



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**11 December 2012**

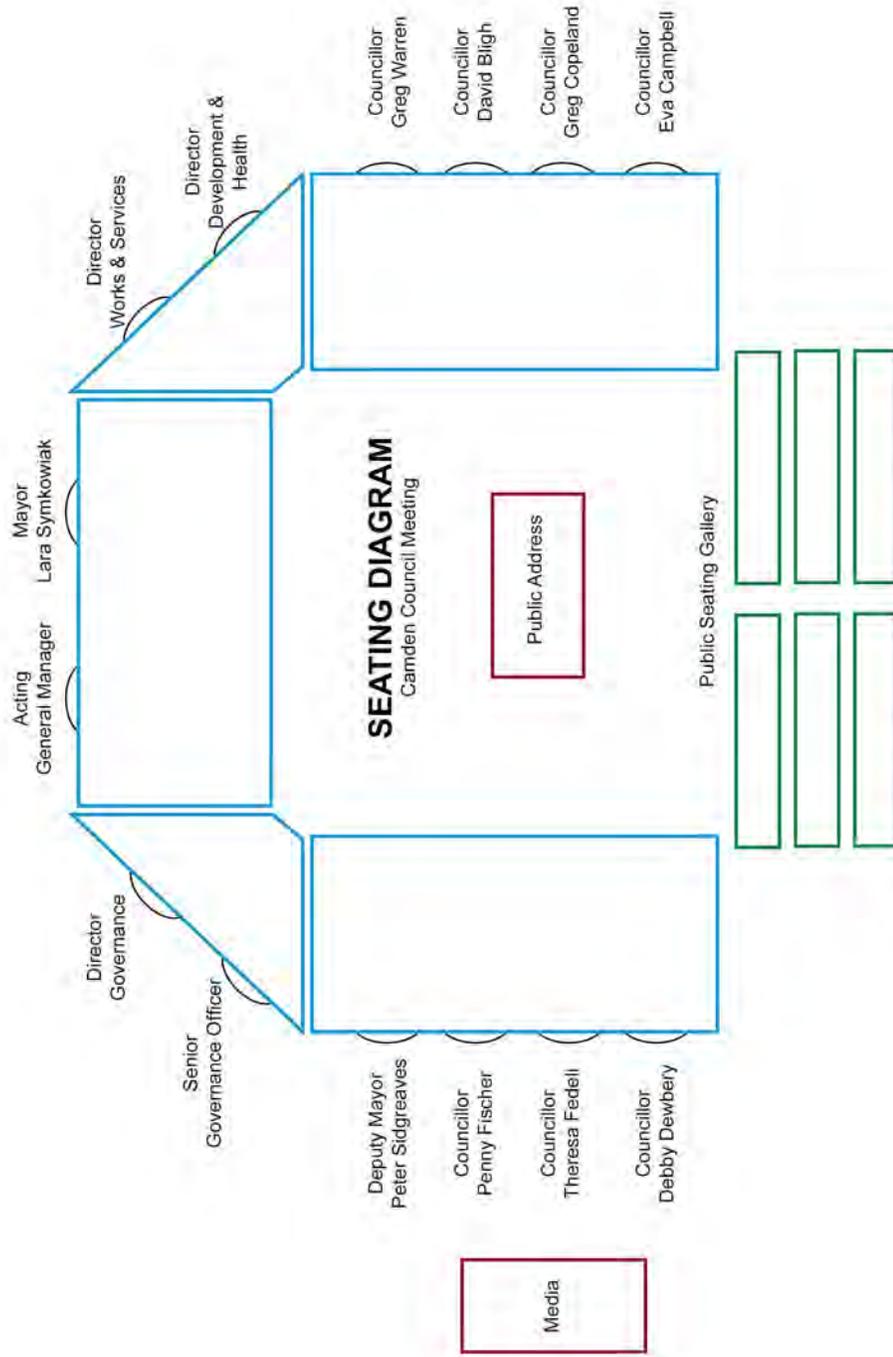
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**The Art Gallery Room  
Camden Civic Centre  
Oxley Street  
Camden**



## 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
DPI	Department of Planning & Infrastructure
DLG	Division of Local Government, Department of Premier & Cabinet
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
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149	
CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603	
CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73	
CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



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

# ORDINARY COUNCIL

## ORDER OF BUSINESS - ORDINARY COUNCIL

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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:      ACKNOWLEDGMENT OF COUNTRY**

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



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## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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



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## ORDINARY COUNCIL

**SUBJECT: APOLOGIES**

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

**RECOMMENDED**

**That leave of absence be granted.**



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## ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

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

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

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

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

### **RECOMMENDED**

**That the declarations be noted.**



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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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

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

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

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

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

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

### **RECOMMENDED**

**That the public addresses be noted.**



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## ORDINARY COUNCIL

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 27 November 2012 and the Minutes from the Local Traffic Committee Meeting held 20 November 2012.

**RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 27 November 2012, and the Minutes from the Local Traffic Committee Meeting held 20 November 2012, copies of which have been circulated, be confirmed and adopted.**



ORD01

## ORDINARY COUNCIL

ORD01

**SUBJECT:** SITE INSPECTION - SUBDIVISION OF LAND TO CREATE 90 RESIDENTIAL LOTS, 4 RESIDUE LOTS AND CONSTRUCTION OF NEW ROADS AT 172, 172A AND 186 RICHARDSON ROAD, AND 12B MORETON BAY AVENUE, SPRING FARM  
**FROM:** Director, Development and Health  
**BINDER:** DA 75/2012

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A report was submitted to the Council meeting of 27 November 2012. At that meeting Council resolved to defer their decision until a site inspection had been carried out.

A site inspection is to be held prior to the matter going before Council. Councillors to meet in the Council Carpark at 4.45pm or on-site at 5.00pm.

### RECOMMENDED

N/A



## ORDINARY COUNCIL

ORD02

ORD02

**SUBJECT:** SUBDIVISION OF LAND TO CREATE 94 RESIDENTIAL LOTS AND THE CONSTRUCTION OF NEW ROADS AT 172, 172A AND 186 RICHARDSON ROAD AND 12B MORETON BAY AVENUE, SPRING FARM

**FROM:** Director, Development and Health

**BINDER:** DA 75/2012

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**APPLICATION NO:** 75/2012  
**PROPOSAL:** Subdivision of land to create 94 residential lots and the construction of new roads  
**PROPERTY ADDRESS:** 172, 172A, 186 Richardson Road and 12B Moreton bay Avenue, Spring farm  
**PROPERTY DESCRIPTION:** Lots 2 and 3, DP 876325:  
Lot Pt 121, DP 543966; and  
Lot 407, DP 1015363  
**ZONING:** R2 Low Density Residential  
**OWNER:** Anglican Church of Narellan, Mrs TL Everard, Messrs WI & FR Adams, Ms MW True  
**APPLICANT:** Terry Hams (JMD Development Consultants)

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the subdivision of land to create 94 residential lots and the construction of new roads and landscaping at 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm.

The DA is referred to Council for determination due to unresolved objections raised in two submissions and one petition as the development involves variations to Camden Development Control Plan 2011.

### SUMMARY OF RECOMMENDATION

That Council determine DA No 75/2012 for the subdivision of land to create 94 residential lots and the construction of new roads pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions listed in Attachment 1 of this report.

### EXECUTIVE SUMMARY

Council previously considered this DA at the Ordinary meeting held on 27 November 2012. **A copy of the previous assessment report is provided as Attachment 1 and a copy of the Councillors memo is provided with the Business Paper supporting documents. A copy of the subdivision plans is also provided as an Attachment 2.**

At this meeting Councillors resolved that:

- i. *Council defer this item until the next Council meeting on 11 December 2012; and*

- ii. *Before that time, Councillors undertake a site inspection.*

The issues raised by Councillors at this meeting include potential traffic volumes exiting the site, the inclusion of battle axe lots and the use of cul de sacs within the proposed development. This report assesses these issues and provides Councillors with additional information regarding them.

## ASSESSMENT

### Traffic Volumes Exiting the Site

A traffic study was submitted in support of this DA which considered two potential access options for the site. Option 1 included the provision of a priority controlled T-junction with a right turn bay provided in Richardson Road for the right turn into the site. Option 2 provided for the construction of a one-lane roundabout at the intersection of Richardson Road and this site.

Traffic modelling was undertaken to assess the potential impacts associated with both options. Option 2 for the provision of a one lane roundabout was considered the most feasible options in that it will provide adequate capacity for future traffic demands and therefore ensure that a single entry/exit point to the site is acceptable for the proposed development.

Council's traffic engineer has assessed this option and considers that there will be no negative traffic impacts as a result of it. The traffic modelling undertaken indicates that the roundabout will give this intersection an average delay of 6.8 seconds which is considered to be acceptable given the number of lots proposed.

Additionally, the Roads and Traffic Authority's "Guide to Traffic Generating Developments" provides traffic generation rates for detached residential dwellings. Detached residential dwellings are predicted to generate 0.85 vehicle movements in the weekday peak hour and 9 vehicle trips per day. As this development proposes 94 residential lots, a maximum of 80 vehicles in a weekday peak hour will use the roundabout and approximately 846 vehicles per day.

Given the above information, it is considered that a single entry/exit point in the form of a one lane roundabout will provide sufficient capacity for the traffic generated by this development and will not adversely impact upon traffic on Richardson Road.

### Battle Axe Lots

Camden Development Control Plan 2011 (DCP) provides a number of controls relating to neighbourhood amenity and subdivision design. The DCP does not prohibit the use of battle axe lots, however it does state that they should be minimised.

The development proposes 4 battle axe lots and these range in size from 479m<sup>2</sup> to 579m<sup>2</sup>. The provision of these lots is a result of the irregular shape of the site and they will be fully capable of having contemporary dwellings constructed on them in the future. Additionally, future dwellings on these lots will be able to fully comply with the DCP controls relating to design, overlooking and solar access.

It is therefore considered that the provision of 4 battle axe lots as part of this development is acceptable in this circumstance.

### Cul de Sacs

The development proposes two cul de sacs, one at the end of proposed road no 1 and the other at the end of proposed road no 4. Council does not have any restrictions on the use of cul de sacs and has previously approved cul de sacs in many other residential subdivisions. However, where possible, Council staff attempt to minimise the use of cul de sacs.

The use of cul de sacs on proposed road no 1 is supported as a connection through to Richardson Road would be unsafe in this location due to its proximity to the future Liz Kernohan Drive.

The extension of proposed road no 4 through to Moreton Bay Avenue was considered prior to the adoption of the previous DCP (Camden Development Control Plan 2006). At this time, the Spring Farm Master Plan depicted a service road connecting the proposed subdivision into Moreton Bay Avenue. As a result of a review of the Master Plan, Moreton Bay Avenue resident opposition and concerns from a traffic perspective, this service road was removed from the Master Plan.

The use of waste collection vehicles using the proposed cul de sacs has been reviewed and is supported by Council's waste staff. The cul de sacs have been designed to accommodate Council's waste collection vehicles and no concerns are raised with their use in this development.

Consequently the use of cul de sacs in this development is supported.

### 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 No 75/2012 is recommended for approval subject to the conditions listed in Attachment 1 of this report.

### RECOMMENDED

**That Council approve Development Application 75/2012 for the subdivision of land to create 94 residential lots and the construction of new roads at 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm subject to the conditions listed in Attachment 1 of this report.**

### ATTACHMENTS

1. Previous Council Report with attachments
2. Subdivision plans
3. Councillor Memo - *Supporting Document*

ORD02

Attachment 1




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## ORDINARY COUNCIL

### ORD03

**SUBJECT:** SUBDIVISION OF LAND TO CREATE 94 RESIDENTIAL LOTS AND THE CONSTRUCTION OF NEW ROADS AT 172, 172A & 186 RICHARDSON ROAD AND 12B MORETON BAY AVENUE, SPRING FARM

**FROM:** Director, Development and Health

**BINDER:** DA 75/2012

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**APPLICATION NO:** 75/2012  
**PROPOSAL:** Subdivision of land to create 94 residential lots and the construction of new roads  
**PROPERTY ADDRESS:** 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm  
**PROPERTY DESCRIPTION:** Lots 2 and 3, DP 876325; Lot Pt 121, DP 543966; and Lot 407, DP 1015363  
**ZONING:** R2 Low Density Residential  
**OWNER:** Anglican Church of Narellan, Mrs TL Everard, Messrs WI & FR Adams, Ms MW True  
**APPLICANT:** Terry Hams (JMD Development Consultants)

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#### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the subdivision of land to create 94 residential lots and the construction of new roads and landscaping at 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm.

The DA is referred to Council for determination due to unresolved objections raised in two submissions and one petition and as the development involves variations to Camden Development Control Plan 2011.

#### SUMMARY OF RECOMMENDATION

That Council determine DA No 75/2012 for the subdivision of land to create 94 residential lots and the construction of new roads pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting of consent subject to draft conditions contained in this report.

#### EXECUTIVE SUMMARY

Council is in receipt of a DA for the subdivision of land to create 94 residential lots and the construction of new roads at 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm.

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

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This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 1



The DA was notified in accordance with Camden Development Control Plan (DCP) 2011. Two submissions and one petition containing nine signatures were received objecting to the proposal. The issues raised include overshadowing/overlooking, visual amenity, loss of property value and request to restrict houses to single storey. As the DA proposes the subdivision of land only, the assessment of visual impacts and overlooking/overshadowing cannot be undertaken until such time as dwelling applications on these lots are lodged with Council.

The application involves two variations to the Camden DCP. The first relates to the Spring Farm street network and the second relates to the absence of a pocket park identified in the DCP. Council's Traffic Branch previously requested the removal of the southern-most connection to Richardson Road as shown in the street network layout of the DCP due to its proximity to the Link Road intersection. Therefore the proposed variation to the street network is supported in this instance.

Additionally, the N5 pocket park shown in the DCP is not captured in the relevant Contributions Plan as a Section 94 item. Furthermore, the area of the N5 pocket park in the Landscape Master Plan is 1600m<sup>2</sup> which is not compliant with Council's minimum area requirement for parks being 2000m<sup>2</sup>. Therefore the proposed variation to the pocket park is supported given the above and the development's proximity to Moreton Bay Reserve.

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

#### SITE LOCATION MAP/AERIAL PHOTO



This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 2

ORD02

Attachment 1



### THE SITE

The subject site is commonly known as 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm and is legally described as Lots 2 and 3 in DP 876325, Lot Pt 121 in DP 543966 and Lot 407 in DP 1015363.

The site has a frontage of 265m to Richardson Road and 25m to Moreton Bay Avenue, a depth of 450m to the Camden Bypass and an overall site area of 11.36ha.

The subject site currently accommodates the Narellan Anglican Church building and car park, two detached dwellings and an existing pond.

The surrounding properties are characterised by low density detached dwellings together with their associated driveways, landscaping and fencing.

### HISTORY

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

Date	Development
17 April 2000	DA 675/2000 approved the construction and use of the Narellan Anglican Church building
2 October 2003	DA694/2003 approved a new single storey dwelling on 172 Richardson Road

### THE PROPOSAL

DA No 75/2012 seeks approval for the subdivision of land to create 94 residential lots (between 450m<sup>2</sup> and 29,200m<sup>2</sup>) and the construction of new internal roads. Proposed Lot 4 will contain the existing Narellan Anglican Church whilst proposed Lots 21 and 97 will each contain an existing dwelling.

The development also proposes the provision of temporary on-site detention and water quality facilities until such time as the permanent basin identified within the Water Cycle Master Plan Report for Spring Farm is constructed on the adjacent drainage reserve land.

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

### ASSESSMENT

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 3



ORD02

Attachment 1

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

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

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

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

- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River
- Camden Local Environmental Plan 2010

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

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

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

ORD02

Attachment 1



The applicant submitted a phase 2 contamination assessment and a remediation action plan (RAP) with this DA. The contamination assessment identified some site contamination, however the RAP provides a series of remediation actions that if implemented will decontaminate the site to a suitable level.

It is a recommended development consent condition that the site be remediated in accordance with the submitted RAP prior to the issue of a Subdivision Certificate. Subject to this occurring, the site will be made suitable for its intended residential use.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

An electricity transmission line traverses the site from north to south. Pursuant to Clause 45 of the SEPP, the DA was referred to Endeavour Energy for comment. Endeavour has raised no objection to the proposed development and has requested that a development consent condition be imposed which requires a separate application be lodged with Endeavour to relocate the overhead transmission line underground prior to the issue of a Subdivision Certificate, and that the existing line be extinguished. This recommendation forms a recommended development consent condition.

Deemed State Environmental Planning Policy No 20 – Hawkesbury/Nepean River

It is considered that the aims and objectives of this policy will not be prejudiced by this development and there will be no detrimental impacts upon the Hawkesbury/Nepean River system as a result of it. It is a recommended development consent condition that a water quality treatment basin be provided as part of this development.

Camden Local Environmental Plan (LEP)

*Permissibility*

The subject site is zoned R2 Low Density Residential under the provisions of the LEP. The proposed development is defined as "subdivision" which is permissible with consent in the R2 zone.

*Objectives*

The objectives of the R2 Low Density Residential zone are as follows:

- To provide for the housing needs within a low density residential environment.

Comment

The development proposes the subdivision of land to create lot sizes ranging between 450m<sup>2</sup> and 29,200m<sup>2</sup> which will accommodate a low density residential environment and therefore complies with this objective.

- To enable other land uses that provides facilities or services to meet the day to day needs of residents.



Comment

This development proposes the creation of lots to accommodate the existing Church and future residences and is therefore consistent with this objective.

- To allow for educational, recreational, community and religious activities that support the wellbeing of the community.

Comment

The development proposes a significant curtilage to be created around the existing Narellan Anglican Church so as to not adversely impact on Church activities and is considered to be consistent with this objective.

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

Comment

The proposed development has been assessed and will not have any adverse impacts on any other land uses within adjoining zones.

*Relevant Clauses*

The DA is assessed against the following relevant clauses of the LEP:

Clause	Requirement	Provided	Compliance
4.1 Minimum Lot Size	Minimum 300m <sup>2</sup> lot area	Yes. The development proposes a range of lot sizes between 450m <sup>2</sup> and 29,200m <sup>2</sup> . The proposed minimum lot size of 450m <sup>2</sup> satisfies the LEP.	Yes
6.1 Arrangements for designated State public infrastructure	Ensure satisfactory arrangements are made for the provision of State public infrastructure	Yes. Appropriate conditions of consent are recommended to ensure compliance.	Yes
6.2 Public Utility Infrastructure	Public utility infrastructure to be available for new development	Yes. Appropriate conditions of consent are recommended to ensure compliance.	Yes
6.5 Matters to be specifically considered for residential development at Spring Farm	(a) consider whether remnant vegetation and bush corridors will be protected, enhanced and managed.  (b) consider whether adverse odour impacts from the	Proposed development will not adversely impact on existing vegetation or bush corridors.  Council's Environment Officer has considered the potential odour	Yes  Yes

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 6

ORD02

Attachment 1



Clause	Requirement	Provided	Compliance
	Macarthur Resource Recovery Park (MRRP) will be mitigated	impacts and considers that no adverse impact will be experienced due to separation distance. The site is located to the north of Spring Farm and is not within the identified Spring Farm odour buffer area.	

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

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

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

Camden Development Control Plan 2011 (DCP)

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

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures to be implemented during and following completion of development	Soil erosion and sediment control measures have not been provided with the DA however it is a recommended development consent condition that soil erosion and sediment control measures are provided prior to the release of a Construction Certificate	Yes
B1.2 Earthworks	Earthwork control measures to minimise cut and fill requirements	Earthwork control measures can be achieved through conditions of consent to ensure that earthworks will not impact on waterways in the area	Yes
B1.3 Salinity Management	Salinity resistant construction	A salinity investigation and management report was provided and compliance with this report is a recommended development consent condition	Yes
B1.4 Water Management	Stormwater control measures	These measures will be ensured through conditions of consent	Yes

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 7



Control	Requirement	Provided	Compliance
B1.8 Environmental and Declared Noxious Weeds	Noxious weed control and management	It is a recommended development consent condition that a Weed Management Plan be implemented prior to issue of Construction Certificate	Yes
B1.9.2 Waste Management Plan (WMP)	Waste Management Plan	A Waste Management Plan has been provided which complies with the requirements of the DCP in relation to waste management	Yes
B1.12 Contaminated and Potentially Contaminated Land Management	Remediation of contaminated land requirements	A phase 2 contamination investigation was undertaken and RAP provided with the DA. It is a recommended development consent condition that the RAP is fully complied with.	Yes
B1.13 Mine Subsidence	Mine Subsidence Board Approval required	NSW Mine Subsidence Board Approval has been provided with the DA.	Yes
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	An acoustic assessment was lodged in support of the DA. It is a recommended development consent condition that a 3m high acoustic wall and earth mounding be provided.	Yes
B2 Landscape Design	Landscape plan	Landscape Plans were provided and comply with the landscape requirements for the site	Yes
C5.1 Neighbourhood Amenity & Subdivision Design	High Level of pedestrian connectivity	The development provides a high level of pedestrian linkages to connector roads and open space	Yes
	Legible and permeable street hierarchy	A legible street network which is generally compliant with the DCP road network has been provided	Yes
	Street block 250m x 70m Lot orientation north- south, east-west	Street blocks and dimensions compliant and north-south, east-west lot orientations have been provided	Yes
	Lots generally rectangular and battle-axe lots limited	Lots are generally rectangular and use of battle- axe lots have been minimised	Yes

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 8

ORD02

Attachment 1

ORD02

Attachment 1



Control	Requirement	Provided	Compliance
	Smaller than 300m <sup>2</sup> require dwelling plans	No lots less than 300m <sup>2</sup> are proposed as part of this subdivision	N/A
	Easements incorporated into road reserves	Yes – It is a recommended development consent condition to incorporate easements in road reserves	Yes
	Smaller lots located closer to neighbourhood centre, public transport and parks	Yes – smaller lots provided closer to existing open space and connector roads	Yes
C5.2 Street Network and Design	Street layout to be consistent with Spring Farm Master Plan	A number of internal streets have been re-configured and/or removed	<b>No. DCP Variation No. 1.</b>
C5.3 Pedestrian and Cycle Network	Pedestrian and cycle connections to be consistent with Spring Farm Master Plan	Yes – the pedestrian and cycle network can be conditioned to comply with the DCP	Yes
C5.5 Parks and Open Space	Parks to be provided in accordance with Spring Farm Master Plan	The N5 pocket park identified in the Spring Farm Master Plan has been removed.	<b>No. DCP Variation No. 2.</b>
C5.7 Provision of Adequate Infrastructure and Facilities	Demonstrate local public infrastructure and facilities provided	Yes – condition that Special Infrastructure Contribution is paid prior to the release of a Subdivision Certificate	Yes
C7.1 Residential Density Targets and Staging	Demonstrate that density targets and consistency with staging plan is achieved	Yes. The DCP density target is 96-102 lots over this area. The DA proposes 94 residential lots which is generally consistent with the DCP density target	Yes
C7.2 Neighbourhood and Subdivision Design	Typical block dimensions 60m x 200m	Yes – block dimensions comply	Yes
	No residential development below 100 year ARI flood line	Yes – no development is proposed below the 100 year ARI flood line	Yes
	Noise attenuation measures along Link Road & Camden Bypass	Acoustic attenuation measures will be conditioned	Yes
	Acoustic report	Acoustic Report provided	Yes

This is the report submitted to the Ordinary Council held on 27 November 2012 – Page 9



Control	Requirement	Provided	Compliance
	required		
	Electricity easements incorporated into road reserves	It is a recommended development consent condition to incorporate easements in road reserves	Yes
	View corridors protected	The development will not impact on designated view corridors	Yes
	300m <sup>2</sup> minimum lot size	Minimum lot size proposed is 450m <sup>2</sup>	Yes
C7.3 Street Network and Design	Kerb returns 8.5m radius required	The provision of kerb returns has been conditioned to comply	Yes
	Streets constructed in accordance with cross sections	Correct roads widths have been provided to ensure streets can be constructed in accordance with the cross sections	Yes
C7.4 Pedestrian and Cycle Network	Pedestrian and cycle connections to be consistent with Spring Farm master plan	The pedestrian and cycle network can be conditioned to comply with the DCP in that sufficient road widths have been provided to accommodate pedestrian/cycleways	Yes
C7.6 Parks and Open Space	Location of parks to be consistent with Landscape Master Plan	The N5 pocket park has been removed	No. DCP Variation No. 2 (same as above)

#### DCP Variation 1: Street Network

The proposed street network does not comply with the Spring Farm Master Plan in that a number of local roads and a connection to Richardson Road have been modified.

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

The applicant has provided a request for a variation to the Master Plan on the basis that:

- Council's Traffic Branch recommended the removal of the southern-most connection to Richardson Road as shown in the Master Plan due to its close proximity to the Link Road intersection; and
- the internal road layout has been rationalised to respond to Council's Traffic Branch's recommendation.

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It is acknowledged that Council's Traffic Branch has previously recommended the removal of the southern-most intersection on Richardson Road above the Link Road. It is also considered that the amended road layout has been designed to accommodate the deletion of this intersection and will not result in any adverse impact on future traffic flows.

Consequently the applicant's request to vary the DCP is supported and approval of the proposed street network is recommended.

To provide pedestrian and cycle access and connectivity to and from the subdivision in accordance with the DCP, it is recommended that a condition be imposed requiring the provision of a 6m wide path connecting the cul-de-sac head at the end of road no. 1 to Richardson Road and another 6m wide path linking proposed road no. 1 and Moreton Bay Avenue to the north of the site. Subject to these changes, it is considered that sufficient pedestrian and cycle connectivity is provided for the subdivision.

#### DCP Variation 2: Parks and Open Space

The development does not comply with the Spring Farm Landscape Master Plan in that the N5 pocket park has been removed. The applicant has provided a request for a variation to the Master Plan on the basis that:

- the N5 pocket park is not captured in the relevant Contributions Plan as a Section 94 item;
- the area of the N5 pocket park in the Landscape Master Plan is 1600m<sup>2</sup> which is not compliant with Council's minimum area requirement for parks, being 2000m<sup>2</sup>; and
- the provision of the N5 pocket park is not warranted given the development's proximity to the existing Moreton Bay reserve.

Council's Strategic Planning Branch has advised that the N5 pocket park was not expected to be provided given its size and proximity to the existing Moreton Bay Reserve. The subject park was excluded from the most recent Contributions Plan as it was not required or considered necessary in this location. The removal of this park will not detrimentally affect the amenity of the area.

Consequently the applicant's request to vary the DCP is supported and approval of the proposed deletion of the N5 pocket park is recommended.

#### Assessment against Spring Farm Master Plan

Despite the proposed DCP variations, the development is generally consistent with the Spring Farm Master Plan (Attachment 1) in that:

- the internal road network is consistent with the DCP with the exception of those streets identified above in this report;
- the target density for this site set by the DCP is between 96 and 102 lots, whilst the development proposes the creation of 94 residential lots. The proposed lot density is generally consistent with the DCP targets and has not been significantly affected by the changes to the internal road network;



- it is noted that proposed Lot 96 is not supported for the purpose of residential development due to its irregular shape. It is a recommended development consent condition that proposed Lot 96 is not approved for residential development.
- the development provides a legible and permeable street and pedestrian/cycle network with connections to existing infrastructure;
- the block and lot configurations are generally consistent with those in the DCP.

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

No relevant agreement exists or has been proposed as part of this application.

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

There are no matters prescribed by the Regulations that apply to this development.

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

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

Traffic Impacts

The traffic impacts have been assessed by Council's Traffic Engineer who has advised that the intersection with Richardson Road proposed to access the site will provide sufficient capacity under the future forecast demands subject to the provision of a one-lane roundabout being provided at this intersection.

It is a recommended development consent condition that a roundabout design be submitted to Council for assessment prior to the issue of a Construction Certificate.

It is therefore considered that there will be no negligible traffic impacts on the existing and future road networks as a result of this development.

Acoustic Impacts

The applicant has provided an acoustic report in support of the proposed development which assesses the potential impacts of traffic from Camden Bypass on the subject site.

The DA proposes the construction of a number of acoustic attenuation measures to ensure future residential development can meet the appropriate noise criteria. These measures included the provision of a continuous barrier along the Camden Bypass ranging in height from 5.5m to 6m and comprising of both earth mound and wall. Additionally, a 2.4m high acoustic boundary fence along Link Road (Liz Kernohan Drive) and Richardson Road.

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Concerns were raised with both the visual impact of the proposed acoustic wall and on the amenity of future residents. To overcome these impacts, conditions of consent are recommended limiting the height of any acoustic wall to 3m, with the additional height made up of acoustic mounding.

It is therefore considered that compliance with the above requirements will ensure that the internal and external amenity of future dwellings on the site is protected and compliance with Camden Council's Noise Policy can be achieved.

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

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

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

The DA was publicly exhibited for a period of 30 days between 26 July and 24 August 2012. In response, two submissions and one petition signed by nine residents were received objecting to the proposal. **A copy of the petition and submissions is provided with the Business Paper supporting documents.**

The following discussion addresses the issues and concerns raised in those submissions objecting to the proposed development.

1. *The proposed development will affect the value of a neighbouring property in that scenic views will be lost.*

Officer comment:

The impact on property values is not a matter for consideration in the assessment of a DA. In any case, there is no evidence to indicate that the proposal will impact on property values.

The development is part of a residential master planned area for Spring Farm and there is no requirement within the master plan restricts development for identified view corridors.

It is noted that the current DA is for the subdivision of land to create residential lots. Following subdivision, each of the new residential lots will be subject to separate approvals for a dwelling. At that time a merit assessment of the impacts from the dwellings, including visual impacts and view loss, will be considered.

2. *The proposed development will affect access to sunlight.*

Officer comment:

As above, the current DA is for the subdivision of land and no dwellings are proposed at this stage. Following subdivision, each of the new residential lots will be subject to separate approval for a dwelling.

Future applications for dwellings will be assessed against the relevant controls. Currently the DCP requires a minimum 6m rear boundary setback for dwellings to provide access to sunlight to adjoining properties. During the assessment of future applications, a merit assessment of the potential impacts from the dwellings, including access to sunlight, will be considered.

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3. *The existing traffic infrastructure in Spring Farm is inadequate and conditions will only be made worse by further development.*

Officer comment:

There are a number of road infrastructure projects planned for Spring Farm, including the construction of the Link Road/Liz Kernohan Drive, Haul Road and future upgrades to Richardson Road which will connect Spring Farm directly to the Camden Bypass and Camden Valley Way. These road infrastructure projects will improve traffic through Spring Farm.

Council's Traffic Engineer has assessed the proposed development and considers that there will be no adverse traffic impacts as a result of the development, subject to appropriate conditions including the construction of a new roundabout on Richardson Road providing access into the proposed development.

4. *Amenity will be compromised through the construction of 2 storey dwellings backing onto those existing dwellings along Moreton Bay Avenue. It is recommended that a restriction be put on lots 11-16 to limit dwelling heights to one storey.*

Officer comment:

This development proposes the subdivision of land and not the construction of dwellings. Council's DCP permits two storey dwellings and any future dwelling would be the subject of separate applications assessed against Council's DCP.

5. *Proposed lot 16 was originally part of a service road connection. The creation of lot 16 will create difficulties in providing for a future dwelling given the northern orientation of the existing dwelling at No 12A Moreton Bay Avenue, Spring Farm.*

Officer comment:

Prior to the adoption of Camden DCP 2006 the Spring Farm Master Plan depicted a service road connecting Moreton Bay Avenue into the proposed subdivision. As part of a previous review of the Master Plan and in response to resident opposition at that time and comments from Council's Traffic Branch, this service road was deleted. Accordingly the current adopted Master Plan provides for residential development in this area.

The existing ground level at proposed Lot 16 is lower than the ground level of the adjoining lot and dwelling. To minimise the impacts of the subdivision, it is recommended that a condition of consent be imposed to require the finished ground level of proposed Lot 16 to remain at or near the existing ground level. Retaining the lower finished ground level will assist in negating the impacts of the future dwelling on this lot.

The impacts from a future dwelling on proposed Lot 16 will depend on the final design of a future dwelling (which is currently unknown). When an application is received for a residential dwelling on proposed Lot 16, the impacts on the adjoining property will be assessed.

6. *Recommended that Council consider the following options:*

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- a) *taking ownership of proposed Lot 16 in order to extend the existing Moreton Bay Reserve;*
  - b) *creating a service road to connect into the proposed development;*
  - c) *negotiating a boundary adjustment to benefit both parties.*

Officer comment:

With respect to the considerations raised above:

- (a) Council has not identified a need to acquire this land for public purposes. Accordingly, the lot is not identified within the Camden Contributions Plan 2011 as open space and Council does not have funds for its acquisition. Furthermore, there is no provision to require the dedication of this lot to Council.
- (b) As addressed previously, the original service road was removed from the Master Plan due to resident opposition and advice from Council's Traffic Branch. It is noted that the service road is not required to accommodate traffic generation.
- (c) Council is not in a position to negotiate a boundary adjustment between the land owners over the subject land.

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

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, Environmental Planning and Assessment Regulations 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

**EXTERNAL REFERRALS**

The DA was referred to the NSW Rural Fire Service (RFS) for assessment as this development proposes the subdivision of bush fire prone land and requires the approval of the RFS pursuant to Section 100B of the *Rural Fires Act 1997*. The RFS raised no objections to the proposed development subject to compliance with 'Planning for Bush Fire Protection 2006'.

The application was also referred to Endeavour Energy pursuant to Clause 45 of the State Environmental Planning Policy (Infrastructure) 2007 in that an easement exists on the site. Endeavour Energy has provided comments which require the lodgement of an asset relocation application prior to the release of a Subdivision Certificate. This requirement forms part of a development consent condition.

The proposed development was also referred to the NSW Office of Water as Council's mapping system Office of Water identified a water course traversing the site. The NSW Office of Water has noted that this water course no longer exists and therefore a Controlled Activity Approval under the *Water Management Act 2000* is not required. The Office of Water raised no issues with the proposed development.

**CONCLUSION**

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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 No 75/2012 is recommended for approval subject to the conditions listed in this report.

### **DRAFT CONDITIONS OF CONSENT**

#### **1.0 - General Requirements**

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

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

<b>Plan / Development No.</b>	<b>Description</b>	<b>Prepared by</b>	<b>Dated</b>
Ref: 09223PS1, Sheet 1, Amendment B	Plan of Proposed Subdivision (Aerial Overlay)	John M Daly and Associates Pty Ltd	2 March 2012
Ref: 09223PS1, Sheet 2, Amendment B	Plan of Proposed Subdivision	John M Daly and Associates Pty Ltd	2 March 2012
Project 152.11, Sheet 1	Landscape Master Plan	distinctive Living Design	16 December 2011
Project 152.11, Sheet 2	Landscape Master Plan	distinctive Living Design	16 December 2011

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Sewer Access Chambers and Mains** -
- (a) No sewer access chambers are to be constructed within proposed Road Reserves, Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.
- (b) No sewer mains are to be constructed within both proposed and existing Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.
- (3) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 24 month maintenance and establishment period includes (but is not limited to) the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, screening and

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softening plantings on the road verge areas of the Camden Bypass, softscape elements such as plantings, lawn and any hardscape elements.

The DPC is taken to mean completion of all civil works, soil preparation, treatment and initial weed control, and completion of all planting, turf installation, street tree installation, road verge plantings and mulching.

It is the applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

Prior to Council accepting the maintenance responsibility of the landscaped areas, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards) must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

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

- (4) **Landscaping Installation, Establishment and Maintenance Costs** - The applicant will be responsible for all costs involved with the landscaping installation, establishment and maintenance works. The costs involved will include, but is not limited to, such items as electricity costs, traffic control measures and water usage.
- (5) **Noxious Weeds** -
- (a) The applicant must fully and continuously suppress and destroy, by appropriate means, any noxious or environmentally invasive weed infestations that occur during or after subdivision and prior to the sale of new lots. New infestations must be reported to Council.
  - (b) As per the requirements of the *Noxious Weeds Act 1993*, the applicant must also ensure at all times any machinery, vehicles or other equipment entering or leaving the site must be cleaned and free from any noxious weed material, to prevent the spread of noxious weeds to and/or from the property.
  - (c) Maintenance work is to be carried out, involving regular surveys to determine if any species are becoming established through time. Any noxious or environmental weed infestations that occurs during subdivision and prior to the sale of new lots must be reported to Council and be fully and continuously suppressed and destroyed by appropriate means.
- (6) **On-site Waste Storage** - The location of an on-site waste/recycling storage area for each lot which is of sufficient size to accommodate Council's waste, recycling and green waste bins shall be provided. The waste collection area must be on level ground, running parallel to the rear of the kerb and measure 3.0m x 0.9m x 3.9m high (allowing for the trucks lifting arm arc).
- (7) **Waste Bin Collection Point** - Each waste bin collection point is to be clear from the positioning of driveways, tree plantings (or tree canopies), street lighting or other fixtures.

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- (8) **Fencing and Signage of Contaminated Stockpiles** – All stockpiles of contaminated materials must be suitably fenced or cordoned off with suitable signage to provide warning of any potential danger.
  - (9) **General Requirement** – All activities associated with the development must be carried out within the parameters of the site and must be carried out in an environmentally satisfactory manner as defined under section 95 of the Protection of the Environment Operations Act 1997.
  - (10) **Proposed Lot 96 and Adjacent lots to the West** – Proposed lot 96 has not been approved for the purposes of this development application. Additionally, the lots signified by a dotted line on the south western side of the subject site do not form part of this development application and are therefore not approved.

## 2.0 - Construction Certificate Requirements

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

- (1) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans prepared by a qualified Landscape Architect or qualified Landscape Designer, must be submitted with the Construction Certificate (CC) application, and the detailed landscaping plans must be in accordance with Camden Council's current Engineering Design Specifications.

The detailed Landscaping Plans prepared for the issue of a CC must include (but not be limited to) the following items listed below:

- (a) Nature Strip Street Trees are to be installed:
  - (i) Ensure that the street tree installation and the proposed establishment schedules are clearly shown in the detailed landscaping plans.
  - (ii) That all street trees have at time of planting, well constructed tree guard protection installed. A minimum requirement is the installation of at least 3 bollards per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA.
  - (iii) Eucalyptus, Angophora, Araucaria varieties are not to be installed in any median strip, road verge or nature strip planting without approval from the Consent Authority (i.e. Camden Council).
  - (iv) That all the street trees are sourced in a minimum 75 litre container size, are not multi-stemmed and can stand alone without the need for staking.

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- (b) The detailed landscaping plans must mirror and be consistent with the approved concept landscaping plans lodged with the Development Application for consent (Landscape Concept Plans, prepared by Distinctive Living Design, dated 16/12/2011, plan Nos 152.11.00, 2 of 2 issue A, Project No 152\_11).
  - (c) The detailed Landscaping Plans lodged for the issue of the Construction Certificate must include a planting schedule. The planting schedule must clearly detail the planting positioning, species by botanical and common names, quantities, planting sizes and the estimated size of the plant at approximately 12 years maturity. The planting schedule must also clearly show the proposed establishment and maintenance programme to be applied to the installed landscaping.
  - (d) The landscaping plans lodged for the issue of the Construction Certificate must include all proposed public open space landscaping. The landscaping plans must detail all proposed road verge softening and screening plantings along the Camden Bypass.
  - (e) The detailed landscaping plans must clearly show any proposed road verge estate entry feature, statement feature wall, or entry statement signage. These works are not to be positioned on any public open space areas such as the nature strip or other Council maintained area. Any entry statement wall or entry feature is to be positioned wholly within the boundaries of private open space.
  - (f) The detailed landscaping plans must clearly show all the softening and screening road verge plantings along the Camden Bypass. The screening plantings are to be *Melaleuca linariifolia* (or other appropriate and similar growth habit *Melaleuca* variety) (sourced in minimum 55 litre container size). The *Melaleucas* must be planted along the entire length of the screening acoustic fence that separates the proposed subdivision from the Camden Bypass. The *Melaleucas* are to be evenly spaced at the rate of one (1) every 3m distance from stem to stem. They are to be planted approximately 1.5m off the fence. The trees are to be protected during the maintenance period by the installation of appropriate tree guard protection. The tree guard protection must be sufficient to withstand any adverse environmental conditions including the normal high wind conditions experienced along those road verge areas of the Camden Bypass.
- (2) **Civil Engineering Plans** – Civil Engineering Plans indicating drainage, roads, access ways, earthworks, pavement design, details of line marking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications, and are to be submitted for approval to the Principal Certifying Authority prior to the Construction Certificate being issued.

**Note:**

- (a) Under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
- (b) Under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority

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for subdivision work and has the option of undertaking inspection of physical construction works.

- (3) **Design and Construction Standards** – All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:

- (a) Camden Council's current Engineering Specifications, and
- (b) Camden Council's Development Control Plan 2011.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision **MUST** be submitted to and approved by the Roads and Maritime Services and Camden Council prior to the issue of any Construction Certificate

- (4) **Pedestrian/Cycle Path Connection** – To provide pedestrian/cycle connectivity to and from the development and existing planned infrastructure, the plans must be modified to provide:

- a. a 6m wide pedestrian/cycle path to connect the cul-de-sac head at the end of road no. 1 to Richardson Road;
- b. a 6m wide pedestrian/cycle path to connect Moreton Bay Avenue through to proposed Road No.1.

The modified plans must comply with the Camden LEP in relation minimum lot size and must be submitted to Council for approval prior to the issue of a Construction Certificate. The paths must be designed and constructed in accordance with Council's current Engineering Specification.

- (5) **Environmental Management Plan** - An Environmental Management Plan must be submitted to the Principal Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following issues:

- (a) all matters associated with Council's Erosion and Sediment Control Policy;
- (b) all matters associated with Occupational Health and Safety;
- (c) all matters associated with Traffic Management/Control during construction, which should address issues of access of construction traffic, storage of material, location of site office, and parking for workers, use of equipment and other matters which have an impact on the road network or immediate environment;
- (d) all other environmental matters associated with the site works such as noise control, dust suppression, waste management and the like; and
- (e) any construction work which involves access to a public road shall be subject to an approval of a Public Road Activity Application to Council accompanied by a Traffic Control Plan prepared by an RMS Accredited Certifier.

- (6) **Water Quality Monitoring Plan** – Prior to the issue of a Construction Certificate a water quality monitoring plan (WQMP) must be submitted to the PCA for review and written approval. Where the PCA is Camden Council, the WQMP must be reviewed and approved by an Officer of the Environmental Health Branch and be approved in writing by the Branch prior to release of the

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Construction Certificate. The WQMP shall include monitoring (this extends to water quality sampling and laboratory analysis) for all completed water quality treatment systems that provide water quality treatment to service the development both during the construction and post development stages. Only relevant water quality treatment systems that drain the subdivision should be included in the WQMP.

The WQMP should be consistent with the requirement of Council's standard water quality conditions with respect to water sampling and will need to include as a minimum quarterly water sampling; reference to an approved sampling methodology; location of sampling; frequency of reporting of results to the Consent Authority; and nomination of suitable water quality criteria (i.e. concentration values for pollutants expressed in mg/l) for the purpose of determining compliance.

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

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

- (8) **Performance Bond** - Prior to the issue of the Construction Certificate, a performance bond of 10% of the value of civil works must be lodged with Camden Council. Should any of Council's property sustain damage, or the development place the environment or public at risk, Council will perform any works necessary on behalf of the applicant to rectify these works. This bond will be refunded once all works have been completed to the satisfaction of Council. The applicant must be responsible for any damage caused to existing public utilities, footpaths or public roads during construction works.

In accordance with Council's Fees and Charges a non refundable administration fee of \$110.00 for cash/cheque bonds and \$220.00 for bank guarantees must be paid to Council upon lodgement of such bond.

It should be noted that Council will not refund/release the maintenance bond unless a suitable replacement bond is submitted.

- (9) **Pavement Design** - A pavement design prepared by a suitably qualified Geotechnical Engineer for all proposed roads and access ways based upon Council's Pavement Design specification must be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
- (10) **Turning Area** - A cul-de-sac shall provide sufficient area for a heavy rigid vehicle (12.5m long) to make a three point turn. The minimum dimension for a cul-de-sac turning head is 9.2m radius. This detail must be provided on plans prior to the issue of a Construction Certificate.
- (11) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council (and the Roads and Maritime

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- Services). Plans and proposals must be approved by Council (and the Roads and Maritime Services) prior to the Construction Certificate being issued.
- (12) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (13) **Drainage Design** - A Stormwater Management Plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (14) **Location of the "Construction" On-site Detention/Sediment Control Basin** - A "construction" on-site detention/sediment control basin must be provided for within the site.
- (15) **Location of Temporary Water Quality Facilities** - A temporary water quality facility must be provided for the site. The facility may be provided in the following locations:
- (a) within any proposed public road and/or drainage reserve contained within the site;
  - (b) within any proposed residue lot contained within the site; and
  - (c) within any adjoining property that is privately owned. In this regard appropriate easements, pursuant to s.88B of the *Conveyancing Act 1919*, must be registered by the Department of Lands – Land and Property Information, prior to the issue of any Construction Certificate.
- (16) **Location of Permanent Water Quality Facilities** - A permanent water quality facility must be provided for the site. Such a facility must be located within proposed and/or existing public land.
- (17) **Design of "Construction" On-site Detention/Sediment Control Basin** - The design of the "construction" on-site detention/ sediment control basin and water quality facility must be prepared in accordance with the requirements of:
- (a) for sediment control generally, *Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004* as produced by Landcom;
  - (b) Camden Council's current Engineering Design Specification;
  - (c) and must not concentrate final discharge flows from the facility.

The construction of the on-site detention/sediment control basin must contain an impervious layer to provide water harvesting.

The design must be prepared and certified by an Accredited Certifier and must be submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

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- (18) **Overland Flow Path** - A depression must be formed over the full width and length of the drainage easement to provide a stormwater escape route. The escape route must be designed to have a capacity to carry the difference between a 1:100 year flow and the flow in the pipe. This detail is to be provided on plans prior to the issue of the Construction Certificate.

A Restriction as to User must be created on the title of all applicable lots prohibiting the alteration of the surface levels within the drainage easement and limiting permissible fencing across the easement to an open form fence to allow overland flow to be contained within the easement.

- (19) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.

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

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

- a) existing and final contours
  - b) the location of all earthworks including roads, areas of cut and fill and regrading
  - c) location of impervious areas other than roads
  - d) location and design criteria of erosion and sediment control structures
  - e) location and description of existing vegetation
  - f) site access (to be minimised)
  - g) proposed vegetated buffer strips
  - h) catchment area boundaries
  - i) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
  - j) location of topsoil or other stockpiles
  - k) signposting
  - l) diversion of uncontaminated upper catchment around areas to be disturbed
  - m) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
  - n) procedures for maintenance or erosion and sediment controls
  - o) details for staging or works
  - p) details and procedures for dust control
- (20) **Roundabout** – A roundabout must be provided on Richardson Road at the entry point to this subdivision. A design must be submitted to Council for approval which demonstrates an intersection layout in compliance with AUSTRROADS Guide to Road Design – Part 4B Roundabouts prior to the release of a Construction Certificate.
- (21) **Roads and Maritime Service Approval** - Approval must be sought from the Roads and Maritime Service (RMS) for any works, including landscape, proposed within the Camden Bypass road reserve prior to the issue of a Construction Certificate.

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- (22) **Proposed Lot No 16** - The finished ground level of proposed Lot 16 must remain at or near the existing ground level in order to minimise any adverse impacts on the adjacent lot. Details of this must be included in the application for a Construction Certificate.
- (23) **Roadside Mound and Acoustic Boundary Fence** – An acoustic noise barrier is required in accordance with Appendix B Plan contained within *"Narellan Anglican Church Subdivision Traffic Noise Assessment prepared by Renzo Tonin & Associates, Ref TF360-01F02 (Rev 3) dated 11 July 2012."*

Where the noise barrier is required to be higher than 3m in height, the fence is to be limited to a maximum of 3m with the additional height made up of earth mounding.

Detailed plans of the design of the earth mound and acoustic walls (including levels and materials) must be submitted to Council for approval prior to the issue of a Construction Certificate.

### 3.0 - Prior To Works Commencing

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

- (1) **Construction of the "Construction" On-site Detention/Sediment Control Basin** - Prior to the commencement of any other subdivision work, the "construction" on-site detention/sediment control basin and the associated immediate stormwater drainage system must be constructed:
- (a) in accordance with the approved plans, and
  - (b) to the requirements of the Principal Certifying Authority.
- Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.
- (2) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point.
- (3) **Hoardings and Security Fencing** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by Camden Council.
- No site or demolition works must commence before the hoarding or fence is erected. Public thoroughfares must also not be obstructed in any manner whatsoever during demolition works.
- All demolition works must comply with the requirements of AS2601:2001 - Demolition of structures.
- (4) **Traffic Committee Approval** – Designs for line marking, regulatory signage and traffic management associated with all proposed public roads within this subdivision MUST be submitted to and approved by the Roads Authority,

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Camden Council prior to works commencing. If any changes to the proposed designs are required, an amended Construction Certificate may be required.

- (5) **Transport** – All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to provide the shortest travel distance (or most appropriate) from the site to a State road. The Applicant may consult with Council prior to selecting the most suitable transport route. All remediation work shall ensure that:

- all soil, materials, equipment or machinery are delivered to or removed from the site shall be transported within the hours of operation specified in the development consent. All loads entering or leaving the site are securely covered;
- all vehicles exiting the site are securely covered;
- all vehicles exiting the site do so in a forward direction; and
- all vehicles exiting the site shall not track soil, mud or sediment onto the road.

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

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

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

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (7) **Pollution Warning Sign** – A sign must be erected at all entrances to the subdivision site prior to work commencing and maintained until the subdivision has reached 80% occupancy. The sign must be constructed of durable materials and be a minimum of 1200 x 900mm. The wording of the sign must be as follows:

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

The warning and line statement wording must be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details must

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be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

The location and details of the signage shall be shown on the Soil and Water Management Plan prior to the release of the Construction Certificate.

- (8) **Remediation Works** - All works proposed as part of the Remediation Action Plan that includes remediation, excavation, stockpiling, on-site and off-site disposal; and that includes storage, cut, fill, backfilling, compaction, monitoring, validations, site management and security must be undertaken in accordance with the Remedial Action Plan titled *"Remediation Action Plan: Proposed Residential Development, prepared by John M. Daly & Associates Pty Ltd, prepared by Harvest Scientific Services Pty Ltd, job ref 201304, dated 28 June 2012"*.

Any variation or modification to the Remedial Action Plan in terms of compliance work must be requested from the Consent Authority (Camden Council) in writing prior to validation. With regard to remediation work, any proposed variation of works must be approved by the Consent Authority (Camden Council) in writing prior to the works being undertaken.

- (9) **Survey Marks** - Permanent Survey co-ordination marks must be placed within the subdivision in accordance with the *Surveyors Act and Regulations*.
- (10) **Civil Engineering Inspections** - Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following Stages of construction:
- (a) prior to installation of sediment and erosion control measures;
  - (b) prior to backfilling pipelines and subsoil drains;
  - (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, accessways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
  - (d) proof roller test of subgrade and sub-base;
  - (e) roller test of completed pavement prior to placement of wearing course;
  - (f) prior to backfilling public utility crossings in road reserves;
  - (g) prior to placement of asphaltic concrete;
  - (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications, must be submitted to Council prior to the issue of the Subdivision Certificate.

- (11) **Compaction (Roads)** - All filling on roadways must be compacted in accordance with Camden Council's current Engineering Construction Specifications.
- (12) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted to 95% standard compaction. The applicant's Geotechnical Engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS3798-1990.

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- (13) **Fencing of the "Construction" On-site Detention/Sediment Control Basin** – Any 'construction' on-site detention/sediment control basin must be enclosed by a 2.1m high security fence of a type approved by the consent Authority (Camden Council). Any such fence is to be continually maintained and is to remain in place until this facility is removed or reconstructed to a temporary/permanent waster quality facility.

#### 4.0 - During Construction

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

- (1) **Delivery Register** – The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (2) **Drainage Patterns Not to be Affected** - Filling must be undertaken in accordance with the approved plans and in such a manner that the drainage pattern on the site and on adjoining properties is not altered.
- (3) **Fill Material** – For importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

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

For Virgin Excavated Natural Material (VENM):

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

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- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

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

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

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

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

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

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

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

- (5) **Air Quality** - Vehicles and equipment used on-site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (6) **Remediation Works Inspection** - A qualified Environmental Consultant or Scientist will be required to frequently inspect the remediation works to confirm compliance with the RAP that includes all health and safety requirements.
- (7) **Off-Site Disposal of Contaminated Soil/Materials** - All contaminated materials proposed to be disposed of off-site must be disposed to a licensed landfill facility able to accept the classification of waste material.

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- (8) **WorkCover Authority** – All remediation work must comply with the relevant requirements of NSW WorkCover Authority.
- (9) **Licences** – It is the responsibility of the applicant/land owner/site operator to ensure that all relevant licences are obtained from all appropriate authorities in accordance with relevant legislation requirements prior to the commencement of remediation works.
- (10) **Offensive Noise, Dust, Odour, Vibration** – Remediation work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the property boundary.
- (11) **Stormwater Disposal** – Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (12) **Inter-Allotment Drainage Construction** – Inter-allotment drainage lines must be installed in accordance with Camden Council's current Engineering Specifications. Inter-allotment drains must be installed after Sydney Water sewerage lines have been installed, where sewer is proposed adjacent to inter-allotment drains.
- (13) **Location of Stockpiles** – Stockpiles of soil should not be located on or near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (14) **Storage and Water Quality Controls** – Prior to the establishment of stockpile and compound sites, temporary stormwater and water quality control devices and sediment controls must be implemented.
- (15) **Removal of Wastes** – Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008) (refer [www.environment.nsw.gov.au/waste/envguidlms/index.htm](http://www.environment.nsw.gov.au/waste/envguidlms/index.htm)). Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.
- (16) **Salinity Management Plan** – All proposed construction works that includes earthworks, imported fill, landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the Salinity Management Plan under "Section 6" of the report titled "*Salinity Assessment: Proposed Residential Development, prepared by Harvest Scientific Services Pty Ltd, job ref 201304, dated 11/04/12.*"
- (17) **Temporary Turning Facility** – A temporary sealed turning head must be provided at the end of all staged road works. The pavement must be constructed to the ultimate road levels and pavement depth. Any additional land required for such works must be provided for the ultimate road alignment by way of a Right of Way to be extinguished upon extension of the road.
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- (18) **Road Verge and Nature Strip Street Trees, Their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this consent, the applicant is advised:
- (a) that any nature strip street trees and the screening and softening tree plantings along the Camden Bypass road verge area including their tree guards, protective bollards, garden bed surrounds or root barrier installation which do not survive, are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred;
  - (b) any repairs, relocations, reinstallations or replacements needed to the trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards, and the works and successful establishment of the trees carried out prior to the issue of the Subdivision Certificate.
- (19) **Unexpected Findings Contingency (Remediation)** - Upon the identification of additional contamination or hazardous materials at any stage of the remediation process, all remediation works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination/hazardous materials.
- (20) **Compliance of Remediation Work** – All remediation work must also comply with the following requirements:
- Contaminated Land Management Act 1997;
  - Department of Urban Affairs and Planning – Contaminated Land Planning Guidelines 1998;
  - SEPP 55 – Remediation of Land;
  - Sydney Regional Plan No. 20 Hawkesbury Nepean River (No. 2 – 1997); and
  - Camden Council's Adopted Policy for the Management of Contaminated Lands.

#### 5.0 - Subdivision Certificate

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

- (1) **Stormwater Destination** – Prior to the issue of the Subdivision Certificate, pit lintels must be labelled with permanent stencilled signs in accordance with Camden Council's current Engineering Design Specifications.
- (2) **Site Validation Report** - A validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) – (d) and clause 9.11 of Council's adopted policy and clause 17 & 18 of SEPP 55 for the completed remediation works.

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The notice(s) or report(s) must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan and must be submitted to the Consent Authority within 30 days following the completion of the works. The validation report must be reviewed by an Officer of the Environment and Health Branch and be approved in writing prior to the issue of any Subdivision Certificate applicable to the land covered by the RAP.

- (3) **Surveyor's Report** – Prior to the issue of a Subdivision Certificate, a certificate from a registered surveyor must be submitted to the Certifying Authority certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or access ways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (4) **Roadside Mound and Acoustic Boundary Fence** – An acoustic noise barrier is required in accordance with Appendix B Plan contained within *"Narellan Anglican Church Subdivision Traffic Noise Assessment prepared by Renzo Tonin & Associates, Ref TF360-01F02 (Rev 3) dated 11 July 2012."*

Where the noise barrier is required to be higher than 3m in height, the fence is to be limited to a maximum of 3m with the additional height made up of earth mounding.

This acoustic barrier treatment must be fully constructed prior to the issue of a Subdivision Certificate

- (5) **Services** - Prior to the issue of any Subdivision Certificate, the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:
- (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment;
- Note: Application for such a certificate must be made through an authorised Water Servicing Coordinator.
- (b) notification of Arrangements from Endeavour Energy;
  - (c) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (6) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional runoff from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows in accordance with Camden Council's current Engineering Design Specifications.

On completion of the on-site detention system, Works-as-Executed plans are to be prepared by a Registered Surveyor or the Design Engineer and submitted to the Principal Certifying Authority. If Camden Council is not the Principal

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Certifying Authority, a copy is to be submitted to the Council prior to the issue of the Subdivision Certificate. The plans are to be certified by the Designer and are to clearly make reference to:

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

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

- (a) Restriction as to user indicating that the on-site detention basin must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (i.e. Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:
    - (i) view the state of repair of the basin;
    - (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach, and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
  - (b) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (7) **Restrictions to be Imposed on Title** – The following restrictions as to user are to be imposed on the relevant title of the land as detailed below:
- (a) Lots to be Burdened for Waste Collection – A "restriction as to the user" shall be imposed on the 88B Instrument indicating that battle-axe lots 26, 28, 81, 82 and 84 are to be burdened by the location of the waste bin collection area. A clause shall also be imposed on the 88B Instrument which identifies lots 22, 27, 80 and 83 as being benefited by the waste bin collection area.
  - (b) Dwellings shall be designed demonstrating compliance with the traffic noise intrusion limits set by Australian Standard AS3671-1989 Acoustic – Road Traffic Noise Intrusion – Building Siting and Construction and AS2107-2000 – Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.
- (8) **Maintenance Bond** - A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, must be lodged

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with Council prior to the release of the Subdivision Certificate. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for twelve (12) months or such longer period as determined by Council's engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the compliance certificate in the case of development works.

**Note 1:** In accordance with Council's current Fees and Charges, an administration fee for processing of bonds in the form of cash or bank guarantees is applicable.

**Note 2:** It should be noted that Council will not refund/release the maintenance bond unless a suitable replacement bond is submitted.

- (9) **Road Surfacing Bond** - Prior to the issue of the Subdivision Certificate, the applicant is to lodge a monetary bond with the consent authority (ie Camden Council) for the placement of the final layer of asphaltic concrete wearing course for any proposed public road within this subdivision.

The bond is to be in the form of cash or unconditional bank guarantee in favour of the consent authority (i.e. Camden Council), and must be equivalent to 130% of the value of the works including the cost of all reinstatement works. The bond amount will be determined by reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and the work is required to be held for 5 years from completion or upon at least 80% of the subdivision occupancy.

Camden Council reserves the right to claim against the bond at any time.

**Note 1:** In accordance with Council's current Fees and Charges, an administration fee for processing of bonds in the form of cash/cheque or bank guarantees is applicable.

