



Camden Council

Business Paper

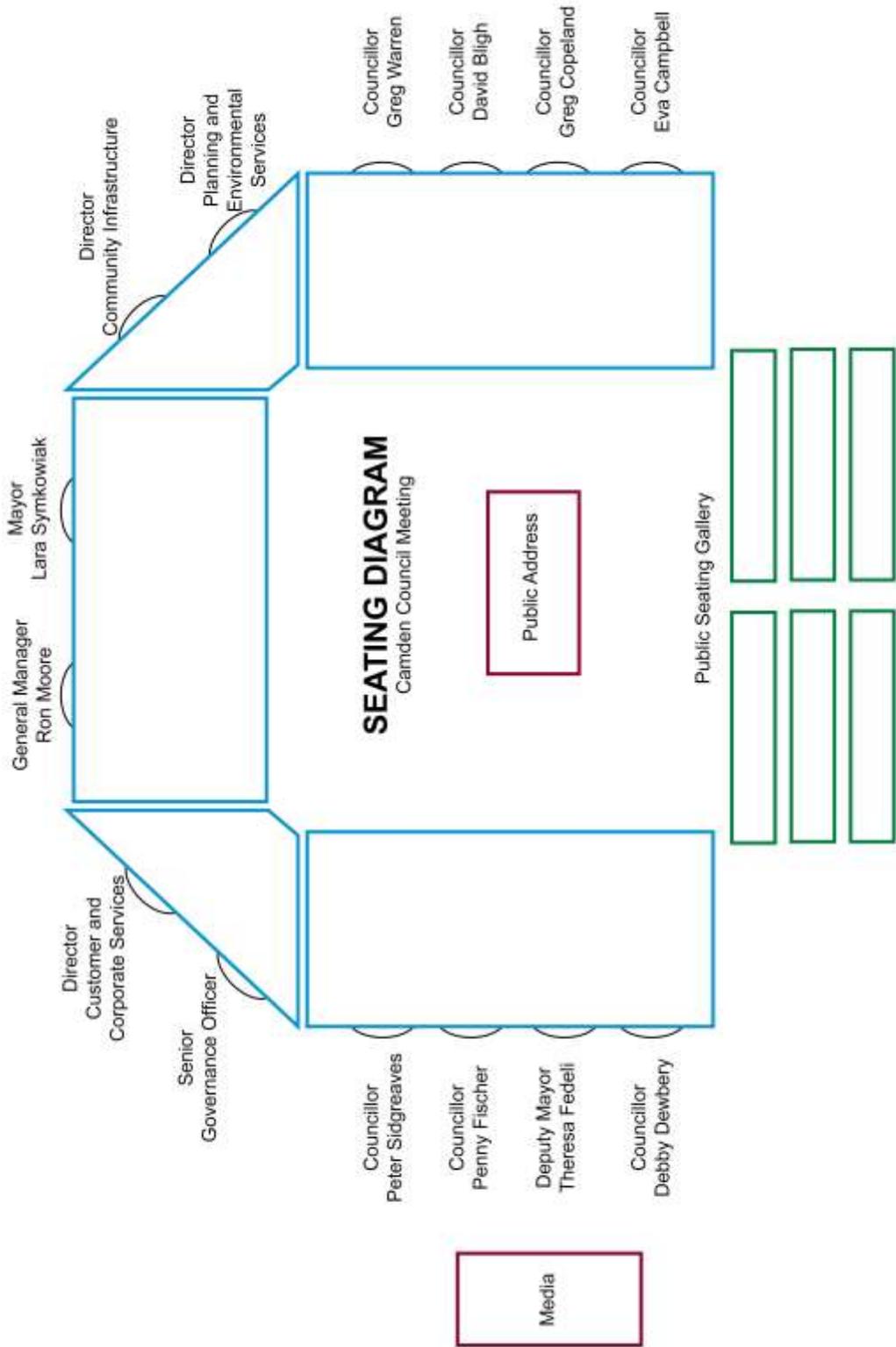
Ordinary Council Meeting
23 June 2015

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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



ORDINARY COUNCIL

ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer	6
Acknowledgment of Country	7
Recording of Council Meetings	8
Apologies	9
Declaration of Interest	10
Public Addresses	11
Confirmation of Minutes	12
Mayoral Minute	13
ORD01 Staged Bulk Earthworks, Construction of a Collector Road, with Associated Drainage and Site Works	14
ORD02 Proposed Minor Amendment to the Camden LEP 2010 to Correct Mapping Anomalies at Caulfield Close, Manooka Valley.	66
ORD03 Harrington Grove Voluntary Planning Agreement and DCP Amendments	94
ORD04 Investment Monies - May 2015	183
ORD05 Adoption of the 2013/14 - 2016/17 Revised Delivery Program and 2015/16 Operational Plan (Budget)	196
ORD06 Camden Council's Fit for the Future Submission	217
ORD07 Biodiversity Certification in the Camden LGA Policy	275
Diary	284



ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

Speakers must book in with the Council office 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.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 9 June 2015

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 9 June 2015, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORD01

ORDINARY COUNCIL

ORD01

SUBJECT: STAGED BULK EARTHWORKS, CONSTRUCTION OF A COLLECTOR ROAD, WITH ASSOCIATED DRAINAGE AND SITE WORKS
FROM: Director Planning & Environmental Services
TRIM #: 15/133421

APPLICATION NO: 1077/2014
PROPOSAL: Staged Bulk Earthworks, Construction of a Collector Road, with Associated Drainage and Site Works
PROPERTY ADDRESS: 182, 184, 184A, 184B, 186, 188A & 188B Raby Road, Gledswood Hills
PROPERTY DESCRIPTION: Lots 101 & 102 DP1193881, Lots 1, 2, & 3 DP1193163, Lots 401 & 402 DP1196627, Lots 501 & 502 in subdivision of Lot 302 DP1193883
ZONING: R1 General; Residential, R2 Low Density Residential, RE2 Private Recreation, RU2 Rural Landscape
OWNER: Mrs E & Mr V Pisciueneri
Mr F & Mrs M Galluzzo & Mr V Pisciueneri
Mr J & Mrs E Bernatovic; and
Mr R & Mrs T Friscic
APPLICANT: Mirvac Homes (NSW) Pty Limited

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for staged bulk earthworks, construction of a collector road, with associated drainage and site works at 182, 184, 184A, 184B, 186, 188A & 188B Raby Road, Gledswood Hills.

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

The DA is also referred to Council as the applicant is seeking to use the provisions of clause 5.3 of the Camden Local Environmental Plan 2010 (Camden LEP) to vary the extent of the areas for eventual residential subdivision of the land, within 50m of the current residential zone boundaries. This can be considered under Clause 5.3 of Camden LEP. This would also vary the Indicative Layout Plan for the residential subdivision of the land, which has been established under the provisions of Camden Development Control Plan 2011.

SUMMARY OF RECOMMENDATION

That Council determine DA 1077/2014 for staged bulk earthworks, construction of a collector road, with associated drainage and site works, and subdivision and dedication of the road, 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 staged bulk earthworks, construction of a collector road, with associated drainage and site works, and subdivision and dedication of the road.

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 bulk earthworks, construction of the collector road, and associated drainage and site works are permissible with consent within the zonings applying to the land. However the extent of bulk earthworks and the development staging plan for the future residential subdivision of the land will create residential development outside the areas zoned for residential purposes under Camden LEP. This can be considered under clause 5.3 of Camden LEP relating to development within 50m of zone boundaries.

The applicant has provided justification for the use of clause 5.3 including that it results in no additional residential land being created, but results in a more appropriate development with the provision of a viable golf course required under the planning agreement applying to the land, including required engineering and environmental parameters. This has been assessed and verified by Council staff and the use of clause 5.3 in this case is supported.

The bulk earthworks extent and development staging plan for the estate will also result in variations to the Indicative Layout Plan established under Camden DCP 2011. This has been assessed by Council staff. The variations to the ILP and the resulting development staging plan can provide a better outcome for the residential subdivision of the land (compared to the ILP) with a more regular pattern of roads and lots.

These variations also create a better relationship to perimeter recreation land and provide for a viable 9 hole golf course required by the planning agreement, or an alternative recreational use (subject to future Council agreement). This will also accommodate suitable locations for water management measures and basins, along with retention and re-establishment of endemic vegetation, which will support the visual and scenic quality of the area.

The DA was publicly exhibited for a period of 44 days in accordance with the DCP, and for an extended period over the Christmas break from 4 December 2014 to 16 January 2015. Two submissions were received raising issues with the proposed development, although one of the submitters indicated their support for the proposal.

Copies of the submissions are provided with the Business Paper supporting documents.

The issues raised in the submissions relate to:

- *Provision of water service and access for an adjoining property.*

Provision of water service and direct access to the submitter's land from the proposed development cannot be accommodated by the applicant as it would cross intervening land not within the developer's control or ownership. However the proposed development does extend water services within the vicinity of the submitter's land

should they wish to pursue this matter further with Sydney Water. Recent Council works on the road shoulders along Raby Road improved safe access to the submitter's property.

- *Provision of amended plans, traffic assessment and modeling to include the southern road connection to Gregory Hills Drive via 190 Raby Road.*

The road connection to the south is not required under current planning controls. The current DA and bulk earthworks will not preclude the future potential establishment of this road connection if a residential rezoning of 190 Raby Road proceeds (subject to current planning proposal). The applicant has updated traffic volumes and modelling to respond to these concerns. This has also been reviewed by Council's traffic engineer and no substantial outstanding issues were identified.

- *Impacts on existing rights of carriageways and easements for services.*

Satisfactory details have been provided to establish that rights of carriageway, access and easement for services can be maintained; this includes a staging plan which provides for temporary access at Raby Road while the current access is upgraded.

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 182, 184, 184A, 184B 186, 188A & 188B Raby Road, Gledswood Hills and is legally described as Lots 101 & 102 DP1193881, Lots 1 ,2 & 3 DP 1193163, Lot 401 & 402 DP1196627 and Lots 501 & 502 in subdivision of Lot 302 DP1193883.

The site has a total area of approximately 102ha and is largely vacant land which has been used for non urban and grazing purposes with 7 associated ‘homestead’ dwellings and ancillary structures or outbuilding/sheds. The dwellings are located along the eastern edge of the site with access via an internal road and driveway (right of carriageway) off Raby Road. These dwellings are to be retained.

The site is the eastern portion of the El Caballo Blanco and Gledswood release area (zoned for residential development under Camden Local Environmental Plan 2010). The site is bounded to the north, west and south-west by the Sydney Catchment Authority’s/ Water NSW Upper Canal.

Land to the north-west of the site on the opposite side of the Upper Canal is the western portion of the El Caballo Blanco and Gledswood release area, while land to the north is part of the Camden Lakeside site, also zoned under Camden Local Environmental Plan 2010 for residential and recreational uses. Also adjoining to the site to the north there is a place of public worship (Jehovah’s Witnesses) and on the opposite side of Raby Road, land within Campbelltown LGA.

Land to the west and south-west is part of the Turner Road precinct within the South West Growth Centre, the Hermitage estate and Gregory Hills release areas.

HISTORY

Recent relevant development history of the land has related primarily to subdivision to excise the existing rural/residential dwellings on larger lots, creating residue lots on the remainder of the land to be developed for residential purposes in accordance with the residential zoning under Camden LEP 2010.

Date	Development
12 November 2013	DA332/2013, subdivision of Lots 1-4 and common property, strata plan 36786 and Lot 2 DP260703 to create 4 residential lots and 1 residue lot (this consent has not been acted upon and was superseded by DA332/2014).
23 April 2014	DA72/2014, subdivision of Lot 1 DP 260703 into 2 residue lots.
24 April 2014	DA70/2014, subdivision of Lot 3 DP 260703 into 2 residue lots.
8 May 2014	DA160/2014, subdivision of proposed Lot 302 in a plan of subdivision of Lot 3 DP260703 to create 2 lots.
8 May 2014	DA161/2014, subdivision of proposed Lot 301 to create 2 lots.
26 June 2014	DA332/2014, subdivision of Lot 2 DP260703 into 2 residential lots and 1 residue lot.
12 May 2015	DA15/2015, construction of a 24m bridge over the Upper Canal, including pedestrian and cycle paths, palisade fencing, landscaping, drainage and associated site works.



ORD01

	The bridge approved under DA15/2015 will connect the western end of the collector road proposed under this DA with roads in the Hermitage estate to the west and the Hermitage Way.
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A separate development application (DA1078/2014) has been submitted by the same applicant and is being assessed in relation to the first stage residential subdivision of the land, comprising 100 lots. These first stage lots are located towards the centre of the estate within the R1 and R2 zoned areas, close to the proposed collector road.

THE PROPOSAL

DA 1077/2014 seeks approval for staged bulk earthworks, construction of a new collector road and associated drainage and site works.

Specifically the proposed development involves:

- formalisation of the existing intersection/access to the site off Raby Road for the purpose of an interim access point into the proposed development site;
- construction of a collector access road from the interim intersection point on Raby Road to the western extent of the subject site adjacent to the Sydney Water Canal;
- staged bulk earthworks involving cut and fill for the subject site;
- stormwater management works including the staged construction of detention and water quality basins connecting into existing stormwater outlets located at the Sydney Water Canal;
- construction of a shared path along the entire length of the collector road;
- demolition of existing shed/s or outbuilding/s.

The value of the works is \$6.65 million.

The bulk earthworks and collector road will be the initial stages of the development. This will allow for the future staged residential release of the land which is projected to provide for approximately 583 residential lots.

A copy of the proposed plans are provided as attachments to this report.

PROPOSED PLANS

ORD01

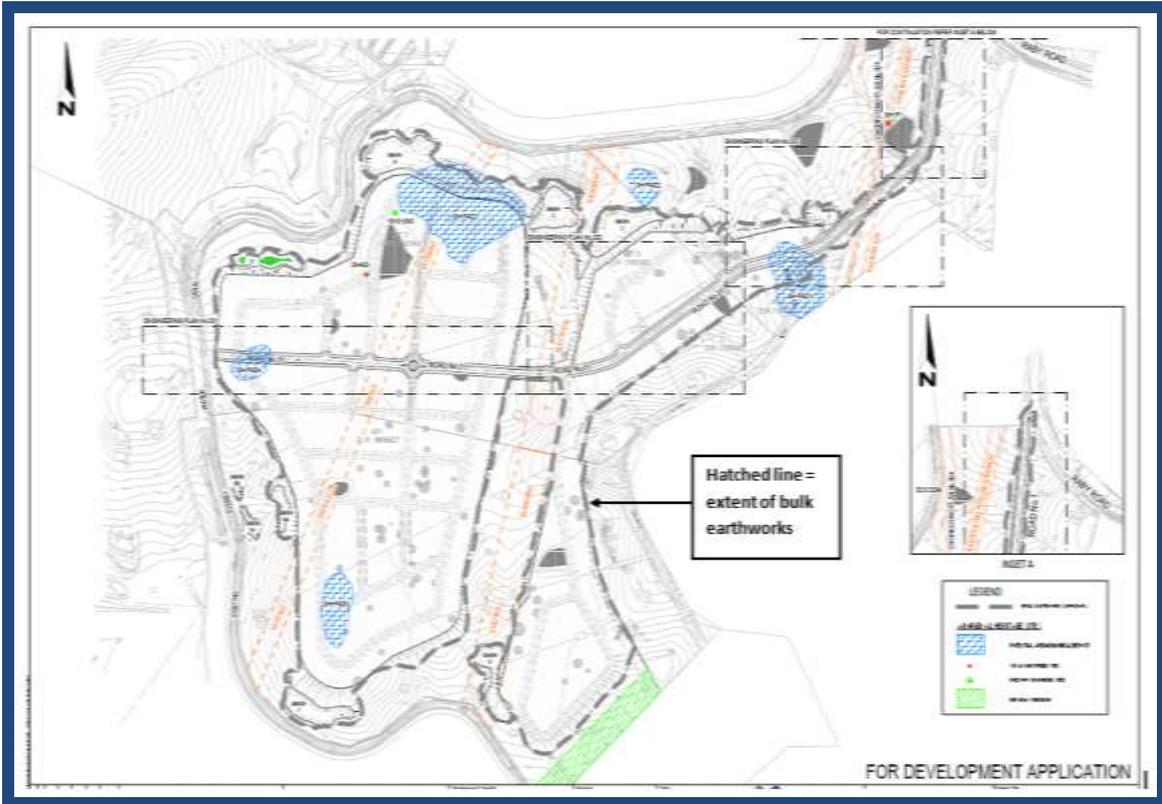


Figure 1: Extent of proposed bulk earthworks

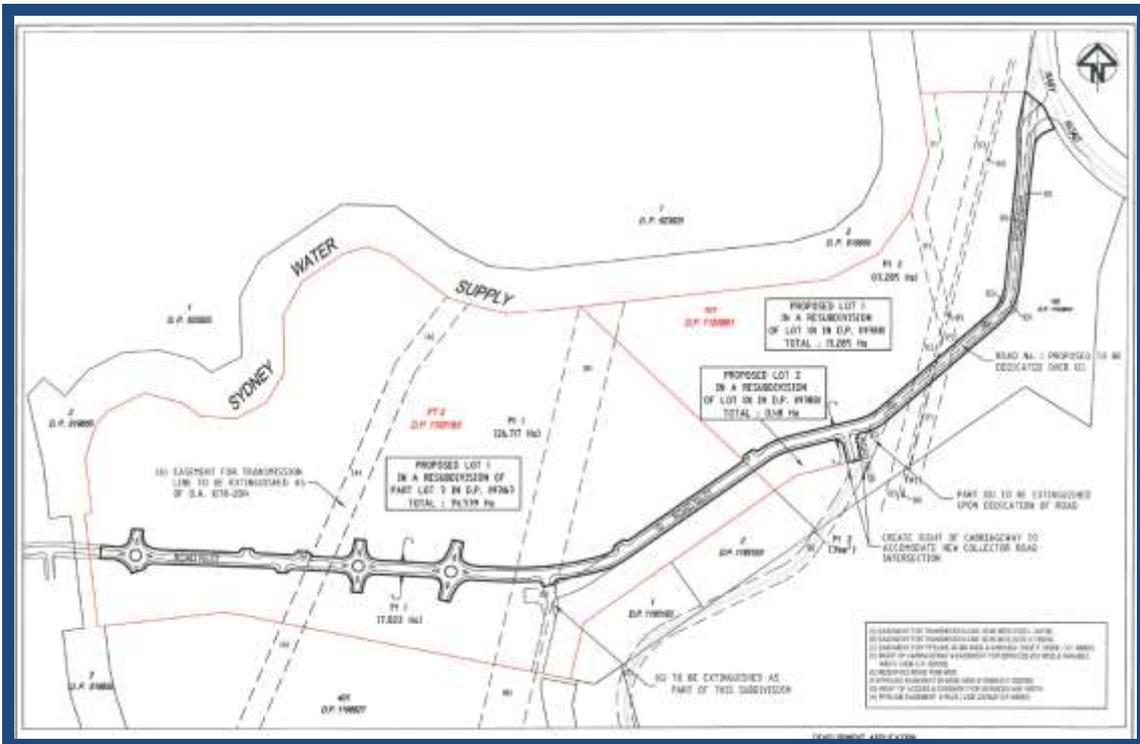


Figure 2: Proposed Collector Road



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 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (deemed SEPP)
- 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 site is suitable for its intended use (in terms of contamination) prior to granting consent.

The applicant submitted a detailed site investigation for the site in support of the DA. Based upon the findings of this detailed site investigation, it was concluded that no remediation works are warranted and the site would be suitable for the proposed residential land use except for a small area with elevated zinc levels within a former cattle yard, likely associated with some galvanized steel within fill material.

This small area of environmental concern in the south of the site is to be fenced off and protected during earthworks to ensure no works are undertaken in the area. Appropriate signage is to be installed to ensure that no accidental works are undertaken within this area. The remediation of this area can be dealt with as part of later stages of the residential subdivision of the land. Subject to this occurring, the site will be made suitable for its intended residential use.

In addition, a standard contingency condition is recommended that requires if any unexpected contamination is found during earthworks and road construction works, it must be managed in accordance with Council's Management of Contaminated Lands Policy.

Based upon the above, Council can be satisfied that the site can be made suitable, in terms of contamination, for its intended use.

Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (deemed SEPP)

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development, as the development will be subject to the implementation of suitable sediment and erosion controls and water management



measures which will avoid adverse impacts on the natural watercourses and ultimately the Hawkesbury Nepean river system.

Based upon the above, the proposed development is consistent with the aim of the deemed SEPP (to protect the environment of the Hawkesbury-Nepean River system) and its planning controls.

State Environmental Planning Policy (Infrastructure) 2007

The aims of this SEPP include the facilitation of effective infrastructure delivery and planning. The following clauses of this SEPP apply to the DA.

Clause 45 – Works within or beneath electricity transmission lines and easements

The DA was referred to TransGrid and Endeavour Energy under clause 45 of the SEPP. The site is affected by TransGrid's high voltage transmission lines as well as Endeavour Energy power lines. The high voltage transmission lines run through the centre of the site where there will be no residential development, but where there will be some earthworks, drainage and road works. The Endeavour Energy power lines will ultimately be undergrounded as part of the residential development of the land.

Each of the above agencies has responded and have no objection to the proposed development. The responses include requirements which have also been referenced in the recommended conditions of consent.

Clause 55 – Development adjacent to gas pipeline corridor

The DA was referred to Jemena Gas and APA Group/Gorodok under Clause 55 of the SEPP. The site is affected by the gas pipelines including the eastern gas pipeline with infrastructure administered by Jemena (natural gas) and APA Group/Gorodock (ethane). Their pipeline infrastructure and easements cross the eastern end of the site and will be traversed by the proposed collector road (with associated battering), but will be unaffected by the remaining bulk earthworks.

In respect to the provisions of clause 55, before determining development adjacent to a gas pipeline corridor, the consent authority must also:

- (a) *be satisfied that the potential safety risks or risks to the integrity of the pipeline that are associated with the development or modification to which the application relates have been identified, and*
- (b) *take those risks into consideration.*

Both Jemena and the APA Group have advised that they have been in discussions with the developer about their easements and infrastructure. They have no objection to the proposed development. The responses include requirements which have also been referenced in the recommended conditions of consent.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned R1 General Residential, R2 Low Density Residential, RE2 Private Recreation and RU2 Rural Landscape under the provisions of Camden LEP 2010. The proposed development can be defined under the LEP as subdivision (for future road



dedication purposes), earthworks, roads and drainage, which are all permissible in the zones applying to the land.

Zone Objectives

There are multiple objectives for the various zones applying to the site, as follows:

R1 General Residential and R2 – Low Density Residential

- To provide for the housing needs of the community.
- To provide 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.
- To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

RE2 – Private Recreation

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

RU2 – Rural Landscape

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To protect and enhance areas of scenic value by minimising development and providing visual contrast to nearby urban development.
- To maintain the visual amenity of prominent ridgelines.
- To permit non-agricultural uses which support the primary production purposes of the zone.

Officer comment:

The bulk earthworks and construction of the collector road will facilitate the release and development of the land zoned R1 and R2 for residential purposes to provide for the housing needs of the community consistent with the zone objectives. The perimeter areas zoned RE2 will be retained for private open space or recreational purposes consistent with the zone objectives. The land along and adjacent to the eastern perimeter of the site zoned RU2 will be retained as larger parcels of land containing the existing dwellings, which will protect and enhance areas of scenic value and maintain the visual amenity of ridgelines consistent with the zone objectives.

Relevant Clauses

The DA has been assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
4.1 Minimum	The size of any lot resulting from a subdivision of land to	Subdivision of the land will relate only to	Yes



ORD01

Clause	Requirement	Provided	Compliance
subdivision lot sizes	which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land (400m ²).	future dedication of the proposed collector road and would not result in any undersized allotment	
5.3 Development near zone boundaries	<p>The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.</p> <p>This applies for a distance of 50m between 2 zones (excluding zones RE1, E1, E2, E3 and W1, and excluding sex services and restricted premises), where:</p> <ul style="list-style-type: none"> the development is not inconsistent with the objectives for development in both zones, and the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land 	<p>The applicant is seeking to rely upon clause 5.3 in relation to the development staging plan required to be considered as part of this DA, under the provisions of the relevant VPA. Also, the extent of bulk earthworks for the future residential subdivision of the land will be outside the areas zoned for residential purposes, but within 50m</p> <p>This is discussed further below. The applicant has provided information in justification for the use of this clause and to confirm compliance with the 50m distance and the matters for consideration</p>	Yes
5.9 Preservation of trees or vegetation	The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation	Trees/vegetation that would be lost as part of this DA will ultimately be compensated for as part of revegetation of areas within the RE2, subject to a Vegetation Management Plan being considered with this DA	Yes
5.10 Heritage	Development consent is required for works affecting a	There are no impacts on European heritage	N/A



ORD01

Clause	Requirement	Provided	Compliance
Conservation	heritage item, an Aboriginal object, or building, work or relic or tree within a heritage conservation area		
6.1 Arrangements for designated State public infrastructure	The objective of this clause is to require satisfactory arrangements for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes	The requirements of this clause are not triggered by the proposed earthworks and collector road, but will relate to any subsequent application and approvals for residential subdivision of the land	Yes
6.2 Public Utility Infrastructure	Development consent must not be granted for development on land in an urban release area unless Council is satisfied that any public utility infrastructure essential for the proposed development is available and adequate arrangements have been made to make infrastructure available when it is required	The applicant has made arrangements for servicing of the land, which will be dealt with as part of the subsequent subdivision DAs and require arrangements prior to CC	Yes
6.3 Development Control Plan	Development consent must not be granted for development on land in an urban release area unless a development control that provides for matters is specified	DCP provisions have been established for the site including the matters listed in clause 6.3	Yes
7.4 Earthworks	The objectives of this clause are to ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, and requires consideration of matters relating to effects on drainage patterns, fill quality and amenity of adjoining properties	Particular matters for consideration as listed under clause 7.4 such as impact on drainage patterns and soil stability, and area of environmental or heritage significance, as well as the quality and source of fill/excavated material have been appropriately addressed as part of the DA. This is in particular having regard to the Water Management Plan	Yes

Clause	Requirement	Provided	Compliance
		and Vegetation Management plan being considered as part of the DA, as well as that cut and fill is to be balanced across the site with no planned import or export of fill material	

Clause 5.3 – Development near Zone Boundaries

The extent of bulk earthworks for the future residential subdivision of the land will be outside the R1 General Residential and R2 zoned areas under Camden Local Environmental Plan 2010 (Camden LEP). In this respect the applicant is seeking to rely upon the provisions of clause 5.3 of Camden LEP which allows for development across zone boundaries within a distance of 50m. Related to this, consideration and approval (in principle) of a development staging plan for the estate is required under the relevant Planning Agreement applying to the land, including provision for a golf course with land zoned RE2 Private Recreation.

The applicant has provided a plan to demonstrate the variations of the zone boundaries will be within the required 50m distance. The applicant has also demonstrated that there would be a balance between the 44ha in the current R1 and R2 residential zones compared to the 44ha to be developed for residential lots, and therefore this results in no additional residential land being created. These matters have been checked and verified by Council staff.

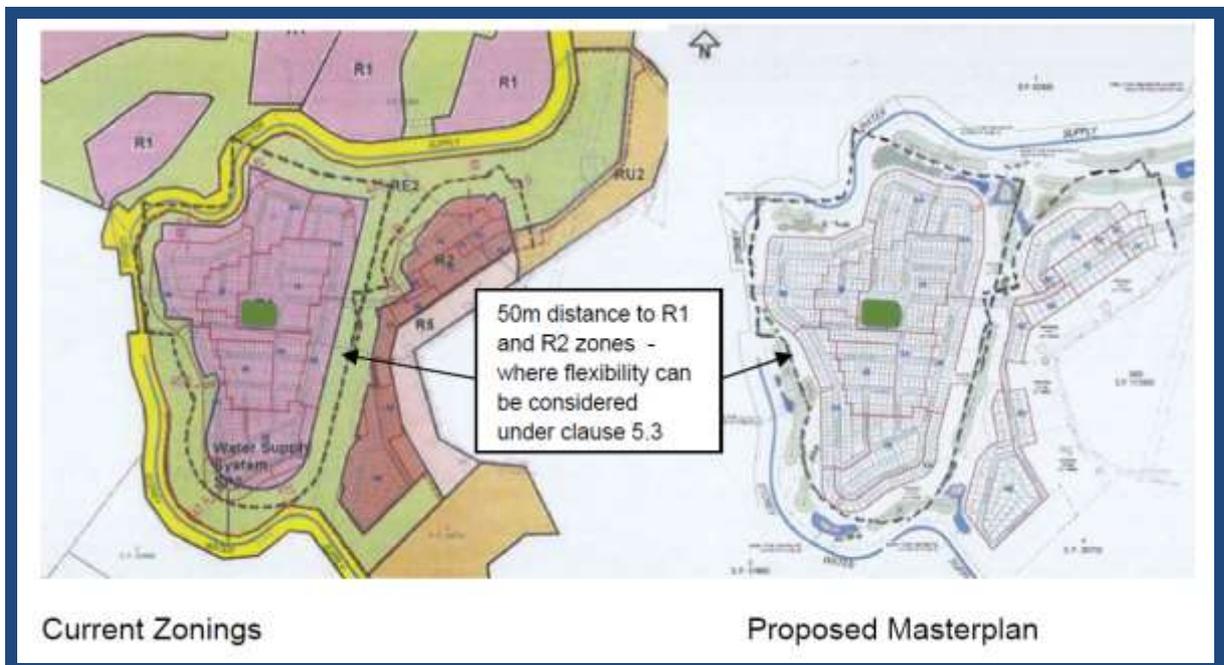


Figure 3: Clause 5.3 – 50m relevant distance from R1 and R2 zones

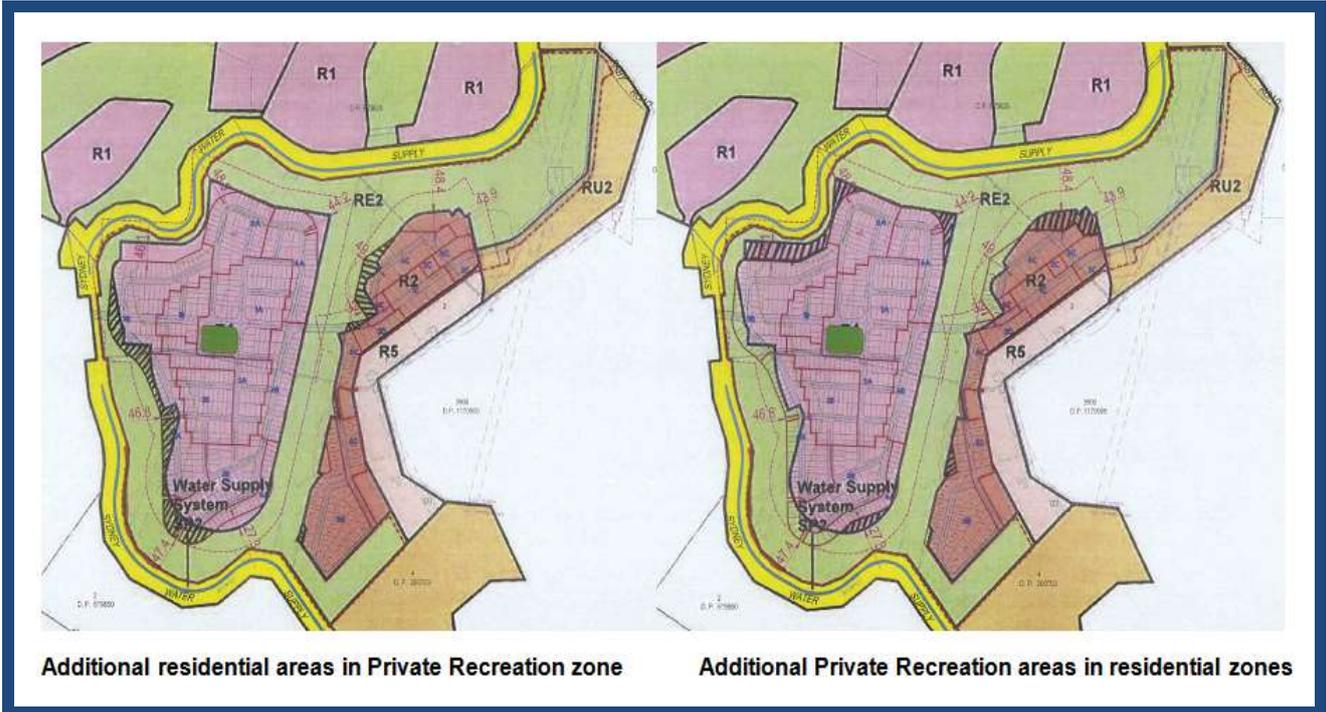


Figure 4: Clause 5.3 – Balance between gain and loss of residential land shown in hatched areas

In their justification to support the use of clause 5.3, the applicant has referred to the need to meet the requirements of the Planning Agreement applying to the land and to provide for a viable nine hole golf course, where the current zone boundaries would only result in a 7 hole golf course, with no agreement in place with adjoining landowners for a joint golf course development.

