Farrow

Councillor  
Cindy Cagney

Media

Public Address

Public Seating



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## ORDINARY COUNCIL

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## ORDINARY COUNCIL

**SUBJECT: PRAYER**

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### PRAYER

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

Amen

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

Amen

\*\*\*\*\*

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

Amen

\*\*\*\*\*

### AFFIRMATION

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

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

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

\*\*\*\*\*

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

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

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## **ORDINARY COUNCIL**

**SUBJECT:       ACKNOWLEDGEMENT OF COUNTRY**

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

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## ORDINARY COUNCIL

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images 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 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.

## **ORDINARY COUNCIL**

**SUBJECT: LEAVES OF ABSENCE**

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

### **RECOMMENDED**

**That leaves of absence be granted.**



## **ORDINARY COUNCIL**

**SUBJECT:       DECLARATION OF INTEREST**

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

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 4.28-5.19).

Councillors should be familiar with the disclosure provisions contained in the Council's Code of Conduct.

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

### **RECOMMENDED**

**That the declarations be noted.**

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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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The Public Address session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

The Public Address session will be conducted in accordance with the Public Address Guidelines. Speakers must submit an application form to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

Speakers are limited to one topic per Public Address session. Only seven speakers can be heard at any meeting. A limitation of one speaker for and one speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven at any given meeting.

Where a member of the public raises a question during the Public Address session, 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 question per speaker per meeting.

Speakers should ensure that their statements, comments and questions comply with the Guidelines.

All speakers are limited to four minutes, with a one minute warning given to speakers prior to the four 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, or make a point of order ruling if a speaker breaches the Guidelines.

### **RECOMMENDED**

**That the public addresses be noted.**

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## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 8 October 2019.

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 8 October 2019, copies of which have been circulated, be confirmed and adopted.**



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## **ORDINARY COUNCIL**

**SUBJECT:       MAYORAL MINUTE**

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Consideration of Mayoral Minute (if any).



## ORDINARY COUNCIL

### ORD01

**SUBJECT: LOCKIES HOTEL PLANNING PROPOSAL POST-EXHIBITION REPORT**

**FROM:** Director Planning & Environment

**TRIM #:** 19/270549

**PREVIOUS ITEMS:** ORD01 - Planning Proposal - Lot 81 DP 656970, 1423 Camden Valley Way, Leppington - Ordinary Council - 11 Dec 2018 6.00pm

**PROPERTY ADDRESS:** Lot 81 DP 656970  
1423 Camden Valley Way, Leppington

**PROPONENT:** Milestone (Aust) Pty Limited

**OWNER:** Laundry Trading (Bristol Arms) Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to inform Council on the outcome of the public exhibition process for the Planning Proposal at 1423 Camden Valley Way, Leppington (Lockies Hotel).

The report recommends Council endorse the post-exhibition amendments to the Planning Proposal and request the Department of Planning, Industry and Environment (DPIE) to make the plan.

The Planning Proposal is provided as an **attachment** to this report.

### BACKGROUND

The Planning Proposal seeks to amend Schedule 1 of Appendix 9 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) to include hotel or motel accommodation, pubs and retail premises (restricted to retail liquor outlet) as Additional Permitted Uses on the site.

The objective of the Planning Proposal is to facilitate the proposed development of a new pub/tavern, a new retail premises specifically to retail liquor and a new hotel or motel accommodation. The site benefits from existing use rights which enables the operation of the existing pub and liquor store.

The proposed development will include approximately 1,570sqm of retail floor space, 2,790sqm (approximately eighty rooms) of motel accommodation, and 3,115sqm of pub/tavern floor space. The final details of the development will be subject to a future Development Application.

On 11 December 2018, Council considered a report on this Planning Proposal and resolved to:

- i. Endorse the Planning Proposal (as amended) for land at 1423 Camden Valley Way, Leppington to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using

- its delegation pursuant to Section 2.4 of the Environmental Planning and Assessment Act 1979;
- ii. Subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and
  - iii. Subject to no unresolved submissions being received, forward the Planning Proposal for Lot 81 DP 656970, 1423 Camden Valley Way, Leppington to the Department of Planning and Environment for the plan to be made; or
  - iv. If unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
  - v. Should the Planning Proposal not receive Gateway Approval, notify the proponent that the Planning Proposal will not proceed.

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

On 15 February 2019, Council received a Gateway Determination from DPIE which required the following pre-exhibition requirements:

- Consultation with NSW Rural Fire Service to update the consistency of Direction 4.4 of the s9.1 Ministerial Directions;
- Consultation with Jemena Gas given the site's proximity to gas lines; and
- Council to consider if any further development standards to limit development are appropriate.

A copy of the Gateway Determination is included as an appendix to the **attached** Planning Proposal.

The Planning Proposal was placed on public exhibition from 21 May to 18 June 2019, with a total of eight responses, including two submissions from the community and six responses from State agencies.

Councillors were briefed on this proposal on 11 September 2018 and 24 September 2019.

## **MAIN REPORT**

### **Public Exhibition**

In accordance with the Gateway Determination, the Planning Proposal (as amended) and specialist studies were publicly exhibited for 28 days from 21 May to 18 June 2019. Adjoining land owners and the following public agencies were notified of the public exhibition:

- Sydney Water;
- Telstra;
- Endeavour Energy;
- Roads and Maritime Services;
- Jemena;
- NSW Rural Fire Service; and
- Office of Environment and Heritage.