**Note 2:** It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (10) **Value Of Works** - Prior to release of the Subdivision Certificate, the applicant must submit itemised data and value of civil works for inclusion in Council's Asset Management System. The applicant can obtain from Council upon request, a template and requirements for asset data collection.

- (11) **Lot Numbers and Street Names** - Prior to Issue of a Subdivision Certificate, lot numbers, house numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

The stencil medium must be of a good quality UV stabilised paint and applied to the kerb accordingly:

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- (a) Lot numbers:
    - (i) White number on **Blue** background located on the prolongation of both common boundaries of each lot.
  - (b) House numbers:
    - (i) **Blue** number on white background located adjacent the middle of the lot.
  - (c) Street names:
    - (i) White lettering on **Blue** background at kerb and gutter tangent and the remainder a minimum of 60mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

The location and details of the signage shall be shown on the Soil and Water Management Plan prior to the release of the construction certificate.

- (12) **Soil Classification** - A geotechnical report must be submitted detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of SAA AS 2870 "Residential Slabs and Footings". The classification reports must be submitted to Council prior to release of the Subdivision Certificate.
- (13) **Footpath Construction Bond** - Prior to the issue of the Subdivision Certificate, the applicant is to lodge a monetary bond with Camden Council for the construction of a concrete footpath and/or pedestrian/cycle shared way. This applies only where such a facility is located in existing and/or proposed public land.
 

The bond is to be in the form of cash or an unconditional bank guarantee in favour of Camden Council, and must be equivalent to 200% of the value of the works, including the cost of all reinstatement works, with the estimated cost of such work being determined by reference to Council's current Schedule of Fees and Charges.

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision or when Occupation Certificates for dwellings associated with 80% of the lots created by a subdivision adjoining such road have been issued.

Camden Council reserves the right to claim against the bond at any time.

**Note 1:** An administration fee, in accordance with Council's current Schedule of Fees and Charges, is applicable for the processing of bonds.

**Note 2:** It should be noted that Council will not refund/release the bond until;

  - (a) the work has been completed to the requirements of Camden Council, and/or

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- (b) where applicable a suitable replacement bond is submitted.
- (14) **Works As Executed Plan** - Prior to the Subdivision Certificate being issued, a works-as-executed drawing signed by a registered surveyor must be submitted to the Principal Certifying Authority showing that the stormwater drainage and finished ground levels have been constructed as approved.
- (15) **Surveyors Report** - Prior to the Subdivision Certificate being issued, a certificate from a registered surveyor must be submitted to the Principal Certifying Authority certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (16) **Street Lighting** – Street lighting must be provided within the subdivision in accordance with the relevant Australian Standards, Endeavour Energy approval and the satisfaction of Council. All physical works must be complete prior to the issue of a Subdivision Certificate.
- (17) **Services** – All services (water, sewer, electricity, telephone and gas including the provision of service conduits and sub mains) are to be installed within the proposed public roads before final inspection of the engineering works.
- (18) **Service Authority Clearance** – Prior to the issue of a Subdivision Certificate, the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:
- A Section 73 Compliance certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water Corporation.
  - A letter from Endeavour Energy stating that all its requirements and any conditions of this consent have been satisfied.
  - A letter from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the development.
- (19) **Show Easements on the Plan Of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (20) **Show Restrictions on the Plan Of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (21) **Plot Watercourses** - The developer must chart the natural watercourse on the subdivision.
- (22) **Plot Piped Watercourse** - The developer must chart the piped natural watercourse on the plan of subdivision.
- (23) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:

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- (a) Easement for services.
  - (b) Easement to drain water.
  - (c) Drainage easement over overland flow paths.
  - (d) Easement for on-site-Detention.
  - (e) Easement for water quality
  - (f) Restriction as to user over any lots adjacent to a public reserve stipulating a dividing fence.
  - (g) Restriction as to user preventing the alteration of the final overland flow path shape and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council
  - (h) Restriction as to user on those lots adjacent to the overland flow paths to ensure that the floor level of any habitable room is not less than 600mm above the 1% AEP level, such levels to be detailed on the Section 88B Instrument and related to AHD.
- (24) **Burdened Lots to Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (25) **Construction of Permanent Water Quality facilities** – A permanent water quality facility must be constructed;
- (a) in accordance with the approved plans;
  - (b) to the requirements of Camden Council; and
  - (c) when Occupation Certificates for dwellings associated with 70-80% of the lots have been issued.
- Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.
- (26) **Modified “Construction” On-site Detention/Sediment Control Basin and Water Quality Facility, Operation, Maintenance and Monitoring Manual** - Prior to the completion of the modified “construction” on-site detention/sediment control basin and water quality facility, an Operation, Maintenance and Monitoring Manual must be submitted to the Principal Certifying Authority for approval.
- The manual must be prepared by a suitably qualified professional in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as produced by Council.
- (27) **Bond for the Decommissioning of the Modified “Construction” On-site Detention/ Sediment Control Basin and Water Quality Facility** - Prior to the issue of any Subdivision Certificate, a bond for:

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Attachment 1



- (a) the conversion of the modified "construction" on-site detention/sediment control basin and water quality facility to a temporary/permanent water quality facility, and/or
- (b) the removal of the modified "construction" on-site detention/ sediment control basin and water quality facility and reinstatement of the area in accordance with the approved plan

must be lodged with Camden Council.

The bond:

- (a) applies only where such a facility is located in existing and/or proposed public land,
- (b) has been determined at an amount of \$25,000, and
- (c) will be retained by Council until:
  - (i) such works have been completed in accordance with the approved plans and to the requirements of Council,
  - (ii) a permanent water quality facility has been provided in a public infrastructure location approved by Council, and
  - (iii) the completion of such work has been confirmed, in writing, by Council.

- (28) **Permanent Water Quality Facility Operation, Maintenance and Monitoring Manual/s** - Prior to the issue of any Subdivision Certificate, Operation and Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to the Principal Certifying Authority for approval.

The manuals must be prepared by a suitably qualified professional in accordance with the requirements of the water quality criteria contained within the approved Water Cycle Master Plan and must provide detailed information regarding the following:

- (a) vegetation management
- (b) removal of noxious weeds
- (c) replacement of filter medium
- (d) water quality

Sampling - water quality sampling should be undertaken for all relevant Water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility",

Frequency - The frequency of sampling for each facility must include quarterly sampling. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months

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between sampling periods.

Discussion of sampling results - A comparison of results with respect to the level of compliance with water quality targets/ criteria will be required and include recommendations for corrective action where non-compliance is determined.

In that regard the manual must indicate that water quality sampling and monitoring report/s must be submitted to Camden Council at the commencement of monitoring and six (6) months after the initial sampling.

Methodology for attainment of the required water quality discharge parameters - Methodology/measures are required to ensure that the subject temporary facilities remain functional/operational until such time as they are decommissioned and replaced/reconstructed as a permanent water quality facility.

- (29) **Demolition of Temporary Water Quality Facilities** – Any temporary water quality facility will be made redundant upon the provision of an approved permanent water quality facility. In that regard the temporary water quality facility must be demolished and the area containing the facility reinstated. Any resulting impediment to existing permanent infrastructure as a result of the removal of the associated stormwater drainage system is to be rectified to the requirements of Camden Council.

Prior to the commencement of any such demolition, all contributing stormwater flows to the facility must be diverted to the permanent water quality facility by way of a stormwater drainage system approved by Camden Council.

- (30) **Modification of the "Construction" On-site Detention/ Sediment Control Basin** – After three (3) months of the registration of the Subdivision Certificate/Plan of Subdivision by the Department of Lands – Land and Property Information, the "construction" on-site detention/sediment control basin must be modified to include a water quality component.

The water quality component must have the following:

- (a) a filter medium must be included in the design;
- (b) 50% of the total number of "macrophyte" type plants, the details of which are noted on the approved plans, must be planted within the filter medium area.

- (31) **Fill Plan** – A Fill Plan shall be submitted to the Principle Certifying Authority prior to the issue of any Subdivision certificate. The plan must:

- (a) show lot boundaries
- (b) show road/drainage/public reserves
- (c) show street names
- (d) show final fill contours and boundaries, and
- (e) show depth in filling in maximum 0.5m Increments.

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 38

ORD02

Attachment 1



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

- (32) **Flood Line Identification** - The 1:100 year flood line (1% AEP) must be marked on the plan of subdivision
- (33) **Footpath Provision** – A shared footpath/cycleway of 4.0m must be provided along the sites frontage to Richardson Road.
- (34) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$7,110.00 per additional lot or dwelling, total \$632,790.00, for Open Space, Recreation & Community Land.

The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and paid prior to the issue of a Subdivision Certificate.

The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

- (35) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$9,486.00 per additional lot or dwelling, total \$844,254.00, for Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation & Administration Services.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid Prior to the issue of a Subdivision Certificate.

- (36) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$39,438 per additional lot or dwelling, total \$3,509,982.00, for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan.

The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid Prior to the issue of a Subdivision Certificate.

The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.

**END OF CONDITIONS**



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### **RECOMMENDED**

**That Council approve Development Application 75/2012 for the subdivision of land to create 94 residential lots and the construction of new roads at 172, 172A, 186 Richardson Road and 12B Moreton Bay Avenue, Spring Farm subject to the conditions listed above.**

#### ATTACHMENTS

1. Subdivision Plan
2. Spring Farm Masterplan
3. Petition and Submissions - *Supporting Document*

#### **Ordinary Council Resolution**

Resolution: Moved Councillor Warren, Seconded Councillor Dewbery

That this item be deferred to the 11 December 2012 Ordinary Council Meeting pending a site inspection by Councillors.

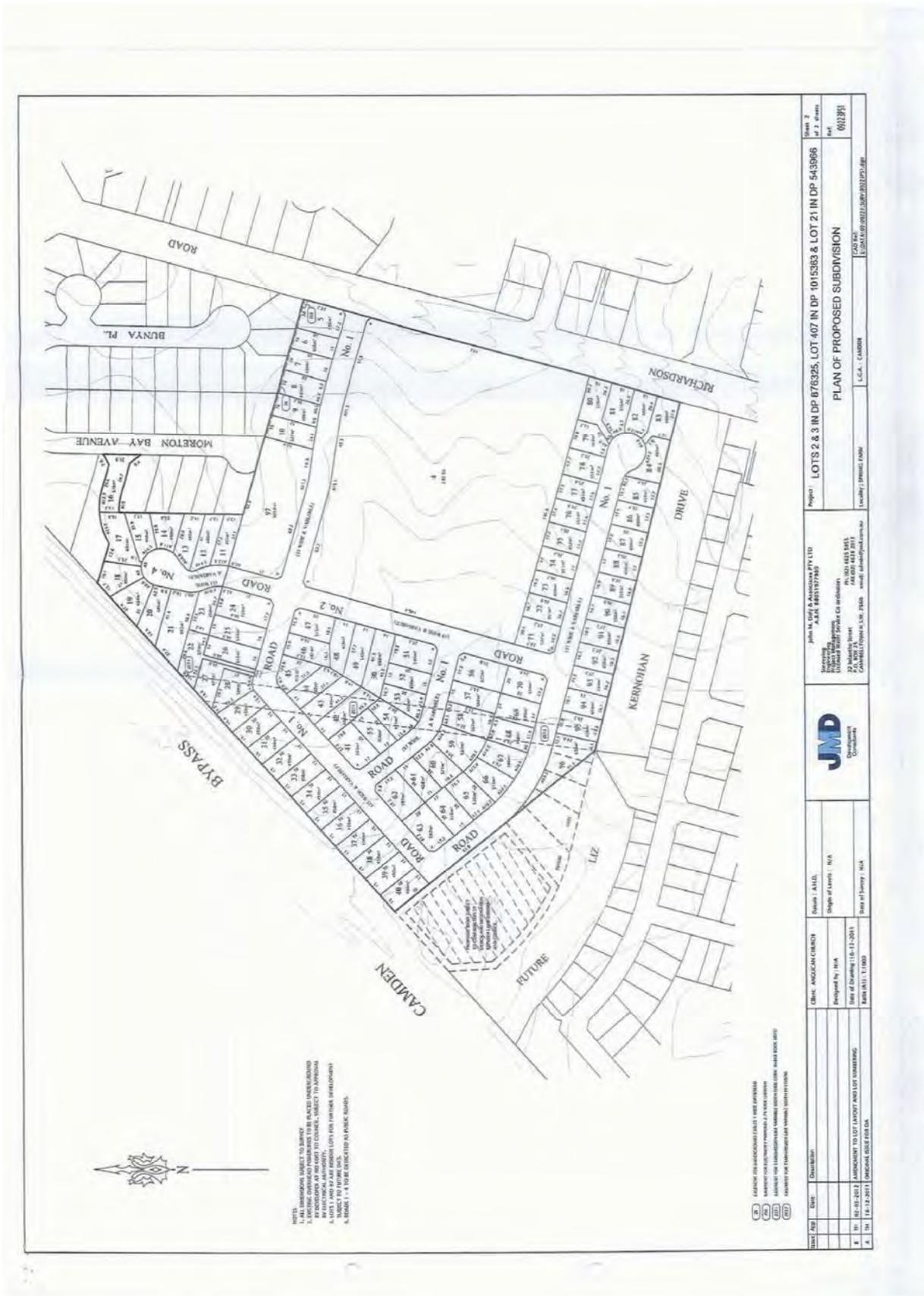
ORD287/12 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD02

Attachment 1





Attachment 1

ORD02

Attachment 1  
ORD02

Attachment 2

Spring Farm Masterplan



ATTENTION GENERAL MANAGER

21st of August 2012  
Camden Council  
37 John Street  
Camden NSW 2570 Reference DA NO: 75/2012 Revised Submission

Dear General Manager,

We are writing in relation to the above DA NO: 75/2012. Our objection to the above mentioned proposed development is based on the current amenity our location offers – privacy, great views & aspect. If development occurs behind us our amenity will be compromised and a way to alleviate this would be to limit any development to single storey dwellings.

The residents listed below are not looking to stop progress however are looking for a little understanding by Camden Council.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Sincerely yours,

List of objecting residents below

ORD02

Attachment 1

Attachment 3

Petition and Submissions

Contact Details

Name	Address	Home #	Mobile #	Signature
Christella Farnah	18 Moreton Bay Ave. Warrellan Vale	4658 124	0425 8279	
Selina Farnah	18 Moreton Bay Ave. Warrellan Vale	4658 172	0411 3822	
DARIUSZ CHLOPAS	20 MORETON BAY AV. SPRING FARM	46581 321	041724 8350	
Maria del Pilar Chlopas	20 Moreton Bay Avenue Spring Farm	4658 1321	0438 60 8953	
Michael Brooker	16 Moreton Bay Ave Spring Farm	46580 339	0438445 794	
Peta Brooker	16 Moreton Bay Ave Spring Farm	46580339	0415351 391	
ROBERT MILLS	12 MORETON BAY SPRING FARM	46581004 46461001	0419 268 324	
Nancy Mills	12 MORETON BAY AVE SPRING FARM	46581004	0419268324	
SHANE WHITEHEAD	23 Moreton Bay Ave Spring Farm	024658 0013	0119466 023	

Attachment 3

Petition and Submissions

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**ATTENTION GENERAL MANAGER**

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21st of August 2012  
Camden Council  
37 John Street  
Camden NSW 2570 Reference DA NO: 75/2012



Dear General Manager,

I am writing in relation to the above DA NO: 75/2012. Our objection to the above mentioned proposed development is based on the major effect this development will have on the value of our home and the removal of the scenic views from our property. My wife and I purchased this home based on the excellent views and sunlight from our back lounge room and rear yard.

We have a purpose built room to include these features and to have house's behind us will dramatically affect the value of our home and also our living conditions. The removal of the afternoon sunlight from our house will also affect the comfort conditions in our entire home.

There is also very little infrastructure to accommodate such a development. The M5 motorway is already at capacity and no changes have been made to accommodate for the extra traffic, this is also the case on Richardson Road and Narellan road. This can be found by simply trying to take a drive to Campbelltown during any weekday morning.

My wife and I are not looking to stop progress however are looking for a little understanding by Camden Council. The next step would be to arrange a meeting and discuss the proposed development in full detail.

If you could advise of a suitable time it would be much appreciated.

Sincerely yours,

Mr Michael & Peta Brooker  
16 Moreton Bay Ave  
Spring Farm NSW 2570  
Phone: 02 4658 0339 Mobile: 0438 445 794  
Email: mbrooker@nutech-air.com.au

ORD02

Attachment 1

ORD02

Attachment 1

Attachment 3

Petition and Submissions

To whom it may concern,

We write this letter in correspondence to the recent proposal to develop our neighbouring lot being 12B Morton Bay Avenue, Spring Farm NSW 2570 which according to our research with council at the time of purchase, was always to be proposed 'service road' leading to eight (8) proposed blocks to the rear of our property, too it now being a proposed 576m2 block with a 25.9m frontage including the arc's however a realistic 13m frontage from where the building envelope would start making this quite narrow block providing the future opportunity for our family and I being left with a not so private position should any dwelling be approved.

We purchased 12A Morton Bay Avenue, Spring Farm NSW 2570 in 2008 and did so knowing that we were adjoining a proposed 'service road' which was adjacent to a public park ensuring complete privacy for our family. Our house was originally designed and approved with all our living area and entertainment area facing North (same side as the proposal) and we are certain that the DA was approved with the large quantity of windows and doors facing this direction knowing full well that there would be no intention for further residential development that would potentially ruin all of our privacy and would definitely affect our livelihood. Should the situation be reversed and there was a dwelling on 12B and we were to put a DA in for proposed dwelling such as the one we currently live in with all our windows and doors facing that property, we are certain that we would not get permission to build due to privacy reasons

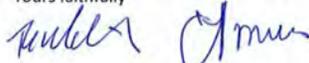
We ask that you take consideration for these 3 proposed options:

1. The council take ownership of the said land and extend what is currently parkland
2. You carry out the original proposal and create a 'service road' to the eight (8) blocks behind
3. We get the opportunity to negotiate a boundary adjustment that would be mutually agreeable and beneficial to both parties and at fair market value

On the proposal there is allowance for the service road to be via Richardson Rd which would seem fair and reasonable for that subdivision hence not needing the access.

We look forward to a mutually beneficial agreement in the near future to reduce the emotional impact this has already caused.

Yours faithfully



Robert and Nancy Mills



ORD02

Attachment 1

Attachment 3

Petition and Submissions



Attachment 3

Petition and Submissions



ORD02

Attachment 1

ORD02

Attachment 1

Attachment 3

Petition and Submissions





ORD02

Attachment 2





## ORDINARY COUNCIL

ORD03

ORD03

**SUBJECT:** CONTINUED USE OF THE CATHERINE FIELD COMMUNITY HALL  
**FROM:** Director, Development and Health  
**BINDER:** DA 794/2012

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**APPLICATION NO:** 794/2012  
**PROPOSAL:** Continued use of the Catherine Field community hall  
**PROPERTY ADDRESS:** 170 Catherine Fields Road, Catherine Field  
**PROPERTY DESCRIPTION:** Lot 249, DP 27606  
**ZONING:** RE1 Public Recreation  
**OWNER:** Camden Council  
**APPLICANT:** Camden Council

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the continued use of the Catherine Field community hall at 170 Catherine Fields Road, Catherine Field.

### SUMMARY OF RECOMMENDATION

That Council determine DA No 794/2012 for the continued use of the Catherine Field community hall pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting of consent subject to conditions contained in this report.

### EXECUTIVE SUMMARY

Council previously considered this DA at the Ordinary meeting held on 27 November 2012. **A copy of the previous assessment report and recommendation is provided as Attachment 1.**

At this meeting Councillors resolved that:

- i. *Council defer this item until the next Council meeting on 11 December 2012; and*
- ii. *An investigation on matters referred to by the second speaker during the public address segment be undertaken.*

The issues raised by the second speaker related to previous complaints made to both Council and Camden Local Area Command regarding the operation of the subject community hall. The operations of the Harrington Park Community Centre were raised as a comparison.

The issues raised in the submissions received on 14 September 2012 and 27 November 2012 are addressed in both the previous assessment report and the Councillors memo as **Attachment 1 and within the supporting documents respectively.** Additional issues raised in the submission dated 30 November 2012 are also addressed in this report and **the submission is provided with the Business Paper supporting documents.**

## ASSESSMENT

### Complaints made to both Council and the Camden Local Area Command

Council staff have undertaken a thorough search of Council's records and have not located any record, verbal or written complaints regarding the operation of the Catherine Field community hall (apart from the original submission dated 14 September 2012 and his late submission received by Council on 27 November 2012).

Additionally, Council staff contacted Senior Constable Flannery of Camden Local Area Command. Senior Constable Flannery advised that the Area Command has no records of complaints regarding the operation of the Catherine Field community hall.

### Operation of the Harrington Park Community Centre and Comparison with the Catherine Field Community Hall

#### *Harrington Park Community Centre*

On 2 February 2006, Council received a DA which sought to extend the operating hours of the Harrington Park Community Centre from Sunday to Thursday 8.00am to 10.30pm and Friday to Saturday 8.00am to midnight. This DA was subsequently approved and the extended operating hours limited to a maximum of one year.

On 15 January 2007, a subsequent DA was lodged with Council which sought to permanently extend these operating hours. This DA was notified for a period of 14 days and as a result a petition was received from residents in close proximity to the community centre. The issues raised in the petition with 22 signatures related to noise and anti-social behaviour associated with the activities of the community centre. Mediation between residents and Council staff was undertaken and the DA was subsequently withdrawn.

On 16 February 2012 an amendment to the terms of agreement was made by council staff which reduced the operating hours on both Fridays and Saturdays from 3.00pm to 10.00pm only with no alcohol being permitted.

As a result of these modified operating hours no further complaints have been received. Additionally, the usage of the Harrington Park Community Centre on Friday and Saturday evenings has since decreased. From 17 February to 25 November 2012, a total of 12 bookings were made on Saturday nights.

#### *Catherine Fall Community Hall*

In 2011 the hall was hired for activities/events on 1 Friday evening and 9 Saturdays. From January to October 2012, there were 3 bookings on Friday evenings and 14 on Saturdays. In 2012, of the 17 Friday and Saturday bookings, approximately 8 bookings operated in the hall after 10pm.

As aforementioned, Council and the Camden Local Area Command do not have any records of any complaints made regarding the operation of the community hall.

Given the frequency of use at the Catherine Field community hall, it is considered that the proposed operating hours of Sunday to Thursday 8.00am to 10.30pm and Fridays and Saturdays 8.00am to 11.00pm are acceptable and that the recommended

conditions contained within the previous assessment report will ensure that the amenity of adjacent residents is protected.

Council is the owner of the community hall. Should Council receive complaints in the future about the ongoing operation of the hall, Council could consider amending the terms of hire to address community feedback, like what has occurred at the Harrington Park community centre.

#### Additional Issues Raised in the Third Submission Letter Dated 30 November 2012

1. *Future growth in the area will result in the hall being located in the centre of housing developments.*

#### Officer comment:

It is considered that subject to the conditions contained within the previous assessment report, the proposed hours of operation for the community hall are appropriate for this development at this time. In the future when the area becomes further developed as part of the South West Growth Centre, Council could consider modifying the operating hours of the development as has been done with the Harrington Park Community Centre. However this must be subject to a review of community feedback at the time of that future development and not at this time.

2. *Can Council guarantee Catherine Field residents that future events will be equitably distributed throughout the Camden area?*

The booking of Council facilities is based on demand for those facilities by the public. However as described in the previous assessment report, the hall is not in use every Friday and Saturday and when it is, Council's terms of hire and the recommended conditions will regulate its use.

3. *What additional "real measures" will Council put in place to ensure the safety of the residents of Catherine Field?*

It is considered that the conditions contained in the previous assessment report will provide sufficient protection for the amenity of surrounding residents. These conditions reduce the operating hours of the community hall on Friday and Saturday evenings from midnight to 11pm, and requiring the hall to be completely vacated by 11pm. Council's terms and conditions for the hire of the hall also have provisions relating to security, noise levels and waste management which Council require all hirers to comply with.

#### 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, Development Application No 794/2012 is recommended for approval subject to the conditions listed in this report.

#### RECOMMENDED

**That Council approve Development Application 794/2012 for the continued use of the Catherine Field community hall at 170 Catherine Fields Road, Catherine Field, subject to the conditions listed in Attachment 1 of this report.**



**ORD03**

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ATTACHMENTS

1. Previous Report and Attachments
2. Councillor Memo - *Supporting Document*
3. Submissions - *Supporting Document*




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## ORDINARY COUNCIL

### ORD05

**SUBJECT:** CONTINUED USE OF THE CATHERINE FIELD COMMUNITY HALL  
**FROM:** Director, Development and Health  
**BINDER:** DA 794/2012

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**APPLICATION NO:** 794/2012  
**PROPOSAL:** Continued use of the Catherine Field community hall  
**PROPERTY ADDRESS:** 170 Catherine Fields Road, Catherine Field  
**PROPERTY DESCRIPTION:** Lot 249, DP 27602  
**ZONING:** RE1 Public Recreation  
**OWNER:** Camden Council  
**APPLICANT:** Camden Council

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#### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the continued use of the Catherine Field community hall at 170 Catherine Fields Road, Catherine Field.

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

#### SUMMARY OF RECOMMENDATION

That Council determine DA No 794/2012 for the continued use of the Catherine Field community hall pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting of consent subject to conditions contained in this report.

#### EXECUTIVE SUMMARY

Council is in receipt of a DA for the continued use of the Catherine Field community hall at 170 Catherine Fields Road, Catherine Field.

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

The DA was notified in accordance with *Camden Development Control Plan 2011* and one submission was received (objecting to the proposal).

The issues raised in the submission include a lack of car parking and adverse impacts on surrounding residents from the use of the hall. The issues raised in the submission have been considered in the assessment of this application.

There is no change proposed to the use of the community hall and Council has no evidence of a history of complaints from residents regarding the operation of this facility.

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This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 1

ORD03

Attachment 1

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Attachment 1



Any person or group who wishes to hire the hall for a community event must comply with Council's terms and conditions which include requirements for security, noise levels, waste management and compliance with the hall's operating hours. These terms and conditions are publicly available on Council's website.

It is recommended that the DA be approved subject to the conditions contained in this report.

#### AERIAL PHOTO



#### THE SITE

The subject site is commonly known as 170 Catherine Fields Road, Catherine Field and is legally described as Lot 249, DP 27602.

The site has a frontage of 217m to Catherine Fields Road, a depth of 148m and an overall site area of 3.33ha. The site is located within the Catherine Field village area.

The site accommodates a community hall, a Rural Fire Service station, scout hall, pre-school, tennis courts and a playing field known as Les Tegel Oval. It also contains a car park and has a number of trees scattered throughout the site.

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This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 2



The surrounding properties are characterised by large lot residential dwellings within the Catherine Field village.

### HISTORY

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

Date	Development
8 November 1973	Approval of the construction of the community hall and car parking area
6 March 2007	Approval for the use of the community hall for 5 years only. (This DA was submitted in response to a change in legislation in relation to the place of public entertainment approval process)

The community hall has been in existence since the mid 1970s and has had place of public entertainment approvals and a development application granted for its use.

Since the mid 1970s the hall has been used for a variety of community activities and events including meetings, functions, play groups, dance classes and support groups. The operating hours have been 8am to 10.30pm, Sunday to Thursday, and 8am to midnight Friday and Saturday.

The hall is not in use every Friday and Saturday and when it is, Council's terms and conditions and the conditions contained in this report will regulate its use.

Council's records indicate that in 2011 the hall was hired for activities/events on 1 Friday evening and 9 Saturdays. From January to October 2012, there were 3 bookings on Friday evenings and 14 on Saturdays. In 2012, of the 17 Friday and Saturday bookings, approximately 8 bookings operated in the hall after 10pm.

**A copy of Council's Terms and Conditions of Hire are provided as an attachment to this report.**

### THE PROPOSAL

DA No 794/2012 seeks approval for the continued use of the existing community hall on this site. **Plans of the hall are provided as an attachment to this report.**

Specifically the proposed development involves:

- the continued use of the community hall for community activities and events, including meetings, functions, play groups, dance classes and support groups; and
- operating hours of 8am to 10.30pm, Sunday to Thursday, and 8am to 11pm, Friday and Saturday.

There is no change proposed to the existing use of the existing facility.

**A site plan is provided as an attachment to this report.**

### ASSESSMENT

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

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This is the report submitted to the Ordinary Council held on 27 November 2012 – Page 3

ORD03

Attachment 1



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

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

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

- (a) Camden Local Environmental Plan 2010.

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

Camden Local Environmental Plan (LEP)

*Permissibility*

The subject site is zoned RE1 Public Recreation under the provisions of the LEP. The proposed development is defined as a "community facility" under the LEP which is a permissible land use in this zone.

*Objectives*

The objectives of the RE1 Public Recreation are as follows:

- To enable land to be used for public open space or recreational purposes.

Comment

The development is consistent with this objective in that the continued use of the community hall will result in the land being used for public recreational purposes.

- To provide a range of recreational settings and activities and compatible land uses.

Comment

The use of the community hall is compatible with the surrounding large lot residential uses and will allow for a range of recreational activities.

- To protect and enhance the natural environment for recreational purposes.

Comment

This development will not have any adverse impacts upon the surrounding natural environment and will maintain the site for public recreational purposes.

*Relevant Clauses*

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

Clause	Requirement	Provided	Compliance
6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	The site is serviced by appropriate public utility infrastructure	Yes

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 4



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

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

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

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposal's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	Yes. Appropriate conditions of consent and of hire will be imposed in relation to the use of the hall.	Yes
B5.1 Off street car parking rates and requirements	A merit based assessment taking into account similar uses. A function centre is the most appropriate similar use and requires off-street car parking at a rate of 15 spaces per 100m <sup>2</sup> of gross floor area. 20 spaces are therefore required for this development.	Yes. See detail provided below.	Yes

Off-street Car Parking Provision

The existing car park can accommodate approximately 30 car parking spaces. This parking area is shared by various uses on the site such as the pre-school. However the peak use times for the community hall are evenings and weekends and therefore outside of the main operating hours of the pre-school and other uses on the site. It is therefore considered that sufficient off-street car parking spaces will be available for the use of the community hall when necessary.

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

No relevant agreement exists or has been proposed as part of this application.

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

There are no matters prescribed by the Regulations that apply to this development.

ORD03

Attachment 1



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

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

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

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

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

The DA was publicly exhibited for a period of 14 days from 31 August to 14 September 2012 and one submission was received.

**A copy of the submission is provided with the Business Paper supporting documents.**

The following discussion addresses the issues raised in the submission.

1. *There are no guidelines / documents that guides and defines the intended use of the facility, complete with rules and regulations for its use.*

Officer comment:

There is no change proposed to the current operation or use of the community hall.

Council has terms and conditions publicly available on its website with respect to the hiring of community facilities. Any person or group who wishes to hire the facility for a community event must comply with these terms and conditions which include requirements for security, noise levels, waste management and compliance with the hall's operating hours.

2. *Car parking is inadequate and doesn't meet demand.*

Officer comment:

As discussed above, the car park can accommodate approximately 30 car parking spaces. In addition, the site has a large frontage to Catherine Fields Road which allows for ample street parking. It is considered that sufficient spaces exist to meet the demands of the community hall.

3. *Major concerns about the use of the building during the evening, particularly with parties. This results in noise, property damage, dangerous driving and other anti-social behaviour. These activities are more regular during the warmer months.*

Officer comment:

The community hall, particularly in the evenings and when alcoholic beverages are served can be managed by way of mandatory security arrangements at the expense of the hirer and arrangements with the Camden Local Area Command for police spot checks.

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This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 6



It is noted that since the mid 1970s the hall has operated up until midnight on Friday and Saturday evenings. However to try and address the concerns raised in the submission in relation to the impacts on the amenity of the area, it is proposed that the hall cease operation at the earlier time of 11pm on Friday and Saturday evenings.

It is also a recommended condition and part of Council's terms and conditions for the hiring of the hall that all activities in the hall completely finish by 11pm on Friday and Saturday evenings. Thus the activity or event will need to be packed up and all patrons to leave the premises by 11pm.

It is considered that the above measures will minimise the likelihood of any anti-social behaviour occurring.

4. *Complaints have been sent to Council and the Police have been contacted on some occasions.*

Officer comment:

Council staff have been unable to locate any record (apart from this submission) which relates to either verbal or written complaints with respect to the operation of the community hall. However, in the event that any complaints were received Council staff would investigate them and attempt to address the concerns raised.

As with any Council operated facility, if Council was aware that a use was adversely impacting on the amenity of a neighbourhood, appropriate measures would be implemented to address those impacts. As mentioned above, in this instance, this facility has been operating for many years and Council staff were not aware of any serious or ongoing complaints raised by neighbours.

5. *Restrictions should be placed on the centre, similar to that in Harrington Park.*

Officer comment:

It is noted that the Harrington Park community hall has revised its operations by closing at 10pm on Friday and Saturday nights, and not permitting any activities after 3pm on those days which serve alcoholic beverages. This was in response to a number of complaints received by local residents in that suburb about anti-social behaviour and impacts on the amenity of the locality. Additionally, the use of Harrington Park community hall is much more intensive than the use of the Catherine Field community hall.

With respect to the subject Catherine Field community hall, it is considered that an earlier closing time of 11pm on Fridays and Saturdays is an appropriate response to the concern raised with respect to anti-social behaviour and impacts on the amenity of the Catherine Field village.

**(e) The public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. Based on the above assessment, the proposed development is consistent with the public interest.

This is the report submitted to the Ordinary Council held on 27 November 2012 - Page 7



### EXTERNAL REFERRALS

The DA was not required to be referred to any external agency for comment.

### 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, Development Application No 794/2012 is recommended for approval subject to the conditions listed in this report.

### DRAFT CONDITIONS OF CONSENT

#### **1.0 - Operational Conditions**

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

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

Monday:	8:00am to 10:30pm
Tuesday:	8:00am to 10:30pm
Wednesday:	8:00am to 10:30pm
Thursday:	8:00am to 10:30pm
Friday:	8:00am to 11:00pm
Saturday:	8:00am to 11:00pm
Sunday & Public Holidays:	8:00am to 10:30pm

The operation of the hall must cease at the above end times. This will require that all activities/events are packed up and the hall completely vacated by the above times.

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation.

Any alteration to these hours will require the prior approval of the Consent Authority.

- (2) **Number of Persons** – The maximum number of persons permitted in the community hall must not exceed 120 persons at any one time, including patrons, staff, and entertainers.
- (3) **Approved Number Not Exceeded** – Hirers of the hall must ensure that the approved maximum number of persons permitted in the hall is not exceeded at any time.
- (4) **Amenity** – The use of the hall must be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.
- (5) **Music and/or Amplifiers** – Music and other amplified sound, including recorded or broadcast programs or the like, played on the premises, must be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists, and shall only be audible within the property boundaries.

This is the report submitted to the Ordinary Council held on 27 November 2012 – Page 8



- 
- (6) **Storage of Goods and Materials** – The storage of goods and materials must be confined within the building. At no time must goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (7) **Vehicles that Service the Site** – Vehicles that service the site must comply with the following requirements at all times:
- (a) All vehicles must enter and exit the site in a forward direction.
  - (b) All vehicles awaiting loading, unloading or servicing must be parked on-site and not on adjacent or nearby public roads.
  - (c) Articulated or heavy rigid vehicles in excess of 11m in length shall not service the premises due to the limited manoeuvring capabilities of the site.
- (8) **Capacity Sign** – A sign stating the maximum number of persons permitted in the hall (120 persons) must be prominently displayed within the hall.
- (9) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.

#### END OF CONDITIONS

#### RECOMMENDED

**That Council approve Development Application 794/2012 for the continued use of the Catherine Field community hall at 170 Catherine Fields Road, Catherine Field, subject to the conditions listed above.**

#### ATTACHMENTS

1. Terms and Conditions for Casual Use of Halls
2. Plans of hall
3. Site Plan
4. Submission - *Supporting Document*

#### Ordinary Council Resolution

Resolution: Moved Councillor Campbell, Seconded Councillor Copeland that Council defer this item to the 11 December 2012 Ordinary Council meeting pending investigation on matters referred to by the second speaker during the public address.

ORD289/12 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion. )

ORD03

Attachment 1

Attachment 1

Terms and Conditions for Casual Use of Halls

**Terms and Conditions of Hire Community Facilities - Casual**

**HIRER TO RETAIN**

*Council has given Police the authority to enter the facility at any time prior or during the function as they see fit.*

*Completion of this Hire form does not confirm booking. Payment must be received before any reservations are confirmed*

**The hirer must**

- Be over 18 years of age to book the facility and sign the Terms and Conditions.
- State precisely the type of activity to take place in the facility.
- Under no circumstances enter any areas other than the section hired.
- Adhere strictly to the hiring hours. All hirers should ensure that set up and pack down time is taken into account before making a booking. Being in the facility outside the time of hire may result in an alarm sounding and/or a security patrol being called. A fee will be deducted from the hirers bond should this occur.
- Ensure that the function ceases by midnight and guests have vacated the facility and surrounding area by 12.30am (with exception of Harrington Park whereby functions on Friday and Saturday nights must cease by 10pm).
- Be responsible for the conduct of any visitor/ guest either invited or otherwise during the hire period and ensure the attendance at the event does not exceed the maximum capacity of the facility. The cost of any damage caused by any person during the function will be charged to you as the hirer.
- Ensure that guests leave the facility in an orderly manner with respect to surrounding neighbours. The hirer will be responsible for any damage or inconvenience to any residents during the function and/ or when leaving the premises and will be charged accordingly.
- Be responsible for the noise level of the function.
- Be responsible for the provision and consumption of alcohol while at the facility – a 'Safe Party/ Function Notification Form' must also be obtained from the Police with a copy given to council or keys will not be issued.
- Engage the services of licensed security guards when deemed necessary by Council – the hirer is responsible for security management. Written confirmation must be provided to Council before keys will be issued.
- Notify Police immediately if there is any threat of trouble.
- Report any accidents or injuries which occur while at the facility during times of hire to Council Customer Service upon return of your key or as soon as possible.
- Ensure the facility, including the surrounding outside areas, is clean and all windows and doors are locked when leaving the hall and where required, the alarm is activated.
- Ensure that there is no smoking inside the facility.
- Ensure no pets or animals are on premises.
- Arrange a person to assume responsibility on behalf of the hirer in their absence.

**Keys**

- Keys and alarm codes and instructions for use must be collected from Council's Customer Service desk, no later than 4.00pm on the working day prior to hire. This is located on the ground floor of the Council administration building at 19 Queen Street Narellan, next to the Narellan library.
- Keys will not be available for collection on weekends or Public Holidays due to the Customer Service desk being closed.
- Keys must be returned by 4.00pm on the next working day after hire.
- At no time can the hirer make a duplicate copy of the key issued or change existing locks in any of the facilities.
- Hirers are not permitted to use their own locks on cupboards or storerooms.

**Security Staff**

- A minimum of one (1), but preferably two (2) or more licensed Security staff is required to be present at all 18<sup>th</sup> and 21<sup>st</sup> birthdays, and any other function Council determines to be "high risk".
- The security guard(s) must be employed for the duration of the function as well as half an hour after the function has ceased.
- It is the responsibility of the hirer to provide written evidence, on the security company letterhead, that a licensed security guard has been engaged, including the security license number of the guard(s) attending, at the time of collecting the key. If no proof is produced the key will not be issued.
- Hirers are reminded that they are fully responsible for the engagement and management of their security guards.

**Consumption of Alcohol**

- The Hirer must have approval for the Consumption of Alcohol.  
**Please note: No alcohol is permitted for Friday and Saturday night bookings (from 3pm) at Harrington Park Community Centre.**
- If Alcohol is to be consumed at the function a "Safe Party" Function Notification Form needs to be obtained from Camden Police Station, with a copy given to Council or keys will not be issued.
- Contact Camden Police on telephone 4632 4499 to make an appointment.
- If you are selling alcohol you must obtain a temporary function licence "limited licence – single function" from the Office of Liquor Gaming and Racing.
- Alcohol is NOT to be consumed or taken outside any of Council's community facilities. Alcohol may only be consumed when inside the building or any adjoining enclosed fenced areas.

**Cleaning**

**Hirers are required to bring their own cleaning equipment and products.** The facility must be left clean and ready for the next user. This includes:

- Sweeping and mopping the floor including kitchen and bathroom areas. Any spills are to be mopped with warm water only.
- Wiping down all benches, tables, chairs and fridge.
- No food or drink should be left on the premises and especially in the refrigerator.
- All rubbish to be placed in bags and disposed of in the dumpster or Sulo bins provided before leaving. Any excess rubbish to be taken from the premises by the hirer. Recycle if possible.
- Tables and chairs stacked and returned to the storeroom, all furniture should be accounted for.
- The outside area, including the car park to be free of litter.
- Please report if the facility was not found in a clean and tidy state – photographic evidence is required for proof of unsatisfactory condition of the facility prior to hire.

**Damage and Breakages**

- All breakages must be reported to Council's Customer Service staff on 4654 7777 as soon as possible.
- The hirer is responsible for the full replacement cost of any damage or breakages to the facility, its fittings and contents, and the surrounding grounds or any additional cleaning that is required.
- The hirer must advise if the fire extinguishers have been used in anyway. If fire equipment is used in an irresponsible manner, the cost of inspection and replenishing will be deducted from the bond.
- If a fire alarm is activated unnecessarily the hirer will be liable for the fine issued by NSW fire brigade.

**Parking Noise and Surrounding Residents**

- The facility is located in a residential area therefore it is expected that the surrounding residents be respected.
- The hirer is responsible for the preservation of good order during and following the hire of the facility.
- Vehicles should not obstruct access to driveways or restrict parking in the street. Please use the car park provided.

ORD03

Attachment 1

Attachment 1

Terms and Conditions for Casual Use of Halls

• All music and noise levels must be kept at an acceptable level and music must cease at 12.00am. The facility and car park must be clear by 12.30am.

**First Aid**

- Casual hirers should provide their own First Aid equipment for persons attending the function.

**Personal Property/Storage**

- All goods brought in by the hirer must be removed from the premises no later than the time specified on the hiring agreement, unless prior arrangement has been made with the Facilities Coordinator.
- Please note all hirers are responsible for the care and control of their own property/personal effects and loss or damage to such items is not covered by Council's insurance policy.

**Decorations**

- Decorations are welcome at the facility however they must all be removed at the conclusion of the function, and must not damage the facility.
- Helium balloons get stuck on ceilings and twisted around fans causing a fire hazard and are therefore **not permitted. The cost of removing any helium balloons left behind will be automatically deducted from the hirers bond.**
- Streamers and balloons must not be hung from the ceiling fans.
- NO smoke machines are allowed.
- Throwing of confetti, glitters, sprays, poppers or rice are not permitted.

**Smoking**

- To restrict fire safety hazard and overcome hazards of passive smoking, Council has adopted a non-smoking policy. As such, no smoking is permitted inside Council's community facilities.

**After hours number**

- Council has an after hours number, 4654 7777, to be used in the event of an **Emergency only**. An example of an emergency is a fire in the facility.
- If the after hours number is called for any reason other than an emergency **all costs associated with the call will be charged to the hirer**, regardless of whether someone is required to attend the facility.
- For an emergency please also call 000 if it is justified.
- If the facility is not clean or there is any minor damage to the facility, or there is any other problem, please report this to the Customer Service Officer when you return the keys. **do not call the after hours number.**
- Please note that **a fee may be deducted from the bond** if a call out by the security company is required associated with keys accidentally locked in the building, the alarm code is forgotten or misplaced, the evacuation alarm is activated for a non-emergency (including accidentally) or for any other reason.

**Fees and Bond**

- Bookings are not confirmed until full payment is received.
- No tentative bookings will be accepted.
- Fees are subject to annual review and new fees are applicable as adopted for all bookings made from 1st July each year.
- The full bond payment is required prior to hire or upon collection of facility keys. This can be paid at Council's Customer Service desk at 37 John Street Camden or 19 Queen Street Narellan.
- Bond fees will be returned in full should the hirer meet the Terms and Conditions of hire and an inspection undertaken of the facility after hire is satisfactory. Bond fees will only be processed once the hirer has returned the facility key to Council and will take 5-10 working days to process.
- Council reserves the right to withhold part or complete bond where there are costs incurred as a result of the hire.
- Bond fees will be refunded via cheque unless details completed to receive the refund via electronic funds transfer.

Page 1 of 7

- Council is able to cancel all or any such future bookings if required.

**Cancellation and amendments to Bookings**

- All cancellations and requests for amendments to bookings must be made in writing to the Facilities Coordinator.
- Hire fees are non-refundable and non transferable if less than 14 days written notice has been given.
- If more than 14 days notice has been given, the hire fee will be refunded by cheque within 21 days.

**Facility specific information**

- Harrington Park Community Centre - a barbeque is available for use. This requires a separate key and must be requested at the time of booking.
- Toilets at Birriwa Reserve Clubroom, Fairfax Reserve Clubroom and Jack Nash Reserve Clubroom are available for use by users of the adjoining sports fields and tennis courts.
- There is an internal door in the Birriwa Community Hall separating the main hall from the toilet areas. This door must be locked at the conclusion of your function.

***Council reserves the right not to accept any booking considered inappropriate for the facility and shall in no way be liable for any loss or damage suffered by the hirer, or any firm or corporation supplying any article or service to the hirer.***

***Failure to abide by the Terms and Conditions of hire may result in partial or full loss of bond.***

Completed hire forms can be returned to  
Councils Customer Service Desk or  
mailed to PO Box 183 Camden NSW 2570.

For assistance with this form please contact 4654 7777.

**Attachment 1** **ORD03**

Attachment 2

Plans of hall



Catherine Fields Community Centre



Attachment 1  
ORD03



Attachment 4

Submission

George & Michelle Smiroldo  
5 Chisholm Road  
Catherine Field NSW 2557  
September 12, 2012



The General Manager &  
The Development Officer  
Camden Council  
PO Box 183  
Camden NSW 2570

September 14, 2012

Dear Mr. G Wright &amp; Mr. A M Ison

**RE: NOTIFICATION OF PROPOSED DEVELOPMENT****SITE DESCRIPTION: 170 Catherine Fields Road CATHERINE FIELD****LOT: 249 DP: 27602****APPLICANT: Camden Council****DA NO: 794/2012****PROPOSED****DEVELOPMENT: Continued use of the community building**

We are writing to you in regards to the above mentioned development proposal. We would like to firstly note that no additional details with regards to the proposed development or current actual approved use for the community building was provided in the documents as received from Council. Further in calling Camden Council we were advised there were no development guidelines per se, nor were there any official records, regulations or details for the community building use.

With the above in mind, our feedback is in keeping with our understanding and experience of the oval and community building as it has been used over the past years. We would like to note at this time that should Council develop such documents to clearly define the intended use of the community building complete with rules and regulations that will apply for its use, then we would expect these will be issued for our consideration and comment prior to any current or future approvals being granted.

Our understanding of current use and comments:

1. Baseball club use
  - a. The oval and community building is / has been used by local baseball club for the purpose of training and playing of scheduled games. In regards to this use we have no complaints and support the use for this (or other sports club) purposes where due regulations are in place i.e. acceptable start and finish

ORD03

Attachment 1

Attachment 4

Submission

times for week days and weekends. That said, for any day the end time should not be later than 930pm.

- b. The only other comment we would make in relationship to the above current use would be in regards to off and on street parking on Catherine Field Road. During weekend events the current parking lot facilities are grossly inadequate leading to dangerous on road conditions for other road user and pedestrians on Catherine Field road. It would be suggested that Council should extend the current car park facilities. The development of such extended parking would be possible given the area that was cleared adjacent to the current car park when the children activity playground was repositioned. Further to ensuring safe parking for families attending baseball games, having better parking facilities would also better serve persons using the tennis courts and allow for provision for proper and safe off road stop zone for buses now travelling up and down Catherine Field road.
2. Other community based usage
    - a. We have no objection to the community building being used for other such business or community meetings within normal business hours week days and weekends extending to 930pm if / where necessary. Examples may include:
      - i. Rural fire service meetings
      - ii. Child care center family meetings
      - iii. Local community meetings
      - iv. Council voting & meetings
      - v. Etc
  3. Other non-functional and community based events
    - a. **We strongly object to the use of the community building being used for the purpose of parties or other such events which would be held in the evening running through to late night time.** Other than the simple fact that the community building is located centrally to the Catherine Field village residential center, the many such events held over previous years have proven that persons coordinating and attending such events have little or no regards for local residence and their rights to a peaceful night.
    - b. That is to say that these functions generally result in extreme noise, street crowding due to insufficient parking and dangerous alcohol fueled behavior in the surrounding area following the completion of an event. This behavior includes vandalism, street racing, burn-outs, loitering and on-going noise that sometimes go on for hours after a party.
    - c. We have called the police on numerous occasions but due to our remoteness, limited police numbers or other priorities on a busy night they are frequently unable to attend until much later if at all. The Police and Council surely have records of complaints and damage on file not only from us but from many of our neighbours who tell us they have also complained.
    - d. We would further note that many people show less care when attending facilities in rural areas as they believe there are less people around, but noise is in fact amplified with fewer surrounding structures. We have noted in our research that council has restricted the use of the Community Hall in Harrington Park; we propose the same for Catherine Field, as well as upgrading and expanding the current parking facilities in Catherine Field Road. We would like to see better measures to prevent parking adjacent to the

Attachment 4

Submission

- oval and tennis courts in Chisholm Road as we have witnessed too many near misses with cars, buses and pedestrians due to unsafe parking.
- e. Finally, we have read councils forms and restrictions in regard to Hall Hire and maintain that they are rarely followed. As previously stated the police often tell us that they are unable to attend when there is a problem.

We are hoping for swift consideration and action on our concerns as there is definitely increased activity around the facilities in Spring and Summer. Further we hope Council appreciates one such event may be tolerable, however, it is inappropriate and unacceptable that local residences who have moved to Catherine Field for the express purpose of enjoying a quiet and peaceful community culture should be subjected to frequent uncontrolled events and parties where excessive noise from persons arguing or swearing, loud music, car racing, burnouts together with bottles, syringes etc being left in the reserve are the norm.

We trust Council value our comments and feedback as long serving residence which are directly affected by events held at the community building and oval.

We welcome the opportunity to meet and discuss any of the concerns as raised if required and to working towards ensuring the Catherine Field village central area and its facilities are developed and maintained in keeping with the wishes of the local community.

Yours Sincerely,

  
for George & Michelle Smiroldo

Home Phone- 02 9606 6281  
George- 0413 140866



ORD04

## ORDINARY COUNCIL

ORD04

**SUBJECT:** SUBDIVISION TO CREATE 21 RESIDENTIAL LOTS, 5 RESIDUE LOTS AND THE CONSTRUCTION OF ROADS, DRAINAGE, SERVICES AND LANDSCAPING AT 120 SPRINGS ROAD AND 33 SPRING FARM DRIVE, SPRING FARM

**FROM:** Director, Development and Health

**BINDER:** DA 493/2012

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**APPLICATION NO:** 493/2012  
**PROPOSAL:** Subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping  
**PROPERTY ADDRESS:** 120 Springs Road and 33 Spring Farm Drive, Spring Farm  
**PROPERTY DESCRIPTION:** Lots 1 and 3261, DPs 228039 and 1164074  
**ZONING:** R1 General Residential  
**OWNER:** Cornish Group No One Pty Ltd  
**APPLICANT:** SMEC Urban

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping at 120 Springs Road and 33 Spring Farm Drive, Spring Farm.

The DA is referred to Council for determination as there remains an unresolved issue received in one submission from the public and two proposed variations to Camden Development Control Plan 2011 (DCP).

### SUMMARY OF RECOMMENDATION

That Council determine DA 493/2012 for a subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

### EXECUTIVE SUMMARY

Council is in receipt of a DA for a subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping at 120 Springs Road and 33 Spring Farm Drive, Spring Farm. This proposed subdivision is known by the developer as "Stage 52."

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

The DA was notified in accordance with the DCP and one submission was received (objecting to the proposal). The issues raised in this submission relate to the inability of adjacent land to the east of the site to be developed in an orderly manner.

It is considered that the adjoining land will not be prevented from developing their land in an orderly manner. There is incentive for the developer of this DA to develop their land adjacent to the adjoining owner and allow the adjoining developer to also develop.

The applicant proposes two variations to the DCP. These variations relate to the proposed road layout and pedestrian and cycle network which are inconsistent with the DCP.

Council staff have assessed these variations and recommend that they be supported. At the Ordinary Council meeting of 12 June 2012, Council resolved to adopt a Planning Proposal which requires an amendment to the currently adopted DCP. The road layout and pedestrian cycle network in this DA is consistent with the Planning Proposal which is now awaiting gazettal from the Department of Planning and Infrastructure (DPI). Furthermore, the proposed road layout provides for a more legible street network and lot layout that will enhance vehicular and pedestrian connectivity and movement through the area.

The proposed DCP variations will not preclude development occurring on adjacent land to the east in accordance with the currently adopted DCP. If the aforementioned planning proposal is not gazetted by the DPI, the owner of the land to the east will be able to develop their land in accordance with the currently adopted DCP.

The proposed development represents the planned and orderly development of the Spring Farm urban release area and is generally consistent with Council's development controls apart from the DCP variations.

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

## AERIAL PHOTO



## THE SITE

The site is commonly known as 120 Springs Road and 33 Spring Farm Drive, Spring Farm and is legally described as Lots 1 and 3261 in DPs 228039 and 1164074 respectively.

Both lots have a combined area of approximately 25.5 ha and form part of the south village of the Spring Farm urban release area.

The exact site encompasses approximately half of 120 Springs Road and a small portion of 33 Spring Farm Drive as detailed in the above aerial map. The proposed 21 residential lots and 1 residue lot will be created at 120 Springs Road with the remaining 4 residue lots created at 33 Spring Farm Drive. Minor earthwork battering will also be necessary on 33 Spring Farm Drive.

The site is currently vacant with the exception of an overhead Endeavour Energy electricity transmission line which runs east/west through the site. The site has been subject to extensive bulk earthwork activities and sand/soil mining over a number of years.

The surrounding area is largely characterised by vacant land that has also been subject to bulk earthwork activities and sand/soil mining. Directly to the north of the site

exists Spring Farm Drive and several previously approved exhibition homes at the corner of Springs Road and Spring Farm Drive.

Spring Farm's north village, containing many established residential dwellings, is located further to the north of the site. To the east lies the Spring Farm Resource Recovery Park (formerly known as Jack's Gully) whilst to the south lies the Nepean River and the Wollondilly Local Government Area. To the west lies the Spring Farm quarry and the Macarthur Bridge.

## HISTORY

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

Date	Development
3 October 2010	Bulk earthworks and remediation works were approved (110 Springs Road) by DA 593/2009 under delegation on 3 October 2010
10 July 2012	A residential subdivision to create 35 residential lots and 3 residue lots was approved by DA 1271/2010 at the Ordinary Council meeting of 10 July 2012. The subject DA proposes the subdivision of one of these residue lots

In May 2011, the Cornish Group lodged a Planning Proposal with Council to amend Camden Local Environmental Plan 2010 (LEP) to rezone additional land for residential development. This Planning Proposal included an amendment to the currently adopted DCP.

At the Ordinary Council Meeting of 13 December 2011, Council resolved to forward the Planning Proposal to the Department of Planning (DPI) for a gateway determination. The gateway determination required Council to undertake public agency consultation prior to the public exhibition taking place.

Following consultation with both public agencies and the general public, the Planning Proposal was adopted by Council at the Ordinary Council meeting of 12 June 2012. At this meeting, Council resolved to submit the planning proposal to DPI for the plan to be made. Council is currently awaiting the gazettal of this planning proposal.

**A copy of the proposed DCP amendment is provided as Attachment 2 to this report.**

## THE PROPOSAL

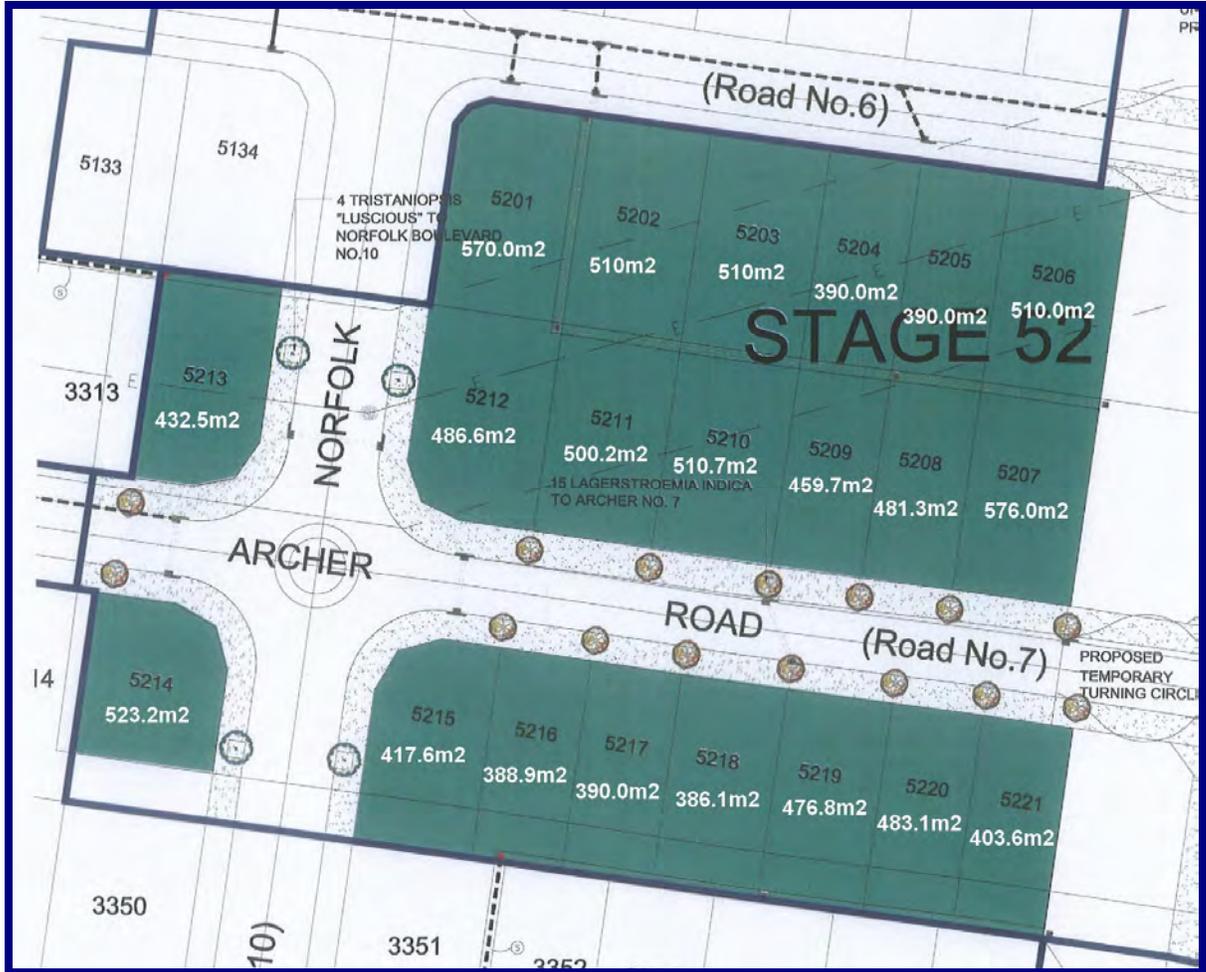
DA 493/2012 seeks approval for a subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping. This proposed subdivision is known by the developer as "Stage 52."