The applicant indicates that the use of Clause 5.3 permits the development to respond more appropriately to the proposed grid pattern road network, enabling the development to overcome the irregular shape and angles of the land use zone boundaries and promoting the orderly development of the land.

A suitable development and subdivision layout also needs to ensure that engineering and environmental parameters are adhered to, including provision of environmentally sensitive water and vegetation management measures consistent with the Planning Agreement and provision of a viable golf course strategy. Water management is constrained by natural land form and stormwater inlet locations for overland flows across the Upper Canal, with zoning boundary flexibility ensuring suitable locations for required water quality and detention basins.

The proposed development would comply with the objectives for the relevant zones, allowing for residential development of the land to meet the housing needs of the community, as well as ensuring that recreation, environmental and scenic values of the surrounding land can be maintained. This will result in compatible land use planning with efficient and timely development of the land. This would also be consistent with the applicant’s separate request to Council seeking agreement for a potential alternative to the golf course for a public recreational use of the perimeter and RE2 land.

(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 proposed development'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, sediment and dust control measures	Appropriate erosion and sedimentation controls measures have been proposed	Yes
B1.2 Earthworks	Minimize cut and fill Use only clean fill	The proposed cut and fill will be appropriate for the proposed development. Cut and fill is to be balanced across the site A standard condition is recommended to ensure that only clean fill is used, if required	Yes Yes
B1.3 Salinity Management	Salinity resistant construction	The proposed development will be constructed to be salinity resistant, consistent with the finding and recommendations of the Salinity Investigation and Management Plan submitted with the DA	Yes
B1.4 Water Management	Ensure compliance with Council's engineering specifications for controls relating to detention, drainage and water sensitive design	A water management plan has been submitted with the DA and assessed by Council's Engineers as providing for satisfactory detention, drainage and water sensitive design measure for this DA	Yes
B1.5 Trees and	Approval required for the removal of	Trees and vegetation will be removed as part	Yes



ORD01

Control	Requirement	Provided	Compliance
Vegetation	trees and vegetation	of the earthworks, site and drainage works and road construction. A Vegetation Management Plan submitted with the DA suitably provides for retention and re-establishment of endemic vegetation within RE2 zoned and land proposed for a future golf course (or for a potential alternative recreational use)	
B1.6 Environmentally Sensitive Land	A DA related to mapped environmentally sensitive land must be accompanied by information which addresses impacts of the development	Mapped environmentally sensitive land will be removed including Cumberland Plain woodland (CPW) vegetation (albeit disturbed). CPW is a critically endangered ecological community as listed under Threatened Species Conservation Act. The DA was accompanied by an Ecological Assessment report including 7 part test under section 5A of the Act which finds no significant impacts upon threatened species The VMP submitted with the DA provides for the retention and re-establishment of CWP	Yes
B1.7 Riparian Corridors Category 1 - Environmental Corridor	Provide and emulate a stable, naturally functioning watercourse Provide a riparian protection area	The DA was referred to the Office of Water who had no requirements in respect to riparian areas and advised that mapped watercourses within the site are not waterfront land. They also advised that	Yes



ORD01

Control	Requirement	Provided	Compliance
		mapped watercourses have or will be removed downstream by approved subdivision on adjoining properties	
B1.8 Environmental and Declared Noxious Weeds	All applications for development , subdivision and bulk earthworks are to consider the need to minimise weed dispersion and weed infestation management during stages of development	Conditions of consent will require that noxious weeds management shall occur during the development of the land	Yes
B1.9.9 Waste Minimization and Management Plan	Waste management plan	A suitable waste management plan has been provided with the DA	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	A contamination assessment has been provided. While no remediation works are required, an unexpected finds contingency forms part of the recommended conditions of consent	Yes
B1.14 Development adjoining Sydney Catchment Authority Upper Canal	Development proposals bordering the canal are to be prepared in liaison with the SCA	The SCA has been consulted about the proposal and the SCA requirements form part of the recommended conditions of consent	Yes
B2 Landscape Design	A landscape plan is required	Appropriate landscape details have been provided with the DA for street planting along the collector road	Yes
B3.2 Aboriginal Culture & Heritage	An Aboriginal Heritage Impact Permit (AHIP) is required from OEH for any activity likely to have an impact on Aboriginal objects	General terms of approval have been issued by OEH in relation to an integrated development approval for this DA, which requires issue of an AHIP prior to commencement of works if harm to Aboriginal objects	Yes



ORD01

Control	Requirement	Provided	Compliance
		cannot be avoided. The applicant has engaged consultant who are preparing an Aboriginal Cultural Heritage Assessment	
Part C12 – El Caballo Blanco & Gledswood			
C12.3 Indicative Layout Plan	Development is to be undertaken generally consistent with the ILP Connectivity points as shown in Figures C68 and C71	The collector road is generally consistent with the ILP and will provide for connectivity points in accordance with the relevant DCP figures However the bulk earthworks establish a future development footprint for a staging master plan which involves variations to the ILP	No – DCP Variation 1 - (The collector road is generally consistent but bulk earthworks results in variations to the ILP in relation to the extent of the associated master plan and development staging plan)
C12.4 Street Network	The street network and road hierarchy are to be provided consistent with the DCP (Figures C69 and C71) The proposed street network is to provide connections to the Turner Road Precinct	The collector road is consistent with the ILP and provides for a future connection to the Turner Road precinct – The Hermitage estate Collector road will have 11m carriageway within 20 road reserve	Yes
C12.5 Public Transport	Bus routes are to be provided generally in accordance with DCP Minimum travel way width of 3.5m. Roundabouts designed to accommodate bus maneuverability Bus stops	The DCP, figure C72 identifies a bus route within the western lands, not eastern lands subject of this DA The collector road within the site has however been designed to accommodate a potential bus route	Yes



Control	Requirement	Provided	Compliance
	provided on street and not within indented bays Bus shelters to be provided at key stops		
C12.6 Pedestrian & Cycle Network	Key pedestrian and cycleway routes to be provided generally in accordance with the DCP	Plans indicate 2.5m wide shared cycleway footpath to Council's standards along the collector road	Yes
C12.8 Riparian Corridors	Riparian corridors are to be provided in accordance with the DCP Minimum core riparian zone of 40m plus additional vegetation width of 10m to counter edge effects	The DA makes provision for the future establishment of the riparian corridor identified along the southern site boundary	Yes
C12.9 Land Adjacent to SCA Canal	Where subdivision or development (other than residential accommodation) is proposed adjacent to the canal corridor, applicants should consult SCA	Earthworks and collector road construction will be located close to the SCA Upper Canal The DA was referred to SCA who have provided a response and have no objection to the proposed development and have provided their requirements for the development which will form part of consent conditions	Yes
C12.10 Retention of Existing Vegetation	A comprehensive Vegetation Management Plan (VMP) is to be developed at the development approvals stage for creation of precinct super lots, consistent with the 2011	A detailed VMP has been submitted with the DA	Yes



ORD01

Control	Requirement	Provided	Compliance
	<p>Vegetation Management Strategy, and outcomes listed in Table C12.1.</p> <p>All construction and earthmoving activities are to be controlled to ensure no impact on vegetation</p> <p>DA shall demonstrate required vegetation offsets</p>		
C12.11 Bushfire Hazard Management	Any APZs to be provided in accordance with the DCP and located wholly within the precinct	A bushfire assessment report has been submitted with the DA, with the overall level of bushfire risk considered to be nil. The proposed perimeter golf course as generally open managed land would meet the general provisions for an APZ for the development	Yes
C12.12.1 Water Management Plan	A detailed WMP shall be prepared to demonstrate consistency with 2011 Water Management Strategy	A detailed WMP has been submitted which is generally consistent with the Water Management Strategy, having regard to changes to the master plan and subdivision layout	Yes
C12.12.2 Stormwater Concept	Demonstrate general consistency with the 2011 SW Quantity Management and Flooding Assessment	The WMP and water management measures will be generally consistent with this report and provide for detention basin with a water quality component	Yes
C12.12.4 Local Infrastructure	Local infrastructure shall be provided in accordance with the time frame in the VPA and provided to	Infrastructure can be appropriately provided	Yes



Control	Requirement	Provided	Compliance
	support the relevant precinct stages		
C12.17 Contamination	RAPs shall be provided in accordance with Council's policy where DAs are submitted for land affected by AEC identified in specified reports	The contamination assessment report submitted with the DA has identified a small area of environmental concern in the south of the site, which is to be fenced off and protected during construction to ensure no works are undertaken in the area. The remediation of this area can be dealt with as part of subsequent DAs for residential subdivision	Yes

DCP Variation 1 – Indicative Layout Plan (ILP)

DCP Control

Section C12.3 of the DCP requires that development is to be undertaken generally consistent with the ILP, subject to compliance with the following objectives and the development controls.

Objectives

- To ensure development of the El Caballo Blanco and Gledswood lands is undertaken in a coordinated manner; and
- To ensure the golf course facilities provide a unifying landscape setting across the subject site and integration with the Turner Road precinct to the south while at the same time respecting the historic landscape of the Gledswood estate.

Where variation to the ILP is proposed, the applicant is to demonstrate that the proposed development is consistent with the visions and objectives.

Variations

While the alignment of the collector road is generally consistent with the ILP, the extent of bulk earthworks, the estate master plan and development staging plan will result in variations to the ILP. These variations will include changes to the boundaries of the residential areas (as discussed in relation to clause 5.3 of the LEP); provision of additional internal roads and additional connection points with the collector road; and removal of drainage swale or channel.

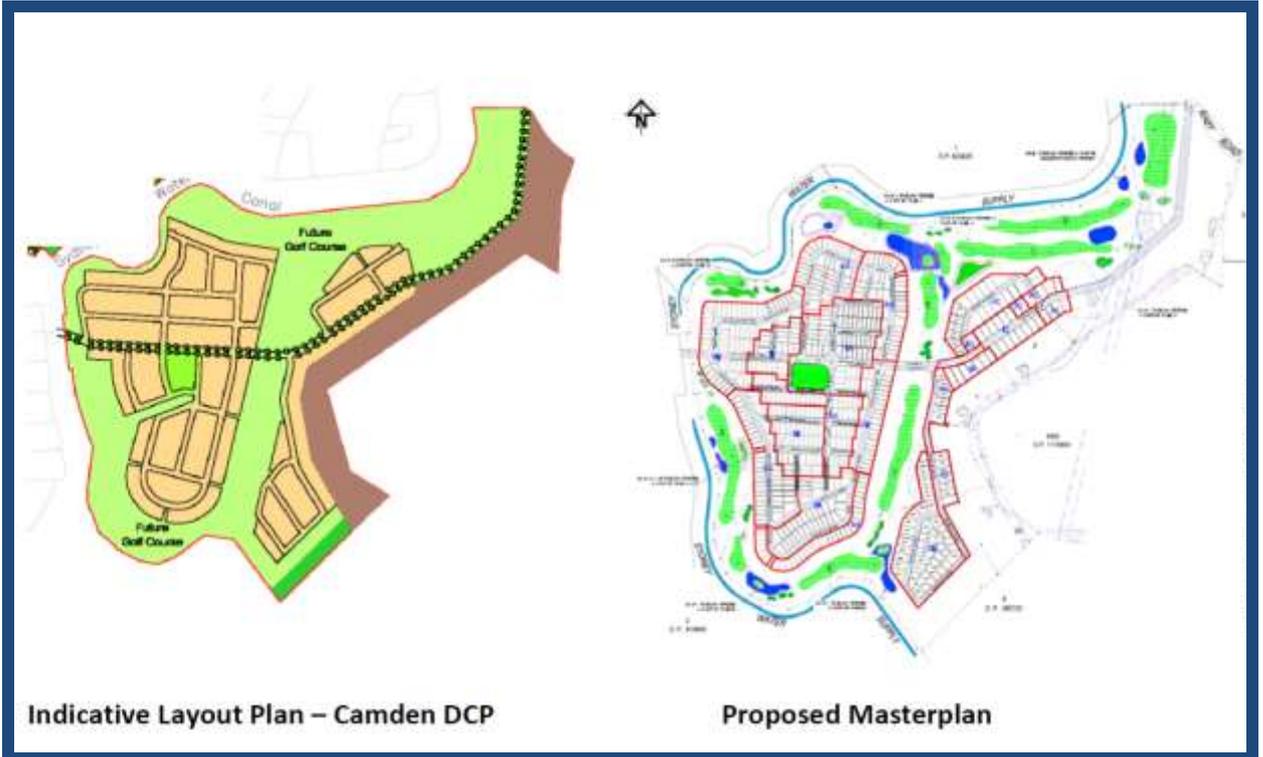


Figure 5: Comparison of ILP and proposed Masterplan for the estate

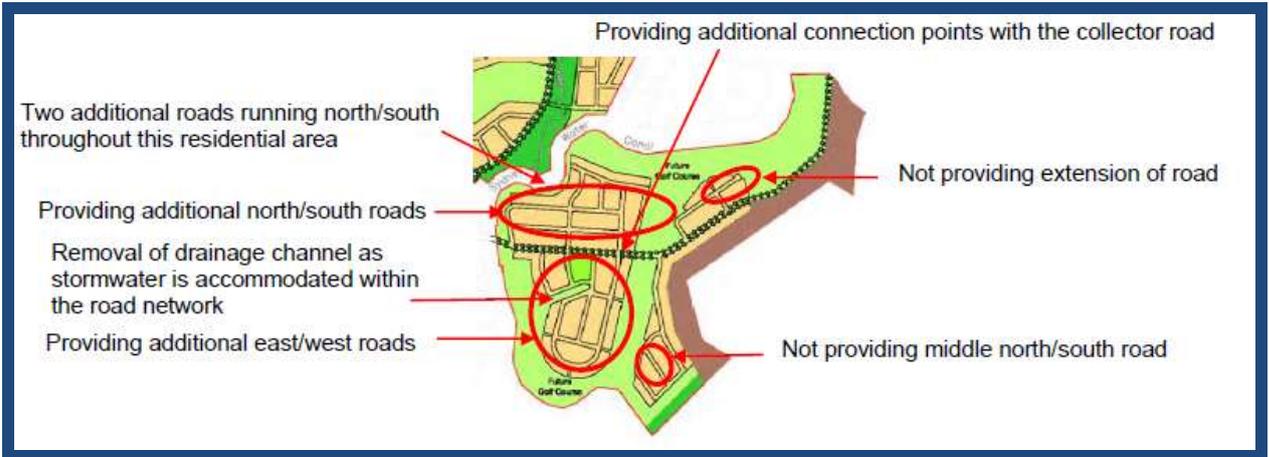


Figure 6: Applicant's indication of variations to ILP

In support of the variations the applicant has also indicated that:

- The ILP does not provide the required area for a viable 9-hole golf course. Two golf holes and water management basins were inserted within the northern part of the site, to comply with the VPA requirements.
- The road layout was amended to comply with Endeavour Energy's requirements for the proposed undergrounding of the existing overhead 132kV transmission mains.
- The ILP provides for cul-de-sac roads, which are not conducive to efficient urban planning design outcomes and have been deleted.



- The drainage swale proposed to connect the central open space area to the perimeter RE2 recreation land is not required by the NSW Office of Water and does not benefit the site’s water management, and has been deleted.

The applicant has requested that Council support a variation on the basis that the proposed development is in accordance with the DCP vision, as the masterplan and development staging plan will encourage high quality urban design, low scale interconnected neighbourhoods with a grid pattern road network, and suitable orientation of residential lots and landscaping. The development staging plan ensures the provision of scenic and visual qualities of the area through the future golf course, and water and vegetation management measures.

Council Staff Assessment

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

The variations to the ILP and the resulting development staging plan can provide a better outcome for the residential subdivision of the land (compared to the ILP) with a more regular pattern of roads and lots and relationship to perimeter recreation land provided as a viable 9 hole golf course required by the VPA, or an alternative recreational use (subject to future Council agreement).

This will also accommodate suitable locations for water management measures and basins, along with retention and re-establishment of endemic vegetation, which will support the visual and scenic quality of the area.

Consequently it is recommended that Council support this proposed variation to 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

The development of the land is subject to the *El Caballo Blanco, Gledswood and East Side - Planning Agreement (VPA)*. No specific works are triggered as a result of the DA. The Collector Road is being provided ahead of the timing required within the VPA, which is related to the 200th lot.

The VPA provisions set out in the following table are relevant to this DA. On 11 May 2015 Council’s Development Contributions Management Committee (DCMC) approved variations to the VPA (under the VPA waiver clause 51) in regard to the timing for submission of a development staging plan, vegetation management plan and water management plan. This allows for their consideration and approval as part of an initial DA, rather than prior to submission of the DA.

Applicable Clause	Requirement	Provided	Compliance
9.5 & 9.7 Provision of Golf Holes	A draft golf holes strategy is to be approved by Council prior to the lodging of any DA for the carrying out of the	While this DA does not propose the carrying out of the golf course, the development staging plan provides for a 9 hole golf course (subject to future DA)	Yes



ORD01

Applicable Clause	Requirement	Provided	Compliance
	<p>golf holes</p> <p>The draft Golf Holes Strategy is to be consistent with each relevant Vegetation Management Plan and Water Management Plan</p>	<p>Accordingly a draft golf holes strategy has been provided with the DA, to establish that a suitable golf course design can be provided which includes water management measures and basins, along with vegetation retention and re-establishment, consistent with the Water Management Plan and Vegetation Management</p>	
12.1 Staging development of	<p>The landowners are to submit, and the Council is to approve, a Development Staging Plan (DSP) for each portion (eastern and western), subject to the VPA</p> <p>(This DA relates to the eastern portion, or East Side Lands)</p>	<p>The DA includes a suitable development staging plan. It is noted that this requires consideration under clause 5.3 of Camden LEP 2010 as the extent and boundaries of the residential subdivision of the land vary from the areas, as zoned under Camden LEP 2010</p>	Yes
13.2 Draft Vegetation Management Plan	<p>The draft VMP is to be consistent with the Vegetation Management Strategy for the portion and is to be approved in conjunction with the first DA and the DSP</p>	<p>A VMP has been submitted with the DA and has been reviewed by Council's natural resource officers. The VMP is satisfactory and consistent with the Vegetation Management Strategy for the release area. The VMP provides for retention or re-establishment of endemic Cumberland Plain Woodland species</p>	Yes
15.2 Draft Water Management Plan	<p>The draft WMP is to be submitted to Council for approval and</p>	<p>A concept WMP submitted with the DA, has been reviewed by Council Engineers who</p>	Yes



Applicable Clause	Requirement	Provided	Compliance
	approved in conjunction with the first DA and the DSP	advised that it is appropriate for this DA and bulk earthworks and collector road. Additional flood information will be required with future DA's related to the stage residential subdivision	

The landowner signatories to the VPA have recently applied to Council to further amend the requirements of the VPA, which is still being considered and is not yet determined.

This DA and the proposed development staging plan, where the applicant is seeking to use the provisions of clause 5.3 of Camden LEP and vary the ILP under Camden DCP, would not preclude either a nine hole golf course proceeding nor alternative recreational uses of the land, if the VPA is amended.

(a)(iv) The Regulations

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

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

Traffic and Access

The DA proposes construction of a collector road traversing the site from Raby Road in the east through to the west of the site, ultimately providing a connection to the Hermitage estate. The DA also provides for the construction of local road intersections off and along the collector road, related to the future staged release of residential lots. A key intersection located approximately in the middle of the site will provide for a possible road connection through to adjoining land to the south (190 Raby Road).

The DA proposes the upgrade and use of the current access from Raby Road until such time that a signalised intersection is constructed. These interim arrangements will provide for construction access for the bulk earthworks, related site works and road construction. The VPA includes requirements for a signalised intersection at Raby Road tied to the release of the 300th lot, however the applicant intends that this be provided prior to the completion of the initial 100 lots (Stage 1), and therefore prior to the construction of dwellings.

The applicant has provided a satisfactory traffic assessment with the DA. This addresses the traffic impacts of the development including the ultimate 583 lots, consideration of interim intersection arrangements and a signalised intersection to Raby Road, along with road connections to the Hermitage and a potential road connection to 190 Raby Road. The assessment has been revised and updated to take

account of comments in a public submission and following a review by Council’s traffic engineers.

In relation to the interim intersection, this will be upgraded to meet Austroads guidelines, including a ‘seagull’ traffic lane for right turn movements and an acceleration lane for left turn movements. This will provide for a suitable level of service and safety, in conjunction with works being undertaken by Council along the road reserve to clear vegetation and remove mounding, providing for minimum intersection sight distances requirements. The collector road access will be closed from the Hermitage estate, to the west of the site, until a signalised intersection is provided, to limit the traffic volumes at the interim intersection.



Figure 7: Interim intersection works and works being undertaken along Raby Road

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 proposed development.

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

The DA was publicly exhibited for a period of 44 days in accordance with the DCP and for an extended period over the Christmas break from 4 December 2014 to 16 January 2015. Two submissions were received raising issues with the proposed development, although one of the submitters indicated their support for the proposal.

A public exhibition and submissions map is provided with the Business Paper supporting documents.

The issues raised in the submissions relate to:



- *Provision of water service and access for an adjoining property, from the development site.*

Applicant's response:

Water services will be extended to the DA site via the Hermitage estate to the west. The applicant is also contractually obligated to provide a water service to the south-western corner of the lot which adjoins the submitter's land, but it is not commercially viable to extend this service a further approximately 500m to an isolated property. Sydney Water have issued the relevant deeds and notices with respect to servicing the development site and this does not endorse any extension of the main to Raby Road.

Provision of direct access to the submitter's land from the proposed collector road cannot be accommodated as it would cross intervening land not within the applicant/developers ownership. Council's recent works on the road shoulders along this section of Raby Road has resolved immediate concerns with respect to safe access, while intersection works ultimately proposed at the intersection of the proposed collector road and Raby Road will further improve access movements.

Officer's comments:

It is agreed that it is not the applicant's/developer's responsibility to provide for a water service connection to the submitters land. However the proposed development does extend these services within the vicinity of the submitter's land should they wish to pursue this matter further with Sydney Water.

Council's Traffic Engineer has reviewed the access issues and advised that the recent shoulder works carried out by Council along this section of Raby Road will improve safety for access to the submitter's land.

- *Provision of amended plans, traffic assessment and modeling to include a southern road connection to Gregory Hills Drive via the neighbouring property.*

The submitter's property to the south, 190 Raby Road, is subject to a planning proposal for residential rezoning, with issues raised by Transport for NSW during its consideration relating to provision of a bus capable road connection through the subject site into the submitter's land.

Applicant's response:

A possible connection to the south to 190 Raby Road is being negotiated between the applicant and the owners of 190 Raby Road. An amended traffic assessment was undertaken to show that the ultimate intersection design at Raby Road can accommodate additional traffic from 190 Raby Road, if the rezoning should proceed.

Officer's Comment's

This road connection is not required under current planning controls. The current DA and bulk earthworks will not preclude the future potential establishment of this road connection, if a residential rezoning of 190 Raby Road proceeds.

The submitter raised some further issues in relation to the details and modeling in the amended traffic assessment. The applicant has updated traffic volumes and modeling



to respond to these concerns. This has also been reviewed by Council's traffic engineer and no substantial outstanding issues were identified.

- *Impacts on existing rights of carriageways and easements for services.*

Applicant's Comments:

Revised construction staging plans maintain access to parties benefitted by the existing rights of carriageway and easement for services. No utility services will be impacted by the works without the prior approval of the utility authority. Existing services will be relocated underground within the future public road in accordance with standard practices.

Officer's Comments:

Satisfactory details have been provided to establish that rights of carriageway, access and easement for services can be maintained, this includes a staging plan which provides for temporary access at Raby Road while the current access is upgraded.

(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

NSW Office of Water

The DA was referred to the Office of Water under the integrated development provisions of the Act, in relation to issue of a controlled activity approval under the *Water Management Act 2000*. The Office of Water has advised that a controlled activity approved is not required and that mapped watercourses within the site are not waterfront land. They also advised that mapped watercourses have or will be removed downstream by approved subdivision on adjoining properties.

Rural Fire Service

The DA was referred to the RFS under the integrated development provisions of the Act in relation to the requirements for issue of a Bushfire Safety Authority under section 100B of the *Rural Fires Act 1997*. The RFS have provided a deemed a bush fire safety authority without any specific conditions.

Office of Environment & Heritage (OEH)

The DA was referred to the OEH under the integrated development provisions of the Act in relation to the granting of an Aboriginal heritage impact permit under the provisions of the *National Park & Wildlife Act 1974*.

The proposed development will impact areas of potential archaeological deposits. The applicant has engaged consultants who are preparing an Aboriginal Cultural Heritage Assessment Report and have undertaken required consultation procedures with the Aboriginal community.



The OEH have provided their General Terms of Approval which indicates that if harm to Aboriginal objects cannot be avoided then an Aboriginal Heritage Impact Permit (AHIP) must be sought prior to the commencement of works. Compliance with these general terms of approval is a recommended consent condition.

Roads & Maritime Services

There was no statutory requirement to refer the DA to the RMS, however the DA was referred for their information, consideration and any comments, having regard to the proposed construction of a collector road with access to Raby Road (this intersection will in future be provided as a signalised intersection, based on triggers within the VPA related to lots releases). Roads & Maritime advised that they had reviewed the submitted information and have raised no objections.

Transport for NSW (TfNSW)

There was also no statutory requirement to refer the DA to TfNSW, however the DA was referred for their information, consideration and any comments, having regard to the proposed construction of a collector road with access to Raby Road, having regard to TfNSW interest in future upgrades of Raby Road.

TfNSW raised issues related to bus connections to adjacent precincts, pedestrian and bicycle provisions, and construction traffic management. TfNSW requested that a bus capable road network be provided through the site for the operation of a 14.5m non-rear steer bus (*12m has been generally adopted elsewhere by Council*) and that this be provided, along the proposed collector and future Road No 2 (*TfNSW noted that this connection was requested in relation to the planning proposal, Camden LEP Amendment 21, for the residential rezoning of 190 Raby Road*)

The applicant has confirmed that the proposed collector road has been designed to accommodate a 14.5m bus, and advised that Road No 2 and a possible connection to the south to 190 Raby Road is being negotiated between the applicant and the owners of 190 Raby Road. This road connection is not required under current planning control. Road No 2 is not proposed to be constructed under this DA, and will be subject to future DAs for staged release of the estate. The current DA and bulk earthworks will not preclude the future potential establishment of this bus capable road connection, if a residential rezoning of 190 Raby Road proceeds.

In regard to other matters raised, the applicant has confirmed that pedestrian paths and cycleway will be provided in accordance with the DCP and that a construction traffic management plan will be submitted as part of a subsequent construction certificate application. This is required as part of the recommended consent conditions.



Sydney Catchment Authority (Water NSW)

The DA was referred to the SCA in accordance with the requirements of the DCP due to the proximity of the Upper Canal. While the SCA do not object to the proposal they provided their requirements to deal with their key concerns including avoiding impacts on water quality on the canal and damage to water supply infrastructure from the proposed development, and security and safety measures. These have been included in the recommended consent conditions.

TransGrid

The DA was referred to TransGrid under the provision of the Infrastructure SEPP, as the centre of the site (within RE2 zoned land) is traversed by TransGrid's high voltage transmission lines. TransGrid requested additional information which was provided to them by the applicant on 16 December 2014. This has been reviewed by TransGrid and preliminary advice has indicated there are no objections to the proposed development subject to final clearance checks. The recommended consent conditions include requirements for final TransGrid agreements, prior to construction certificates.

Endeavour Energy

The DA was referred to Endeavour Energy (EE) under the provisions of the Infrastructure SEPP as there are EE power lines traversing the site. The power lines will ultimately be undergrounded as part of the residential development of the land. EE raised no objections to the proposed development and advised of their requirements and restrictions for working within electrical easement, with their response and requirements referenced in the recommended consent conditions.

Jemena Gas & APA Group

The DA was referred to Jemena and APA under the provisions of the Infrastructure SEPP as the DA and proposed collector road impacts upon gas pipeline easements and infrastructure.

Both Jemena and the APA Group have advised that they have been in discussions with the developer about their easements and infrastructure. They have no objection to the proposed development. The responses include requirements, with these responses being referenced in the recommended conditions of consent.

Campbelltown City Council

Campbelltown Council were advised of the DA due to the proximity to the boundary with that LGA, no response was received. Campbelltown Council however arranged for notification of neighbouring properties within their LGA.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA1077/2014 is recommended for approval subject to the conditions contained in this report / for refusal for the reasons contained in this report:



CONDITIONS

1.0 - General Conditions of Consent

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

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No. (Project X14150.BEW)	Name of Plan	Prepared by	Date
DA 001	General Layout Plan	Brown Consulting	1 May 2015 Revision 2
DA002	Standard Notes & Legend	Brown Consulting	1 May 2015 Revision 2
DA101 to DA103	Sediment Erosion Control Plan sheets 01 to 03	Brown Consulting	1 May 2015 Revision 2
DA104	Sediment & Erosion Control Plan – Stage A	Brown Consulting	1 May 2015 Revision 2
DA105	Sediment & Erosion Control Plan – Stage B	Brown Consulting	1 May 2015 Revision 2
DA106	Sediment & Erosion Control Plan – Stage C	Brown Consulting	1 May 2015 Revision 2
DA107	Sediment & Erosion Control Notes & Details	Brown Consulting	1 May 2015 Revision 2
DA200	Bulk Earthworks Stage Volumes	Brown Consulting	1 May 2015 Revision 2
DA201 to 204	Bulk Earthworks Plan Sheets 01 to 04	Brown Consulting	1 May 2015 Revision 2
DA205 & DA215	Bulk Earthworks Sections Sheets 01 to 11	Brown Consulting	1 May 2015 Revision 2
DA301 & 304	Civil Engineering Plan Sheets 01 to 04	Brown Consulting	1 May 2015 Revision 2
DA401 & 402	Road No 1 Longitudinal Sections, Sheets 01 and 02	Brown Consulting	1 May 2015 Revision 2
DA403	Road No 1 & 19 Longitudinal Sections	Brown Consulting	1 May 2015 Revision 2
DA404	Road No 01	Brown	1 May 2015

	Typical Sections	Consulting	Revision 2
DA810 & DA811	Collector Road Phase 1 Half Road Construction Sheets 01 & 02	Brown Consulting	1 May 2015 Revision 2
DA812 & DA813	Collector Road Half Road Construction Sheet 01 & 02	Brown Consulting	1 May 2015 Revision 2
DA815	14.5m Turning Path At Road No 12 Intersection	Brown Consulting	1 May 2015 Revision 2
DA816	14.5 Turning path at Road No.07 Intersection	Brown Consulting	1 May 2015 Revision 2
DA817	14.5m Turning Path at Road No. 08 Intersection	Brown Consulting	1 May 2015 Revision 2
DA822	Raby Road Temporary Interim Intersection Works	Brown Consulting	1 May 2015 Revision 2
DA823 to DA825	Raby Road Temporary Intersection Turn Paths Sheet 01 to 03	Brown Consulting	undated
DA-1440-01	Collector Road Streetscape (Street tree planting)	Sturt Noble Associates	14 November 2014
X14150-RD-3	Proposed Road Dedication Over Part of Lot 3 in DP 1193163 and Lot 101 in DP 1193881	Calibre Consulting	12 May 2015

Document Title	Prepared by	Date
Vegetation Management Plan numbered 610.14148	SLR Consulting	17 November 2014
Water Management Plan numbered X14150.BEW	Brown Consulting	November 2014, issue B

Note: This development consent and the approved plans in the above table do not approve or authorise the staged residential subdivision of the land.