During the public exhibition period, six submissions were received from public agencies and two submissions were received from community members, with one supporting and one objecting to the Planning Proposal.



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A submissions response table detailing the public agency submissions and Council officer response is provided as an **attachment** to this report. The submissions are provided in the **supporting documents**.

### ***Public Agency Submissions***

Endeavour Energy, Roads and Maritime Services, Sydney Water and Telstra raised no objection to the Planning Proposal.

The key issues identified in responses from NSW Rural Fire Services and Office of Environment and Heritage are outlined below.

### **Bushfire Assessment**

NSW Rural Fire Service (RFS) raised no objection to the proposal subject to the provision of a Bushfire Assessment Report demonstrating that any future development of the site complies with the *Planning for Bushfire Protection 2006*.

#### *Officer Comment*

A Bushfire Assessment Report was prepared by the proponent post-exhibition. The report was referred to the NSW RFS for assessment. The RFS has advised that the report satisfies the specifications as set out in *Planning for Bushfire Protection 2006*.

Further assessment of the bushfire requirements will be considered at the development assessment stage.

### **Environmental Considerations**

The Office of Environment and Heritage (OEH) recommends future development of the land is to be consistent with the Western City District Plan (WCDP) - Planning Priority W15 – increasing urban tree canopy cover and delivering Green Grid connections. Objective 30 of this planning priority is that urban tree canopy cover is increased.

#### *Officer Comment*

Council officers have updated the Planning Proposal to include that future development of the land consider Planning Priority W15 - Objective 30 to address urban tree canopy. OEH also recommend consideration be given to site landscaping and sustainability and building design. These issues will be considered at a future development application stage.

### ***Community Submissions***

In addition to the agency submissions, two community submissions were received during the public exhibition. One submission indicated support for the proposal without any further detail.

The matters raised in the other submission, and Council officer comment, are outlined below.

1. *'The Planning Proposal is premature having regard to the work being undertaken as part of the Leppington Town Centre Investigation Boundary.'*

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### *Officer Comment*

The site is located on the periphery of the Leppington Town Centre Investigation Boundary. The DPIE is currently reviewing the land uses and development controls within the Leppington Town Centre. Prior to reporting the Planning Proposal to Council for a decision on whether to proceed to Gateway Determination, Council officers consulted with the DPIE which advised that the most appropriate way to consider the proposed amendment is through a Planning Proposal.

Proceeding with the Planning Proposal at this time will not hinder the outcomes of the DPIE review for the following reasons:

- The site is contained within existing rezoned land (R3 Medium Density Residential zone) and will provide local services to existing and future residents.
  - The Leppington Town Centre review has been underway for over two years and there is no certainty on when this review will be finalised nor what amendments.
  - The site has existing use rights for a pub/liquor outlet, albeit that the proposal is seeking the intensification of existing uses and additional permitted uses not currently occurring on the site (i.e. motel), and
  - By issuing a Gateway Determination, DPIE was satisfied that the Planning Proposal could proceed alongside the Leppington Town Centre review.
2. *'The proposed uses are inconsistent with the objectives of the R3 Medium Density zone.'*

### *Officer Comment*

The proposal maintains the existing R3 Medium Density Residential zone. The relevant objectives of the R3 Medium Density zone to this proposal are:

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment.*

The Planning Proposal is consistent with these objectives. The proposed uses will provide facilities to meet the day-to-day needs of residents. Further assessment at the development application stage will be required to ensure any potential impacts of the proposed development on surrounding medium density residential dwellings are minimised to an acceptable level.

The site currently accommodates a large single storey building operating as 'Lockies Hotel' including a BWS liquor outlet with at-grade car parking accessed from Ingleburn Road. Lockies Hotel has been operating on the site since the 1970s and the site benefits from existing use rights which enables the operation of the existing pub and liquor store.

3. *'The information submitted in support of the Planning Proposal does not satisfactorily address the potential impacts the envisaged uses would have on adjoining lands and the wider precinct.'*





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### *Officer Comment*

The specialist studies, including a social impact assessment, submitted with the Planning Proposal have considered the potential economic, social and traffic impacts of the proposed uses to determine whether the uses are appropriate for the site. Further details addressing potential impacts to adjoining land uses (i.e. operational hours, screening, noise) will be subject to assessment at the DA stage.

Future DAs will also be required to demonstrate consistency with the Camden Growth Areas Development Control Plan and Leppington North Indicative Layout Plan (ILP) as revised by DPIE as part of the current review of the Leppington Town Centre.

4. *'The Planning Proposal is inconsistent with the Leppington North ILP in that the proposed local road abutting the northern boundary on the site has been removed.'*

### *Officer Comment*

It is noted that the concept plan provided as part of the **attached** Planning Proposal has been revised from the exhibited material to be consistent with the Leppington North ILP. This is discussed further in the post-exhibition changes section of this report.

## **Summary of Post-exhibition Changes**

### Revised Concept Plan

A revised concept plan has been included in the Planning Proposal with a proposed road layout that is consistent with the Leppington North ILP. The revised site plan includes the proposed half road on the northern site boundary and appropriate setbacks from existing and proposed roads as specified in the Camden Growth Centre Precincts DCP.

The concept plan is indicative only and has been included as a post-exhibition amendment to the Planning Proposal to demonstrate consistency with the Leppington North ILP. This will assist in the assessment of the proposal at the development application stage.

### Public Agency Responses

The Planning Proposal has been updated to include the public agency responses and further reports as provided above.