Specifically the proposed development involves:

- a torrens title subdivision to create 21 residential lots (ranging in size from 386.1m<sup>2</sup> through to 576m<sup>2</sup>) and 5 residue lots (ranging in size from 0.86ha to 7.19ha);
- the construction of roads, drainage, services and landscaping.

**A copy of the plans are provided as Attachment 1 to this report.**

The 21 residential lots proposed to be created by this subdivision are shown in green on the proposed subdivision plan below:



**ASSESSMENT**

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

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

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

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

- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No 9 – Extractive Industries
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- Camden Local Environmental Plan 2010.



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

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

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting consent. The site is known to contain some contamination, however a remediation action plan for the site was previously approved as part of DA 593/2009 which also approved bulk earthworks on the site.

Subject to this remediation work being carried out, the site will be suitable for its intended use for future residential dwellings. It is therefore a recommended condition that all remediation work for this site be completed prior to works commencing for this development.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

Clause 45 of the SEPP requires the DA to be referred to Endeavour Energy (Endeavour) for comment as the site is burdened by an existing Endeavour overhead electricity transmission line and easement. The DA was referred to Endeavour who have not raised any objections to the proposed development subject to conditions requiring the undergrounding of the overhead transmission line.

A condition is recommended to ensure that all decommissioning and undergrounding works be approved by Endeavour and carried out prior to the issue of a Subdivision Certificate for this development.

Deemed State Environmental Planning Policy No 9 – Extractive Industries (SEPP)

The SEPP requires that DAs for development in certain areas be referred to the NSW Department of Trade and Investment (the Department). As the land is identified as containing regionally significant sand and soil, a referral was required and was made. The Department has raised no objections to the proposed development.

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

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. A condition is recommended to provide a water quantity and quality control basin as part of the development.

Camden Local Environmental Plan (LEP)

*Permissibility*

The subject site is zoned R1 General Residential under the provisions of the LEP. The proposed subdivision is permissible with consent in this zone.

*Objectives*

The objectives of the R1 General Residential zone relevant to this proposal are as follows:

- To provide for the housing needs of the community.

Officer comment:

The development proposes a subdivision to create 21 residential lots for future housing. Additionally, 5 residue lots are proposed which will be subdivided in the future to provide additional residential lots. Therefore this subdivision will provide for the housing needs of the community.

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

Officer comment:

The proposed subdivision encompasses lots of varying sizes that range from 386.1m<sup>2</sup> through to 576m<sup>2</sup>. This range of lot sizes will allow for a variety of housing types and densities.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Officer comment:

This objective is not relevant in that the development is proposing the subdivision of land for residential purposes.

- To allow for educational, recreational, community and religious activities that support the wellbeing of the community

Officer comment:

This objective is not relevant in that the development is proposing the subdivision of land for residential purposes.

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

Officer comment:

The development has been assessed and subject to the conditions contained in this report, it is not considered that it will cause any conflicts upon any land uses within this or in adjoining zones. This is because the surrounding land is largely vacant.

*Relevant Clauses*

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

Clause	Requirement	Provided	Compliance
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Clause	Requirement	Provided	Compliance
4.1 Minimum Lot Size	Minimum 300m <sup>2</sup> lot area	All of the proposed lots are greater than 300m <sup>2</sup> in area, with the smallest being 386.1m <sup>2</sup>	Yes
6.1 Arrangements for designated State public infrastructure	Satisfactory arrangements for the provision of State public infrastructure	Satisfactory arrangements for the provision of state public infrastructure have been made by way of a recommended condition	Yes
6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	A condition is recommended to ensure appropriate public utility infrastructure is provided	Yes
6.5 Matters to be considered for Spring Farm	Remnant bush corridors are to be enhanced and protected	This subdivision will not negatively impact Spring Farm's remnant bush corridors	Yes
	Adverse odours impacts are mitigated	The development will not be affected by odour as it is will be located over 1km from the Spring Farm Resource Recovery Park	Yes

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

Camden Local Environmental Plan 2010 Amendment No 5

At the Ordinary Council meeting of 12 June 2012 Council resolved to adopt a planning proposal (known as Camden Local Environmental Plan 2010 Amendment No 5) that rezones additional land in the Spring Farm south village for residential purposes.

The planning proposal is now awaiting gazettal from the Department of Planning and Infrastructure.

The proposed development is consistent with the planning proposal.

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

Camden Development Control Plan 2011 (DCP)

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

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures	Yes

**ORD04**

<b>Control</b>	<b>Requirement</b>	<b>Provided</b>	<b>Compliance</b>
		have been provided	
B1.3 Salinity Management	Salinity resistant construction	The development will be constructed to be salinity resistant	Yes
B1.9.9 Waste Management Plan	Waste management plan	A waste management plan has been provided	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A remediation action plan for this site has been previously approved. It is a recommended condition that all remediation works on this site be completed prior to works commencing for this development	Yes
B1.13 Mine Subsidence Approval	Mine Subsidence Board Approval	Mine Subsidence Board approval has been submitted as part of this DA	Yes
B2 Landscape Design	Landscape plan	An appropriate landscape plan has been provided	Yes
C5.1 Neighbourhood Amenity and Subdivision Design	High Level of pedestrian connectivity	The development provides a high level of pedestrian linkages to connect roads and open space	Yes
	Legible and permeable street hierarchy	A legible street network that is generally compliant with the DCP road hierarchy has been provided	Yes
	Street block dimensions of 250m x 70m, lot orientation north-south, east-west	The proposed street blocks and dimensions are fully compliant and north-south, east-west lot orientations have been provided	Yes
	Lots generally rectangular and battle-axe lots limited	The proposed lots are generally rectangular and no battle-axe lots have been proposed	Yes
	Lots smaller than 300m <sup>2</sup> require dwelling plans	No lots less than 300m <sup>2</sup> have been proposed as part of this subdivision	Yes

Control	Requirement	Provided	Compliance
	Easements incorporated into road reserves	It is a recommended condition that the existing to underground the existing transmission line on the site and incorporate easements for it in the proposed road reserves	Yes
	Smaller lots located closer to the neighbourhood centre, public transport and parks	All lots are provided within a reasonable distance of a neighbourhood centre, public transport and open space	Yes
C5.2 Street Network and Design	Street layout to be consistent with the Spring Farm Masterplan	A number of the proposed roads are not consistent with the Spring Farm Masterplan	<b>No – DCP variation 1</b>
C5.3 Pedestrian and Cycle Network	Pedestrian and cycle connections to be consistent with the Spring Farm Masterplan	The pedestrian and cycle network is not consistent with the Spring Farm Masterplan	<b>No – DCP Variation 2</b>
C5.7 Provision of Adequate Infrastructure and Facilities	Demonstrate that local public infrastructure and facilities are provided	Conditions requiring the payment of Section 94 contributions to Council to enable the provision of local public infrastructure are recommended	Yes
C7.1 Residential Density Targets and Staging	Demonstrate that density targets and consistency with staging plan is achieved	The density target for this area is 184 lots. The proposed subdivision, combined with existing and future residential subdivisions, will achieve a density of approximately 145 lots.	Yes
C7.2 Neighbourhood and Subdivision Design	Typical block dimensions of 60m x 200m	The proposed block dimensions comply with these requirements	Yes
	No residential development below the 100 year ARI flood line	No development is proposed below the 100 year ARI flood line	Yes
	Electricity easements incorporated into	It is a recommended condition to underground the	Yes

Control	Requirement	Provided	Compliance
	road reserves	existing transmission line on the site and incorporate easements for it in the proposed road reserves	
	View corridors protected	The development will not impact on designated view corridors	Yes
	300m <sup>2</sup> minimum lot size	The minimum lot size proposed is 386.1m <sup>2</sup>	Yes
C7.3 Street Network and Design	Kerb returns with an 8.5m radius required	It is a recommended condition that kerb returns comply with this requirement	Yes
	Streets constructed in accordance with cross sections	The proposed roads are compliant with the DCP's road cross sections	Yes
C7.4 Pedestrian and Cycle Network	Pedestrian and cycle connections to be consistent with the Spring Farm Masterplan	The pedestrian and cycle network is inconsistent with the Spring Farm Masterplan	<b>No – same as DCP variation 1</b>

DCP Variation 1 – Street Network and Design

*DCP Control*

The DCP requires that the street network shall be designed generally in accordance with the indicative master plan that applies to each urban release area. In this case the relevant indicative master plan is that for the Spring Farm release area.

It is noted that the proposed street network does not comply with the Spring Farm Masterplan in that the layout and configuration of the street network has been modified to achieve a more regular block pattern. The DCP's street network requires a series of curved streets and irregular lot patterns whilst the proposed street network proposes a grid iron street pattern with a more regular lot pattern.

**A copy of the Spring Farm Masterplan is provided as Attachment 3 to this report.**

*Variation Request*

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

- the proposed development provides for a more legible and connected street network.

*Council Staff Assessment*

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

- the proposed street network has been designed in accordance with a Planning Proposal previously adopted by Council at the Ordinary Council meeting of 12 June 2012. This Planning Proposal is currently awaiting gazettal by DPI;
- the modified street network does not preclude development occurring on adjacent land to the east in accordance with the currently adopted DCP. This will ensure that if the planning proposal was not to be gazetted by DPI, the owner of the land to the east would not be disadvantaged and be unable to comply with the currently adopted DCP; and
- it is considered that the proposed street network provides for a more legible street network and lot layout that will enhance vehicular and pedestrian connectivity and movement through the area.

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

#### DCP Variation 2 – Pedestrian and Cycle Network

##### *DCP Control*

The DCP requires that all pedestrian and cycleway routes and facilities are to be consistent with the indicative pedestrian and cycle network plan that applies to each urban release area. In this case the relevant indicative master plan is that for the Spring Farm release area.

##### *Variation Request*

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

- the proposed pedestrian and cycle network provides for a more legible and safe movement network.

##### *Council Staff Assessment*

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

- the pedestrian and cycle network has been designed in accordance with a Planning Proposal previously adopted by Council at the Ordinary Council meeting of 12 June 2012. This Planning Proposal is currently awaiting gazettal by DPI;
- the proposed pedestrian and cycle network does not preclude development occurring on adjacent land to the east in accordance with the currently adopted DCP. This will ensure that if the Planning Proposal was not to be gazetted by DPI, the owner of the land to the east would not be disadvantaged and be unable to comply with the currently adopted DCP; and

- it is considered that the proposed pedestrian and cycle network provides for a more legible and safe movement network that achieves the objectives of both the currently adopted DCP and the planning proposal.

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

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

No relevant agreement exists or has been proposed as part of this application.

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

There are no matters prescribed by the Regulations that apply to this development.

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

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

Impacts on adjacent lands

It is considered that the proposed development will not adversely impact on adjacent land to the east and the ability of that land to be developed in a planned and orderly manner. The proposal will not preclude development occurring on adjacent land to the east in accordance with the currently adopted DCP. It is therefore considered that there will be no negative impacts on adjacent land as a result of the proposed development.

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

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

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

The DA was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 11 June to 25 June 2012 and one submission was received. **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. *The instatement of residue lots between separate land owner boundaries will lead to the creation of 'grudge strips' which will inhibit and preclude development on adjoining land to the east. The developer should dedicate land to Council in order to ensure that road connections and services can be provided to adjoining land.*

Officer comment:

The residue lot in question is located between proposed residential lots on the subject site and adjacent residential lands to the north east. This residue lot is approximately 66.7m wide and will be subject to future development. From the subdivision plans submitted by the applicant, approximately 17 residential lots could be created from this residue lot.

As such, it is not considered that any of the proposed residue lots will form a 'grudge strip' as they can be further subdivided in the future.

Therefore the creation of these residue lots will not preclude the ability of the land to the east to be developed in an orderly manner and the dedication of land to Council at this stage to ensure that this occurs is not warranted.

**(e) The public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

External Referrals

*Rural Fire Service*

The DA was referred to the Rural Fire Service (RFS) as this development proposes the subdivision of bush fire prone land and therefore requires a Bush Fire Safety Authority pursuant to Clause 100B of the *Rural Fires Act 1997*. The RFS have provided a Bush Fire Safety Authority for the development which includes compliance with 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

*Endeavour Energy*

Pursuant to Clause 45 of State Environmental Planning Policy (Infrastructure) 2007, the DA was referred to Endeavour Energy (Endeavour) for comment as the site is burdened by an existing Endeavour overhead electricity transmission line and easement. Endeavour have not raised any objections to the proposed development.

A condition is recommended to ensure that all decommissioning and undergrounding works be approved and carried out prior to the issue of a Subdivision Certificate for this development.

*Department of Trade and Investment*

Pursuant to Deemed State Environmental Planning Policy No 9 – Extractive Industries, the DA was referred to the NSW Department of Trade and Investment as the land is identified as containing regionally significant sand and soil. The Department has raised no objections to the proposed development.

**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 493/2012 is recommended for approval subject to the conditions listed



in this report.

**Details of Conditions:**

**1.0 - General Requirements**

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
76651.01.M11	Locality Plan, Site Plan	Lean & Hayward Pty Ltd	19 December 2011
LPDA12-129/52 Issue B	Stage 52 Tree Planting Plan	Conzept Landscape Architects	19 October 2011
76651.01.P05 Revision B	Plan of Proposed Subdivision	SMEC Urban Consulting Group	15 March 2012
76651.01.M12 Revision B	Proposed Site Regrading Plan	Lean & Hayward Pty Ltd	22 May 2012
766051.01.M13 Revision B	Site Regrading Cross Sections	Lean & Hayward Pty Ltd	22 May 2012
76651.01.M14 Revision C	Drainage Concept and catchment Plan	Lean & Hayward Pty Ltd	22 May 2012
76651.01.M16 Revision B	Soil and Water management Concept Plan	Lean & Hayward Pty Ltd	22 May 2012
76651.01.M17 Revision B	Proposed Cut/Fill Plan	Lean & Hayward Pty Ltd	22 May 2012
76651.01.M20	Typical Cross Sections and Street Plan View	Lean & Hayward Pty Ltd	April 2011

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and street tree installation.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period, all nature strip and road verge areas, street trees, street tree protective guards and bollards must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans.

- (3) **Development Works** - All activities associated with the development must be carried out within the boundaries of the site, and must be carried out in an environmentally satisfactory manner as defined under Section 95 of the Protection of the Environment Operation Act 1997.
- (4) **Sewer Access Chambers and Mains** – No sewer access chambers are to be constructed within the proposed road reserves, public reserves and drainage reserves without the prior approval of the Principal certifying Authority. Further, no sewer mains are to be constructed within both proposed and existing public reserves and drainage reserves without the prior approval of the Principal certifying Authority.
- (5) **Services** -
  - (a) All services within the subdivision shall be underground.
  - (b) All service connections to existing works in Council's road reserve requires a Public Road Activity approval from Council. Connections to existing works within public reserves or drainage reserves will require owner's permission (i.e. Camden Council).
- (6) **Bush Fire Safety Authority** – A Bush Fire Safety Authority from the Rural Fire Service is attached to and forms part of this development consent. All requirements of this Bush Fire Safety Authority dated 27 November 2012 must be complied with.
- (7) **Mine Subsidence Board** – The Mine Subsidence Board approval letter dated 10 May 2012 is attached to and forms part of this development consent. All requirements of the Mine Subsidence Board must be complied with.

## 2.0 - Construction Certificate Requirements

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

- (1) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
  - (a) all matters associated with Council's Erosion and Sediment Control Policy;

- (b) all matters associated with Occupational Health and Safety;
  - (c) all matters associated with Traffic Management/Control;
  - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (2) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (3) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications and are to be submitted For Approval To The Principal Certifying Authority Prior To The Engineering Construction Certificate Being Issued.
- (a) under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
  - (b) under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- (4) **On Road Cycle Lanes and Median** – On road cycle lanes and a median must be provided as part of the 21m wide collector road design and in accordance with Council's current engineering specifications. This design must be submitted to Council prior to the issue of a Construction Certificate.
- (5) **Proposed 17m Primary Access Road** - The proposed 17m primary access road must incorporate a central median island in accordance with Council's current engineering specifications. Details of this median must be provided to Council prior to the issue of a Construction Certificate.
- (6) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.
- The survey must include descriptions of each photo and the date when each individual photo was taken.
- (7) **Performance Bond** - Prior to the issue of the Construction Certificate a performance bond of 10% of the value of works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (8) **Pavement Design** – A pavement design prepared by a suitably qualified Geotechnical engineer for all proposed roads and accessways based upon Council's Pavement Design Specification must be submitted and approved by the Principal Certifying Authority prior to roadworks proceeding past subgrade level.

- (9) **Roundabout Design** – The intersection of proposed road No 7 (Archer Road) and No 10 (Norfolk Road) must be designed as a roundabout. The design is to be in accordance with AUSTRROADS 'Guide to Traffic Engineering Practice – Part 6 Roundabouts' and the Roads and Maritime Service (RMS) 'Road Design Guide'.
- (10) **Temporary Turning Head** – A temporary sealed turning head must be provided at the end of all staged road works. The pavement must be constructed to the ultimate road levels and pavement depth. Any additional land required for such works must be provided for the ultimate road alignment by way of a Right of Way to be extinguished upon extension of the road.
- (11) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.
- (12) **Drainage Design** - A stormwater management plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.
- (13) **Stormwater Disposal** - Stormwater run-off from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.
- (14) **Inter-Allotment Drainage Construction** – Inter-allotment drainage lines must be installed in accordance with Camden Councils current Engineering Specifications. Inter-allotment drains must be installed after Sydney Water sewerage lines have been installed where sewer is proposed adjacent to inter-allotment drains.
- (15) **Stormwater Detention** - The capacity of the existing stormwater drainage system must be checked to ensure its capability of accepting the additional run-off from this development. If necessary an on-site detention system must be provided to restrict stormwater discharges from the site to pre-development flows in accordance with Camden Council's current Engineering Design Specifications.

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

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

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

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

- (a) view the state of repair of the basin;
  - (b) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand;
  - (c) restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (16) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:
- (a) Camden Council's current Engineering Specifications, and
  - (b) Camden Council's Development Control Plan 2011.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads and Maritime Services and Camden Council prior to the issue of any Construction Certificate

- (17) **Storage and Water Quality Controls** – Prior to the establishment of stockpile and compound sites, temporary stormwater and water quality control devices and sediment controls must be implemented.
- (18) **Endeavour Energy** – An Asset Relocation application, seeking approval to relocate the existing transmission line, must be submitted to and approved by Endeavour Energy. This approval must be obtained prior to the issue of a Construction Certificate with a copy provided to Council for information.

### 3.0 - Prior To Works Commencing

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

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

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

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

Provide a stabilised entry/exit point. The access should be a minimum of 2.5m wide and extend from the kerb to the building line. The access should consist of aggregate at 30-40mm in size.

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

- (2) **Pollution Warning Sign** – A sign must be erected at all entrances to the subdivision site prior to work commencing and maintained until the subdivision has reached 80% occupancy. The sign must be constructed of durable materials and be a minimum of 1200 x 900mm. The wording of the sign must be as follows:-

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

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

The location and details of the signage shall be shown on the soil and water management plan prior to the release of the construction certificate.

- (3) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location prior to the commencement of any work. The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress of the site must be limited to this single access point

- (4) **Hoardings and Security Fencing** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by Camden Council.

No site or demolition works must commence before the hoarding or fence is erected. Public thoroughfares must also not be obstructed in any manner whatsoever during demolition works.

All demolition works must comply with the requirements of AS2601:2001 - Demolition of structures.

- (5) **Traffic Committee Approval** – Designs for linemarking, regulatory signage and traffic management associated with all proposed public roads within this subdivision must be submitted to and approved by the Roads Authority Camden Council, prior to works commencing. If any changes to the proposed designs are required, an amended Construction Certificate may be required.
- (6) **Transport** – All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to provide the shortest travel distance (or most appropriate) from the site to a State road. The Applicant may consult with Council prior to selecting the most suitable transport route. All remediation work shall ensure that:
- all soil, materials, equipment or machinery are delivered to or removed from the site shall be transported within the hours of operation specified in the development consent. All loads entering or leaving the site are securely covered;
  - all vehicles exiting the site are securely covered;
  - all vehicles exiting the site do so in a forward direction; and
  - all vehicles exiting the site shall not track soil, mud or sediment onto the road.
- (7) **Remediation Works** - All works approved as part of the Remediation Action Plan approved by Development Consent 593/2009, that relate to this site, must be fully completed prior to any works commencing for this development.

#### 4.0 - During Construction

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

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

The validation report and associated sampling location plan must:

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

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
  - (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- (d) confirm that the fill material:

- (i) provides no unacceptable risk to human health and the environment;
- (ii) is free of contaminants;
- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

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

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

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

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

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

- (2) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (3) **Salinity Management Plan** - All proposed works that includes earthworks, imported fill and landscaping, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with "Appendix D" in the report titled *"Aggressiveness & Salinity Assessments: 120 Springs Road Spring Farm, Prepared by SMEC Testing Services Pty Ltd, Report No 12/0004, Dated January 2012."*
- (4) **Unexpected Findings Contingency** – Upon the identification of additional contamination or hazardous materials at any stage of the bulk earthworks or other construction processes all works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent

Authority (Camden Council) and be approved in writing prior to the removal or treatment of such findings contamination / hazardous materials.

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

Construction period of 4 weeks and under:

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

Construction period greater than 4 weeks:

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

- (6) **Offensive Noise, Dust, Odour, Vibration** - Bulk earthworks work shall not give rise to offensive noise or give rise to dust, odour, vibration as defined in the Protection of the Environment Operations Act 1997" when measured at the property boundary.
- (7) **Location of Stockpiles** - Stockpiles of soil should not be located on/ near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of materials shall be suitably covered to prevent dust.
- (8) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (9) **Storage and Water Quality Controls** – Prior to the establishment of stockpile and compound sites, temporary stormwater and water quality control devices and sediment controls must be implemented.
- (10) **Air Quality** – Vehicles and equipment used on site must be maintained in good working order and be switched off when not operating. The burning of any waste material is prohibited.
- (11) **Bund Capacities** – Impervious bunds of sufficient capacity to contain at least 120% of the stored chemical, fuel and lubricant volumes must be constructed around all chemical, fuel and lubricant storage areas.
- (12) **Drainage Patterns Not To Be Affected** - Filling must be undertaken in accordance with the approved plans and in such a manner that the drainage pattern on the site and on adjoining properties is not altered.
- (13) **Survey Marks** - Permanent Survey co-ordination marks must be placed within the subdivision in accordance with the *Surveyors Act and Regulations*.

- (14) **Compaction (Roads)** - All filling on roadways must be compacted in accordance with Camden Council's current Engineering Construction Specifications.
- (15) **Compaction (Allotments)** - Those proposed allotments which are subject to filling must be compacted in accordance with Camden Council's current Engineering Construction Specifications. The applicant's Geotechnical Engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS 3798-1990.
- (16) **Fencing of the "Construction" On-site Detention/Sediment Control Basin** – Any "construction" on-site detention/ sediment control basin must be enclosed by a 2.1m high security fence of a type in accordance with Council's current engineering specifications. Any such fence is to be continually maintained and is to remain in place until this facility is removed or reconstructed to a temporary/permanent water quality facility.
- (17) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
  - (a) 7am and 6pm Monday to Friday (inclusive);
  - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;

#### 5.0 - Subdivision Certificate

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

- (1) **Installation of Street Trees and Their Protective Guards and Bollards**
  - (a) All street trees are to have root barrier installation to the kerb.
  - (b) Prior to the issue of the Subdivision Certificate, any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored.
  - (c) Any repairs, relocations, installations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Subdivision Certificate.
- (2) **Section 94 Contributions** - Pursuant to **Contributions Plan No. 8** amended in September 1997, a contribution must be paid to Council of \$18 per additional lot or dwelling, total \$378.00, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

The contribution must be indexed to the Road Cost Index, paid prior to the issue of a Subdivision Certificate.

- (3) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$7,110 per additional lot or dwelling, total \$149,310.00, for **Open Space, Recreation & Community Land**.
- The contribution must be indexed by the methods set out in Paragraph 2.15.2 of the plan and paid prior to the issue of a Subdivision Certificate.
- The monetary contribution may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.
- (4) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$9,428 per additional lot or dwelling, total \$197,988.00, for **Recreation & Community Facilities, Volunteer Emergency Services Facilities and Plan Preparation and Administration Services**.
- The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid prior to the issue of a Subdivision Certificate.
- (5) **Section 94 Contributions** - Pursuant to Camden Contributions Plan 2011 adopted in April 2012, a contribution must be paid to Council of \$39,197 per additional lot or dwelling, total \$823,137.00 for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan**.
- The contribution must be indexed by the methods set out in Paragraph 2.15.1 of the plan and paid prior to the issue of a Subdivision Certificate.
- The monetary contribution for Drainage, Roadworks, Traffic Facilities, Open Space Embellishment and Masterplan may at the sole discretion of Council be offset by the value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Subdivision Certificate.
- (6) **Site Validation Report** – Consistent with Development Consent 593/2009, a validation report incorporating a notice of completion must be submitted to the Consent Authority in accordance with the requirements of clause 7.2.4 (a) - (d) and clause 9.1.1 of Council's adopted policy and Clauses 17 & 18 of SEPP 55 for the completed remediation works. The notice/s or report/s must confirm that all decontamination and remediation works have been carried out in accordance with the remediation plan for Development Consent 593/2009 and must be submitted to the Consent Authority within 30 days following completion of the remedial works.
- (7) **On-Site and On-Street Lighting** – On-site and on-street lighting must be provided and satisfy the requirements of Australian Standard AS1158 – Lighting for Roads and Public Spaces.
- (8) **Stormwater Destination** – Prior to the issue of the Subdivision Certificate, pit lintels must be labelled with permanent stencilled signs in accordance with Camden Council's current Engineering Design Specifications.

- (9) **Maintenance Bond** - A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works must be lodged with Council prior to the release of the Subdivision Certificate. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for (12) twelve months or such longer period as determined by Council's engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the compliance certificate in the case of development works.

**Note 1:** In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash or bank guarantees is applicable.

**Note 2:** It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (10) **Road Surfacing Bond** - Prior to the issue of the Subdivision Certificate, the applicant is to lodge a monetary bond, with the consent authority (ie Camden Council), for the placement of the final layer of Asphaltic Concrete wearing course for any proposed Public Road within this subdivision.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of the consent authority (ie Camden Council), and must be equivalent to 130% of the value of the works including the cost of all reinstatement works. The bond amount will be determined by reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and the work is required to be held for 5 years from completion or upon at least 80% of the subdivision occupancy.

Camden Council reserves the right to claim against the bond at any time.

**Note 1:** In accordance with Council's current Fees and Charges an administration fee for processing of bonds in the form of cash/cheque or bank guarantees is applicable.

**Note 2:** It should be noted that Council will not refund/release the maintenance bond, unless a suitable replacement bond is submitted.

- (11) **Value of Works** - Prior to release of the Subdivision Certificate, the applicant must submit itemised data and value of civil works for the inclusion in Council's Asset Management System. The applicant can obtain from Council upon request, a template and requirements for asset data collection.
- (12) **Lot Numbers and Street Names** - Prior to Issue of a Subdivision Certificate, lot numbers, house numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

The stencil medium must be of a good quality UV stabilised paint and applied to the kerb accordingly:

- (a) Lot numbers:
  - (i) White number on **Blue** background located on the prolongation of both common boundaries of each lot.
- (b) House numbers:
  - (i) **Blue** number on white background located adjacent the middle of the lot.
- (c) Street names:
  - (i) White lettering on **Blue** background at kerb and gutter tangent points or at such locations as directed by the Principal Certifying Authority.

(13) **Soil Classification** - A geotechnical report must be submitted detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of SAA AS 2870 "Residential Slabs and Footings". The classification reports must be submitted to Council prior to release of the Subdivision Certificate.

(14) **Footpath Construction Bond** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a monetary bond with Camden Council for the construction of a concrete footpath and/or pedestrian/cycle shared way. This applies only where such a Facility is located in existing and/or proposed public land.

The bond is to be in the form of cash or an unconditional bank guarantee in favour of Camden Council, and must be equivalent to 200% of the value of the works, including the cost of all reinstatement works, with the estimated cost of such work being determined by reference to Council's current Schedule of Fees and Charges.

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision or when Occupation Certificates for dwellings associated with 80% of the lots created by a subdivision adjoining such road have been issued.

Camden Council reserves the right to claim against the bond at any time.

**Note 1:** An administration fee, in accordance with Council's current Schedule of Fees and Charges, is applicable for the processing of bonds.

**Note 2:** It should be noted that Council will not refund/release the bond until;

- (a) the work has been completed to the requirements of Camden Council, and/or
  - (b) where applicable a suitable replacement bond is submitted.
- (15) **Works as Executed Plan** - Prior to the issue of any Subdivision Certificate, a works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) in accordance with Camden Council's current Engineering Construction Specifications must be submitted to Council.
- (16) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be submitted to the Certifying Authority, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (17) **Street Lighting** - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Endeavour Energy approval and the satisfaction of the Principal Certifying Authority. All such work must be complete and operative prior to the issue of the Subdivision Certificate.
- (18) **Services** - Prior to the issue of any Subdivision Certificate, the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:
- (a) a certificate pursuant to s.73 of the *Sydney Water Act 1994* stating that both water and sewerage facilities are available to each allotment;
- Note: Application for such a certificate must be made through an authorised Water Servicing Coordinator.
- (b) notification of Arrangements from Endeavour Energy;
  - (c) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision/development.
- (19) **Show Easements on the Plan Of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.
- (20) **Show Restrictions on the Plan Of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.
- (21) **Section 88b Instrument** - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
- (a) Easement for services.
  - (b) Easement to drain water.

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- (c) Drainage easement over overland flow paths.
  - (d) Easement for on-site-Detention.
  - (e) Easement for water quality.
  - (f) Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.
  - (g) Restriction as to user preventing the alteration of the final overland flow path shape, and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council.
  - (h) Restriction as to user on those lots adjacent to the overland flow paths to ensure that the floor level of any habitable room is not less than 600mm above the 1% AEP level, such levels to be detailed on the Section 88b Instrument and related to AHD.
- (22) **Burdened Lots To Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (23) **Fill Plan** - A separate Fill Plan shall be submitted to the Principle Certifying Authority (PCA) prior to the issue of any Subdivision certificate. The plan must:
- (a) Show lot boundaries
  - (b) Show road/drainage/public reserves
  - (c) Show street names
  - (d) Show final fill contours and boundaries, and
  - (e) Show depth in filling in maximum 0.5m Increments
- It is to be submitted electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and submitted both on compact disk and an A1 paper plan.
- (24) **Endeavour Energy** – The existing Endeavour Energy transmission line must be undergrounded prior to the issues of a Subdivision Certificate for this development.
- (25) **Special Infrastructure Contribution** – Payment of a special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Information on the Special Infrastructure Contribution can be found on the Department of Planning's website:  
[www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/t/abid/75/language/en-US/Default.aspx](http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/t/abid/75/language/en-US/Default.aspx)

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**END OF CONDITIONS**

**RECOMMENDED**

**That Council approve Development Application 493/2012 for a subdivision to create 21 residential lots, 5 residue lots and the construction of roads, drainage, services and landscaping at 120 Springs Road and 33 Spring Farm Drive, Spring Farm subject to the conditions listed above.**

**ATTACHMENTS**

1. Proposed Plans
2. Proposed DCP Amendment
3. Spring Farm Masterplan
4. Submission - *Supporting Document*

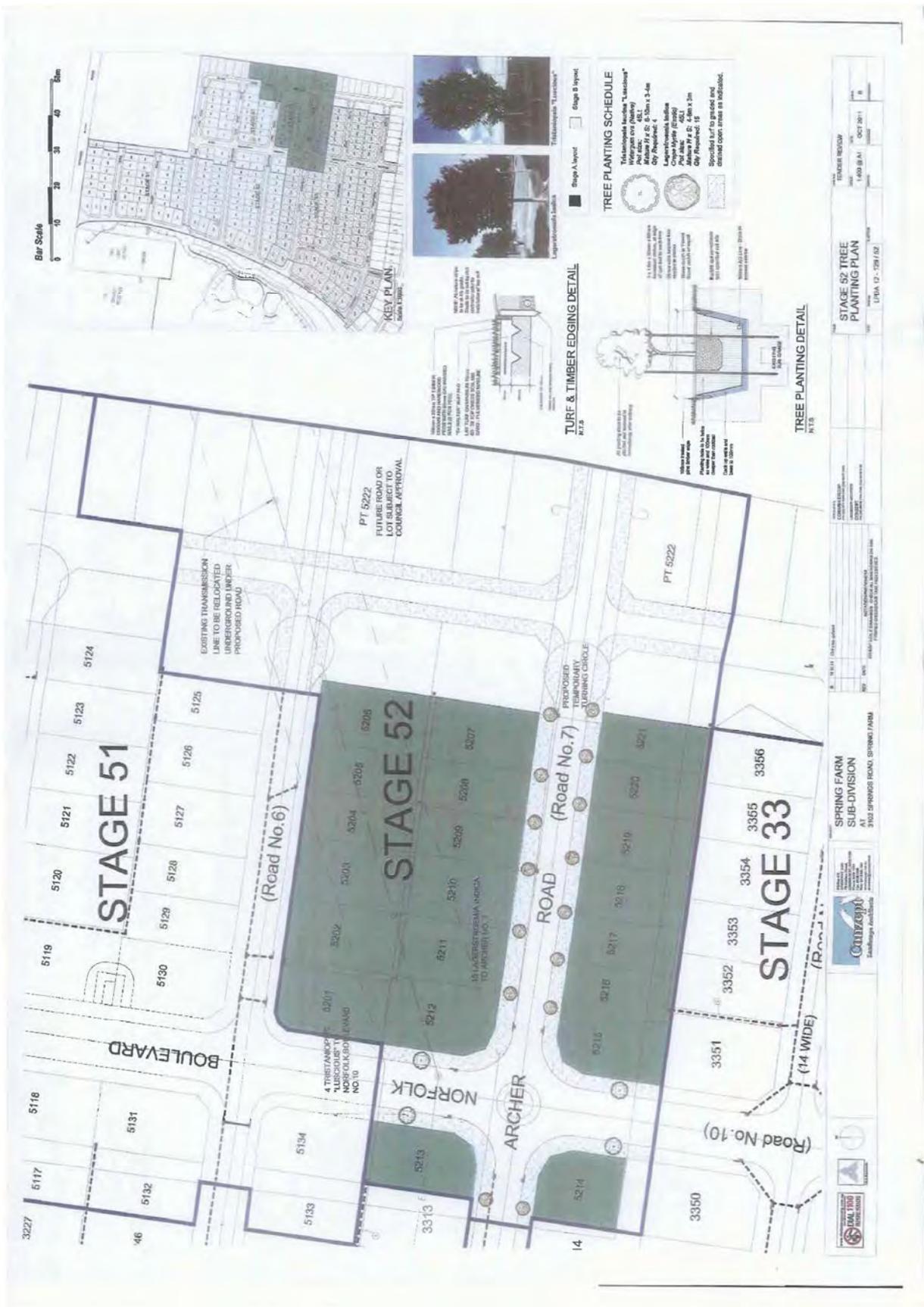
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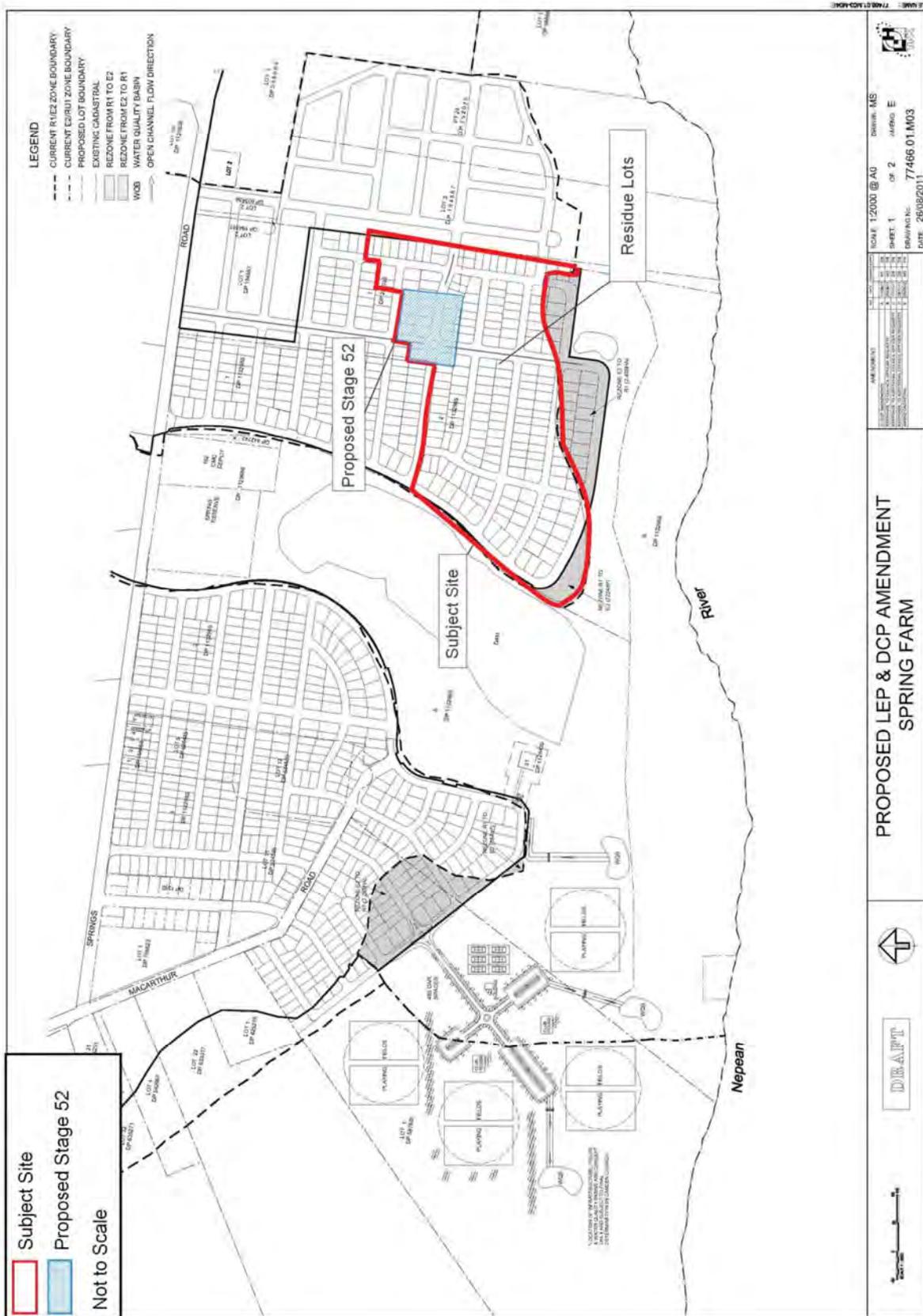




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Attachment 1

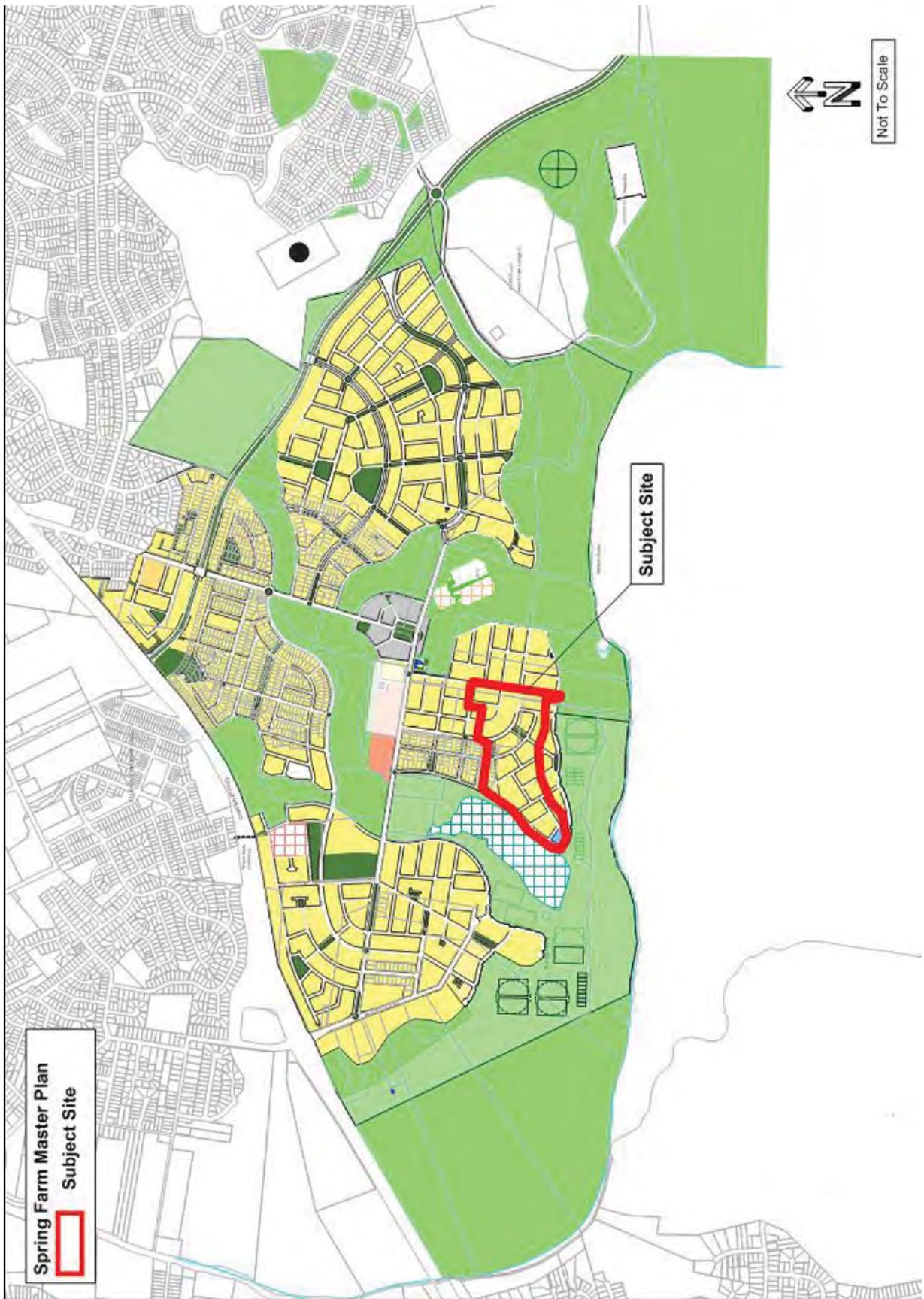




ORD04

Attachment 2

Attachment 3  
ORD04





## ORDINARY COUNCIL

ORD05

ORD05

**SUBJECT:** CONSTRUCTION OF A NEW INDUSTRIAL BUILDING COMPRISED OF 2 UNITS, AND THE USE OF UNIT 1 FOR THE MANUFACTURE AND DISTRIBUTION OF PRE-CAST CONCRETE PRODUCTS WITH ANCILLARY OFFICES AND AN EXTERNAL STORAGE AREA

**FROM:** Director, Development and Health

**BINDER:** DA 371/2012

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<b>APPLICATION NO:</b>	371/2012
<b>PROPOSAL:</b>	Construction of a new industrial building comprised of 2 units and the use of unit 1 for the manufacture and distribution of pre-cast concrete products with ancillary offices and an external storage area
<b>PROPERTY ADDRESS:</b>	2-10 Dunn Road, Smeaton Grange
<b>PROPERTY DESCRIPTION:</b>	Lot 1, DP 1121976
<b>ZONE:</b>	IN1 General Industrial
<b>OWNER:</b>	Stambe Holdings Pty Ltd
<b>APPLICANT:</b>	Stambe Holdings Pty Ltd

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of a new industrial building comprised of 2 units and the use of unit 1 for the manufacture and distribution of pre-cast concrete products with ancillary offices and an external storage area at 2-10 Dunn Road, Smeaton Grange.

The DA is referred to Council for determination as there is a variation proposed to a building height development standard in Camden Local Environmental Plan 2010 (LEP) and a proposed variation to Camden Development Control Plan 2011 (DCP).

### SUMMARY OF RECOMMENDATION

That Council determine DA 371/2012 for the construction of a new industrial building comprised of 2 units, and the use of unit 1 for the manufacture and distribution of pre-cast concrete products with ancillary offices and an external storage area pursuant to Section 80 of *Environmental Planning and Assessment Act 1979*, by granting consent subject to the conditions contained in this report.

### EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of a new industrial building comprised of 2 units and the use of unit 1 for the manufacture and distribution of pre-cast concrete products with ancillary offices and an external storage area at 2-10 Dunn Road, Smeaton Grange.

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

## ORD05

The DA was not notified as the DCP does not require that industrial developments in industrial areas be notified.

The applicant proposes a variation to a building height development standard stipulated by Clause 4.3 of the LEP. The LEP limits the height of buildings in this area to a maximum of 11m, however the proposed building is 16.7m high (at its highest point) at ridge level above existing ground level. Council staff have assessed this LEP variation and recommend that it be supported.

The proposed height is necessary for the proposed use of unit 1, being for the manufacture of concrete products requiring a 10m high crane and its associated movements. Despite the height variation, the building is considered to be generally consistent with the scale and form of other buildings in the area. There is an existing 15.75m high industrial building located to the south of this site at 34 Dunn Road. Additionally, at the Ordinary Council meeting of 11 October 2011, Council approved a 17m high building at 22-33 Dunn Road to the south-east of this site. This building is yet to be constructed.

The applicant also proposes a variation to the DCP in relation to the building's setbacks from Anderson Road (to the north) and Dunn Road (to the south). The DCP requires buildings to be set back a minimum of 15m from Anderson Road and a minimum of 10m from Dunn Road. The actual building complies with these controls, however proposed are two winged awnings which are set back 10m from Anderson Road and another two winged awnings which are only set back 5m from Dunn Road. Council staff have assessed this DCP variation and recommend that it not be supported.

Council has consistently applied the building set backs required for Smeaton Grange over many years. It is considered that approval of this variation would set an undesirable precedent for future building set back encroachments throughout the area. It is a recommended condition that the awnings achieve the required set backs and that the development be adjusted accordingly to accommodate this.

Overall, the proposal will generate additional employment opportunities and economic activity for the area, which is supported. Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

**AERIAL PHOTO**



**THE SITE**

The site is commonly known as 2-10 Dunn Road, Smeaton Grange and is legally described as Lot 1, DP 1121976.

The site is bound by roads on three sides and has frontages of 199m to Anderson Road, 205m to Dunn Road (south) and 132m to Dunn Road (east) and an overall site area of 3ha. The site is currently vacant.

The surrounding properties are characterised by multi-unit industrial complexes together with their associated driveways, car parking spaces, landscaping, fencing and signage. The Tri City Trucks site lies to the south-west on the opposite side of Dunn Road (south) whilst Camden Valley Holden exists to the north on the opposite side of Anderson Road.

The Gregory Hills employment area lies to the north of this area whilst to the east exists the Currans Hill residential suburb. To the south lies Narellan Road, the Narellan Vale residential suburb on the opposite side. To the west is Camden Valley Way with the Harrington Park residential suburb located on the opposite side.

**HISTORY**

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

Date	Development
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3 October 2006	Creation of this lot approved by DA 903/2006
30 June 2009	Approval of DA 513/2009 for the storage of pre-cast concrete panels

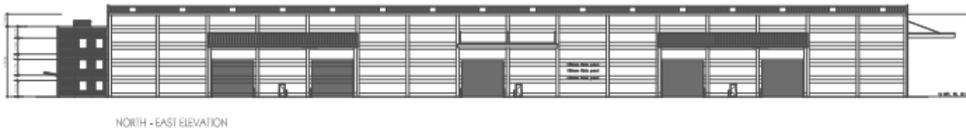
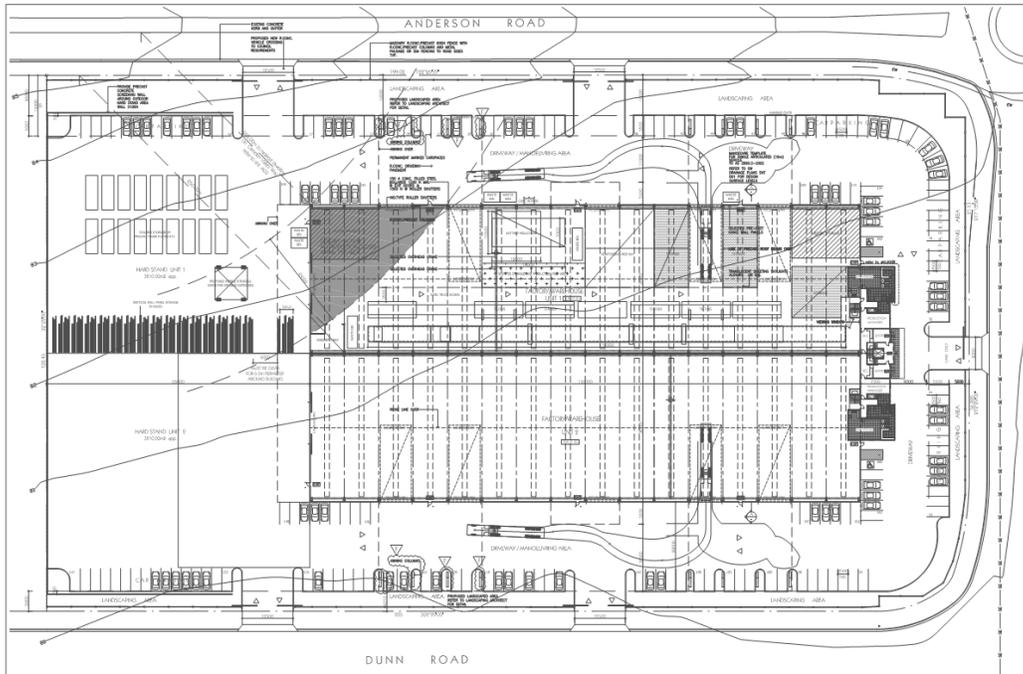
### THE PROPOSAL

DA 371/2012 seeks approval for the construction of a new industrial building comprised of 2 units and the use of unit 1 for the manufacture and distribution of pre-cast concrete products, ancillary offices and an external storage area.

Specifically the proposed development involves:

- construction of a new industrial building comprised of 2 units (with a total combined floor area of approximately 10,870m<sup>2</sup>). The building will be rectangular in shape, constructed of pre-cast concrete panels and finished in a range of colorbond metal cladding, glazing and painted colours;
- construction of 190 car parking spaces, 5 new driveways, drainage and associated site works;
- installation of landscaping, masonry and steel security fencing and gates including a 2.1m high concrete panel screening fence;
- the fitout and use of unit 1 for the manufacture and distribution of pre-cast concrete products, with ancillary first and second floor offices. This industry involves the delivery of pre-mixed concrete to the site, where it is then poured into panel moulds, left to cure and then the finished panels are stored whilst awaiting delivery to construction sites. Other activities include the cutting of the panels to different sizes using various machinery including a concrete cutter and a drop saw. The intended production capacity of concrete products will be up to 80 tonnes per day and 20,400 tonnes per year. These volumes do not trigger any Designated Development requirements;
- an external storage area which will store finished concrete panels awaiting delivery to construction sites;
- the employment of 50 staff;
- Monday – Saturday 5am – 9pm & Sunday 7am – 5pm operation. Outside of these hours 2 staff will be present in the building to monitor the curing process and provide security; and
- up to 20 concrete deliveries and up to 15 steel deliveries will occur per day. In addition, manufactured concrete products will be despatched from the site in up to 15 heavy vehicles per day. This equates to a total of up to 50 trucks entering and exiting the site per day. All trucks will be limited to the hours of 5am to 7pm Monday to Saturday and 7am – 5pm on Sundays.

No business identification or advertising signs are proposed as part of this DA and will be subject to a future DA. **A copy of the proposed plans are provided as attachment 1 to this report.**



**ASSESSMENT**

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

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

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

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

- State Environmental Planning Policy No 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No 55 – Remediation of Land
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River
- Camden Local Environmental 2010.

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

State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP)

The SEPP requires Council to assess whether the development meets the screening threshold of hazardous or offensive development. Council must be satisfied with any measure proposed to be employed to reduce the impact of the development by imposing conditions to reduce or minimise any adverse impact.

The applicant has confirmed that the thresholds for the storage of LPG and Argon will be less than the SEPP's screening thresholds. However the screening thresholds for the storage of paints and thinners will be exceeded. Provided that these substances are stored more than 7m from the site boundaries, the development will not be classed as a hazardous or offensive industry. The applicant has proposed to do this, which is acceptable.

It is also a recommended condition that the transport quantities and frequencies of dangerous goods transported to and from the site are kept below the SEPP's screening threshold. On this basis the development is not considered to be hazardous or offensive development as defined by the SEPP.

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

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting consent. This applicant has submitted a contamination assessment for the site in support of this application.

The contamination assessment notes that the site is generally free of contamination, however contains 3 stockpiles, one of which contains building rubble. No asbestos or hazardous chemicals were identified, however the report recommends that an unexpected finds protocol be implemented. This protocol will require that if any unexpected contaminants are found during construction, work must cease and the contaminants must be tested with results provided to Council for approval. Such a protocol is a common feature of most large developments.

It is a recommended condition that the stockpile containing building rubble be screened during construction to remove contaminating building materials. Such materials are to be disposed of to a licensed landfill facility.

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

The proposed development is consistent with the aims of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury/Nepean River system as a result of the proposed development. A condition is recommended to provide water pollution control devices as part of the development.

Camden Local Environmental 2010 (LEP)

*Permissibility*

The subject site is zoned IN1 General Industrial under the provisions of the LEP. The proposed development is defined as “general industry” by the LEP which is a permissible land use in this zone.

*Zone Objectives*

The objectives of the IN1 General Industrial zone are as follows:

- To provide a wide range of industrial and warehouse land uses.

Officer comment:

The development will provide an industrial land use and therefore complies with this objective.

- To encourage employment opportunities.

Officer comment:

The development will generate new employment opportunities by allowing new businesses to operate within unit 1 on the site. Subject to a future DA, it is anticipated that unit 2 will be used for another form of industry that will also generate employment.

- To minimise any adverse effect of industry on other land uses.

Officer comment:

The proposed development has been assessed and subject to recommended conditions relating to the control of offensive noise, it will not have any adverse impacts on any other land uses.

- To support and protect industrial land for industrial uses.

Officer comment:

This DA proposes an industrial development and will also provide a vacant unit for future industrial development. This is consistent with this objective.

- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

Officer comment:

This objective is not relevant to the proposed development as the proposal is for an industrial land use.

- To enable non-industrial land uses that are compatible with and do not detract from the surrounding industrial and warehouse land uses.

Officer comment:

This objective is not relevant to the proposed development as the proposal is for an industrial land use.

*Relevant Clauses*

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

Clause	Requirement	Provided	Compliance
4.3 Height of Buildings	Maximum 11m building height (when measured from existing ground level)	Proposed 16.7m building height	<b>No – LEP variation 1</b>
4.4 Floor Space Ratio	Maximum 1:1 floor space ratio	Proposed 0.62:1 floor space ratio	Yes
4.6 Exceptions to Development Standards	Written justification from the applicant for variations to LEP development standards, variations to be within the public interest and not contravene zone objectives	Justification has been provided. The variation is in the public interest and doesn't contravene any objectives of the IN1 zone	Yes
6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	The site is serviced by appropriate public utility infrastructure	Yes

LEP Variation 1 – Building Height

*LEP Control*

Pursuant to Clause 4.3 of the LEP, the maximum building height permitted on this site is 11m.

The proposed building is 16.7m high (at its highest point) at ridge level when measured from existing ground level. The office component is lower at 14.1m above ground level, however still exceeds the 11m maximum building height.

### *Variation Request*

The applicant has requested that Council support a variation to this LEP development standard on the basis that:

- the proposed height of the building is to accommodate the lifting, movement (tilting) and storage of concrete panels, which will vary in height from 4-5m and in length from 8-10m;
- the proposed height of the office component (14.1m) provides for a design which is compatible with the overall building height;
- the overall design, building setbacks, selection of building materials/colours and future landscaping of the development will be sympathetic to the existing and future streetscape of Dunn and Anderson Roads; and
- the variation complies with objectives of Clause 4.3, which are:
  - (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality;
  - (b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development; and
  - (c) to minimise the adverse impact of development on heritage conservation areas and heritage items.

### *Council Staff Assessment*

Pursuant to Clause 4.6 of the LEP, the applicant has proposed a variation to a development standard permitting a maximum building height of 11m. Part (3) of this clause requires the applicant to provide a written request that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

It is considered that the applicant's justification adequately demonstrates that compliance with the height limit is unreasonable due to the operational requirements of the proposed industry and that non-compliance with the height limit will not have any unreasonable impacts on the environmental amenity (including visual impacts) on the surrounding area.

Part (4) of this clause also states that development consent must not be granted for development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3); and

- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out; and

(b) the concurrence of the Director-General has been obtained.

As stated above, the applicant has provided adequate justification for the proposed height variation. The variation will also be in the public interest in that it complies with the objectives of Clause 4.3 and those of the IN1 General Industrial Zone, it will provide employment opportunities for approximately 50 people and will reinforce the economic viability of the Smeaton Grange industrial area. Council has the assumed concurrence of the Director General of Planning and therefore may determine the LEP variation.

In support of the LEP variation it is noted that:

- for operational reasons, such as in the case of this business, industrial buildings higher than 11m may be required in certain circumstances. The most appropriate place for a large building such as this is in an industrial area such as Smeaton Grange which already contains numerous other large buildings;
- it is considered that a 16.7m high building in this location will not appear visually dominant or prominent in the streetscape and will not detract from views through the area, as the building will be located approximately 130m from the nearest major road (Camden Valley Way) and will be partially screened from this and other public areas by both existing and future industrial buildings in the area;
- the proposed building will be sufficiently articulated to create visual interest and break up large expanses of blank wall areas. The applicant has also improved the external colour scheme following discussions with Council staff;
- there is an existing 15.75m high building located at 34 Dunn Road (to the south of this site) and Council has previously approved another industrial building at 22-33 Dunn Road (to the south east of this site) which will be 17m high once constructed.

Consequently, it is recommended that Council support this proposed variation to the LEP building height development standard.

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

There is no draft Environmental Planning Instruments applicable to the proposed development.