- (2) **El Caballo Blanco, Gledswood & Eastside Planning Agreement** – The development shall be carried out in accordance with the Planning Agreement executed between Council and SH Camden Valley Pty Limited, Caldla Pty

limited, Vincenzo & Elizabeth Pisciueneri, Rok & Teresa Friscic, Jozo & Eva Bernatovic, Frank, Maria & Samuel Galluzzo, the owners of SP 36786.

The development of the Eastern Portion, as defined under the planning agreement, shall be generally in accordance with the Development Staging Plan prepared by Calibre Consulting, numbered X1415-DP-1, dated 19 May 2015, issue 1, and shall be in accordance with the Vegetation Management Plan prepared by SLR Consulting numbered 610.14148 dated 17 November 2014 and the Water Management Plan, prepared by Brown Consulting numbered X14150.BEW dated November 2014, issue B.

- (3) **General Terms of Approval** - The General Terms of Approval from state authorities shall be complied with prior to, during, and at the completion of the development.

The General Terms of Approval are:

- Office of Environment & Heritage, DOC14/305531 dated 16 December 2014.
- Rural Fire Service, D14/3582, dated 9 January 2015 (deemed bushfire safety authority).

- (4) **Agency requirements** - The requirements of the following agencies as listed below shall be complied with prior to, during, and at the completion of the development.

- Sydney Catchment Authority - letter (reference D2014/124610) dated 15 December 2014.
- Endeavour Energy - letter dated 18 December 2014.
- Jemena - letter dated 15 January 2015.
- APA Group - letter dated 27 January 2015 (reference 43458).

- (5) **TransGrid** – The development is to be undertaken in accordance with the requirements of TransGrid including where relevant, the requirements within the current TransGrid Guidelines for Easement Activities and Restrictions and the TransGrid Easement Guidelines for Third Party Development.

- (6) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.

- (7) **Works/Regulatory Signposting** – All works/regulatory signposting associated with the proposed development are to be at no cost to Council.

- (8) **Public Road Activity** - Works within Council's Road Reserve and service connections to existing works in Council's Road Reserve requires a Public Road Activity approval from Council (under the relevant provisions of the Road Act 1993).

Note: Any connections to existing works within Public Reserves or Drainage Reserves will require owner's permission (i.e. Camden Council).

- (9) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the



establishment and maintenance responsibility for all landscaping elements associated with this Consent.

The 12 month maintenance and establishment period includes the Applicant's responsibility for the establishment, care and repair of all street tree installations.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation 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 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

- (10) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

Trees and vegetation on site shall be retained and protected in accordance with the recommendations and provisions of the Vegetation Management Plan, numbered 610.14148, prepared by SLR Consulting, dated 17 November 2014.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval,
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual

carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (11) **Noxious Weeds Management** - Noxious weeds management shall occur in accordance with Camden Development Control Plan 2011, and shall be consistent with the weed removal actions specified within the Vegetation Management Plan, numbered 610.14148, prepared by SLR Consulting, dated 17 November 2014.
- (12) **Hollow-bearing trees and Nest Box Installation** - Nest box installation and hollow-bearing tree removal shall be undertaken in accordance with the actions set out in the Vegetation Management Plan, specifically Sections 4.8 and 4.9, numbered 610.14148, prepared by SLR Consulting, dated 17 November 2014. Details of compliance must be provided to the Certifying Authority by the applicant in accordance with those requirements.
- (13) **General Requirement** - 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.
- (14) **Restriction on access to Hermitage Estate** - No vehicle access shall be provided from the western end of the collector road through to the Hermitage estate to the west.

This access is denied until such time as a signalised intersection has been completed and is operational, to the satisfaction of Council and Roads & Maritime, at the intersection of the collector road with Raby Road.

Details of the measures to be implemented to deny this access shall be provided with the construction certificate plans, to the satisfaction of Council, and where required, the prior agreement of the Local Traffic Committee.

2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Staging of Bulk Earthworks Works** - The development is to be completed in stages in accordance with the approved Staging Plan/s.

One Construction Certificate may be issued for all stages, or a single construction certificate may be issued with respect to each stage or a combination of stages.

- (2) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

Note. Under the *Roads Act 1993*, only the Council can approve commencement of works within an existing road reserve.

- (3) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (4) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (5) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

Stormwater systems serving development adjacent to the Upper Canal shall be designed to prevent stormwater entering the Upper Canal or exceeding existing SCA stormwater infrastructure capacity.

- (6) **Soil, Erosion, Sediment and Water Management** - An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

Note: Sydney Catchment Authority (Water NSW) Requirements:

Effective erosion and sediment controls shall be installed to prevent sediment or polluted run-off entering the Upper Canal. The controls shall be regularly maintained and retained until the development site is stabilised. Adequate measures shall be implemented to suppress dust and prevent dust from polluting the open water supply canal.

- (7) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.
 - a) The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment is not unacceptably impacted upon by the proposal. The Environment Management Plan shall include but not be necessarily limited to the following measures;
 - b) Measures to control noise emissions from the site;
 - c) Measures to suppress odours and dust emissions;
 - d) Soil and sediment control measures;
 - e) Measures to control air emissions that includes odour;
 - f) Measures and procedures for the removal of hazardous materials that includes waste and their disposal;
 - g) Any other recognised environmental impact; and
 - h) Community Consultation.
- (8) **Construction Noise Management Plan** - A construction, bulk earthworks noise management plan shall be provided to the Certifying Authority and include the following:

- a) Noise mitigation measures
 - b) Noise and/or vibration monitoring
 - c) Use of respite periods
 - d) Complaints handling, and
 - e) Community liaison and consultation.
- (9) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications.
- (10) **Desilting Dams or Creeks** - A Geotechnical Report prepared by a suitably qualified geotechnical engineer and detailing works required to desilt any existing dams or creek beds, shall be provided to the Certifying Authority in conjunction with the engineering drawings with the Construction Certificate application.
- (11) **Sydney Catchment Authority (Water NSW)** – The SCA shall be provided with the plans for construction and consulted prior to a construction certificate being issued to ensure final details of any works along the Upper Canal boundary, including any proposed batters and stormwater management measures are to the satisfaction of the SCA.
- (13) **Intersection and Roundabout Design** – The interim intersection, associated traffic lanes and islands shall be designed to provide for construction vehicle access (19.5m) and ensure that swept paths for access to and from the site (including construction vehicles) do not cross centre lines and islands.

The design of the roundabouts shall comply with Austroad requirements.

Line-marking, signage and traffic control devices shall be approved by the Local Traffic Committee prior to issue of a construction certificate.

3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;



- d) the name and address of the PCA, and of the person by whom the PCA was appointed;
- e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
- f) a telephone number on which the PCA may be contacted for business purposes.

(3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:

- a) the name and address of the person by whom the notice is being given;
- b) a description of the work to be carried out;
- c) the address of the land on which the work is to be carried out;
- d) the registered number and date of issue of the relevant development consent and construction certificate;
- e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
- f) the date on which the work is intended to commence.

(4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:

- a) a Construction Certificate has been issued by a Consent Authority;
- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
- c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and

the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

(5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:

- a) that unauthorised entry to the work site is prohibited;



- b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours;
- c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (6) **Performance Bond** - Prior to commencement of works a performance bond of 10% of the value of civil works must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this Development Consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall 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).

- (8) **Demolition Work** - Consent is granted for the demolition of she/s/outbuilding/s currently existing on the property, subject to compliance with the following conditions:
 - a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
 - b) Written notice shall be given to the PCA for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following inspection shall be undertaken by the PCA:
 - i) a pre-commencement inspection when all the site works are installed on the site and prior to demolition commencing;
 - ii) a final inspection when the demolition works have been completed.
 - c) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 - d) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.



- e) Suitable erosion and sediment control measures in accordance with an approved ESCP shall be installed prior to the commencement of demolition works and shall be maintained at all times.
- f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal.
- h) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- i) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

4.0 - During Works

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

- (1) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
 - a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 45 of the *Roads Act 1993*;
 - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138B of the *Roads Act 1993*.

Note: Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (3) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced during construction of the



development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

(4) **Site Management Plan** - The following practices shall be implemented during construction works:

- a) a sign shall be erected at all entrances to the subdivision site and be maintained until the subdivision has reached 80% occupancy. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read 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 wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

(5) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to:

www.environment.nsw.gov.au/waste/envguidlns/index.htm)

Once assessed, the materials shall be disposed to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

(6) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the Erosion and Sediment Control Plan or Soil and Water Management Plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

(7) **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 provided 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:

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 6000m³ - 3 sampling locations,
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ 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 ³)
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.

- (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) **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 provided to the Council at the completion of the development.
- (10) **Location of Stockpiles** - Stockpiles of soil shall 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 contaminated materials shall be suitably covered to prevent dust and odour nuisance.



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- (11) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
 - (12) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
 - (13) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (14) **Area of Environment Concern (Contamination)** - That no works shall be carried out within Area of Environmental Concern TPAEC 1-3 as denoted in drawing titled Bulk earthworks Plan sheet 03 of 04 Project no. X14150.BEW Drawing No. 203 revision 2 prepared by Brown Consulting. The area is to be securely fenced off under the supervision of the Environmental Consultant “Douglas Partners”. Appropriate signing is to be installed on the fence to ensure no accidental works are carried out within the area. It should be noted that a Separate Development Application shall be submitted to the Council and approved before any works are carried out within this area.
- (15) **Salinity Management Plan** - All proposed earthworks, landscaping, buildings and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the Report on Salinity Investigation and Management Plan Proposed residential subdivision, Raby Road, prepared by Douglas Partners project 76616.04 dated October 2014.
- (16) **Noise** –Works shall not give rise to an ‘offensive noise’ as defined in the *Protection of the Environment Operations Act 1997*.

Works shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority’ Environmental Noise Manual for the control of construction site noise that specifies that:

For a cumulative period of exposure to construction activity noise of up to 4 weeks, the Laeq (15 minute) emitted by the works to specific residences should not exceed the LA90 background level by more than 20 dBA.

For a cumulative construction noise exposure period of between 4 to 26 weeks, the emitted Laeq (15 minutes) noise level should not exceed the LA90 level by more than 10 dBA.



For a cumulative construction noise exposure period greater than 26 weeks, the emitted Laeq (15 minute) noise level should not exceed the LA90 level by more than 5 dBA.

- (17) **Sydney Catchment Authority requirements** – If any damage to the Upper Canal is caused at any stage during the development process, the proponent shall repair, or pay all reasonable costs associated with repairing, the damaged water supply infrastructure.

5.0 - Prior to Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots To Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (5) **Fill Plan** - A Fill Plan shall be provided to the 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 provided electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and provide both on compact disk and an A1 paper plan.

- (6) **Incomplete Works** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.
- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, 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.

- (8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.
- (9) **Street Lighting** - Street lighting shall be provided within the subdivision in accordance with the relevant AS and to the satisfaction of the PCA. All such work shall be complete and operative.
- (10) **Soil Classification** - A Soil Classification Report prepared by a suitable qualified person in accordance with the AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the PCA. A classification shall be provided for each lot within the subdivision. The Soil Classification Report shall also be provided to Council.
- (11) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
 - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.
 - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (12) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).
- (13) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
 - a) easement for services;
 - b) easement to drain water;
 - c) drainage easement/s over overland flow paths; and
 - d) Right of carriageway.
- (14) **Defects and Liability Bond** - The applicant is to lodge a defects and liability bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, with Council.



Note: The bond covers any defects and liabilities of the public infrastructure.

- (15) **Road Surface Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with Council for the placement of the final layer of Asphaltic Concrete (AC) wearing course for any proposed Public Road within the subdivision.

The bond is to be in the form of cash or unconditional bank guarantee, in favour of Council and shall be equivalent to 150% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making 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 is to be held until at least 80% of the subdivision occupancy, or when determined by Council.

- (16) **Footpath Bond** - The applicant is to lodge a bond in the form of an unconditional bank guarantee or cash bond with 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 unconditional bank guarantee, in favour of Council and shall be equivalent to 125% of the value of the works, including the cost of all reinstatement works. The bond amount shall be determined by making 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 is required to be held until at least 80% of the subdivision occupancy, or when determined by Council.

- (17) **Street Tree Installation** – Street trees shall be planted at no cost to Council and in the locations specified on the Collector Road Streetscape plan.

RECOMMENDED

That Council:

- i. **approve DA 1077/2014 for staged bulk earthworks, construction of a collector road, with associated drainage and site works, and subdivision and dedication of the road, at 182, 184, 184A, 184B, 186, 188A and 188B Raby Road, subject to the conditions listed above;**
- ii. **in accordance with the provisions of the El Caballo Blanco, Gledswood and East Side Site Planning Agreement endorse the Development Staging Plan prepared by Calibre Consulting, numbered X1415-DP-1, dated 19 May 2015, issue 1, the Vegetation Management Plan prepared by SLR Consulting numbered 610.14148 dated 17 November 2014 and the Water Management Plan, prepared by Brown Consulting numbered X14150.BEW dated November 2014, issue B.**

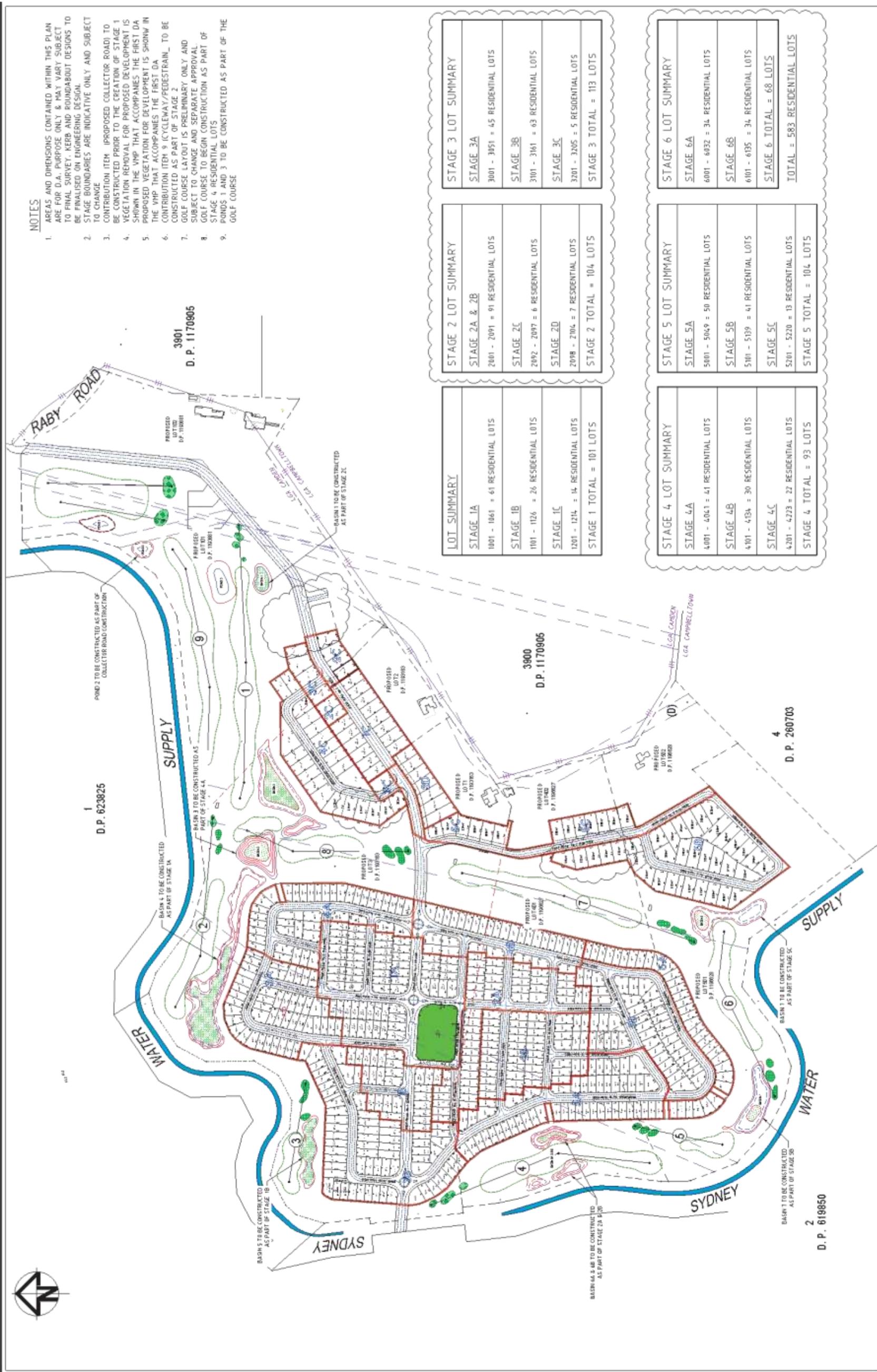
ATTACHMENTS

1. Revised development staging plan



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2. General Layout Plan
 3. Revised zoning complying plan
 4. Indicative Layout Plan and proposed Master Plan
 5. Submissions - *Supporting Document*
 6. Public Exhibition and Submissions Map - *Supporting Document*

ORD01



NOTES

1. AREAS AND DIMENSIONS CONTAINED WITHIN THIS PLAN ARE FOR D.A. PURPOSE ONLY & MAY VARY SUBJECT TO FINAL SURVEY, KERB AND ROUNDABOUT DESIGNS TO BE FINALISED ON ENGINEERING DESIGN.
2. STAGE BOUNDARIES ARE INDICATIVE ONLY AND SUBJECT TO CHANGE.
3. CONTRIBUTION ITEM: PROPOSED COLLECTOR ROAD TO BE CONSTRUCTED PRIOR TO THE CREATION OF STAGE 1 VEGETATION REMOVAL FOR PROPOSED DEVELOPMENT IS SHOWN IN THE VMP THAT ACCOMPANIES THE FIRST DA PROPOSED VEGETATION FOR DEVELOPMENT IS SHOWN IN THE VMP THAT ACCOMPANIES THE FIRST DA CONTRIBUTION ITEM 9 (CYCLEWAY/PEDESTRIAN) TO BE CONSTRUCTED AS PART OF STAGE 2.
4. GOLF COURSE LAYOUT IS PRELIMINARY ONLY AND SUBJECT TO CHANGE AND SEPARATE APPROVAL.
5. GOLF COURSE TO BEGIN CONSTRUCTION AS PART OF STAGE 4 RESIDENTIAL LOTS.
6. PONDS 1 AND 3 TO BE CONSTRUCTED AS PART OF THE GOLF COURSE.

STAGE 3 LOT SUMMARY	
STAGE 3A	3001 - 3051 = 45 RESIDENTIAL LOTS
STAGE 3B	3101 - 3161 = 63 RESIDENTIAL LOTS
STAGE 3C	3201 - 3205 = 5 RESIDENTIAL LOTS
STAGE 3 TOTAL = 113 LOTS	

STAGE 2 LOT SUMMARY	
STAGE 2A & 2B	2001 - 2091 = 91 RESIDENTIAL LOTS
STAGE 2C	2092 - 2097 = 6 RESIDENTIAL LOTS
STAGE 2D	2098 - 2104 = 7 RESIDENTIAL LOTS
STAGE 2 TOTAL = 104 LOTS	

LOT SUMMARY	
STAGE 1A	1001 - 1061 = 61 RESIDENTIAL LOTS
STAGE 1B	1101 - 1126 = 26 RESIDENTIAL LOTS
STAGE 1C	1201 - 1214 = 14 RESIDENTIAL LOTS
STAGE 1 TOTAL = 101 LOTS	

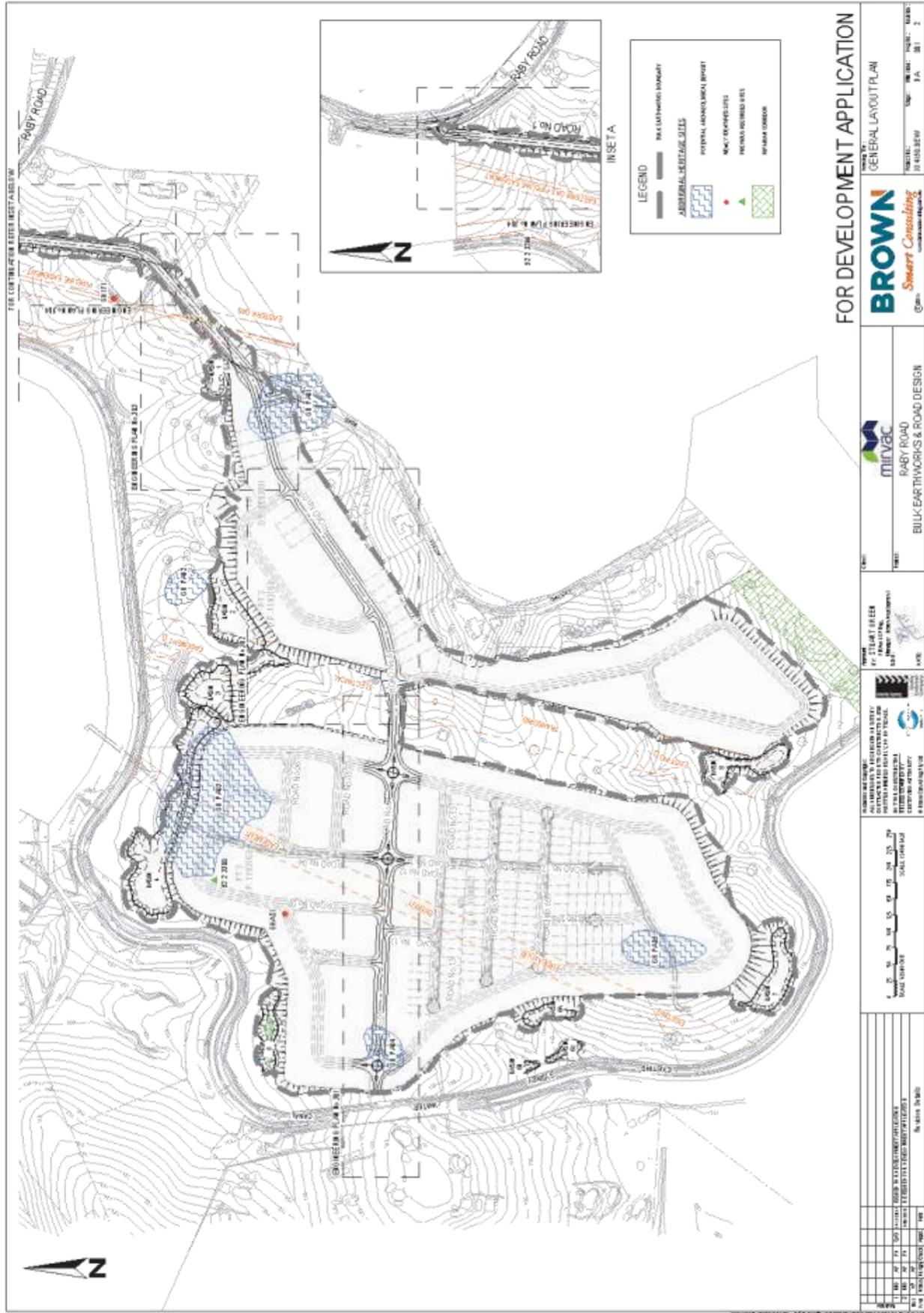
STAGE 6 LOT SUMMARY	
STAGE 6A	6001 - 6032 = 34 RESIDENTIAL LOTS
STAGE 6B	6101 - 6195 = 34 RESIDENTIAL LOTS
STAGE 6 TOTAL = 68 LOTS	
TOTAL = 583 RESIDENTIAL LOTS	

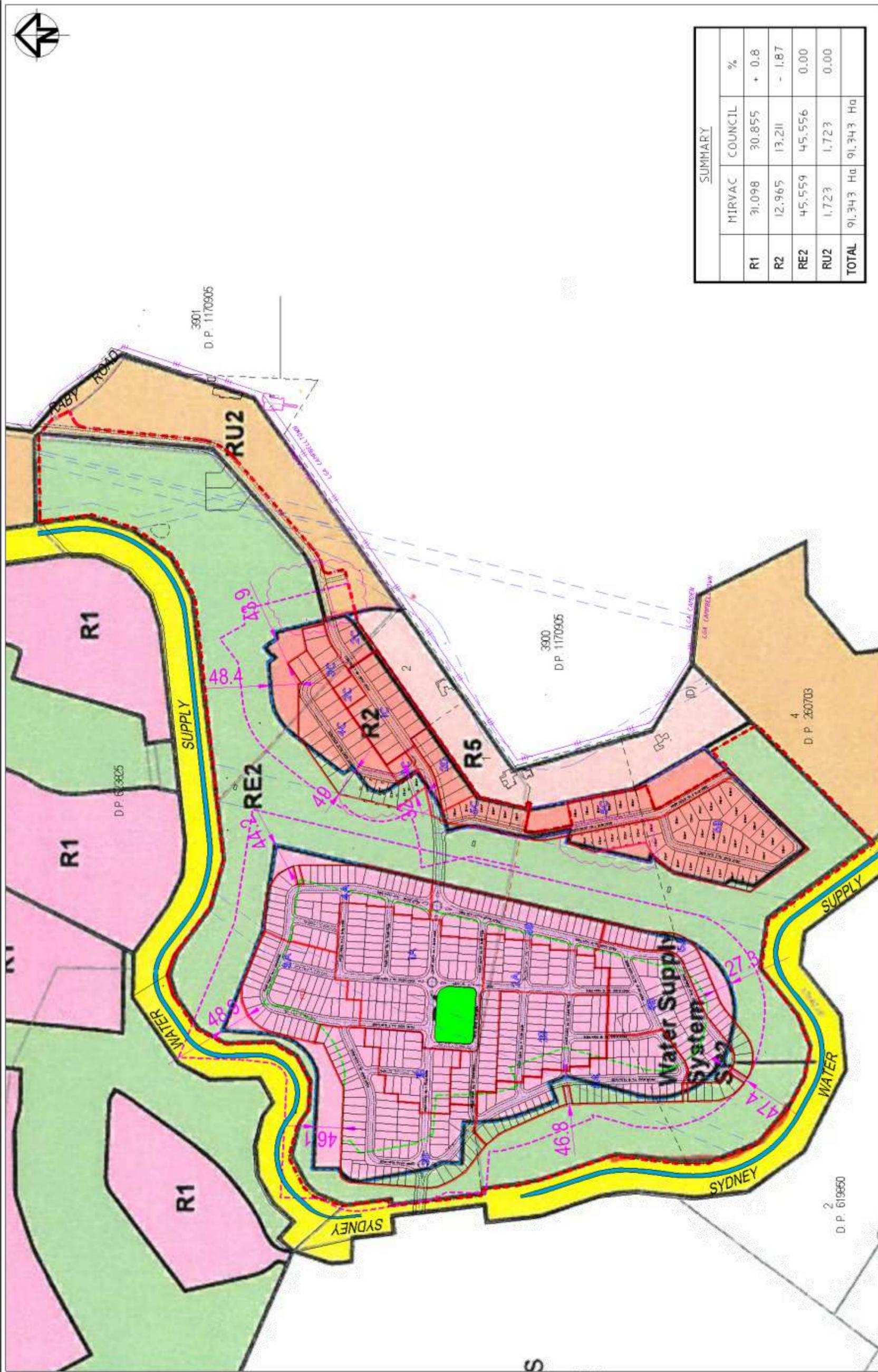
STAGE 5 LOT SUMMARY	
STAGE 5A	5001 - 5049 = 50 RESIDENTIAL LOTS
STAGE 5B	5101 - 5199 = 41 RESIDENTIAL LOTS
STAGE 5C	5201 - 5220 = 13 RESIDENTIAL LOTS
STAGE 5 TOTAL = 104 LOTS	

STAGE 4 LOT SUMMARY	
STAGE 4A	4001 - 4041 = 41 RESIDENTIAL LOTS
STAGE 4B	4101 - 4194 = 30 RESIDENTIAL LOTS
STAGE 4C	4201 - 4223 = 22 RESIDENTIAL LOTS
STAGE 4 TOTAL = 93 LOTS	

PROPOSED DEVELOPMENT STAGING PLAN

CAMDEN COUNCIL RABY ROAD, GLEDWOOD HILLS PROPOSED SUBDIVISION OVER LOTS 101 IN D.P. 1193881, P13 IN D.P. 1193163, LOT 4.01 IN D.P. 1196627 & 5.01 IN D.P. 1196228			
REDUCTION: A1 PLAN: 1:300 @ A1 1:600 @ A3	SCALE: 1:300 @ A1 1:600 @ A3 1:1200 @ A4	DATE: 11/05/15 SURVEY:	CHECKED: P.L. DATE: 11-11-2014 A.L.
ISSUE FOR D.A. ISSUE: 0 DATE: 11-11-2014		ISSUE DESCRIPTION DRAWING No: X14,150-DP-1 SHEET 1 OF 1 SHEETS	





SUMMARY			
MIRVAC	COUNCIL	%	
R1	31.098	30.855	+ 0.8
R2	12.965	13.211	- 1.87
RE2	45.559	45.556	0.00
RU2	1.723	1.723	0.00
TOTAL	91.343	91.343	Ha

ZONING COMPLYING PLAN

mirvac	calibre CONSULTING	camden council	1 REVISION FOR D.A. 2 ISSUE FOR D.A. 3 REVISION FOR D.A. 4 ISSUE FOR D.A.
CAMDEN COUNCIL RABY ROAD, GLEDSDOOD HILLS PROPOSED SUBDIVISION OVER LOTS 101 IN D.P. 1193881, P13 IN D.P. 1193163, LOT 401 IN D.P. 1196627 & 501 IN D.P. 1196228		DRAWING No. X14.150-ZP-3 SHEET 1 OF 1 SHEETS	

ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.
 © 2014 Calibre Consulting Pty Ltd
 Scale 1:2000 (A1) SCALE 1:2000 (A1)

REDUCTION RATIO	DATE	BY	CHECKED	DATE
PLN 1:2000 @ A1	3-11-2014	TRACED	A.L.	3-11-2014
1:6000 @ A1				



Indicative Layout Plan – Camden DCP



Proposed Masterplan

56

ORDINARY COUNCIL

ORD02

SUBJECT: PROPOSED MINOR AMENDMENT TO THE CAMDEN LEP 2010 TO CORRECT MAPPING ANOMALIES AT CAULFIELD CLOSE, MANOOKA VALLEY.

FROM: Director Planning & Environmental Services

TRIM #: 15/130252

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for a minor mapping amendment to Camden Local Environmental Plan 2010 (CLEP 2010). The draft Planning Proposal is included as **Attachment 1 to this report**.

BACKGROUND

The subject land being Lots 423-425, 441-443 and 447 of DP 1163902 are located at Caulfield Close, Manooka Valley. The lots were created by DA 1291/2009 approved on 9 November, 2010, and all associated civil works on the site have been completed.

The subject land (as shown below in Figures 1-2) is zoned R1 General Residential and E2 Environmental Conservation, under the Camden Local Environmental Plan (CLEP) 2010.