### **Next Steps**

Subject to the Planning Proposal (as amended) being endorsed by Council, the Planning Proposal will be forwarded to the DPIE for the plan to be made.

## **FINANCIAL IMPLICATIONS**

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

## **CONCLUSION**

The Planning Proposal seeks to amend the Growth Centres SEPP to include hotel or motel accommodation, pubs and retail premises (restricted to retail liquor outlet) as Additional Permitted Uses on the site.

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The Planning Proposal was placed on public exhibition for 28 days from 21 May to 18 June 2019. During the public exhibition, six submissions were received from public agencies and two submissions were received from community members, with one supporting and one objecting to the Planning Proposal.

The submissions received have been considered and minor amendments have been made to the Planning Proposal where relevant. It is recommended that Council endorse the Planning Proposal (as amended) for forwarding to the DPIE for the plan to be made.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the Planning Proposal for Lockies Hotel, 1423 Camden Valley Way, Leppington – Lot 81 DP 656970 (as amended);**
- ii. forward the Planning Proposal to the Department of Planning, Industry and Environment for the plan to be made; and**
- iii. notify submitters and public agencies of Council's decision.**

#### **ATTACHMENTS**

1. Lockies Planning Proposal - Post exhibition amendments
2. Council Report and Resolution - Lockies Hotel - 11 December 2018
3. Gateway Determination - Lockies Hotel - 15 February 2019
4. Submission Response Table Lockies Hotel
5. Submissions - Lockies Hotel - *Supporting Document*



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## ORDINARY COUNCIL

**ORD02****SUBJECT: PROPOSED NAMING OF UN-NAMED PARKS AND RESERVES -  
ELDERSLIE****FROM:** Director Customer & Corporate Strategy**TRIM #:** 19/142859

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement for the proposed names of seven un-named parks and reserves within the suburb of Elderslie, and to seek a resolution to refer the proposal and Council's endorsement to the Geographical Names Board (GNB) for exhibition and gazettal.

### BACKGROUND

The suburb of Elderslie is bordered by the Nepean River to the west, Narellan Creek to the north, Camden By-Pass to the south, and Studley Park Golf Course to the east.

As part of Council's 'Your Parks Your Voice Program', a group of Year 3 and 4 students at Elderslie Public School were approached to provide possible names as part of their local history study research. These students were asked to nominate local pioneer names for the un-named parks and reserves in Elderslie.

The students proposed a list of local historical identities for the six un-named parks and reserves. The students also nominated the name 'Blueberry Park' after the class of Year 3 and 4 students who participated in the research and naming project.

The Camden Historical Society has reviewed and is supportive of the seven proposed park and reserve names.

A Councillor briefing was held on this matter on 8 October 2019.

### MAIN REPORT

The Geographical Names Board (GNB) is the naming authority and has the role of assigning names to parks, reserves and natural features. The GNB's guidelines and procedures are aimed at ensuring community input as well as avoiding the duplication of names.

The names proposed for the parks and reserve are: Ina Cameron, Henry Oliver, John Condron, James Hartup, William Payne and William Parrott and Blueberry.

Site maps for each of the proposed park and reserve names and individual historical backgrounds are outlined below.





Proposed Park Names	Historical Background
Ina Cameron Park	<p>Mrs. Cameron was a long-term resident of Elderslie and heavily involved in the local community, including Camden Rotary, Camden Legacy and Camden RSL Bowling Club. She moved to Camden with her husband Gordon Cameron in 1946, where she became partners with her brother and sister-in-law in the Capitol Cafe, which is now Creme Della Creme in Argyle St. Four years later Mrs Cameron and her husband opened a menswear store in Argyle St, which they ran for 16 years before Gordon passed away. Mrs Cameron was the last foundation widow member of Camden Rotary and attended the group's Christmas parties every year. Mrs Cameron died at Camden Hospital on 13 November 2013, aged 105.</p>
Henry Oliver Park	<p>The Camden-Campbelltown Grammar School was founded at Camden in 1872. The school over the years had moved in the Camden area before combining with a school in John Street.</p> <p>The school came under the control of Dr. Henry Oliver in the 1890. Dr. Henry Oliver was Principal of the Campbelltown – Camden Grammar School and Commercial College, and he moved the school to Campbelltown and later moved again to St. Helen's Park House.</p> <p>Dr. Oliver moved the school from St. Helen's Park House to Studley Park in 1902.</p>
John Condron Park	<p>In 1812, John Condron was granted 100 acres by Governor Lachlan Macquarie. This was the second parcel of land granted in the Narellan area.</p> <p>Condron was a herdsman for John Macarthur of Camden Park.</p>
James Hartup Park	<p>James Hartup lived and worked in the Narellan area owning the Narellan Butcher shop opposite the old railway station for nearly 18 years. The shop provided a service delivering meat to the Camden community including Camden Hospital, Narellan Leagues Club at Leppington as well as donating meat to the Lions Club and Apex Club, for charity events.</p> <p>When the family sold the Butcher shop, James worked for Camden Council as part of the repair crew on the Camden Bridge after it was destroyed by flood.</p>





Proposed Park Names	Historical Background
William Payne Reserve	<p>In 1888, William Charles Payne purchased both Parrott Farm and Condron Farm from William Thompson. He began the construction of a Gentleman's Residence, as well as a number of other buildings.</p> <p>William Charles Payne gave the property its name of "Studley Park". It is believed to have been named after Studley Park House located on the property of Studley Royal which is near Ripon, Yorkshire, England.</p> <p>The buildings that Payne constructed were used for different purposes over the years, including Camden Grammar School, a setting for Fox Studios and a Golf Club.</p>