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

Camden Development Control Plan 2011 (DCP)



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

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures have been provided	Yes
B1.3 Salinity Management	Salinity resistant construction	A salinity management plan has been provided and compliance with it is a recommended condition. The development will be constructed to be salinity resistant	Yes
B1.4 Water Management	On site detention (OSD) and Water Sensitive Urban Design (WSUD) measures are required	A concept stormwater management plan has been provided, including OSD and WSUD measures	Yes
B1.9.9 Waste Management Plan	Waste management plan	A waste management plan has been provided	Yes
B1.10 Bushfire Risk Management	Measures to minimise impact of fire	As the site is mapped as being partially bush fire prone, a bush fire assessment report has been provided which does not identify any special construction requirements for this building	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment has been provided. The site is not contaminated and conditions are recommended for the removal of existing soil/building rubble stockpiles	Yes
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	An acoustic report has been submitted. The recommendations of the report (and a later addendum) will ensure that the development will comply with Council's Environmental Noise Policy. A condition requiring compliance with the report (and its addendum) is	Yes

**ORD05**

Control	Requirement	Provided	Compliance
		recommended	
B2 Landscape Design	Landscape plan	An appropriate landscape plan has been provided	Yes
B5.1 Off-street Car Parking Rates and Requirements	186 off-street car parking spaces and service vehicle provision	190 off-street car parking spaces have been provided along with appropriate service vehicle provision. This is in excess of the DCP's requirements	Yes
D4.2.1 Lot Sizes & Proportions	Minimum 2,000m <sup>2</sup> lot area and 32m lot width. Front building façade setback of 7.5m	The lot has an area of 30,050m <sup>2</sup> , a width of 132m and the proposed building has a front façade setback of 16m (when measured from Dunn Road (east))	Yes
D4.2.2 Building Materials & Appearance	Structural articulation and/or a mix of external finishes/colours	The proposed development incorporates painted concrete panels (blue and grey tones), colour bond metal and glazing with a projecting front office component	Yes
D4.2.3 Multi-Unit Industrial Developments	Numerically identified, separate amenities, consent required for each unit	Units 1 and 2 proposed, including separate amenities and office areas. The use of unit 2 will be subject to a future DA	Yes
D4.2.4 External Storage	Areas to be effectively screened and screening devices to match base building	<p>A 2.1m high concrete panel wall with a 10m set back from Anderson Road and 5m setback from Dunn Road (south) is proposed. The concrete will have a decorative finish to match the building and will be painted in blue and grey shades. Landscaping is also proposed to help screen the wall when viewed from Anderson and Dunn Roads.</p> <p>The wall will screen stacked concrete panels. A condition is recommended which limits the height of the stacked panels (near the front of the site) to 2m. Some vertical wall panel storage is also proposed deeper within the site, the majority of which, will be</p>	Yes

Control	Requirement	Provided	Compliance
		screened by the concrete wall and stacked panels at the front of the site	
D4.2.5 Fencing	Maximum height 2.1m, metal/masonry fences to be setback 1m from property boundary, gates behind designated landscape area and not to swing outwards to road	A 2.1m high masonry and metal palisade fence is proposed around the majority of the site, setback 1m from the road reserve. The proposed gates will slide sideways and will be set back 1m behind landscaping	Yes
D4.2.6 Environmental Management Plans	Geotechnical report	A geotechnical report was not provided. The salinity and contamination report identified previously compacted fill with a depth of 1.8m. A condition is recommended to require a geotechnical report to be prepared prior to the issue of a Construction Certificate	Yes
D4.2.7 Stormwater	OSD and water quality strategies, rainwater collected to a tank	OSD, water quality strategies and a 10,000L underground water tank have been provided in accordance with Council's engineering specifications	Yes
D4.2.8 Liquid and Solid Waste	Discharged liquids not to contain pollutants, licence to discharge may be required	Oil and silt arrestors and gross pollutant traps will be provided. A condition requiring Sydney Water concurrence to this arrangement is also recommended	Yes
D4.2.10 Noise and Vibration	Compliance with Council's Environmental Noise Policy	The development will comply with Council's Environmental Noise Policy	Yes
D4.3.1 Landscaping and Public Domain	Detailed landscaping plans and street tree planting	The preparation of a detailed landscaping plan is a recommended condition and appropriate street planting has been proposed	Yes
D4.2.12 Hazardous Goods and Materials	Details of types and quantities of dangerous goods to be provided	Details have been provided and the development does not exceed the SEPP 33 screening thresholds	Yes
D4.4 Parking and Access	Compliance with DCP Part B5 and maximum of two driveways per	The development complies with the DCP's Part B5 in that 190 off-street car parking spaces are being	Yes

Control	Requirement	Provided	Compliance
	frontage	<p>provided instead of 186. This is in excess of the DCP's requirements</p> <p>It is a recommended condition that the development provide bicycle and motorbike spaces in accordance with the DCP</p> <p>A maximum of two driveways per frontage have been provided which complies with the DCP</p>	
D4.5.2 Smeaton Grange Industrial Area	<p>Street tree planting</p> <p>15m building setback from Anderson Road with 10m of landscaping</p> <p>10m building setback from Dunn Road (east and south) with 5m of on-site landscaping</p>	<p>Appropriate street planting will be provided</p> <p>The building is set back 32m from Anderson Road, but two awnings are only set back 10m. Landscaping complies</p> <p>The building is set back 16m from Dunn Road (east) and 27m from Dunn Road (south), but two awnings are only set back 5m from Dunn Road (south). Landscaping complies</p>	<p>Yes</p> <p><b>No – DCP variation 1</b></p> <p><b>No – same as DCP variation 1</b></p>

DCP Variation 1 – Building Setbacks

*DCP Control*

The DCP requires building set backs of 15m and 10m from Anderson Road and Dunn Road, respectively. Four proposed side awnings encroach these setbacks by 5m each, being set back from Anderson Road only 10m and Dunn Road (south) by only 5m.

*Variation Request*

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

- the encroachments are to accommodate the positioning of 16 concrete support columns and the roof;
- the awning will provide all weather protection of goods being loaded and provide cover over the car park for 52 vehicles; and
- moving the columns deeper within the site would affect truck manoeuvring into the building.

### *Council Staff Assessment*

Council staff have reviewed this variation request and recommend that it not be supported for the following reasons:

- Council has consistently applied the building setbacks required for Smeaton Grange over many years;
- it is considered that approval of this variation would set an undesirable precedent for future building set back encroachments throughout the area; and
- the development could be adjusted to provide the required set backs with minimal modification to the awning.

Consequently it is recommended that Council do not support this proposed variation to the DCP. It is a recommended condition that the development be adjusted to ensure that the proposed awnings achieve the required set backs.

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

No relevant agreement exists or has been proposed as part of this application.

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

The Regulations prescribe several matters that are addressed in the conditions contained within this report.

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

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

### Acoustic Impacts

An acoustic report has been submitted to Council for the assessment of the proposed use of unit 1 being for the manufacture of concrete products. Unit 1 is located 225m from the nearest dwelling (located at the poultry farm to the north of the site and recently approved to be demolished) and 250m from the second nearest dwelling, which is located in Harrington Park.

The report confirmed that the proposed development can comply with all applicable residential and industrial noise criteria, subject to appropriate noise mitigation strategies. These strategies include treatment to the underside of the building's roof and awnings, a 2.1m high solid barrier around external areas, noise limits for exhaust fans and specific (less obtrusive) reverse alarms for vehicles.

It is a recommended condition that the development be carried out in accordance with the acoustic report to ensure there are no unacceptable acoustic impacts on surrounding residents or adjoining industrial developments.

#### Economic Impacts

The development will contribute to labour force employment during its construction phase, whilst the proposed industrial activity will create employment opportunities for members of the local community. The development will ultimately contribute to the viability of industrial, commercial and support uses in Smeaton Grange.

#### Safer by Design Principles/Security Issues

Safer by Design principles have been considered during the assessment of this development. The proposed first and second floor office areas will provide passive surveillance of the front of the site and all visitors entering and exiting. The proposed boundary fencing, car parking/manoeuvring areas and driveways will provide sufficient territorial re-enforcement and space management.

#### Hours of Operation

The hours of operation sought is Monday to Saturday 5am – 9pm with Sunday operations 7am – 5pm. Outside of these hours 2 staff will remain on the site to monitor the curing process and provide site security. This is considered appropriate given that the site is contained within an industrial zone and is supported by an acoustic report that concludes that the site will comply with the relevant noise emission guidelines and operate without causing a noise nuisance to neighbours.

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

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

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

No submissions were received for this development.

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

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulations 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. Based on the above assessment, the proposed development is consistent with the public interest.

### **EXTERNAL REFERRALS**

There were no external referrals required for the assessment of this DA.

### **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 371/2012 is recommended for approval subject to the following conditions:

## 1.0 - General Requirements

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

- (1) **Development in Accordance with Plans** – The development is to be in accordance with plans and documents listed below, except as otherwise provided by the conditions of this consent:

Plan / Development No.	Description	Prepared by	Dated
P3162 1445-11 Sheet A01, Rev. F	Site Plan and Ground Floor Plan	Algorry Zappia & Associates	9/7/12
P3162 1445-11 Sheet A02, Rev. D	Elevations and Sections	Algorry Zappia & Associates	23/3/12
P3162 1445-11 Sheet D01, Rev. B	Stormwater Drainage Concept Plan	Algorry Zappia & Associates	20/7/12
P3162 1445-11 Sheet A00, Rev. E	Colour Schedule	Algorry Zappia & Associates	Undated
166_11.00 – Rev. C	Landscape Cover Sheet	Distinctive Living Design	20/2/12
166_11.01 – Rev. B	Landscape Plan (Quadrant 1)	Distinctive Living Design	9/12/11
166_11.02 – Rev. B	Landscape Plan (Quadrant 2)	Distinctive Living Design	9/12/11
166_11.03 – Rev. B	Landscape Plan (Quadrant 3)	Distinctive Living Design	9/12/11
166_11.04 – Rev. B	Landscape Plan (Quadrant 4)	Distinctive Living Design	9/12/11
N/A	Statement of Environmental Effects	C.C. Weston & Associates	April 2012
N/A	Waste Management Plan	Joe Stambe	16/4/12
N/A	Bushfire Hazard Assessment	Joy Hafey Environmental Consultant	28/5/12
JC12130A	Contamination and Salinity Assessment	GeoEnviro Consultancy	October 2012
204394/D03	Acoustic Report	Sebastian Giglio	22/10/12
204394/D05	Addendum to Acoustic Report	Sebastian Giglio	28/11/12
DA 371/2012	Email confirming acoustic wall to be 2.1m high	Camden Council	29/11/12
N/A	Correspondence relating to the storage of dangerous goods	C.C. Weston & Associates	19/9/12

Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions of this consent override the approved plans/documentation to the extent of the inconsistency.

- (2) **Amended Plans** – The development must be amended so that the proposed awnings and support columns achieve the following development set backs:

- 15 metres to Anderson Road; and
- 10 Metres to Dunn Road.

In achieving this, the development must still provide the landscaping, car parking, motorcycle and bicycle spaces as required by other conditions of this consent. The development must also provide vehicle manoeuvring areas in accordance with AS 2890.

All other conditions of this consent must be complied with in achieving this requirement.

A copy of amended plans demonstrating the above must be provided to Council for information prior to the issue of a Construction Certificate.

- (3) **Factory Units (known use)** - This approval is given for the following:
- (a) the erection of 2 factory units and ancillary offices; and
  - (b) the use of unit 1 for the manufacture and distribution of pre-cast concrete products as described in Development Application 317/2012.
- (4) **Individual Tenancies (unknown use)** - The use and occupation of unit 2 is subject to a separate Development Application being lodged with the Consent Authority.
- (5) **Advertising Signs Application** - Outdoor advertising structures require prior development consent. A development application must be submitted and approval granted by the Consent Authority (i.e. Camden Council) prior to the erection of any advertising signs.
- (6) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes (but not limited to) the Applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

It is the Applicant's responsibility to arrange a site inspection with the Principal Certifying Authority (PCA), upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

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

At the completion of the maintenance and establishment period, the landscaping works, including the nature strip street trees installation, must comply with Consent Conditions and with the approved Landscaping Plans.

- (7) **Design and Construction Standards** - All proposed civil engineering work associated with the development must be designed and constructed strictly in accordance with:
- (a) Camden Council's current Engineering Specifications, and
  - (b) Camden Council's Development Control Plan.

It should be noted that designs for line marking and regulatory signage associated with any proposed public road within this subdivision must be submitted to and approved by Camden Council prior installation.

- (8) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia*.
- (9) **Dangerous Goods Storage** – For the storage of gas cylinders and fuel containers, suitable safety cabinets must be used that comply with all relevant Australian standards.
- (10) **General Requirement** - All activities associated with the development must be carried out in an environmentally satisfactory manner as defined under Section 95 of the *Protection of the Environment Operation Act 1997*.
- (11) **Waste Management Plan** - A waste management plan shall be kept on the premises that addresses all waste generated from the operation of the business. The plan should include provisions for recycling of all products and materials and identify suitable locations on the premises for Trade Waste bins.
- (12) **Transport of Dangerous Goods** - The transport quantities and frequencies of dangerous goods transported to and from the site must be kept below the screening thresholds of *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*.
- (13) **Screening of External Storage Areas and Acoustic Protection** – A 2.1m high concrete panel wall, set back 10m from Anderson Road and 5m from Dunn Road (south), is required as shown on the Site Plan and Ground Floor Plan prepared by Algorry Zappia, dated 9/7/12, revision F. The concrete panels are to have a decorative finish, including grooves to match the building (on the sides of the walls facing outwards from the site). The panels must be painted in a checkerboard pattern (with the width of each coloured section being 5m) using at least three colours identified on the approved colour schedule approved for this development. One of these colours **must** be "fishnet blue."
- (14) **SEPP 33 Transport Thresholds** - This development is prohibited from transporting to and from this site any dangerous goods which exceed the quantities listed in the Applying SEPP 33 guidelines.

## 2.0 - Construction Certificate Requirements

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

- (1) **Detailed Landscaping Plans** - Prior to the issue of the Construction Certificate, detailed Landscaping Plans prepared by a qualified Landscape Architect or qualified Landscape Designer, must be submitted with the Construction Certificate application and must be in accordance with Camden Council's current Engineering Design Specifications.

The following items listed must be included in the detailed Landscaping Plans.

- (a) Sixteen (16) nature strip street trees are to be installed (trees are to be *Lophostemon confertus*, evenly spaced along the adjoining nature strip areas of Anderson and Dunn Roads:
- (i) ensure that the *Lophostemon confertus* street tree installations and their proposed establishment schedules are clearly shown in the detailed Landscaping Plans;
  - (ii) that all street trees have at time of planting, well constructed tree guard protection installed. A minimum requirement is the installation of at least 3 bollards per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA;
  - (iii) the detailed plans must show that the street trees are evenly spaced, approx 1.5m away from the kerb, correctly positioned so as not to interfere with existing street lights and other infrastructure as well as vehicle vision considerations and entry and exit access;
  - (iv) that all the street trees are sourced in a minimum 75 litre container size, are not multi-stemmed and can stand alone without the need for staking; and
  - (v) detailed of root guard barriers.
- (b) The detailed Landscaping Plans must be consistent with the approved Concept Landscaping Plans lodged with the Development Application for Consent.
- (2) **Civil Engineering Plans** - Indicating drainage, roads, accessways, earthworks, pavement design, details of linemarking and traffic management details must be prepared strictly in accordance with the relevant Development Control Plan and Engineering Specifications, and are to be submitted for approval to the Principal Certifying Authority prior to the Construction Certificate being issued.

**Note:**

- (a) Under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve.
- (b) Under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority

for subdivision work and has the option of undertaking inspection of physical construction works.

- (3) **Stormwater Disposal** - Stormwater runoff from the whole development must be properly collected and discharged to the Council drainage system. Surface discharge across the footpath to the road gutter is not permitted. Provision must be made to cater for existing stormwater overland flow from adjoining properties.
- (4) **Water Quality Measures** - The proposed surface water collection and disposal systems must incorporate adequate silt traps and grit and oil arrestors.

Only uncontaminated stormwater must be discharged to the stormwater drainage system. Details of the silt traps and grit arrestors must be shown on the submitted engineering plans prior to the Construction Certificate being issued.

- (5) **Pre-Treatment of Surface Water** - The external ground surface of the site must be graded to a collection system and covered with a suitable hard surface. The drainage system must flow to a suitable pre-treatment device prior to discharge. The applicant is advised to contact the appropriate regulatory authority for the design criteria.
- (6) **Vehicular Area Design Standards** - The internal driveway and car parking area must be designed in accordance with AS2890.1 and AS2890.2.
- (7) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc. shall be designed in accordance with the current edition of AS 2890.2 and in accordance with Camden Council's current Engineering Specifications.
- (8) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following:
  - (a) all matters associated with Council's Erosion and Sediment Control Policy;
  - (b) all matters associated with Occupational Health and Safety;
  - (c) all matters associated with Traffic Management/Control; and
  - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (9) **Traffic Management Procedure** - Traffic management procedures and systems must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS 1742.3 1985 and to the requirements and approval of Council (and the Roads and Maritime Services). Plans and proposals must be approved by Council (and the Roads and Maritime Services) prior to the Construction Certificate being issued.
- (10) **Public Risk Insurance Policy** - Prior to the issue of the Construction Certificate, the owner or contractor is to take out a Public Risk Insurance Policy in accordance with Camden Council's current Engineering Design Specifications.

- (11) **Performance Bond** - Prior to the issue of the Construction Certificate, a performance bond of \$25,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (12) **Dilapidation Survey** - A photographic dilapidation survey of existing public roads, kerbs, footpaths, drainage structures and any other existing public infrastructure within the immediate area of the development site must be submitted to the Council prior to the issuing of the Construction Certificate.

The survey must include descriptions of each photo and the date when each individual photo was taken.
- (13) **Linemarking and Signage** - Sign posting and pavement markings are to be provided to parking and manoeuvring areas, intersections and traffic control devices in accordance with AS1742 'Manual of Uniform Traffic Control Devices'. Regulatory, warning and directional signage is to be designed for the access driveways fronting Anderson Road. Installation on public roads shall only occur in accordance with the plan approved by Camden Council.
- (14) **Sydney Water Requirements** - Prior to any Construction Certificate being issued, written evidence from Sydney Water stating that they agree to accept the following wastewater must be obtained:
  - (a) waste liquids and solids being discharged to sewer;
  - (b) waste from the proposed pre-treatment facilities being discharged to sewer.
- (15) **Rainwater Tank in Front Setback** - The rainwater tank located in the front setback area of the development site must be constructed so that it is fully underground to reduce any visibility impacts of the tank on the streetscape of the area. Pumping equipment, if located on the top of the rainwater tank, shall be suitably screened with landscaping or other similar screening treatment and acoustically treated so as not to create 'offensive noise' as defined under the *Protection of the Environment Operations Act 1997*.
- (16) **Parking Spaces** - A minimum of 186 car parking spaces must be provided on site, including 4 motorcycle spaces and 4 bicycle spaces. These spaces and associated access driveways, and manoeuvring areas must conform with Camden Council's Car Parking Code (Camden Development Control Plan 2011) and be designed in accordance with Council's Engineering Specification, then submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.
- (17) **Geotechnical Report** – A Geotechnical Report shall be prepared by a suitably qualified person to determine potential constraints in terms of land stability, soil types, slopes and existing ground water levels then submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
- (18) **Fence Plinth** - The concrete plinth at the base of the open style metal fence which runs around the entirety of the site must be painted in a grey colour.

### 3.0 - Prior To Works Commencing

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

- (1) **Sydney Water Approval** – Prior to works commencing, the approved development plans must also be approved by Sydney Water.
- (2) **Erection of Signs** – Shall be undertaken in accordance with Clause 98A of the *Environmental Planning and Assessment Regulation 2000*.
- (3) **Toilet Facilities** - Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (4) **Notice Of Commencement Of Work and Appointment of Principal Certifying Authority** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act 1979* and clauses 103 and 104 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building or subdivision works.
  - (5) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia*. Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

#### 4.0 - During Construction

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

- (1) **Soil Erosion and Sediment Control Plans** - Soil erosion and sediment control plans must be designed and installed in accordance with Camden Council's current Engineering Design Specifications.
- (2) **Fill Material** – For importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be submitted to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

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

(c) be prepared in accordance with:

For Virgin Excavated Natural Material (VENM):

- (i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
- (ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".

(d) confirm that the fill material:

- (i) provides no unacceptable risk to human health and the environment;
- (ii) is free of contaminants;
- (iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- (iv) is suitable for its intended purpose and land use; and
- (v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

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

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

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

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

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

(3) **Hours of Work** – The hours for all construction and demolition work are restricted to between:

- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
- (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
- (c) work on Sunday and Public Holidays is prohibited.

- (4) **Shoring and Adequacy of Adjoining Property** - Shall be in accordance with Clause 98E of the *Environmental Planning and Assessment Regulation 2000*.
- (5) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- (a) the delivery of material shall only be carried out between the hours of 7.00am and 6.00pm, Monday to Friday, and between 8.00am and 4.00pm on Saturdays;
  - (b) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site;
  - (c) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - (d) waste must not be burnt or buried on site, nor should wind-blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot;
  - (e) a waste control container shall be located on the development site.
- (6) **Protection of Public Places** – If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (b) building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- (7) **Building Roof and External Awning Treatments** – The underside of the metal roof of the building and external metal awning must be absorption treated consistent with "figure 5-1" in the report titled "Proposed Industrial Development Cnr Anderson Road and Dunn Road Acoustic Report: Prepared by Sebastian Giglio Acoustic Consultant, Ref 204394/Do3, Dated 22/10/12".
- (8) **Screening of Stockpile 3** - The stockpile located closest to the north-western boundary will require screening to remove building materials. Any screened building materials are to be disposed to a licensed landfill facility.
- (9) **Salinity Management Plan** - All proposed works that includes earthworks, imported fill and landscaping, buildings, and associated infrastructure proposed

to be constructed on the land must be carried out or constructed in accordance with Section 8.2 – Salinity Issues in the “Report Contamination and Salinity Assessment: Proposed Industrial Development Lot 1 DP 1121976 Dunn Road Smeaton Grange NSW, Prepared by GeoEnviro Consultancy Pty Ltd, Ref No JC12130A, dated October 2012”.

- (10) **Wastewater Collection** – All washing bays are to be bunded with each bay to have grated sumps that connect and drain to the sewer.
- (11) **External Materials and Finishes** - The development shall be completed in accordance with the approved schedule of external materials, colours and finishes, as shown on the plans prepared by Algorry Zappia & Associates, listed in Condition 1.0 (1).
- (12) **Unexpected findings Contingency** – Upon the identification of additional contamination or hazardous materials at any stage of the earthworks or other construction processes all works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel.

A qualified environmental consultant must assess the extent of the contamination/hazard in accordance with the NSW DEC Guidelines.

The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for assessment by an Officer of the Environment and Health Branch and be approved in writing prior to the removal or treatment of such findings contamination/hazardous materials.

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

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

- (1) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

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

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

- (2) **Installation of Street Trees and Their Protective Guards and Bollards:**
  - (a) The Applicant is advised that 16 *Lophostemon confertus* nature strip street trees are to be installed.
  - (b) All street trees are to have well constructed tree guard protection installed. A minimum requirement is the installation of at least 3 bollards

per street tree. The bollards are to be installed approximately 1m from the main stem of the tree. The bollards are to be sourced in minimum 1.8m length, which will allow for 1.2m above ground exposure and .6m buried support. The bollards are to be timber (or other acceptable composite material) and a minimum 150mm x 150mm width. Timber bollards are to be a durability minimum of H4 CCA.

- (c) All street trees are to have root barrier installation to the kerb.
  - (d) Prior to the issue of the Occupation Certificate, any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored.
  - (e) Any repairs, relocations, installations or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.
  - (f) That all the Street Trees are sourced in a minimum 75 litre container size, are not multi-stemmed and can stand alone without the need for staking.
- (3) **Street Trees, Their Tree Root Barrier Guards, Protective Guards and Bollards** - During any earthworks and development works relating to this Consent, the Applicant is advised:
- (a) that any nature strip street trees, their tree guards, protective bollards, garden bed surrounds or root barrier installation which are disturbed, relocated, removed, or damaged must be successfully restored at the time the damage or disturbance occurred;
  - (b) any repairs, relocations, reinstalls or replacements needed to the street trees, bollards, garden bed surrounds, tree guards or existing root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees carried out prior to the issue of the Occupation Certificate.
- (4) **Works As Executed Plan** - Prior to the Occupation Certificate being issued, a works-as-executed plan must be submitted to the Principal Certifying Authority in accordance with Camden Council's current Engineering Specifications.
- (5) **Access Driveways and Drainage Connections** - Prior to the issue of any Occupation Certificate all site access driveways and external drainage connections must be constructed to the satisfaction of Camden Council.
- (6) **Fire Safety Certificates** – A Fire Safety Certificate is to be submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. The Fire Safety Certificate is to certify that each fire safety measure specified in the current fire safety schedule for the building to which it relates:

- (a) has been assessed by a properly qualified person; and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

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

- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of Fire & Rescue New South Wales, and
  - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (7) **WorkCover Licence** - Prior to the occupation of the premises, a copy of the licence issued by the NSW WorkCover Authority to keep dangerous goods must be submitted to the Camden Council.

#### 6.0 - Operational Conditions

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

- (1) **Hours of Operation of Unit 1** - The hours of operation for the approved land-use are:
- Monday to Saturday 5am – 9pm;
  - Sunday 7am – 5pm
  - Operations outside of these hours be limited to a maximum of 2 staff to monitor the curing process and provide site security.
  - trucks only permitted to enter and exit the site between the hours of 5am and 7pm Monday to Saturday and Sunday between 7am – 5pm; and

Any alteration to these hours will require the prior approval of the Consent Authority.

- (2) **Exhaust Fan Acoustic Treatment** – All exhaust fans located on site must be treated to ensure that total radiated sound power levels are no greater than 80 dB(A) and do not exceed 70 dB(A) when measured at the property boundary.
- (3) **Vehicle Reverse Alarms** – On-site vehicles (including forklifts) are to be fitted with “broadband” or “quacker” reverse alarms. Where regular heavy vehicles access the site, similar or the same style of alarms must also be fitted to these vehicles and used when on site.
- (3) **Offensive Noise, Dust, Odour, Vibration** – The operation of the business shall not give rise to offensive noise or to dust, odour, and vibration as defined

in the Protection of the Environment Operations Act 1997” when measured at the property boundary.

- (4) **General Waste Service Contract** - The business proprietor shall enter into a commercial contract for the collection of trade waste and recycling. A copy of this agreement shall be held on the premises at all times.
- (5) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill / rubbish / asbestos, this material will need to be assessed in accordance with the NSW DECC Waste Classification Guidelines (April 2008).

(refer [www.environment.nsw.gov.au/waste/envguidlns/index.htm](http://www.environment.nsw.gov.au/waste/envguidlns/index.htm))

Once assessed, the materials will be required to be disposed to a licensed waste facility suitable for the classification of the waste with copies of tipping dockets supplied to Council.

- (6) **Graffiti Management Plan** - A graffiti management plan must be incorporated into the maintenance plan for the development (and in particular the 2.1m high concrete screening/acoustic wall). All graffiti shall be removed within 48 hours of the offence.
- (7) **Management of Stored Goods** - The storage of goods, materials, equipment, machinery, refuse or refuse bins (including industrial waste containers) must:
  - (a) not take place on the road reserve; and
  - (b) be confined to the area specifically designed for that purpose and approved by Council as part of this Development Consent.
- (8) **Vehicles that Service the Site** - Vehicles that service the site must comply with the following requirements at all times:
  - (a) all vehicles must enter and exit the site in a forward direction;
  - (b) all vehicles awaiting loading, unloading or servicing must be parked on-site and not on adjacent or nearby public roads; and
  - (c) all heavy rigid and articulated vehicles are only permitted to enter and exit the site between the hours of 5am and 7pm.
- (9) **Retail Sales** - Retail sales from the property are prohibited.
- (10) **Light Spillage** - The lighting of the premises must be directed so as not to cause nuisance to owners or occupiers of adjoining premises.
- (11) **Plant Noise Restriction** - The level of total continuous noise emanating from operation of all the plant or processes on the site ( $LA_{eq}$ ) (measured for at least 15 minutes) must not exceed the background level by more than 5dB(a) when measured at any point on any residential boundary. The noise levels must also comply with relevant noise criteria within Council’s Environmental Noise Policy.

- (12) **Offensive Noise** - The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- (13) **Handling Hazardous Materials** - To ensure correct handling of hazardous materials, Material Safety Data Sheets (MSDS) are required to be held at the premises for all hazardous materials.
- (14) **Amenity** - The business shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.
- (15) **External Storage** – The maximum height of all horizontally stacked concrete panels (in the front of the site) and other items stored externally must not exceed 2m to ensure that they are not visible from any public roads.  
  
The concrete panels that will be stored vertically in racks must only be stored to a height not exceeding 5m.
- (16) **Storage of Dangerous Goods** - All dangerous goods, including flammable and non flammable gases and products associated with the approved use of unit 1 must be stored at a minimum distance of 7m from any property boundary, in accordance with the correspondence from C.C. Weston & Associates dated 19/9/12.

**END OF CONDITIONS**

**RECOMMENDED**

**That Council approve DA 317/2012 for the construction of a new industrial building comprised of 2 units and the use of unit 1 for the manufacture and distribution of pre-cast concrete products with ancillary offices and an external storage area at 2-10 Dunn Road, Smeaton Grange subject to the conditions listed above.**

**ATTACHMENTS**

- 1. Proposed Plans







## ORDINARY COUNCIL

ORD06

ORD06

**SUBJECT:** PAWS IN THE PARK/COMPANION ANIMALS ADVISORY COMMITTEE  
**FROM:** Director, Development and Health  
**BINDER:** E&H/Animals/L&E/Standards/Companion Animals Act

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### PURPOSE OF REPORT

The purpose of this report is for Council to consider making the Paws in the Park event an annual community event and to recommend that Council establish a Companion Animal Advisory Committee.

### BACKGROUND

#### Paws in the Park

Following the success of the inaugural Paws in the Park event in 2011, a report was submitted to Council on 22 May 2012 recommending that Paws in the Park be endorsed as an annual event on Council's calendar. At that meeting, Council resolved as follows:

*That:*

- i. Council endorse Paws in the Park for 2012; and*
- ii. a full costing of the event be provided to the incoming Council.*

This year, the event was held on the Sunday 28 October 2012 with an estimated 2,500 - 3,000 people and their dogs in attendance on the day. Should Council endorse the event to be held annually, there is a high level of confidence that it will continue to be popular and successful into the future.

#### Companion Animal Advisory Committee

At the time of introduction of the *Companion Animals Act 1998* many councils created Companion Animal advisory committees or groups to provide a conduit between the community and Council and to assist in developing policies to advance the objectives of the Act.

Whilst some of the committees established by other councils have been disbanded, there remain some very active ones that provide significant value to the community. For example, Wollondilly Council has a Companion Animals Reference Committee that considers matters related to the Act.

### MAIN REPORT

#### Paws in the Park

Events such as Paws in the Park succeed in showcasing what an important part pets play in modern society and within our local community. In addition, the event demonstrates the commitment of many groups and organisations to the notion of responsible pet ownership.

Council provided support to the event in terms of staff assisting with planning the event, set-up and helping on the day, co-ordinating stall holders and demonstration groups, and managing general enquiries throughout the day.

On the day, Council provided fencing, a marquee, seating and bins to assist with the running of the event. Council staff conducted a “Scan & Win” competition that saw a total of 488 dogs scanned for microchips, 239 from Camden LGA and 249 from out of the area (2 from the ACT and 2 from Raymond Terrace). Also, 9 dogs were micro chipped, 5 from the Camden LGA, 1 from Wollondilly and 3 from Campbelltown.

Fees were levied from the event sponsors and stallholders and a gold coin donation was requested from participants in the 3 or 5 kilometre walks.

Direct costs for the day totalled \$7,724 which included such things as advertising, park hire, first aid, marquee hire, letter box deliveries, jumping castle hire and consumables. Indirect or in kind costs including salaries for attendance on the day, the erection of barrier fences, site mark out and the like is estimated to have been in the order of \$4,500.

Together with balances from last year’s event, the financial balances are as follows:

<b>2012 PAWS IN THE PARK EVENT (REVISED)</b>	
2011/12 Brought Forward Income	\$946.00
2012/13 Income	\$10,703.00
2012/13 Total Income	<b>\$11,649.00</b>
2012/13 Expenditure	\$7,724.67
Total Funds Remaining	<b>\$3,924.33</b>

The funds remaining will be used to support animal welfare and education initiatives with some reinvested into next year’s event. The details of these initiatives will be determined by the Committee in due course.

Companion Animal Advisory Committee

The 2011 and 2012 Paws in the Park events were organised by an informal organising committee comprising of Councillors, volunteers from industry and the community and Council staff.

Moving forward, it is recommended that Council establish a Companion Animal Advisory Committee to consider matters related to companion animal management, along with the organising events such as Paws in the Park.

A review of other similar committees operating in other jurisdictions indicates that the make up of persons represented are generally as follows:

- two (2) Councillors appointed by Council;
- four (4) residents;
- three (3) Council staff; and

- four (4) local animal professionals (which may include, but not be limited to a veterinarian, animal behaviourist, member of the NSW Animal Welfare League/RSPCA) or the like.

Should Council resolve to establish such a committee, then it is envisaged that meetings would be held on a quarterly basis and could initially discuss some of the following:

- leash free areas in new release precincts;
- education campaigns promoting responsible pet ownership;
- pound contract;
- Paws in the Park;
- microchipping days; and
- feral animal management.

### **CONCLUSION**

The Paws in the Park has proved to be a successful event without major cost to Council. It is fitting that the event be sanctioned as an annual event in Council's calendar and that relevant staff be allocated to assist in the organisation of the day.

It is considered that the establishment of a Companion Animal Advisory Committee would be beneficial for the need to expand the focus on companion animal issues that face Council and it would provide an avenue for an increased community representation and involvement in developing issues that face our growing community.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the Paws in the Park as an annual event on Council's calendar;**
- ii. endorse the creation of a Companion Animals Advisory Committee; and**
- iii. nominate 2 Councillors to be represented on that Committee when established.**



ORD07

## ORDINARY COUNCIL

ORD07

**SUBJECT: SUBMISSION TO CAMDEN GAS PROJECT - NORTHERN EXPANSION  
(STAGE 3)**  
**FROM:** Director Governance  
**BINDER:** Coal Seam Gas

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### PURPOSE OF REPORT

The purpose of this report is to notify Councillors of the modification to AGL's application for the Northern Expansion of the Camden Gas Project, and seek Council's endorsement to lodge a submission to the State Significant Development Application.

### BACKGROUND

On 23 September 2010, an application was lodged with the Department of Planning and Infrastructure (DPI) for the northern expansion of the Camden Gas Project under Part 3A of the *Environmental Planning and Assessment Act 1979*. The proposed development was initially exhibited for public comment from 26 October 2010 until 7 December 2010. On 14 December 2010, Council considered the proposal and subsequently made a submission to the proposed Northern Expansion. Inclusive of Council's submission, which is provided as a **Supporting Document to this report**, a total of 28 submissions were lodged commenting on the proposal.

On 5 August 2011, the NSW Legislative Council commenced an Inquiry into Coal Seam Gas (CSG). The inquiry investigated the environmental, health, economic and social impacts of CSG activities. The role of CSG in meeting the future energy needs of NSW was also examined. A call for submissions was made, which closed on 14 September 2011. Council made a submission to the Upper House Inquiry on 8 September 2011, which is also provided as a **Supporting Document to this report**.

On 29 October 2012, AGL published its response to the submissions received during the first round of exhibition of the Northern Expansion of the Camden Gas Project. As a result of assessment of the submissions, the report also addresses alterations to the original proposal. The DPI has placed this report on exhibition, which will extend from 6 November to 18 December 2012.

Following amendments to the Environmental Planning and Assessment Act 1979, the proposed development was transitioned into a Part 4 – State Significant Development Application. As a result, the Minister requested the Planning Assessment Commission (PAC) to review the application and report its findings at the conclusion of the exhibition period. Upon submission of the recommendations from the PAC, the DPI will consider and determine the application as the Consent Authority.

Council, given its exposure to CSG operations, will be furnished with a report to establish a policy position on the matter early in 2013.

## MAIN REPORT

CSG as defined in the recently published NSW Upper House Inquiry states that CSG “is an unconventional natural gas that occurs naturally within the pores or fractures of coal seams” and typically found at a depth of 800m in the Camden Area. CSG is used for industrial and domestic uses, as well as in gas turbines to generate electricity. CSG is largely methane with a concentration of approximately 95% but may also contain small amounts of carbon dioxide and nitrogen.

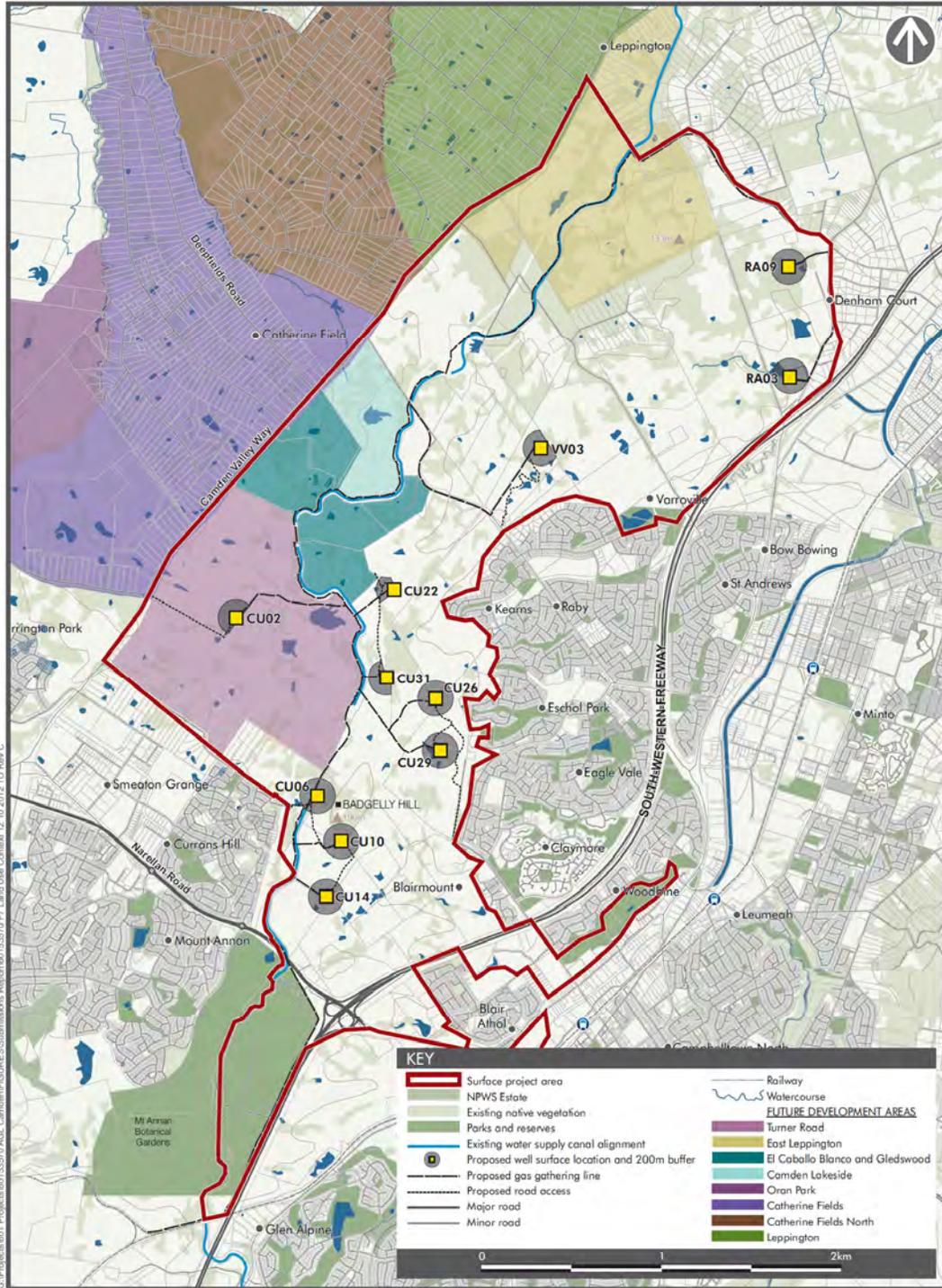
In order to extract the CSG, a well is drilled into the coal strata and the water pressure is lowered by removing the water from the coal which allows the flow of gas out of the seams in the coal to the surface. Once the well is established and operational, a CSG well may produce gas for between 10 to 20 years.

Each well site can contain up to 6 individual bores which can take from three days to three weeks to set up, drill and complete. New technologies in horizontal drilling broaden the CSG catchment area to a 2km diameter from the surface location at depths specified above. Each well is lined with two layers of steel casing with cement pumped between each of the layers. All wells are designed to seal and isolate aquifers to prevent water and gas from interacting between each sub-strata. An illustration of a horizontal well and how it is drilled is provided as **Attachment 1 to this report**.

The application for the Northern Expansion was required to be re-exhibited as a result of amendments influenced by the previous community consultation and the requirement to publicly exhibit the proponents’ response to the submissions. Including the amendments, the current application for the Northern Expansion of the Camden Gas Project contains the following:

- The construction and operation of gas wells at up to 11 surface locations, containing up to 6 well heads each;
- The construction and operation of associated gas gathering lines, including interconnection with the existing Camden Gas Project network, along with central water storage points;
- The construction of access roads and ancillary infrastructure, including storage yards; and
- Subsurface drilling of lateral in-seam well paths.

The Northern Expansion of the Camden Gas Project extends from Narellan Road (east of Currans Hill) and continuing generally adjacent to the Sydney Catchment Authorities Upper Canal to the southern boundary of Denham Court. Including the gas gathering lines, access roads and other ancillary infrastructure, out of the 11 proposed gas wells, five are located within the Campbelltown LGA and six of these located within the Camden LGA. Maps of the proposed Northern Expansion are provided for reference as **Attachment 2 to this report**, and a locality maps is provided as Figure 1 on the following page:



AECOM

LAND USE CONTEXT  
 Submissions Report  
 Camden Gas Project Northern Expansion

Figure 1 – Locality Map

Gas wells located within Camden LGA – CU02, CU22, CU31, CU06, CU10 and CU14  
 Gas wells located within Campbelltown LGA – RA09, RA03, VV03 CU26 and CU29

The application is currently on exhibition, which commenced on 6 November 2012 and will extend through until 18 December 2012. This provides Council with the opportunity to submit additional comments in regards to the amended proposal. A submission to the Northern Expansion of the Camden Gas Project is provided for Councillor discussion as **Attachment 3 to this report**. Should Council resolve to issue the submission to the DPI, this will be forwarded prior to the closure of the exhibition period.

The following is a general summary of issues raised within the submission:

- Wells and associated gas gathering infrastructure are generally located on private property and in the vicinity of the South West Growth Centre. It is requested that covenants, restrictions as to user and easements should be placed on titles of land for the future identification in the planning or sale process of the land.
- Concern is given to the attenuation of noise during the construction period. The Submissions Report states that AGL will 'consider' the use of acoustic shielding rather than committing to the mitigation of noise. It is recommended that the Acoustic Report in the Environmental Assessment is reviewed to provide acoustic shielding where necessary to comply with standards.
- The Federal Government's Independent Expert Scientific Committee on CSG and Large Coal Mining Development needs to be consulted to ensure that the proposal does not conflict with any aspect of the bioregional assessment of the Southern Sydney Region.
- AGL needs to implement a fugitive gas emissions monitoring system.
- Support for the Environmental Protection Authority to assess the Environmental & Health Risk Assessment in relation to the chemical used in fracture stimulation on any potential human health and environmental risks of the chemicals used. This is to ensure that the results are acceptable and comply with the Fracture Stimulation Activities Code of Practice.
- A number of proposed gas gathering lines sever environmentally significant lands. It is requested that these lines are relocated outside of these areas to preserve and maintain critical flora and fauna habitats.
- Council opposes the location of Gas Well CU02, which is located approximately 30m from residential zoned land. Concern is raised given its close proximity to future residential development, especially given a Development Application for residential subdivision is currently with Council for assessment. It is requested within the submission that this well location is reconsidered by AGL to be further located away from future dwellings.

## CONCLUSION

It is proposed that lands within the Camden LGA will cater for six gas wells and support ancillary infrastructure such as gas gathering lines and access roads to each well. The Northern Expansion of the Camden Gas Project is currently on public exhibition which provides Council with an opportunity to voice its comments and concerns on the proposal. A submission has been prepared for Councillor discussion, which will be issued to the DPI prior to the close of the exhibition period should Council resolve to make the submission.

ORD07

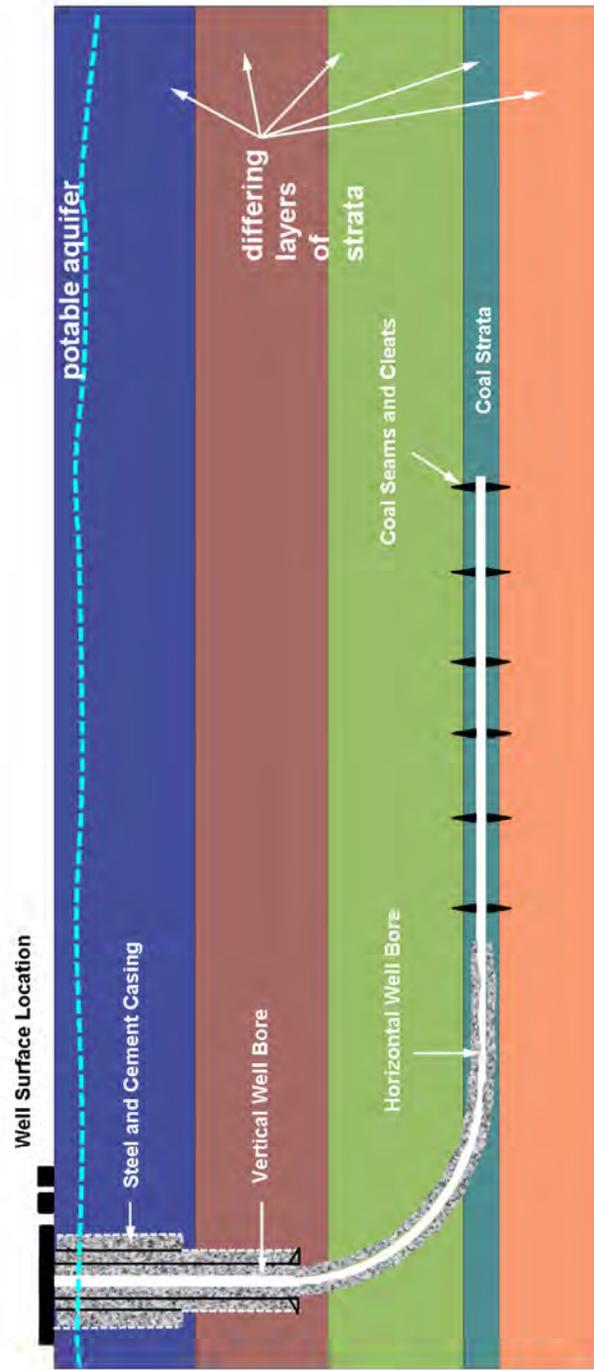
**RECOMMENDED**

**That Council forward the submission provided as an attachment to this report to the Department of Planning and Infrastructure stating Councils concerns with the Northern Expansion of the Camden Gas Project.**

ATTACHMENTS

1. Horizontal Well Diagram
2. Northern Expansion Maps
3. Council's Draft Submission to the Northern Expansion of the Camden Gas Project
4. Council's Original Submission to the Northern Expansion - *Supporting Document*
5. Council's Upper House Inquiry Submission - *Supporting Document*

### Horizontal Well



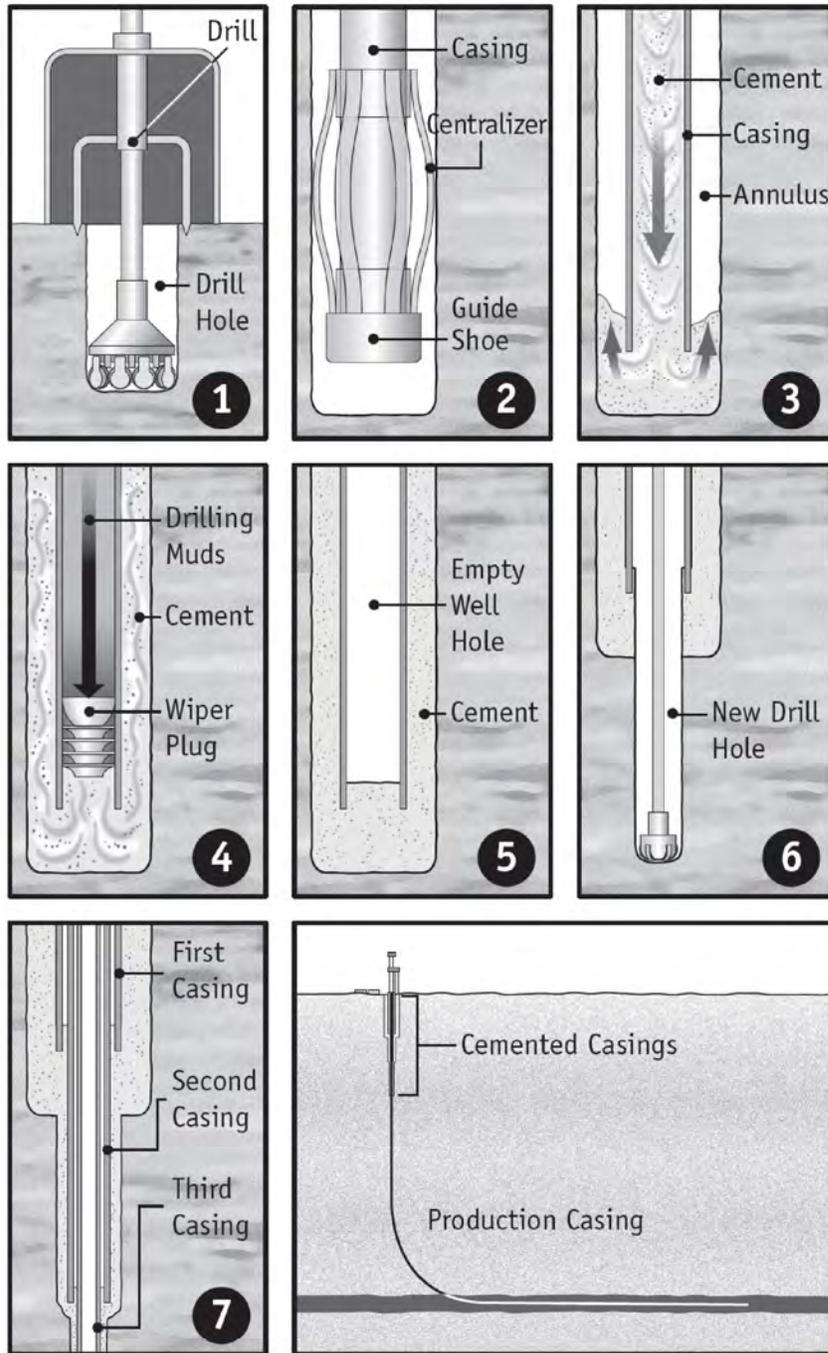
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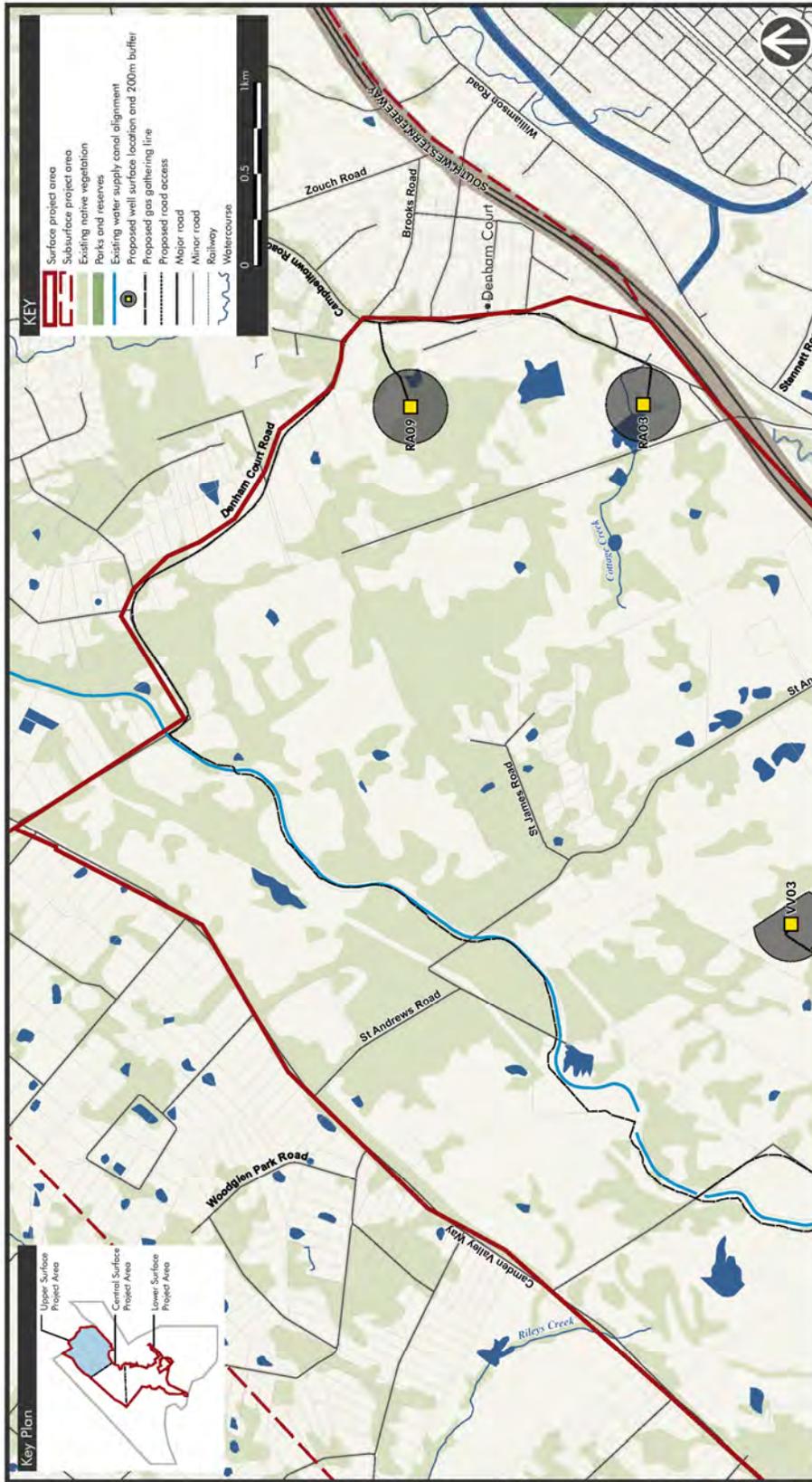
Attachment 1

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Attachment 1

### Well Drilling Process



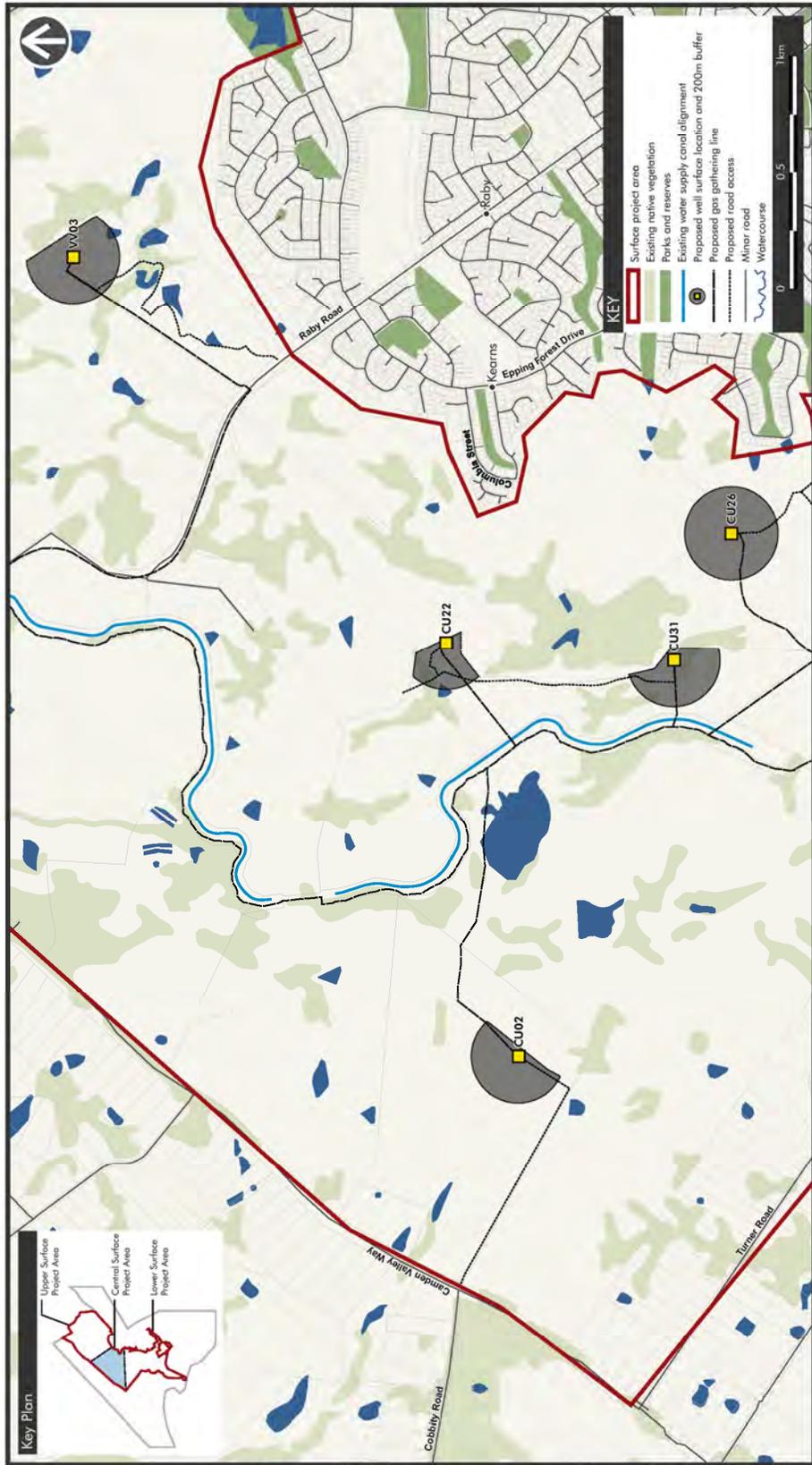


PROPOSED WELL LOCATIONS - UPPER SURFACE PROJECT AREA  
Submissions Report  
Camden Gas Project Northern Expansion

FIGURE 4

ORD07

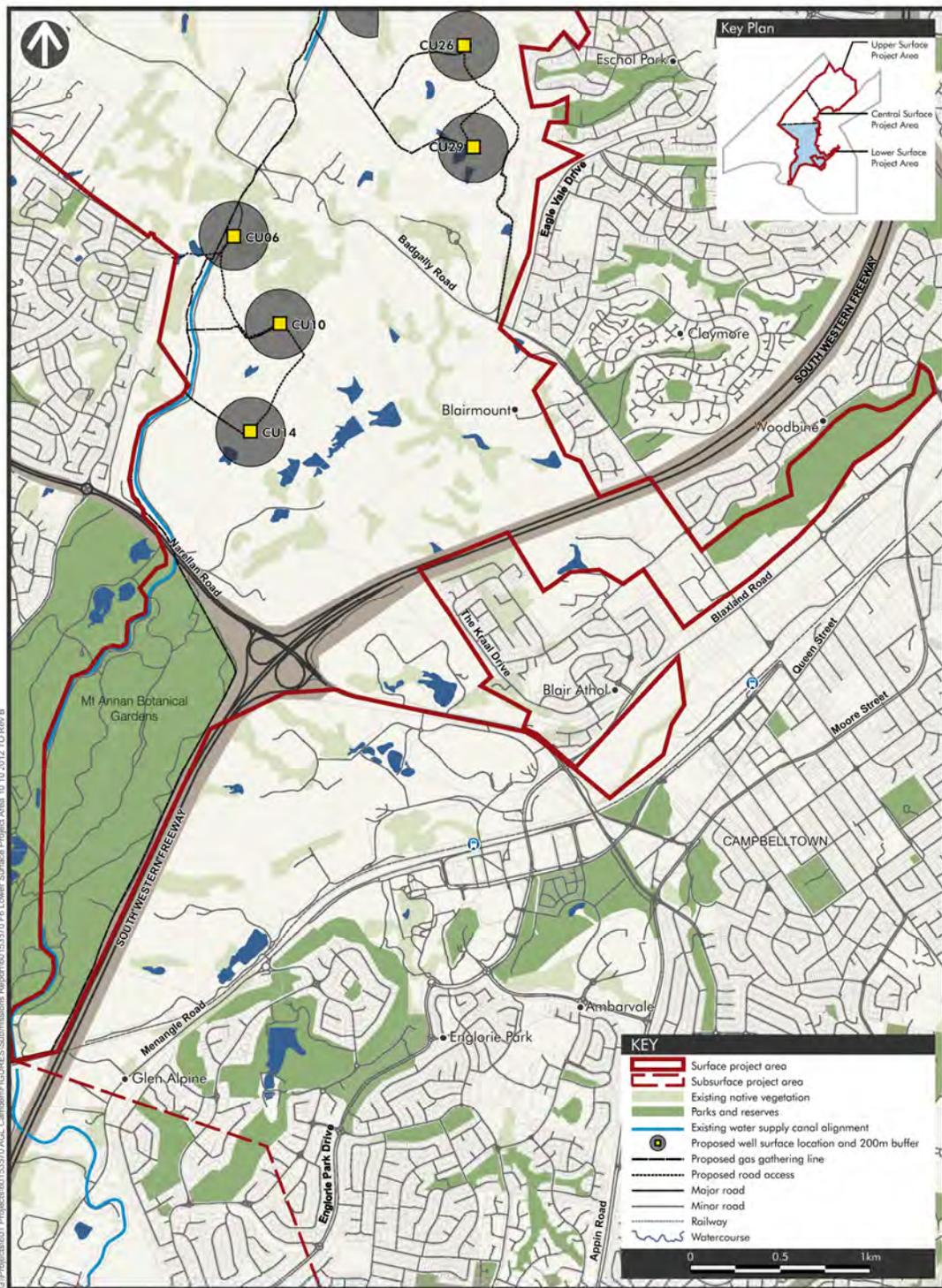
Attachment 2



AECOM

PROPOSED WELL LOCATIONS - CENTRAL SURFACE PROJECT AREA  
Submissions Report  
Camden Gas Project Northern Expansion

FIGURE 5



**AECOM**

**LOWER SURFACE PROJECT AREA**  
 Submissions Report  
 Camden Gas Project Northern Expansion

FIGURE 6

ORD07

Attachment 2

ORD07

Attachment 3

**Binder: Coal Seam Gas**

Mining and Industry Projects  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

ATTN: Clay Preshaw

December 2012

Dear Clay,

**RE: STATE SIGNIFICANT DEVELOPMENT – STAGE 3 NORTHERN EXPANSION OF THE CAMDEN GAS PROJECT**

Camden Council thanks you for the opportunity to comment on the proposed modifications to the Stage 3 Northern Expansion of the Camden Gas Project.