Figure 1 Site Location – Caulfield Road, Manooka Valley

A mapping anomaly has occurred in relation to the boundary for the E2 Environmental land, which was intended to relate to land south of Caulfield Close.



Figure 2 – Current zoning of Lots 423-425, 441- 443 and 447 of DP 1163902

The anomaly has unintentionally restricted the construction of dwelling houses on the subject lots, as is the intention of the Development Control Plan (DCP) applying to this land. The E2 Environmental Conservation zone does not permit any built structure, therefore restricting the location of dwelling houses to the R1 zoned land only.

Council officers have initiated this draft planning proposal following discussions with landowners during the consideration of an approval for a dwelling house on Lot 425 of DP 1163902.

Should Council resolve to proceed with the draft Planning Proposal it will be forwarded to the Department of Planning and Environment (DoPE) for gateway determination.

MAIN REPORT

History

Camden LEP 47

The subject lots were created under DA 1291/2009. At the time of lodgment LEP 47 applied to the land.

Under LEP 47 the subject land was zoned 7(d1) (Environmental Protection (Scenic) Zone) and 2(d1) (Residential “D1” (Manooka Valley) Zone).

The Council report of 09 November 2010 which resolved to approve the application noted, *“Certain parts of the development are located within a zone in which they are not permissible. This relates to portions of roads and lot frontages on either side of the developments central riparian corridor. However as the works are located within 50m of a zone in which they are permissible, the applicant has asked Council to the support the use of Clause 24 of LEP 47 .*



ORD02

The use of Clause 24 permitted the approval of the subdivision and associated works within the 7(d1) (Environmental Protection (Scenic) Zone) for residential purposes.

It would have at the time also enabled the approval of a dwelling on the land under the same provisions.

Camden LEP 2010

On September 3, 2010 the current Camden LEP 2010 was gazetted. Under CLEP 2010 the zoning of the land is R1 General Residential (previously 2(d1)) and E2 Environmental Conservation (previously 7(d1)).

The standard LEP template contained standardised zones and standardised wording of clauses, limiting the ability to have local site specific zoning, controls and clauses.

Under the CLEP 2010 the permissible uses within the E2 land include: Environmental protection works; Flood mitigation works; Recreation areas; Roads; and Water reticulation systems. Therefore a dwelling cannot be approved within the portion of the lot zoned E2.

Whilst a dwelling could be approved contained wholly within the R1 General Residential portion, it would not be able to comply with the relevant DCP controls with regards to rear and front setback, and would provide a poor design outcome in terms of streetscape amenity.

It is noted that whilst CLEP 2010 was gazetted prior to the approval of DA1291/2009, the development application was assessed under the environmental planning instrument in place at the time of lodgment, (LEP 47).

The proposed amendments

The draft planning proposal proposes to amend all CLEP maps applying to the subject land to ensure the approved lots are zoned entirely R1 General residential and the associated height of buildings maps and minimum lot size maps are also amended to apply to the entire lot. Figure 3 shows the proposed amended zoning maps and all other maps proposed to be amended are contained within Attachment 1 to this report.

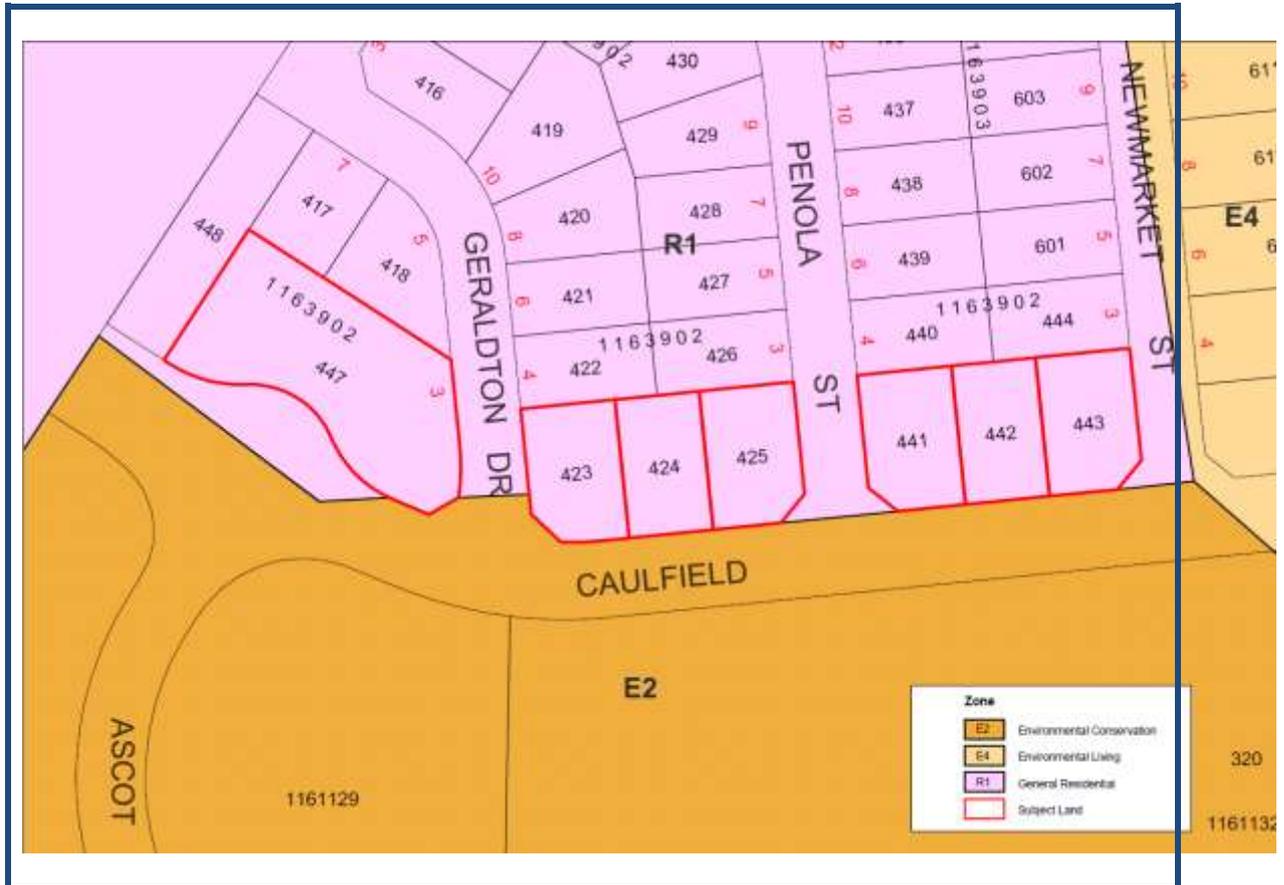


Figure 3 – Proposed zoning of Lots 423-425, 441- 443 and 447 of DP 1163902

Other Considerations

Environmental

There is no vegetation on the site. The removal of this portion of E2 Environmental Conservation land will have no environmental impact. The adjacent riparian corridor has been re-vegetated as required by the DA approval for this subdivision, and this function will not be impacted by this proposed amendment.

Urban Design

The proposed amendment will provide a better urban design and streetscape outcome for Caulfield Street. A dwelling constructed under the current split zone would create the need for a 11m setback for the property at Lot 423 of DP 1163902, which would create uneven setbacks and poor streetscape outcomes.

Exhibition Period



ORD02

The draft Planning Proposal recommends that the proposal be exhibited for a 14 day period in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and Regulations as the matters dealt with in this planning proposal are of a minor housekeeping nature. Council will notify in writing those residents and property owners directly affected by the proposed amendments.

LEP Delegation

Council intends to use its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979 for this Planning Proposal. This will enable Council to streamline the processing of the Planning Proposal. The request for delegation will be made as part of the Gateway submission. This would allow Council to deal directly with Parliamentary Counsel for making of the plan. The General Manager is Council's nominated officer.

Where to from here

If Council resolves to send the draft Planning Proposal to DoPE for Gateway Determination the following steps will occur:

1. If a Gateway Determination to proceed is received the Planning Proposal will proceed directly to public exhibition; and
2. Upon completion of the public exhibition period should no submissions be received it is proposed to forward the Planning Proposal as exhibited to the DoPE for making of the plan; **OR**
3. Should submissions be received as part of the exhibition period a further report to Council will be prepared to consider submissions and to seek a resolution to forward the Planning Proposal to the Department of Planning and Environment for making of the plan.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The draft Planning Proposal seeks to make minor amendments of a housekeeping nature to the Camden LEP 2010. The amendments will rectify anomalies in the mapping, and will have no environmental impact on the adjacent riparian corridor.

The amendments will also facilitate improved streetscape and urban design outcomes on the subject land.

RECOMMENDED

That Council:

- i. **endorse the draft planning proposal to forward to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979;**
- ii. **pending a favourable response from the Department of Planning and Environment, proceed directly to publicly exhibit the planning proposal in**



accordance with the terms of the Gateway Determination notice; and

- iii. subject to no submissions been received, adopt the planning proposal as exhibited, and forward to the Department of Planning and Environment to be made; or**
- iv. if submissions are received, consider a further report a the conclusion of the exhibition period.**

ORD02

ATTACHMENTS

- 1. Manooka Valley Draft Planning Proposal V3

ORD02

Attachment 1



CAMDEN COUNCIL

**PLANNING
PROPOSAL**

Amendment No. xx – Caulfield Close

Amendment to Camden LEP 2010

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Contents

Background..... 3

Environmental Considerations 4

Part 1 -Objectives or Intended Outcomes..... 6

Part 2 – Explanation of provisions 8

Part 3 – Justification 9

Part 4 – Maps..... 17

Part 5 – Community Consultation 17

Part 6 – Project Timeline 17

Appendix A – Comparison Maps 18

Appendix B – Applicable section 117 directions 22

Amendment No. xx-Housekeeping Amendment to Camden LEP 2010

ORD02

Attachment 1

Background

The purpose of the Planning Proposal is for a minor amendment to Camden Local Environmental Plan 2010 (CLEP 2010), to correct a mapping anomaly.

The subject land includes seven (7) Lots 423-425, 441-443 and lot 447 of DP 1163902, which are located on the northern side of Caulfield Close, Manooka Valley. The subject lots were created by DA 1291/2009, which were part of an approval on 9 November, 2010 for a residential subdivision comprised of 159 residential lots.

The subject lots range in size from approximately 598.5sqm to 653sqm with the exception of Lot 447 being 2167sqm. The lots are generally regular in shape with the exception of splays located on the corner lots. The subject lots are orientated north to south with their primary frontage to Caulfield Close and have been cleared of vegetation, whilst yet to be developed for the purpose of dwellings. Refer to [Figure 1](#), which depicts the location of the subject site.



Figure 1 Site Location – Caulfield Close, Manooka Valley

The subject lots are comprised of a dual zone being R1 General Residential zone and E2 Environmental Conservation zone. The subject of the planning proposal and minor mapping anomaly involves the E2 Environmental Conservation zone, which has been incorrectly attributed to the zoning of the land and is included within the seven (7) lots. As such, E2 Environmental Conservation zoned land is located only at the street frontage across all seven (7) lots. The encroachment of E2 land is contained within a narrow band of land approximately 3m to 11m in average width from the road frontage.

Amendment No. xx-Housekeeping Amendment to Camden LEP 2010

Environmental Considerations

The E2 – Environmental Conservation zoned land functions as the central riparian corridor and further serves as the village common in Manooka Valley. Caulfield Close is a classed as a minor collector road with cycleway being approximately 16m -17m in width. As such, this stretch of Caulfield Close further isolates the subject narrow stretch of E2 zoned land adjoining the R1 General Residential on the northern side from the remaining E2 zoned riparian land on the southern side of Caulfield Close.

Refer to Figure 2, which illustrates the dual zoning of the land on the subject site.



Figure 2 – Lots 423-425 and 441- 443 of DP 1163902

The above mapping anomaly was previously known at the DA subdivision stage of DA 1291/2009, under their former land use zones, 2(d1) Residential Zone and 7(d1) Environmental Protection (Scenic) in the previous Camden LEP 47 and LEP 48.

This is evident in the Council Report, *“certain parts of the development are located within a zone in which they are not permissible. This relates to portions of road and lot frontages on either side of the development’s central riparian corridor. However, as the works are located within 50m of a zone in which they are permissible, the applicant has asked Council to support the use of the LEP’s Clause 24 (commonly referred to as the “fuzzy line” clause.)*

This clause allows development that is not permissible in a zone, to be carried out in that zone, if that zone is located within 50m of another zone in which the development is permissible. The use of the clause is supported here, as the proposed development/zone boundary variations are minimal in the context of the overall proposal and the development will still achieve the objectives of the relevant zones.”

Amendment No. xx-Housekeeping Amendment to Camden LEP 2010

ORD02

It is further noted, that although Camden LEP 2010 was gazetted on 3 September 2010, the subdivision DA 1291/2009, was lodged well before the gazettal date, hence Camden LEP 2010 was considered to be in draft form, whilst LEP 47 and LEP 48 prevailed in weight and consideration in this subdivision application.

Under LEP 47 and LEP 48, the former land use zones of the subject site, 2(d1) Residential Zone and 7(d1) Environmental Protection (Scenic) zones have since been superceded in Camden LEP 2010 by R1 – General Residential zone and E2 – Environmental Conservation zone. The standard LEP template contained standardised zones and standardised wording of clauses, limiting the ability to have local site specific zoning, controls and clauses.

Hence, the standard provision under Clause 5.3 in Camden LEP 2010 "*Development near zone boundaries*", which is the Standard LEP Template version of the '*fuzzy line*' clause is not applicable to Zone E2 Environmental Conservation.

As such, the mapping anomaly resulting in dual zones has resurfaced as an issue during the DA stage for the approval of the dwellings on the subject seven (7) lots. Given the incorrect inclusion of land zoned E2 – Environmental Conservation zone at the front of each of the seven (7) lots, which prohibits residential dwellings within this zone.

Under the CLEP 2010, the permissible uses within the E2 land include: Environmental protection works; Flood mitigation works; Recreation areas; Roads; Water reticulation systems. Therefore a dwelling cannot be approved within the portion of the lot zoned E2, and clause 5.3 cannot be applied.

Whilst a dwelling could be approved, contained wholly within the R1 General Residential portion across the seven (7) lots; it would result in a poor building design outcome in terms of streetscape amenity, where the front setback would be deemed excessive and be located inconsistently for each dwelling across all seven (7) blocks.

As such removing the land zoned E2 – Environmental Conservation zone and replacing it with the remaining zoned land R1 General Residential to the front of each of the seven (7) lots will re-instate a better planning control to achieve a consistent front setback for each dwelling to the main street of Manooka Valley.

Camden DCP 2011 - Master Plan for Manooka Valley

The above correction of the mapping anomaly to remove the dual zone will also achieve uniformity and consistency with the Master Plan for Manooka Valley.

The Master Plan is illustrated in [Figure 3](#) below, which shows that the riparian corridor/village corridor is restricted to only land contained within the central spine of Manooka Valley and does not encroach the subject site across Caulfield Close.

Attachment 1

Amendment No. xx-Housekeeping Amendment to Camden LEP 2010

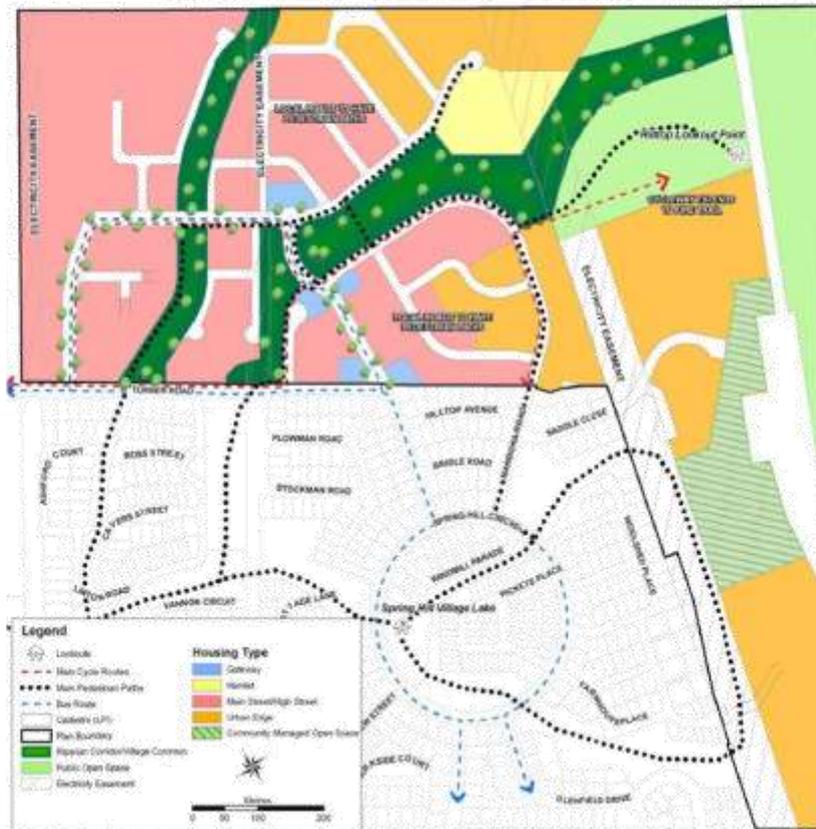


Figure 3 – Manooka Valley Master Plan

Proposed Amendments

The draft planning proposal proposes to amend all CLEP maps applying to the subject land to ensure that the approved lots are zoned entirely R1 General residential and the associated height of buildings maps and minimum lot size maps are also amended to apply to the approved lots.

Camden Local Environmental Plan 2010 (Camden LEP 2010) was gazetted on 3 September 2010 and became the principal planning instrument covering land use and zoning in the Camden LGA. Council staff undertakes regular reviews of the LEP and the associated maps which has identified inaccuracies of a minor nature. This planning proposal is considered a minor “mapping” amendment to Camden LEP 2010.

Part 1 -Objectives or Intended Outcomes

The amendment proposed to the Camden LEP 2010 by this Planning Proposal will correct a minor mapping anomaly to ensure Council's intent in relation to these planning controls are achieved. Accordingly, the following amendment is proposed.

Attachment 1 **ORD02**

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Item No	Name of item	Proposal	Map changes
1 - 3	Mapping anomalies	The item seeks to correct a minor amendment to Camden LEP 2010 map to correct a mapping anomaly, which was carried through from the previous mapping anomaly under Camden LEP 47 to the current Camden LEP 2010 at its publication.	<u>Land Zoning Map</u> LZN_017 <u>Height of Buildings Map</u> HOB_017 <u>Lot Size Map</u> LSZ_017

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Part 2 – Explanation of provisions

Items 1 – 3 Mapping anomalies

This item seeks to make minor amendments to various Camden LEP 2010 maps to correct a previous mapping anomaly under Camden LEP 47 which was carried through to the current Camden LEP 2010 at its publication. The following table contains a summary of the subject mapping anomalies within Camden LEP 2010. **Comparison maps indicating current and proposed changes are included within Appendix A.**

Item	Anomaly	Action	Historical Notes	Map changes
1	Front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 are zoned E2 Environmental Conservation to the road boundary with Caulfield Close.	Amend Land Zoning Map for all land within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 to be rezoned R1 General Residential to the road boundary with Caulfield Close.	Mapping anomaly carried through from previous LEP 47 to the current LEP conversion to the standard instrument under Camden LEP 2010.	Land Zoning Map LZN_017
2	Front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 appear blank with no building height to the road boundary with Caulfield Close.	Amend Height of Buildings Map for all land to have a maximum building height of J – 9.5m within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 up to the road boundary with Caulfield Close.	Mapping anomaly carried through from previous LEP 47 to the current LEP conversion to the standard instrument under Camden LEP 2010.	Height of Building Map HOB_017

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

ORD02

3	Front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 appear blank with no minimum lot size.	Amend Minimum Lot Size Map to reinstate G – 450 sqm to all land within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 up to Caulfield Close.	Mapping anomaly carried through from previous LEP 47 to the current LEP conversion to the standard instrument under Camden LEP 2010.	Minimum Lot Size Map LSZ_016
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Part 3 – Justification

Section A – Need for the Planning Proposal.

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

The planning proposal is not a result of any strategic study or report. The planning proposal is a result of a review that was undertaken by Council of the Camden LEP 2010 to identify anomalies requiring correction.

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

It is considered that the planning proposal provides the only best way of achieving the intended outcome as it seeks to address the minor anomalies and amendments in a relatively prompt and efficient manner.

3. Is there a net community benefit?

Given the minor housekeeping nature of the matters contained within this planning proposal, it is not considered that a Net Community Benefit Test need be undertaken. The matters addressed by this planning proposal will strengthen the Camden LEP 2010 by ensuring that it is up-to-date and robust, thereby providing the community with greater certainty.

Section B – Relationship to strategic planning framework.

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

The planning proposal is consistent with both the Draft sub- regional plan for the South West Sub-Region and the Sydney Metropolitan Strategy “A Plan for Growing Sydney.”

5. Is the planning proposal consistent with the local Council’s Community Strategic Plan or other local strategic plan?

The planning proposal is consistent with Camden Council’s Strategic Plan Camden 2040.

Attachment 1

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

<i>Application of State Environmental Planning Policies</i>			
State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	Yes	The rezoning proposal will not alter the application of this SEPP.	Yes
State Environmental Planning Policy No 14—Coastal Wetlands	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 15—Rural Land sharing Communities	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 19—Bushland in Urban Areas	Yes	n/a- Minor mapping amendment only.	Yes
State Environmental Planning Policy No 21—Caravan Parks	n/a	This SEPP is relevant to specific development not permitted under this Planning Proposal.	n/a
State Environmental Planning Policy No 26—Littoral Rainforests	n/a		n/a
State Environmental Planning Policy No 29—Western Sydney Recreation Area	n/a		n/a
State Environmental Planning Policy No 30—Intensive Agriculture	n/a		n/a
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 33—Hazardous and Offensive Development	n/a		n/a
State Environmental Planning Policy No 36—Manufactured Home Estates	n/a		n/a

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

ORD02
Attachment 1

State Environmental Planning Policy No 39—Spit Island Bird Habitat	n/a		n/a
State Environmental Planning Policy No 44—Koala Habitat Protection	n/a		n/a
State Environmental Planning Policy No 47—Moore Park Showground	n/a		n/a
State Environmental Planning Policy No 50—Canal Estate Development	n/a		n/a
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	n/a		n/a
State Environmental Planning Policy No 55—Remediation of Land	n/a		n/a
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	n/a		n/a
State Environmental Planning Policy No 62—Sustainable Aquaculture	n/a		n/a
State Environmental Planning Policy No 64—Advertising and Signage	n/a		n/a
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	n/a		n/a
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy No 71—Coastal Protection	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy (Affordable Rental Housing) 2009	yes	This SEPP is relevant to particular development categories. The Planning Proposal does not derogate or alter the application of the SEPP to future development	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	yes	Any subsequent development applications must be compliant with these provisions	yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Infrastructure) 2007	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	n/a		n/a
State Environmental Planning Policy (Kurnell Peninsula) 1989	n/a		n/a
State Environmental Planning Policy (Major Development) 2005	n/a		n/a
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	n/a		n/a
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	n/a		n/a
State Environmental Planning Policy (Rural Lands) 2008	n/a		n/a

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

The planning proposal is consistent with applicable Ministerial Directions as outlined in Appendix B.

Section C – Environmental, social and economic impact.

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

The subject land is considered to be minor in area and contained within a narrow margin of E2 zoned land between the adjoining R1 General Residential and Caulfield Close. As such, the subject land is isolated from the remaining E2 zoned riparian land on the southern side of Caulfield Close.

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

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

There are no likely environmental effects as a result of this planning proposal.

10. How has the planning proposal adequately addressed any social and economic affects?

Not applicable.

Section D – State and Commonwealth interests.

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

ORD02

11. Is there adequate public infrastructure for the planning proposal?

Not applicable.

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

Given the minor nature of the issues listed in this planning proposal it is not deemed necessary to contact state or commonwealth public authorities.

Application of State Environmental Planning Policies

State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	Yes	The rezoning proposal will not alter the application of this SEPP.	Yes
State Environmental Planning Policy No 14—Coastal Wetlands	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 15—Rural Land sharing Communities	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 19—Bushland in Urban Areas	Yes	n/a- minor mapping amendment only.	Yes
State Environmental Planning Policy No 21—Caravan Parks	n/a	This SEPP is relevant to specific development not permitted under this Planning Proposal.	n/a
State Environmental Planning Policy No 26—Littoral Rainforests	n/a		n/a
State Environmental Planning Policy No 29—Western Sydney Recreation Area	n/a		n/a
State Environmental Planning Policy No 30—Intensive Agriculture	n/a		n/a
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	n/a	This policy does not apply to Camden LGA.	n/a

Attachment 1

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

State Environmental Planning Policy No 33—Hazardous and Offensive Development	n/a		n/a
State Environmental Planning Policy No 36—Manufactured Home Estates	n/a		n/a
State Environmental Planning Policy No 39—Spit Island Bird Habitat	n/a		n/a
State Environmental Planning Policy No 44—Koala Habitat Protection	n/a		n/a
State Environmental Planning Policy No 47—Moore Park Showground	n/a		n/a
State Environmental Planning Policy No 50—Canal Estate Development	n/a		n/a
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	n/a		n/a
State Environmental Planning Policy No 55—Remediation of Land	n/a		n/a
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	n/a		n/a
State Environmental Planning Policy No 62—Sustainable Aquaculture	n/a		n/a
State Environmental Planning Policy No 64—Advertising and Signage	n/a		n/a
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	n/a		n/a
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy No 71—Coastal Protection	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy (Affordable Rental Housing) 2009	yes	This SEPP is relevant to particular development categories. The Planning Proposal does not derogate or alter the application of the SEPP to future development	Yes

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

ORD02

Attachment 1

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	yes	Any subsequent development applications must be compliant with these provisions	yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	yes	This Planning Proposal is consistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	yes	This Planning Proposal is consistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Infrastructure) 2007	yes	This Planning Proposal is consistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	n/a		n/a
State Environmental Planning Policy (Kurnell Peninsula) 1989	n/a		n/a
State Environmental Planning Policy (Major Development) 2005	n/a		n/a
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	n/a		n/a
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	n/a		n/a
State Environmental Planning Policy (Rural Lands) 2008	n/a		n/a

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	n/a		n/a
State Environmental Planning Policy (State and Regional Development) 2011	n/a		n/a
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	n/a		n/a
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	n/a		n/a
State Environmental Planning Policy (Urban Renewal) 2010	n/a		n/a
State Environmental Planning Policy (Western Sydney Employment Area) 2009	n/a		n/a
State Environmental Planning Policy (Western Sydney Parklands) 2009	n/a		n/a
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	n/a		n/a
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	n/a		n/a
Sydney Regional Environmental Plan No 16—Walsh Bay	n/a		n/a
Sydney Regional Environmental Plan No 18—Public Transport Corridors	n/a		n/a
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	n/a		n/a
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	n/a		n/a
Sydney Regional Environmental Plan No 24—Homebush Bay Area	n/a		n/a
Sydney Regional Environmental Plan No 25—Orchard Hills	n/a		n/a
Sydney Regional Environmental Plan No 26—City West	n/a		n/a
Sydney Regional Environmental Plan No 28—Parramatta	n/a		n/a
Sydney Regional Environmental Plan No 30—St Marys	n/a		n/a

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Sydney Regional Environmental Plan No 33—Cooks Cove	n/a		n/a
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	n/a		

Part 4 – Maps

The following Camden LEP 2010 maps will need to be amended:

Land Zoning Map LZN_017

Lot Size Map LSZ_017

Height of Buildings Map HOB_017

Part 5 – Community Consultation

The matters dealt with in this planning proposal are of a minor amendment and do not result in any adverse impacts upon the community. Accordingly, it is considered that an exhibition period of fourteen (14) days is appropriate for this planning proposal.

Due to the housekeeping nature of this planning proposal, it is considered that consultation with State or Commonwealth public authorities is not required.

Part 6 – Project Timeline

Anticipated commencement date (date of Gateway determination)	August 2015
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A
Commencement and completion dates for public exhibition period	September 2015
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	TBA
Timeframe for the consideration of a proposal post exhibition	TBA
Date of submission to the department to finalise the LEP	TBA

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

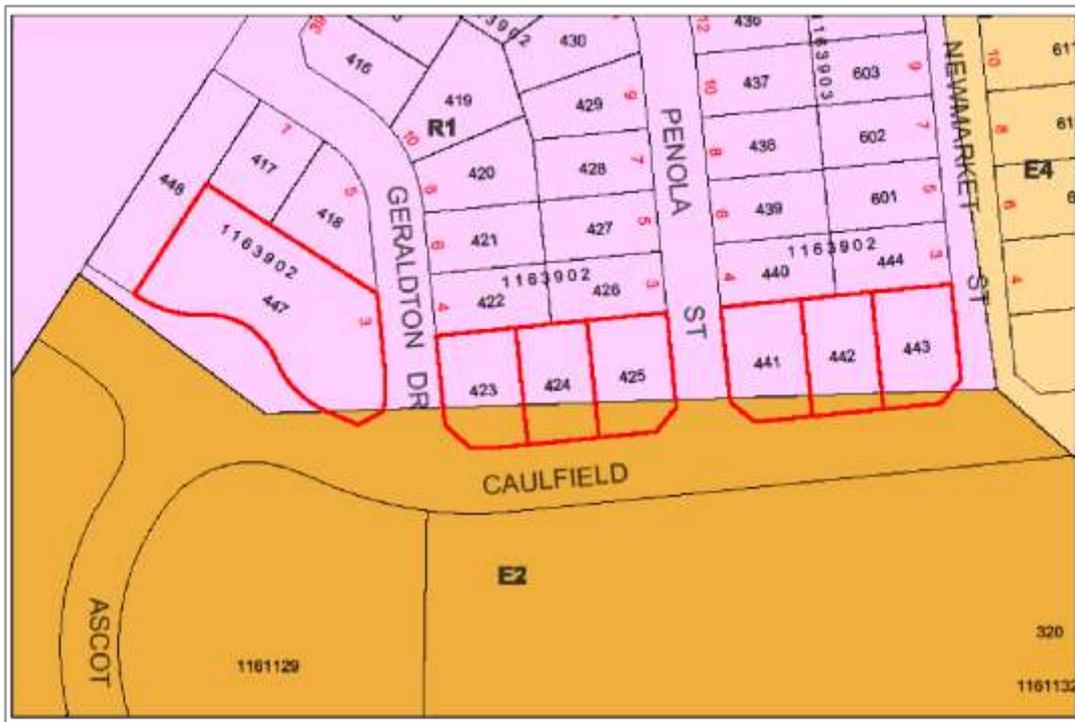
Anticipated date RPA will make the plan (if delegated)	TBA
Anticipated date RPA will forward to the department for notification	TBA

Appendix A – Comparison Maps

1. Land Zoning Map

- i. The zoning mapping anomaly to be corrected involves the front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902, which are currently zoned E2 Environmental Conservation to the road boundary with Caulfield Close.
- ii. The correction involves amendment to the Zoning Map for all land contained within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 to be rezoned R1 General Residential up to the road boundary with Caulfield Close.