Proposed Park Names	Historical Background
William Parrott Park	<p>William Parrott was a shoemaker for John Macarthur and owner of Parrott's Farm. Governor Lachlan Macquarie granted 100 acres to William J Parrott in 1810. This was the first land grant in the Narellan area.</p> <p>In the 1830s, a portion of the land was gifted to the Church of England for a Church School and Cemetery. St Thomas Church was built in 1884 and is still used today.</p>



Proposed Park Names	Background
Blueberry Park	Blueberry Park is named after the class of students from Elderslie Public School who contributed to the Camden Council Survey about Elderslie Parks and Open Spaces, researched what the community liked in parks and then used that information to make suggestions to Council. The students also worked with the Council on the design of this park.

The GNB has advised Council that the following process is to be followed to have park and reserve names approved. If approved by the GNB, the park and reserve names will be formally included in the official place name register.

1. The land owner, developer or resident provides Council with proposed park name/s.
2. The proposed park name/s are checked by Council staff in accordance with the Guidelines published by the GNB.
3. A report is considered by Council for endorsement of the proposed park name/s to be submitted for approval by the GNB.
4. The GNB exhibits the proposed park name/s in the local media for 30 days, inviting submissions.
5. If objections are received by the GNB, they will be forwarded to Council for review.
6. If no objections are received, the GNB gazettes the name/s and notifies Council of the gazettal.

Steps 1 and 2 have now been completed and this report has been prepared in accordance with Step 3.





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Consequently, the proposed park and reserve name/s are now able to be recommended to Council for endorsement and referred to the GNB to continue the above naming process.

Signage will be placed in each of the seven parks/reserves, which will include information about the historical significance.

### **FINANCIAL IMPLICATIONS**

The matter has no direct financial implications for Council.

### **CONCLUSION**

Seven un-named parks and reserves have been identified in Elderslie. Council approached Elderslie Public School, which nominated a group of Year 3 and 4 students to undertake research and propose a list of names for the seven un-named parks and reserves within Elderslie. The suggested names were referred to the Camden Historical Society which endorsed the names selected.

The proposed names outlined in this report are in accordance with GNB guidelines.

It is recommended that Council endorse the proposed park and reserve names and refer the required application to the GNB to continue the place naming process, which includes a 30 day public exhibition period and, subject to no objections being received, proceed with the naming process.

### **RECOMMENDED**

**That Council:**

- i. endorse the park and reserve names Ina Cameron Park, Henry Oliver Park, John Condron Park, James Hartup Park, William Payne Reserve, William Parrott Park and Blueberry Park in the suburb of Elderslie;**
- ii. refer the endorsed names in i) above as an application to the Geographical Names Board (GNB) in accordance with the GNB place naming process; and**
- iii. endorse the installation of signage, including information about the historical significance, for each park/reserve.**

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## ORDINARY COUNCIL

ORD03

**SUBJECT: INVESTMENT MONIES - SEPTEMBER 2019**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 19/300017

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### PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2005*, a list of investments held by Council as at 30 September 2019 is provided.

### MAIN REPORT

The weighted average return on all investments was 2.51% p.a. for the month of September 2019. The industry benchmark for this period was 1.03% (Ausbond Bank Bill Index).

The Responsible Accounting Officer (the Chief Financial Officer) has certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

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

### RECOMMENDED

**That Council:**

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for September 2019; and**
- iii. note the weighted average interest rate return of 2.51%p.a. for the month of September 2019.**

### ATTACHMENTS

1. Investment Report - September 2019



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## ORDINARY COUNCIL

**ORD04**

**SUBJECT: AMENDMENT TO HARRINGTON GROVE VOLUNTARY PLANNING AGREEMENT**

**FROM:** Director Sport, Community & Activation

**TRIM #:** 19/285031

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### PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcomes of the public exhibition process and seek adoption of the draft Amendment to the Harrington Grove Voluntary Planning Agreement (VPA) as exhibited.

### BACKGROUND

#### **Original Harrington Grove VPA**

The Harrington Grove VPA was originally executed between Council and the developer (Dandaloo) on 22 August 2008 to provide infrastructure to support the development and future population of the Harrington Grove development, which includes the Harrington Grove East and Harrington Grove West precincts as shown in **Figure 1** in this report.

Councillors have previously been briefed on the concept of an Equestrian Centre as part of the Harrington Grove West development, in the vicinity of the State heritage listed Orielton Homestead.

To enable this proposal to proceed, the proponent was required to gain Heritage Office endorsement and seek an amendment to the Camden LEP 2010. The LEP amendment was supported by Council at its meeting of 11 December 2018 and formally gazetted in August 2019.

Following gazettal of the LEP amendment, Council officers proceeded to assess a request to amend the Harrington Grove VPA. The proposed amendment will enable the developer to deliver the Equestrian Centre concept complete with Bridal Paths within the community title land of Harrington Grove.

The draft amendment to the Harrington Grove VPA was publicly exhibited from 19 August to 16 September 2019.

Councillors were briefed on the proposed VPA amendment and the outcomes of the public exhibition on 8 October 2019.

A copy of the draft amendment (as exhibited) is included as an **attachment** to this report.