It is noted that this state significant development is located within the Camden Local Government Area (LGA), noting a total of six (6) gas well surface locations and associated gas gathering infrastructure.

In response to the Submissions Report and Council's original submission to the Part 3A Application, it is acknowledged that the applicant (AGL) has consulted with the landowners regarding the final locations of the gas wells. Furthermore, Council has reviewed the amended proposal in depth and wish to provide the following comments in relation to the proposed Northern Expansion of the Camden Gas Project:

General

1. The proposed gas wells, gathering lines, spine gathering lines and access tracks are generally located on land within private ownership. Some of these wells are identified in areas prescribed by the Department of Planning and Infrastructure as future growth areas. Covenants, restrictions as to user and easements should be placed on titles of land for the future identification in the planning or sale process of the land.

2. To reiterate Council's previous concerns regarding noise mitigation during the well construction phase, appropriate measures should be in place to maintain noise levels below 55dB (open space) and 45dB (building internal) to the nearest sensitive land uses, using the EPA Industrial Noise Policy as a guide. It is appreciated that the construction operations will be limited to designated hours, however, the drilling of the wells will continue outside of the specified hours. This is of particular concern given that acoustic shields to attenuate drilling noise will only be 'considered' by AGL rather than a commitment given to mitigate this impact. It is recommended that the Acoustic Report is reviewed to comply with such standards and the conditions of development consent (should a favourable determination be made) reflective of such requirements.
3. The Federal Government's Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development needs to be consulted to ensure that the proposal does not conflict with any aspect of the bioregional assessment of the Southern Sydney region that was proposed to be prepared by the interim expert committee.
4. That the approval of the proposal be subject to AGL implementing a fugitive emissions monitoring system based on the results of AGL's investigation into best management practices and monitoring techniques for fugitive emissions as required by their Pollution Reduction Program. The monitoring program needs to be founded on a rigorous baseline study of existing methane concentrations in the area of the northern expansion.
5. The EPA needs to review the Environmental & Health Risk Assessment that AGL has undertaken in relation to the chemical used in fracture stimulation to ensure that the results are acceptable and that it complies with the Fracture Stimulation Activities Code of Practice recently released by the NSW Government. The risk assessment needs to assess both the potential human health and environmental risks of the chemicals used in fracture stimulation as they are intended to be used, i.e. in the proposed mixtures and under the same physico-chemical conditions that will be encountered in the coal seam.

#### Gas Well CU22

6. The gas gathering line (and its envelope) servicing the subject gas well severs an identified portion of local significant vegetation community. It is appreciated that AGL will undertake *reasonable and feasible measures* to reduce the impact on the native fauna and flora, however, it is recommended that this line is relocated approximately 75m to the north (or straddle the vegetation community) to eliminate any interference or disruption to this portion of significant vegetation.

ORD07

Attachment 3

Gas Well CU02

7. Council opposes the proposed location of the gas well as it is located adjacent to land zoned R1 General Residential. Whilst dwellings are yet to be constructed in this new release area, the proposed well could be located approximately 30m from the nearest dwelling separated only by a collector road. Using the DIPNR Locational Guidelines (May 2004) as guidance for separation distances between a well and sensitive land uses, it is appreciated that this separation distance complies. However, additional consideration should be given to maintaining 200m to the nearest sensitive land use (existing or future) as claimed by AGL in previous media statements.

Council is currently assessing a development application for the residential subdivision of land to the east of proposed well CU02. Given the pace of development in the area, it is possible that construction of houses on the land will commence within 12 months. If this is the case, the timing of well construction is critical to preventing exposing future residents to adverse noise impacts that are likely to occur during well construction. The developer should be consulted in this regard.

Depending on the final location within the well proposed envelope, operational noise may need to be assessed, and suitable attenuation measures implemented is required.

Gas Well CU06

8. The well is located in the vicinity of an identified portion of regionally significant vegetation community. The establishment of the surrounding lands to cater for the drilling of the wells would appear to encroach into these environmentally significant lands. It is appreciated that AGL will undertake *'reasonable and feasible measures'* to reduce the impact on the native fauna and flora, however, it is recommended that any works within the community are limited, if not eliminated in this area of environmentally significant land.

Gas Well CU10

9. The well is also located in the vicinity of an identified portion of regionally significant vegetation community. Please Refer to Comment No. 8.

If you have any questions, please do not hesitate to contact either myself on 4654 7802 or Council's Senior Project Officer, Matt Loader on 4654 7798.

Yours Sincerely,

Chris Lalor  
**Acting Manager Strategic Planning**



## ORDINARY COUNCIL

ORD08

ORD08

**SUBJECT: GLEDSDOOD HILLS VOLUNTARY PLANNING AGREEMENT AND DEVELOPMENT CONTROL PLAN**

**FROM:** Director Governance

**BINDER:** Turner Road/Voluntary Planning Agreement Gledswood Hills

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### PURPOSE OF REPORT

The purpose of this report is to provide feedback on the public exhibition of the Gledswood Hills draft Voluntary Planning Agreement (VPA) and seek its adoption. This report is also seeking adoption of the previously exhibited and reported draft Development Control Plan (DCP) amendment to the Turner Road DCP 2007 and the Indicative Layout Plan (ILP) of the Gledswood Hills site.

### BACKGROUND

The Gledswood Hills draft VPA is an agreement offered by Sekisui House Camden Valley Way Pty Ltd (SHCV) to support the residential development of Gledswood Hills within the Turner Road precinct. At its meeting of the 24 July 2012 Council resolved to exhibit the Gledswood Hills draft VPA.

The draft amendment to the Turner Road DCP and the Gledswood Hills draft ILP within the DCP also support the development of Gledswood Hills. These draft documents have previously been exhibited and the outcome of this exhibition was reported to Council on the 24 July 2012. One (1) public submission and two (2) public agency submissions were received and addressed in the report of the 24 July 2012 and Council noted the outcome of the exhibition in its resolution. This report is provided **as an Attachment to this report.**

### MAIN REPORT

#### Draft VPA

The draft VPA package includes \$33,755,593 worth of works, land dedication and monetary contributions. Details of the draft VPA are:

- local parks, playgrounds and play spaces;
- active recreation facilities including fitness stations and basketball courts;
- a centrally-located open space corridor through the centre of the site;
- bicycle paths;
- a two lane road crossing over South Creek which links Gledswood Hills and Gregory Hills;
- a comprehensive water cycle management scheme for the entire site;
- the rehabilitation and embellishment of the South Creek riparian corridor which links to the Gregory Hills portions of the South Creek corridor to the east;
- dedication of the land, and
- monetary contributions for offsite works and project management costs.

The VPA will provide a level of works and infrastructure for the Gledswood Hills development that exceeds what would be provided if the development had occurred under the contributions rates in the Oran Park Turner Road Contribution Plan.

#### Exhibition of the Draft VPA

The Gledswood Hills draft VPA was publicly exhibited for 28 days from the 26 September 2012 to 24 October 2012 at the Camden and Narellan Administration Centres and Libraries and also on Council's website. Two (2) submissions were received as a result of the public exhibition. Matters raised in these submissions and Council Officer comments are provided **as an Attachment to this report**.

In summary, generally the matters raised in the submissions are those that have previously been addressed, such as the alignment of the Gledswood Hills and El Caballo Blanco (ECB) ILPs and matters that will be dealt with as a DA stage.

However, as a result of the submissions there will be two additional clauses added to the VPA. The intent of the first additional clause (Clause 49) is to dedicate the site of the proposed Sydney Catchment Authority Canal Crossing to Council upon request and to allow access for the construction of the crossing by the neighbouring landowner. The intent of the second new clause (Clause 50) is for the landowner of Gledswood Hills not to unreasonably refuse provision for golf course connection for the neighbouring landowner. This will ensure that the neighbouring landowners can deliver a connected golf course, which is a requirement of their VPA (ECB). The wording of the clauses will be as follows:

#### *49 - Sydney Catchment Authority Canal Crossing*

##### *49.1 The Landowner is not to unreasonably refuse to allow the Neighbouring Landowner to:*

- (a) enter that portion of the Land that forms part of the intended site of the proposed Sydney Catchment Authority Canal Crossing;*
- (b) to pass and repass through the Land, via an appropriate route, in order to access that portion of the Land;*
- (c) take items on to that portion of the Land; and*
- (d) carry out work on that portion of the Land, for the purposes of designing, constructing, placing, repairing or maintaining the Sydney Catchment Authority Canal Crossing.*

*49.2 Without limiting the generality of clause 49.1, the Landowner is entitled to insist on any reasonable provisions necessary to protect the Landowner's interests.*

*49.3 The Landowner is not to unreasonably refuse consent to the making of a development application for the construction of the Sydney Catchment Authority Canal Crossing by, or on behalf of, the Neighbouring Landowners under clause 49(1)(b) of the Environmental Planning and Assessment Regulation 2000.*

*49.4 If not already done so, at the request of Council, the Landowner must dedicate the site of the proposed Sydney Catchment Authority Canal Crossing that is situated on the Land to Council. This dedication is to occur within 3 months of such a request, or such other time as necessary authority approvals require.*

*49.5 Clause 10.1 and clause 10.2 applies to a dedication of land under clause 49.4.*

*49.6 In this clause 49:*

*Neighbouring Land means:*

- (a) Strata Plan 36786 Common Property Land;*

- (b) *Strata Plan 36786 Lot 1 Land;*
- (c) *Strata Plan 36786 Lot 2 Land;*
- (d) *Strata Plan 36786 Lot 3 Land; and*
- (e) *Strata Plan 36786 Lot 4 Land.*

*Neighbouring Landowner means the owner or owners of the Neighbouring Land.*

*Sydney Catchment Authority Canal Crossing means a two lane vehicular crossing connecting the Neighbouring Land and the Land, in the location marked on the map in Sheet 1 of Annexure H, and generally in accordance with the drawing in Sheet 2 of Annexure H.*

#### *50 - Golf Course Connection*

*50.1 The Landowner is not to unreasonably refuse the provision of a golf cart path through the Land connecting the Neighbouring Land (East Side Golf Course) and the ECB Land (Golf Course) (as referred to in the El Caballo Blanco, Gledswood and East Side Planning Agreement). Any such connection is to be as close as practical to the Sydney Catchment Authority Canal Crossing and be aligned within existing or proposed public land, determined by the Turner Road Development Control Plan 2007, as amended from time to time.*

The amended VPA with the added clause is provided **as Supporting Document 1 to this report**. Following adoption by Council, the VPA will be placed on Council's website.

#### Minor amendment to Clause 12 of the VPA

Clause 12 of the VPA relates to the procedures and requirements for the Approval of Works. A minor anomaly has been noted in Clause 12.12. The wording of the previous clause would result in a maintenance regime only being required for the riparian corridor land under the VPA, and would exclude the requirement for a maintenance regime for any other works under the VPA. Council requires that a maintenance regime be documented by the developer for all works being constructed and dedicated to Council. Accordingly Clause 12.12 has been deleted from the VPA after receiving concurrence from SHCV to do so.

#### Draft DCP and ILP

At its meeting of 24 July 2012 Council noted the outcome of the exhibition of the draft amendment to the Turner Road DCP 2007 and the ILP for Gledswood Hills. However given that the DCP and ILP amendment relied upon the VPA being adopted, it was noted that a further report was required after exhibition of the VPA to adopt these documents. The draft Turner Road DCP (with the included ILP) is now ready for adoption and is provided as **Supporting Document 2 to this report**.

#### CONCLUSION

The draft VPA package includes over \$33M worth of works, land dedication and monetary contributions. This is a provision of a level of works and infrastructure for the Gledswood Hills development that exceeds what would be provided if the development had occurred under the contributions rates in the OPTR CP.

The draft Turner Road DCP and ILP for Gledswood Hills will help facilitate orderly and good development within the site and good connections to adjoining developments.



**ORD08**

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**RECOMMENDED**

**That Council:**

- i. adopt the draft Gledswood Hills VPA with the changes outlined in the report;**
- ii. adopt the draft Turner Road DCP 2007 as exhibited; and**
- iii. place a notice in the local paper advising of adoption**

**ATTACHMENTS**

1. Submission Table
2. Gledswood Hills DRAFT VPA - *Supporting Document*
3. Gledswood Hills DCP - *Supporting Document*

## Attachment 1 – Submission Table

Submission Comments	Council Comments	Actions
<p>The draft VPA does not fully acknowledge the detailed structure planning of the El Caballo Blanco/Gledswood/East Side (ECBG) planning or VPA</p>	<p>The draft VPA is not required, nor is it the document, to acknowledge all surrounding development. The draft amendments to the Turner Road DCP as a result of the subject development, is consistent in terms of connections to the adjoining ECBG land. The Street Network Plan (Figure 5 page 20) within the draft amendment to the Turner Road DCP clearly shows the consistency with the planning for ECBG.</p>	<p>Nil</p>
<p>The proposed Collector Road adjoining the ECBG land should be identified as a Collector Road in the draft VPA and should be shown to connect with the Collector Road on the ECBG land.</p>	<p>The Collector Road adjoining the ECBG land is identified as a Collector Road on the Street Network Plan within the draft amendment to the Turner Road DCP.</p>	<p>Nil</p>
<p>Gledswood Hills Drive should also be identified as a Collector Road in the draft VPA. The Nature/Extent, Timing and Contribution Value should be included in the Schedule 1 and Schedule 2 of the draft VPA.</p>	<p>The roads within Gledswood Hills do not form part of the developer contribution within the VPA but will be constructed as part of the development and therefore should not be included in the VPA schedule.</p>	<p>Nil</p>
<p>A crossing over the Sydney Catchment Authority (SCA) Canal is required to connect Gledswood Hills with Raby Road. The bridge will span from the ECBG land to Gledswood Hills land. It is imperative that the draft VPA includes a requirement to dedicate the land required to support the bridge and an agreement that access for the construction of the SCA bridge will be given upon request from Camden Council. The dedication of Land, the Nature/Extent, and Timing should be included in Schedule 1 and Schedule 2 of the VPA.</p>	<p>The connection road between Gledswood Hills and the ECBG land was rectified as part of the final amendments to the ECBG controls within the Camden DCP 2011 and will be reflected in that DCP (in the Structure Plan Figure C68) once the land is rezoned.</p> <p>Council officers have had discussions with Sekisui House and the East Side Landowners regarding the inclusion of a further clause within the Gledswood Hills VPA addressing the matter.</p>	<p>Addition of a new clause to the VPA requiring dedication of the land upon Council request to enable the construction of the canal crossing by the neighbouring owners. The new clause is Clause 49 of the Amended VPA.</p>
<p>The VPA should include a requirement that access for construction of the SCA bridge will be</p>	<p>Council officers have had discussions with Sekisui House and the East Side Landowners regarding the inclusion of a further</p>	<p>The new clause outlined above (Clause 49) also provides provision of access for the purpose of construction of the canal</p>

Attachment 1

ORD08

<p>given from request by Camden Council The location of Bus Routes, Pedestrian and Cycleways within Gledswood Hills VPA should be consistent with the ECBG structure plan within the draft amendments to the Camden DCP 2011.</p>	<p>clause within the Gledswood Hills VPA addressing the matter. The draft Turner Road DCP ensures that the bus routes, pedestrian and cycleway connections are consistent with the Structure Plan for ECBG within the draft Camden DCP 2011.</p>	<p>crossing. Nil</p>
<p>It is important to enforce the connectivity of the Golf Course on the East Side Landowners land to the Golf Course on the Sekisui land in ECBG.</p>	<p>Council officers have had discussions with Sekisui House and the East Side Landowners regarding the inclusion of a further clause within the Gledswood Hills VPA addressing the matter.</p>	<p>Addition of a new clause to the VPA requiring that the Land Owner not unreasonably refuse the provision of a golf cart path through the Gledswood Hills Land. The new clause is Clause 50 of the amended VPA.</p>
<p>There is a lack of information of the South Creek works – including vertical and horizontal alignments, walkways and TransGrid access and what works are being completed for the offset works (only a conceptual design is provided)</p>	<p>The VPA is not the mechanism for this. The shared pathway locations are identified within the current and draft Turner Road DCP. Access points and grading will form part of a DA Item 12 in Schedule 2 of the VPA requires a two lane road crossing of the South Creek consistent with the layout in plan Annexure F of the draft VPA. Other works along South Creek within the VPA are for embellishment purposes prior to dedication to Council. These embellishments will form part of a DA.</p>	<p>Nil</p>
<p>The VPA only accounts for \$1.2M in offsets for the South Creek crossing. What happens to the balance of the S94 contributions.</p>	<p>The S94 Contribution Plan allocates \$2.5M for two bridge crossings ie \$1.25M per bridge inclusive of contingencies. The VPA identifies that the creek crossing development has a cost of \$1.25M which is consistent with the sum budgeted in the S94 Plan.</p>	<p>Nil</p>



## ORDINARY COUNCIL

ORD09

ORD09

**SUBJECT:** SPRING FARM EAST PLANNING PROPOSAL  
**FROM:** Director Governance  
**BINDER:** Spring Farm East

---

### PURPOSE OF REPORT

The purpose of this report is to advise Council of the outcome of the public exhibition period of the Spring Farm East Planning Proposal. This report seeks Council's endorsement to proceed with the Planning Proposal and submit it to the Department of Planning and Infrastructure (DPI) for the making of the plan. The Planning Proposal is provided as **Supporting Document to this report**.

### BACKGROUND

The Spring Farm Residential Release Area was approved by the Minister for Planning in May 2004, with the gazettal of the Camden Local Environmental Plan No. 121 and Council's adoption of the Spring Farm Development Control Plan No. 123. Since the adoption of these plans, Council has undertaken a process, in accordance with State Government directions, to transition these plans into the consolidated Camden Local Environmental Plan 2010 (CLEP 2010) and Camden Development Control Plan 2011 (DCP 2011).

Landcom representatives met with Council officers in respect to the proposed changes to the Spring Farm Master Plan that related to the Spring Farm East Village and are supported by a Concept Masterplan by GM Urban Design & Architecture.

In July 2011, DCP amendments were submitted to Council which only applied to land already zoned residential. This was done in order to expedite consideration of the DCP amendment request and facilitate the earliest consideration of a Subdivision Application for the Eastern Village. The DCP amendment was adopted in September 2011, and subsequently the only aspects of the Master Plan that are outstanding are those pertaining to this Planning Proposal.

The following is a summary of the proposed key changes:

- Amendment to the zone boundaries which will result in an additional 1.20ha of Residential zoned land which will present development opportunities; and
- Re-alignment of the southern part of the Eastern Village to create a more regularised road and layout design to facilitate the implementation of the required electrical easement.

On 28 July 2012, Council resolved to proceed with the Planning Proposal to seek a gateway determination with the DPI. It was also resolved that upon a favourable gateway determination, Council proceed to exhibition of the Planning Proposal in accordance with the conditions of the determination.

## **MAIN REPORT**

Following Council resolution at its meeting on 28 July 2012, the Planning Proposal was forwarded to the DPI for a gateway determination. A favourable determination was made on 28 September 2012, which is provided as **Attachment 1 to this report**.

In accordance with the gateway determination, Council placed the Planning Proposal on public exhibition for a 28 day period from 17 October 2012 to 14 November 2012. A notification of the exhibition was placed in the Camden-Narellan Advertiser to inform interested parties the means to view and comment on the exhibited material. The above material was also exhibited on Council's Website and at the Camden and Narellan Customer Service Centres and Libraries.

The exhibition material consisted of:

- Council Report;
- Council Resolution;
- Gateway Determination; and
- Planning Proposal and associated attachments.

The Gateway Determination also required referral to the following public agencies:

- NSW Rural Fire Service;
- Endeavour Energy;
- Department of Primary Industries – Minerals and Petroleum;
- Mine Subsidence Board; and
- Office of Environment and Heritage.

During the exhibition period, Council received no comments from the public.

Submissions were received from NSW Rural Fire Service, Endeavour Energy, Mine Subsidence Board and Office of Environment and Heritage in support of the Planning Proposal. The lack of issues raised is taken as endorsement of this Planning Proposal. This Planning Proposal is seen as a logical approach to address minor planning issues for the Spring Farm Urban Release Area.

No comment was received from the Department of Primary Industries – Minerals and Petroleum, nor did they ask for an extension to the timeframe allocated to provide a response.

A copy of all the public authority submissions is provided as **Attachment 2 to this report**.

### **The Process from Here**

Should Council endorse the recommendation of this report, the LEP maps will be finalised and the Planning Proposal will be forwarded to the DPI for the Parliamentary Counsel to make the plan.

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## **CONCLUSION**

The Planning Proposal was exhibited for a total of 28 days in accordance with the Gateway Determination and Clause 18 of the Environmental Planning and Assessment Regulation 2000. No submissions were received objecting to the proposal.

It is recommended the Planning Proposal be forwarded to the DPI for the Parliamentary Counsel to adopt the plan. An advertisement will then be placed in the local newspaper to notify the public of the making of the plan.

## **RECOMMENDED**

### **That Council:**

- i. submit the Planning Proposal to the Department of Planning and Infrastructure, for the plan to be made; and**
- ii. upon notification of publication of the plan in the Government Gazette, place an advertisement in the local newspaper notifying the public of the making of the plan.**

## **ATTACHMENTS**

1. Planning Proposal - *Supporting Document*
2. Gateway Determination
3. Public Authority Submissions

ORD09



Contact: Mato Prskalo  
 Phone: (02) 9860 1560  
 Email: Mato.Prskalo@planning.nsw.gov.au  
 Postal: GPO Box 39 Sydney NSW 2001

Mr Greg Wright  
 General Manager  
 Camden Council  
 PO Box 183  
 CAMDEN NSW 2570

Our ref: PP\_2012\_CAMDE\_011\_00 (12/14367)  
 Your ref:

Dear Mr Wright,

**Planning proposal to amend Camden Local Environmental Plan 2010**

I am writing in response to your Council's letter dated 4 September 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend Camden Local Environmental Plan (LEP) 2010 to correct minor rezoning anomalies at Spring Farm.

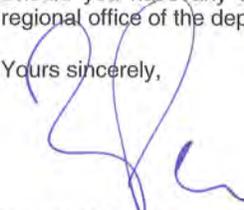
As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mato Prskalo of the regional office of the department on 02 9860 1560.

Yours sincerely,

  
 Richard Pearson  
 A/Director-General

28/9/12



## Gateway Determination

*Planning proposal (Department Ref: PP\_2012\_CAMDE\_011\_00): to amend Camden Local Environmental Plan 2010 to make minor rezoning amendments*

I, the Director-General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to Camden Local Environmental Plan (LEP) 2010 to rezone land for residential and conservation purposes at Spring Farm should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to make the following amendments to the planning proposal:
  - (a) amend the 'explanation of provisions' to describe the proposed changes to the Lot Size and Height of Buildings Map,
  - (b) amend the 'explanation of provisions' to clarify that the Additional Permitted Uses Map will also be amended, with reference to the relevant map sheet,
  - (c) provide larger maps which clearly identify the proposed land use zoning and prepare and include maps which clearly indicate changes to the minimum lot size and maximum building heights, and
  - (d) amend the area calculations on page 5 to accurately relate to the total area figure on page 6, or adjust accordingly,

Council is to undertake the above amendments prior to the commencement of public exhibition.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal must be made publicly available for **28 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
  - Endeavour Energy
  - Department of Primary Industries – Minerals and Petroleum
  - Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. Further to Condition 3 above, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

CAMDEN\_PP\_2012\_CAMDE\_011\_00 (12/14367)

ORD09

Attachment 2

ORD09



5. Further to Condition 3 above, Council is to consult with the Mine Subsidence Board in relation to the requirements of 4.2 Mine Subsidence and Unstable Land. Council is to demonstrate consistency with Local Planning Direction prior to finalisation of the LEP.
6. Further to Condition 3 above, Council is to consult the Office of Environment and Heritage in relation to S117 Direction 2.1 Environmental Protection Zones. Council is to demonstrate consistency with Local Planning Direction prior to finalisation of the LEP.
7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
8. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 28 day of September 2012.

Richard Pearson  
 A/Director-General  
 Delegate of the Minister for Planning and  
 Infrastructure

Attachment 2



Our reference: DOC12/43237

The General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2570



Att: Tanya Uppal

Dear Ms Uppal,

I refer to your letter dated 17 October 2012, consulting with the Office of Environment and Heritage (OEH) in relation to the public exhibition of Spring Farm East Village Planning proposal, which seeks to correct zoning anomalies that resulted during the transition between Camden LEP 121 – Spring Farm and Camden LEP 2010 and carry out minor rezonings to reflect the amended 2011 Spring Farm Masterplan.

OEH has reviewed the proposal and acknowledges that the proposed changes are generally consistent with those OEH provided comment to Landcom on in January 2011. The only difference between what OEH agreed to by way of letter (see DOC10/32431 dated 20 January 2011 attached to the planning proposal) are due to the re-alignment of the Endeavour Energy Transmission line in the south of the site. OEH has given concurrence to that re-alignment, so is satisfied with the proposed changes as well.

OEH is therefore satisfied that the proposed rezoning would not jeopardise the deemed concurrence for development in the release area and raises no objection to the proposed Spring Farm East Village planning proposal.

If you have any further queries please contact Liz Peterson on 9995 6864.

Yours sincerely

A handwritten signature in black ink that reads 'S Harrison' followed by the date '9/11/12'.

**SUSAN HARRISON**  
Manager Planning  
Conservation and Regulation, Metropolitan  
Office of Environment and Heritage

PO Box 668 Parramatta NSW 2124  
Level 7, 79 George St Parramatta NSW 2150  
Tel: (02) 9995 5000 Fax: (02) 9995 6900  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

ORD09

Attachment 3

ORD09

Attachment 3



13 November 2012

The General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2560



Attention: Tanya Uppal

Dear Ms Uppal

### SPRING FARM EAST VILLAGE PLANNING PROPOSAL

In reply to your letter dated 17 October 2012 concerning the above mentioned planning proposal. Please note the following:

1. Endeavour Energy has four overhead transmission feeders crossing the Spring Farm East Village. These include:
  - 132kV Feeder 93Y and 66kV Feeder 861 crossing to the north east of the site.
  - 66kV Feeders 85L and 852 crossing to the south of the village area.

These transmission mains above form a major component of the infrastructure in this area.

Arrangements will need to be put in place to ensure the continued operation of Feeder 93Y and 66kV Feeder 861 as development proceeds. Plans are currently in place to upgrade Feeders 85L and 852 to provide bulk electricity supply from Transgrid's Macarthur Substation at Mt Annan to Endeavour Energy's Nepean Transmission Substation at Springs Farm, which provides primary supply into the South West Sector Growth Centre, as well as the Camden and Wollondilly local government areas.

2. The Spring Farm East Village can be provided with electricity supply from Endeavour Energy's Nepean Zone Substation which is located adjacent to the Nepean Transmission Substation in Glenlee Road. The electrical reticulation to the Spring Farm East Village will be in accordance with Endeavour Energy's codes and policies applying at the time of application for each subdivision.

If you require any further information, please contact Mr Charles Howat on 9853 6573 or Mr Kevin Potter on 9853 6581.

Yours faithfully

Charles Howat  
Strategic Network Planning Manager

51 Huntingwood Drive Huntingwood NSW 2148  
PO Box 6366 Blacktown NSW 2148  
T: 131 081 • F: 61 2 9853 6000

[www.endeavourenergy.com.au](http://www.endeavourenergy.com.au)

ABN 99 253 130 878

In reply please send to: **Picton**  
 Our reference: **FN86-00634P0DB:KR**  
 Your reference:  
 Contact: **Darren Bullock (02) 4677 1967**



General Manager  
 Attention: Tanya Uppal  
 Camden Council  
 PO BOX 183  
 CAMDEN NSW 2570



24 October 2012

Dear Sir or Madam

**REZONING APPLICATION NO TENQ12-03940P2**  
**PUBLIC EXHIBITION OF SPRING FARM EAST VILLAGE**  
**PLANNING PROPOSAL**

The Mine Subsidence Board has no objections to the proposed rezoning as described in your letter of 17 October 2012 and accompanying documentation.

The applicant should be advised to seek the Board's approval for any proposed subdivision or the erection of improvements at the appropriate time.

Yours faithfully

**Darren Bullock**  
**District Manager**

**NEWCASTLE**

Ground Floor  
 NSW Government Offices  
 117 Bull Street  
 Newcastle West 2302  
 PO Box 488G Newcastle 2300  
**Telephone: (02) 4908 4300**  
**Facsimile: (02) 4929 1032**  
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**PICTON**

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**SINGLETON**

The Central Business Centre  
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All communications to be addressed to:

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Headquarters  
Locked Bag 17  
Granville NSW 2142



Telephone: 1300 NSW RFS  
Email: csc@rfs.nsw.gov.au

The General Manager  
Camden Council  
PO Box 183  
Camden NSW 2570

Your Ref:  
Our Ref: LEP/0021

Attention: Tanya Uppal



7 November 2012

Attachment 3

Dear Sir/Madam,

**Re: Public exhibition of Spring Farm East Village Planning Proposal**

I refer to your letter dated 17 October 2012 seeking advice for the above Planning Instrument.

The NSW Rural Fire Service notes parts of Spring Farm fall within bush fire prone areas as identified on the Camden Bush Fire Prone Land Map. As such future development will be subject to the requirements of Section 79BA of the *Environmental Planning and Assessment Act 1979* and Section 100B of the *Rural Fires Act 1997*.

In general Council should take a strategic approach to bushfire protection by considering zoning of the land to reflect the risk posed to the proposed land use.

With this in mind Council should note that the introduction of Amendment II of the Australian Standard AS 3959-2009 *Construction of buildings in bushfire-prone areas* on 1 May 2011 now includes grasslands as a hazardous vegetation category. Any future development will need to consider this at the design and construction stage.

Consideration also should be given to ensuring appropriate access and water supply to the lots. Where an increase in density or a special fire protection purpose development could be proposed, access roads should provide a satisfactory level of service for evacuation of occupants in the event of an emergency.

For any enquiries regarding this correspondence please contact Matthew Apps on 1300 NSW RFS.

Yours sincerely

Iona Cameron  
Acting Team Leader, Development Assessment



## ORDINARY COUNCIL

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**SUBJECT: NOTICE OF INTENTION TO IPART - 2013/14 SPECIAL RATE VARIATION**

**FROM:** Director Governance

**BINDER:** 2013/14 Special Rate Variation

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### **PURPOSE OF REPORT**

To seek Council's approval to:

- Notify IPART of its intention to apply for a special rate variation under 508(2) of the Local Government Act.
- Undertake community consultation outlining the Community Infrastructure Renewal Program (CIRP) and proposed method of funding.

### **BACKGROUND**

In 2009, Council prepared an application to increase rates within the Camden Local Government Area (LGA) by 4.50% over the capped rate increase to fund an asset renewal program in perpetuity (without an expiry date), to address a backlog of infrastructure renewal works estimated, at that time, to be in excess of \$12 million.

The Minister for Local Government approved a one off special rate increase of 4.50% for 3 years only, with an expiry date of 30 June 2013. The 3 year program was designed as a schedule of works to enable Council to begin urgent renewal works (roads, bridges, storm-water drainage, parks, sporting facilities and buildings).

The total budget for the current 3 year CIRP is \$3.68 million. To date, more than \$2.8 million has been completed with the balance to be spent before 30 June 2013. Importantly, there is still much more to do following the completion of the current CIRP.

### **MAIN REPORT**

The Camden Local Government Area (LGA) is experiencing rapid population growth, with the current population of 59,000 people estimated to increase to more than 250,000 over the next 25 years. Camden Council has an active role in the planning and delivery of this growth which requires the organisation to apply effective long term strategic thinking.

Camden Council is facing significant financial challenges, the costs to Council of delivering services and facilities have increased at a far greater rate than income over the past 20 years.

These costs include responsibility for an increasing number of infrastructure assets, an ageing infrastructure asset base and an increasing number of statutory obligations and charges required by the State Government. Add to this the additional services and functions that were previously carried out by other levels of government, together with the necessary preoccupation with planning our population growth, and Council finds itself in a situation that compromises its long term financial sustainability.

Council's financial situation and its long term capacity to meet the requirements of current and future residents are continually reviewed. Council will continue to pursue supplementary funding from all tiers of government, particularly given the growth rate that is facing the area now and into the future. The proposal to continue the existing CIRP is one measure towards addressing current and future community infrastructure backlogs. Council will continue to work proactively to secure other necessary solutions to its funding constraints.

In 2012, Council again undertook a survey of residents for the purposes of understanding how satisfied the community is with Council's performance and to identify those areas of Council's performance that require priority attention. The recent survey identifies that infrastructure assets is still the number one concern for residents in relation to Council's performance, particularly maintenance and the condition of local roads, footpaths, kerbing and sporting fields.

**The Infrastructure Renewal Concern**

An inquiry commissioned by the Local Government and Shires Association in 2005 revealed most Councils in NSW are financially unsustainable. The infrastructure backlog across NSW was estimated to be \$6 billion in 2005, and was expected to increase to over \$20 billion by 2020.

Generally, Councils in NSW do not have the financial capacity to renew essential community infrastructure assets with their current funding models. As a result, the vast majority of special rate variations approved over the past 7 years have been for urgent infrastructure renewal works.

In November 2012, Council identified an asset renewal backlog of \$12.6 million which is expected to increase each year until such time as additional funds are available for reducing the backlog. If renewal work is not undertaken, over time there will be a decrease in the standard of community infrastructure across the Camden LGA with a range of impacts including safety of roads, wear and tear on vehicles, amenity in the area, low utilisation of facilities and the cost of renewing assets will become unsustainable.

In order to address the community's concerns about infrastructure assets and continue to deliver the existing range of services and facilities, it is recommended that Council consider continuing the current CIRP in one form or another. A \$6 million program of renewal works has been developed for council's consideration.

<b>Infrastructure Category</b>	<b>Funds Required</b>
Road reconstruction & reseal	\$3,185,000
Parks and reserves renewal program	\$1,310,000
Buildings and surrounds renewal program	\$536,000
Bridge renewal program	\$431,000
Kerb and gutter renewal program	\$364,000
Footpath and cycleway renewal program	\$174,000
<b>Total CIRP</b>	<b>\$6,000,000</b>

A detailed works program, **as attached at the end of this report**, identifies the location, nature and cost estimate of all works to be undertaken. The program of works will be reviewed and reprioritised on an annual basis and placed on public exhibition as part of Council's annual review of the Delivery Program and Operational Plan.

**Funding options available to Council**

As part of preparing the funding options available to Council, the following has been considered:

- Growth estimates (rateable properties) and its impact on forecast income,
- An assumption that Council will adopt the Ministers 3.40% allowable limit (rate peg) and its impact on forecast income,
- Additional discretionary funding as a result of the Ministers 3.40% allowable limit being 0.50% higher than the 2.90% originally estimated in Council's Long Term Financial Plan,
- The potential for a reduction or elimination of the 4.50% special rate variation in 2013/14,
- The use of internal reserves to fund part of the asset renewal program (refer to option 2),
- The amount of funds currently in the Central Administration Building Reserve and the short term commitments on those funds (primarily the design element of the New Central Administration Building),
- The borrowings required to fund the construction element of the New Central Administration Building,
- Capital funding of \$2 million from the Loan Infrastructure Renewal Scheme – Round 2 and the operational savings realised through a lower interest rate (a 3.00% subsidy) available through this scheme (refer to option 2),
- Council's capacity to fund debt now and into the future including the impact on Council's debt service ratio,
- A \$6 million asset renewal program of works over 6 years (refer to option 2),
- That Council's number one capital funding priority in its Long Term Financial Plan is the New Central Administration Building,
- Council's capacity to complete the program of works in the required time period,
- The total impact of all options on ratepayers.

**Option 1**

Option 1 is to continue the Special Rate Variation (4.50%) for 4 more years. This option will generate an additional \$6 million and the necessary funding for the program of works. This option completes the program of works in 4 years.

**Option 2**

Option 2 is a combination of internal reserves, a reduced Special Rate Variation and loan borrowings via the Loan Infrastructure Renewal Scheme – Round 2. This option completes the program of works over 6 years.

<b>Funding Source</b>	<b>Amount</b>	
Loan Infrastructure Renewal	\$2,000,000	Repayment over 10 years
Special Rate Variation	\$2,500,000	one-off increase of 1.10% for 6 years
Admin Building Reserve	\$1,000,000	
Capital Works Reserve	\$500,000	
<b>Total Funding</b>	<b>\$6,000,000</b>	

**Note** - this option is dependent on Council's application for a \$2 million Infrastructure Renewal Scheme loan being successful and IPART approving a continuation of the Special Rate Variation (SRV) at 1.10%.

**Option 3**

Option 3 is to discontinue the Community Infrastructure Renewal Program. The ramifications of not addressing Council's asset renewal backlog have been explained earlier in this report.

It should be noted that a fourth option of funding the entire \$6 million program from loan borrowings has been considered. The modelling indicated there were better funding options available which resulted in less impact on ratepayers and Council's long term loan capacity.

**Average Impact on 2013/14 Rates (percentage)**

**Option 1**

The 4.50% Special Rate Variation (SRV) is already factored into residents' rates and has been since 2010/11. While the continuation of this program will not see a further increase as a result of the continuation of this program there will be an increase of 3.40% upon adoption by Council of the Minister's allowable limit.

**Option 2**

This option would see no percentage increase in the average residential rate in 2013/14. Please refer to the funding table below:

2013/14 Ministers allowable limit	3.40%
2013/14 Proposed SRV application	1.10%
<b>Total Variation</b>	<b>4.50%</b>
Less:	
Current SRV Program	(4.50%)
<b>Actual 2013/14 Variation</b>	<b>0.00%</b>

**Option 3**

This option would see a discontinuation of the current 4.50% SRV and a reduction in the average rate of 1.10%, after allowing for the increase of the 3.40% Minister's allowable limit. This option would also compromise Council's ability to fund a \$6 million asset renewal program.

**Average Impact on 2013/14 Rates (monetary terms)**

Option	Residential		Business	
	Annual Increase/ (decrease)	Weekly Increase/ (decrease)	Annual Increase/ (decrease)	Weekly Increase/ (decrease)
1	\$45.53	\$0.88	\$178.08	\$3.42
2	\$0.00	\$0.00	\$0.00	\$0.00
3	(\$9.27)	(\$0.18)	(\$26.94)	(\$0.52)

The Minister's allowable limit of 3.40% has been factored into each of these options.

*Please note: the figures provided above are averages which means some ratepayers may receive a different movement in rates depending on the value and classification of their land.*

This report provides estimates at a point in time. Although growth has been factored into all options, they are estimates and can change as a result of external factors before the adoption of the budget in June 2013.

#### Domestic Waste (a separate charge)

It should also be noted that Domestic Waste charges are not included in the rates above as the Domestic Waste charge is a separate charge. It is expected that as a result of rising waste disposal costs and the introduction of a carbon tax that the waste charge will increase in 2013/14. Further information on the Domestic Waste charge and the justification for any increase will be provided to Council early next year as part of the 2013/14 budget process.

#### **Notice of Intent and Community Consultation**

If Council was to pursue a Special Rate Variation for 2013/14 (Option 1 or Option 2), IPART must be advised of Council's intent by 14 December 2012. Following this notice of intent, Council would embark upon a community consultation process commencing late January / early February 2013.

Community consultation will include media releases, advertising, open house sessions for the community to participate in, a phone survey and information on council's website, including templates for community response.

Following community consultation, a workshop will be held with Council outlining the feedback received. A report will then be prepared for Council and a formal application made to IPART if approved by Council. The final application must be forwarded to IPART by 11 March 2013.

#### **CONCLUSION**

The existing Community Infrastructure Renewal Program expires 30 June 2013. This Program has been an important step in the right direction in terms of addressing Council's network of ageing infrastructure. The continuation of this Program will greatly assist Council in terms of its long term financial sustainability and aid in improving road safety, local amenity and utilisation of the community's local infrastructure assets.

#### **RECOMMENDED**

##### **That Council:**

- i. determine the appropriate option to fund Council's ongoing Community Infrastructure Renewal Program,**
- ii. in the event that Option 1 or Option 2 is determined, notify IPART of Council's intention to apply for a Special Rate Variation for 2013/14 under Section 508(2) of the Local Government Act, and**

**ORD10**

- iii. in the event that Option 1 or Option 2 is determined, approve that public exhibition and community consultation of the proposed Community Infrastructure Renewal Program commence as soon as practicable.
- iv. be presented with a workshop providing feedback on the outcome of the community consultation before the final application is submitted to IPART via a report to Council.

ATTACHMENTS

1. Community Infrastructure Renewal Program

## Community Infrastructure Renewal Program

Work Locations	Location	Suburb	Estimated Cost
<b>Road Reconstruction and Reseals Program</b>			
Waterworth Drive	Norris-Clearwater	Mount Annan	\$357,000
Waterworth Drive	Holdsworth (shopping Centre)	Mount annan	\$88,000
Mount Annan Drive	100m Sth Welling Drv	Mt Annan	\$51,000
Woolgen Park Road	George Rd	Leppington	\$31,500
Cobbitty Rd	from Oran Park Drv	Harrington Park	\$187,500
Cobbitty Rd	from Oran Park Drv	Harrington Park	\$98,800
Richardson rd Roundabouts	Dewpoint & Easton	Spring Farm	\$220,000
Catherine Field Rd	Northern End	Catherine Field	\$265,000
Wire Lane	Hwy to Hayter	Camden South	\$61,600
Caroline Chisolm Drv	Ulmarra	Camden South	\$97,500
Lillyfield Close	Chisholm Rd	Catherine Field	\$12,800
Belgenny Avenue	Caroline Chisolm	Camden South	\$48,000
Templeton Rd	Low	Elderslie	\$51,200
Berallier Drv	McCrae	Camden South	\$69,300
Heatherfield Road	Catherine Field	Catherine Field	\$36,000
Christopher Ave	Peter Ave	Camden South	\$26,400
Robinson Rd	Jersey Rd	Bringelly	\$87,100
Loftus Road	Northern Road	Bringelly	\$41,600
Werombi Road	from Ferguson	Grasmere	\$46,700
Yorkshire Close	Chisholm Rd	Catherine Field	\$20,200
George Road	Phillip	Leppington	\$95,800
Smeaton Grange Rd	CVW	Smeaton Grange	\$109,400
Arndell Street	Caroline Chisolm	Camden South	\$31,200
Brigalow Ave	Martine	Camden South	\$28,800
Enjesta Ave	Dobroyd	Camden South	\$49,600
Oran Park Drive	Camden Valley Way west	Oran Park	\$55,000
Smalls Road	Werombi rd	Grasmere	\$18,200
Hartley Drv	Sedgewick - Anzac	Smeaton Grange	\$187,000
Joseph Road	Eastwood Rd	Catherine Field	\$57,900
Lodges Road	from Richardson Road	Narellan	\$79,500
Lerida Ave	Macquarie Ave	Camden South	\$42,800
Macquarie Ave	Menangle Rd	Camden	\$37,500
Martine Ave	Coolalie Ave	Camden South	\$32,400
Phillip Road	Eastwood Rd	Leppington	\$23,800
Benwerrin Road	The Old Oaks Rd	Grasmere	\$88,400
<b>Roads Asphalt Deep Lift Program - Various Locations</b>			
Deepfields Rd		Leppington	\$35,000
Bruckhauser Crs		Elderslie	\$10,000
Hartley Dr		Smeaton Grange	\$15,000
Kimbarra Avenue		Camden	\$22,500
Little Street		Camden	\$28,000
Springfield Road		Catherine Field	\$35,200
Allenby Road		Leppington	\$16,000
Chisholm		Catherine Fields	\$16,000
Graham Rd		Rossmore	\$21,000

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Attachment 1

## Community Infrastructure Renewal Program

Work Locations	Location	Suburb	Estimated Cost
Heath Road		Leppington	\$21,000
Macarthur Road		Elderslie	\$63,000
Merino Drv		Elderslie	\$30,000
Riley Rd		Leppington	\$37,800
<b>Road Reconstruction, Reseals &amp; Asphalt Deep Lift Program</b>			<b>Totals</b>
			<b>\$3,185,000</b>
<b>Kerb and Gutter Renewal Program</b>			
<b>Kerb and Gutter Renewal Program - Various Locations</b>			<b>Totals</b>
			<b>\$364,000</b>
<b>Footpath Renewal Program</b>			
<b>Footpath Renewal Program - Various Locations</b>			<b>Totals</b>
			<b>\$174,000</b>
<b>Parks and Reserves Renewal Program</b>			
Curry Reserve	Sensory Garden	Elderslie	\$50,000
Liquidamber Reserve	Sportsfield	Narellan Vale	\$325,000
Campbell Reserve (Fairfax Oval )	Play Ground Equipment	Harrington Park	\$5,000
Ettesdale Reserve	Play Ground Equipment	Spring Farm	\$10,000
Four Season Park	Play Ground Equipment	Harrington Park	\$15,000
Lawson Reserve	Play Ground Equipment	Camden South	\$30,000
McCall Avenue Reserve	Play Ground Equipment	Camden South	\$30,000
Soccer Fields	Playing surface	Harrington Park	\$315,000
McCall Avenue Reserve	Play Ground Equipment	Camden South	\$2,000
McCall Avenue Reserve	Play Ground Equipment	Camden South	\$2,000
Lachlan Reserve (Football Park)	Play Ground Equipment	Harrington Park	\$4,000
James Flynn Reserve	Play Ground Equipment	Harrington Park	\$15,000
William Campbell Reserve	Play Ground Equipment	Harrington Park	\$5,000
William Mannix	Play Ground Equipment	Currans Hill	\$40,000
Valley View Reserve	Play Ground Equipment	Narellan	\$13,000
Col Barratt	Play Ground Equipment	Narellan	\$40,000
Charker Drive Exercise	Free Style Equipment	Harrington Park	\$15,000
Charker Drive Exercise	Play Ground Equipment	Harrington Park	\$15,000
Charker Drive Exercise	Free Style Equipment	Harrington Park	\$10,000
Hambledon Reserve	Play Ground Equipment	Harrington Park	\$41,000
Barratt Reserve	Play Ground Equipment	Camden South	\$7,000
Bowman Reserve	Play Ground Equipment	Camden South	\$17,000
Bowman Reserve	Rotating Chin-Up Swing	Camden South	\$2,000
Charles Moore Reserve	Play Ground Equipment	Mount Annan	\$70,000
John Peat (Chellaston Reserve)	Play Ground Equipment	Camden	\$9,000
John Peat (Chellaston Reserve)	Swing Equipment	Camden	\$7,000
Fairwater Reserve	Play Ground Equipment	Harrington Park	\$25,000
Forest Park Reserve	Play Ground Equipment	Harrington Park	\$70,000
Greenway Reserve	Play Ground Equipment	Camden South	\$9,000
Harrisons Reserve	Play Ground Equipment	Harrington Park	\$70,000
Lake Yandelora	Wet Pour Rubber Fall Zone	Mount Annan	\$20,000
Macarthur Road Reserve	Play Ground Equipment	Elderslie	\$22,000

## Community Infrastructure Renewal Program

Work Locations	Location	Suburb	Estimated Cost
<b>Parks and Reserves Renewal Program</b>			<b>Totals</b>
			<b>\$1,310,000</b>
<b>Bridge Renewal Program</b>			
Birriwa Reserve - Steel foot bridge with timber deck	Mt Annan		\$4,100
Sir Warwick Fairfax Drive-Concrete Bridge	Harrington Park		\$14,700
Raby Road-Concrete Bridge_General	Leppington		\$14,700
Harrington Parkway -Concrete Bridge	Harrington Park		\$32,000
Welling Dr-Concrete Underpass	Mt Annan		\$8,500
Fairwater Drive- Steel Footbridge with timber deck	Harrington Park		\$2,000
Bluett St-Concrete Bridge	Smeaton Grange		\$9,500
Mount Annan Bridge - westbound	Mt Annan		\$5,500
Stockman Drift #1 Timber Footbridge	Mt Annan		\$3,500
Sir Warwick Fairfax Reserve-Timber Framed Foot Bridge with Aluminium Deck	Harrington Park		\$1,000
Burraborang Rd Bridge -460m East of Cawdor Rd	Camden		\$164,000
Macquarie Grove-Concrete Bridge_General	Kirkham		\$148,900
Governor Green Reserve- Timber foot bridge	Mt Annan		\$2,200
Jack Nash reserve-Concrete Foot bridge	Currans Hill		\$2,600
Kirkham Park - Steel Footbridge with timber deck	Elderslie		\$500
Fairwater Drive Footbridge 60m all timber	Harrington Park		\$8,900
Boyd Reserve Timber foot bridge 2	South Camden		\$8,400
<b>Bridge Renewal Program</b>			<b>Totals</b>
			<b>\$431,000</b>
<b>Building and Surrounds Renewal Program</b>			
Replace various components in the Spa plant room at the Mt Annan Leisure centre			\$18,000
Replacement and repairs to Depot workshop & store roof, guttering and drainage system			\$75,000
Depot Internal Roads & Drainage Renewal			\$100,000
Macaria roof restoration			\$100,000
Onslow Park Ticket Office - Electrical mains upgrade			\$6,000
Replace the water chemistry controllers at the Mt Annan Leisure Centre			\$30,000
Replace the 2 gas heater air handling units at the Mt Annan Leisure Centre			\$90,000
Replace the timbers at shelter at Tredinick Reserve Harrington Park			\$15,000
Camden Family Day Care - Repaint of exterior			\$10,000
Peplace floor covering Currans Hill Community Hall			\$20,000
Harrington Park Lake Jetty - Timber boardwalk treatment			\$6,000
Rone Dine - Water service replacement			\$15,000
Replace Guttering at Senior Cits			\$7,000
Harrington Park Community Centre - Ventilation			\$4,000
Harrington Park Community Centre - Crimsafe mesh over windows			\$40,000
<b>Building and Surrounds Renewal Program</b>			<b>Totals</b>
			<b>\$536,000</b>
<b>Grand Total</b>			<b>\$6,000,000</b>



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## ORDINARY COUNCIL

ORD11

**SUBJECT:** NSW LOCAL INFRASTRUCTURE RENEWAL SCHEME  
**FROM:** Director Governance  
**BINDER:** NSW Local Infrastructure Fund

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the opportunity to apply for infrastructure funding under the NSW Local Infrastructure Renewal Scheme. Additionally, endorsement is sought for an eligible project in lodgement of an application to the scheme on behalf of Council.

**NOTE: This report is to read in conjunction with the previous report on tonight's business paper agenda, ORD10.**

### BACKGROUND

In March 2012, under the Local Infrastructure Renewal Scheme (LIRS), the NSW Government approved 82 projects put forward by 62 Councils, with a combined value of \$439million. As an initiative of the NSW Government to promote investment in infrastructure, 'Round 1' of the LIRS sought to stimulate and enhance the economy, generating lasting economic, social and environmental benefits.

In October 2012, the NSW Government announced 'Round 2' of the LIRS, providing access to a further \$63.5million (to finance the interest subsidy component) to support infrastructure backlog projects as well as projects enabling infrastructure for new housing development.

### MAIN REPORT

The issue of infrastructure backlog remains a considerable challenge for local government in NSW. In this regard, as previously noted, the NSW Government developed the LIRS in the form of a 3% interest subsidy on loans to stimulate investment in local government asset renewal, and thus derive a number of benefits for local communities. In order to achieve these outcomes as soon as possible, applications for the scheme close 31 December 2012, with advice due on successful applications in May 2013.

### LIRS Eligibility Requirements

To ensure funds made available under the LIRS achieve their intended purpose, a number of eligibility criteria must be addressed in lodgement of an application. The key LIRS criteria are summarised as follows;

- Projects/programs must be in an advanced stage of preparation, and be ready to commence within 12 months of signing the LIRS agreement;
- Preference will be given to projects/programs with a minimum capital value of \$1million;
- Projects/programs must be identified as part of Council's infrastructure backlog (renewal) program or enable the provision of new housing.

In addition to these points, emphasis in the scheme is placed upon the 'National Framework for Local Government Financial Sustainability', as reflected in Council's commitments defined under the 'Integrated Planning & Reporting' framework. As a consequence, while the eligibility requirements of the scheme promote funding for community benefit, the criteria focus of short term delivery of infrastructure that provides maximum impact highlights the importance of defining a targeted list of projects that will comply with the LIRS and assist in realising the vision of Camden 2040.

### **Eligible Projects/Programs**

In developing an LIRS application, Council Officers reviewed a number of infrastructure information sources, such as the 'Amended Delivery Program 2011/12 – 2014/15', and '2012/13 Operational Plan' (including the Unfunded Works and Services contained within) as previously approved by Council. In reviewing these various source documents, a short-list of eligible projects/programs has been developed for the consideration of Council. A copy of the eligible projects/programs list (12 in total) is **provided as Attachment 1 to this report.**

As the majority of the short-listed projects meet either all or part of the LIRS eligibility requirements, Council Officers subsequently sought to classify the projects into three separate categories, summarised as follows;

- Category 1 – High priority projects that are 'shovel ready' (i.e. able to commence soon after funding is made available), demonstrate a material short term benefit to the community and meet most/all of the LIRS eligibility requirements;
- Category 2 – Medium priority projects that, while subject to deferred commencement, continue to meet most/all of the LIRS eligibility requirements; and
- Category 3 – Projects that meet most/all of the LIRS eligibility requirements however are not in a position to proceed within the required timeframe.

In categorising the projects/programs, regard was had for the type of projects/programs that were successful as part of the LIRS - Round 1.

Of the 12 projects/programs identified in the attachment to this report, 4 were determined to be 'Category 1'; of which, an executive summary is as follows.

#### **1. Elderslie Trunk Drainage**

The Elderslie Trunk Drainage project comprises the construction of new drainage systems in the Oxley and Herbert Rivulets, to facilitate new development in the Elderslie area. In addition to enabling new housing, the project will provide a community benefit via improved water quality and quantity management. Importantly, the works are contained within the Camden Contributions Plan 2011 which means that as development contributions are received for these works, they can be used to partially offset the debt servicing associated with the anticipated loan borrowing.

LIRS loan value: \$2million.

## 2. Community Infrastructure Renewal Program

An integral component in realising key outcomes of 'Camden 2040', the 'Community Infrastructure Renewal Program' (CIRP) will promote improved local amenity and safety, increase utilisation of assets and improve Council's long term financial and asset management sustainability.

Council currently has in place a 4.5% special rate variation that supports the CIRP which ceases 30 June 2013. A proposal to continue this special rate variation (with various options) is the subject of a separate report on tonight's business paper (ORD 10).

There is an option to consider a \$2m loan borrowing to part finance the continuation of the CIRP (estimated at \$6m). This would have the effect of reducing the proposed 4.5% special rate variation continuation.

LIRS loan value: \$2million.

## 3. Camden Cemetery

The future population growth in the Camden local government area requires a strategic response to the anticipated demand for cemetery facilities. In this regard, an expansion to Camden Cemetery will provide additional burial and memorial options and increase the capacity and sustainability of the cemetery significantly. Creating certainty for the future function of Camden Cemetery will be of considerable community benefit, enabling existing and future residents to plan accordingly.

LIRS loan value: \$1million.

## 4. Cycleway/Footpath Program

Throughout the Camden local government area there remain multiple gaps in the existing cycleway and footpath network. This issue results in a number of potential challenges, including ongoing access for all network users, public liability issues and recurring maintenance programs. The benefit in completing the cycleway/footpath is to address the aforementioned issues, in addition to promoting initiatives such as sustainable transport opportunities.

LIRS loan value: \$1million.

### **Impact of LIRS loan on Council's Long Term Financial Plan**

In accordance with the requirements of the 'Integrated Planning and Report' framework, Council is required to develop a ten-year resourcing strategy (Long Term Financial Plan) to identify the resources needed to implement the community strategic plan. As part of this strategic financial management process, any additional capital funding needs must be assessed in the context of Council's Long Term Financial Plan.

As part of the review process in evaluating potential projects under the LIRS, in the context of the Long Term Financial Plan, a \$2m loan borrowing is considered sustainable, in light of other loan commitments already factored into Council's Long Term Financial Plan.

### **Recommended LIRS Funded Project**

It is noted that all of the projects listed in Attachment 1 to this report will provide important infrastructure in support of future growth in the Camden local government area. In this regard, it is acknowledged that each of the projects would actively promote the realisation of achieving the community's vision as depicted in Camden 2040. Notwithstanding, in light of the criteria stipulated in the LIRS it is necessary that Council nominate a 'Category 1' priority project to advance its application for funding under the scheme.

The Community Infrastructure Renewal Program will play a diverse and active role in advancing the improvement of local facilities, with a view to promoting increased utilisation of assets and Council's long term asset management sustainability.