Current Land Zoning Map

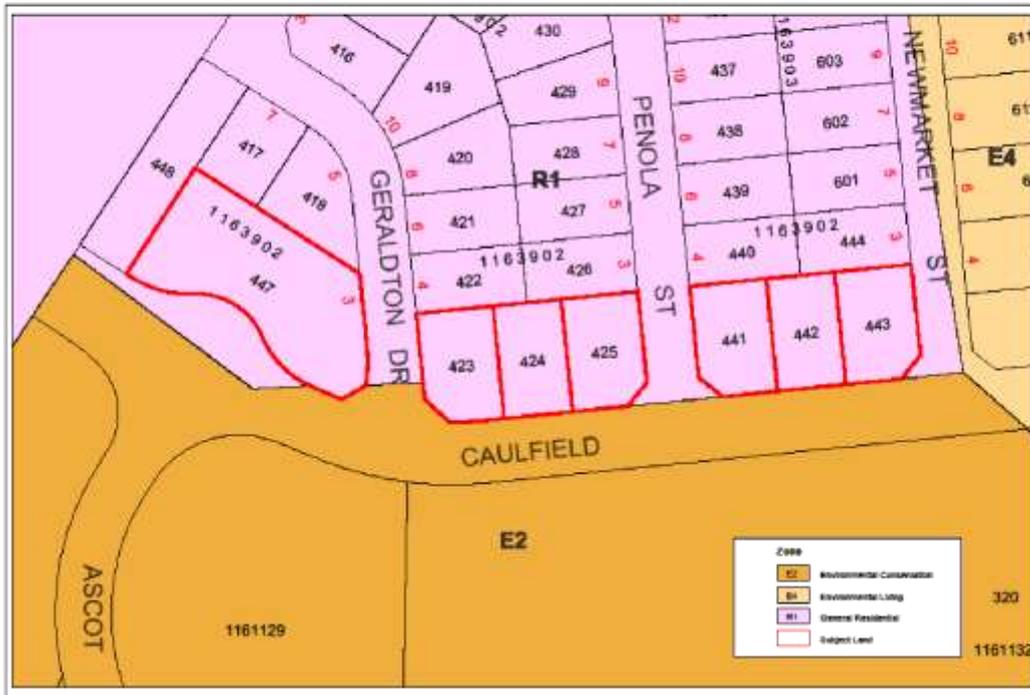


Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

ORD02

Proposed Land Zoning Map

Attachment 1

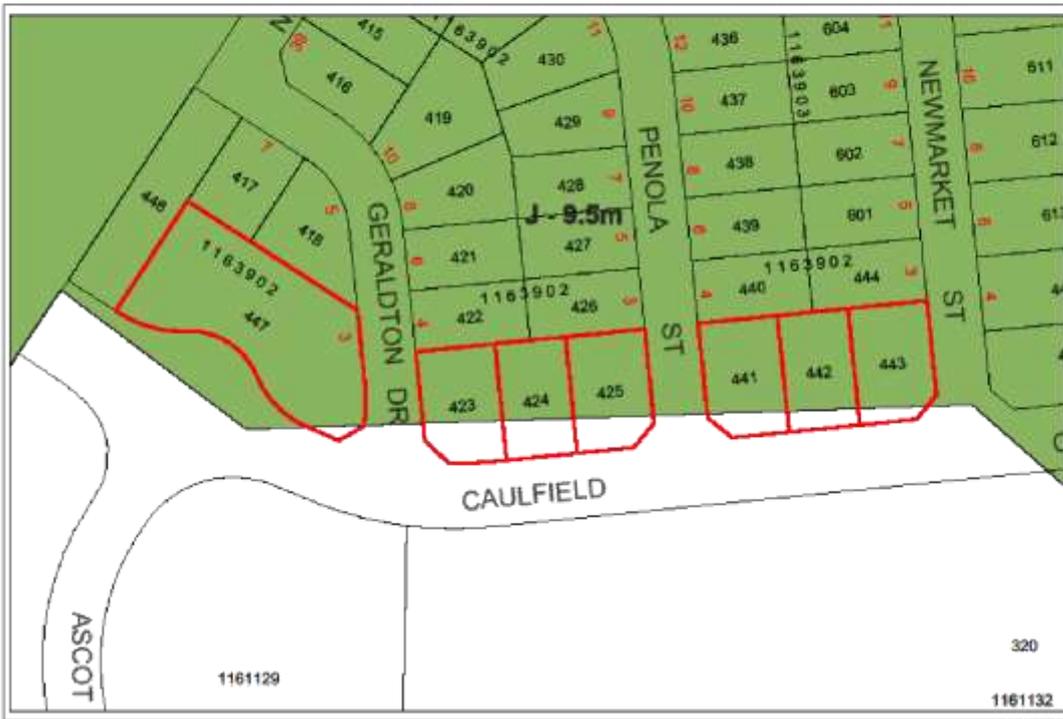


2. Height of Buildings Map

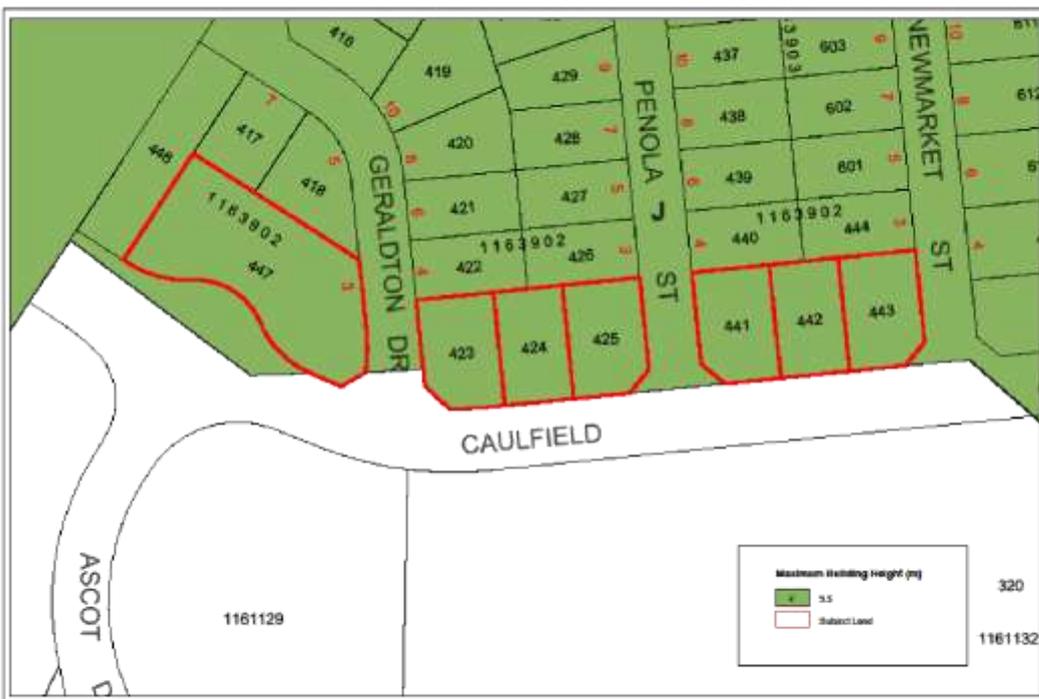
- i. The Height of Building map anomaly to be corrected involves the front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902, which appear blank with no building height to the road boundary with Caulfield Close.
- ii. The correction involves amendment to the Height of Building map for the subject land to have a maximum building height of J – 9.5m within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 up to the road boundary with Caulfield Close.

Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Current Height of Buildings Map



Proposed Height of Buildings Map



Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

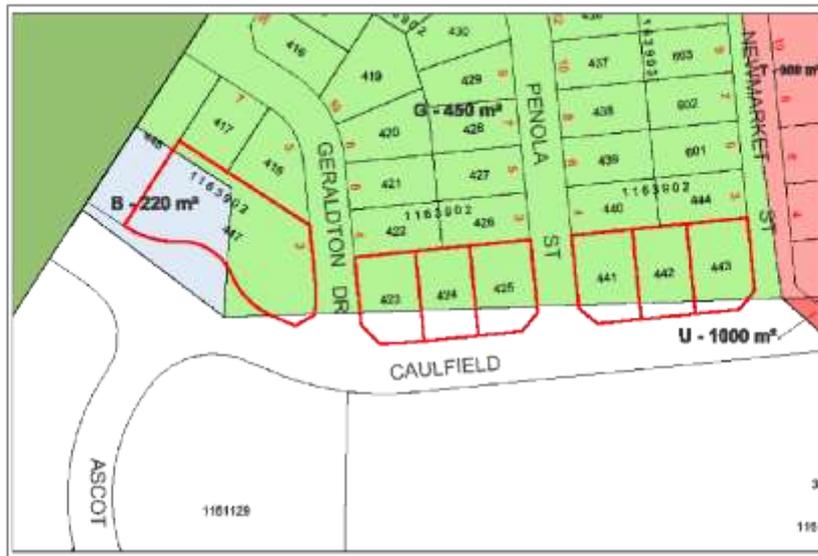
ORD02

Attachment 1

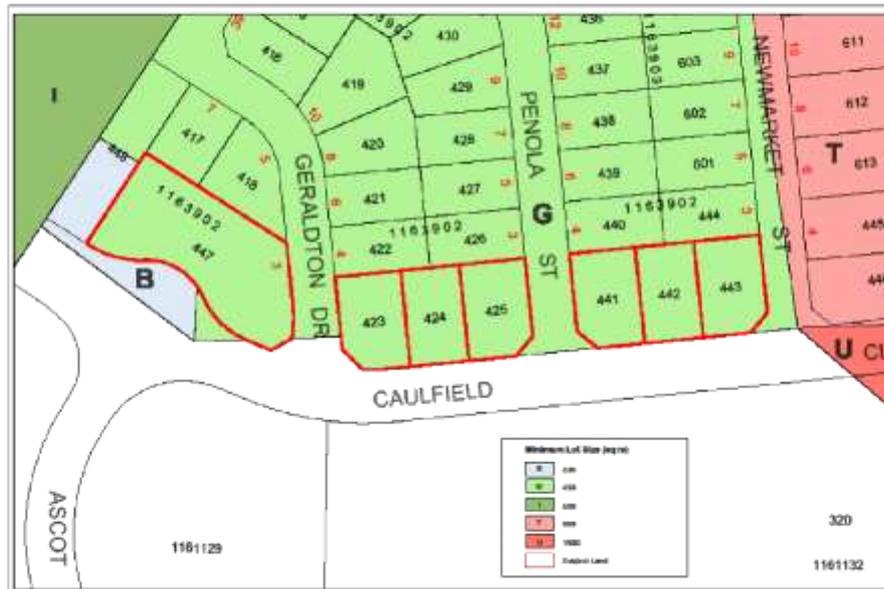
Lot Size Map

- i. The Lot size map anomaly to be corrected involves the front portion of the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902, which appear blank with no with no minimum lot size.
- ii. The correction involves amendment to the Lot size map for the subject land to have a G – 450 sqm to all land within the seven (7) subject lots 423, 424, 425, 441, 442, 443 and 447 with DP 1163902 up to the road boundary with Caulfield Close.

Current Lot Size Map



Proposed Lot Size Map



Amendment No. xx – Housekeeping Amendment to Camden LEP 2010

Appendix B – Applicable section 117 directions

Direction	Objective	Response
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<p><u>Item 1-3. Mapping Anomalies</u></p> <p>The subject land is considered to be minor in area and contained within a narrow stretch of E2 zoned land between the adjoining R1 General Residential and Caulfield Close. As such, the subject land is isolated from the remaining E2 zoned riparian land on the southern side of Caulfield Close. There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.</p>
3.1 Residential Zones	<p>The objective of this direction is</p> <ul style="list-style-type: none"> a. to encourage a variety and choice of housing types to provide for existing and future housing needs, b. to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c. to minimise the impact of residential development on the environment and resource lands. 	<p>The planning proposal is considered to be consistent with this direction.</p>
5.1 Implementation of Regional Strategie	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The planning policy is consistent with the aims and objectives of all relevant regional Strategies.
7.1 Implementation of the Metropolitan Strategie	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategie.	The proposals are compatible with the Metropolitan Strategie in that it assists with residential Greenfield development.



ORD03

ORDINARY COUNCIL

ORD03

SUBJECT: HARRINGTON GROVE VOLUNTARY PLANNING AGREEMENT AND DCP AMENDMENTS

FROM: Director Planning & Environmental Services

TRIM #: 15/34927

PURPOSE OF REPORT

The purpose of this report is to outline proposed amendments to the Harrington Grove Voluntary Planning Agreement (VPA) and the Camden Development Control Plan (DCP) 2011 and to seek a resolution to place these amendments on public exhibition.

BACKGROUND

The Harrington Grove VPA was originally entered into and signed by both parties (Dandaloo and Council) on the 22 August 2008 and was subsequently amended on 31 August 2010. A number of amendments are now proposed to the VPA and these were the subject of a Council briefing on 24 February 2015.

The proposed amendments are as follows:

- change to the timing of the land to be dedicated for district playing fields (being the Narellan Sports Hub site);
- insertion of an Access Agreement (Annexure 12 to the VPA) to allow Council to access the site for the purposes of design and construction of the Narellan Sports Hub prior to the land being dedicated to Council;
- a monetary contribution of \$2.2M in lieu of constructing District Playing Field facilities that will be used to construct part of the Narellan Sports Hub facilities;
- security devices and plant screening measures to be provided on Crear Hill;
- detail added to the description of the Crear Hill carpark;
- relocation of part of the east-west cycleway due to topography issues and subsequent renumbering of cycleway sections; and
- inclusion of Council's standard 'deferral of work' clause to facilitate the improved implementation of the delivery of the VPA.

The draft amended VPA is provided as **Attachment 1 to this report**.

In addition, a Camden DCP Part C amendment is required to amend three maps to reflect the proposed amendments to the cycleway and provide consistency with the amended VPA. The draft DCP amendment was also the subject of a Council briefing on the 24 February 2015. The draft amended DCP Part C is provided as **Attachment 2 to this report**.

MAIN REPORT

A number of amendments to the Harrington Grove VPA are proposed relating to the delivery of the Narellan Sports Hub, Crear Hill, the cycle path and some minor administrative arrangements.

Narellan Sports Hub

The subject land is located south of Orielson Heritage Homestead and on the western side of The Northern Road, as shown in **Figure 1**. This land is designated for District Playing Fields under the Harrington Grove VPA.

Figure 1. Land designated for the District Playing Fields in the VPA (Narellan Sports Hub)



During development of Council's Recreation Strategy the subject land was identified as the preferred location for a larger facility beyond that required under the VPA. As a result Council officers have held discussions with the landowners to facilitate this outcome.

Currently the VPA requires that the developer construct district playing fields on land to be dedicated to Council prior to the 1000th lot being created within the Harrington Grove development. The VPA requires that the facility include three (3) grass fields, an amenities building and carpark.

It is now proposed that in lieu of constructing these facilities, the developer will make a cash contribution of \$2.2 million by 31 August 2015. This amount is considered fair value for the works the developer would be obligated to construct and will be used by Council to partly fund the proposed expanded Narellan Sports Hub facility.

The land is now proposed to be dedicated to Council by 31 October 2015, which is expected to align with the release of the Subdivision Certificate for the next stage of the development.



If there is a delay or if Council need to access the site earlier than 31 October, an Access Agreement is provided as Annexure 12 to the amended VPA to allow Council to enter the land and carry out works. This Agreement will also allow Council to register a caveat over the land to secure the cost of any works that may have been constructed on the land. The caveat will prevent the developer from selling the land to another party without Council consent.

To facilitate these amendments the proposed changes to the VPA have been prepared:

- a new line item in Schedule 1 Contribution Works requiring the dedication of the Narellan Sports Hub land by end October 2015;
- a new line item in Schedule 2 Financial Contributions requiring the payment of \$2.2 million by the end of August 2015 (subject to indexation from December 2014 quarter using the Consumer Price Index) for the purposes of recreation facilities construction; and
- inclusion of an Access Agreement as Annexure 12 to the VPA that will allow Council or its contractors to access the land to be dedicated for the Narellan Sports Hub prior to dedication if required.

It should be noted that the Roads and Maritime Services (RMS) are currently planning to widen and upgrade The Northern Road. As a result, a small portion of the Narellan Sports Hub land will be required for road widening along the western edge of The Northern Road. This land will be dedicated to the RMS to facilitate this outcome by the developer and is likely to occur prior to the Narellan Sports Hub land being dedicated to Council. The proposed road widening does not have any material impact on Council's ability to use the site for its intended purpose and has been included in the design work for the Narellan Sports Hub.

It should also be noted that Transport for NSW has released a discussion paper relating to the proposed reservation of a rail corridor for a future expansion of the South West rail line. This discussion paper has been released for consultation and there is no certainty regarding the final location of the rail corridor at this time. The rail corridor may impact on the Narellan Sports Hub site and this will be considered as part of Council's review of the discussion paper.

Crear Hill

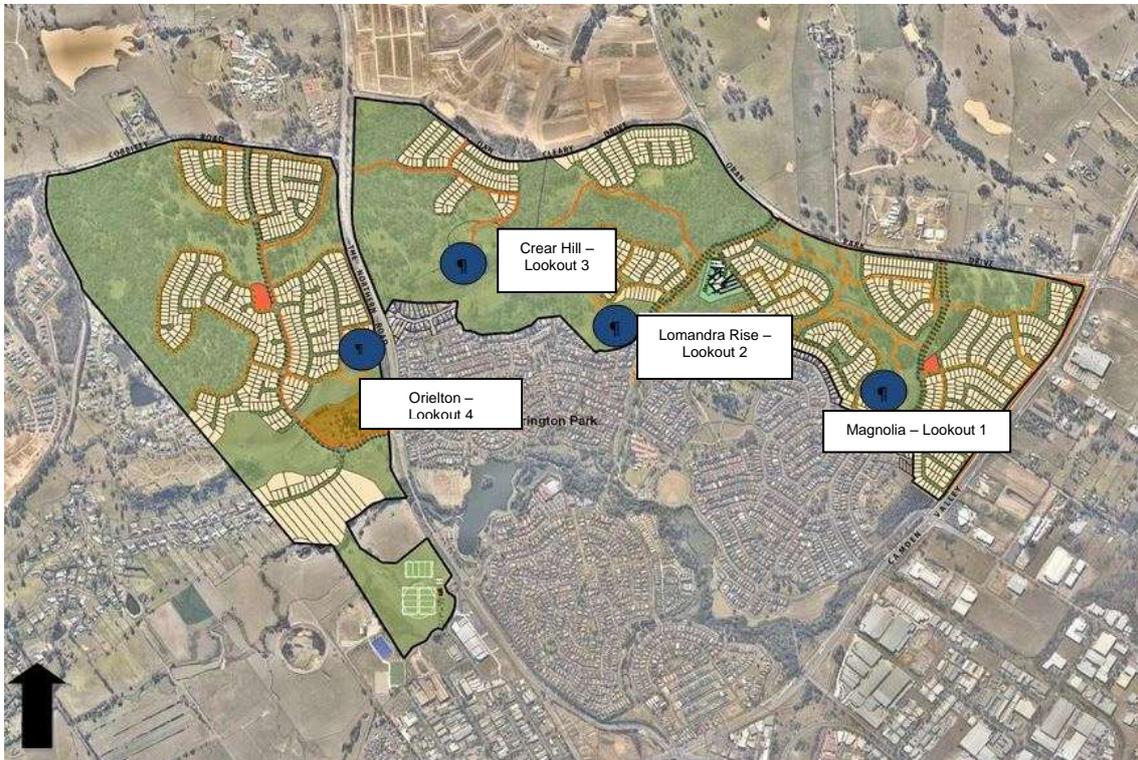
The VPA requires the delivery of a network of four (4) lookouts across Harrington Grove, as shown in **Figure 2**. The third lookout at Crear Hill is located at one of the highest points across the LGA and provides regional views. It is the intention of the VPA that the lookouts be provided in public reserves.

Given the significance of the Crear Hill lookout, preliminary planning identified the potential to co-locate a restaurant/café with the lookout. The VPA does not require the construction of the restaurant. However it does require the provision of a carpark to service both the lookout and the 'potential restaurant'. In addition the current VPA requires delivery of the carpark at the same time as the Crear Hill lookout.

At its meeting of 9 December 2014, Council considered a DA report (DA 367/2014) for a subdivision to create 121 residential lots and associated site works, including a 60 space carpark. During the assessment of this DA, Council received a submission objecting to the construction of the carpark on environmental, safety and overlooking

grounds. As a result of community concerns, the construction of the car park was deleted from the DA for consideration as part of the VPA amendment.

Figure 2. Required lookouts under the VPA



Submission Concerns:

Submission Concern	Proposed Action
Environmental – potential negative impact to local native flora and fauna	A Conservation Management Plan outlining important vegetation and bushland conservation works was undertaken at the time of rezoning of the land. Vegetation offset calculations were also undertaken as part of this process. This meant that a certain amount of vegetation could not be cleared. The immediate area of the lookout and the carpark was assessed as being degraded woodland. It was anticipated from the time of rezoning that a lookout and carpark would be provided and that no offset vegetation would be removed as a result of this land use.
Safety	It is proposed that the VPA require security measures including lockable/removable bollards at the bottom of the access road leading up to Crear Hill lookout. Access to the lookout could be limited to daylight hours. It should also be noted that currently Harrington Grove Estates provide security surveillance.
Overlooking	It is proposed that the VPA require extensive vegetation screening located downhill from Crear Hill to the south to ensure resident concerns regarding loss of privacy are addressed.



The current VPA requires a carpark to be provided with the Crear Hill lookout and both to be dedicated to Council. There is also a requirement for the carpark to be shared with the restaurant/café. However the VPA is silent on the size of the carpark.

It is proposed to amend the definition of the carpark to make clear that it is expected that a minimum of 10 sealed spaces will be provided and that this carpark may be used in conjunction with a possible, future restaurant/café. The use of Crear Hill for a restaurant/café will be a matter for Council to resolve in the future and would need to include consideration of lease arrangements for the land.

It is also proposed to amend the VPA to put measures in place to address resident concerns about the lookout, particularly in relation to privacy and safety.

The following proposed changes to the VPA have been prepared in relation to Crear Hill:

- amendments to the Schedule of Works to require security measures be provided, such as bollards at the base of the access road leading up to Crear Hill lookout;
- amendments to the Schedule of Works to require screen planting downhill of Crear Hill to the south. The vegetation will consist of an upper story of Eucalypts of around 15m and an understory of acacias of around 4 to 5m;
- insertion of additional wording to the Crear Hill car park item that outlines that the carpark may be used in conjunction with a future potential restaurant; and
- amendments to the Schedule of Works to specify that the Crear Hill carpark must provide a minimum of 10 car spaces that are to be sealed with asphalt concrete. Additionally, the provision of an access road with a width of 6 metres to provide access to the car park from Precinct J and is also to be of sealed construction, has been included.

Cycleway

The Harrington Grove VPA requires the delivery of the east-west cycleway from Camden Valley Way to the north side of The Meadows development. The cycleway passes through Cumberland Plain Woodland (CPW) vegetation and residential precincts within the Harrington Grove development. The location of the cycleway is also referenced within the Camden DCP 2011.

A requirement of the VPA is that the cycleway will be dedicated to Council progressively as the work is completed. Currently the cycleway is constructed from Camden Valley Way to Harrington Parkway. More detailed design work for the remaining sections of cycleway in Harrington Grove East has now been undertaken and identifies topography constraints for the current location. Consequently, it is proposed to modify the cycleway route. **Figure 3** shows the proposed changes to the route alignment.

The developer submitted an analysis of different cycleway route options, which have been reviewed by Council officers. As a result, an alternative preferred cycleway location has been identified (shown in Figure 3). The original cycleway route analysis and an addendum analysis for the preferred route are provided as a **Supporting Document** to this report.

Figure 3. Current and preferred cycleway location



Under the current VPA, there is an obligation for the developer to provide 7,269m of cycleway. As a result of the amendment a further 635 m of cycleway is proposed to be delivered. This includes a section of cycleway through Precinct J that will provide a connection to the Oran Park cycleway.

It is proposed to amend Schedule 1 of the VPA to reflect the preferred cycleway route alignment and update the relevant cycleway section lengths and timing of delivery as shown in Attachment 1 to this report and Figure 2.

Proposed Amendment to the Camden DCP 2011

In addition to amending the VPA, it is necessary to amend the Camden DCP Part C to reflect the proposed changes. This will require amendment to following maps and as shown in **Attachment 2** to this report:

- Preferred cycleway location shown in Figure C30;
- Preferred cycleway location shown in Figure C35;
- Preferred cycleway location shown in Figure C40.

Standard Clause

The Harrington Grove VPA was the first VPA developed and entered into by Council. Since that time Council has developed and entered into a number of other VPAs and progressively developed Standard Clauses. It is proposed to insert Council's standard 'deferral of works' clause into the Harrington Grove VPA to assist with the ongoing implementation of the VPA (shown in Attachment 1).



Next Steps

If Council resolves to place the draft amendment to the VPA and DCP on exhibition it is recommended that both documents be placed on public exhibition for 28 days in the following manner:

- An advertisement be placed in the local paper advising of the public exhibition;
- Exhibition material displayed at Narellan and Camden Customer Service Centres and Libraries;
- Exhibition material be available on Council's website for the duration of the exhibition period; and
- A notification of the public exhibition sent to adjoining residents and those who made a submission to DA 367/2014.

If no submissions are received, it is proposed to delegate authority to the General Manager to adopt the amendments to the Camden DCP and to allow for the VPA Deed of Variation to be executed using Council's Power of Attorney. However, if submissions are received, a report will be submitted to Council to allow consideration of those submissions received.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council. The proposed monetary contribution to be provided by the developer is in lieu of works that they would have been required to undertake at their cost. This monetary contribution will be used to part fund the construction of the future Narellan Sports Hub facility.

CONCLUSION

The proposed amendments to the VPA will facilitate delivery of land for the future Narellan Sports Hub facility in an agreed timeframe with an Access Agreement in place to facilitate Council's access to the site prior to its dedication, if required. The amendment will also provide for a monetary contribution in lieu of constructing recreation facilities, which will assist in part funding the construction of the larger sporting facility as planned by Council.

The proposed amendments to the VPA in relation to Crear Hill will clarify Council's expectation with regards to the provision of vehicular access and parking at Crear Hill. They will also address resident concerns relating to issues of security and overlooking by requiring installation of security measures and screen planting. This will ensure that public access to regional views can be provided without compromising residential amenity.

Due to topographical constraints, amendments to the DCP and VPA are proposed to relocate the east west cycleway route. This will result in additional cycleway construction, but will result in a cycleway that is more accessible to the community.

The insertion of Council's standard 'deferral of works' clause will assist in the ongoing management of this VPA.

The proposed amendments have been reviewed by Council staff and been the subject of a Council briefing session and site visits. Should Council resolve to place these draft amended documents on public exhibition they will be exhibited for a period of 28 days.



RECOMMENDED

That Council:

- i. publicly exhibit the Draft Camden Development Control Plan and Draft Deed of Variation to the Voluntary Planning Agreement for a period of 28 days in accordance with the provisions of the Act and Regulations; and**
- ii. subject to no submissions being received:**
 - a. executes the Harrington Grove VPA Deed of Variation pursuant to Council's Power of Attorney granted on 27 August 2013, Minute Number ORD215/13, or by affixing the Common Seal of Council;**
 - b. grant delegations to the General Manager to adopt the proposed changes to the Camden DCP and publicly notify the adoption in accordance with the provisions of the Act and Regulations; or**
- iii. if submissions are received, require a further report outlining the result of the public exhibition of the draft DCP and VPA amendment.**

ATTACHMENTS

- 1. Attachment 1 Draft VPA Harrington Grove
- 2. Amended maps Harrington Grove DCP
- 3. Attachment 3 Cycleway Route Analysis and Addendum - *Supporting Document*

ORD03

Attachment 1

Harrington Grove Voluntary Planning Agreement

Excluding Annexures 3- 11

- Annexure 3 – Harrington Park Heritage Agreement
- Annexure 4 – Orierton Heritage Agreement
- Annexure 5 – Harrington Grove East CMP
- Annexure 6 – Harrington Grove West CMP
- Annexure 7 – Harrington Grove CMS
- Annexure 8 – Indicative Master Plan – Harrington Grove East
- Annexure 9 – Indicative Master Plan – Harrington Grove West
- Annexure 10 – Plan of the Harrington Grove East Land
- Annexure 11 – Plan of the Harrington Grove West land

These annexures are not provided as they are lengthy and unchanged from original VPA.



lindsaytaylorlawyers
planning • environment • local government

**Harrington Grove Planning Agreement
Deed of Variation**

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

**The Council of Camden
Dandaloo Pty Limited**

Date:

© Lindsay Taylor Lawyers

lindsaytaylorlawyers
Level 9, Suite 3, 420 George Street, Sydney NSW 2000, Australia
T 02 8235 9700 • F 02 8235 9799 • W www.lindsaytaylorlawyers.com.au • E mail@lindsaytaylorlawyers.com.au
ABN 29 682 671 304

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Attachment 1

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



Harrington Grove Planning Agreement
Deed of Variation

Table of Contents

Summary Sheet.....3

Parties.....4

Background.....4

Operative provisions.....4

 Part 1 - Preliminary.....4

 1 Interpretation.....4

 2 Status of this Deed.....5

 3 Commencement.....5

 4 Warranties.....5

 5 Amendment of Planning Agreement.....5

 6 Costs.....6

 7 Explanatory Note.....6

Execution.....7

Appendix 1.....8

Appendix 2.....9

Appendix 3..... 16

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



ORD03

Harrington Grove Planning Agreement

Deed of Amendment

Summary Sheet

Council:

Name: The Council of Camden
Address: 37 John Street, CAMDEN NSW 2570
Telephone: (02) 4654 7777
Facsimile: (02) 4654 7829
Email: mail@camden.nsw.gov.au
Representative: The General Manager

Developer:

Name: Dandaloo Pty Limited
Address: PO Box 42, NARELLAN NSW 2567
Telephone: (02) 4631 3200
Facsimile: (02) 4631 3299
Email: terry@harrington.com.au
Representative: Terry Goldacre

Attachment 1

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



Harrington Grove Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Parties

The Council of Camden ABN 31 117 341 764 of 37 John Street, CAMDEN NSW 2570 (Council)

and

Dandaloo Pty Limited ABN 77 002 338 543 of PO Box 42, NARELLAN NSW 2567 (Developer)

Background

- A The Parties are parties to the Planning Agreement.
- B Pursuant to clause 20.6 of the Planning Agreement the Parties agree to amend the Planning Agreement to include provisions relating to varying Contribution Works, deferral of work, access to land by Council, owners' consent to making of a development application and amending the Contribution Works and Financial Contributions to be provided under the Planning Agreement.

Operative provisions

Part 1 - Preliminary

1 Interpretation

- 1.1 In this Deed the following definitions apply:

Deed means this Deed and includes any schedules, annexures and appendices to this Deed.

Planning Agreement means the document titled '*Voluntary Planning Agreement – Harrington Grove*' pursuant to s93F of the *Environmental Planning and Assessment Act 1979* entered into between the Council of Camden and Dandaloo Pty Limited on 22 August 2008, and amended on 31 August 2010.

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



ORD03

Attachment 1

Party means a party to this Deed.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

- 1.2 Except as provided by clause 1.1 all capitalised words used in this Deed that are defined in clause 1.1 of the Planning Agreement have the same meaning in this Deed as in the Planning Agreement.
- 1.3 Clauses 15, 20.2, 20.7, 20.8, 20.9 and Part 2 of Annexure 1 of the Planning Agreement apply as if they form part of this Deed with any necessary changes.

2 Status of this Deed

- 2.1 This Deed is an amendment to the Planning Agreement within the meaning of clause 25C(3) of the Regulation.
- 2.2 This Deed is not a planning agreement within the meaning of s93F(1) of the Act

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Warranties

- 4.1 The Parties warrant to each other that they:
 - 4.1.1 have full capacity to enter into this Deed, and
 - 4.1.2 are able to fully comply with their obligations under this Deed.

5 Amendment of Planning Agreement

- 5.1 On and from the date this Deed takes effect:
 - 5.1.1 the Planning Agreement is amended in accordance with the marking-up shown on the copy of the Planning Agreement contained in Appendix 1,
 - 5.1.2 Schedule 1, Schedule 2 and the plans in Annexure 2 of the Planning Agreement are deleted and replaced with Schedule 1, Schedule 2 and the plans in Appendix 2 of this Deed.