**MAIN REPORT**

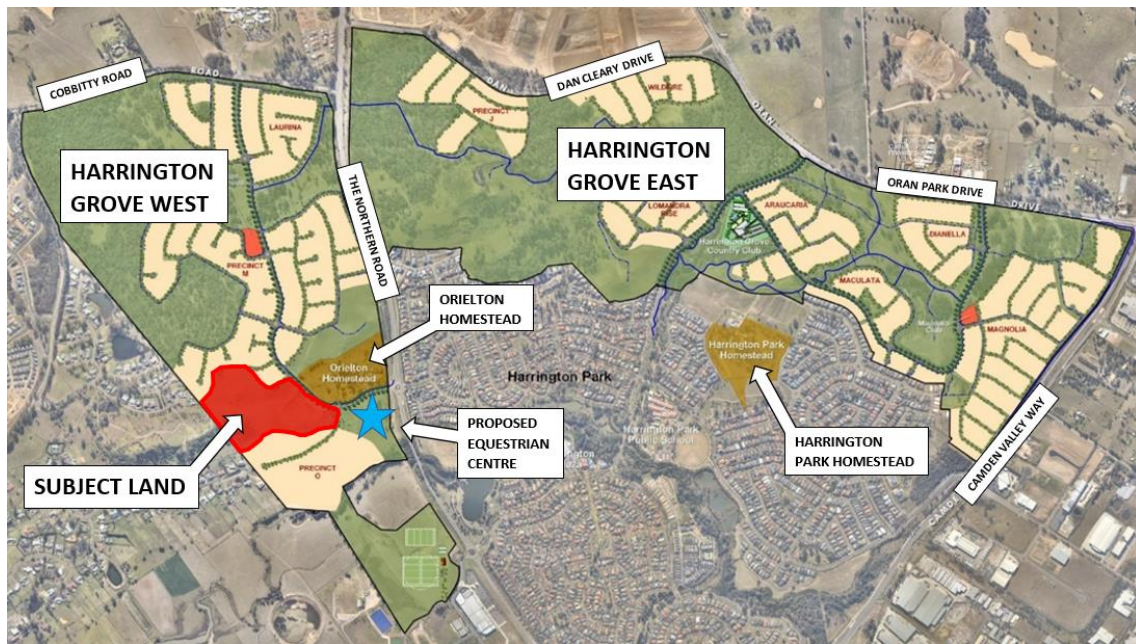
**Proposed Amendment to VPA**

The proposal applies to the land highlighted in red on **Figure 1** below within the Harrington Grove West development. The location of the proposed Equestrian Centre is marked with a blue star.

The proposed Amendment to the VPA includes the following changes:

- a reduction in the size of District Public Reserve DR7 from 12 hectares to 8 hectares;
- the excised 4 hectares of land to be retained in community title ownership to facilitate the construction of a bridle trail as part of the Equestrian Centre;
- provision of an additional lookout (LO5) and walking trails; and
- the construction of a rural style fence to delineate the boundary between the site of DR7 and the community-title land.

The proposed Amendment also includes updated section references of the *Environmental Planning and Assessment Act 1979* and an updated Explanatory Note.



**Figure 1 – Land to which proposed VPA amendment applies**

The proposed changes to DR7 are shown in **Figure 2** below, including the 8 hectare portion of DR7 which will be dedicated to Council for public ownership (coloured green); the 4 hectare portion which is proposed to retained in community title ownership (coloured blue), the new lookout LO5 and walking trails, and the location of the proposed bridle trail (thick red line).

The proposed amendment will retain public access from the bridle paths to the proposed pathway system accessing the public open space.