The opportunity of injecting \$2million of capital investment via the LIRS achieves a key objective of the scheme in accelerating investment in Council's infrastructure backlog, enhancing its eligibility for approval by the NSW Government. In this regard, it is recommended that the Community Infrastructure Renewal Program be the subject of Council's LIRS application.

### **CONCLUSION**

The LIRS provides the opportunity for Council to access capital funding to deliver either backlog infrastructure projects, or projects that enable infrastructure for new housing development. A list of 12 potential projects were identified for funding under the LIRS (as per Attachment 1 to this report), with 4 key projects identified as 'Category 1', being both eligible under the scheme and of the highest priority in achieving the vision of the Camden community.

Of the 'Category 1' projects identified, the Community Infrastructure Renewal Program is considered to be the most appropriate subject for Council's application to the LIRS. The opportunity of injecting \$2million of capital investment via the LIRS achieves the objective of accelerating investment in Council's infrastructure backlog; therefore it is recommended that the Community Infrastructure Renewal Program be the subject of Council's LIRS application to the NSW Government.

### **RECOMMENDED**

**That Council:**

- i. approve the Community Infrastructure Renewal Program as part of its application for funding under the NSW Local Infrastructure Renewal Scheme – Round 2;**
- ii. approve an application to the NSW Local Infrastructure Renewal Scheme – Round 2, to a loan value of \$2million;**
- iii. lodge an application with the NSW Government for a loan under the NSW Local Infrastructure Renewal Scheme – Round 2, by 31 December 2012; and**
- iv. delegate authority to the Acting General Manager to enter into a loan agreement on behalf of Council with the NSW Government, under the NSW Local Infrastructure Renewal Scheme – Round 2, for the Community Infrastructure Renewal Program.**



**ORD11**

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ATTACHMENTS

1. Potential Programs and Projects List

LIRS ROUND 2 - POTENTIAL PROJECTS / PROGRAMS

PROJECTS READY TO GO

Project / Program	Description	Benefits	Estimate	Criteria				
				Eligible Project	Min Value (\$1m)	Design Ready	Start within 12 months	In DPOP
<b>CATEGORY 1 - HIGH PRIORITY</b>								
<b>Elderslie Trunk Drainage</b>	<p>Elderslie Trunk Drainage consists of the Oxley and Herbert Rivulets.</p> <p>These drainage systems allow adjoining developments to drain to the rivulets via the installation of bio-retention swales and rain gardens/ detention systems ensuring water quality and quantity is managed to an acceptable standard and within the design storm events.</p> <p>The Oxley Rivulet system extends beyond Camden Bypass to Kirkham Park whilst the Herbert Rivulet is just short of the bypass extending through to Camden Valley Way.</p> <p>Both systems are required to facilitate development within the Elderslie development. This project can start following a tender process and is contained with CCP 2011 (to be funded from S94).</p>	<p>The benefits of having the systems constructed will enable the management of water quality and quantity. With development in the area exceeding 50% makes the need for these facilities vital for controlling flood waters and managing water quality for the area.</p>	2,000,000	✓	✓	✓	✓	✓
<b>Community Infrastructure Renewal Program</b>	<p>Council's current Community Infrastructure Renewal Program expires 30 June 2013. A bid for the continuation of this program is the subject of another matter to be considered by council on tonight's business paper agenda (ORD 10). The \$2m could be used to partially fund the current \$6m program of works proposed.</p>	<p>Benefits include:</p> <ol style="list-style-type: none"> <li>1. Improved local amenity and safety</li> <li>2. Increased utilisation of assets</li> <li>3. Direct response to concerns raised by residents as part of Camden 2040 community consultation</li> <li>4. Improves Council's long term asset management sustainability</li> </ol>	2,000,000	✓	✓	✓	✓	✓
<b>Camden Cemetery</b>	<p>The proposed plan for the cemetery provides additional burial and memorial options and will increase the capacity and lifespan of the cemetery considerably.</p> <p>The works include:</p> <ul style="list-style-type: none"> <li>- An extension to the existing columbarium wall, providing an additional 150 niches for cremation memorials; and new columbarium walls with approximately 3000 additional niches;</li> <li>- A Family Rose Garden with approximately 750 garden plots for cremation memorials;</li> <li>- Dedicated tree planting providing an additional 150 garden plots for cremation memorials;</li> <li>- A Children's Memorial Garden providing 100 plots for burials, 150 niches and 130 garden plots for cremated remains; and</li> <li>- An accurate layout of future burial plots to maximise the use of the space available.</li> </ul> <p>The Cemetery plan aims to maintain the semi-rural character of the cemetery while improving facilities for visitors.</p> <p>The plans proposes:</p> <ul style="list-style-type: none"> <li>- Future burial plot layout, wider roadways and new car parking for improved vehicle circulation;</li> <li>- New columbarium walls and courtyard, new facilities including seating, taps and rubbish bins;</li> <li>- Additional landscaping to boundaries for screening and buffer zones.</li> </ul>	<p>Camden is and will continue to experienced considerable urban growth into the future. By undertaking this expansion of the cemetery will help with providing for much needed burial facilities which are now running out especially in the area of niches. The plan also helps to formalise and structure the site providing for burial sites, columbarium walls, roads network &amp; parking, other facilities such as water, adequate disposal areas for flowers and spoil.</p>	1,000,000	✓	✓	✓	✓	X
<b>Cycleway / Footpath Program</b>	<p>Areas around the Local Government area have significant gaps in cycle paths and footpath connection between major facilities such as bus stops, commercial centres, schools and sporting and recreational sites.</p> <p>The funds would be used across the Local Government Area to address these footpath gaps and cycleways ensuring continuity and connection to key sites.</p>	<p>The benefits of these connections will provide suitable pedestrian transport facilities for all communities. It will finalise critical pedestrian and cycleway links in line with cycleway and footpath plans.</p>	1,000,000	✓	✓	N/A	✓	✓

CATEGORY 2 - MEDIUM PRIORITY									
<b>Liz Kernohan Drive Extension</b>	The extension of Liz Kernohan Drive will enable development to continue to the south of Richardson Road and help facilitate the future expansion of Glenlee. This vital road network will also help in diverting truck movements off our local streets onto this major arterial road network linking the proposed Haul Road from Jack Gully feeding directly to the Camden Bypass. Dwellings along this route are also denied access. Works for this road can commence immediately as Landcom have plans designed and are ready to commence construction. The road network is also identified in the Section 94 plan.	The benefits of having this dual carriageway connection include: - trucks can be diverted, - facilitates development East of Richardson Road, - construction of a dual carriage way undertaken upfront avoiding future construction disruption to the public. - maintains a connection to Jacks Gully. - promotes future development of the Glenlee / Menangle Park precinct and possible future link to the F5.	2,000,000	✓	✓	?	?	✓	
<b>Regional Visitor Information Centre</b>	The Australian Botanical Gardens at Mt Annan are pursuing a proposal to build a regional visitor information centre estimated to be worth \$5m.  Government funding in the order of \$2.5m is being pursued.  A request for a matching contribution from both Camden and Campbelltown Councils has been made. For Camden Council, this equates to \$1.25m. Ongoing recurrent operational costs have been estimated as much as \$750,000 per annum (to be shared by Camden and Campbelltown Councils).	A regional VIC, located at the Gardens, has several benefits, including: 1. A regional approach to tourism 2. High exposure (entrance to Camden from F5) 3. The state of our current facility (John Oxley Cottage at Curry Reserve)	1,250,000	✓	✓	?	?	✓	
<b>Richardson Rd / CWV Intersection</b>	Currently the signalised intersection caters for both residential and industrial traffic movements between Narrelian Business Park and Narrelian Township north/south and between Narrelian and Camden East / West. The intersection is struggling to manage current traffic volumes in peak periods and some of turning paths experience major delays due to the number of movements during these peak times. The intersection requires to be upgraded and works are to be carried out jointly with RMS due to the signals requiring their approval. The site has a range of engineering complexities that need to be resolved as the site has major services conflict with future intersection layout. The project will need to undergo a full design development and is not funded via any program. This loan will help to facilitate design and construction of this intersection.	The benefits of developing the intersection will assist with the safe management of traffic between the industrial and residential precincts in all directions.	1,000,000	✓	✓	N/A	?	X	
<b>Floodlighting Ovals Program</b>	Although we have made significant progress lighting sports fields we still have 10 fields that require lighting either additional lighting or full lighting. In order of priority, we could complete Harrington Reserve : Charker Drive, Harrington park. There are currently only 2 poles an additional 2 poles and lights are required  Kirkham Camden Valley Drive Elderslie – the 2 fields immediately adjacent to Camden Valley Drive – there is only on pole servicing 2 sports fields  Liquidamber field 3 Liquidamber Drive Narrelian Vale – The number 3 field has no lights at all  Fon Dine complete outer fields Number 3 and 4 fields have no lights at all.	The benefits of floodlighting allows additional useage and improves the access of residents to sporting fields.	1,000,000	✓	✓	?	?	✓	
<b>Playground Shade Solutions</b>	This project could be undertaken on a priority basis with step one a consultants report recommending the solutions for each area, natural shade, sails, combination of both and prioritising playgrounds.	Benefits include improvements to amenity and safety for playground users.	700,000	✓	X	?	?	✓	

**PROJECTS FOR FUTURE FUNDING ROUNDS**

Project / Program	Description	Benefits	Estimate	Criteria				
				Eligible Project	Min Value (\$1m)	Design Ready	Start within 12 months	In DPOP
<b>CATEGORY 3 - NOT READY TO GO</b>								
PCYC at Gregory Hills	As designs are not yet finalised and final funding sources dependant on commitments from federal government following next election it is unlikely that timetables could be met. however, this project should be earmarked for future rounds.		2,000,000	✓	✓	?	?	✓
BEP Masterplan Works	The BEP committee has a list of works including the repair and replacement of bridges. The design work has not been completed for these but could be good future project.		1,500,000	✓	✓	?	?	✓
Civic Centre Upgrade Works	As the civic centre future needs to be considered in terms of any Council exit strategy it would be more effective to wait until the future uses of the facility have been identified.		750,000	✓	X	?	?	✓



## ORDINARY COUNCIL

ORD12

ORD12

**SUBJECT: DRAFT CAMDEN CONTRIBUTIONS PLAN 2012 (CATHERINE FIELDS PART PRECINCT)**

**FROM:** Director Governance

**BINDER:** Catherine Fields Part Precinct Development Contributions

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit the Draft Camden Section 94 Contributions Plan (Catherine Fields (Part) Precinct)

### BACKGROUND

The Catherine Fields Part Precinct was released for precinct planning purposes by the Minister for Planning & Infrastructure in August 2011. The Precinct was released in accordance with the Precinct Acceleration Protocol (PAP), with the main landowner at the time, Valad Group, contributing to the cost of Precinct Planning. Valad's landholdings were transferred to Hixson Pty Ltd in the middle of this year. Hixson have assumed the rights and responsibilities of Valad pursuant to the PAP.

The Catherine Fields Part Precinct will primarily consist of residential development with associated infrastructure. A small neighbourhood and community facility is proposed as well as the protection of Oran Park House and its curtilage.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development. The infrastructure will be delivered or coordinated by a number of parties including State Government public authorities, State owned corporations, Council, developers and private providers. The Draft Section 94 Plan, the subject of this report, relates to the infrastructure that is to be the responsibility of Council.

### Government Special Infrastructure Contribution

The South West Growth Centre is supported by the State Government Special Infrastructure Contribution (SIC) toward the provision of state and regional infrastructure including roads (relevant roads for the precinct are listed below); land for education, health and emergency service facilities; environmental conservation purposes; and planning delivery.

The SIC funds (at least in part) the upgrade of the following infrastructure in the precinct:-

- Rickard Road, Transit Boulevard extension;
- Oran Park Drive;
- Primary School

A Voluntary Planning Agreement between Hixson Pty Ltd, Dandaloo Pty Ltd, Greenfields Development Company and the Minister for Planning & Infrastructure is being exhibited in conjunction with the Precinct Planning package in relation to the State Infrastructure required as a result of the precinct planning, including the Rickard Road Transit Boulevard extension through the precinct.

### Council's Consideration of the Draft Precinct Planning Package

The Precinct Planning Package for Catherine Fields Part Precinct is currently on exhibition and it is considered beneficial to have the Section 94 Plan to follow the precinct planning timeline as closely as possible so it can be in force at or soon after the gazettal of the precinct, which is expected during 2013.

The exhibition of the precinct is to finish on 21 December 2012. A separate report in the New Year will be presented to Council to seek endorsement of the Council submission to the exhibition.

### MAIN REPORT

The Department of Planning & Infrastructure (DPI) and Council have jointly prepared a Draft Section 94 Plan (funded by the DPI). The DPI engaged a consultant firm, Newplan, to develop the Draft Section 94 Plan for the precinct.

The Section 94 Plan has been prepared using various sources of documentation including information gathered from recent planning studies undertaken for the precinct, including Integrated Water Cycle Management, Traffic and Social Infrastructure. The Draft Section 94 Plan is provided as an **Attachment to this report**.

Once adopted, the Section 94 Plan will enable Council to levy contributions on residential and employment generating development within the Precincts. Funding sourced from these contributions will be used by Council (or a third party on behalf of Council) to deliver essential infrastructure required by the Precinct. This will typically include:

- Selected road infrastructure such as sub arterial roads, creek crossings and parts of collector roads and the necessary land to build them;
- Drainage infrastructure including detention basins, channels used to convey stormwater and the necessary land to build them;
- Open space including embellishment of new parks, playgrounds and sporting fields and the necessary land to establish them;
- The land for community facilities (construction of the facilities can't be delivered from Section 94 contributions, Council in partnership with the State Government will need to find alternative funding for these); and
- Contributions to District level facilities.

### Governance Structure

The Minister for Planning and Infrastructure has the responsibility for recommending (or not) to the Governor the Publication (formerly gazettal) of the proposed amendment to the Growth Centres State Environmental Planning Policy (SEPP). The Director-General of Planning and Infrastructure has the authority to adopt the proposed Development Control Plan (DCP). The Council is the consent authority for future development and has responsibility for the implementation of the DCP and Section 94 Plan.

The Section 94 Plan needs to be exhibited and ultimately approved by Council. However, Council may choose to ask the Minister for Planning and Infrastructure to approve the Section 94 Plan. A Section 94 Plan approved by the Minister for Planning



and Infrastructure, including a condition of consent imposed under such plan, would not be subject to court appeals.

**Relationship with other Camden Growth Centres Contribution Plans**

Section 94 plans for the adjoining Oran Park and Turner Road Precincts are in place. The Draft Section 94 Plan for Catherine Fields Part precinct includes contributions to facilities in the adjoining precincts and to the Maryland Recreation Facility identified in those plans. This is consistent with the approach taken to the delivery of those facilities in the Oran Park Turner Road Contributions Plan, with the subject site being a part of the catchment area for the relevant facilities. There may be opportunity, as part of a wider review of plans to eventually combine the 2 plans.

**Draft Section 94 Plan**

The tables below summarises the total infrastructure costs and Section 94 contribution rates of the Draft Section 94 Plan.

**Average Section 94 Rates Summary Table: Residential Development**

	Detached Dwelling	Medium Density
<b>Dwelling Type (costs are \$/dwelling)</b>		
<b>Dwelling Density (dwellings/ha)</b>	15	25
<b>Dwelling Occupancy Rate (Persons/Dwelling)</b>	3.2	2.0
<b>Contributions Rates Summary</b>		
<b>Open Space</b> (per dwelling)	\$8,750	\$5,469
<b>Out of Precinct facilities</b> (per dwelling)	\$2,111	\$1,319
<b>Community Facilities</b>	\$37	\$23
<b>Roads</b> (per ha of Net Developable Area) (NDA)	\$47,818	\$47,818
<b>Drainage</b> (per ha of NDA)	\$139,836	\$139,836
<b>Plan Administration</b> (per ha of NDA)	\$8,376	\$8,376
<b>Non-Essential Community Facilities Works</b> (per dwelling)	\$529	\$331
<b>Non-Essential Out of Precinct</b> (per dwelling)	\$2,394	\$1,496
<b>TOTAL CONTRIBUTION per dwelling</b>	<b>\$26,889</b>	<b>\$18,439</b>

It must be noted that these are indicative rates provided for information purposes. Until individual development applications are received and development floor spaces are confirmed, the contribution rates are variable. Land contributions may also be required for certain development.



A summary of the total contribution costs for all development is provided below.

**Total Contribution All Development**

Item	Item Total Cost
Open Space *	\$26,037,529
Out of Precinct facilities *	\$13,403,833
Community Facilities *	\$1,683,787
Roads ^	\$9,282,374
Drainage ^	\$27,144,747
Plan Administration ^	\$1,625,918
<b>TOTAL CONTRIBUTION</b>	<b>\$79,178,187</b>

\* to be levied per dwelling

^ to be levied per net developable area

**Key Issues for Council**

The key issues that relate to the Section 94 Plan and infrastructure are expanded upon below:

**Key Issue 1 - Timeline for Gazettal of Rezoning & Adoption of the Section 94 Plan**

The project timeline for the rezoning of the Precinct Plan to take effect is by mid-2013. The Section 94 Plan is projected to be ready for adoption by Council at the time rezoning takes effect.

If the rezoning takes effect without a new Section 94 Plan in place, development would be levied under Camden Contribution Plan 2011, which would levy a lower rate than the expected amount shown in the draft Catherine Fields (Part Precinct) CP. During project discussions, Council staff advised the DPI that they did not support the rezoning of the land without the Section 94 Plan in place. The DPI has confirmed that they are committed to the rezoning target timeline. As a result Council staff and the DPI have been working to reduce the “time gap” (if any) between the rezoning taking effect and the adoption of the Section 94 Plan.

**Key issue 2 – State Government Section 94 Cap**

As part of the State Government’s strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government now imposes limits on the total monetary section 94 contributions that a Council may impose on developments.

The former Minister for Planning issued a direction to the Council under section 94E of the Environmental Planning & Assessment Act effective from 4 March 2011 that restricts Council from imposing conditions of consent requiring monetary section 94 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is \$20,000 per lot or dwelling. However, the Government's policy is to allow a cap of \$30,000 per lot or dwelling to apply to "greenfield development" in recognition of the greater infrastructure costs of those developments.

The Draft Section 94 Plan assumes that the Precinct will be declared a "greenfield area" and will be subject to a future Direction permitting monetary section 94 contributions up to \$30,000 per lot or dwelling.

As noted elsewhere, the expected per dwelling rate for the precinct is \$26,889 and therefore is below the cap.

### **Key issue 3 – State Government Approach to “Essential Infrastructure” & “Non Essential Infrastructure”**

Above the Section 94 cap amount, the State Government's policy also restricts the Council to applying to fund infrastructure from the "essential works list" which is a defined term. For example, the Section 94 Plan can levy for the land for a community facility but not for the construction of the facility. The Section 94 Plan can levy for "base level" embellishment of open space to make it safe and suitable for passive recreation use.

However, as the Draft Section 94 Plan proposes a contribution below the imposed cap, it is able to levy for both essential and non-essential infrastructure in accordance with the State Government Policy.

### **Key issue 4 –Land acquisition matters**

The Draft Section 94 Plan adopts base land costs as determined in the land valuation report prepared by Tim Elliott - Valuer and titled *Valuation for Section 94 purposes – Catherine Fields Precinct (Part)*.

Although Catherine Fields is "greenfield area" for the purposes of Government Policy it must be acknowledged that in limited cases, certain land required for roads, drainage and open space may contain a residence and in some cases there may be businesses impacted. The land rates in the Section 94 Plan are based on an assessment of general land values. Land to be acquired by Council will be the subject of detailed site specific valuations to determine market value plus all costs and in the case of businesses there may be a need for further compensation as a result of the need to relocate. In some cases, the full extent of property acquisition will not be known until detailed infrastructure design and survey is completed. No land contingency is included in the plan.

This matter will be further reviewed and updated if required as part of the Precinct Planning post exhibition works and in consultation with the DPI.

### **Key issue 5 –Advancing the Draft Section 94 Plan**

It is important that Council maintain its commitment to the Precinct Planning Project and in particular the preparation of the draft Section 94 Plan. This will assist to lessen the risk that the rezoning takes effect with no new Section 94 Plan in place.

## **Other issues**

### Acquisition Authority

Council has been approached by the DPI to be the acquisition authority for the following:

- local drainage
- local road creek crossings i.e. Peter Brock Dr connection, South Circuit connection, eastern sports field crossing
- open space - 2x double playing fields, 6x local parks

All of these items are in the Draft Section 94 Plan and able to be fully funded by the plan as the contribution rate is under the \$30,000 cap. Therefore, it is considered appropriate that Council accept being the land acquisition authority for the above items as proposed by the DPI.

### Infrastructure costings

Sub-consultants from the Precinct Planning project team have completed the infrastructure costings along with substantial input from Council staff. Costing rates have been compared to similar recent Section 94 Plans, in particular the Leppington North plan, being rates that Council's relevant staff have accepted as being reasonable. Costing rates have been reviewed by Council staff with continuous feedback provided to DPI.

Project on-costs have been adopted consistent with those of Draft Camden Section 94 Contributions Plan – Leppington North 2012.

Notwithstanding the above, Council has requested that the DPI engage a Quantity Surveyor to review costing rates and for there to be strategic design undertaken to give further certainty on the costs included in the plan. If necessary, further adjustment of costing rates will be made as part of the post exhibition works for the Section 94 Plan.

### Indexation

Indexing of contribution rates is one strategy to help ensure that the monetary contributions received keep pace with the changing costs of delivering facilities. Indexation alone however will never substitute the need for Council to regularly revisit and review the specification and costing of works contained in a Section 94 Plan.

The Section 94 Consultant has recommended the use of two indices in the contributions plans. For works, it is recommended that the Consumer Price Index (CPI) for All Groups Sydney be used. For land acquisition, it is recommended that a Land Value Index (as set by Council) be used. The Draft Section 94 Plan contains a proposed methodology for Council to be able to revise the contribution rates to reflect increases in land values. The Section 94 Plan provides a procedure for Council to be able to obtain regular land valuations for the land to be acquired and publish a "Land Value Index" on Council's website. The Draft Plan states Council's intention to publish the Land Value Index and revise the contribution rates accordingly, without requiring

amendment to the plan and a public exhibition process. This is consistent with the indexation provisions of the draft Camden Contribution Plan.

#### Riparian Lands and Roads not in the Section 94 Plan

Where riparian lands serve a function that is able to be levied for under Section 94 (such as open space, pedestrian/cycle links or drainage), Council can utilise Section 94 funds to bring these lands into public ownership. The master planning response to riparian zone management for the Precincts has been to locate some other elements of the public domain along key riparian corridors, to enable public uses that are compatible with the water quality, drainage, ecology and soil conservation functions of riparian zones.

Council may be approached in the future to accept the dedication of open space along the riparian corridor. The decision to accept land dedication and the terms and conditions attached to such would be at Council's discretion. To date Council staff have advised the DPI that it would expect the land and works to be constructed to Council's standards and dedicated to it free of cost and would not be subject to offsets against the Section 94 Contributions payable on a development consent as the land is not identified in the Section 94 Plan.

The Indicative Layout Plan shows roads that will not be the responsibility of Council to fund or provide. In particular, the Rickard Road Extension and Oran Park Drive upgrades are state responsibilities. It is expected, as a result of the State VPA currently on exhibition, that this work will be delivered by developers within the precinct. On this basis these lands and works have not been included in the Section 94 Plan.

#### Approach to delivery of collector roads

Design and construction for collector roads will generally be at the developer's cost and delivered in conjunction with surrounding development. Only roads that do not have development fronting them or are otherwise critical for development to occur are included in the Contributions Plan. The two creek crossings linking with the Oran Park Precinct are included as well as a creek crossing at the southern end of the precinct.

Two roads adjacent to open space and Oran Park House, where there is no development potential, are proposed to be included in the plan. The Draft Development Control Plan has been prepared in support of this approach. This is a similar approach to that taken in other Growth Centre precincts including Leppington North. Council is to be the acquisition authority for these roads.

#### **Public Exhibition**

It is proposed that the Draft Section 94 Plan be placed on public exhibition. The exhibition will include displays at the Council Administration Centres and the Camden and Narellan Libraries.

All exhibition material will also be provided on the Council's web site with a link from the DPI's web site directing people to Council's site. All material placed on exhibition will be available in hard copy at exhibition venues for people to view and on CDs for people to take away.

As exhibition is to take place over the Christmas/Summer Holiday period, the required 28 day exhibition period should be extended. Accordingly, it is considered that the Draft Section 94 Plan be placed on exhibition for an extended period of 6 weeks.

Councillors will be notified under separate cover prior to the exhibition commencing. The matter will then be reported back to Council at the conclusion of the exhibition period and a recommendation on whether Council should make the Plan or otherwise.

### **Next Steps**

During exhibition of the Section 94 Plan, further resolution of some detailed matters, such as checking the dimensions of the Indicative Layout Plan, and a revised land valuation will take place.

DPI will review the Draft Precinct Plan ILP in response to submissions received to the exhibition. Changes to the ILP may trigger further changes being required to the Section 94 Plan. The nature and scope of changes will dictate if there is a need to re-exhibit the Section 94 Plan or not.

Following the consideration of submissions, a final Section 94 Plan will be prepared, in conjunction with final versions of the other precinct planning documentation. The timeframe to report this matter to Council cannot be defined further until any review of the ILP has been carried out, however it is expected that the Contributions Plan will be able to be made at a time consistent with the finalisation of planning of the precinct.

### **CONCLUSION**

The Draft Camden Section 94 Contributions Plan (Catherine Fields (Part) Precinct) is an important component in being able to realise the vision established for the precinct and the South West Growth Centre more broadly.

The proposed contribution rate is less than the State Government imposed cap and the plan provides for the provision of the required infrastructure in the precinct as well as contributing to district level facilities. Council's commitment to progressing the Precinct Plan and Section 94 Plan is considered to be the appropriate course of action to take.

A report dealing with the precinct planning package and any submission to be forwarded to the DPI in response to the current exhibition will be presented to Council in the New Year.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the Draft Camden Section 94 Contributions Plan (Catherine Fields (Part) Precinct) for the purposes of public exhibition and exhibits the plan for a 6 week period; and**
- ii. accept being nominated as the land acquisition authority for roads, drainage and open space land funded by the Section 94 Plan;**

#### **ATTACHMENTS**

1. Draft Contribution Plan

**Catherine Fields (Part)  
Precinct**

**Section 94 Contributions  
Plan**

**Draft**



ORD12

Attachment 1

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Catherine Fields (Part) Precinct Section 94 Contributions Plan  
Version: Nov 12

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## 1. Summary of Plan

### 1.1 Preamble

The Catherine Fields (Part) Precinct (**CFPP**) is an urban release area in Sydney's South West Growth Centre, and located within the Camden LGA.

A range of new and augmented infrastructure needs to be planned, programmed, funded and delivered in order to sustain this planned development.

The infrastructure will be delivered or coordinated by a number of parties including State Government public authorities, State owned corporations, Camden Council, developers and private providers.

Councils typically fund the provision of local infrastructure through a combination of general revenue (from rates and other charges), development contributions under the Environmental Planning and Assessment Act, and grants from the State or Commonwealth government. Much of the capital cost of local infrastructure in new urban areas is funded by development (i.e. section 94) contributions as there is often a clear relationship between the need for new or upgraded infrastructure and population growth attributable to new development.

This Plan addresses the provision in the CFPP of those public amenities and public services, or local infrastructure, to be delivered by or on behalf of Camden Council. This infrastructure includes:

- open space and recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, and pedestrian and bike paths;
- community and cultural facilities, such as multi-purpose community centres;
- water cycle management facilities, such as detention basins; and
- traffic and transport management facilities, such as new roads and intersections.

This Plan also addresses the provision of district-level social infrastructure that has been previously planned to serve the wider Oran Park area, including the expected population of the CFPP.

In order to rationalise the number of contributions plans within the South West Growth Centre to be administered by Council, it is intended that this Plan will be amended in the future to apply to adjoining Precincts.

### 1.2 Summary of contribution rates and works schedule costs

The tables on the following pages show the contribution rates applicable to development the subject of this Plan, and the total value of works to be funded by contributions anticipated under this Plan.

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### MONETARY CONTRIBUTION RATES

ALL LOCAL INFRASTRUCTURE		RESIDENTIAL DEVELOPMENT			ALL DEVELOPMENT
Item	Total Cost Apportioned to Precinct	\$ per additional resident	\$ per low density dwelling	\$ per medium density dwelling	\$ per hectare of NDA
<b>Open Space and Recreation</b>					
Land	\$14,331,568	\$1,505	\$4,816	\$3,010	
Works	\$11,705,961	\$1,229	\$3,934	\$2,459	
<b>Subtotal</b>	<b>\$26,037,529</b>	<b>\$2,734</b>	<b>\$8,750</b>	<b>\$5,469</b>	
<b>Out-of-Precinct District Facilities</b>					
Land	\$3,625,978	\$381	\$1,219	\$762	
Works	\$9,777,856	\$1,027	\$3,286	\$2,054	
<b>Subtotal</b>	<b>\$13,403,833</b>	<b>\$1,408</b>	<b>\$4,505</b>	<b>\$2,815</b>	
<b>Community Facilities</b>					
Land	\$110,000	\$12	\$37	\$23	
Works	\$1,573,787	\$165	\$529	\$331	
<b>Subtotal</b>	<b>\$1,683,787</b>	<b>\$177</b>	<b>\$566</b>	<b>\$354</b>	
<b>Roads</b>					
Land	\$739,380				\$3,809
Works	\$8,542,994				\$44,009
<b>Subtotal</b>	<b>\$9,282,374</b>				<b>\$47,818</b>
<b>Drainage</b>					
Land	\$10,557,445				\$54,387
Works	\$16,587,302				\$85,449
<b>Subtotal</b>	<b>\$27,144,747</b>				<b>\$139,836</b>
<b>Plan Administration</b>					
Allowance	\$1,625,918				\$8,376
<b>Subtotal</b>	<b>\$1,625,918</b>				<b>\$8,376</b>
<b>TOTAL</b>	<b>\$79,178,187</b>	<b>\$4,319</b>	<b>\$13,821</b>	<b>\$8,638</b>	<b>\$196,030</b>

### LAND CONTRIBUTION RATES

(For land to be acquired in the Catherine Fields (Part) Precinct only)

		RESIDENTIAL DEVELOPMENT			ALL DEVELOPMENT
Item	Item Total Area (m <sup>2</sup> )	m <sup>2</sup> per additional resident	m <sup>2</sup> per low density dwelling	m <sup>2</sup> per medium density dwelling	m <sup>2</sup> per hectare of NDA
<b>Open Space</b>					
Land	144,111	15.13	48.43	30.27	
<b>Community Facilities</b>					
Land	1,000	0.11	0.34	0.21	
<b>Roads</b>					
Land	10,900				56.15
<b>Drainage</b>					
Land	142,975				736.53

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### 1.3 Overview and structure of Plan

Section 94 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services to meet the development.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared to authorise the imposition of section 94 contributions on development expected to occur in the CFPP.

This Plan has been prepared in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2000* (**EP&A Regulation**), including the requirement for the Plan to have had regard to the latest Practice Notes issued by the NSW Department of Planning and Infrastructure.

There are minimum requirements as to the form and subject matter of section 94 contributions plans that are set out in the EP&A Regulation. Each requirement, and reference to the clause or Part of this document that deals with that requirement, are listed below:

The purpose of the plan	Clause 2.6
The land to which the plan applies	Clause 2.8
The relationship or nexus between the expected development in the area and the community infrastructure that is required to meet the demands of that development	Part 4
The formulas to be used for determining the reasonable contributions required from expected development for different types of community infrastructure	Clauses 4.2.2, 4.3.2, 4.4.2, 4.5.2, 4.6.2
The contribution rates for the anticipated types of development in the area	Clause 1.2
The council's policy concerning the timing of the payment of monetary section 94 contributions, and the imposition of section 94 conditions that allow deferred or periodic payment	Clauses 2.16 and 2.17
Maps showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds)	Part 5
If the plan authorises monetary section 94 contributions or section 94A levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule	Part 5

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The Plan is structured in the following Parts:

- Part 1 (this Part) contains an introduction and summary schedules.
- Part 2 contains provisions that describe the contributions framework, essential details of the Plan, and how section 94 contributions for development in the CFPP will be imposed, settled and managed.
- Part 3 documents the expected development in the CFPP and the likely demand for infrastructure arising from that development.
- Part 4 discusses infrastructure costs and delivery, and for each infrastructure category describes the relationship between development and infrastructure which culminates in a contributions formula.
- Part 5 contains schedules describing the proposed infrastructure addressed by the Plan; and also contains location maps of this infrastructure.
- Part 6 contains a list of background information that was sourced in the preparation of the Plan.
- Appendices to the Plan.

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## 2. Administration and operation of the Plan

### 2.1 Definitions used in this Plan

Except where indicated in this clause, the definitions of terms used in this Plan are the definitions included in the EP&A Act, EP&A Regulation and the *the State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, are adopted by this Plan.

In this clause, 'existing' means at the date on which this Plan came into effect.

In this Plan, the following words and phrases have the following meanings:

**Attributable cost** means the estimated cost for each item in the works schedules set out in Part 5 of this Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

**CFPP** means the area of land shown in Figure 2.1 of this Plan.

**Council** means The Council of Camden.

**CPI** means the *Consumer Price Index (All Groups - Sydney)* published by the Australian Statistician.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**ILP** means Indicative Layout Plan.

**LGA** means local government area.

**Net Developable Area** means the area of land to which a development application relates and includes the area of any land that the development consent authorises, or requires, to be used as a road, or reserved or dedicated as a public road but excludes:

- existing roads to be used as part of the proposed road network;
- existing educational establishments;
- any part of the land that is below the level of a 1:100 Annual Recurrence Interval (ARI) flood event, if that part of the land is unsuitable for development by virtue of it being at or below that level;
- land including and immediately surrounding Oran Park House, and comprising approximately 4.9 hectares, as identified on the Catherine Fields (Part) Precinct – SW Growth Centre Heritage Map contained in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*;
- any land that the development consent authorises, or requires, to be reserved, dedicated or otherwise set aside as, or for the purpose of, any of the following:
  - (a) a government school (within the meaning of the *Education Act 1990*);

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- (b) a tertiary institution, including a university or TAFE establishment, that provides formal education and is constituted by or under an Act;
- (c) an emergency services facility;
- (d) a health services facility owned and operated by a public authority;
- (e) a golf course;
- (f) a passenger transport facility;
- (g) a public reserve or a drainage reserve (within the meaning of the *Local Government Act 1993*);
- (h) a public transport corridor (other than a road corridor);
- (j) a public utility undertaking;
- (j) roads or other public amenities or public services, in connection with which development contributions have been imposed under section 94 or section 94A of the Act or may be imposed in accordance with a contributions plan approved under section 94EA of the EP&A Act;
- (k) roads or other infrastructure in connection with which special infrastructure contributions have been, or may be, imposed in accordance with section 94EF of the EP&A Act.

**OPTR CP** means the *Oran Park and Turner Road Precincts Section 94 Contributions Plan*.

**Planning agreement** means a voluntary planning agreement referred to in section 93F of the EP&A Act.

**Residential Accommodation** has the same meaning as in the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

**Social Infrastructure Assessment** means the report *Social Infrastructure & Demographic Assessment – Catherine Fields (Part) Precinct*, prepared by MacroPlan Australia, May 2012.

**Transport Assessment** means the report *Catherine Field (part) Precinct Transport and Access Strategy*, prepared by AECOM, May 2012.

**Works-in-kind** means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan as a means of either fully or partly satisfying a condition of consent requiring development contributions to be made.

**Works schedule** means the schedule of the specific public facilities for which contributions may be required as set out in Part 5 of this Plan.

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## 2.2 What are development contributions?

Development contributions are contributions made by those undertaking development approved under the EP&A Act toward the provision of public services and public amenities.

Development contributions are addressed under Divisions 6 and 6A of Part 4 of the EP&A Act and are imposed as conditions on a development consent.

Contribution requirements may be in the form of the dedication of land free of cost, or the payment of a monetary contribution.

There are different classes of development contributions provided for under the EP&A Act:

- Special infrastructure contributions;
- local infrastructure contributions, which may be either section 94 contributions or section 94A fixed rate levies;
- contributions included in voluntary planning agreements; and
- contributions toward the provision of affordable housing.

This Plan is principally concerned with the imposition of conditions of consent requiring development contributions for local infrastructure under section 94 of the EP&A Act.

More detail on the types of infrastructure levied for under this Plan is included in later Parts of this Plan.

## 2.3 Prerequisites for imposing contribution requirements in consents

### 2.3.1 Contributions must be authorised by a contributions plan

The EP&A Act provides that a council (or an accredited certifier) can require, through imposition of a condition or conditions on a development consent (or on a complying development certificate), development contributions if:

- there is a contributions plan applying to the development that is in force and that authorises the contribution (such as this Plan); and
- the contribution is imposed in accordance with the provisions of such a plan.

Accredited certifiers are further restricted to imposing only development contributions being monetary contributions on a consent.

As an alternative to, or in addition to, the levying of section 94 contributions, a council may negotiate a planning agreement with a developer for the provision of local infrastructure.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial directions made under the EP&A Act or EP&A Regulation relating to planning agreements.

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### 2.3.2 Section 94 contributions must be reasonable

Section 94 of the EP&A Act authorises a consent authority responsible for determining a development application to grant consent to the proposed development subject to a condition requiring the payment of a monetary contribution, or the dedication of land free of cost, or a combination of them, towards the provision of public amenities and public services (public facilities) to meet the development.

Section 94 contributions must be reasonable in the particular circumstances of each development. That is, a section 94 contribution must be proportional to the relationship (or 'nexus') that exists between the development being levied and the need for the public amenity or service for which the contribution is required.

Section 94 contributions may be imposed on developments to meet the cost of facilities yet to be provided; and to recoup the cost of facilities that have already been provided in advance of development occurring.

A condition may only be imposed under section 94 towards the future provision of public facilities:

- if the proposed development will or is likely to require the provision of, or increase the demand for, public facilities within the local government area; and
- to require only a reasonable dedication or monetary contribution for the provision, extension or augmentation of the public facilities concerned.

A condition may be imposed under section 94 towards the recoupment of the cost of public facilities if:

- the consent authority has, at any time, provided public facilities within the local government area in preparation for or to facilitate the carrying out of development in the area, and
- development for which development consent is sought will, if carried out, benefit from the provision of those public facilities.

A person entitled to act on a development consent may, under section 94B of the EP&A Act, appeal the reasonableness of a section 94 condition that is imposed in accordance with a contributions plan. Such a condition may be disallowed or amended by the Land and Environment Court because it is unreasonable in the particular circumstances of that case, even if it was determined in accordance with the relevant contributions plan.

## 2.4 Cap on monetary section 94 contributions

As part of the State Government's strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government now imposes limits on the total monetary section 94 contributions that a consent authority may impose on developments.

The Minister for Planning issued a direction to the Council under section 94E of the EP&A Act effective from 28 August 2012 that restricts consent authorities from imposing conditions of consent requiring monetary section 94 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is \$20,000 per lot or dwelling. However, the Government's policy is to allow a cap of \$30,000 per lot or dwelling to apply to development in 'greenfield areas' in recognition of the greater infrastructure costs of those developments.

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The Minister's direction referred to above has identified that residential development on land to which this Plan applies is subject to a maximum section 94 monetary contribution of \$30,000 per lot or dwelling. The contribution rates included in this Plan are consistent with that direction.

## 2.5 Name of the Plan

This Plan is called the *Catherine Fields (Part) Precinct Section 94 Contributions Plan*.

## 2.6 Purposes of the Plan

The primary purpose of the Plan is to authorise:

- Council, when granting consent to an application to carry out development to which this Plan applies; or
- an accredited certifier, when issuing a complying development certificate for development to which this Plan applies.

to require a contribution to be made towards either/both:

- the provision, extension or augmentation of public amenities and public services only where development is likely to require the provision of or increase the demand for those amenities and services; and
- the recoupment of the cost of providing existing public amenities and public services within the area to which this Plan applies.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of development contributions toward the provision of public amenities and public services generated by development within the CFPP;
- to determine the demand for public facilities generated by the incoming population to the area and ensure that development makes a reasonable contribution toward the provision of public amenities and public services that are required for that population;
- to ensure (within the limits imposed by Ministerial Directions) that the existing community is not unreasonably burdened by the provision of public amenities and public services required (either partly or fully) as a result of development in the area; and
- to ensure Council's management of development contributions complies with relevant legislation and guidelines, and achieves best practice in plan format and management.

## 2.7 Commencement of the Plan

This Plan commences on **[insert date]**.

## 2.8 Land to which Plan applies

This Plan applies to all of the land identified in Figure 2.1.

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Figure 2.1 Land to which this Plan applies

## 2.9 Development to which this Plan applies

Except as provided for by this clause, this Plan applies to:

- Residential Accommodation development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.2 to 4.6 of this Plan; and
- all other development, insofar as the Plan authorises the imposition of a requirement for a section 94 contribution for the types of public amenities and public services described in clauses 4.4 to 4.6 of this Plan.

This Plan does not apply to development:

- for the sole purpose of affordable housing; or
- for the sole purpose of the adaptive reuse of an item of environmental heritage; or
- for the purposes of public infrastructure provided by or on behalf of State Government or the Council; or
- for the purposes of public amenities or public services under this Plan or another contributions plan prepared under section 94B of the EP&A Act; or
- for utility undertaking works to be carried out by Sydney Water, Endeavour Energy or an equivalent water, sewer or energy provider; or

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- residual lots, where no demand for public amenities or public services is generated; or
- superlots, where the final demand for public amenities or public services will be generated after a further subdivision of land; or that in the opinion of Council does not increase the demand for the categories of public amenities or public services addressed by this Plan.

## 2.10 Relationship to other contributions plans

This Plan repeals *Camden Contributions Plan 2011*, insofar as that plan applies to land to which this Plan applies.

This Plan does not limit or otherwise affect any requirements for the payment of special infrastructure contributions pursuant to Subdivision 4 of Division 6 of Part 4 of the EP&A Act.

## 2.11 Allowances for existing development in the calculation of open space and recreation facilities, community and cultural facilities, and out-of-Precinct district facilities contributions

Monetary contributions determined under this Plan will be calculated according to the estimated net increase in demand for the particular public amenities and public services that are included in this Plan and that a particular development is projected to generate.

The Plan addresses the provision of:

- roads, transport, and drainage facilities (being 'economic infrastructure'); and
- open space and recreation, community and cultural, and out-of-Precinct district facilities (being 'social infrastructure'),

that have been designed to meet the needs of the urban development of the CFPP.

The planned economic infrastructure is to facilitate the conversion of the area from semi-rural development context to an urban development context. It is the wholesale re-development of the land for urban purposes (particularly through land subdivisions) that necessitates the provision of the economic infrastructure. The economic infrastructure currently available does not meet the needs of the planned urban development to any degree and entirely new road and drainage networks have to be designed and built to meet those needs. No allowance will therefore be made for the demand for economic infrastructure attributable to development that existed at the time this Plan was prepared.

The planned social infrastructure is also to facilitate that same conversion, however there are people already living in the area that demand and use social infrastructure. It is also likely that current populations will, to some extent, demand the recreation and community facilities that will be provided under this Plan.

Consistent with the above, in calculating contributions under this Plan an allowance will only be made for the demand for social infrastructure attributable to development.

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**Table 2.1 Occupancy rates for calculating credits**

Dwelling type	Assumed occupancy rate
Detached dwelling, detached dual occupancy (each dwelling)	3.2 persons per dwelling
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings (each dwelling)	2.0 persons per dwelling
Seniors' housing	1.5 persons per dwelling

The contribution required from a development for social infrastructure will only be due to any net increase in population relating to the proposed development, which is the total proposed population increase less any credits calculated using the assumptions in Table 2.1.

## 2.12 Section 94 contributions may be required as a condition of consent

### 2.12.1 Monetary contributions

This Plan authorises the Council, when granting development consent to an application to carry out development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution to the Council towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

This Plan requires the Council or an accredited certifier, when determining an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the payment of a monetary contribution towards:

- the provision of public amenities and public services as specified in the works schedule to meet the demands of the development; or
- the recoupment of the cost of public amenities and public services previously provided in advance of development within the area.

### 2.12.2 Land contributions

This Plan authorises the Council, by imposition of a condition of development consent, to require in connection with any development on land to which this Plan applies (and in addition to any monetary contribution that may be sought) the dedication free of cost to the Council of any part of the development site that is land that is to be acquired under this Plan.

The area of land that may be required in the consent shall not exceed the area equivalent to the monetary contribution otherwise authorised by this Plan. Council will credit only the amount provided in the Plan.

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For the purposes of this clause, the value of the land is to be calculated in accordance with the value of the land as indexed by the Land Value Index established under this Plan.

The monetary development contribution otherwise authorised by this Plan shall be reduced by an amount corresponding to the value of the land required to be dedicated.

Where the value of the land exceeds the monetary development contribution otherwise authorised, the developer may offer to enter into a voluntary planning agreement dealing with an appropriate settle-up in exchange for the dedication of the remainder.

### **2.12.3 Variation to contributions authorised by this Plan**

Council retains the right to reduce the development contribution otherwise calculated in accordance with the provisions of this Plan.

A developer's request for variation to a contribution calculated in accordance with this Plan must be supported by written justification included with the development application. Such request will be considered as part of the assessment of the application.

## **2.13 Obligations of accredited certifiers**

In relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a section 94 contribution, if such a contribution is authorised by this Plan; and
- any such contribution may only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this Plan in respect of the development.

It is the responsibility of the principal certifying authority to accurately calculate and apply the local infrastructure contribution conditions to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of an accredited certifier issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a works-in-kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

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## 2.14 Adjustment of contribution rates under this Plan

The purpose of this clause is to ensure that the monetary contribution rates imposed at the time of development consent reflect the indexed cost of the provision of facilities included in this Plan. The Consumer Price Index is generally used as a measure to increase contribution rates. However, it is not a suitable index for adjusting contributions of land yet to be acquired as it is not related to fluctuations in land values. As a result, Council will prepare and publish a customised Land Value Index on a regular basis, and at least annually by engaging a registered valuer to prepare revised land valuations. The Land Value Index will be published on Council's website [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

Council may, without the necessity of preparing a new or amending contributions plan, make changes to the monetary section 94 contribution rates set out in this Plan to reflect quarterly changes to the Consumer Price Index (for all works schedule items identified in this Plan apart from the items comprising land yet to be acquired) and the customised Land Value Index (for works schedule items identified in this Plan involving land yet to be acquired).

### 2.14.1 Contribution rates for all works schedule items (other than land yet to be acquired)

The contribution rate for works schedule items (other than land yet to be acquired) will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current CPI}}{\text{Base CPI}}$$

Where:

$\$C_A$  is the contribution rate for works schedule items (other than land yet to be acquired) at the time of adoption of the Plan expressed in dollars

Current CPI is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the review of the contribution rate

Base CPI is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the date of adoption of this Plan

Note: The contribution rate will not be less than the contribution rate specified at the date of the adoption of this Plan.

### 2.14.2 Contribution rates for works schedule items involving land yet to be acquired

The contribution rate for works schedule items involving land yet to be acquired will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current LV Index}}{\text{Base LV Index}}$$

Where:

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$\$C_A$	is the land values within the Plan at the time of adoption of the Plan expressed in dollars
Current LV Index	is the most recent level of the Land Value Index as published by the Council at the time of the review of the contribution rate
Base LV Index	is the Land Value Index as published by the Council at the date of adoption of this Plan

Note: The contribution rate for land acquisition will not be less than the contribution rate specified at the date of the adoption of this Plan.

#### Process for publishing the Land Value Index

The Base LV Index relates to the estimated values of the types of land classification at the date of adoption of this Plan, as determined in the report prepared by Tim Elliott titled *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct*. The values are shown in Table 2.2.

**Table 2.2 Assumed land values for various classifications**

Land classification	Base assumed land cost (per m <sup>2</sup> )
Developable land (premium)	\$110
Developable land (good but with issues that require remedy)	\$85
Constrained or riparian land:	
Above 1 in 100 year flood level	\$65
Below 1 in 100 year flood level	\$40

Source: *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct* prepared by Tim Elliott Real Estate Valuer. 1 September 2012.

The Base LV Index for all land categories is set at 100.00 at the time this Plan is adopted.

Council will, through the life of the Plan, engage a registered valuer on at least an annual basis to review and (if necessary) update the Land Value Index for each of the land categories listed above.

The updated Land Value Index will be obtained by dividing the value of the land at the time of the review by the value of the land at the date of adoption of this Plan and multiplying this figure by 100.

Council will publish updates to its Land Value Index on either its web site or in its Management Plan or both.

## 2.15 Adjustment of contributions required by a condition imposed under this Plan

The purpose of this clause is to ensure that the monetary contributions at the time of payment reflect the indexed cost of the provision of facilities included in this Plan.

A contribution required by a condition of development consent imposed in accordance with this Plan may require indexation of the contribution between the date of the grant of the consent and the date on which the contribution is made as follows.

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### 2.15.1 Contributions for all works schedule items (other than land yet to be acquired)

The total contribution for all work schedule items (other than land yet to be acquired) at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

$\$C_C$  is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

$CPI_P$  is the most recent quarterly level of the *Consumer Price Index (All Groups Index)* for Sydney as published by the Australian Statistician at the time of the payment of the contribution

$CPI_C$  is the *Consumer Price Index (All Groups Index)* for Sydney as published by the Australian Statistician which applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

### 2.15.2 Contributions for works schedule items involving land yet to be acquired

The total contribution for all work schedule items involving land yet to be acquired at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times LV\ Index_P}{LV\ Index_C}$$

Where:

$\$C_C$  is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

$LV\ Index_P$  is the Land Value Index as published by the Council at the time of the payment of the contribution

$LV\ Index_C$  is the Land Value Index as published by the Council applied at the time of the issue of the development consent

Note: The contribution payable will not be less than the contribution specified on the development consent.

## 2.16 Timing of payment of monetary contribution required under this Plan

Council's policy in relation to the timing of payments of monetary contributions required under this Plan is as follows:

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- Development involving subdivision - prior to the release of the first subdivision certificate (linen plan) or strata certificate.
- Other development that requires the issuing of a construction certificate - prior to the release of the first construction certificate.
- Other development not requiring the issuing of a construction certificate – prior to the issuing of the first occupation certificate or commencement of the use, whichever occurs first.

## **2.17 Policy on deferred or periodic payments**

Council may accept the deferred or periodic payment of part or all of a monetary contribution required under this Plan if the applicant, or any other person entitled to act upon the relevant consent, makes a written request and can satisfy the Council that non-compliance with the payment provisions is justified.

Acceptance of any request for deferred or periodic payment is entirely at the discretion of the Council. Generally, acceptance of deferred or periodic payments will only be accepted in exceptional circumstances and will be assessed on a case-by-case basis.

Deferred or periodic payments may be permitted in any one or more of the following circumstances:

- Compliance with the provisions of clause 2.16 of this Plan is unreasonable or unnecessary in the circumstances of the case.
- Compliance with Camden Council's operative Work's In Kind Policy.
- Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program.
- There are other circumstances justifying the deferred or periodic payment of the contribution.

If Council does decide to accept deferred or periodic payment, Council will require the applicant to provide a bank guarantee by a bank, with a minimum long term credit rating (Standard & Poors) of A, for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus a provisional amount equal to 10 percent of the outstanding amount plus any charges associated with establishing or operating the bank security;
- the bank guarantee provides that the bank must pay the guaranteed sum on demand by the Council without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank or financial institution in writing that the guarantee is no longer required;
- where the bank guarantee contains an end date, the developer agrees that the Council is free to call on the guarantee in respect of the outstanding balance of the development contribution as indexed if the development contribution has not otherwise been paid prior to 14 days prior to the end date; and

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- the Plan Administration component of the development contribution is paid in full and there is no deferral of this amount.

Council is also entitled to claim any charges associated with establishing or operating the bank security. The applicant is to be provided with the details of any such expenses.

## **2.18 Works-in-kind and other material public benefits offered in part or full satisfaction of contributions**

A person may make an offer to the Council to carry out work or provide another kind of material public benefit in lieu of making a contribution in accordance with a section 94 condition imposed under this Plan, in the terms described below.

In addition to the requirements set out in this clause:

- the acceptance of any offer of works-in-kind or other material public benefits is entirely at Council's discretion;
- offers of works-in-kind shall be subject to Council's Works In Kind Policy; and
- a Works-in-kind Agreement must be in place prior to commencing the works.

### **2.18.1 Offer of a material public benefit made after the imposition of a section 94 contribution condition under this Plan**

The Council may accept an offer made in writing to the Council that provides for:

- a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition already imposed requiring the payment of a monetary contribution; or
- the dedication of land free of cost towards the provision of public facilities to meet the demands of the development.

Council will only consider offers of this type where the proposed work or dedication of land is contained in the works schedule included in this Plan (i.e. a works-in-kind offer).

Where the Council accepts such an offer, it is not necessary for the section 94 condition of consent to be modified under section 96 of the EP&A Act.

Any material public benefit proposal is required to be in accordance with Camden Council's Work's In Kind Policy. It is at Council's discretion to accept any such request.

### **2.18.2 Offer of a material public benefit made before the imposition of a section 94 contribution condition under this Plan**

An applicant for consent to carry out development to which this Plan applies may request that any consent granted to the development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

The applicant's request:

- may be contained in the relevant development application; or

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- may constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The Council will consider the request as part of its assessment of the development application. Any material public benefit proposal is required to be in accordance with Camden Council's Work's In Kind Policy. It is at Council's discretion to accept any such request.

If the Council decides to grant consent to the development and agrees to a request made in the relevant development application, it may impose a condition under section 80A of the EP&A Act requiring the works to be carried out or the material public benefit to be provided.

If the applicant makes an offer to enter into a planning agreement, the Council will, if it proposes to enter into the agreement, publicly notify the draft agreement and an explanatory note relating to the draft agreement together with the development application in accordance with the requirements of the EP&A Act.

If the Council decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under s93(3) of the EP&A Act requiring the agreement to be entered into and performed.

Voluntary planning agreements shall be registered on the property title.

### **2.18.3 Matters to be considered by the Council in determining offers of material public benefits**

In addition to any matters identified in clauses 2.18.1 and 2.18.2 Council will take into account the following matters in deciding whether to accept an offer of material public benefit:

- the requirements of Council's Work's In Kind Policy; and
- the standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction; and
- the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- the provision of the material public benefit will not unduly prejudice the timing or the manner of the provision of public facilities included in the works program.

Where the offer is made in accordance with clause 2.18.2 and relates to material public benefit that is not a works-in-kind proposal Council will take into account the following additional matters:

- the overall benefit of the proposal; and
- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer); and
- the implications of funding the recurrent cost of the facility(s) the subject of the offer.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of works or the development. If the offer is made by way of a draft planning agreement under the EP&A Act, Council will require the agreement to be entered into and performed via a condition in the development consent.

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Works-in-kind and material public benefit agreements shall be made between the Council and the developer and (if the developer is not the land owner) the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan, the programme for delivering the works. Planning agreements shall address the matters included in the EP&A Act and Regulation.

#### **2.18.4 Valuation of offers of works-in-kind and other material public benefits**

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

The value of land will be the attributable cost of the land under this Plan indexed in accordance with this Plan to the time the agreement is entered into.

#### **2.18.5 Provision of works-in-kind and other material public benefits in excess of contribution requirements**

It is at Council's discretion whether it will accept from a developer the provision of works-in-kind or other material public benefits where the value of the works (which is the attributable cost of the works indexed in accordance with the provisions of this Plan) exceeds the value of development contribution required by conditions of consent.

Where Council does agree to accept works with a value greater than the contributions required, Council will hold the 'surplus value' of the works as a credit in favour of the developer and will apply this credit against future development contribution requirements for that particular type of work.

For example, if works are provided by a developer that are 'community facility' works identified in this Plan, and those works have an attributable cost greater than the community facilities monetary contribution that is required on the developer's development consent, then the difference between the attributable cost of the community facility works-in-kind and the monetary contribution (this is called the 'surplus value') will be held as a credit and will only be used to offset section 94 requirements for community facilities imposed on development consents in the Camden LGA issued to that developer.

That is, Council would not offset requirements to make contributions for the purposes of, for example, recreation facilities, open space land acquisition, plan administration or any other types of facilities required under this Plan or any other contributions plan against this 'surplus value', as the surplus value relates only to the provision of community facilities.

Developers providing works-in-kind and other material public benefits that are in excess of their contribution requirements should not expect 'settle-up' monetary payment from Council until all contributions toward the provision of the works identified in this Plan have been received from other developers of land in the CFPP and the surplus contributions are available to meet the payment.

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## 2.19 Pooling of funds

Council's ability to forward fund services and amenities identified in this Plan is very limited. Consequently their provision is largely contingent upon the availability of contributions funds.

To provide a strategy for the orderly delivery of the public services and amenities, this Plan authorises monetary contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works as set out in the works schedule in Part 5.

In any case of the Council deciding whether to pool and progressively apply contributions funds, the Council will have to first be satisfied that such action will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

## 2.20 Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office was that the payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST) under Division 81 of *A New Tax System (Goods and Services Tax) Act 1999* (Cwth).

Items in the works schedule of this Plan have been calculated without any GST component.

## 2.21 Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EP&A Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

## 2.22 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections and amendments to rates resulting from changes in the indexes adopted by this Plan (see clause 2.14).

Attachment 1

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### 2.23 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

### **3. Demand for public amenities and public services**

#### **3.1 Summary of this Part**

The NSW State Government is planning for the development of land in the South West Growth Centre, of which the CFPP forms part.

The CFPP is located within the Camden LGA and so Camden Council will serve both as a consent authority for development in the CFPP, and as the manager or custodian of most of the new public infrastructure that will be required to be delivered in its jurisdiction.

Planning for housing and other development requires the parallel planning for public infrastructure to support the development and the incoming population.

The incoming population is directly related to the expected development in an area. The extent of public amenities and services required for the future development of an area is usually based on standards or benchmarks rates (e.g. per capita provision).

The application of the provision standards to the estimate of expected development enables a list of infrastructure requirements to meet that development to be compiled.

This connection between expected development, infrastructure standards, and the resultant infrastructure list directly informs the contribution requirements in this Plan.

A range of infrastructure studies have been prepared to inform the infrastructure list (or works schedule). The following part of this Plan, Part 4, provides more detail on the servicing requirements expressed in these studies.

#### **3.2 Development and infrastructure planning context**

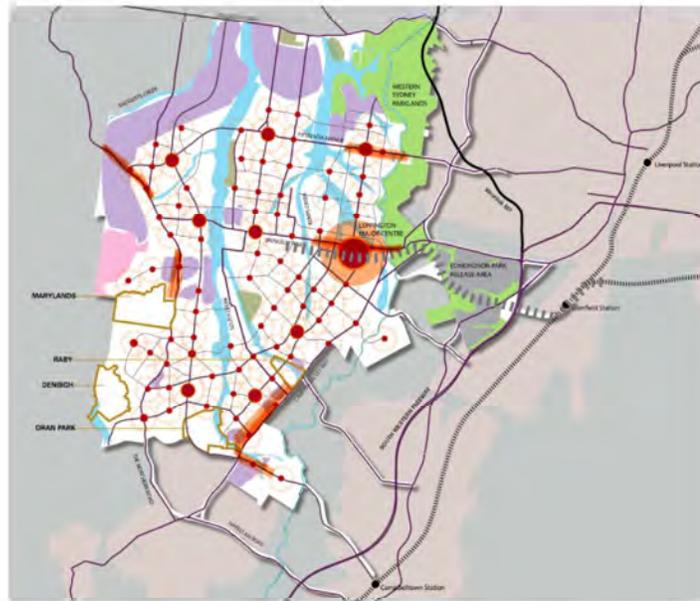
##### **3.2.1 Growth Centres Structure Planning**

The CFPP is in Sydney's South West Growth Centre.