ORD03

Attachment 1

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



6 Costs

- 6.1 The Developer is to pay to the Council fifty per cent of the Council's costs of preparing, negotiating, executing and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.

7 Explanatory Note

- 7.1 Appendix 3 contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 7.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Deed.

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



ORD03

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council of Camden

General Manager

Witness

Mayor

Witness

Executed on behalf of Dandaloo Pty Limited in accordance with s127(1) of
 the Corporations Act (Cth) 2001

Name/Position

Name/Position

Attachment 1

ORD03

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



Appendix 1

(Clause 5)

Amended Planning Agreement

The Planning Agreement as amended by this Deed appears on the following pages.

DRAFT

Attachment 1

WARNING TO PURCHASERS

Before completing the purchase of any land to which this planning agreement relates, be sure that you understand the rights and obligations of the Developer under the *Environmental Planning & Assessment Act (NSW) 1979*, including s93H(3) of that Act which provides that:

“A planning agreement that has been registered by the Registrar-General under section 93 is binding on, and is enforceable against, the owner of the land from time to time as if each owner for the time being had entered into the agreement”

Voluntary Planning Agreement - Harrington Grove

Dandaloo Pty Limited (ABN 77 002 338 543) (Developer)

The Council of Camden (ABN 31 117 341 764) (Council)

MARSDENS LAW GROUP

Level 1
49 Dumaresq Street
CAMPBELLTOWN NSW 2560

Tel: 02 4626 5077

Fax: 02 4626 4826

DX: 5107 Campbelltown

Ref: 02 33 6824 JHM:JRT

433413_1

TABLE OF CONTENTS

PARTIES	3
BACKGROUND	3
OPERATIVE PROVISIONS	3
1 DEFINITIONS	3
2 APPLICATION AND OPERATION OF AGREEMENT.....	3
2.1 PLANNING AGREEMENT	3
2.2 APPLICATION.....	3
2.3 OPERATION.....	4
2.4 HEADS OF PLANNING AGREEMENT	4
3 HERITAGE - HARRINGTON PARK	4
3.1 HARRINGTON PARK HERITAGE AGREEMENT	4
3.2 MAINTENANCE PRIOR TO COMMENCEMENT OF HARRINGTON PARK HERITAGE WORKS	4
3.3 TIMING OF HARRINGTON PARK HERITAGE WORKS	4
3.4 CERTIFICATION OF COMPLETION OF HARRINGTON PARK HERITAGE WORKS.....	54
4 HERITAGE - ORIELTON	5
4.1 ORIELTON HERITAGE AGREEMENT	5
4.2 MAINTENANCE PRIOR TO COMMENCEMENT OF ORIELTON HERITAGE WORKS	5
4.3 TIMING OF ORIELTON HERITAGE WORKS	5
4.4 CERTIFICATION OF COMPLETION OF ORIELTON HERITAGE WORKS.....	6
5 BUSHLAND CONSERVATION – HARRINGTON GROVE EAST	6
5.1 CONSERVATION MANAGEMENT STRATEGY (CMS) & CONSERVATION MANAGEMENT PLAN (CMP)	6
5.2 MAINTENANCE PRIOR TO COMMENCEMENT OF HARRINGTON GROVE EAST BUSHLAND CONSERVATION WORKS	76
5.3 TIMING OF WORKS.....	7
5.4 ANNUAL REPORTS.....	7
5.5 COMPLETION OF THE HARRINGTON GROVE EAST BUSHLAND CONSERVATION WORKS.....	7
6 BUSHLAND CONSERVATION – HARRINGTON GROVE WEST	87
6.1 CONSERVATION MANAGEMENT STRATEGY (CMS) & CONSERVATION MANAGEMENT PLAN (CMP)	87
6.2 MAINTENANCE PRIOR TO COMMENCEMENT OF HARRINGTON GROVE WEST BUSHLAND CONSERVATION WORKS	8
6.3 TIMING OF WORKS.....	8
6.4 ANNUAL REPORTS.....	98
6.5 COMPLETION OF THE HARRINGTON GROVE WEST BUSHLAND CONSERVATION WORKS	9
7 PROVISION OF CONTRIBUTIONS	9
7.1 PROVISION.....	9
7.2 MANNER OF PROVISION	9
7.3 VARIATION TO CONTRIBUTION WORKS.....	109
7.4 INDEXATION OF AMOUNTS PAYABLE BY THE PARTIES.....	109
8 APPLICATION OF S94 & S94A.....	1110
9 COMPLETION, RECTIFICATION AND HANDOVER OF WORKS	1110
9.1 APPLICATION.....	1110
9.2 MEANING OF DEFECTS LIABILITY	1110
9.3 PROVISION OF NOTICE	1210
9.4 SERVICE OF RECTIFICATION NOTICE.....	1210
9.5 DEVELOPER TO RECTIFY	1211
9.6 COUNCIL MAY CARRY OUT RECTIFICATION.....	1211
9.7 ACCEPTANCE OF ITEM OF CONTRIBUTION WORKS	1211
10 SECURITY	1312
10.1 PROHIBITION	1312

433413_1

	10.2	ASSIGNMENT OF LAND	1312
	10.3	PROVISION OF BOND	1412
11		REVIEW & AMENDMENT	1412
12		DISPUTE RESOLUTION	1412
	12.1	NOTICE OF DISPUTE	1412
	12.2	CONSULTATION BETWEEN THE REPRESENTATIVES	1413
	12.3	SETTLEMENT OF DISPUTE AND MEDIATION	1413
	12.4	EXCLUSIVITY OF DISPUTE RESOLUTION PROCEDURE	1513
13		DEFAULT IN PERFORMANCE	1513
	13.1	EVENTS OF DEFAULT	1513
	13.2	CONSEQUENCES OF EVENTS OF DEFAULT	1514
	13.3	NO RESTRICTION ON RIGHTS	1514
14		TERMINATION	1514
	14.1	TERMINATION	1514
	14.2	CONSEQUENCE OF TERMINATION	1614
15		POSITION OF COUNCIL	1614
	15.1	CONSENT AUTHORITY	1614
	15.2	CONSTRUCTION OF AGREEMENT TO FETTER POWERS	1614
	15.3	READING DOWN OF PROVISIONS	1615
	15.4	NO OBLIGATIONS	1615
16		CONFIDENTIALITY	1615
	16.1	AGREEMENT NOT CONFIDENTIAL	1615
	16.2	NON-DISCLOSURE	1715
	16.3	USE OF CONFIDENTIAL INFORMATION	1715
	16.4	EXCEPTIONS TO NON-DISCLOSURE	1716
	16.5	DURATION OF CONFIDENTIALITY OBLIGATIONS	1816
17		GST	1816
18		CHANGE OF LAWS	1816
19		MISCELLANEOUS	1917
	19.1	OBLIGATION TO ACT IN GOOD FAITH	1917
	19.2	CONSULTATION CONCERNING DEVELOPMENT APPLICATIONS	1917
	19.3	LEGAL COSTS	1917
20		ADMINISTRATIVE PROVISIONS	1918
	20.1	NOTICES	1918
	20.2	ENTIRE AGREEMENT	2018
	20.3	WAIVER	2018
	20.4	COOPERATION	2018
	20.5	COUNTERPARTS	2018
	20.6	AMENDMENT	2019
	20.7	UNENFORCEABILITY	2019
	20.8	POWER OF ATTORNEY	2019
	20.9	GOVERNING LAW	2119
		EXECUTION	2220
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 1	2321
		DEFINED TERMS AND INTERPRETATION	2321
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 2	3027
		CONTRIBUTION WORKS AND FINANCIAL CONTRIBUTION	3027
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 3	3128
		HARRINGTON PARK HERITAGE AGREEMENT	3128
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 4	3229
		ORIELTON HERITAGE AGREEMENT	3229
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 5	3330
		HARRINGTON GROVE EAST CMP	3330
		VOLUNTARY PLANNING AGREEMENT - ANNEXURE 6	3431
		HARRINGTON GROVE WEST CMP	3431

433413_1

ORD03

Attachment 1

VOLUNTARY PLANNING AGREEMENT - ANNEXURE 7	3532
HARRINGTON GROVE CMS	3532
VOLUNTARY PLANNING AGREEMENT - ANNEXURE 8	3633
INDICATIVE MASTER PLAN – HARRINGTON GROVE EAST	3633
VOLUNTARY PLANNING AGREEMENT - ANNEXURE 9	3734
INDICATIVE MASTER PLAN – HARRINGTON GROVE WEST	3734
VOLUNTARY PLANNING AGREEMENT - ANNEXURE 10	3835
PLAN OF THE HARRINGTON GROVE EAST LAND	3835
VOLUNTARY PLANNING AGREEMENT - ANNEXURE 11	3936
PLAN OF THE HARRINGTON GROVE WEST LAND	3936
VOLUNTARY PLANNING AGREEMENT - ANNEXURE 12	4637
EXPLANATORY NOTE	4637
1 INTRODUCTION	2
2 PARTIES TO THE PLANNING AGREEMENT	2
3 DESCRIPTION OF THE SUBJECT LAND	2
4 DESCRIPTION OF THE DEVELOPMENT	2
5 DESCRIPTION OF PROPOSED CHANGE TO ENVIRONMENTAL PLANNING INSTRUMENT	3
6 SUMMARY OF OBJECTS, NATURE AND EFFECT OF THE PLANNING AGREEMENT	3
6.1 OBJECTIVE OF THE DRAFT PLANNING AGREEMENT	3
6.2 NATURE OF THE DRAFT PLANNING AGREEMENT	3
6.3 EFFECT OF THE DRAFT PLANNING AGREEMENT	3
7 ASSESSMENT OF THE MERITS OF THE PLANNING AGREEMENT	5
7.1 THE PLANNING PURPOSES SERVED BY THE PLANNING AGREEMENT	5
7.2 HOW THE PLANNING AGREEMENT PROMOTES THE PUBLIC INTEREST	5
7.3 FOR PLANNING AUTHORITIES	5
7.4 ALL PLANNING AUTHORITIES – WHETHER THE DRAFT PLANNING AGREEMENT CONFORMS WITH THE AUTHORITY’S CAPITAL WORKS PROGRAM	6
7.5 THE IMPACT OF THE PLANNING AGREEMENT ON THE PUBLIC OR ANY SECTION OF THE PUBLIC	6

433413_1

SCHEDULE

Developer	Name	Dandaloo Pty Limited
	Address	P O Box 42 NARELLAN NSW 2567
	ABN	77 002 338 543
	Telephone	(02) 4631 320047-3200
	Facsimile	(02) 4631 329947-3036
	Email	terry@-harrington.com augoldacre@harpak.com.au
	Representative / Contact	Terry Goldacre
Council	Name	The Council of Camden
	Address	37 John Street CAMDEN NSW 2570
	ABN	31 117 341 764
	Telephone	(02) 4654 7777
	Facsimile	(02) 4654 7829
	Email	mailgreg.wright@camden.nsw.gov.au
	Representative / Contact	Greg Wright The General Manager
Land	That part of Certificates of Title Folio Identifiers 3420/1105169 and 101/1107591 as shown on the plans set out at Annexures 11 & 12 .	
Current LEP	Camden Local Environmental Plan No 138 - Harrington Grove	

ORD03

Attachment 1

Requirements Under Section 93f

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
<p>Planning instrument and/or development application – (Section 93F(1))</p> <p>The Developer has:</p> <p>(a) sought a change to an environmental planning instrument.</p> <p>(b) made, or proposes to make, a Development Application.</p> <p>(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</p>	<p>(a) Yes</p> <p>(b) Yes</p> <p>(c) Not applicable</p>
<p>Description of land to which this deed applies – (Section 93F(3)(a))</p>	<p>The whole of the Land.</p>
<p>Description of change to the environmental planning instrument to which deed applies - (Section 93F(3)(b))</p>	<p>The amendments made to the LEP by the New LEP.</p>
<p>Application of section 94 of the Act - (Section 93F(3)(d))</p>	<p>The application of section 94 is excluded and therefore does not apply to the Development.</p>
<p>Applicability of section 94A of the Act - (Section 93F(3)(d))</p>	<p>The application of section 94A is excluded and therefore does not apply to the Development.</p>
<p>Consideration of benefits if under this deed if section 94 applies - (Section 93F(3)(e))</p>	<p>Not applicable as s94 does not apply to this development.</p>
<p>Mechanism for Dispute resolution - (Section 93F(3)(f))</p>	<p>See clause 12.</p>
<p>Enforcement of this deed (Section 93F(3)(g))</p>	<p>See clause 10.</p>
<p>No obligation to grant consent or exercise functions - (Section 93F(3)(9))</p>	<p>See clause 15.</p>

Voluntary Planning Agreement Harrington Grove

PARTIES

- 1 The Developer.
- 2 The Council.

BACKGROUND

- A The Developer is the registered proprietor of the Land.
- B The Developer has previously made an application to the Council to change the zoning provisions of Camden Local Environmental Plan No. 48 as they apply to the Land to those contained in the New LEP for the purpose of making an application for the Development Consents.
- C The New LEP has been made and the Developer has applied for, or been granted, the Development Consents.
- D The parties have reached agreement on a number of matters relating to the Developments which they wish to record in this Agreement.

OPERATIVE PROVISIONS

1 DEFINITIONS

Unless the context otherwise requires the definitions and interpretational rules contained in [Voluntary Planning Agreement - Annexure 1](#) ~~Voluntary Planning Agreement – Annexure 1~~ apply in the interpretation of terms used in this Agreement.

2 APPLICATION AND OPERATION OF AGREEMENT

2.1 Planning Agreement

The parties agree that this Agreement is a planning agreement:

- (1) within the meaning set out in s93F of the EPAA Act; and
- (2) governed by Subdivision 2 of Division 6 of Part 4 of the EPAA Act.

2.2 Application

This Agreement applies to both the Land and the Developments.

2.3 Operation

- (1) Unless set out in paragraph (2) this Agreement operates immediately upon being entered into, within the meaning set out by clause 25C(1) of the Regulations.
- (2) Clause 7 will only operate when, and be effective from the date on which, the Council issues either of the Development Consents to the Developer.

2.4 Heads of Planning Agreement

The parties agree that on the date of this Agreement the Heads of Planning Agreements will be terminated.

3 HERITAGE - HARRINGTON PARK**3.1 Harrington Park Heritage Agreement**

- (1) The Developer will use its best endeavours to enter into the Harrington Park Heritage Agreement.
- (2) The Developer will comply with the terms of the Harrington Park Heritage Agreement irrespective of whether that agreement has been entered into.

3.2 Maintenance Prior to Commencement of Harrington Park Heritage Works

- (1) Once the Harrington Grove East Development Consent is issued by the Council the Developer will carry out any works on Harrington Park that are necessary to ensure that it is maintained in its present condition prior to the commencement of the Harrington Park Heritage Works.
- (2) Within one (1) month of the Harrington Grove East Development Consent being issued by the Council the Developer will prepare and submit to the Council a condition report detailing the present condition of Harrington Park.

3.3 Timing of Harrington Park Heritage Works

The Developer warrants to the Council that it will not object to or appeal against any condition of any consent issued for the Harrington Grove East Development which stipulates that if:

- (1) the Developer is obligated under this Agreement to carry out the Harrington Park Heritage Works; and
- (2) the Developer fails to complete the Harrington Park Heritage Works in accordance with the time limitations set out in clause 6 of the Harrington Park Heritage Agreement,

the Council may refuse to issue Subdivision Certificates for any Residential Lots in that development in excess of the first three hundred (300) Residential Lots until such time as the Developer rectifies the relevant default.

3.4 Certification of Completion of Harrington Park Heritage Works

- (1) If the Developer is required to complete the Harrington Park Heritage Works in accordance with the Harrington Park Heritage Agreement then the Developer will complete the Harrington Park Heritage Works in full prior to the earlier of:
 - (a) Council issuing the final Subdivision Certificate for the last remaining stage of the Harrington Grove East Development Consent; and
 - (b) the date that is five (5) years after the date of this Agreement.
- (2) The Harrington Park Heritage Works will be deemed to be complete upon the issue of a certificate to that effect by a "qualified practising heritage consultant" appointed by the Developer and approved by Council. The costs associated with this appointment are to be met by the Developer.
- (3) The Developer may serve a notice (**Completion Notice**) on the Council advising that, in the opinion of the Developer, the Harrington Park Heritage Works have been completed. The qualified practising heritage consultant referred to in paragraph (2) is to assess the merits of the Completion Notice.
- (4) If the Council fails to advise the Developer within seventy (70) days of service of a Completion Notice that, in the opinion of the consultant referred to in paragraph (2), the works set out in the Completion Notice have not been completed then those works will be deemed to have been completed for the purpose of this Agreement.

4 HERITAGE - ORIELTON

4.1 Orierton Heritage Agreement

- (1) The Developer will use its best endeavours to enter into the Orierton Heritage Agreement.
- (2) The Developer will comply with the terms of the Orierton Heritage Agreement irrespective of whether that agreement has been entered into.

4.2 Maintenance Prior to Commencement of Orierton Heritage Works

- (1) Once the Harrington Grove West Development Consent is issued by the Council the Developer will carry out any works on Orierton that are necessary to ensure that it is maintained in its present condition prior to the commencement of the Orierton Heritage Works.
- (2) Within one (1) month of the Harrington Grove West Development Consent being issued by the Council the Developer will prepare and submit to the Council a Condition Report detailing the present condition of Orierton.

4.3 Timing of Orierton Heritage Works

The Developer warrants to the Council that it will not object to or appeal against any condition of any consent issued for the Harrington Grove West Development which stipulates that if:

-
- (1) the Developer is obligated under this Agreement to carry out the Orielton Heritage Works; and
 - (2) the Developer fails to complete the Orielton Heritage Works in accordance with the time limitations set out in clause 6 of the Orielton Heritage Agreement,

the Council may refuse to issue Subdivision Certificates for any Residential Lots in that development in excess of the first two hundred (200) Residential Lots until such time as the Developer rectifies the relevant default.

4.4 Certification of Completion of Orielton Heritage Works

- (1) If the Developer is required to complete the Orielton Heritage Works in accordance with the Orielton Heritage Agreement then the Developer will complete the Orielton Heritage Works in full prior to the earlier of:
 - (a) Council issuing the final subdivision certificate for the last remaining stage of the Harrington Grove West Development Consent; and
 - (b) the date that is five (5) years after the date of this Agreement.
- (2) The Orielton Heritage Works will be deemed to be complete upon the issue of a certificate to that effect by a "qualified practising heritage consultant" appointed by the Developer and approved by Council. The costs associated with this appointment are to be met by the Developer.
- (3) The Developer may serve a notice (**Completion Notice**) on the Council advising that, in the opinion of the Developer, the Orielton Heritage Works have been completed. The qualified practising heritage consultant referred to in paragraph (1) is to assess the merits of the Completion Notice.
- (4) If the Council fails to advise the Developer within seventy (70) days of service of a Completion Notice that, in the opinion of the consultant referred to in paragraph (1), the works set out in the Completion Notice have not been completed then those works will be deemed to have been completed for the purpose of this Agreement.

5 BUSHLAND CONSERVATION – HARRINGTON GROVE EAST

5.1 Conservation Management Strategy (CMS) & Conservation Management Plan (CMP)

- (1) The parties acknowledge that the Developer has lodged the Harrington Grove East CMP with the Council as part of its application for the Harrington Grove East Development Consent.
- (2) Subject to paragraph (3), the Developer will:
 - (a) be bound by the terms of the Harrington Grove CMS & the Harrington Grove East CMP as approved by the Council; and
 - (b) will carry out the Harrington Grove East Bushland Conservation Works in accordance with the terms of the Harrington Grove CMS, the Harrington Grove East CMP and this Agreement.

- (3) The Developer will not be required to carry out the Harrington Grove East Bushland Conservation Works unless and until the Council issues the Harrington Grove East Development Consent to the Developer.

5.2 Maintenance Prior to Commencement of Harrington Grove East Bushland Conservation Works

- (1) Once the Harrington Grove East Development Consent is issued by the Council the Developer will carry out any works on the Harrington Grove East Bushland Areas that are necessary to ensure that those areas are not further degraded from their condition as assessed in the study supporting the LES prior to the commencement of the Harrington Grove East Bushland Conservation Works.
- (2) The works referred to in paragraph (1) must not be inconsistent with the Harrington Grove CMS & the Harrington Grove East CMP.

5.3 Timing of Works

The Developer will adhere to the program for the completion of the Harrington Grove East Bushland Conservation Works set out in the Harrington Grove East CMP and in any event will complete those works prior to the issue of the final Subdivision Certificate for the Harrington Grove East Development.

5.4 Annual Reports

- (1) During the period set out in clause 5.3 the Developer must provide the Council with a report on each anniversary of the date on which the Harrington Grove East Development Consent is issued by the Council that sets out:
- (a) the Harrington Grove East Bushland Conservation Works carried out in the preceding twelve (12) month period;
 - (b) any matters that may impact upon the Developer's ability to carry out further Harrington Grove East Bushland Conservation Works in accordance with the Harrington Grove CMS and the Harrington Grove East CMP; and
 - (c) the extent to which the desired outcomes set out in the Harrington Grove CMS & the Harrington Grove East CMP were achieved in the preceding twelve (12) months.
- (2) The Developer will be discharged from its obligation under paragraph (1) upon completion of the Harrington Grove East Bushland Conservation Works.

5.5 Completion of the Harrington Grove East Bushland Conservation Works

- (1) Upon completion of the Harrington Grove East Bushland Conservation Works in accordance with the Harrington Grove East CMP, the Developer and the Council will ensure that:
- (a) any ongoing obligations with respect to the maintenance of the Harrington Grove East Bushland Areas to be owned by the Harrington Grove East Community Association become the responsibility of the Harrington Grove East Community Association; and

-
- (b) the obligation referred to in paragraph (a) will be included in the management statement of the Harrington Grove East Community Association.
 - (2) Upon satisfaction of the obligations in paragraph (1), the Developer is discharged from any future obligations under the Harrington Grove CMS & the Harrington Grove East CMP.

6 BUSHLAND CONSERVATION – HARRINGTON GROVE WEST

6.1 Conservation Management Strategy (CMS) & Conservation Management Plan (CMP)

- (1) The parties acknowledge that the Developer has lodged the Harrington Grove West CMP with the Council as part of its application for the Harrington Grove West Development Consent.
- (2) Subject to paragraph (3), the Developer will:
 - (a) lodge the Harrington Grove West CMP with the Council as part of, or prior to, its application for the Harrington Grove West Development Consent;
 - (b) be bound by the terms of the Harrington Grove CMS & Harrington Grove West CMP as approved by the Council; and
 - (c) will carry out the Harrington Grove West Bushland Conservation Works in accordance with the terms of the Harrington Grove CMS, the Harrington Grove West CMP and this Agreement.
- (3) The Developer will not be required to carry out the Harrington Grove West Bushland Conservation Works unless and until the Council issues the Harrington Grove West Development Consent to the Developer.

6.2 Maintenance Prior to Commencement of Harrington Grove West Bushland Conservation Works

- (1) Once the Harrington Grove West Development Consent is issued by the Council the Developer will carry out any works on the Harrington Grove West Bushland Areas that are necessary to ensure that those areas are not further degraded from their present condition prior to the commencement of the Harrington Grove West Bushland Conservation Works.
- (2) The works referred to in paragraph (1) must not be inconsistent with the Harrington Grove CMS & the Harrington Grove West CMP.

6.3 Timing of Works

The Developer will adhere to the program for the completion of the Harrington Grove West Bushland Conservation Works set out in the Harrington Grove West CMP and in any event will complete those works prior to the issue of the final subdivision certificate for the Harrington Grove West Development.

6.4 Annual Reports

- (1) During the period set out in clause 6.3 the Developer must provide the Council with a report on each anniversary of the date on which the Harrington Grove West Development Consent is issued by the Council that sets out:
 - (a) the Harrington Grove West Bushland Conservation Works carried out in the preceding twelve (12) month period;
 - (b) any matters that may impact upon the Developer's ability to carry out further Harrington Grove West Bushland Conservation Works in accordance with the Harrington Grove CMS and the Harrington Grove West CMP; and
 - (c) the extent to which the desired outcomes set out in the Harrington Grove CMS & the Harrington Grove West CMP were achieved in the preceding twelve (12) months.
- (2) The Developer will be discharged from its obligation under paragraph (1) upon completion of the Harrington Grove West Bushland Conservation Works.

6.5 Completion of the Harrington Grove West Bushland Conservation Works

- (1) Upon completion of the Harrington Grove West Bushland Conservation Works in accordance with the Harrington Grove West CMP, the Developer and the Council will ensure that:
 - (a) any ongoing obligations with respect to the maintenance of the Harrington Grove West Bushland Areas to be owned by the Harrington Grove West Community Association become the responsibility of the Harrington Grove West Community Association; and
 - (b) the obligation referred to in paragraph (a) will be included in the management statement of the Harrington Grove West Community Association.
- (2) Upon satisfaction of the obligations in paragraph (1), the Developer is discharged from any future obligations under the Harrington Grove CMS & the Harrington Grove West CMP.

7 PROVISION OF CONTRIBUTIONS

7.1 Provision

The Developer acknowledges that the carrying out of the Developments could, if this Agreement were not required to be entered into, have been subject to a requirement to make contributions under section 94 of the EPAA Act.

7.2 Manner of Provision

The Developer will:

- (1) provide the Contribution Works; and
- (2) pay the Financial Contribution,

as provided and as described in **Annexure 2** to the satisfaction of the Council.

7.3 Variation to Contribution Works

- (1) The Contribution Works may be varied without the need for variation to this agreement provided that the Council is satisfied that the variations to scope of the Contributions Works are consistent with the intent and objectives of this agreement.

7.4 Deferral of Contribution Work

(1) Notwithstanding any other provision of this Agreement, if the Developer forms the view at any time, that it is unable to make a Contribution comprising a Contribution Work by the time that Contribution Work is required to be completed under this Agreement, then:

(a) the Developer is to provide written notice to the Council to that effect;

(b) the Developer is to provide the Council with a Security for 100% of the value of the uncompleted part of the Contribution Work (as determined by the Council) before the date on which the Contribution Work is required to be completed under this Agreement;

(c) the Developer is to provide to Council, for Council's approval, a revised completion date for the Contribution Work;

(d) Council can approve, or not approve a revised completion date in its discretion, and if the Council does not approve the Developer's revised completion date for the Contribution Work, the Council and Developer are to negotiate in good faith and agree upon a revised completion date for the Contribution Work; and

(e) the time for completion of the Contribution Work under this Agreement will be taken to be the revised completion date approved by the Council under clause 7.4(1)(d).

(2) If the Developer complies with clause 7.4(1), then it will not be considered to be in breach of this Agreement as a result of a failure to complete a Contribution Work by the time for completion of the Contribution Work specified in Annexure 2.

(3) If the Contribution Work is not completed by the revised date for completion of the Contribution Work agreed under clause 7.4(1)(d) then the Council may call on the Security to meet any of its costs incurred under this Agreement in respect of the failure to complete the Contribution Work by the revised date for completion.

(4) The Developer need not provide any additional Security under this clause if at the time the Security would be payable under this clause, Council holds Security under the other provisions of this Agreement in an amount which covers the amount of Security required to be held under those other clauses, and the amount of Security required to be held under this clause.

7.47.5 Indexation of amounts payable by the parties

All amounts referred to in this Agreement are to be adjusted (with the calculation to be made as from the date any such amount is due to be paid under this Agreement) in accordance with the following formula:

$$A = B \times C/D$$

where:

- A** = the adjusted amount;
- B** = the relevant amount as set out in this Agreement;
- C** = the CPI most recently published before the date that the relevant payment or the calculation with respect to the relevant amount is to be made; and
- D** = in relation to the Financial Contribution for the Narellan Sports Hub, the CPI for the December 2014 quarter and in relation to any other amount, the CPI most recently published before the date of this Agreement.

7.6 Access to land by Council

- (1) The Developer grants to the Council a licence on the terms set out in Annexure 12 to enter the Narellan Sports Hub Land to construct the Narellan Sports Hub.

7.7 Consent to making of development application

- (4) Within 7 days of a request by the Council, the Developer is to provide to the Council its consent in writing to the Council making a development application, within the meaning of the EPAA Act, for the Narellan Sports Hub.

8 APPLICATION OF s94 & s94A

- (a) For the purposes of s93F(3)(d) of the EPAA, this Agreement excludes the application of sections 94 & 94A of the EPAA Act to the Developments.

9 COMPLETION, RECTIFICATION AND HANDOVER OF WORKS

9.1 Application

This clause 9 applies to any Contribution Works required to be provided by the Developer under this Agreement other than those subject to clauses 3 to 6 inclusive.

9.2 Meaning of Defects Liability

In this clause:

- (1) **Defect** means any inadequacy in a relevant item of the Contribution Works that results from that item not being carried out in accordance with the provision and description of the item as set out in **Schedule 1 of Annexure 2** to the satisfaction of the Council,
- (2) for each item of the Contribution Works, the **Defects Liability Period** means the period specified for that item in **Schedule 1 of Annexure 2**, commencing on and from the date on which the Developer gives the Council a notice under clause 9.3; and
- (3) **Rectification Notice** means a notice that sets out:
- (a) the nature and extent of the relevant Defect;

- (b) the rectification work the Council considers necessary to rectify the Defect; and
- (c) the time within which the Defect must be rectified by the Developer, which must be a reasonable time.

9.3 Provision of notice

When the Developer considers that:

- (1) an item of the Contribution Works is complete, or
- (2) an item of the Contribution Works has been rectified in accordance with a Rectification Notice,

the Developer will give the Council a notice in writing to that effect (**Completion Notice**).

9.4 Service of Rectification Notice

During the Defects Liability Period, the Council may give the Developer a Rectification Notice.

9.5 Developer to rectify

- (1) The Developer will comply with a Rectification Notice at its own cost according to its terms.
- (2) Council must:
 - (a) inspect the relevant rectification work within fourteen (14) days after it is given a relevant Completion Notice; and
 - (b) advise the Developer by notice in writing if that work:
 - (i) has been completed to the satisfaction of the Council; or
 - (ii) has not been completed to the satisfaction of Council, in which case the notice will be deemed to be a further Rectification Notice concerning that work,

within seven (7) days of the relevant inspection.

9.6 Council may carry out rectification

If the Developer breaches clause 9.5(1), the Council may have the relevant Defect rectified and may recover the reasonable costs incurred by it of so doing as a debt due in a court of competent jurisdiction.

9.7 Acceptance of item of Contribution Works

- (1) The Council is taken to have accepted the condition of an item of the Contribution Works that is the subject of a Completion Notice where:
 - (a) if the Council has not given the Developer a Rectification Notice, at the expiration of the Defects Liability Period, or

-
- (b) if the Council has given the Developer a Rectification Notice, on the date which the Council gives a notice in writing to the Developer stating that the defect the subject of the Rectification Notice has been rectified to the Council's satisfaction; or
 - (c) if, upon the expiry of the periods set out in clause 9.5(2) the Council fails to carry out the required inspection or serve the required notice, as the case may be.
- (2) For the purpose of this Agreement, the hand over of an item of the Contribution Work to the Council occurs on the earlier of:
- (a) Council providing confirmation that the relevant item of the Contribution Work has been completed to the satisfaction of the Council in accordance with clause 9.5(2)(b)(i); or
 - (b) Council being deemed to have accepted the condition of the relevant item in accordance with paragraph (1)(c).
- (3) On hand-over of any item of the Contribution Works, the Council accepts ownership, possession and control of the relevant item.
- (4) A contribution comprising an item of the Contribution Works is made by the Developer for the purposes of this Agreement when the Council accepts the hand over of that item in accordance with this clause 9.

10 SECURITY

10.1 Prohibition

Neither party may assign their rights under this Agreement without the prior written consent of the other party.