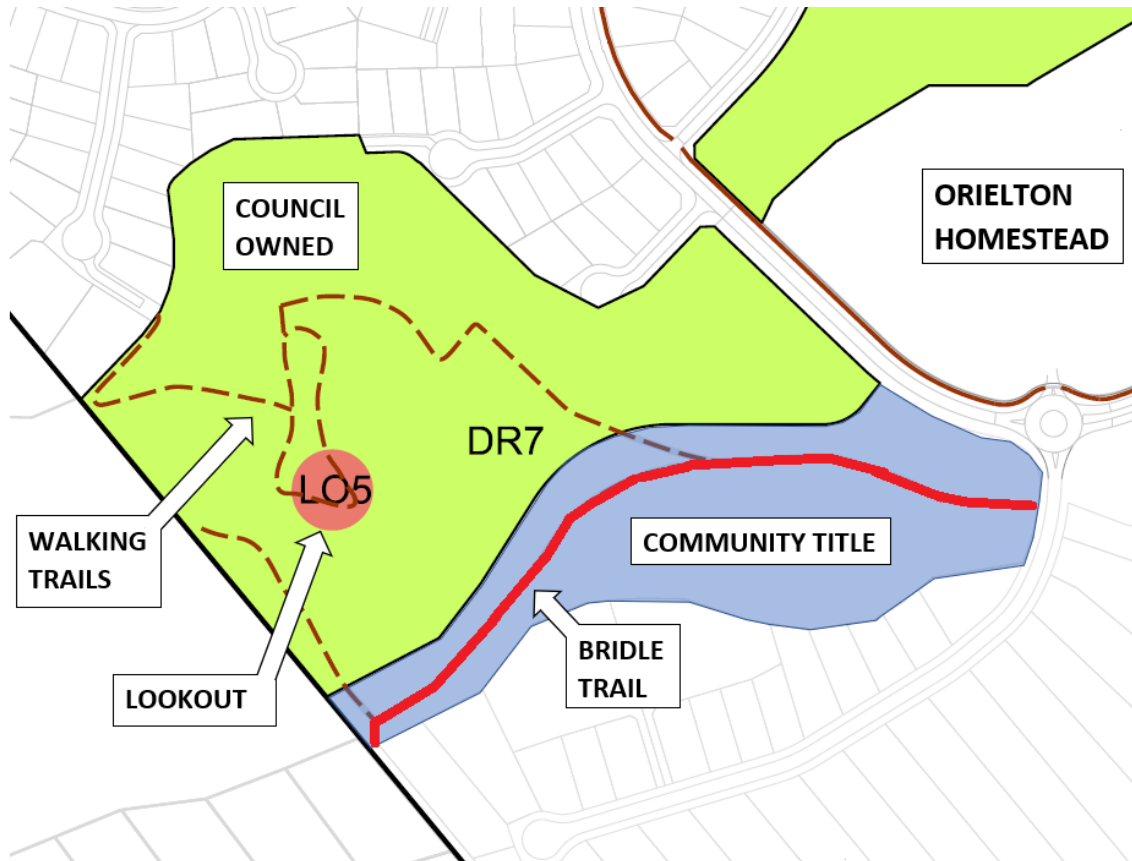


Figure 2 – Proposed changes to DR7 under VPA Amendment

### Assessment of proposed VPA Amendment

- The open space land (DR7) currently provides for a scenic protection and passive open space function; the proposed amendment to the VPA will not impact on achieving these outcomes.
- The Proposal is consistent with the heritage curtilage and has no impact on heritage outcomes for the Orielson Homestead.
- The steep topography of the land proposed to be retained in the community title limits its use for open space purposes; the proposed amendment will therefore not impact on the usability of the space.
- The new lookout and walking trails proposed as part of the VPA amendment will activate the land, providing a vantage point for the Orielson Homestead and improved community access.
- The proposal of a rural style fence on the boundary between the open space (DR7) and the community title land will delineate between the two ownerships.
- Council's ongoing maintenance costs and obligations for the open space are reduced due to the reduction of 4ha of land required to be maintained.

### Exhibition of draft VPA Amendment

The draft VPA amendment was exhibited from 19 August to 16 September 2019 including the notification of the proposal on Council's website, Council's Libraries, and in the local newspaper. No submissions were received in response to the exhibition.

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## Next Steps

Following endorsement the draft VPA Amendment, the following will occur:

- The draft VPA will be executed under Council's Power of Attorney; and
- The execution of the VPA will be publicly notified and a copy of the executed VPA will be forwarded to the Minister for Planning, in accordance with the *Environmental Planning and Assessment Act 1979*.

Should Council resolve to not support the draft VPA, the current VPA would apply to the land and be part of any future considerations for the Equestrian Facility.

## FINANCIAL IMPLICATIONS

The reduction in the amount of Open Space (DR7) land to be dedicated to Council will result in reduced future maintenance costs for Council.

## CONCLUSION

The proposed amendment to the Harrington Grove VPA will enable the delivery of the Equestrian Centre and associated bridle path proposed for the Harrington Grove West development, whilst continuing to maintain the passive open space and scenic protection function of the District Public Reserve DR7 land as originally envisaged.

The construction of a new lookout within DR7 will provide scenic views and vistas over the State heritage listed Orielton Homestead and augment the open space network within Harrington Grove. The proposed bridle path will also provide public access to the proposed pathway network.

Entering into the proposed VPA amendment is considered to be in the public interest as it delivers positive scenic and recreational outcomes and includes additional public benefit via the delivery of the new lookout.

## RECOMMENDED

**That Council:**

- endorse the draft amendment to the Harrington Grove Voluntary Planning Agreement and authorise the relevant VPA documentation to be executed under Council's Power of Attorney;**
- publicly notify the execution of the VPA in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations; and**
- forward a copy of the executed VPA to the Minister for Planning and Environment in accordance with the provisions of the *Environmental Planning Act 1979* and Regulations.**

## ATTACHMENTS

1. Harrington Grove Deed of Variation



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## ORDINARY COUNCIL

**ORD05**

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - GRANDPARENTS DAY 2019**  
**FROM:** Director Sport, Community & Activation  
**TRIM #:** 19/291870

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of grant funding from NSW Department of Communities and Justice for Grandparents Day 2019 celebrations.

### BACKGROUND

Grandparents Day is held nationally each year in October. The NSW Department of Communities and Justice offers annual Grandparents Day funding to NSW government authorities to deliver local Grandparents Day initiatives across their LGA.

### MAIN REPORT

Council has been successful in receiving grant funding under the NSW Grandparents Day Grant Program 2019 for \$1,600 (excluding GST) towards the 2019 Camden Grandparents Day events and programs.

This funding will enable a program of Grandparents Day initiatives to be delivered to the Camden community, including a multi-generational exercise class as well as craft activities and a professional photographer to record activities. The photos will then be displayed across libraries, social media platforms including Facebook and Instagram, and at Mount Annan Leisure Centre (the Y). This will help in promoting positive images of older people.

This event will provide an intergenerational opportunity to connect both the older and younger community together. It meets actions of Council-endorsed Children and Families strategy "*Children are encouraged to embrace individual differences and respect diversity*", as well as the Active Aging strategy "*Increase opportunities for older people to participate in recreational initiatives...*".

### FINANCIAL IMPLICATIONS

The grant funding of \$1,600 (excluding GST) will, provide additional funding towards Grandparent Day activities, to supplement Councils existing works-in-kind contribution towards the day.