A structure plan has been prepared for the Growth Centre, a copy of which is included as Figure 3.1 over page.

Apart from local neighbourhood centres, the structure plan proposes ten (10) new town or village centres in the South West Growth Centre. The largest of these is the planned Major Town Centre at Leppington, and the Oran Park Town Centre that will be located near the CFPP.

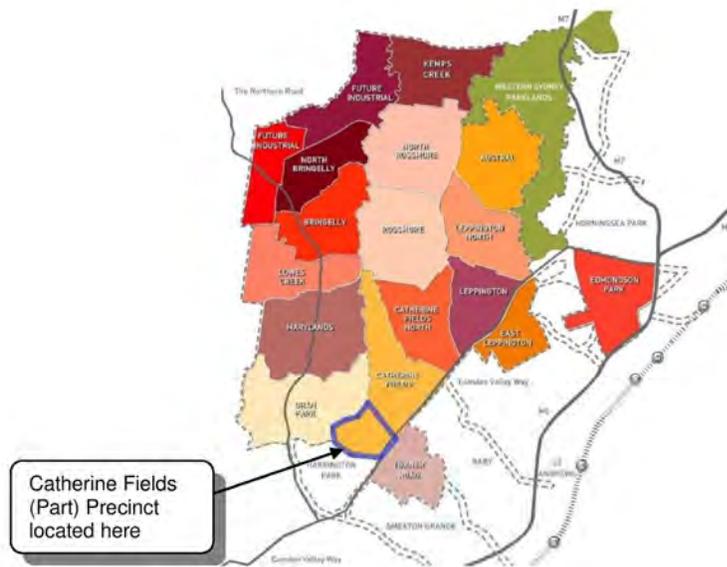
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Source: South West Growth Centres Structure Plan Edition 3, prepared by Department of Planning

**Figure 3.1 South West Growth Centres Structure Plan**

To facilitate planning and orderly development of the South West Growth Centre, this area has been divided into seventeen precincts. The locations of the early release precincts, including CFPP, are shown in Figure 3.2.



Source: Department of Planning and Infrastructure

**Figure 3.2 South West Growth Centre Precincts**

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The CFPP was released for precinct planning in July 2011.

The CFPP is located at the southern end of the South West Growth Centre. Oran Park and Turner Road Precincts, which adjoin the CFPP, were rezoned for urban development in 2008. The infrastructure planning of these Precincts has taken account of the CFPP development, and this Plan addresses the provision of local infrastructure that serves all of these Precincts.

The CFPP occupies the southern extremity of the larger Catherine Fields Precinct. It is bounded by Oran Park Drive and Harrington Park in the south, Camden Valley Way and the Turner Road Precinct in the east, Kolombo Creek and the Oran Park Precinct in the north west. Currently unreleased rural properties adjoin the north eastern boundary of the site.

The Precinct is currently rural in nature, is divided in two halves by the South Creek corridor and incorporates the historically significant Oran Park House.

The CFPP has an area of approximately 320 hectares.

Table 3.1 provides a context for the area the subject of this Plan in terms of the planned dwellings and population.

**Table 3.1 Estimated dwelling and populations**

	Area (ha)	Projected dwellings	Projected population
South West Growth Centre (17 Precincts)	17,000	110,000	300,000
Oran Park and Turner Road Precincts	1,655	11,560	33,600
CFPP	320	3,100	9,500

Source: Growth Centres Commission (Structure Plan Explanatory Note); Department of Planning and Infrastructure; Oran Park and Turner Road Precincts Section 94 Contributions Plan

### 3.2.2 Precinct Planning

A package of information on anticipated development and required infrastructure has been prepared for the CFPP, including:

- Indicative Layout Plan (ILP) to guide planning and assessment of the precincts.
- An amendment to *State Environmental Planning Policy (Sydney Growth Centres) 2006* to facilitate the formal rezoning of the land to enable urban development
- Development Control Plan.
- Section 94 Contributions Plan.

Research and studies and the preparation of plans have informed the CFPP's urban infrastructure needs and costs. Key information sources that have underpinned infrastructure planning and costing and this Plan in particular, are listed included in Table 3.2.

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**Table 3.2 Studies supporting infrastructure planning and costing**

Public amenity or service	Studies informing infrastructure need and cost
Land acquisition for public amenities or services	<i>Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct</i> prepared by Tim Elliott Real Estate Valuer, 1 September 2012
Water cycle management works	<i>Water Cycle Management &amp; Flooding - Catherine Field (Part) Precinct</i> , prepared by Brown Consulting (NSW) Pty Ltd, May 2012
Roads and transport works	<i>Catherine Field (part) Precinct Transport and Access Strategy</i> , prepared by AECOM, May 2012
Open space and recreation, community and cultural, and out-of-Precinct district facilities works	<i>Social Infrastructure &amp; Demographic Assessment – Catherine Fields (Part) Precinct</i> , prepared by MacroPlan Australia, May 2012

More detail on the CFPP's infrastructure requirements is included in the Parts 4 and 5 of this Plan.

### 3.3 Expected development outcomes

#### 3.3.1 Existing development

Existing development in the area is characterised by mainly rural and rural residential land uses.

Two buildings of historical significance are situated within the CFPP. The main building is Oran Park House, while the second is a smaller associated building nearby. These are located centrally within the CFPP, adjacent to the proposed neighbourhood centre.

There is a Catholic School located within the CFPP along its southern boundary. St Benedict's (secondary) and St Justin's (primary) schools are being expanded and will be a prominent land use in the CFPP.

#### 3.3.2 Net Developable Area

The capacity for development of land is restricted by a number of factors, including:

- natural constraints such as riparian and flood prone lands;
- man-made constraints such as existing infrastructure, easements and other legal restrictions, and existing infrastructure such as gas and transmission lines.

In addition to the constraints, there are future constraints. For example, certain land is needed to be set aside or reserved public purposes such as roads, government buildings, education and health facilities and so on.

Taking these matters into consideration allows a calculation of the amount of 'economic' land that is available for development. The planned development of this 'Net Developable Area' (or **NDA**) is the development that will generate the demand for the urban infrastructure such as parks, roads and drains that are required to sustain it. Net Developable Area is therefore one of the bases used to determine contributions under this Plan.

The extent of Net Developable Area in the CFPP is shown in Figure 3.3 shown following Table 3.3.

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The CFPP has an estimated Net Developable Area of approximately 194 hectares, comprising the development components shown in Table 3.3.

Table 3.3 outlines the expected extent of development in the Camden LGA portion of the CFPP.

**Table 3.3 Expected Net Developable Area - CFPP (Camden)**

CFPP development component	Net Developable Area (ha)
Low Density Residential (15 dwellings / ha)	161.1
Low / Medium Density Residential (20 dwellings / ha)	14.8
Medium Density Residential (25 dwellings / ha)	12.5
Large Lot Residential (6.8 dwellings / ha)	4.9*
Oran Park House	0.1
Environmental Living	0.32*
Neighbourhood Centre	0.4
<b>Total</b>	<b>194.12</b>

\* Net Developable Area for these areas has been adjusted to reflect a conventional low dwelling density of 15 dwellings per hectare.

\*\* Net Developable Area to account for existing dwelling right

Source: Department of Planning and Infrastructure



**Figure 3.3 Net Developable Area in CFPP**

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### 3.3.3 Overview of expected development

The CFPP ILP envisages the following development outcomes and characteristics.

- Approximately 3,100 dwellings in predominantly low density (detached) format. Some medium density dwellings are to be located along key transport corridors.
- A projected population of about 9,500.
- A neighbourhood centre to serve the needs of the Precinct, and situated on a centrally located 0.5 hectare site.
- A public primary school and K-12 private school.
- Conservation of environmental corridors, and integration of drainage facilities, along South Creek and its tributaries.
- Conservation of Oran Park House and its curtilage.

The proposed arrangement of land uses is shown in the ILP in Figure 3.4 over page.

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**CATHERINE FIELDS (PART) PRECINCT**  
DRAFT INDICATIVE LAYOUT PLAN

14 June 2012

- Part Precinct Boundary
- Land to which the Precinct Plan applies
- Low to Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- Environmental Living
- Indicative School Location
- Neighbourhood Centre
- Passive Open Space
- Active Open Space
- Environmental Conservation
- Electricity Substation
- Drainage
- Riparian Corridor
- Major Road
- Local Road
- Heritage Driveways
- Pedestrian Path
- Potential Transmission Realignment
- Existing Transmission Easement
- Heritage Building
- Creek

1:10,000 @ A3  
0 100m 200m 300m

Figure 3.4 Expected land use in CFPP

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### 3.3.4 Demographic characteristics

The likely demographic characteristics of a development area is important for understanding and planning for the future social infrastructure needs of that area.

The demographic characteristics of the existing rural population do not provide a robust indicator of the future demography of the area.

It is anticipated that the future residents of the CFPP will have a demographic profile similar to the profile that has been forecasted for other South West Growth Centre Precincts, that is:

- A relatively high proportion of young couples and families during the initial and intermediate stages of development.
- Over time, the population will become more diverse. The proportion of the population who are young children and young adults will decline as the population ages and the proportion of older children with older parents grows. The proportion of the population aged 55+ years will also increase considerably as the area matures.
- Over time the population profile is likely to come to more closely approximate that of an established area with a variety of age and household characteristics.<sup>1</sup>

The Social Infrastructure Assessment makes the following conclusions about the anticipated age profile of the CFPP at different development stages of the future release area:

**Table 3.4 CFPP projected age profile**

Age Cohort	2014	2021	2028
0-19 years	104	1,871	3,119
20-34 years	68	1,220	2,034
35-49 years	74	1,336	2,227
50-64 years	34	614	1,024
65+ years	13	237	396
Total	293	5,279	8,799

Note: Total population based on earlier iteration of ILP

Source: Social Infrastructure Assessment, Table 12

### 3.3.5 Dwelling occupancy rates

The amount and mix of the types of expected residential development will inform estimate of the population of an area. The need for social infrastructure is usually based on per capita benchmarks. As section 94 contributions are levied on a development-by-development basis, in order for the contribution to be reasonable there needs to be an assessment of how many people are likely to live in the proposed development.

This Plan therefore adopts standard dwelling occupancy rates for the purpose of determining the estimated occupancy of development that is approved during the life of the Plan. These occupancy rates are also relevant for determining both the occupancy for developments that existed at the time this Plan was prepared, and the net increase in infrastructure demand.

The occupancy rates used to calculate contributions under this Plan are shown in Table 3.5.

<sup>1</sup> Refer, for example, to clause 3.3.4 of the *Draft Camden Section 94 Contributions Plan (Leppington North Precinct)*

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**Table 3.5 Dwelling occupancy rates assumed in this Plan**

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings (each dwelling)	2.0
Seniors' housing	1.5

Source: Social Infrastructure Assessment, Table 9

### 3.3.6 Anticipated resident population

The anticipated population in the CFPP has been determined on the basis of the Net Developable Area for various types of residential development, the minimum density of dwellings in those areas (specified in the draft SEPP amendment), and the assumed average occupancy rates for those dwellings.

The anticipated population is shown in Table 3.6.

**Table 3.6 Calculation of anticipated resident population – CFPP**

Dwelling type	Projected dwellings	Assumed dwelling occupancy rate	Population
Low Density Residential (15 dwellings / ha)	2,412	3.2	7,734
Low / Medium Density Residential (20 dwellings / ha)	296	3.2	947
Medium Density Residential (25 dwellings / ha)	313	2.0	626
Large Lot Residential (6.8 dwellings / ha)	73	3.2	234
Oran Park House	1	3.2	3
Environmental Living	8	3.2	26
<i>Less assumed existing population</i>			-48
<b>Expected net additional population</b>			<b>9,522</b>

Note: Total population based on exhibition version of ILP

### 3.3.7 Anticipated non residential development

The predominant economic land use in the CFPP will be residential development. There will be some non residential development in the neighbourhood retail centre, and which will also be required to contribute to infrastructure identified in this Plan.

The most significant non residential development will be educational establishments such as schools, however the land that comprises such uses is excluded from Net Developable Area and development on those lands will not be subject to a contribution under this Plan.

### 3.4 Infrastructure demand arising from the expected development

Future development in the South West Growth Centre (of which the CFPP forms part) will result in an additional population of up to 300,000 people. Approximately half of the Growth Centre population will live in Camden LGA. Development of the Growth Centre precincts will thus have a profound effect on the Camden LGA and the demand for facilities offered in the LGA.

Existing public amenities and services in the CFPP have been essentially designed to accommodate the existing rural living environment. A change in the development profile of the CFPP from rural to urban development is now planned.

The future development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented public amenities and services.

Research on infrastructure needs for the impending urban development have identified the following impacts on public services and public amenities:

- increased demand for active and passive recreation facilities, such as recreation centres, sports fields, sports courts, playgrounds, and pedestrian and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in the CFPP, such as multi-purpose community centres;
- increased demand for facilities that will support safe and convenient travel between land uses both within the CFPP and to and from destinations outside of the CFPP, such as new roads; and
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to be provided within the CFPP to address these needs, including:

- open space and recreation facilities;
- community and cultural facilities;
- water cycle management facilities; and
- traffic and transport management facilities.

A range of district-level social infrastructure that has been previously planned to serve the wider Oran Park area is also required to serve the expected population of the CFPP.

More detail on the demand for these public services and amenities, the relationship with the expected development, and the strategies for the delivery of required infrastructure is included in Part 4 of this Plan.

The costs, indicative timing, and proposed location of individual items for the public amenities and public services included in this Plan are shown in Part 5 and Appendix A of this Plan.

## 4. Strategy plans

### 4.1 Infrastructure costs and delivery generally

#### 4.1.1 How are the infrastructure costs apportioned to expected development?

The costs for public services and amenities were informed by the information contained in the studies informing the infrastructure planning of the area (refer Table 3.3).

The section 94 monetary contribution for each of the facilities identified in this Plan is determined by dividing the total cost of the facility by the contribution catchment (which is expressed in either persons or NDA). This process ensures that fair apportionment of facility costs is calculated for development expected to occur under this Plan.

The contribution catchments for each infrastructure type are:

- in the case of open space and recreation facilities land and works, community and cultural facilities, and out-of-Precinct district facilities (i.e. the Youth and Recreation Centre and Oran Park Library floor space) - the expected additional resident population of the CFPP area;
- in the case of the out-of-Precinct district facilities (i.e. the Leisure Centre and Sports Parks) - the number of people (or future residents) the respective facility has been designed for;<sup>2</sup> and
- in the case of water cycle management, and roads and transport land and works - the estimated Net Developable Area of the CFPP area.

More details on this apportionment are discussed in the remainder of Part 4 of this Plan.

#### 4.1.2 How will the infrastructure be delivered?

Council will require contributions from developers under this Plan toward provision of the public amenities and public services identified in this Plan. These contributions may be in the form of monetary contributions, dedications of land free of cost, or a combination of these.

Developers may choose to provide, subject to the agreement of the Council, one or more infrastructure items identified in this Plan as works-in-kind or provide another type of material public benefit as means of satisfying development contributions required under the Plan (refer clause 2.18 of this Plan). A Works-in-kind Agreement **must** be in place prior to commencing the works in accordance with the Council's Works-in-kind Agreements Policy.

Substantial research has been applied to the derivation of the Plan's works schedule and the planning for the location of all facilities has been completed but detailed design will be carried out in the development phase. The facilities will be developed in a manner that allows them to effectively serve the demand attributable to development envisaged under this Plan.

The facilities strategies included in this Part of the Plan are based on strategic information. It is likely that, as the planning process for the different parts of the Precinct proceeds, modified and more cost effective solutions that still meet the strategy objectives will be developed.

<sup>2</sup> The infrastructure included in this Plan has generally been sized to reflect the demand generated by the expected development under this Plan. The out-of-Precinct district facilities have been designed to serve a wider catchment and the contribution rate reflects that wider contribution catchment. Council will need to make arrangements to ensure that the cost attributable to the demand sources external to the CFPP is met (for example, by subsequent contributions plans, joint contributions plans, special rates, or grants).

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Council, or others acting on its behalf, will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

Where alternatives to the works schedule are proposed in conjunction with the development of areas and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

#### **4.1.3 Infrastructure staging and priority**

Infrastructure staging and priority will largely be driven by developers' priorities. As a result, it is not possible to predict with any certainty which CFPP development area (and the local infrastructure to sustain those areas) will proceed first.

With these uncertainties, the facility staging and priorities details that are shown in Part 5 of this Plan are general in their scope, and will be subject to regular review.

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## 4.2 Open space and recreation facilities

### 4.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for open space and recreation facilities as a result of the expected development of the CFPP are documented in the Social Infrastructure Assessment.

The information below comprises a summary of sections of that report that describe the demand for new and upgraded public amenities and services.

#### Existing provision

There are limited open space and recreation facilities accessible to the current residents of the CFPP. The extent of provision is consistent with the area's small population and semi-rural character.

There are no areas of local public open space located within the CFPP. Open space areas have been planned for adjacent development precincts. Some of these parks (such as Wayne Gardiner Reserve and Harrington Park Lakes) are existing.

Existing active open space and recreational facilities - facilities that CFPP residents might be expected to drive to - are located mainly in Camden, Mount Annan and Narellan.

In any event, these open space areas have been generally designed to cater for the current or anticipated residents of other development areas; and the passive open space areas are generally not within walking distance of the expected CFPP development.

Some facilities that are not existing but have been planned, and when they are provided will serve the CFPP development, are proposed immediately north of the Oran Park Precinct in the Marylands Precinct (refer to clause 4.3 of this Plan for more discussion on 'out-of-Precinct district facilities').

#### Standards review

The Social Infrastructure Assessment reviewed the following documents to identify open space threshold, size and design principles:

- Growth Centre Code Community Open Space Standards;
- Department of Planning Recreation Guidelines for Local Government;
- *Oran Park and Turner Road Precincts Section 94 Contributions Plan*;
- *Camden Recreation & Leisure Strategy 2005*;
- *Camden City Council Open Space Strategy*; and
- *Camden Contributions Plan 2011*.

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### Open space requirements for CFPP (Social Infrastructure Assessment)

#### (i) Total

The total open space identified by the Social Infrastructure Assessment as being required for the CFPP development is 24.9 hectares.

This related to the key finding that a benchmark provision of 2.83 hectares per 1,000 persons was appropriate for the CFPP.<sup>3</sup> The Social Infrastructure Assessment also notes that the adjacent Growth Centre Precincts of Oran Park and Turner Road are to be provided with the equivalent of 2.81 hectares per 1,000 persons.<sup>4</sup>

The Social Infrastructure Assessment also finds that a 2.3 hectare portion of this open space is most appropriately provided through provision of out-of-Precinct district facilities in the Marylands Precinct.<sup>5</sup> Off-site district facilities are discussed in clause 4.3 of this Plan.

The Social Infrastructure Assessment then determines the allocation of the on-site open space requirement in terms of 'active' and 'passive' recreation.

#### (ii) Active and passive recreation components

Active open space – an area used for organized sporting and recreational activity which usually includes sporting fields, hard court sports such as basketball, netball and tennis and leisure centres<sup>6</sup> - is proposed by the Social Infrastructure Assessment to be provided in the form of two double sports fields (i.e. 4 rectangular fields in 2 complexes) comprising a total 10.8 hectares. The Social Infrastructure Assessment also proposes 4 hard courts within these local sportsfield areas.

Concepts of the proposed active recreation areas are shown in Figure 4.1.

'Developed' passive open space is suggested by the Social Infrastructure Assessment to be provided in the form of neighbourhood parks each with a size of 0.5 to 1 hectare. Such parks could potentially cater for the following activities:

- 'Learn to' cycle ways through to cycle obstacle courses.
- Skate board park facilities.
- BMX/Mountain bike jumps and tracks.
- Play equipment designed for different age groups.
- Picnic and BBQ areas for families in larger parks.
- A walkway and cycleway network to complement the above.<sup>7</sup>

The total area of the above, according to the Social Infrastructure Assessment, should comprise up to 4.4 hectares.

<sup>3</sup> The Social Infrastructure Assessment on page 36 states "A comparison of precinct planning studies and adopted S94 plans from nearby precincts has shown that most other open space requirements are set at a level that is closer to the 2.83 ha per 1,000 person standard that is commonly used throughout NSW."

<sup>4</sup> Social Infrastructure Assessment, Table 20

<sup>5</sup> Ibid., Table 22

<sup>6</sup> Ibid., page 37

<sup>7</sup> Ibid., pages 41-42

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Source: AECOM

Figure 4.1 CFPP local sportsfields concepts

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The Social Infrastructure Assessment also recommends that open space be provided adjacent to the CFPP's riparian areas and between neighbourhood parks and proposed sports fields, and the connections be used for "passive open space – walking and biking; unleashed dog exercise areas; and BMX and skate facilities."<sup>8</sup> This area of land would comprise a further 8 hectares.

#### **Open space requirements for CFPP (Indicative Layout Plan)**

The Social Infrastructure Assessment open space requirements were utilised in the master planning of the CFPP and the preparation of the ILP, and were modified where appropriate to reflect the site's physical opportunities and constraints, and (in the case of the riparian areas) the likely future ownership and management arrangements.

The open space and recreation facilities works schedule in this Plan reflects these ILP outcomes.

Table 4.1 compares the Social Infrastructure Assessment requirements, and the requirements included in this Plan.

**Table 4.1 CFPP open and space requirements**

	<b>Social Infrastructure Assessment</b>	<b>ILP</b>	<b>Notes on the variance between the two approaches</b>
<b>Total land area requirements</b>			
District open space (off site)	2.3 hectares	3.36 hectares	Incorrect calculation in Social Infrastructure Assessment – refer to clause 4.3.
Total open space area (on site)	21.7 – 23.5 hectares	14.4 hectares	ILP requirement does not include land within the riparian area that may be dedicated to Council as passive open space.
<b>Active recreation</b>			
Sports fields	4	4	
Outdoor courts	4	4	
Local active open space	10.8 hectares	8.8 hectares	Master planning of the site enabled a more efficient layout of active open space to be achieved. See draft concept plans for proposed local sports fields shown in Figure 4.1.
<b>Passive recreation</b>			
Neighbourhood parks	3.5 - 4.4 hectares, each park being 0.5 – 1 hectare in size	5.6 hectares, each park being 0.6 – 1.1 hectares in size	Master planning of the CFPP has informed the adjusted sizing of the areas.

<sup>8</sup> Social Infrastructure Assessment, page 43

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	Social Infrastructure Assessment	ILP	Notes on the variance between the two approaches
Other passive open space	7.4 – 8.3 hectares	Area is to be zoned E2 Environmental Conservation. The realisation of public passive recreation areas are dependent on agreement with developer.	A feature of the ILP is the substantial amount of riparian land that is centrally located in the CFPP. The E2 zoning prevents these areas from being developed for urban purposes and it is likely that a significant component of this land will be suitable for passive open space purposes. Council's recent experience in other Growth Centres Precincts has been that developers have been willing to embellish and dedicate riparian lands that they cannot develop to the Council for passive open space purposes, at no cost to the Council, through a voluntary planning agreement (VPA) or similar arrangement. Council is willing to negotiate the provision of riparian open space areas in the CFPP through this mechanism.

**4.2.2 How are the contribution rates calculated?**

Contributions will be collected from residential development toward open space and recreation facilities identified under this Plan.

Monetary contributions are calculated on a per person (i.e. per resident) basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident (\$)} = \sum \left( \frac{\$INF}{P} \right)$$

Where:

\$INF = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the open space and recreation infrastructure (refer Part 5 of this Plan)

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P = the estimated resident population (in persons) that will demand each facility - that is, the expected net additional population of the CFPP (refer Table 3.6)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.2.

**Table 4.2 Dwelling occupancy rates assumed in this Plan**

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings (each dwelling)	2.0
Seniors' housing	1.5

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### 4.3 Out-of-Precinct district facilities and community and cultural facilities

#### 4.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for district-level and community and cultural facilities as a result of the expected development of the CFPP are documented in the Social Infrastructure Assessment.

The information below comprises a summary of sections of that report, and also draws from other sources such as the OPTR CP, that describe the demand for new and upgraded public amenities and services.

#### Need for district facilities – OPTR CP

There are no existing community or cultural facilities located in the CFPP.

Previous local infrastructure planning for the Camden LGA part of the South West Growth Centre has identified the need for the provision of 'district' facilities designed to serve multiple Growth Centre Precincts.

The Social Infrastructure Assessment endorsed the concept of CFPP development making a reasonable contribution towards these district-level facilities.

The *Oran Park and Turner Road Precincts Section 94 Contributions Plan (OPTR CP)* that was adopted by Council in early 2008 authorised the imposition of contributions on residential development in the Oran Park and Turner Road Precincts for the 'multi-Precinct' facilities described in Table 4.3.

**Table 4.3 District-level facilities required under the OPTR CP**

District-level facility	Features	Service population
Leisure Centre located in the Marylands Precinct	10 hectare site to accommodate both indoor and outdoor active recreation components (refer to Table 4.1 of OPTR CP for more details)	The first 75,000 people in Camden LGA's Growth Centre Precincts*
Sports Parks (x 2), both located in the Marylands Precinct	Total 12 hectare site to accommodate 8 sports fields plus courts and other inclusions (refer to Table 4.1 of OPTR CP for more details)	The first 50,000 people in Camden LGA's Growth Centre Precincts*
Recreation and Youth Centre, located in or near the Oran Park Town Centre	1.5 hectare site with a 3,000 square metre floor area building that will include a two court sports hall, youth activity rooms, cultural activity rooms, and BMX and Skate facility and other inclusions (refer to Table 4.1 of OPTR CP for more details)	The population of the Oran Park and Turner Road Precincts (i.e. 33,600 people)
Branch Library / Community Resource Centre, located in or near	0.7 hectare site with a 1,600 square metre floor area building that will	The population of the Oran Park and Turner Road Precincts (i.e.

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District-level facility	Features	Service population
the Oran Park Town Centre	include a community centre, cultural centre and branch library (refer to pages 57-58 of OPTR CP for more details)	33,600 people)

<sup>9</sup> The first release Growth Centre Precincts in Camden LGA are Oran Park, Turner Road and Catherine Fields (Part). Together these Precincts will ultimately accommodate approximately 19,200 dwellings and 43,000 people

Source: *Oran Park and Turner Road Precincts Section 94 Contributions Plan*

Two of the facilities (the Leisure Centre and Sports Parks to be located in the Marylands Precinct) were designed with the needs of the future Catherine Fields Precinct residents in mind. The Marylands Precinct is situated immediately north of Oran Park and north-west of CFPP.

The OPTR CP specifically catered for multi-Precinct contributions (including Catherine Fields) to be used to provide the Marylands Precinct facilities identified in Table 4.3:

*The proposed provision of 22 hectares of land in the Maryland Precinct allows for the development of a leisure centre and sports facilities that cater to the population of Oran Park and Turner Road and future populations within the Maryland and / or Catherine Fields Precincts up to a total population generated by 25,000 lots. The cost of these facilities has been apportioned appropriately. Early planning has identified suitable land in the Maryland Precinct for such facilities which is central to all of the identified populations who will use these facilities.<sup>9</sup>*

The Recreation and Youth Centre and the Branch Library / Community Resource Centre, at the time the OPTR CP was prepared, were planned in terms of the Oran Park and Turner Road populations only.

### Social Infrastructure Assessment

The Social Infrastructure Assessment examined the expected CFPP development's "human services, community facilities and open space requirements of the precinct, having regard to the regional context, the *Growth Centres Development Code*, existing facilities and services and likely needs of the incoming residential and workforce populations."<sup>10</sup>

The Social Infrastructure Assessment specifically considered the extent to which existing or planned facilities outside of the CFPP could meet the demands arising from CFPP development. Relevant findings in this regard include the following:

- The forecast population of CFPP (in itself) does not trigger the provision of district or regional facilities such as a community health centre, a youth centre or a branch or a library or performing arts centre;<sup>11</sup>
- There is however a degree of demand overlap that arises from the process of designing for precinct-specific need, as district or regional level facilities are located in certain precincts whilst demand for them is generated by others;<sup>12</sup>
- The CFPP will not require the on-ground provision of stand-alone district level active open space or recreational facilities; but that it is expected that planned recreation and leisure facilities, located within the yet-to-be-released Maryland Precinct will service the CFPP

<sup>9</sup> *Oran Park and Turner Road Precincts Section 94 Contributions Plan*, page 48

<sup>10</sup> Social Infrastructure Assessment, page 4

<sup>11</sup> *Ibid.*, page 28

<sup>12</sup> *Ibid.*, page 25

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population, and that that the residents of CFPP will contribute proportionately to this district provision;<sup>13</sup>

- An amount of district open space (2.3 hectares) should be provided outside the CFPP in accordance with the planning that has already taken place in the OPTR CP;
- Based on Council's standards the following community and cultural facilities would be required:
  - Local community centre – 370m<sup>2</sup> facility
  - Library services – 370m<sup>2</sup> facility
  - District community facility – additional 114m<sup>2</sup> required
  - Youth based recreation facilities – 783m<sup>2</sup> of facilities
  - (Total 1,637 square metres)<sup>14</sup>
- The proposed library facility at Oran Park will accommodate the CFPP's need for library services and that no extra provision in CFPP is required.
- No Council-provided child care services need to be provided, as this type of service would likely be met by the private sector.

In terms of the types of human infrastructure that should be provided by Council, the Social Infrastructure Assessment determined that a local / district /youth community facility should be provided inside the CFPP on a site either adjacent to a recreation or sports facility, or as part of the neighbourhood centre.

The CFPP local community centre would function as a community focal point providing for a wide variety of local organisations and groups. The centre would typically include community function rooms, spaces for educational uses, local scale visual arts – including workshops and studio spaces for community activities, teaching spaces and spaces to store and display cultural heritage material.

#### **Dual (on and off site) approach to meeting community and cultural facility needs**

The Social Infrastructure Assessment states that Council's standards [of provision for community facilities]:

*...would suggest a need for a facility of approximately 370-800m<sup>2</sup> [of floor space], accounting for a combination of local / district and youth needs. This would seem a more appropriate standard for a resident population of 9,000 persons.<sup>15</sup>*

Council is committed to providing a multi-purpose local community facility on the CFPP, in close proximity to the proposed neighbourhood centre.

Council considers that the optimum size for a local centre is around 400 square metres of floor space. This is slightly in excess of the local community facility requirement based on Council's standards (i.e. 370m<sup>2</sup>), but broadly reflects the planned average size of similar centres included in the OPTR CP to serve the Oran Park and Turner Road Precincts. That plan provides for 1,417 square metres of floor space across 3 centres (or an average of 472m<sup>2</sup> per centre).

Even if the Social Infrastructure Assessment's recommended maximum 800 square metre centre was constructed, this would be insufficient to address all of the library, district-level and youth-oriented community facility needs based on Council's standards.

<sup>13</sup> Ibid., pages 39-40

<sup>14</sup> Social Infrastructure Assessment, page 28

<sup>15</sup> Ibid., page 29

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The Social Infrastructure Assessment states that these components alone would generate a need for 1,267 square metres of floor space (i.e. 114 m<sup>2</sup> district, 370 m<sup>2</sup> library and 783 m<sup>2</sup> youth). Based on this analysis, there is a notional shortfall of 467 square metres (i.e. 1,267 – 800m<sup>2</sup> in the Social Infrastructure Assessment-recommended community facility).

Council is mindful that some economies of scale will be achieved through the provision of the Recreation and Youth Centre and the Branch Library / Community Resource Centre, both at Oran Park Town Centre, and wants to capitalise on this. Equally, Council does not think that larger-sized local community centres are effective means of delivering all the required community facilities in new release areas, as reflected in the planning embedded in the OPTR CP.

Council proposes to address this issue by doing the following under this Plan:

- Construct a local community centre comprising 400 square metres of floor space on a 1,000 square metre site in the CFPP neighbourhood centre.
- Collect from CFPP development a monetary contribution equivalent to a 400 square metre floor space enlargement of the planned Recreation and Youth Centre at Oran Park Town Centre. It is considered that this floor space can be accommodated on the Recreation and Youth Centre site nominated in the OPTR CP, and that no extra land is required.
- Collect from CFPP development a monetary contribution equivalent to a 370 square metre floor space enlargement of the planned Branch Library / Community Resource Centre at Oran Park Town Centre. It is considered that this floor space can also be accommodated on the Branch Library / Community Resource Centre site nominated in the OPTR CP, and that no extra land is required.

Based on the above, Council intends to meet the community and cultural facility needs of the development by facilitating the provision of 400 square metres of floor space on-site and 770 square metres of floor space off-site, for a total provision of 1,170 square metres. This total planned provision to meet the CFPP development is 370 square metres higher than that envisaged in the Social Infrastructure Assessment, but is 467 square metres less than is suggested by applying a prevailing standards approach.

Council considers that this strategy represents a reasonable balance between applying the Social Infrastructure Assessment recommendations, applying the planning standards, and utilising economies-of-scale it thinks can be achieved through provision of the out-of-Precinct facilities.

#### **Dual (on and off site) approach to meeting open space and recreation facility needs**

Consistent with the Social Infrastructure Assessment's findings, the Council under this Plan proposes to collect from CFPP development a monetary contribution equivalent to the CFPP's demand for the proposed Marylands Leisure Centre and Sports Parks.

The balance of the CFPP's open space and recreation facilities requirements will be met through on-site provision (see clause 4.2 of this Plan).

The Social Infrastructure Assessment quantifies the CFPP's land demand for the Marylands facilities as 2.3 hectares. This is incorrect. The correct calculation of 3.55 hectares is shown in Table 4.4.

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**Table 4.4 Marylands facilities apportionment to CFPP development**

District-level Marylands facility	Apportionment calculation formula	Calculation
Leisure centre (10ha)	CFPP additional population / Facility design population (expressed as %) = 9,500 / 75,000 = 12.67%	12.67% x 10ha = 1.27ha
Sports park (12ha)	CFPP additional population / Facility design population (expressed as %) = 9,500 / 50,000 = 19%	19% x 12ha = 2.28ha
		Total = 3.55ha

Expressed more simply, this Plan authorises a monetary contribution on CFPP residential development equivalent to 12.67 percent of the cost of the OPTR CP Leisure Centre, and 19 percent of the cost of the OPTR CP Sports Parks.

**4.3.2 How are the contribution rates calculated?**

Contributions will be collected from residential development towards both (i) out-of-Precinct district facilities and (ii) on-site community and cultural facilities identified under this Plan.

Monetary contributions are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

**(i) Out-of-Precinct district facilities contribution rate**

$$\text{Contribution per resident (\$)} = \left( \frac{\$OPDF_{\text{Avg}} \times \text{GFA}}{P} \right) + \sum \left( \frac{\$MDF}{P_{\text{Design}}} \right)$$

Where:

$\$OPDF_{\text{Avg}}$  = the estimated unit \$ cost of the Oran Park District Facilities floor space and fitout identified in the OPTR CP (being the Recreation and Youth Centre and the Branch Library / Community Resource Centre), indexed from the date of the making of the OPTR CP to the time which this Plan was prepared using Sydney CPI, being \$3,670 per square metre

GFA = the balance of floor space required to meet the CFPP's district community, library and youth needs that is proposed to be provided as part of additions to the Oran Park District Facilities, being 770 square metres

P = the expected net additional population of the CFPP (in persons) (refer Table 3.6)

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- $\$MDF$  = the estimated total \$ cost of each of the Marylands District Facilities land and works identified in the OPTR CP (being the Leisure Centre and the Sports Parks), indexed from the date of the making of the OPTR CP to the time which this Plan was prepared using Sydney CPI (expressed in \$, and refer to Part 5 – works schedule)
- $P_{Design}$  = the respective design populations for each of the Marylands District Facilities land and works, being 75,000 for the Leisure Centre and 50,000 for the Sports Parks

**(ii) Local / on-site community facilities (on-site) contribution rate**

$$\text{Contribution per resident (\$)} = \sum \left( \frac{\$INF}{P} \right)$$

Where:

- $\$INF$  = the estimated \$ cost - or if the facility is existing, the indexed, completed cost - of providing each of the on-site local community infrastructure land and works (refer Part 5)
- $P$  = the expected net additional population of the CFPP (in persons) (refer Table 3.6)

**(iii) Total contribution rate**

The monetary contribution for different residential development types is determined by multiplying the contribution per person for the sum of (i) and (ii) above by the estimated increase in population as a result of the development and using the assumed occupancy rates included in clause 3.3.5 of this Plan.

For convenience, these rates are reproduced in Table 4.5.

**Table 4.5 Dwelling occupancy rates assumed in this Plan**

Dwelling type	Occupancy rate (persons per dwelling)
Detached dwelling, detached dual occupancy (each dwelling)	3.2
Other dwellings – i.e. semi-detached, town house, terrace, attached dual occupancy, flat, unit, or apartment dwellings (each dwelling)	2.0
Seniors' housing	1.5

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#### 4.4 Water cycle management facilities

The requirements for water cycle management infrastructure as a result of the expected development of the CFPP are documented in the report titled *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, May 2012.

Costs for the proposed water cycle infrastructure were also prepared by Brown Consulting.

The information below comprises a summary of relevant sections of that report that describe the CFPP development's water cycle management issues, and the planned response to those issues that includes the provision of new infrastructure.

##### 4.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The CFPP catchment area is predominantly cleared grazed land, homestead and farm dams. While some of the creek lines contain remnant vegetation, most are predominantly cleared. Average catchment slopes range between 1 and 8 percent.<sup>15</sup>

The future urban development of the CFPP will increase the area of impermeable surfaces and so exacerbate potential flooding issues. Potential impacts on stormwater quantity that have been identified include the following:

- Increases in bank forming flows - a result of increased impervious area and a quicker catchment response time, leading to the increased erosion potential of existing tributaries and South Creek.
- Increases in peak flows to South Creek resulting in increases in flood levels downstream of the Precinct.

Future urban development will also impact on the quality of stormwater and potentially affect the environmental quality and integrity of riparian corridors.

These water related issues are locality-based and caused directly and solely by the development activity and so should be ameliorated by that same development activity.

A water cycle management strategy has therefore been prepared to address the stormwater impacts of the development.

This strategy has the following objectives:

- Management of minor flows using piped systems for the 5 year means average recurrence interval (or **ARI**) (for residential land use) and 10 year ARI (for commercial land use) as per Council guidelines.
- Management of major flows using dedicated overland flow paths such as open space areas, roads and riparian corridors for all flows in excess of the 5 year ARI.
- Where practically possible, attenuate up to the 2 year ARI peak flow for discharges into Category 1 and 2 creeks. This will be achieved using detention storage within water quality features and detention basins.

<sup>15</sup> *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, page 3

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- Facilitation of stormwater retention including the use of rainwater tanks and other water quality improvement features.
- Integration of stormwater quality and stormwater quantity management techniques.
- Provision of appropriate infrastructure to enable conveyance of 100 year ARI flows off the development to proposed detention storages.
- No aggravating of flood levels and flows outside the CFPP boundary.<sup>17</sup>

The proposed infrastructure involves the provision for stormwater detention within the CFPP drainage catchments, taking the form of detention storage associated with water quality improvement features and that manage major flows up to the 100 year ARI.

The storages located through the site will be used to attenuate bank-full flows (up to the 2 year ARI) to mitigate erosion and ensure ecologically sustainable creeks through the site. The large detention storages will be used to ensure that flooding in South Creek is not worsened as a result of the development.<sup>18</sup>

Water quality control management measures to be implemented with the above include:

- stormwater re-use of dwelling roof runoff by utilising rainwater tanks;
- installation of a primary pollutant trap capable of removing gross pollutants, sediment and oils to pre-treat road and lot drainage;
- construction of a bioretention basin (integrated with the detention basins) which will receive flows from the pollutant traps; and
- the proposed basin along the tributary draining from Harrington Grove will be located within the drainage corridor - the flows will meander within the corridor and around the basin within an engineered creek line capable of conveying the flow.<sup>19</sup>

The drainage infrastructure described in the water cycle management strategy includes trunk infrastructure to support the CFPP development. Councils are responsible for ensuring trunk infrastructure that meets the needs of the entire development is in place, while land developers are required through conditions of consent to provide reticulation works within the development.

The locations of proposed CFPP trunk drainage infrastructure are shown in Figure 4.2 over page.

Council encourages the provision of the water cycle management works identified in this Plan as works-in-kind in conjunction with the civil works undertaken as part of adjoining land subdivisions.

A range of 'non-trunk' reticulation works not addressed by this Plan will also be required to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EP&A Act. The facilities may include lot-scale OSD basins, rainwater tanks, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

<sup>17</sup> *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, prepared by Brown Consulting (NSW) Pty Ltd, pages 17, 19, 20

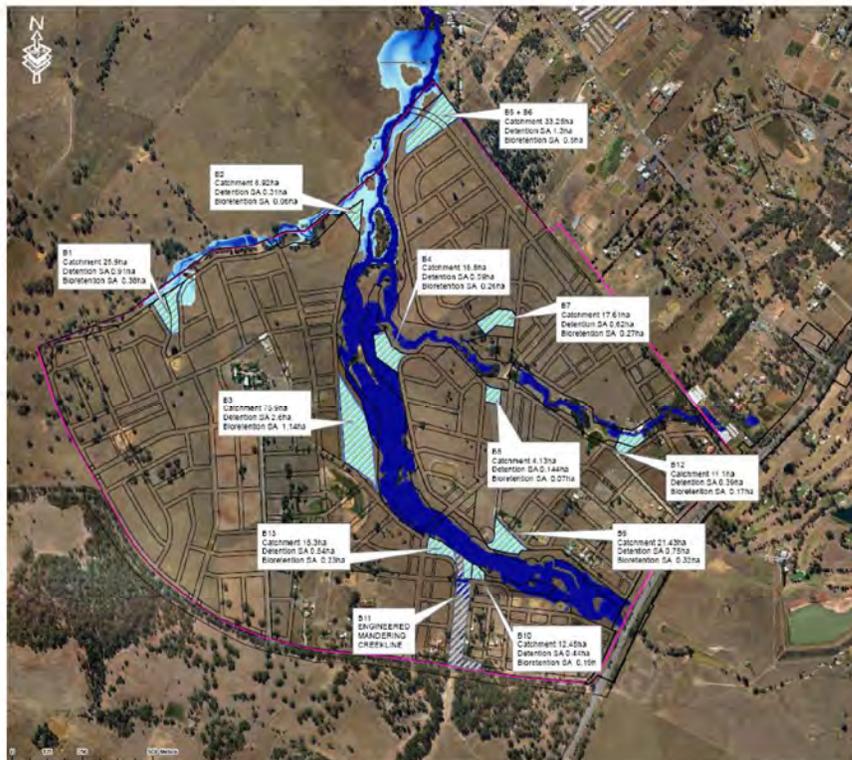
<sup>18</sup> *Ibid.*, page v

<sup>19</sup> *Ibid.*, pages 22-23

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Source: Water Cycle Management & Flooding - Catherine Field (Part) Precinct, prepared by Brown Consulting (NSW) Pty Ltd, Appendix AB.

Figure 4.2 Proposed trunk drainage infrastructure for CFPP

4.4.2 How are the contributions calculated?

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left( \frac{\$INF}{NDA} \right)$$

Where:

**\$INF** = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the stormwater management infrastructure items in the area to which this Plan applies (refer Part 5).

**NDA** = the total Net Developable Area (in hectares) that will generate the demand for the stormwater management infrastructure – refer to Table 3.3 of this Plan.

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To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the Net Developable Area (in hectares) of the site the subject of the proposed development.

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## 4.5 Transport management facilities

### 4.5.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Occupants of expected development in the CFPP will utilise a transport network comprising:

- facilities for private vehicles, including roads and intersections;
- facilities for public transport, including bus facilities utilising the road network; and
- facilities for walking and cycling.

The existing transport network has been planned to serve existing and approved developments (that is, predominantly rural developments) in the area, and not the future CFPP urban development.

The *Catherine Field (part) Precinct Transport and Access Strategy* prepared by AECOM (the **Transport Assessment**) identifies a range of transport infrastructure works that will be required to mitigate the impacts and otherwise accommodate the expected development.

Details of:

- the assumptions of expected land use and development;
- the methodology used to determine the need for transport facilities attributable to the expected development in the Precincts; and
- the scope and specification of those facilities,

are contained in the Transport Assessment.

The following is a summary of the approach utilised in the Transport Assessment for planning for the transport needs in the CFPP.

#### Proposed road hierarchy

The primary roads serving the CFPP are Oran Park Drive / Gregory Hills Drive and Camden Valley Way. These routes connect to the wider road network including the M5 Motorway, Narellan Road and The Northern Road.<sup>20</sup>

In order to cater for development in the South West Growth Centre, several major road upgrades are either planned or currently underway in the immediate vicinity including:

- Camden Valley Way between Oran Park Drive and Fairwater Drive;
- Camden Valley Way between Oran Park Drive and Cowpasture Road;
- Oran Park Drive north of Cobbitty Road; and
- Gregory Hills Drive extension.<sup>21</sup>

<sup>20</sup> Transport Assessment, page 9

<sup>21</sup> Ibid., page 11

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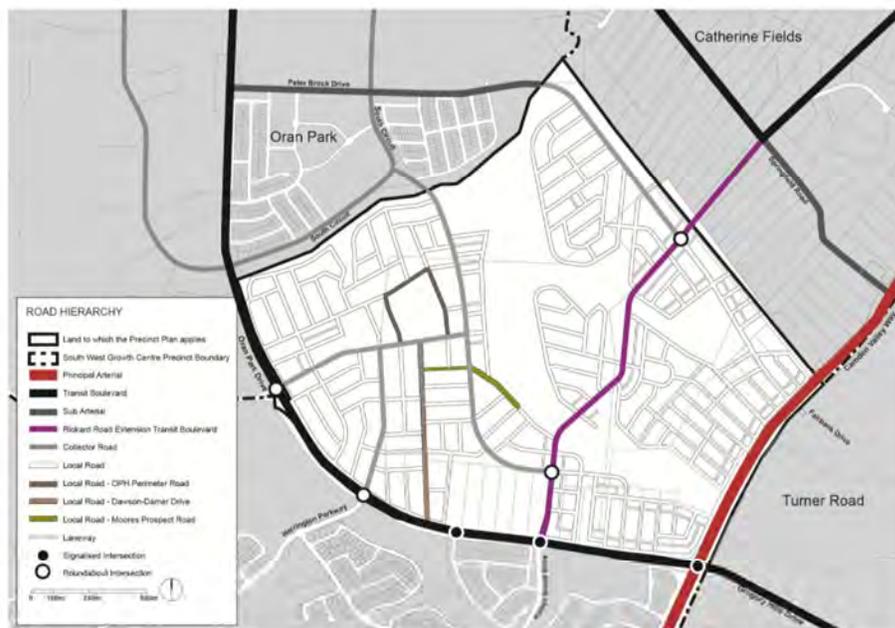
The CFPP road network hierarchy focuses vehicular access on the most appropriate routes to these arterial roads via higher order corridors. Vehicles are distributed through the precinct via the hierarchical network of sub-arterial, transit boulevard and collector roads then via local streets to individual land parcels.

There are two key routes linking the precinct to the proposed Oran Park and Leppington town centres:

- Rickard Road (a proposed future connection) will be a four-lane Transit Boulevard north of Springfield Road that will form a strategic bus connection linking the CFPP to Leppington major centre and Leppington Station.
- Peter Brock Drive, a sub-arterial road in Oran Park and a proposed collector road in the CFPP, will provide a direct link from the CFPP to Oran Park Town Centre. Rickard Road extension (south of Springfield Road) will also have a strategic public transport function.<sup>22</sup> Rickard Road south of Springfield Road will be a 4-lane corridor that would be reserved to accommodate safe and efficient strategic bus movements.<sup>23</sup>

This Plan includes provision for the Peter Brock Drive crossing of South Creek to the adjoining Oran Park Precinct, as well as another Oran Park connection at South Circuit. These works will maximise connections between the CFPP and Oran Park Town Centre.<sup>24</sup>

The proposed road hierarchy for the future development of CFPP is shown in Figure 4.3 over page.



Source: Draft Camden Growth Centre Precincts Development Control Plan 2012- Schedule 3 Catherine Fields (Part) Precinct

Figure 4.3 Proposed CFPP road hierarchy

<sup>22</sup> Transport Assessment, page 11

<sup>23</sup> Ibid., page 15

<sup>24</sup> Ibid., page 19

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### **Funding and delivery dependent on road hierarchy**

Some of the required transport works are to meet a regional demand that extends beyond the CFPP boundary to the remainder of the South West Growth Centre.

The State Government has identified works in the area surrounding the CFPP that are intended to be provided through the State budget or through Special Infrastructure Contributions under the EP&A Act.<sup>25</sup> The works include arterial road and public transport links (including Oran Park Drive, Rickard Road extension, and Camden Valley Way).

Special Infrastructure Contributions will be imposed via conditions of consent on developments in the CFPP. More details on the applicability of Special Infrastructure Contributions can be found by accessing the Department of Planning and Infrastructure's website.

All roads within the CFPP are proposed to be provided as part of the development of the CFPP:

- (a) Higher order roads such as sub-arterial and major collector roads are usually funded either through land or monetary section 94 contributions, and are often constructed as works-in-kind by the developer.
- (b) Collector roads may be delivered by a mix of section 94 contributions and by developers. Usually, where private development lots front onto a collector road and that road is of a comparable standard to local roads, the road is usually provided by the developer as part of the subdivision works. Local roads are also usually provided by developers as they in most cases have private lots fronting onto them.
- (c) Roads that do not have development fronting them such as bridges and crossings of open space are often funded through section 94 contributions, but can be constructed by the developer through a works-in-kind agreement at the time of subdivision and dedicated to the local council as public roads once constructed.

Only roads projects in the last of these categories have been included in this Plan, that is:

- Local and collector roads fronting both the Oran Park House curtilage and adjacent local open space areas.
- Kolombo Creek crossing to South Circuit in Oran Park Precinct.
- Peter Brock Drive extension and crossing of South Creek to Oran Park Precinct.

The remainder of the network will be delivered by developers or be provided by Special Infrastructure Contributions.

### **Proposed walking and cycling facilities**

There is currently no provision of dedicated walking and cycling infrastructure in the CFPP. This is in keeping with its existing land uses but which will not be appropriate to future demands.<sup>26</sup>

Providing viable alternatives to the private car for journeys with destinations both within and outside the Precinct is viewed as essential to encouraging sustainable development.<sup>27</sup>

A comprehensive bicycle network is proposed for the CFPP which will link the centres, schools, transport nodes and various residential neighbourhoods with key strategic routes and onward

<sup>25</sup> *Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination*, 2011

<sup>26</sup> Transport Assessment, page 36

<sup>27</sup> *Ibid.*

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destinations. The proposed network will include a mixture of dedicated bicycle facilities that will take the form of:

- Off-Road (Shared Path);
- On-Road (Cycle Lane); and
- On-Road (Shared Path – Green Corridor).<sup>28</sup>

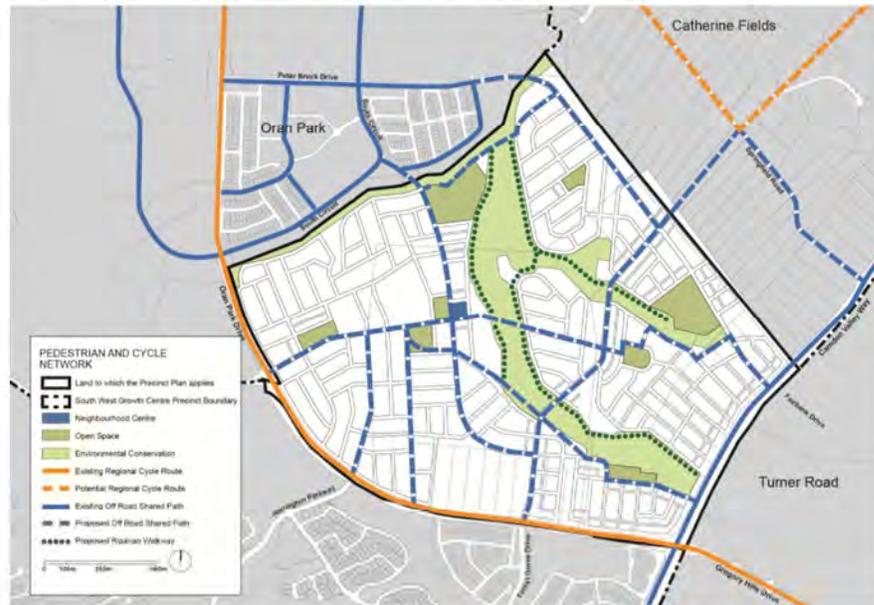
Both shared paths and cycle lanes will be provided on Camden Valley Way, while sub-arterial roads and collector roads connecting key origins and destinations within the CFPP and onto other external destinations will have dedicated shared path bicycle facilities.

The proposed cycling connections are designed to create a continuous network of facilities removing obstacles and barriers to cycling, both physical and perceived. Physical crossing points of the creek have been included in the bicycle network plan to ensure route connectivity and network permeability.<sup>29</sup>

This Plan will facilitate the provision of:

- strategic shared pathways within and across riparian corridors; and
- elements of the riparian pathway system adjacent to the local road and open space networks.

Figure 4.4 shows the proposed walking and cycle network for CFPP.



Source: Draft Camden Growth Centre Precincts Development Control Plan 2012- Schedule 3 Catherine Fields (Part) Precinct

**Figure 4.4 Proposed CFPP walking and cycle network**

<sup>28</sup> Transport Assessment, page 39  
<sup>29</sup> Ibid.

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**Public transport facilities**

There is limited public transport serving the CFPP at present, with no direct rail service and 2 bus services connecting to Liverpool and Minto respectively. The low level of service reflects the limited demand for services generated by the current land uses.<sup>30</sup>

Future CFPP residents will require easy access to existing and proposed major town centres such as Leppington, Oran Park and Campbelltown / Macarthur. Efficient bus connections and transport hubs at these major centres (bus interchange at Oran Park, rail stations at Leppington and Campbelltown) are required to maximise public transport connectivity to other parts of Sydney.<sup>31</sup>

Buses will remain the primary mode of public transport that will serve the CFPP, although at a much higher level of service than currently exists. Bus services are planned to reflect the *South West Bus Servicing Strategy* (AECOM for Transport for NSW, 2009). The proposed long term bus network for the CFPP will comprise a mixture of regional routes and district routes, as well as a number of local bus routes to ensure maximum coverage.

Roads that will cater for buses and bus shelter costs are addressed by this Plan.

Figure 4.5 shows the proposed public transport strategy for the CFPP. It indicates the important public transport role envisaged for the Rickard Road extension in connecting the CFPP population to the Leppington major centre, Narellan and Campbelltown.



Source: Transport Assessment, Figure 13

**Figure 4.5 Proposed CFPP public transport strategy**

<sup>30</sup> Transport Assessment, page 24  
<sup>31</sup> Ibid., pages 4 and 27

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#### 4.5.2 How are the contributions calculated?

Contributions are determined on a Net Developable Area basis.

The monetary contribution per hectare is calculated as follows:

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left( \frac{\$INF}{NDA} \right)$$

Where:

**\$INF** = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the transport management infrastructure items in the area to which this Plan applies (refer Part 5 of this Plan).

**NDA** = the total area of net developable land (in hectares) that will generate demand for each facility – refer to Table 3.3 of this Plan.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

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## 4.6 Plan management and administration

### 4.6.1 What is the relationship between the expected types of development and the demand for additional public facilities?

Councils incur significant costs in the preparation and administration of contributions plans.

Council staff are deployed to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works-in-kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time in order to determine the value of land to be acquired, the design and cost of works, as well as to review the development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

As these costs arise directly as a result of the development in the CFPF area, it is reasonable that the costs associated with preparing and administering this Plan be recouped through contributions from development.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to pay a development contribution.

Costs included in this Plan for these purposes are determined as follows:

- The estimate of legal expenses likely to be spent each year in relation to contributions matters (i.e. \$15,000), and extending this annual figure over the life of this Plan. This would principally relate to planning agreements and works-in-kind agreement negotiated with developers.
- The estimate of administration costs is equivalent to the current annual salary and on-costs (at the time the Plan is adopted) for 0.5 full time development contributions planning officer and 0.25 full time development contributions accounting officer, and extending this annual figure over the life of the plan.
- The estimate of costs to engage a land valuer to prepare and update at regular intervals the Land Value Index described in clause 2.15 of this Plan (i.e. \$8,000), and extending this annual figure over the life of this Plan.

### 4.6.2 How are the contributions calculated?

Contributions will be collected from all development toward Plan preparation and administration activities.