10.2 Assignment of Land

- (1) The Developer must not Assign its interest in the Land (other than the Assignment of a Residential Lot) unless:
 - (a) the Council consents to the assignment in its absolute discretion; and
 - (b) the proposed assignee enters into an agreement to the satisfaction of the Council under which the assignee agrees to be bound by the terms of this Agreement.
- (2) If the Developer breaches this clause 10.2 then the Developer is not released from, and remains liable to perform, the obligations imposed on it under this Agreement.

10.3 Provision of bond

- (1) The Developer will provide to Council a bank guarantee in an amount of thirty five thousand dollars (\$35,000) to secure the obligations of the Developer under this Agreement.
- (2) The parties acknowledge that the amount of the bond referred to in paragraph (1) has been requested by the Council on the basis that it will secure the payment of any legal costs incurred by the Council in instituting legal proceedings against the Developer as a result of any breach of this Agreement by the Developer.

11 REVIEW & AMENDMENT

- (1) If either party requests a review of the whole or any part of this Agreement then the parties must use their best endeavours, acting in good faith, to review the Agreement in accordance with that request.
- (2) If the parties agree to amend this Agreement as a result of a review conducted under paragraph (1) then any such amendment must be made in writing signed by both parties.

12 DISPUTE RESOLUTION**12.1 Notice of Dispute**

If a party believes that there is a Dispute then:

- (1) that party must give notice in writing to the other party stating that there is a Dispute; and
- (2) the notice referred to in paragraph 12.1(1) must outline:
 - (a) what the party believes the dispute to be; and
 - (b) what the party wants to achieve; and
 - (c) what the party believes will settle the Dispute; and
 - (d) who will be the party's Representatives to negotiate the dispute.

12.2 Consultation between the Representatives

Within fifteen (15) business days of a notice served in accordance with clause 12.1(1) the Representatives must meet in order to resolve the Dispute.

12.3 Settlement of Dispute and mediation

- (1) If the Dispute cannot be resolved by the Representatives within a further fifteen (15) business days of a meeting between the Representatives in accordance with clause 12.2 then the Dispute must be submitted to mediation by a mediator selected:
 - (a) by the parties; or

(b) if the parties cannot agree on a mediator, by the President of the Australian Commercial Disputes Centre.

- (2) The parties are to appoint a mediator who is appropriately qualified and have practical experience in the area of the Dispute.
- (3) Any costs incurred in the mediation of the Dispute are to be borne equally by the parties.

12.4 Exclusivity of dispute resolution procedure

- (1) Both parties must adhere to the dispute resolution procedure set out in this Agreement.
- (2) The only time that either party may depart from the dispute resolution procedure set out in this clause is when urgent interlocutory relief is required to restrain a breach or threatened breach of this Agreement.

13 DEFAULT IN PERFORMANCE

13.1 Events of default

The Developer commits an "Event of Default" if:

- (1) it breaches a term of this Agreement; or
- (2) fails to comply with the terms and conditions of the Development Consents; or
- (3) fails to comply with the terms of the Heritage Agreements; or
- (4) fails to comply with the terms of the Harrington Grove East CMP and the Harrington Grove West CMP.

13.2 Consequences of Events of default

Where the Developer commits an Event of Default the Council may serve a notice on the Developer requiring the relevant breach to be rectified within seventy two (72) days of the date of the notice.

13.3 No restriction on rights

The rights vested in the Council pursuant to clause 13.2 do not prevent the Council from exercising any other rights that it may possess at law.

14 TERMINATION

14.1 Termination

This Agreement terminates in the following events:

- (1) the parties agree in writing to terminate the operation of this Agreement at any time; or
- (2) the Council serves notice on the Developer terminating this Agreement where the Developer has failed to comply with a notice issued in accordance with 13.2; or

-
- (3) the Developer:
 - (a) discharges its obligations under this Agreement in accordance with the Development Consents; and
 - (b) discharges its obligations under any further agreement entered into between the parties in relation to Contribution Works.

14.2 Consequence of termination

Upon termination of this Agreement:

- (1) all future rights and obligations of the parties are discharged;
- (2) any security held under this Agreement will be released; and
- (3) all pre-existing rights and obligations of the parties continue to subsist.

15 POSITION OF COUNCIL

15.1 Consent authority

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

15.2 Construction of Agreement to fetter powers

No term of this Agreement is to be construed, or to operate, so as to fetter, limit, restrict or otherwise interfere with the exercise of Council's statutory powers, discretion or duty.

15.3 Reading down of provisions

If any provision of this Agreement would, or could likely, operate so as to fetter, limit, restrict or otherwise interfere with the exercise of Council's statutory powers, discretion or duty then that provision is, to the extent necessary for it not to fetter, limit, restrict or otherwise interfere with the exercise of Council's statutory powers, discretion or duty:

- (1) be read down, if possible; or
- (2) severed from this Agreement.

15.4 No Obligations

Nothing in this Agreement will be deemed to impose any obligation on the Council to exercise any of its functions under the Act in relation to the LEP, the Land or the Development in a certain manner.

16 CONFIDENTIALITY

16.1 Agreement not Confidential

The parties acknowledge that this Agreement:

-
- (1) is not confidential;
 - (2) may be treated as a public document by the Council; and
 - (3) may be publicly exhibited and reported without restriction by either party.

16.2 Non-disclosure

- (1) A party must not disclose Confidential Information disclosed to it by the other party except:
 - (a) with the prior written consent of the disclosing party; or
 - (b) in accordance with the terms of this Agreement.
- (2) A party may not unreasonably withhold its consent to disclosure in accordance with paragraph 16.2(1)(a) where:
 - (a) the requested disclosure is made for the purpose of facilitating the proper performance of a party's obligations under this Agreement; and
 - (b) the disclosure is to be made to persons who:
 - (i) reasonably require the disclosure of the information; and
 - (ii) are subject to a duty of confidentiality on the same or similar terms to that contained in this clause.

16.3 Use of Confidential Information

A party may use, copy, reproduce or otherwise deal with the Confidential Information disclosed to it only:

- (1) during the term of this Agreement; and
- (2) in accordance with the terms of this Agreement; and
- (3) in a manner that is related to the proper and lawful conduct and performance of its obligations under this Agreement.

16.4 Exceptions to non-disclosure

A party may disclose Confidential Information that has been disclosed to it:

- (1) where such disclosure is made to those of its employees, advisers, related bodies corporate and shareholders who:
 - (a) have a need to know (and only to the extent each has a need to know); and
 - (b) are aware and agree that the information that is to be disclosed must be kept confidential; or

-
- (2) which, at the time of disclosure, is within the public domain or after disclosure comes into the public domain other than by a breach or breaches by any party (whether the party to this Agreement or a third party) of any obligation owed to the other party; or
 - (3) where:
 - (a) required by law or any order of any court, tribunal, authority, regulatory body or the rules of any securities exchange (whether in Australia or elsewhere) to be disclosed; and
 - (b) the party ensures that information is disclosed only to the extent reasonably and lawfully required.

16.5 Duration of confidentiality obligations

Unless otherwise agreed by the parties in writing the obligation of confidentiality set out in this Agreement operates indefinitely and does not terminate on the expiry or earlier termination of this Agreement.

17 GST

- (1) The amount of any payment required to be made under this Agreement does not include GST.
- (2) If the party receiving a payment under this Agreement is or will become liable to pay GST in respect of the supply then the amount payable will be increased by the amount of any GST payable.
- (3) The party receiving payment of any amount referred to in the preceding paragraphs must issue a tax invoice on payment of any GST under this clause.

18 CHANGE OF LAWS

- (1) If, at the time a Financial Contribution is required to be made by the Developer under this Agreement, a contributions plan (within the meaning of the EPAA Act) is in force that would, but for this Agreement, have authorised the Council to impose a condition under s94 of the Act in respect of the Developments requiring the payment of a monetary s94 contribution towards the same or a similar purpose as that for which the Financial Contribution is required to be made, then, despite any other provision of this Agreement, the amount of the Financial Contribution to which referred to in paragraph (1) is not to exceed the amount of the relevant monetary s94 contribution as provided for in the contributions plan.
- (2) If, at the time a Financial Contribution is required to be made by the Developer under this Agreement, the council is not authorised by a contributions plan (within the meaning of the EPAA Act) to impose a condition under s94 of the Act in respect of the Developments requiring the payment of a monetary s94 contribution towards the same or a similar purpose as that for which the Financial Contribution is required to be made, the Developer is not required to make the Financial Contribution under this Agreement.

19 MISCELLANEOUS

19.1 Obligation to act in good faith

The parties must at all times:

- (1) cooperate and use their best endeavours to profitably and professionally give effect to the rights and obligations of the parties set out in this Agreement; and
- (2) not unreasonably delay any action, approval, direction, determination or decision which is required of it; and
- (3) make approvals or decisions that are required of it in good faith and in a manner consistent with the completion of the transactions set out in this Agreement; and
- (4) be just and faithful in its activities and dealings with the other parties.

19.2 Consultation concerning development applications

If the Developer is required to lodge an application for development consent for any matter required to be carried out by it under this Agreement then it will consult with the Council in good faith in relation to the relevant works before lodging any such application.

19.3 Legal costs

The Developer agrees to:

- (1) pay or reimburse the reasonable legal costs and disbursements of the Council for the negotiation, preparation, execution, and stamping of this Agreement.
- (2) pay the reasonable legal costs and disbursements referred to in paragraph (1) within fourteen (14) days of receipt of a Tax Invoice from the Council.
- (3) pay or reimburse the legal costs and disbursements of the Council arising from the ongoing administration and enforcement of this Agreement including any breach or default by the Developer of its obligations under this Agreement.

20 ADMINISTRATIVE PROVISIONS

20.1 Notices

- (1) Any notice, consent or other communication under this Agreement shall be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:
 - (a) delivered to that person's address; or
 - (b) sent by pre-paid mail to that person's address; or
 - (c) transmitted by facsimile to that person's address.
- (2) A notice given to a person in accordance with this clause is treated as having been given and received:

-
- (a) if delivered to a person's address, on the day of delivery if a Business Day, otherwise on the next Business Day; and
 - (b) if sent by pre-paid mail, on the third Business Day after posting; and
 - (c) if transmitted by facsimile to a person's address and a correct and complete transmission report is received, on the day of transmission if a Business Day, otherwise on the next Business Day.
- (3) For the purpose of this clause the address of a person is the address set out in this Agreement or another address of which that person may from time to time give notice to each other person.

20.2 Entire Agreement

This Agreement is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this Agreement.

20.3 Waiver

The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.

20.4 Cooperation

Each party must sign, execute and deliver all Agreements, documents, instruments and act reasonably and effectively to carry out and give full effect to this Agreement and the rights and obligations of the parties under it.

20.5 Counterparts

This Agreement may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

20.6 Amendment

This Agreement may only be amended or supplemented in writing signed by the parties.

20.7 Unenforceability

Any provision of this Agreement which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this Agreement or affecting the validity or enforceability of that provision in any other jurisdiction.

20.8 Power of Attorney

Each attorney who executes this Agreement on behalf of a party declares that the attorney has no notice of:

-
- (1) the revocation or suspension of the power of attorney by the grantor; or
 - (2) the death of the grantor.

20.9 Governing law

The law in force in the State of New South Wales governs this Agreement . The parties:

- (1) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this Agreement ; and
 - (2) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of *forum non conveniens*.
-

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Attachment 1

EXECUTION

Executed as an agreement

Dated:

Signed, Sealed and Delivered by Camden Council by its General Manager and Mayor by the affixing of the Common Seal of Council in accordance with a resolution of the Council dated

General Manager (Signature)

Mayor (Signature)

Name of General Manager (Print Name)

Name of Mayor (Print Name)

Signed, Sealed and Delivered by Dandaloo Pty Limited in accordance with section 127(1) of the Corporations Act by authority of its directors.

Director/Secretary (Signature)

Director (Signature)

Name of Director/ Secretary (Print Name)

Name of Director (Print Name)

Voluntary Planning Agreement - Annexure 1

Defined Terms and Interpretation

Part 1 - Definitions

Agreement	means this agreement <u>and includes any annexures to this agreement.</u>
Assign	as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.
Authority	means (as appropriate) any: <ol style="list-style-type: none"> (1) federal, state or local government; or (2) department of any federal, state or local government; or (3) any court or administrative tribunal; or (4) statutory corporation or regulatory body.
<u>Bank Guarantee</u>	<p><u>means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by:</u></p> <p><u>(a) one of the following trading banks:</u></p> <p style="margin-left: 40px;"><u>(i) Australia and New Zealand Banking Group Limited,</u></p> <p style="margin-left: 40px;"><u>(ii) Commonwealth Bank of Australia,</u></p> <p style="margin-left: 40px;"><u>(iii) Macquarie Bank Limited,</u></p> <p style="margin-left: 40px;"><u>(iv) National Australia Bank Limited,</u></p> <p style="margin-left: 40px;"><u>(v) St George Bank Limited,</u></p> <p style="margin-left: 40px;"><u>(v) Westpac Banking Corporation, or</u></p> <p><u>(b) any other financial institution approved by the Council in its absolute discretion.</u></p>
Bushland Conservation Works	means the Harrington Grove East Bushland Conservation Works and the Harrington Grove West Bushland Conservation Works.
Confidential Information	means: <ol style="list-style-type: none"> (1) intellectual property: any and all Intellectual Property;

and

- (2) **financial information:** information regarding costs, profits, markets, sales and other financial information; and
- (3) **business information:** information regarding business relationships and strategies, development plans, marketing, product concepts, trade secrets and other business information the business of the disclosing party and the disclosing party's clients or third party suppliers; and
- (4) **personal information:** any personal information relating to the officers (as defined in s9 of the *Corporations Act 2001*), partners, employees, agents, contractors or clients of the disclosing party; and
- (5) **information obtained through performance:** all information which becomes known to a party as a consequence of it performing the obligations under this Agreement including (without limitation) all records, documents, accounts, plans, specifications, price lists, customer lists, correspondence, photos and papers of every description relating to the disclosing party; and
- (6) **technical information:** information regarding designs, development processes and tools, hardware specifications, know-how, production, research, software specifications, data bases and software developed or used by a party whether as owner or under licence from any person and other technical information; and
- (7) **disclosed information:** any other information disclosed by a disclosing party that:
 - (a) is identified as being confidential; or
 - (b) would be apparent to a reasonable person that such information was disclosed in confidence by the disclosing party.

Contribution Works	means the Contributions comprised of the "Contribution Works" set out in Schedule 1 of Annexure 2 .
Contributions	means a monetary contribution, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards, a public purpose.
Council	means "Council" as set out in the Schedule .
Developer	means the "Developer" set out in the Schedule .
Developments	means the subdivision and development of the Land in

	accordance with the Development Consents.
Development Consents	means the Harrington Grove West Development Consent and the Harrington Grove East Development Consent, as amended from time to time.
Dispute	means a dispute regarding the terms or operation of this Agreement.
EPAA Act	means the <i>Environmental Planning & Assessment Act (NSW) 1979</i> .
Explanatory Note	means the Explanatory Note set out at Annexure 132 .
Financial Contributions	means a monetary Contribution comprised of the "Financial Contributions" as set out in Schedule 2 of Annexure 2 .
GST	means goods and services tax payable in accordance with the <i>A New Tax System (Goods and Services Tax) Act 1999</i> and all incidental and ancillary legislation and regulations.
Harrington Grove CMS	means the conservation management strategy set out at Annexure 7 , or such other strategy as agreed between the parties from time to time.
Harrington Grove East Bushland Areas	means those areas of the Harrington Grove East Development that are subject to the Harrington Grove East CMP.
Harrington Grove East Bushland Conservation Works	means the works required to be carried out under the Harrington Grove East CMP.
Harrington Grove East CMP	means the Conservation Management Plan prepared by the Developer and submitted to the Council in accordance with Clause 6.1(2)(a) as set out at Annexure 5 , or such other plan as agreed between the parties from time to time.
Harrington Grove East Community Association	means the community association(s) constituted under the <i>Community Land Development Act (NSW) 1989</i> for the Harrington Grove East Development.
Harrington Grove East Development	means the development subject to the Harrington Grove East Development Consent.
Harrington Grove East Development Consent	means a consent or consents granted by the Council for approval of the development substantially as described in the Indicative Master Plan set out at Annexure 8 for a minimum of at least 77.53 hectares of land zoned 2(d) and 41.69 hectares of land zoned 7(d4) under the provisions of the New LEP (or the equivalent zoning under any new planning instrument that might be adopted by the Council for the Land following the signing of this Agreement).
Harrington Grove East Land	means the whole of the Land contained in Certificate of Title

ORD03

Attachment 1

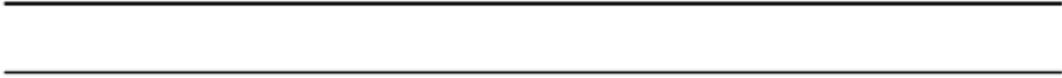
	Folio Identifier 3420/1105169
Harrington Grove West Bushland Areas	means those areas of the Harrington Grove West Development that are subject to the Harrington Grove CMP.
Harrington Grove West Bushland Conservation Works	means the works required to be carried out under the Harrington Grove West CMP.
Harrington Grove West CMP	means the Conservation Management Plan prepared by the Developer and submitted to the Council in accordance with Clause 6.1(2)(a) as set out at Annexure 6 , or such other plan as agreed between the parties from time to time.
Harrington Grove West Community Association	means the community association(s) constituted under the <i>Community Land Development Act (NSW) 1989</i> for the Harrington Grove West Development.
Harrington Grove West Development	means the development subject to the Harrington Grove West Development Consent.
Harrington Grove West Development Consent	means a consent or consents granted by the Council for approval of the development substantially as described in the Indicative Master Plan set out at Annexure 9 for a minimum of at least 44.78 hectares of land zoned 2(d), 19.91 hectares of land zoned 7(d4) and 13.70 hectares of land zoned 1(f) under the provisions of the New LEP (or the equivalent zoning under any new planning instrument that might be adopted by the Council for the Land following the signing of this Agreement).
Harrington Grove West Land	means the whole of the Land contained in Certificate of Title Folio Identifier 101/1107591.
Harrington Park	means the building and curtilage defined as "Harrington Park" in the Harrington Park Heritage Agreement.
Harrington Park Heritage Agreement	means the proposed agreement between the NSW State Heritage Office and the Developer as set out in draft form at Annexure 3 .
Harrington Park Heritage Works	means the works defined as "Conservation Works" in the Harrington Park Heritage Agreement.
Heads of Planning Agreements	means the Heads of Planning Agreement - Harrington Grove West and the Heads of Planning Agreement - Harrington Grove East entered into between the parties and dated 9 October 2006.
Heritage Agreements	means either or both the Harrington Park Heritage Agreement and the Orielton Heritage Agreement as the context requires.
Heritage Works	means either or both the Harrington Park Heritage Works and the Orielton Heritage Works as the context requires.

Land	means the "Land" set out in the Schedule and being the Harrington Grove East Land and the Harrington Grove West Land.
Law	means all legislation, plans, regulations, by-laws, common law and other binding order made by any Authority.
LES	means the Local Environmental Study undertaken with respect to the Development.
<u>Narellan Sports Hub</u>	<u>means a sports facility on the Narellan Sports Hub Land.</u>
<u>Narrellan Sports Hub Land</u>	<u>means the land shown outlined by a dashed line and marked 'DPF' on the plan of the Developments in Annexure 2.</u>
New Law	means an amendment, variation or change made to a Law in force at the date of this Agreement, or a Law that comes into force on or after the date of this Agreement.
New LEP	means the "New LEP" as set out in the Schedule .
Orielton	means the building and curtilage defined as "Orielton" in the Orielton Heritage Agreement.
Orielton Heritage Agreement	means the proposed agreement between the NSW State Heritage Office and the Developer as set out in draft form at Annexure 4 .
Orielton Heritage Works	means the works defined as "Conservation Works" in the Orielton Heritage Agreement.
Planning Legislation	means the EPAA Act and the <i>Local Government Act (NSW) 1993</i> .
Representatives	means the nominated representatives of the parties from time to time.
Residential Lot	means a single residential lot within the Development.
<u>Security</u>	<u>means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council indexed in accordance with the CPI from the date of this Deed.</u>
Subdivision Certificate	has the same meaning as that set out in the EPAA Act.
Part 2 - Interpretational Rules	
clauses, annexures and schedules	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this Agreement.
reference to statutes	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

ORD03

Attachment 1

singular includes plural	the singular includes the plural and vice versa.
person	the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
executors, administrators, successors	a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
dollars	Australian dollars, dollars, \$ or A\$ is a reference to the lawful currency of Australia.
calculation of time	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
reference to a day	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
accounting terms	an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.
reference to a group of persons	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
meaning not limited	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
next day	if an act under this Agreement to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
next Business Day	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
time of day	time is a reference to Sydney time.
headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this Agreement.
agreement	a reference to any agreement, Agreement or instrument includes the same as varied, supplemented, novated or replaced from time to time.
gender	a reference to one gender extends and applies to the other and neuter gender.



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Attachment 1

Voluntary Planning Agreement - Annexure 2
Contribution Works and Financial Contribution

The Contributions referred to in clause 7.2 will be provided by way of:

- (1) the provision of the works set out in Schedule 1, Section 1.0 (Contribution Works); and
- (2) the payment of the amounts set out in Schedule 2, Section 2.0 (Financial Contribution),

referred to in the attached schedule of contributions and as marked on the plan of the Developments which is also attached.



Voluntary Planning Agreement - Annexure 3
Harrington Park Heritage Agreement

ORD03

Attachment 1

ORD03

Attachment 1

Voluntary Planning Agreement - Annexure 4
Orielton Heritage Agreement



Voluntary Planning Agreement - Annexure 5
Harrington Grove East CMP



ORD03

Attachment 1

Voluntary Planning Agreement - Annexure 6
Harrington Grove West CMP



Voluntary Planning Agreement - Annexure 7
Harrington Grove CMS



ORD03

Attachment 1

Voluntary Planning Agreement - Annexure 8
Indicative Master Plan – Harrington Grove East



Voluntary Planning Agreement - Annexure 9
Indicative Master Plan – Harrington Grove West



ORD03

Attachment 1

Voluntary Planning Agreement - Annexure 10
Plan of the Harrington Grove East Land



Voluntary Planning Agreement - Annexure 11
Plan of the Harrington Grove West Land



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Attachment 1

ORD03

Attachment 1

[Voluntary Planning Agreement - Annexure 12](#)

[Licence for access](#)

Terms of access

1 Definitions

In this Annexure 12, words beginning with a capital letter that are defined:

- (1) in Annexure 1 of the Voluntary Planning Agreement entered into between the parties have the meaning ascribed to them in that Annexure; or
- (2) which are not defined in that Annexure, have the meaning ascribed to them as set out below:
 - (a) **Broadform Public Liability Insurance** means an insurance that covers both public liability insurance and product liability insurance.
 - (b) **Claim** means against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise;
 - (c) **Licence** means the rights of the Licensee to access, and conduct the Works upon, the Premises granted under this document;
 - (d) **Licensee** means the party accessing the Premises;
 - (e) **Owner** means the owner of the Premises at the time of the relevant access;
 - (f) **Premises** means the Narellan Sports Hub Land; and
 - (g) **Works** means the works proposed to be carried out on the Premises by the Licensee for the purposes of constructing the Narellan Sports Hub.

2 Licence

2.1 Grant of the Licence

The Owner grants to the Licensee, and to any contractors engaged in the conduct of the Works, an exclusive licence to access and enter upon the Premises (**Licence**) with or without personnel and machinery for the purpose of allowing the Licensee to undertake the Works.

2.2 Personal rights

The Licence is personal to the Licensee.

3 Work health and safety

3.1 Work health and safety

- (1) For the purposes of clause 293 of the *Work Health and Safety Regulation 2011 (NSW) (WH&S Regulations)*:
- (a) as a condition precedent to the Licensee first obtaining access to the Premises under the Licence to carry out the Works:
- (i) the Licensee must appoint a "principal contractor" for the conduct of the Works in accordance with clause 293(2) of the WH&S Regulations;
- (ii) must advise the Owner of that appointment; and
- (b) the Licensee will at all times during the conduct of the Works have appointed a "principal contractor" in accordance with clause 293(2) of the WH&S Regulations.
- (2) The Licensee must comply, and must ensure that any contractor engaged in the conduct of the Works complies, with all Laws relating to work health and safety in the conduct of the Works.
- (3) The Licensee indemnifies the Owner against any Claim arising under any Law relating to work health and safety in the conduct of the Works (by both the Licensee or its contractors), except to the extent that such Claim arises as a result of the deliberate or negligent act or omission of the Owner.

3.2 Obligations of the Licensee

The Licensee must ensure compliance with the following:

- (1) Prior to engaging a contractor to undertake the Works:
- (a) obtain a written safe work method statement from that contractor; and
- (b) prepare a site specific work health & safety management plan with respect to the Works in accordance with the requirements of the WH&S Regulation.
- (2) During the course of the Works:
- (a) ensure that all contractors engaged by the Licensee comply with their respective safe work method statements and the requirements of the *Work Health and Safety Act 2011* and the WH&S Regulation; and
- (b) maintain and update the work health & safety management plan with respect to the Works.
- (3) Immediately when the Licensee becomes aware, inform Workcover and the Owner of:
- (a) any non-disturbance incident (as defined by the WH&S Act and the WH&S Regulation); and
- (b) any accident or other matter as prescribed by Part 3 of the WH&S Regulation.

and within three (3) business days of the Licensee becoming aware of any non-disturbance incident or accident occurring, provide to the Owner a copy of an accident report if the accident is such which the Law generally requires a report to be made to any statutory or government authority.

4 Compliance with authorities

4.1 No warranty as to suitability for use

The Licensee acknowledges and agrees that the Owner has not made any representation or warranty to the Licensee regarding the suitability of the Premises for the conduct of the Works..

4.2 Compliance with the terms of the Consents

In the conduct of the Works and compliance with its obligations under this Annexure 12, the Licensee must comply with the requirements of all Authorities.

4.3 Compliance with directions from Authorities

The Licensee must comply with all notices, directions, orders or other requests served upon itself or the Owner and which arise from the conduct of the Works on the Premises by the Licensee.

4.4 Obtaining further consents

- (1) If the Licensee requires further consents to conduct the Works it must:

 - (a) make such applications itself; and
 - (b) bear all costs incurred by it in relation to obtaining the relevant consent.
- (2) The Owner agrees that it will, where required, sign all authorities reasonably required by the Licensee to make any application for consent to any Authority.

5 Limitation of the Owner' s liability

5.1 Compliance with this clause

- (1) The parties acknowledge that the Licensee may not undertake the Works itself and instead may engage a third party contractor to undertake those works.
- (2) The Licensee may discharge its obligations under this clause by ensuring that any such contractor engaged to undertake the Works maintains the necessary insurances.
- (3) Notwithstanding paragraph (2), the Licensee remains liable for any breach of this clause 5, including a breach caused by a contractor failing to maintain any necessary insurance.

5.2 Insurances

- (1) The Licensee must effect and keep current and in force, or ensure its principal contractor effects and keeps current and in force, the following policies of insurance in respect of the Works:

(a) A Broadform Public Liability Insurance policy with a reputable insurance company in an amount of \$20,000,000 for any one occurrence in respect of any liability for:

(i) personal injury or death of any person; and

(ii) loss of or damage to property.

(b) Workers compensation insurance under the *Workers Compensation Act 1987* (NSW) covering all persons employed or deemed to be employed by the Licensee in connection with the conduct of the Works.

(c) A comprehensive policy of motor vehicle insurance or an unlimited third party property insurance policy in respect of all motor vehicles used in the conduct of the Works.

(d) A contractor's risk policy of insurance in respect of all plant and equipment (including unregistered motor vehicles) used in the conduct of the Works.

(2) The policies referred to in paragraphs (1)(a), (1)(c) and (1)(d) must, if possible, note the interest of the Owner as principal.

5.3 Inspection of insurance

(1) The Licensee must produce at the renewal of each policy a certificate of currency issued by the insurer establishing that the policy is valid.

(2) The Owner may carry out random audits to verify insurances held by the Licensee. The Licensee will assist in any audit and provide evidence of the terms and currency of the insurance policies whenever requested by the Owner.

5.4 Cancellation of insurance

If any policy is cancelled either by the Licensee or the insurer, the Licensee must notify the Owner immediately.

5.5 Risk

The Licensee uses and occupies the Premises and conducts the Works at its own risk.

5.6 Indemnity

The Licensee indemnifies the Owner against any Claim (of whatever nature) made in respect of the Licensee's use and occupation of the Premises and the conduct of the Works, except to the extent that the Claim arises because of the Owner's negligence or default.

6 Caveatable interest

6.1 Owner acknowledgment

The Owner acknowledges that the Licensee will be undertaking works on the Premises prior to the Premises being dedicated to the Licensee by the Owner.

6.2 Charge

The Owner grants to the Licensee a charge over the Premises (Charge) to secure the Licensee's interests in the Premises and the Narellan Sports Hub; and;

- (1) the Owner agrees that the Licensee may register a caveat over the title to the Premises in respect of those interests; and
- (2) the Licensee agrees that it will promptly on request provide its caveator's consent to the registration of any dealing which does not adversely affect the interest of the Licensee in the Premises.

6.3 Release of Charge and withdrawal of caveat

Simultaneously upon dedication of the Premises to the Licensee:

- (1) the Charge is released from the Premises; and
 - (2) the Council must ensure that any caveat lodged over the Premises is withdrawn.
-

ORD03

Attachment 1

Voluntary Planning Agreement - Annexure **1213**

Explanatory Note

EXPLANATORY NOTE
PLANNING AGREEMENT - HARRINGTON GROVE

MARSDENS LAW GROUP
Level 1
49 Dumaresq Street
CAMPBELLTOWN NSW 2560
Tel: 02 4626 5077
Fax: 02 4626 4826
DX: 5107 Campbelltown
Ref: 02 33 6824 JHM:JRT

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EXPLANATORY NOTE

1 INTRODUCTION

- (1) This Explanatory Note has been prepared in accordance with clause 25E of the *Environmental Planning & Assessment Regulation (NSW) 2000*.
- (2) The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft planning agreement (**Draft Planning Agreement**) between the parties under s93F of the *Environmental Planning & Assessment Act (NSW) 1979 (EPA Act)* for the rezoning of land at Harrington Park.

2 PARTIES TO THE PLANNING AGREEMENT

The parties to the Planning Agreement are:

- (1) The Council of Camden, ABN 31 117 341 764, of 37 John Street, CAMDEN NSW 2570 (**Council**).
- (2) Dandaloo Pty Limited, ABN 77 002 338 543, P O Box 42, NARELLAN NSW 2567 (**Developer**).

3 DESCRIPTION OF THE SUBJECT LAND

- (1) The land to which the Planning Agreement applies (**Land**) is set out in the table below:

Folio Identifier	Location
3420/1105169	Harrington Park
101/1107591	Harrington Park

- (2) The Land, known as Harrington Grove, is a 440 hectare site located to the north and west of the existing Harrington Park development. It comprises Harrington Grove East, located between The Northern Road, Camden Valley Way and Cobbitty Road, as well as Orielson on the western side of The Northern Road.

4 DESCRIPTION OF THE DEVELOPMENT

- (1) The Agreement relates to the subdivision of the Land and the carrying out of development for residential and urban purposes on the Land under the Harrington Grove East Development Consent and Harrington Grove West Development Consent (as defined in Annexure 1 of the Draft Planning Agreement) (**Developments**).