### CONCLUSION

The funding from NSW Department of Communities and Justice will enable an expanded program of initiatives for the 2019 Grandparents Day including exercise programs at the Mount Annan Leisure Centre and professional photos displayed across Camden Libraries and through social media.

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**RECOMMENDED**

**That Council:**

- i. accept the grant funding of \$1,600 (excluding GST) for the 2019 Camden Grandparents Day celebrations;**
- ii. write to the Hon. Dr Geoff Lee MP, Acting Minister for Sport, Multiculturalism, Seniors and Veterans thanking him for the funding; and**
- iii. write to Mr Peter Sidgreaves MP, Member for Camden thanking him for his support.**





## ORDINARY COUNCIL

**ORD06**

**SUBJECT: TENDER T004/2019 ASPHALT AND CONCRETE CORING, SAWING AND GRINDING SERVICES**

**FROM:** Director Community Assets

**TRIM #:** 19/293747

### PURPOSE OF REPORT

The purpose of this report is to advise Council of tenders received for T004/19 Concrete and Asphalt Coring Sawing and Grinding Services and recommend that Council decline to accept any of the tenders and cancel the proposal for the contract.

### BACKGROUND

Council has undertaken a Request for Tender in relation to asphalt and concrete saw cutting, coring and grinding services, which was based on the extensive footpath grinding program undertaken in the prior two years.

This matter was briefed to Council on 24 September 2019.

### INVITATION TO TENDER

The invitation to tender was advertised in the local newspapers and the NSW e-tendering website on Tuesday 12 February 2019 and closed on 13 March 2019. Nine submissions were received from the following companies listed in alphabetical order:

<b>Company</b>	<b>Location</b>
1. CC Consulting Services (NSW) Pty Ltd	Condell Park, NSW
2. Knight Civil Pty Ltd	Roselands, NSW
3. Mastercut Concrete Aust Pty Ltd	Chipping Norton, NSW
4. Perfect Concrete Care Pty Ltd	Marrickville, NSW
5. Pro-Cut Concrete Pty Limited	Smeaton Grange, NSW
6. Russels Concrete Cutting Pty Ltd	Bradbury, NSW
7. Safe Footpaths	Campbelltown, NSW
8. Sydney Core Cutting Pty Ltd	Bexley, NSW
9. The Australian Grinding Company Pty Ltd	Cleveland, QLD

### **Tender Evaluation**

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

Tenders were assessed by the tender evaluation panel in accordance with Council's Procurement Procedures and Guidelines 2019.

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Tenders were assessed by the Tender Compliance Panel.

### **Relevant Legislation**

The tender process was conducted in accordance with the Local Government Act 1993, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Guidelines.

### **Assessment of the current program**

The Request for Tender, which was based on the extensive program that had been undertaken over the past two years, identified the consistent use of contractors to undertake concrete sawing, coring and grinding. The high use of contractors was envisaged to continue.

In conjunction with the use of contractors, Council purchased a grinder machine and created a team of two people from our current workforce, to supplement the program and expedite progress of the program of works.

A recent review of the program has identified that the in-house team has significantly reduced the workload required by contractors for these services.

It is therefore recommended that Council decline to accept any of the tenders submitted and cancel the proposal for the contract.

### **FINANCIAL IMPLICATIONS**

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

### **CONCLUSION**

Due to effectiveness of Council's in-house team's ability to reduce the volume of work required to be undertaken by contractors, it is recommended that Council decline to accept any of the tenders submitted and cancel the proposal for the contract, as Council has the capacity to undertake a significant portion of the works in-house.

It is noted that the tenderers will be invited to provide quotations for any additional Concrete and Asphalt Coring, Sawing and Grinding Services that are unable to be undertaken in-house as part of this program.

In accordance with Clause 178(3) of the Regulation, it is recommended that Council cancel the proposal for the contract.

### **RECOMMENDED**

**That Council decline to accept any of the tenders submitted for T004/2019 Concrete and Asphalt Coring, Sawing and Grinding Services, and cancel the proposal for the contract, in accordance with section 178 of the Local Government (General) Regulation 2005.**



## ORDINARY COUNCIL

**ORD07**

**SUBJECT: TENDER T005/2019 – SUPPLY AND DELIVERY OF PRE-MIXED CONCRETE**

**FROM:** Director Community Assets

**TRIM #:** 19/298772

### PURPOSE OF REPORT

The purpose of this report is to provide details of the tender received for contract T005/2019 – Supply and Delivery of Pre-mixed Concrete and to recommend that Council accept the tender offered by Concrete Pty Ltd.

### BACKGROUND

Council has undertaken an Request for Tender in relation to the Supply and Delivery of Pre-mixed Concrete. Council uses a significant quantity of pre-mixed concrete each year in the construction and maintenance of its road and drainage assets.

### INVITATION TO TENDER

The invitation to tender was advertised in The Sydney Morning Herald and through the e-tendering website on Tuesday 26 March 2019 and closed on Wednesday 24 April 2019. Only one submission was received.

#### **Company**

#### **Location**

Concrete Pty Ltd

Smeaton Grange, NSW

#### **Tender Evaluation**

The intention of the tender process was to appoint a reliable and cost-effective contractor for the supply and delivery of pre-mixed concrete.

A tender evaluation panel was established, and the submission was assessed on price and non-price factors as agreed by the evaluation panel. Price was given a weighting of 100% and non-price factors a weighting of pass/fail.