The monetary contribution per hectare is calculated as follows:

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$$\text{Contribution per hectare of net developable land (\$)} = \sum \left( \frac{\$Admin}{NDA} \right)$$

Where:

$\$Admin$  = the estimated cost - or if study work has been completed, the indexed, completed cost - of providing Plan preparation and administration activities (refer Part 5 of this Plan)

$NDA$  = the total area of net developable land (in hectares) of the area to which this Plan applies as shown in Part 5 – works schedule.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

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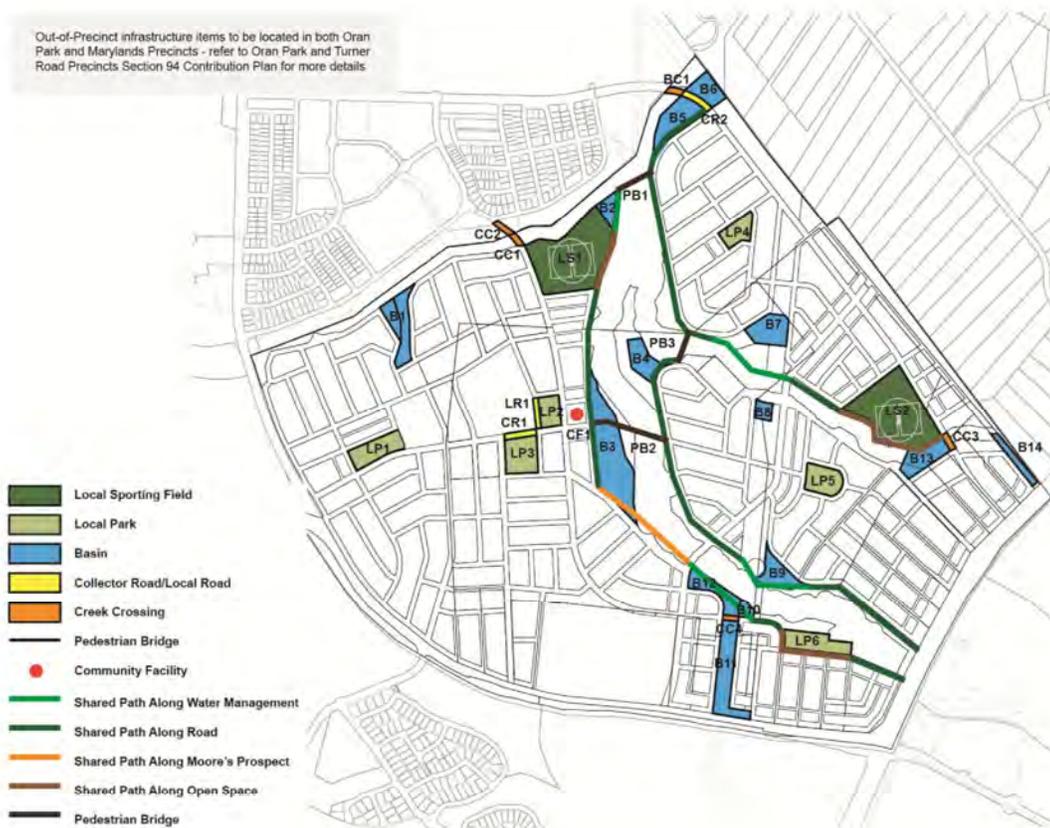
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## 5. Works schedules and maps

The schedules contained in this section are extracted from the following MSEXcel spreadsheet:

- 2012-10-26 CFPP S94 Schedules (v16).xls

### 5.1 Location of infrastructure



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5.2 Open space and recreation facilities

Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LALP	Local Parks	5.6115	\$5,368,248	As land affected by acquisition is developed or as required to service development.
LALS	Local Sports Facility	8.7986	\$8,983,320	As land affected by acquisition is developed or as required to service development.
	<b>Subtotal</b>	<b>14.4111</b>	<b>\$14,331,568</b>	
	Land Acquisition Contingency		\$0	
	<b>Total Open Space Infrastructure Land Acquisition Cost</b>	<b>14.4111</b>	<b>\$14,331,568</b>	

Works

Item	Facility	Area (ha)	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
<b>Passive Open Space</b>							
LP1	Local Park 1	1.0745	\$760,632	\$190,208	\$0	\$951,040	As and when surrounding development proceeds,
LP2	Local Park 2	0.6447	\$504,696	\$126,125	\$0	\$630,824	As and when surrounding development proceeds,
LP3	Local Park 3	1.1461	\$703,547	\$175,887	\$0	\$879,434	As and when surrounding development proceeds,
LP4	Local Park 4	0.8833	\$427,500	\$106,880	\$0	\$534,400	As and when surrounding development proceeds,
LP5	Local Park 5	9.4533	\$583,777	\$145,944	\$0	\$729,721	As and when surrounding development proceeds,
LP6	Local Park 6	1.1176	\$786,537	\$196,634	\$0	\$983,171	As and when surrounding development proceeds,
LP7	Local Park 7 (Deleted)	0	\$0	\$0	\$0	\$0	As and when surrounding development proceeds,
	<b>Subtotal</b>	<b>56.115</b>	<b>\$3,766,711</b>	<b>\$941,678</b>	<b>\$0</b>	<b>\$4,708,389</b>	
<b>Active Open Space</b>							
LS1	Combined local sportsfield and open space area	4.5278	\$2,610,564	\$652,641	\$0	\$3,263,205	As and when surrounding development proceeds,
LS2	Combined local sportsfield and open space area	4.2418	\$2,415,118	\$603,780	\$0	\$3,018,898	As and when surrounding development proceeds,
	<b>Subtotal</b>	<b>8.7986</b>	<b>\$5,025,682</b>	<b>\$1,256,421</b>	<b>\$0</b>	<b>\$6,282,104</b>	
<b>Plan of Management</b>							
PM1	Preparation of Plan of Management for all reserves	N/A	\$100,000	N/A	N/A	\$100,000	Incrementally as open space areas are established.
	<b>Subtotal</b>		<b>\$100,000</b>			<b>\$100,000</b>	
	<b>Total Construction Costs</b>		<b>\$8,892,394</b>	<b>\$2,198,099</b>	<b>\$0</b>	<b>\$11,090,493</b>	
	Construction Contingency		\$615,468				
	<b>Total</b>		<b>\$11,705,961</b>				

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### 5.3 Out-of-Precinct district facilities and community and cultural facilities

#### 5.3.1 Community and cultural facilities located within CFPP

##### Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LALCF	Future Land Acquisition Local Community Facility	0.1000	\$110,000	As land affected by acquisition is developed or as required to service development.
	Subtotal	0.1000	\$110,000	
	Land Acquisition Contingency		\$0	
	Total Local Community Facility Land Acquisition Cost	0.1000	\$110,000	

##### Works

Item	Facility	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
CF1	Community and Cultural Facility Local Facility Construction	\$1,192,263	\$298,066	\$0	\$1,490,329	To be provided at the time the neighbourhood retail centre is provided
	Subtotal	\$1,192,263	\$298,066	\$0	\$1,490,329	
	Total Construction Costs	\$1,192,263	\$298,066	\$0	\$1,490,329	
	Contingency Costs					
	Total Local Community Facility Costs	\$83,458				
		\$1,573,781				

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**5.3.2 Out-of-Precinct district facilities**

**Land**

Oran Park WS Ref	Facility	Area (ha)	Total Cost	Cost Apportioned to this Catch Fields Part Precinct	INDEXED Cost Apportioned to this Catch Fields Part Precinct	Priority and Staging
OSR1.3	Land Acquisition in the Oran Park / Marylands Precincts Leisure Centre	10.0000	\$10,000,000	\$1,269,600	\$1,269,600	Refer to Out-of-Precinct District Infrastructure Construction
OSR1.6	Sports Parks On costs associated with land acquisition (@2%)	12.0000	\$12,000,000	\$2,285,280	\$2,285,280	Refer to Out-of-Precinct District Infrastructure Construction
	<b>Total Essential District Infrastructure Land Acquisition</b>		<b>\$23,970,000</b>	<b>\$3,625,978</b>	<b>\$3,625,978</b>	

Oran Park WS Ref = the reference in the Oran Park Precinct works schedule contained within the Oran Park and Turner Road Precincts Section 94 Contributions Plan

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**Works**

Oran Park WS Ref	Facility	Total Cost	Cost Apportioned to this Cath Fields Part Precinct	INDEXED Cost Apportioned to this Cath Fields Part Precinct	Priority/Staging
OSR2.3	District Infrastructure (Out-of-Precinct) Sports Parks	\$12,434,364	\$2,368,000	\$2,654,536	First stage to be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
OSR2.1	Leisure Centre	\$30,196,891	\$3,833,797	\$4,297,689	First stage to be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
OSR2.2	Recreation and Youth Centre	\$9,072,933	\$1,309,412	\$1,467,855	To be completed before 10,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
C2.1	Branch Library / Community Resource Centre	\$5,909,957	\$1,211,206	\$1,357,766	To be completed before 8,000 lots are developed in both Oran Park and Turner Road Precincts, or within 7 years.
	<b>Total Out-of-Precinct District Infrastructure Costs</b>	<b>\$57,614,204</b>	<b>\$8,722,416</b>	<b>\$9,777,856</b>	

Oran Park WS Ref = the reference in the Oran Park Precinct works schedule contained within the Oran Park and Turner Road Precincts Section 94 Contributions Plan

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## 5.4 Water cycle management facilities

### Land

Item	Facility	Area (ha)	Cost	Priority and Staging
LAC	Future Land Acquisition Drainage Basins & Channels	14.2975	\$10,557,445	As land affected by acquisition is developed or as required to service development.
	<b>Subtotal</b>	<b>14.2975</b>	<b>\$10,557,445</b>	
	<b>Land Acquisition Contingency</b>		<b>\$0</b>	
	<b>Total Drainage Infrastructure Land Acquisition Cost</b>	<b>14.2975</b>	<b>\$10,557,445</b>	

### Works

Item	Facility	Total Estimated Cost	Demolition Allowance	Total Cost	Priority/Staging
	<b>Stormwater Detention Basins / Swales</b>				
	Basin B1	\$1,615,507	\$0	\$1,615,507	As and when surrounding development proceeds
	Basin B2	\$727,100	\$0	\$727,100	As and when surrounding development proceeds
	Basin B3	\$4,455,655	\$0	\$4,455,655	As and when surrounding development proceeds
	Basin B4	\$1,206,167	\$0	\$1,206,167	As and when surrounding development proceeds
	Basin B5 and B6	\$2,144,005	\$0	\$2,144,005	As and when surrounding development proceeds
	Basin B7	\$1,348,668	\$0	\$1,348,668	As and when surrounding development proceeds
	Basin B8	\$557,232	\$0	\$557,232	As and when surrounding development proceeds
	Basin B9	\$1,462,035	\$0	\$1,462,035	As and when surrounding development proceeds
	Basin B10	\$887,642	\$0	\$887,642	As and when surrounding development proceeds
	Channel B11	\$186,425	\$0	\$186,425	As and when surrounding development proceeds
	Basin B12	\$828,886	\$0	\$828,886	As and when surrounding development proceeds
	Basin B13	\$1,012,297	\$20,200	\$1,032,497	As and when surrounding development proceeds
	Channel B14	\$115,284	\$20,200	\$135,484	As and when surrounding development proceeds
	<b>Subtotal</b>	<b>\$16,546,902</b>	<b>\$40,400</b>	<b>\$16,587,302</b>	
	<b>Total Construction Costs</b>	<b>\$16,546,902</b>	<b>\$40,400</b>	<b>\$16,587,302</b>	
	<b>Construction Contingency</b>	<b>\$0</b>			Included in Brown's costings
	<b>Fill Contingency</b>	<b>\$0</b>			Included in Brown's costings
	<b>Total</b>	<b>\$16,587,302</b>			

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### 5.5 Transport management facilities

#### Land

Item	Facility	Area (ha)	Cost	Priority and Staging
<b>Future Land Acquisition</b>				
LACR	Collector Roads	0.4045	\$393,900	As land affected by acquisition is developed or as required to service development.
LALR	Local Roads	0.1584	\$134,640	As land affected by acquisition is developed or as required to service development.
LACC	Creek Crossings	0.5271	\$210,840	As land affected by acquisition is developed or as required to service development.
<b>Subtotal</b>		<b>1.0900</b>	<b>\$739,380</b>	
<b>Land Acquisition Contingency</b>			<b>\$0</b>	
<b>Total Road Infrastructure Land Acquisition Cost</b>		<b>1.0900</b>	<b>\$739,380</b>	

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Works

Item	Facility	Number	Cost	Project On Costs (ex Construction Contingency)	Demolition Allowance	Total Cost	Priority/Staging
<b>Local Roads</b>							
LR1	Eastern Edge of Oran Park House (99m)		\$236,250	\$60,953	\$0	\$297,203	As and when surrounding development proceeds
	<b>Subtotal</b>		<b>\$236,250</b>	<b>\$60,953</b>	<b>\$0</b>	<b>\$297,203</b>	
<b>Collector Roads</b>							
CR1	Southern Edge of Oran Park House (102m)		\$286,690	\$74,462	\$0	\$361,152	As and when surrounding development proceeds
CR2	Peter Brock Drive Extension West (101m)		\$285,895	\$73,761	\$0	\$359,656	As and when surrounding development proceeds
	<b>Subtotal</b>		<b>\$285,895</b>	<b>\$73,761</b>	<b>\$0</b>	<b>\$359,656</b>	
<b>Creek Crossings</b>							
BC1	Peter Brock Drive extension South Creek		\$3,326,000	\$868,624	\$0	\$4,194,624	As and when surrounding development proceeds
CC1	Kolombo Creek crossing South		\$286,955	\$74,034	\$0	\$360,989	As and when surrounding development proceeds
CC2	Kolombo Creek crossing North		\$62,265	\$67,664	\$0	\$328,929	As and when surrounding development proceeds
CC3	Peter Brock Drive extension northern tributary		\$331,300	\$85,475	\$0	\$416,775	As and when surrounding development proceeds
CC4	Southern tributary local road		\$262,800	\$67,802	\$0	\$330,602	As and when surrounding development proceeds
PB1	Northern		\$60,325	\$15,564	\$0	\$75,889	As and when surrounding development proceeds
PB2	Central		\$81,536	\$21,037	\$0	\$102,574	As and when surrounding development proceeds
PB3	Eastern		\$52,638	\$13,560	\$0	\$66,198	As and when surrounding development proceeds
	<b>Subtotal</b>		<b>\$4,665,820</b>	<b>\$1,203,762</b>	<b>\$0</b>	<b>\$5,869,582</b>	
<b>Shared Paths</b>							
NA	Shared Paths along Water Management		\$271,767.50	\$70,121	\$0	\$341,909	As and when surrounding development proceeds
NA	Shared Paths along Roads		\$534,437.50	\$137,885	\$0	\$672,322	As and when surrounding development proceeds
NA	Heritage Driveway		\$118,767.50	\$30,647	\$0	\$149,435	As and when surrounding development proceeds
	<b>Subtotal</b>		<b>\$925,013</b>	<b>\$238,653</b>	<b>\$0</b>	<b>\$1,163,666</b>	
<b>Public Transport Facilities</b>							
NA	Allowance for 16 bus shelters location TBD	16	\$320,000	\$82,560	\$0	\$402,560	As and when surrounding development proceeds
	<b>Subtotal</b>		<b>\$320,000</b>	<b>\$82,560</b>	<b>\$0</b>	<b>\$402,560</b>	
	<b>Total Construction Costs</b>		<b>\$5,432,978</b>	<b>\$1,659,708</b>	<b>\$0</b>	<b>\$8,092,686</b>	
	<b>Construction Contingency</b>		<b>\$450,300</b>				
	<b>Total Road Infrastructure Costs</b>		<b>\$8,542,984</b>				

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5.6 Plan management and administration

Item	Camden Yearly Cost	% of Yearly Cost	Adjusted Yearly Cost	Apportioned 15 Year Cost to expected development	Priority / Staging
Provision of S94 Contribution Officer over 15 years	\$115,247	50%	\$57,624	\$864,353	Progressively over the life of the Plan
Provision of S94 Accountant over 15 years	\$66,542	50%	\$33,271	\$499,065	Progressively over the life of the Plan
Provision of Legal Services in relation to implementation of the plan over 15 years	\$20,000	50%	\$10,000	\$150,000	Progressively over the life of the Plan
Provision of Valuation advice at least annually to maintain Land Value Index	\$15,000	50%	\$7,500	\$112,500	Progressively over the life of the Plan
<b>Total</b>	<b>\$215,789</b>		<b>\$108,395</b>	<b>\$1,625,918</b>	

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## 6. Background information

AECOM (2012), *Catherine Field (part) Precinct Transport and Access Strategy*, May

Brown Consulting (NSW) Pty Ltd (2012), *Water Cycle Management & Flooding - Catherine Field (Part) Precinct*, May

Camden Council (2008), *Oran Park and Turner Road Precincts Section 94 Contributions Plan*

*Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011*

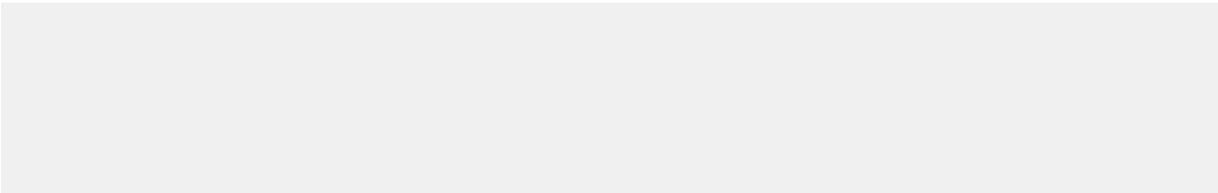
MacroPlan Australia (2012), *Social Infrastructure & Demographic Assessment – Catherine Fields (Part) Precinct*, May

NSW Department of Planning (2010), *Local Development Contributions Practice Note for the assessment of contributions plans by IPART*, November

NSW Department of Urban Affairs and Planning (2005), *Development Contributions Practice Notes*

*State Environmental Planning Policy (Sydney Region Growth Centres) 2006*

Tim Elliott Real Estate Valuer (2012), *Valuation for Section 94 Purposes, Catherine Fields (Part) Precinct prepared by*, 1 September 2012



**APPENDIX A**



## LAND ACQUISITION SUMMARY (SQ.M.)

### Open Space & Recreation

ID	Note	Category 1	Category 2	Category 3	Category 4	Total
LS1		2,308			43,270	45,578
LS2		7,924			34,494	42,418
LP1					10,745	10,745
LP2				6,447		6,447
LP3				11,461		11,461
LP4					6,833	6,833
LP5					9,453	9,453
LP6		5,096			6,080	11,176
<b>Total</b>		<b>15,328</b>	<b>0</b>	<b>17,908</b>	<b>110,875</b>	<b>144,111</b>

### Drainage

ID	Note	Category 1	Category 2	Category 3	Category 4	Total
B1		8,439			4,138	12,577
B2		486			3,384	3,870
B3		4,827			29,511	34,338
B4		8,747				8,747
B5					13,410	13,410
B6					7,030	7,030
B7		7,287	3,029			10,316
B8				3,030		3,030
B9		8,420			58	8,478
B10		624			1,427	2,051
B11		16,775				16,775
B12		4,497			4,229	8,725
B13		6,747			2,905	9,652
B14		3,976				3,976
<b>Total</b>		<b>66,849</b>	<b>3,029</b>	<b>3,030</b>	<b>66,091</b>	<b>142,975</b>

### Roads and Bridges

ID	Note	Category 1	Category 2	Category 3	Category 4	Total	Linear Metres
CR1	Oran Park House - Local Park			2,042		2,042	
CR2	Peter Brock Dr Extension				2,003	2,003	
CR3	Deleted					0	
CR4	Deleted					0	
CR5	Deleted					0	
CR6	Deleted					0	
LR1	Oran Park House - Local Park			1,584		1,584	
BC1	Richard Rd Extension - South Creek	911				911	
BC2	Deleted					0	
CC1	Kolombo Creek crossing south	2,103				2,103	
CC2	Kolombo Creek crossing north					0	
CC3	Peter Brock Drive extension northern tributary	1,467				1,467	
CC4	Southern tributary local road	790				790	
<b>Total</b>		<b>5,271</b>	<b>0</b>	<b>3,626</b>	<b>2,003</b>	<b>10,900</b>	

### Pedestrian Bridges

ID	Note	Area (m <sup>2</sup> )
PB1	North	974
PB2	Central	618
PB3	East	515
<b>TOTAL</b>		<b>2,107</b>

## OPEN SPACE INFRASTRUCTURE LAND ACQUISITION

Passive Open Space	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
LP1	1.0745	0.0000	0.0000	0.0000	1.0745	\$1,181,950
LP2	0.6447	0.0000	0.0000	0.6447	0.0000	\$547,995
LP3	1.1461	0.0000	0.0000	1.1461	0.0000	\$974,203
LP4	0.6833	0.0000	0.0000	0.0000	0.6833	\$751,630
LP5	0.9453	0.0000	0.0000	0.0000	0.9453	\$1,039,830
LP6	1.1176	0.5096	0.0000	0.0000	0.6080	\$872,640

Active Open Space	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
LS1	4.5578	0.2308	0.0000	0.0000	4.3270	\$4,852,020
LS2	4.2418	0.7924	0.0000	0.0000	3.4494	\$4,111,300

PASSIVE OPEN SPACE LAND FOR ACQUISITION		Area	Cost
Total Category 1 Land for Acquisition		0.5096	
Total Category 2 Land for Acquisition		0.0000	
Total Category 3 Land for Acquisition		1.7908	
Total Category 4 Land for Acquisition		3.3111	
<b>PASSIVE OPEN SPACE TOTAL AREA</b>		<b>5.6115</b>	<b>\$5,368,248</b>

ACTIVE OPEN SPACE LAND FOR ACQUISITION		Area	Cost
Total Category 1 Land for Acquisition		1.0232	
Total Category 2 Land for Acquisition		0.0000	
Total Category 3 Land for Acquisition		0.0000	
Total Category 4 Land for Acquisition		7.7764	
<b>ACTIVE OPEN SPACE TOTAL AREA</b>		<b>8.7996</b>	<b>\$8,963,320</b>

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## DRAINAGE INFRASTRUCTURE LAND ACQUISITION

Drainage Basins & Char	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
B1	1.2577	0.8439	0.0000	0.0000	0.4138	\$792,740
B2	0.3870	0.0486	0.0000	0.0000	0.3384	\$391,680
B3	3.4338	0.4827	0.0000	0.0000	2.9511	\$3,439,290
B4	0.8747	0.8747	0.0000	0.0000	0.0000	\$349,880
B5	1.3410	0.0000	0.0000	0.0000	1.3410	\$1,475,100
B6	0.7030	0.0000	0.0000	0.0000	0.7030	\$773,300
B7	1.0316	0.7287	0.3029	0.0000	0.0000	\$488,365
B8	0.3030	0.0000	0.0000	0.3030	0.0000	\$257,550
B9	0.8478	0.8420	0.0000	0.0000	0.0058	\$343,180
B10	0.2051	0.0624	0.0000	0.0000	0.1427	\$181,930
B11	1.6775	1.6775	0.0000	0.0000	0.0000	\$671,000
B12	0.8725	0.4497	0.0000	0.0000	0.4228	\$644,960
B13	0.9652	0.6747	0.0000	0.0000	0.2905	\$589,430
B14	0.3976	0.3976	0.0000	0.0000	0.0000	\$159,040

DRAINAGE LAND ACQUISITION	Area	Cost
Total Category 1 Land for Acquisition	7.0825	
Total Category 2 Land for Acquisition	0.3029	
Total Category 3 Land for Acquisition	0.3030	
Total Category 4 Land for Acquisition	6.6091	
<b>DRAINAGE CHANNELS TOTAL AREA</b>	<b>14.2975</b>	<b>\$10,557,445</b>

## ROAD INFRASTRUCTURE LAND ACQUISITION - CAMDEN COUNCIL

Collector Roads	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
CR1	0.2042	0.0000	0.0000	0.2042	0.0000	\$173,570
CR2	0.2003	0.0000	0.0000	0.0000	0.2003	\$220,330
CR3	0.0000	0.0000	0.0000	0.0000	0.0000	\$0
CR4	0.0000	0.0000	0.0000	0.0000	0.0000	\$0
CR5	0.0000	0.0000	0.0000	0.0000	0.0000	\$0
CR6	0.0000	0.0000	0.0000	0.0000	0.0000	\$0

Local Roads	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
LR1	0.1584	0.0000	0.0000	0.1584	0.0000	\$134,640

Creek Crossings	Area	Category 1	Category 2	Category 3	Category 4	Acquisition Cost
		\$400,000	\$650,000	\$850,000	\$1,100,000	
BC1	0.0911	0.0911	0.0000	0.0000	0.0000	\$36,440
BC2	0.0000	0.0000	0.0000	0.0000	0.0000	\$0
CC1	0.2103	0.2103	0.0000	0.0000	0.0000	\$84,120
CC2	0.0000	0.0000	0.0000	0.0000	0.0000	\$0
CC3	0.1467	0.1467	0.0000	0.0000	0.0000	\$58,680
CC4	0.0790	0.0790	0.0000	0.0000	0.0000	\$31,600

COLLECTOR ROAD LAND ACQUISITION	Area	Cost
Category 1	0.0000	
Category 2	0.0000	
Category 3	0.2042	
Category 4	0.2003	
<b>COLLECTOR ROAD TOTAL</b>	<b>0.4045</b>	<b>\$393,900</b>

LOCAL ROAD LAND ACQUISITION	Area	Cost
Category 1	0.0000	
Category 2	0.0000	
Category 3	0.1584	
Category 4	0.0000	
<b>LOCAL ROAD TOTAL</b>	<b>0.1584</b>	<b>\$134,640</b>

CREEK CROSSING LAND ACQUISITION	Area	Cost
Category 1	0.5271	
Category 2	0.0000	
Category 3	0.0000	
Category 4	0.0000	
<b>SUB ARTERIAL ROAD TOTAL</b>	<b>0.5271</b>	<b>\$210,840</b>

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Attachment 1

## OPEN SPACE ESSENTIAL INFRASTRUCTURE CONSTRUCTION

## LP1

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	10,745	\$640,831.80
Local Park Furniture	1	\$20,000.00
Local Park Playground	1	\$100,000.00
<b>TOTAL</b>		<b>\$760,831.80</b>

## LP2

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	6,447	\$384,499.08
Local Park Furniture	1	\$20,000.00
Local Park Playground	1	\$100,000.00
<b>TOTAL</b>		<b>\$504,499.08</b>

## LP3

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	11,461	\$683,546.83
Local Park Furniture	1	\$20,000.00
Local Park Playground	0	\$0.00
<b>TOTAL</b>		<b>\$703,546.83</b>

## LP4

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	6,835	\$407,520.12
Local Park Furniture	1	\$20,000.00
Local Park Playground	0	\$0.00
<b>TOTAL</b>		<b>\$427,520.12</b>

## LP5

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	9,453	\$563,776.92
Local Park Furniture	1	\$20,000.00
Local Park Playground	0	\$0.00
<b>TOTAL</b>		<b>\$583,776.92</b>

## LP6

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	11,176	\$666,536.64
Local Park Furniture	1	\$20,000.00
Local Park Playground	1	\$100,000.00
<b>TOTAL</b>		<b>\$786,536.64</b>

## LP7

Item	Quantity / Area (m2)	Cost
Local Park Embellishment	0	\$0.00
Local Park Furniture	0	\$0.00
Local Park Playground	0	\$0.00
<b>TOTAL</b>		<b>\$0.00</b>

## LS1

Item	Quantity / Area (m2)	Cost
Local Sport Embellishment	9,278	\$573,944
Local Sports Furniture	1	\$40,000
Local Sports Picnic Facilities	1	\$42,000
Local Sports Exercise Equipment	1	\$30,000
Local Multipurpose Playing Field INC Irrigation	32,500	\$970,920
Cricket Practice Nets	250	\$20,000
Playground	300	\$100,000
Formal Courts	1,500	\$60,800
Amenities Building	500	\$500,000
Formal Court Lighting	1	\$52,000
Playing Field Lighting	1	\$116,000
Local Sports Parking	1,250	\$105,000
<b>LS1 Total Cost</b>		<b>\$2,610,564</b>

## LS2

Item	Quantity / Area (m2)	Cost
Local Sport Embellishment	6,118	\$378,398
Local Sports Furniture	1	\$40,000
Local Sports Picnic Facilities	1	\$42,000
Local Sports Exercise Equipment	1	\$30,000
Local Multipurpose Playing Field INC Irrigation	32,500	\$970,920
Cricket Practice Nets	250	\$20,000
Playground	300	\$100,000
Formal Courts	1,500	\$60,800
Amenities Building	500	\$500,000
Formal Court Lighting	1	\$52,000
Playing Field Lighting	1	\$116,000
Local Sports Parking	1,250	\$105,000
<b>LS1 Total Cost</b>		<b>\$2,415,118</b>

Construction Costs			
Item	Measure	Rate	Notes
<b>Local Parks</b>			
Local Park Embellishment	Sqm	\$59.64	See Elton advice for inclusions and rate breakdown sheet
Local Park Furniture	Item	\$20,000.00	Elton costs
Local Park Playground	Item	\$100,000.00	Elton costs
Local Park Plaza Paving	Sqm	\$200.00	CC advice
Walkways/Cycleways	Sqm	\$47.95	Elton costs
<b>District Parks</b> See Elton advice for inclusions			
District Park Construction	Sqm	\$54.20	See Elton advice for inclusions and rate breakdown sheet
District Park Furniture	Item	\$40,000.00	Elton costs
District Park Picnic Facilities	Item	\$84,000.00	Elton costs
District Park Outdoor Courts	Item	\$20,000.00	Elton costs
District Park Parking	Item	\$105,000.00	50 spaces @1,250
District Park Playground	Item	\$300,000.00	Elton costs
<b>Local Sporting Fields</b>			
Local Sporting Field Construction <5ha	Sqm	\$61.85	See Elton advice for inclusions and rate breakdown sheet
Local Sports Furniture	Item	\$40,000.00	Elton costs
Local Sports Picnic Facilities	Item	\$42,000.00	Elton costs
Local Sports Exercise Equipment	Item	\$30,000.00	Elton costs
Local Multipurpose Playing Field INC Irrigation	Item	\$970,920.00	Elton costs
Cricket Practice Nets	Item	\$20,000.00	Elton costs
Informal Courts	Item	\$40,000.00	Elton costs
Formal Courts	Item	\$60,800.00	Elton costs
Amenities Building	Item	\$500,000.00	Elton costs
Formal Court Lighting	Item	\$52,000.00	Elton costs
Playing Field Lighting	Item	\$116,000.00	Elton costs
Local Sports Parking	Item	\$105,000.00	50 spaces @1,250
<b>District Sporting Fields</b>			
District Sporting Field Construction	Sqm	\$17.44	See Elton advice for inclusions and rate breakdown sheet
District Sports Furniture	Item	\$60,000.00	Elton costs
District Sports Picnic Facilities	Item	\$63,000.00	Elton costs
District Sports Fitness Equipment	Item	\$30,000.00	Elton costs
District Multipurpose Playing Field INC Irrigation	Item	\$1,941,840.00	Elton costs
Cricket Practice Nets	Item	\$20,000.00	Elton costs
Informal Courts	Item	\$60,000.00	Elton costs
Formal Courts	Item	\$121,600.00	Elton costs
District Amenities Building	Item	\$750,000.00	Elton costs
Formal Court Lighting	Item	\$104,000.00	Elton costs
Playing Field Lighting	Item	\$292,000.00	Elton costs
District Sports Parking	Item	\$105,000.00	50 spaces @1,250
<b>Channel Open Space</b>			
Riparian Open Space	m2	\$58.00	As per CC advice As per CC advice on current tender for 'Spring Farm and Elderslie Streetscape and Concrete Paving Tender - October 2011'. Includes excavation of base, mesh reinforcement and 2.5m width.
Shared pedestrian/cycleway	m2	\$75.00	
<b>Demolition</b>			
			Rate based on Rawlinsons 2011 sqm rate for Demolition of Whole Structures - Houses Single/Two Storey, brick and tile and normal demolition periods, no site access problems and removal of all debris, grubbing up foundations, sealing off services. Excludes extra work carried outside of normal working hours and no allowance for credit value for demolished material. Average dwelling size of 260m2 and average outbuilding size of 110m2.
Dwelling and outbuilding demolition	Item	\$20,200	
<b>Additional Costs</b>			
Plan of Management	Item	\$25,000.00	N/A Lump Sum of \$100,000 to be allowed for
Professional Fees	%	25%	Based on CC advice
Contingency	%	7%	Based on CC advice

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**COMMUNITY FACILITY INFRASTRUCTURE****Construction Costs**

Item	Measure	Rate	Notes
Local Facility Base Building Cost	Sqm	\$2,784	Elton cost with additional 16% for escalation as per Rawlinsons BPI to June 2011
Carparking	Sqm	\$84	Elton cost, assumed 25sqm per space.
Turfing	Sqm	\$25	Elton cost.
Planting	Sqm	\$65	Elton Cost
Furniture	Item	\$40,000	Elton cost for District Parks
<b>Additional Costs</b>			
Demolition Allowance	Item	\$20,200	
Project On Costs	%	25%	Based on CC advice.
Contingency	%	7%	Based on CC advice

**Local Community Facility Costs**

1000 sqm site area

Item	% of Site Area	Area (m2)	Cost
Base Building	40%	400	\$1,113,600
Carparking	30%	300	\$25,200
Turfing	15%	150	\$3,713
Planting	15%	150	\$9,750
Furniture	Item	Item	\$40,000
<b>Total Cost</b>	<b>100%</b>	<b>1000</b>	<b>\$1,192,263</b>

Attachment 1

OUT-OF-PRECICT DISTRICT INFRASTRUCTURE CONSTRUCTION COSTS

Source: Oran Park and Turner Road Precincts Section 94 Contributions Plan (OPTR CP)

Item	Facility	Area / No. off	\$/ m2	Subtotal	Preliminary, Mgmt, L&E & Professional fees	ESD Plans of Management & Env. Approvals	Project Management	Construction Contingency	Estimated Total Cost	Apporportioned Estimated Total Cost	Contributions Catchment (persons)	Starting
<b>WORKS</b>												
ORP1	Local Active Recreation, Oran Park and Turner Road Precincts Leisure Centre (refer Table 4.1 and Appendix of plan for specifications)	m		\$2,125,448	\$3,096,478	\$1,091,322	\$654,793	\$1,327,851	\$30,196,891	\$8,634,861	75,000	First stage to be completed before 8,000 jobs are developed in both Oran Park and Turner Road Precincts, or within 7 years.
ORP2	Recreation and Youth Centre (refer Table 4.1 and Appendix of plan for specifications)	0000	\$1,816	\$5,598,000	\$1,236,116	\$275,949	\$1,065,349	\$265,560	\$1,603,516	\$4,857,723	33,643	To be completed before 8,000 jobs are developed in both Oran Park and Turner Road Precincts, or within 7 years.
ORP2.2a	Multi Purpose Recreation area	0000	\$200	\$1,000,000	\$265,119	\$52,000	\$1,500	\$72,500	\$1,028,019	\$306,037	33,643	
ORP2.2b	BMX, Skate park	2000	\$300	\$600,000	\$145,100	\$12,000	\$18,000	\$42,000	\$812,100	\$517,889	33,643	
ORP2.2c	Carpark, landscaped area etc.	7500	\$80	\$600,000	\$145,100	\$12,000	\$18,000	\$42,000	\$812,100	\$517,889	33,643	
ORP2.2	Sports parks (2 No.) (refer Table 4.1 and Appendix of plan for specifications)	nil		\$9,186,822	\$2,145,123	\$183,726	\$279,605	\$643,878	\$12,634,364	\$5,333,447	50,000	First stage to be completed before 8,000 jobs are developed in both Oran Park and Turner Road Precincts, or within 7 years.
ORP1	Branch library / community resource (refer Table 4.3)	1077	\$2,040	\$3,238,125	\$164,312	\$111,257	\$74,443	\$229,700	\$4,307,021	\$6,272,095	33,643	To be completed before 8,000 jobs are developed in both Oran Park and Turner Road Precincts, or within 7 years.
ORP1a	Branch library building component	1277	\$835	\$1,067,405	\$236,830	\$84,857	\$33,643	\$11,900	\$1,402,624	\$994,202	33,643	
ORP1b	Branch library area (same FTE location, temporary opening and security)	741	\$1,528	\$1,124,779	\$342,026	\$56,591	\$43,843	\$102,535	\$2,011,674	\$1,282,508	33,643	
ORP1c	Community centre building component	404	\$1,828	\$739,911	\$166,276	\$31,844	\$23,058	\$55,903	\$1,016,992	\$699,258	33,643	
ORP1d	Cultural facility building component	404	\$370	\$150,278	\$35,556	\$6,981	\$4,568	\$10,659	\$209,151	\$133,207	33,643	
ORP1e	Carpark, landscaped area etc.	1822	\$80	\$225,782	\$52,722	\$2,258	\$6,774	\$15,895	\$303,852	\$193,277	33,643	

Nil for increasing floor area required to catering specific requirements for Chain Fracts (Part) Precinct - see below

**CP1 Release**

153.5 - All Item CPTR CP with walk (ref: 2008)

172.2 - All Item Cultural Fields Part Precinct CP area required

Calculation of specific building requirements for Catherine Fields (Part) Precinct

Item	Total cost in CPTR CP (unindexed)	Floor area	Average \$ rate per m2 (unindexed)	Additional floor area proposed for CPTR development	Total cost to be met by CPTR development
ORP2.2	\$9,072,993	3000	\$3,024.33	600	\$1,209,412
ORP1	\$8,903,957	1077	\$3,247.59	370	\$1,211,206

ORD12

Attachment 1

**DRAINAGE INFRASTRUCTURE CONSTRUCTION**

Item	Rate	
<b>Demolition</b> Dwelling and outbuilding demolition	\$20,200	Rate based on Rawlinsons 2011 eqm rate for Demolition of Whole Structures - Houses (Single Two Storey, brick and tile and normal demolition periods, no site access problems and removal) of all debris, grubbing up foundations, sealing off services. Excludes extra work carried outside of normal working hours and no allowance for credit value for demolished material. Average dwelling size of 260m <sup>2</sup> and average outbuilding size of 110m <sup>2</sup> .
<b>Additional Costs</b> Professional Fees Contingency PFI Contingency		Included in Browns costing Included in Browns costing Included in Browns costing

**Browns Estimate 2012 - 06 -21**

ITEM		AMOUNT excl GST
Basin B1	Detention and Bioretention Basin	\$1,615,507.00
Basin B2	Detention and Bioretention Basin	\$727,099.65
Basin B3	Detention and Bioretention Basin	\$4,455,655.15
Basin B4	Detention and Bioretention Basin	\$1,206,166.85
Basin B5 and B6	Detention and Bioretention Basin	\$2,144,004.50
Basin B7	Detention and Bioretention Basin	\$1,349,667.58
Basin B8	Detention and Bioretention Basin	\$557,232.20
Basin B9	Detention and Bioretention Basin	\$1,462,034.85
Basin B10	Detention and Bioretention Basin	\$887,642.15
Channel B11	Link to Harrington Grove	\$186,424.58
Basin B12	Detention and Bioretention Basin	\$628,888.35
Basin B13	Detention and Bioretention Basin	\$1,012,297.09
Channel B14	Swap	\$115,283.75
<b>Stormwater and Drainage Section 94 Estimate</b>		<b>\$15,043,908.03</b>

**The following crossings are included in roads costs**

ITEM		AMOUNT excl GST
CC1	Culvert	\$150,000.00
CC2	Culvert	\$185,000.00
CC3	Culvert	\$185,000.00
CC4	Culvert	\$150,000.00
CC5	Culvert	\$75,000.00
BC1	Bridge	\$1,650,000.00
BC2	Bridge	\$4,400,000.00

**ROAD INFRASTRUCTURE CONSTRUCTION**

**Construction Rates**

<b>Public Transport Facilities</b>			
Bus Shelters	Item	\$50,000	Rate based on Cran Park CP and a quote.
<b>Demolition</b>			
Dwelling and outbuilding demolition	Item	\$20,202	Rate based on Rawlscote 2011 sign rate for Demolition of Whole Structures - Houses Single/Two Storey, brick and tile and normal demolition periods, no site access problems and removal of all debris, grubbing up foundations, sealing off services. Excludes extra work carried outside of normal working hours and no allowance for credit value for demolished material. Average dwelling size of 260m <sup>2</sup> and
<b>Shared Path</b>			
Shared Path Construction	\$/m <sup>2</sup>	\$85	Rate based on WT Partnerships report-30 March 2012 for Leppington North
<b>Pedestrian Bridge</b>			
Pedestrian Bridge Construction	\$/m <sup>2</sup>	\$700	Based on AECOM Landscape advice -includes balustrade and steel beam construction.
<b>Collector Road</b>			
Collector Road Construction	\$/linear m	\$2,795.00	Based on CG Advice
<b>Local Road</b>			
Local Road Construction	\$/linear m	\$2,350.00	Based on CG Advice
<b>Bridge Crossing</b>			
Bridge Crossing Construction	\$/m <sup>2</sup>	\$4,000.00	Based on CG Advice
<b>Project On Costs</b>			
Project on costs	%	26%	Based on CG advice, includes permits (9%), margin (4%), LSL (0.3%), approvals (1%), professional fees (10%) and project management costs (8.5%)
Construction Contingency	%	7%	Based on CG advice.

ITEM	DESCRIPTION	Culvert / Bridge Component (Brown)	Roads Component	Total Construction Cost (Excl GST)
CC1	Culvert	\$150,000	\$126,955	\$276,955
CC2	Culvert	\$75,000	\$167,265	\$242,265
CC3	Culvert	\$195,000	\$138,300	\$333,300
CC4	Culvert	\$150,000	\$112,800	\$262,800
BC1	Bridge		\$3,326,000	\$3,326,000

**CATHERINE FIELDS (PART) PRECINCT  
MASTER PLAN ROAD COST ESTIMATE  
Date: 24 September 2012**

Item	Description	Linear Metre	\$
<b>BRIDGE CROSSING</b>			
BC1	Peter Brock Drive extension South Creek (30m)	02	\$3,326,000.00
<b>ROADS</b>			
LR1	Eastern Edge of Cran Park House (99m)	99.00	232,650.00
CR1	Southern Edge of Cran Park House (102m)	102.00	285,090.00
CR2	Peter Brock Drive Extension West (101m)	101.00	292,295.00
<b>PEDESTRIAN BRIDGES / WALKWAY</b>			
PB1	Pedestrian Bridge North (78m walkway on grade + 25m)	78.00	60,925.00
PB2	Pedestrian Bridge South (219m walkway on grade +)	219.00	\$1,537.50
PB3	Pedestrian Bridge South (83m walkway on grade +)	83.00	52,617.50
<b>CULVERTS / ROAD SURFACING ONLY</b>			
CC1	Kolombo Creek Crossing South (49m)	49.00	136,955.00
CC2	Kolombo Creek Crossing North (67m)	67.00	167,265.00
CC3	Peter Brock Drive Extension Northern Tributary (58m)	58.00	195,000.00
CC4	Engineered Creek Crossing (48m)	48.00	112,800.00

**CATHERINE FIELDS (PART) PRECINCT  
MASTER PLAN ROAD COST ESTIMATE - Street Trees  
Date: 11 July 2012**

Item	Description	\$
<b>ROADS</b>		
LR1	Eastern Edge of Cran Park House (99m)	3,600.00
CR1	Southern Edge of Cran Park House (102m)	3,600.00
CR2	Peter Brock Drive Extension West (101m)	3,600.00
		10,800.00



## ORDINARY COUNCIL

ORD13

ORD13

**SUBJECT: LOCAL GOVERNMENT ACTS TASKFORCE - PRELIMINARY IDEAS SUBMISSION**

**FROM:** Director Governance

**BINDER:** Local Government Acts Taskforce

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to submit the **attached** Local Government Acts Taskforce – Preliminary Ideas Submission Form to the Local Government Taskforce for consideration.

### BACKGROUND

A four member Taskforce, consisting of Mr John Turner (Taskforce Chair), Mrs Gabrielle Kibble AO, Dr Ian Tiley and Mr Stephen Blackadder have been appointed by the Government to develop new, modern legislation for the Local Government Act.

The Taskforce conducted an initial round of workshops in which Councillors and council officials were invited to attend in early November to gain ideas about the following:

- what principles should underpin a new Local Government Act;
- what in the current Local Government Act works well and what needs to be changed or removed from the Act; and
- how new legislation could enable councils to better deliver services and infrastructure efficiently.

In addition to the workshops, the Taskforce is also seeking written submissions from all interested parties.

### MAIN REPORT

Following the round of workshops, council staff have developed a response on behalf of Camden Council. A copy of the draft submission is **attached at the end of this report**.

In summary, the draft submission has been based on the following principles:

- The Local Government Act should be an enabling and flexible piece of legislation, providing councils with greater autonomy and accountability to the community, rather than State Government.
- Local Government should utilise and share resources with surrounding councils and State Government in order to take advantage of integrated strategic planning and resource sharing to benefit the community.
- A one size fits all approach does not work. The new Act should allow for flexibility in terms of dealing with different local government areas, their needs, resources, changes in technology, methods of communication and service delivery.
- The Act should be simplified and restructured to create a clear delineation between the Act, the Regulations and the Guidelines.

- The Act should take into account advances in technology in the present and future and how this will impact on methods of communication, consultation and service delivery.

### **CONCLUSION**

The closing date for submissions to be made in writing is 21 December 2012. The purpose of this report is to seek Council's approval to submit the draft submission to the Local Government Taskforce prior to this date.

### **RECOMMENDED**

**That Council approve the attached Local Government Acts Taskforce – Preliminary Ideas Submission Form and submit it to the Local Government Taskforce for consideration prior to 21 December 2012.**

### ATTACHMENTS

1. Local Government Acts Taskforce - Preliminary Ideas Submission Form

<b>Name:</b> Camden Council	<b>Title:</b> Governance Team	<b>Contact Details:</b> Senior Governance Officer, Telephone: 02 4645 5125; PO Box 183 Camden NSW 2570
Question	Response	
<p>i) What top 5 Principles should underpin the content of the new Local Government Act and the City of Sydney Act? Identify good examples of Principles.</p>	<ol style="list-style-type: none"> <li>1. The Local Government Act should be an enabling and flexible piece of legislation, to provide Councils with greater autonomy and accountability to the community. There should be greater emphasis on community involvement, consultation and feedback and less direct accountability to State Government. Ultimately, the new Act should <i>enable</i> Local Government, allowing it in a greater sense to stand as a separate identity to the State Government.</li> <li>2. The new Act should allow for Local Government to strengthen its ties with surrounding councils and State Government to take advantage of integrated strategic planning and resource sharing to achieve greater effectiveness for the community.</li> <li>3. The Act should allow for flexibility in terms of dealing with different local government areas and their specific size, needs and resources, changes in technology, methods of communication and logistics. For example, the need for Councillors to be present in a chamber to vote.</li> <li>4. The Act itself should be simplified and have a logical sequence. The provisions in the Act need to be ordered in a document hierarchy, so that the mandatory sections form part of the Act itself, the mandatory prescriptive detail forms part of the Regulations, and further detail that Council may choose to adopt forms part of the Guidelines. It is also essential that the Act is reworded so that it is clear, unambiguous and written in plain English.</li> <li>5. The Act should allow for Local Government to be technologically connected – taking into account advances in technology in the present and future when dealing with advertising, consultation with the community, methods of communication and delivering its services to the community.</li> </ol>	

ORD13

Attachment 1

	What is working well in the Act (strengths)?	Why?
ii) What is currently working well in the Local Government Act and why, and should it be retained in the new Act?	<ol style="list-style-type: none"> <li>1. The Charter in the current Act is well drafted and sets out useful guiding principles.</li> <li>2. The integrated planning and reporting reforms have gone a long way to achieve greater community involvement and consultation.</li> <li>3. The provisions relating to when an item can be considered by Council in a public excluded forum.</li> </ol>	<p>The Charter is succinct but requires greater emphasis throughout the Act. Currently, the Charter stands on its own and the provisions need to be referenced throughout the legislation.</p> <p>In amending the Act, it would be beneficial to build upon these provisions and make them less prescriptive. It is also acknowledged that the Act needs to provide greater strength to the outcomes of the integrated planning and reporting at State implementation level.</p> <p>This section is well drafted and the importance of open and transparent decision making justifies the prescriptiveness of this provision.</p>
iii) Are there areas in the Local Government Act that should be removed to another Act or into Regulations, Codes or Guidelines? What are they and how should they be dealt with?	<ol style="list-style-type: none"> <li>1. It is confusing to have various approvals, including s. 68 approvals in the Local Government Act and other related and sometimes overlapping approvals in the Environmental Planning &amp; Assessment Act ("EP&amp;A Act). Specifically, the Local Approvals Policy provisions in the Local Government Act overlap with the EP&amp;A matters. It is suggested that the Local Government Act be simplified to focus on how councils should function and governance matters. All other matters relating to planning, building and approvals should be incorporated into separate legislation to the Local Government Act.</li> </ol>	

	<ol style="list-style-type: none"> <li>2. The majority of public land provisions may be better served in a Guideline format, or alternatively, moved to a dedicated "Public Lands Act" that can incorporate all of the anomalies relating to public land from various Acts.</li> <li>3. The provisions relating to tendering should be moved to a Guideline format.</li> <li>4. Generally, the Act itself should be simplified to deal with the essential matters relating to how councils function and governance matters. Much of the prescriptive detail in the current Act can be moved to the Regulations (still enforceable) and the discretionary information should be sourced in the Guidelines. This will involve a complete restructuring of the current Act but will achieve a much more simplified, streamlined and user friendly outcome.</li> </ol>	
<p>iv) What is not working well in the Local Government Act (barriers or weaknesses)?</p>	<p>What is not working well in the Act (barriers/weaknesses)?</p>	<p>Why not?</p>
	<ol style="list-style-type: none"> <li>1. The requirement to submit approvals to the Minister following Council resolution.</li> <li>2. The requirement to advertise and seek public consultation, even on a very minor change to the Code of Meeting Practice. Another example is the adoption of the Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy, and the requirement to advertise and submit to the Minister annually, even if only minor changes are made.</li> <li>3. Code of Conduct Process.</li> </ol>	<p>This is often an unnecessary duplication and only holds up community progress.</p> <p>There are several governance requirements which are unnecessary and overly complex.</p> <p>The Code of Conduct process needs to be improved to enable quicker action and a more effective process to deal with repeat offenders.</p>

ORD13

Attachment 1

	<p>4. Barriers to resource sharing.</p> <p>5. The public land provisions.</p> <p>6. Advertising requirements for classification of public land.</p> <p>7. Ministerial consent for public land.</p>	<p>The current Act places barriers to resource sharing and strategic thinking with other closely positioned councils. There is also the opportunity to take advantage of greater integration with State Government, both strategically and operationally.</p> <p>The public land provisions require a complete overhaul. The requirements for Ministerial consent are too onerous and result in lengthy timeframes for often simple transactions (eg. where objections are received for a lease longer than 5 years). There is also the need to reconcile the provisions relating to public land with several other Acts including the Crown Lands Act, the Roads Act etc. The Crown Land provisions should also be read in conjunction with the Public Land provisions.</p> <p>The advertising requirement in relation to classification of land that has been dedicated to Council is unnecessary, particularly following a Council resolution.</p> <p>Classification of public land should be able to be dealt with via public consultation and Council resolution, rather than the additional step of Ministerial consent.</p>
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	<p>8. Restrictions relating to community land.</p> <p>9. Use of land dedicated to Council through s. 94 contributions.</p> <p>10. Differentiation between the governing body of elected members and the General Manager/Council Staff.</p> <p>11. Delegations and definition of “designated staff”.</p> <p>12. Community outcomes.</p> <p>13. The system of “rate pegging”.</p>	<p>The limitations placed on community land are very restrictive and often against the desire of the community. For example, a road crossing through community land should not require a reclassification to operational land, if it is in the community’s interest to have the road in place.</p> <p>Greater flexibility should be provided to land dedicated to Council as a result of s. 94 contributions and should be directed by community consultation.</p> <p>Greater clarity should be provided on the role of the governing body of the elected members and the General Manager/Council staff, particularly on strategic and operational issues.</p> <p>Greater guidance should be provided on the meaning of “designated staff” that are required to complete Pecuniary Interest Returns. The current provision is open to a wide interpretation.</p> <p>The measures of community outcomes should be flexible for different councils and should also include social outcomes, as well as environmental and sustainable development objectives.</p> <p>This system requires attention in order to provide councils with autonomy and financial sustainability.</p>
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ORD13

Attachment 1

	14. Interaction with other Acts.	Clarification needs to be provided on what is the overriding legislation, particularly where inconsistencies occur across various Acts (eg. Government Information Public Access Act, Privacy Personal Information Protection Act, Environmental Planning and Assessment Act, and the Roads Act).
v) Should the City of Sydney Act be retained and if so, can it be improved?	Camden Council does not reference this legislation and therefore it is not appropriate to comment.	
Do you have any other suggestions or comments that might aid the Acts Review?	<p>Ultimately the new Act should go back to the initial purposes of the 1993 Act - to be <u>an effective and efficient system</u> of Local Government. The Act should be less about prescriptive rules and have greater emphasis on community consultation and accountability to the community.</p> <p>There is also a strong need for a clear delineation between the structure of the Act, the Regulations and the Guidelines. The Act should include the strategic framework, the Regulations should be the enforceable prescriptive detail, and the Guidelines should provide guidance to Council on a range of matters that is ultimately for the council to decide.</p>	



## ORDINARY COUNCIL

ORD14

ORD14

**SUBJECT: REQUEST FOR SPONSORSHIP - MACARTHUR LIONS ANZAC FUN RUN 2013**  
**FROM:** Director Governance  
**BINDER:** Sponsorship

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### PURPOSE OF REPORT

To seek approval for Council sponsorship of the Macarthur Lions' ANZAC Fun Run 2013.

### BACKGROUND

In 2008, Camden Council, in conjunction with Macarthur Lions Club and Camden RSL Sub-branch, organised the inaugural Fun Run which was held at the Bicentennial Equestrian Park (BEP) on 4 May 2008. In 2009 and 2010, Council again worked with both Macarthur Lions and the RSL to hold the event. In 2011, the Macarthur Lions took up the logistical and administrative organisation of the event however, Council remained a major sponsor.

Last year over 600 participants took part in the Fun Run, raising funds for Lifeline Macarthur and for local projects sponsored by the Camden RSL.

### MAIN REPORT

Macarthur Lions has approached a number of organisations, including Council, seeking sponsorship and support for the 2013 run. This sponsorship is sought to meet the costs of the event and its promotion.

Previous sponsors have included the YMCA promoting Mount Annan Leisure Centre, NSW Sydney South West Area Health Service, Camden-Narellan Advertiser, Marsden's Solicitors, Lifeline Macarthur and others.

In 2012 the Macarthur Lions introduced electronic timing to the event which proved to be a success and suppliers of that equipment have again agreed to install the facility at a reduced price in recognition of the charitable nature of the run.

The Macarthur Lions Club has requested whether Council would be prepared to again sponsor the event for the amount of \$3,000. A copy of the Lions' Club request is in the **business paper supporting documents**.

It should be noted that no money has been allocated in the 2012/13 budget for this sponsorship. Council may wish to utilise monies from its Consolidated Ward Funds, of which \$23,440 is available for use as at Tuesday 11 December 2012. Alternatively, Council may wish to authorise additional funds from the 2012/13 Budget via the December Quarterly Review.

It is also recommended that council continue to promote the event through 'Let's Connect' and its website.

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## CONCLUSION

It is considered that this sponsorship would provide an opportunity for Council to promote its support for community involvement in significant events, while promoting an event which contributes to community well-being for both residents and visitors.

## RECOMMENDED

**That Council:**

- i. determine the financial sponsorship to be provided to the Macarthur Lions Club for the Macarthur Lions ANZAC Fun Run 2013; and**
- ii. promote the event on Council's website and other publications and communications.**

## ATTACHMENTS

1. Macarthur Lions Club Request for Sponsorship - *Supporting Document*



# ORDINARY COUNCIL

**ORD15**

**ORD15**

**SUBJECT: HARRINGTON PARK COMMUNITY CENTRE - REVIEW OF USAGE**  
**FROM: Manager Assets**  
**BINDER: Council Properties/Usage/Hire/Harrington Park Community Centre Hiring**

## PURPOSE OF REPORT

To seek Council's approval to introduce a new fee to enable regular hire on Friday nights and Saturday for the use of Harrington Park Community Centre following a review of usage and demand.

## BACKGROUND

The hiring conditions for Harrington Park Community Centre, Halls 1 & 2, have been reviewed and changed in the last 12 months based on complaints from surrounding residents of anti social behaviour, and gate crashing of parties utilising the venue.

To determine if this behaviour was influenced by the presence of the private functions / parties held at the centre, Council stopped all hire of the centre for parties on Friday and Saturday evenings for a trial period of 3 months commencing in late November 2011 to February 2012.

Feedback from residents and police was very positive after the conclusion of the trial and a decision was made that Harrington Park Community Centre would be made available again for community use under the following conditions for Friday and Saturday evenings:

- all activities must be completed and the hall empty by 10pm – this will include any cleaning time; and
- no alcohol is permitted at the venue.

These conditions were effective from 16 February 2012.

Since this time, the use of the Community Centre on Friday and Saturday evenings has been very limited. Below is a table indicating the number of bookings since 17 February 2012 until 25 November 2012, comparing Friday, Saturday and Sunday use.

<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
<b>1 total</b> (Council Youth Program)	<b>12 total</b> - includes 4 parties that were permitted to run until midnight due to honouring hiring conditions prior to new conditions. - includes 1 booking by the Electoral Commission - includes 1 function which was confirmed until 9pm - includes 6 bookings by Light Hope Community Church	<b>20 total</b> - includes 1 booking by the Electoral Commission

## ORD15

A user group has requested the use of Harrington Park Community Centre – Hall 1, and wish to hire it on a regular basis on Friday nights and all day Saturday. The adopted fees structure does not have a fee structure for regular hire for these periods. Friday nights and Saturdays were restricted to casual hire only in order to ensure venues were available for use by all members of the community.

### MAIN REPORT

Based on the new hiring conditions placed on this venue, the adopted fees and charges are not appropriate in reflecting the type and frequency of use currently being requested. Given that the conditions of use are no longer attracting casual hire and there is an expressed demand for regular hire, it was considered prudent to review the fees and charges in order to provide access for bookings of a regular nature rather than limit the use of Harrington park Hall 1 and 2 on Friday and Saturday for one off casual hire.

Regular hire is considered a reasonable use of the venue, and staff will be reviewing the fees and charges to include regular hire on weekends at other venues as part of the annual Management Plan.

### CONCLUSION

The limited use that Harrington Park Community Centre has had this year is a result of the conditions imposed. The introduction of a regular hire fee and charge is recommended for consideration for Harrington Park Hall 1 and 2 for Friday night and Saturdays. The new charges reflect existing fees and charges for comparable periods.

The proposed fee is based on rates in the current fees and charges being applied for Sunday regular hire.

### RECOMMENDED

**That Council:**

- i. allow regular hire for Halls 1 and 2 to include Friday evenings from 3pm to 10pm at the existing rate in the adopted Fees and Charges that would apply up to 3pm;**
- ii. exhibit a new fee for regular hire use of Harrington Park Hall 1 on Saturdays from 8am to 10pm at \$20 per hour for not for profit groups and \$40 per hour for profit groups, and Hall 2 on Saturdays at \$15 per hour for not for profit groups, and \$30 per hour for profit groups; and**
- iii. review and prepare a further report, if necessary, following the exhibition.**



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## ORDINARY COUNCIL

ORD16

ORD16

**SUBJECT:** DELEGATION TO MAYOR - CHRISTMAS/NEW YEAR PERIOD  
**FROM:** Director Governance  
**BINDER:** Delegation to Mayor - Christmas/New Year Period

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Council will be in recess from 12 December 2012 until Tuesday 29 January 2013. During this period, it is appropriate to provide Delegation of Authority to exercise the development approval function and allow Council to fulfil its statutory obligations between meetings. It may be necessary to approve Development Applications or other urgent matters requiring a decision, which are required to be approved as a matter of necessity and which may not satisfy the delegations to staff, ie. matters of a contentious nature or where objections have been made.

The Local Government Act 1993 ("the Act") allows Council to delegate functions and in addition, authority is also provided to the Mayor under section 226 of the Act, to exercise functions between Meetings.

It has been the normal practice to provide a delegation to the Mayor for the period to the next Ordinary Meeting and that the delegation is limited to approval of Development Applications and matters of a critical nature.

This delegation would only be exercised in matters of extreme urgency and in the event of an issue of significant magnitude and impact occurring, a special Council Meeting would be convened. A report outlining the exercise of this delegation will be made to the Council meeting on 29 January 2013.

### **RECOMMENDED**

**That Authority be delegated to the Mayor and Deputy Mayor (in the absence of the Mayor) for the approval of Development Applications and cases of necessity, during the period 12 December 2012 to 29 January 2013 as provided under sections 226 and 377 of the Local Government Act 1993, and Council be informed of any use of such delegation in a report to Council on 29 January 2013.**



ORD17

## ORDINARY COUNCIL

ORD17

### NOTICE OF MOTION

**SUBJECT:** NOTICE OF MOTION - COMPLAINTS TO THE DEPARTMENT OF LOCAL GOVERNMENT OR ICAC  
**FROM:** Cr Warren  
**BINDER:** Notice of Motion

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“We, Councillors Copeland, Campbell, Bligh and Warren hereby give Notice of our intention to move the following at the Council Meeting of 11 December 2012:

That the Acting General Manager and/or Director of Governance investigate if any Councillors have been reported to the Department of Local Government or ICAC regarding any complaints or concerns expressed by any senior staff member of Camden Council regarding the actions and/or conduct of any Councillor in the past twelve months.”

### RECOMMENDED

**That the Acting General Manager and/or Director of Governance investigate if any Councillors have been reported to the Department of Local Government or ICAC regarding any complaints or concerns expressed by any senior staff member of Camden Council regarding the actions and/or conduct of any Councillor in the past twelve months.**