Non-price factors considered for this project were:

- Workplace Health and Safety;
- Conformance to the conditions.

Concrete Pty Ltd has provided a comprehensive tender that meets the requirements of Council's tender documentation, receiving a 'Pass' rating for both non-price factors. Concrete Pty Ltd also has a proven track record in the supply and delivery of pre-mixed concrete.

The panel members were unanimous in recommending that the tender by Concrete Pty Ltd represents value to Council based on its submission and the description and

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schedule of rates received for this service, and comparison to services previously provided to Council.

As there was only one company that tendered for this contract the summary of the tender assessment has been included in this report and a supporting document is not required.

The tender process was also reviewed by the Tender Compliance Panel.

### **Relevant Legislation**

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

### **Contract Term**

The term of this contract is for a period of three years, with an option to extend for a further two x one year periods, by mutual agreement.

### **FINANCIAL IMPLICATIONS**

There are no financial implications as the tender.

The supply and delivery of pre-mixed concrete is on an as-required basis for projects identified within annual budget allocations.

### **CONCLUSION**

Concrete Pty Ltd has provided a conforming tender. The tender assessment concludes that the offer from Concrete Pty Ltd represents value to Council based on their submission, and the description and schedule of rates received for this service. The company also has a proven track record of performance. It is therefore recommended that Council accept the tender provided by Concrete Pty Ltd.

### **RECOMMENDED**

**That Council accept the tender provided by Concrete Pty Ltd, at the submitted schedule of rates, for a period of three years, with an option to extend for a further two x one year periods by mutual agreement.**



## ORDINARY COUNCIL

ORD08

**SUBJECT: TENDER T020/2019 - UPGRADE OF THE EXISTING PLAYING FIELD  
AT NARELLAN SPORTS HUB, NARELLAN**

**FROM:** Director Community Assets

**TRIM #:** 19/299936

### PURPOSE OF REPORT

The purpose of this report is to provide details of the tenders received for contract T020/2019 - Upgrade of the existing playing field at Narellan Sports Hub Narellan, and to recommend that Council accept the tender offered by Renworx Pty Ltd.

### BACKGROUND

Council has allocated funding for the the upgrade of the existing Narellan Jets Rugby League playing field at the Narellan Sports Hub (NSH). This work is part of the Narellan Sports Hub Stage 2 project and there was an opportunity for the field upgrade to be completed as early works, before commencement of the main NSH Stage 2 works, in mid-2020.

This project is a refurbishment of the existing ground and not required to be included in the comprehensive design process associated with the delivery of NSH Stage 2 works. It was therefore considered that delivery of the field upgrade as early works would have less impact on the operations of the Narellan Jets Rugby League club. Narellan Jets have been consulted with regard to the scope of this project.

This project will involve the installation of irrigation, subsoil drainage, turf rectification and levelling. The existing turf cover on the field will be maintained and the works will occur during the Rugby League off season. Council is also upgrading the floodlighting on the existing full-size field during the off season however lighting works have been separately procured.

### INVITATION TO TENDER

The invitation to tender was advertised in the local newspapers and the NSW e-tendering website on 10 September 2019 and closed on 2 October 2019. Six submissions were received from the following companies listed in alphabetical order:

<b>Company</b>	<b>Location</b>
1. Devcon Civil Pty Ltd	Blacktown, NSW
2. Global Turf Products Pty Ltd	Macedon, VIC
3. Neverstop Irrigation Pty Ltd	Cromer, NSW
4. Renworx Pty Ltd	Wilberforce, NSW
5. The Green Horticultural Group Pty Ltd	Annangrove, NSW
6. Turf Drain Australia	Mt Ku-ring-gai, NSW

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## Tender Evaluation

The intention of the tender process is to appoint a contractor with proven capacity and experience in similar scale projects as well as providing best 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 a weighting of 50% and non-price factors a weighting of 50%.

Non-price factors considered for this project included:

- Methodology;
- Experience in similar type and scale of projects
- Capability;
- Proposed team;
- Program; and
- Work Health and Safety.

Renworx Pty Ltd provided the most competitive tender in terms of cost and meeting the requirements of Council's tender documentation. The company has a proven track record constructing works of a similar nature and scale.

The panel members were unanimous in recommending that the tender by Renworx Pty Ltd represented the best value to Council.

The tender process was also reviewed by the Tender Compliance Panel.

A summary of the tender assessment is provided in the **supporting document**. Please note this information is commercial-in-confidence.

## Relevant Legislation

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

## Critical Dates / Time Frames

Renworx Pty Ltd has submitted a program to complete the works in a timeframe that meets the requirements of Council. The project is scheduled to be completed in February 2020.

## FINANCIAL IMPLICATIONS

Council has sufficient budget allocation in the Capital Works Program to proceed with the proposed works in accordance with the terms and conditions of tender.

## CONCLUSION

Renworx Pty Ltd has provided a conforming tender. The tender assessment concludes that the offer from Renworx Pty Ltd represents the best value to Council and the company has a proven track record of performance on projects of a similar nature. It is therefore recommended that Council accept the tender provided by Renworx Pty Ltd.



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## **RECOMMENDED**

**That Council accept the tender provided by Renworx Pty Ltd as per the terms and conditions of tender T020/2019 – Upgrade of Existing Playing Field at Narellan Sports Hub Narellan for the lump sum of \$230,829 (excluding GST).**

### ATTACHMENTS

1. T020-2019 Tender evaluation - *Supporting Document*