433413_1

- (2) The Harrington Grove East Development Consent means a consent or consents granted by the Council for approval of the development substantially as described in the Indicative Master Plan set out at Annexure 8 of the Draft Planning Agreement for a minimum of at least 77.53 hectares of land zoned 2(d) and 41.69 hectares of land zoned 7(d4) under the provisions of the New LEP (or the equivalent zoning under any new planning instrument that might be adopted by the Council for the Land following the signing of the Draft Planning Agreement).
- (3) The Harrington Grove West Development Consent means a consent or consents granted by the Council for approval of the development substantially as described in the Indicative Master Plan set out at Annexure 9 of the Draft Planning Agreement for a minimum of at least 44.78 hectares of land zoned 2(d), 19.91 hectares of land zoned 7(d4) and 13.70 hectares of land zoned 1(f) under the provisions of the New LEP (or the equivalent zoning under any new planning instrument that might be adopted by the Council for the Land following the signing of the Draft Planning Agreement).

5 DESCRIPTION OF PROPOSED CHANGE TO ENVIRONMENTAL PLANNING INSTRUMENT

The Draft *Camden Local Environmental Plan No 138 – Harrington Park 2 (New LEP)* amends the *Camden Local Environmental Plan No 48* and *Camden Local Environmental Plan No 74*. The relevant effect of the New LEP is to rezone the Land to permit residential subdivision and residential development of parts of the Land. The specific aims, objectives, policies and strategies of the New LEP are set out in that document.

6 SUMMARY OF OBJECTS, NATURE AND EFFECT OF THE PLANNING AGREEMENT

6.1 Objective of the Draft Planning Agreement

The objective of the Draft Planning Agreement is to provide suitable funding for the provision of infrastructure, facilities and services (and the recoupment of costs previously expended by the Council in providing infrastructure, facilities and services) to meet the relevant needs generated by the urban development made permissible by the New LEP.

6.2 Nature of the Draft Planning Agreement

- (1) The Draft Planning Agreement is an agreement between the Council and the Developer, made under s93F of the *Environmental Planning and Assessment Act 1979 (Act)*, in relation to the Developments and the Land.
- (2) The Draft Planning Agreement is a voluntary agreement under which Contributions (as defined in Part 1 of Annexure 1 of the Draft Planning Agreement) are to be made by the Developer for various public purposes (as defined by s93F(3) of the Act) in conjunction with the carrying out of the Developments (if consent is granted by the Council to either of the development applications for the Developments).

6.3 Effect of the Draft Planning Agreement

The Draft Planning Agreement:

433413_1

ORD03

Attachment 1

- (1) relates to the carrying out by the Developer of the Developments on the Land made permissible by the New LEP,
- (2) imposes obligations on the Developer to carry out works to protect and maintain the heritage sites which are the subject of proposed draft agreements known as the Harrington Park Heritage Agreement and the Orielton Heritage Agreement. Copies of the draft agreements are Annexures 3 and 4 to the Draft Planning Agreement,
- (3) imposes obligations on the Developer to carry out works to protect and maintain bushland conservation sites. In particular, the Developer is required to: carry out the Harrington Grove East Bushland Conservation Works in accordance with the approved Harrington Grove CMS, the Harrington Grove East CMP if Council issues the Harrington Grove East Development Consent; and carry out the Harrington Grove West Bushland conservation Works in accordance with the approved Harrington Grove CMS and the Harrington Grove West CMP if Council issues the Harrington Grove West Development Consent,
- (4) excludes the application of s94 and s94A of the Act to the Developments,
- (5) requires monetary contributions as specified in Schedule 2 of Annexure 2 to be made towards a district library, branch Library, leisure Centre and s94 administration costs,
- (6) requires the carrying out of works by the Developer as specified in Schedule 1 of Annexure 2 for the purposes of providing public facilities, including recreation facilities (**Works**),
- (7) provides that if at the time a monetary is required to be made by the Developer under the Draft Planning Agreement, the council is not authorised by a contributions plan (within the meaning of the EPAA Act) to impose a condition under s94 of the Act in respect of the Developments requiring the payment of a monetary s94 contribution towards the same or a similar purpose as that for which the monetary is required to be made, the Developer is not required to make the monetary contribution under the Draft Planning Agreement,
- (8) provides a timetable for the carrying out of the Works,
- (9) provides a procedure for the rectification by the Developer of defects in the Works,
- (10) provides a procedure for the handing over of the Works to the Council,
- (11) requires the Developer to provide the Council with security for legal costs in the event that the Council is required to enforce the terms of the agreement,
- (12) provides a dispute resolution method in respect of disputes under the Draft Planning Agreement,
- (13) provides that the Draft Planning Agreement is not confidential,
- (14) provides that the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) applies to payments made under the Draft Planning Agreement, and

433413_1

- (15) provides that the Draft Planning Agreement is governed by the law of New South Wales.

7 ASSESSMENT OF THE MERITS OF THE PLANNING AGREEMENT

7.1 The Planning Purposes Served by the Planning Agreement

The Draft Planning Agreement

- (1) promotes the conservation of natural resources, including natural areas and forests, for the purpose of promoting the social and economic welfare of the community and a better environment,
- (2) promotes and co-ordinates the orderly and economic use and development of land,
- (3) provides and coordinates community services and facilities in conjunction with the Developments, and
- (4) provides increased opportunity for public involvement and participation in environmental planning and assessment.

7.2 How the Planning Agreement Promotes the Public Interest

The Draft Planning Agreement promotes the public interest by achieving the objects of the Act as set out in s5(a)(i),(ii),(v),(viii) and (c) of the Act.

7.3 For Planning Authorities

- (1) Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities
 - (a) N/A
- (2) Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under Which it is Constituted
 - (a) N/A
- (3) Councils – How the Draft Planning Agreement Promotes the Elements of the Council's Charter
 - (a) The Draft Planning Agreement promotes the elements of the Council's charter by:
 - (i) directly providing, after due consultation, adequate, equitable and appropriate services and facilities for the community and ensuring that those services and facilities are managed efficiently and effectively,
 - (ii) promoting, providing and planning for the needs of children,

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-
- (iii) having regard to the long term and cumulative effects of its decisions,
 - (iv) allowing the Council to act as an effective custodian and trustee of public assets by allowing the Council to effectively account for and manage the assets for which it is responsible,
 - (v) raising funds for local purposes by requiring the payment of monetary contributions by the parties that create the need by for infrastructure and services, and thus easing the financial burden on the community at large, and
 - (vi) keeping the local community and the State government (and through it, the wider community) informed about its activities.

7.4 All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority's Capital Works Program

- (1) The Draft Planning Agreement requires that specified Works be carried out by the Developer for the purposes of providing public facilities, particularly recreation facilities.
- (2) These works are not included in the Council's relevant current capital works program.

7.5 The Impact of the Planning Agreement on the Public or Any Section of the Public

The new population resulting from the Developments will generate the need for augmented or additional public services and public amenities. The Planning Agreement aims to deliver necessary infrastructure and services. This is considered to be a positive impact on the public. The Developer is also required to provide Contributions towards public facilities that could not otherwise have required to be provided under s94 or s94A of the Act in conjunction with the Developments. This is also expected to be a positive impact on the public.

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Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



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Appendix 2

(Clause 5)

**Schedules 1 and 2 and plans in Annexure 2 of
Planning Agreement**

DRAFT

Attachment 1

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Attachment 1

**Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited**



HARRINGTON GROVE – VOLUNTARY PLANNING AGREEMENT		SCHEMATIC		DESCRIPTION OF FACILITY	
S.S. COMPENSATION WORKS (Within-kind)	INVESTOR	PROVISION	TERMS OF PROVISION	ACCESS	DEFECTS LIABILITY PERIOD
Public Art & Interpretive Signs		4. No.	W&S retains all rights	General Public	3 months
See other Schematics Table	100%	See other Schematics Table	As shown in Schematic 100% of the site	General Public	Not applicable

Approximately 3 pieces of public art and a number of interpretive signs and other public art elements will be installed on the site. The public art elements will be installed to comply with the requirements of the Public Art & Interpretive Signs Deed of Variation.

See other Schematics Table for details of the public art elements.

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



HARRINGTON GROVE - VOLUNTARY PLANNING AGREEMENT
31-Aug-15

SCHEDULE 1 FINANCIAL CONTRIBUTIONS	CONTRIBUTION (per lot)	TOTAL CONTRIBUTION	PROVISION	ACCESS	EXISTS / FUTURE	RESIDUUM OF PROFIT
Dandaloo Library Blandford Library Larkins Creek Site contribution *Based on 10% of Dandaloo Value (Dec 2017 = 197.5) *Includes 20% uplift	98.75 102.25 178.25 100.00 197.50	51.000 421.000 306.175 100.000 1,975.000 2,854.175	*Based on progress with Sub. Certificate *Based on progress with Sub. Certificate *Based on progress with Sub. Certificate *Based on progress with Sub. Certificate 31 August 2015		Not applicable Not applicable Not applicable Not applicable Not applicable	*Based on 5% contribution *Based on 10% contribution *Based on 10% contribution *Based on 10% contribution *Based on 10% contribution

Camden Council

ORD03

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



Appendix 3

(Clause 6)

Explanatory Note

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Deed of Variation to the Harrington Grove Planning Agreement

Under cl25C(3) of the *Environmental Planning and Assessment Regulation 2000*

Parties

The Council of Camden ABN 31 117 341 764 of 37 John Street, CAMDEN NSW 2570
 (Council)

Dandaloo Pty Ltd ABN 77 002 338 543 of PO Box 42, NARELLAN NSW 2567
 (Developer)

Description of the Land to which the Deed of Variation Applies

The Deed of Variation applies to the same Land the subject of the Planning Agreement.

Description of Proposed Development

The Deed of Variation relates to the same Development the subject of the Planning Agreement.

Attachment 1

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



ORD03

Summary of Objectives, Nature and Effect of the Deed of Variation

Objectives of the Deed of Variation

The objective of the Deed of Variation is to amend the Planning Agreement to include provisions relating to varying Contribution Works, deferral of work, access to land by Council, owners' consent to making of a development application and amending the Contribution Works and Financial Contributions to be provided under the Planning Agreement.

Nature of the Deed of Variation

This Deed is a deed of variation to the Planning Agreement under cl25C(3) of the Environmental Planning and Assessment Regulation 2000.

Effect of the Deed of Variation

The Deed of Variation amends the Planning Agreement in the manner set out in clause 5 and Appendix 1 of this Deed.

Assessment of the Merits of the Draft Deed of Variation

The Planning Purposes Served by the Deed of Variation

The planning purposes served by the Deed of Variation are the same as those set out in the Planning Agreement.

How the Draft Planning Agreement Promotes the Public Interest

The Deed of Variation promotes the public interest in the same manner set out in the Planning Agreement.

For Planning Authorities:

Development Corporations - How the Deed of Variation Promotes its Statutory Responsibilities

N/A

Other Public Authorities – How the Deed of Variation Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils – How the Deed of Variation Promotes the Elements of the Council's Charter

The Deed of Variation promotes the elements of the Council's charter by:

- (i) directly providing, after due consultation, adequate, equitable and appropriate services and facilities for the community and

Attachment 1

Harrington Grove Planning Agreement – Deed of Variation
The Council of Camden
Dandaloo Pty Limited



- ensuring that those services and facilities are managed efficiently and effectively,
- (ii) promoting, providing and planning for the needs of children,
 - (iii) having regard to the long term and cumulative effects of its decisions,
 - (iv) allowing the Council to act as an effective custodian and trustee of public assets by allowing the Council to effectively account for and manage the assets for which it is responsible,
 - (v) raising funds for local purposes by requiring the payment of monetary contributions by the parties that create the need by for infrastructure and services, and thus easing the financial burden on the community at large, and
 - (vi) keeping the local community and the State government (and through it, the wider community) informed about its activities.

All Planning Authorities – Whether the Deed of Variation Conforms with the Authority’s Capital Works Program

The Deed of Variation requires that specified works be carried out by the Developer for the purposes of providing public facilities, particularly recreation facilities.

These works are not included in the Council’s relevant current capital works program. It is noted that the developer will make a financial contribution toward the construction of recreation facilities at the Narellan Sports Hub site. This monetary contribution will part fund the works on this site, which Council will undertake in accordance with its capital works program.

All Planning Authorities – Whether the Deed of Variation specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

This Deed of Variation does not specify that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued. However, the Planning Agreement does specify such requirements.

Attachment 2 – Proposed Amendments to Camden DCP (Part C) 2011

Proposed Amendment		Comment
Delete Figure C30 – Harrington Grove Structure Plan	Insert amended Figure C30 – Harrington Grove Structure Plan	Amended to show preferred cycleway realignment
Delete Figure C35 - Harrington Grove Indicative Pedestrian and Cycle Network	Insert amended Figure C35 – Harrington Grove Indicative Pedestrian and Cycle Network	Amended to show preferred cycleway realignment
Delete Figure C40 – Harrington Grove Precinct B Development Plan	Insert amended Figure C40 Harrington Grove Precinct B Development Plan	Amended to show preferred cycleway realignment

ORD03

Attachment 2



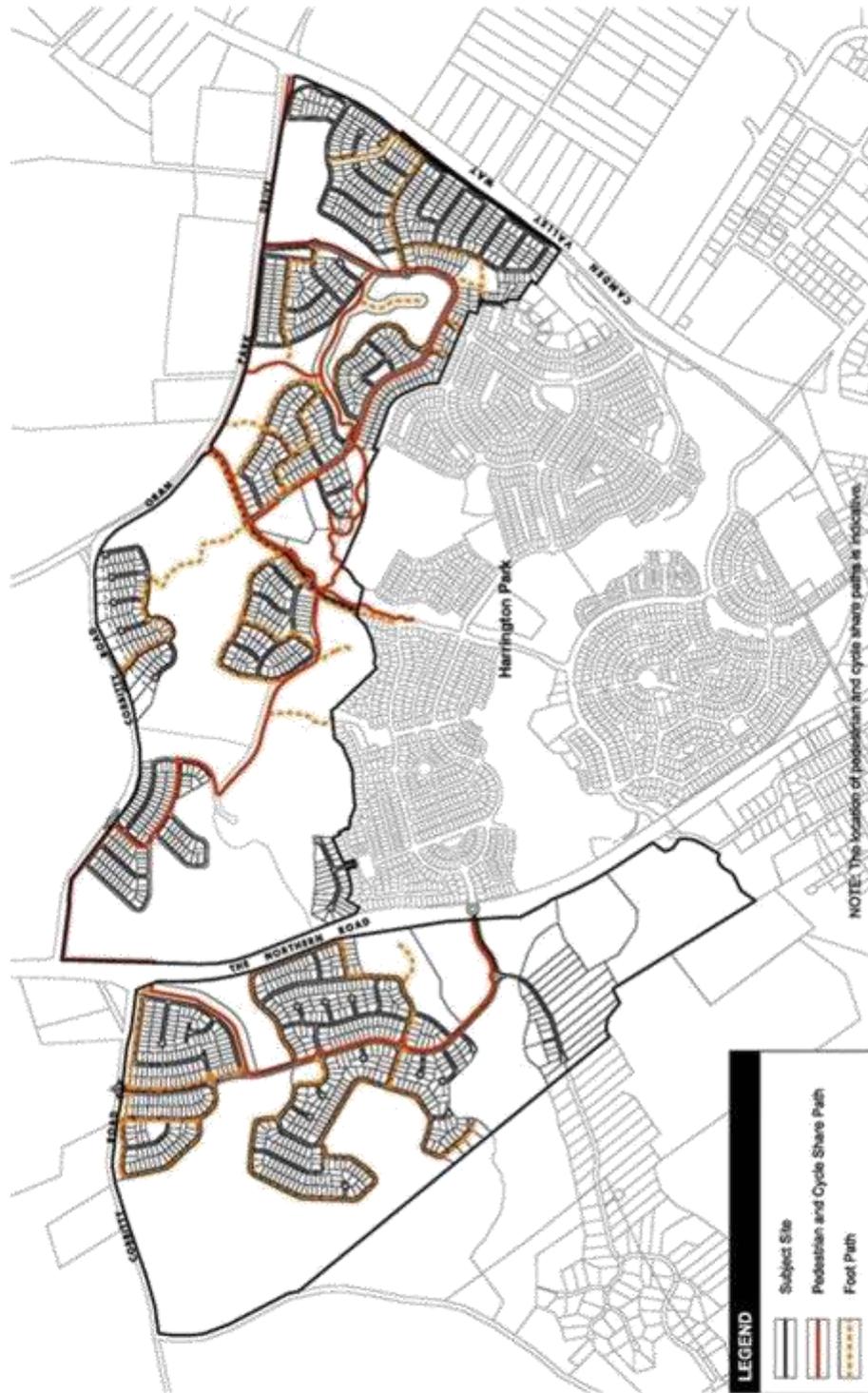
Existing C30 Harrington Grove Structure Plan



Proposed Figure C30 Harrington Grove Structure Plan

ORD03

Attachment 2



Existing Figure C35 Harrington Grove Indicative Pedestrian and Cycle Network



Proposed Figure C35 Harrington Grove Indicative Pedestrian and Cycle Network

ORD03

Attachment 2



Proposed Figure C40 Harrington Grove Precinct B Development Plan



Proposed Figure C40 Harrington Grove Precinct B Development Plan



ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: INVESTMENT MONIES - MAY 2015

FROM: Acting Director Customer & Corporate Services

TRIM #: 15/142994

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 May 2015 is provided.

MAIN REPORT

The weighted average return on all investments was 3.66% p.a. for the month of May 2015. The industry benchmark for this period was 2.38% (Ausbond Bank bill Index).

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

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

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

RECOMMENDED

That Council:

- i. **note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act, Regulations, and Council's Investment Policy*;**
- ii. **note the list of investments for May 2015 and;**
- iii. **note the weighted average interest rate return of 3.66% p.a. for the month of May 2015.**

ATTACHMENTS

1. Investment Monies - May 2015



ORD04



Monthly Report

Camden Council

May 2015

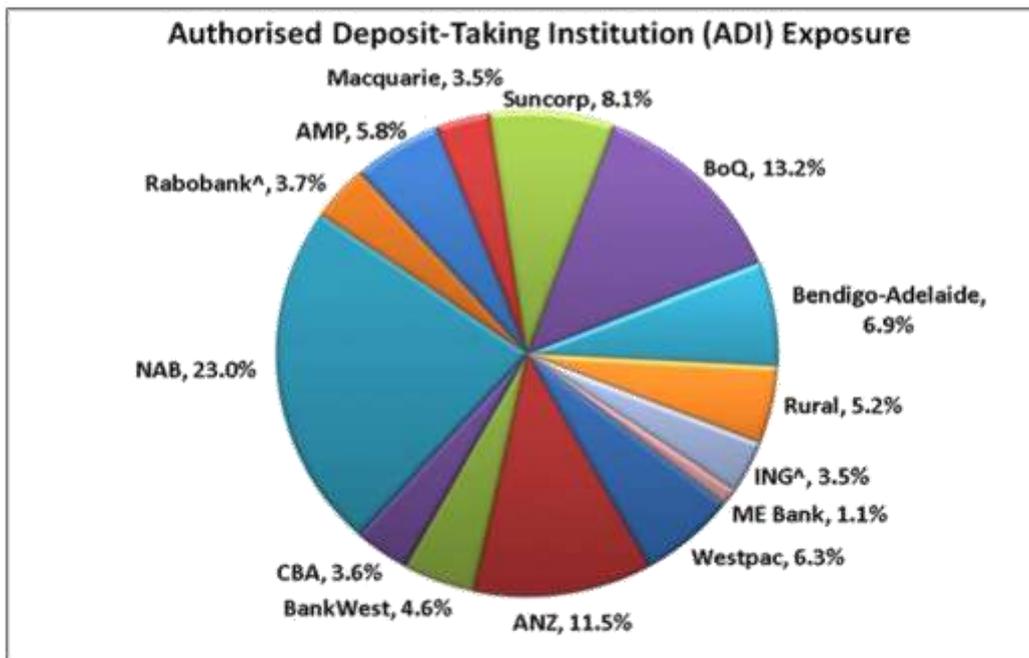
Investment Exposure

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

ADI	Exposure \$M	Rating	Policy Limit	Actual	Capacity
Westpac	\$5.50M	A1+	25.0%	6.3%	\$16.21M
ANZ	\$10.00M	A1+	25.0%	11.5%	\$11.71M
BankWest	\$4.00M	A1+	25.0%	4.6%	\$17.71M
CBA	\$3.15M	A1+	25.0%	3.6%	\$18.56M
NAB	\$20.00M	A1+	25.0%	23.0%	\$1.71M
Rabobank [^]	\$3.20M	A1	5.0%	3.7%	\$1.14M
AMP	\$5.00M	A1	15.0%	5.8%	\$8.03M
Macquarie	\$3.00M	A1	15.0%	3.5%	\$10.03M
Suncorp	\$7.00M	A1	15.0%	8.1%	\$6.03M
BoQ	\$11.50M	A1	15.0%	13.2%	\$1.53M
Bendigo-Adelaide	\$6.00M	A1	15.0%	6.9%	\$7.03M
Rural	\$4.50M	A1	15.0%	5.2%	\$8.53M
ING [^]	\$3.00M	A2	5.0%	3.5%	\$1.34M
ME Bank	\$1.00M	A2	10.0%	1.1%	\$7.73M
Total	\$86.85M			100.0%	

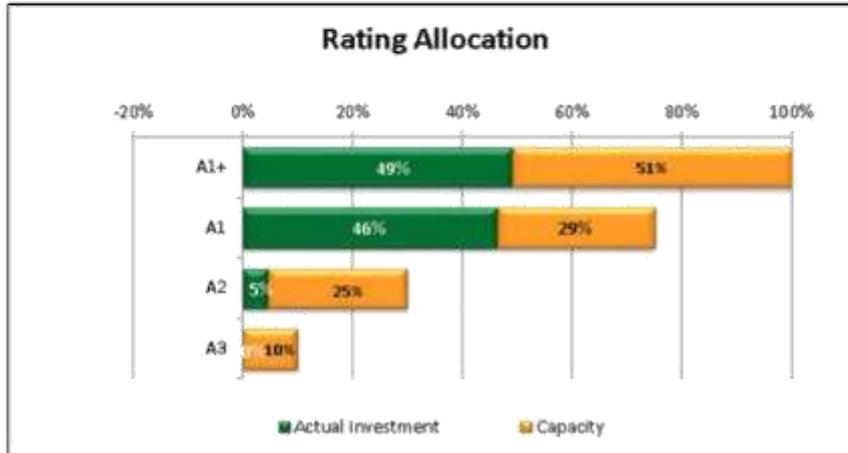
[^]Foreign subsidiary banks are limited to 5% of the total investment portfolio as per Council's investment policy.

Apart from investments with the regional ADIs, the investment portfolio is predominately directed to the higher rated entities led by NAB and BoQ.



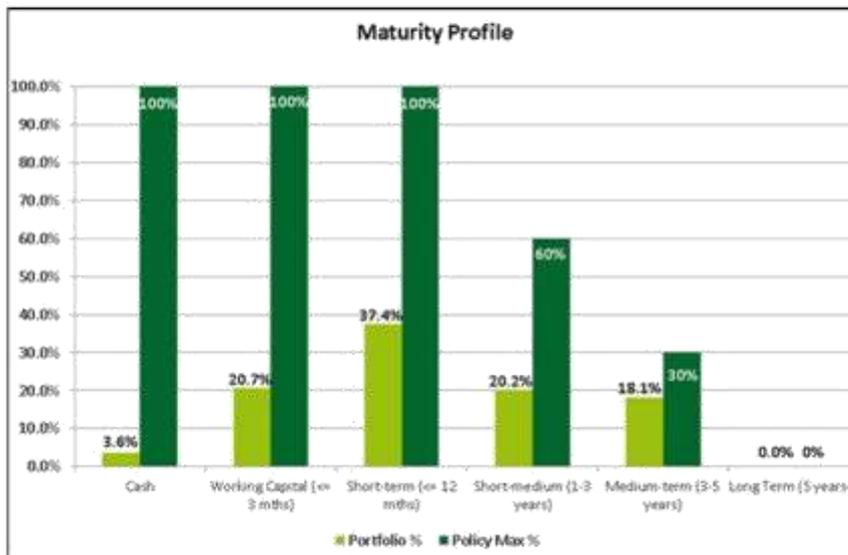
Credit Quality

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



Term to Maturity

The portfolio remains adequately liquid with approximately 4% of investments at-call and around another 21% of assets maturing within 3 months. There is still substantial capacity to invest in terms greater than 1 year. In consultation with its investment advisors, Council has strategically diversified its investments across various maturities up to 5 years.



In the current low interest rate environment, as existing deposits mature, they will generally be reinvested at much lower rates than preceding years. A larger spread of maturities in medium-term assets would help income pressures over future financial years. This is becoming increasingly difficult with the RBA’s latest interest rate cut in May.

2014-15 Budget

Current Budget Rate	3.50%
Source of Funds Invested	
Section 94 Developer Contributions	\$40,468,226
Restricted Grant Income	\$541,235
Externally Restricted Reserves	\$8,695,228
Internally Restricted Reserves	\$27,188,455
General Fund	\$9,956,856
Total Funds Invested	\$86,850,000

Council's investment portfolio has increased by \$3.4 million since the April reporting period. The increase in investment funds relates to the final rates instalment for the 2014/15 financial year and Section 94 cash receipts received for the May period.

INTEREST RECEIVED DURING 2014/15 FINANCIAL YEAR				
	May	Cumulative	Revised Budget	*Original Budget
General Fund	\$88,881	\$1,194,475	\$1,312,700	\$899,200
Restricted	\$147,779	\$1,598,866	\$1,711,574	\$871,900
Total	\$236,660	\$2,793,341	\$3,024,274	\$1,771,100

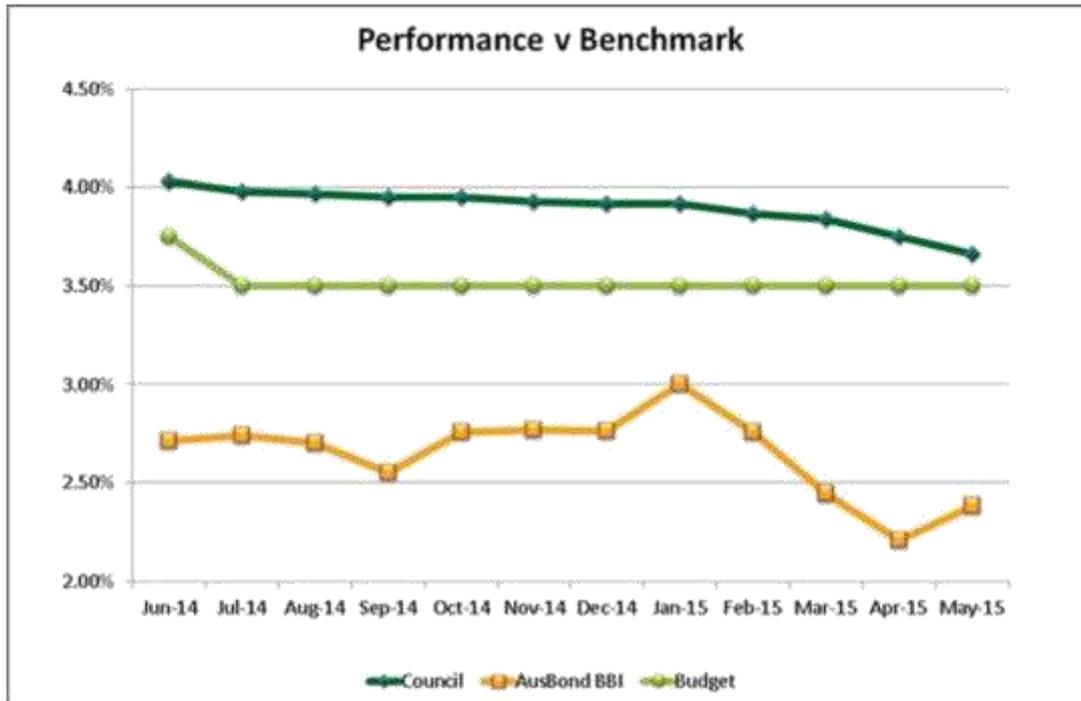
*The Original Budget is reviewed on a quarterly basis as part of the Budget Process

Interest Summary

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

NUMBER OF INVESTMENTS	65
AVERAGE DAYS TO MATURITY	499
AVERAGE PERCENTAGE	3.68% p.a.
WEIGHTED PORTFOLIO RETURN	3.66% p.a.
CBA CALL ACCOUNT *	1.85% p.a.
HIGHEST RATE	5.10% p.a.
LOWEST RATE	2.85% p.a.
BUDGET RATE	3.50% p.a.
AVERAGE BBSW (30 Day)	2.06% p.a.
AVERAGE BBSW (90 Day)	2.15% p.a.
AVERAGE BBSW (180 Day)	2.24% p.a.
OFFICIAL CASH RATE	2.00% p.a.
AUSBOND BANK BILL INDEX	2.38% p.a.

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



Outperformance over the benchmark AusBond Bank Bill Index continues to be attributed to the longer-dated deposits in the portfolio (particularly early investments placed above 4.5%). Deposits invested close to or above 4% will also contribute to outperformance over the current and future financial years. As existing deposits mature, performance will generally fall as deposits will be reinvested at much lower prevailing rates.

With the adoption of a longer term strategy, the FY15 budget return of 3.50% should comfortably be achieved. However with the RBA threatening to cut interest rates again over the next 6-9 months, FY16 budgets and beyond should be adjusted to reflect a longer period of low interest rates.

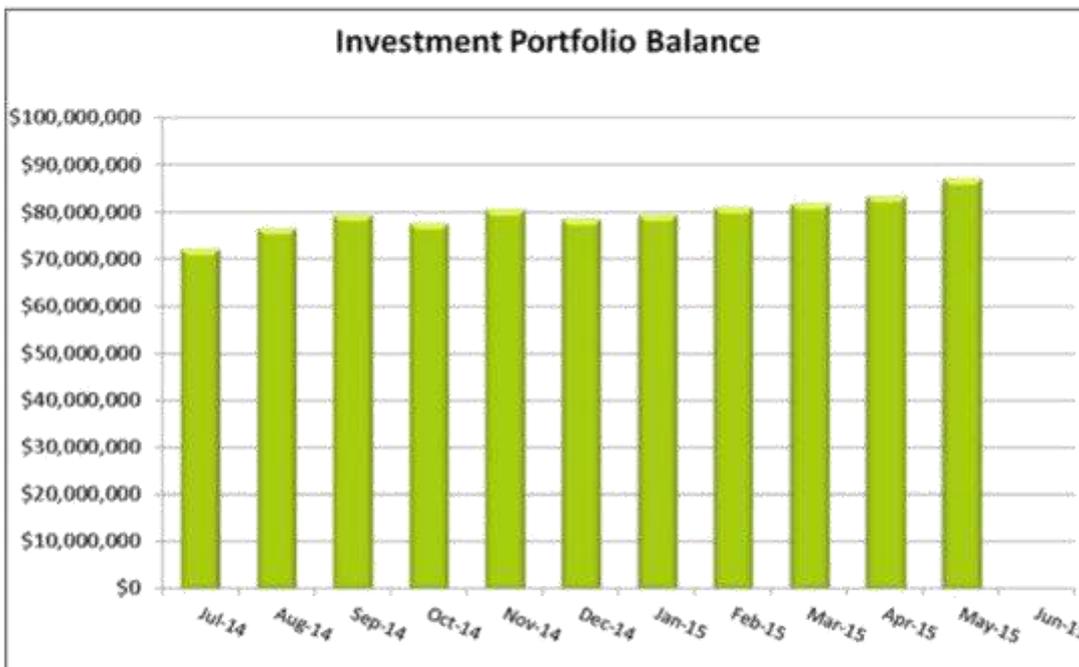
ORD04

Attachment 1

Appendix A – List of Investments

Camden Council Investment Portfolio as at 31 May 2015								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/05/2015
Westpac	TD	\$500,000.00	4.55%	17/05/2013	19/05/2016	1098	354	\$934.93
BOQ	TD	\$2,500,000.00	5.00%	4/11/2013	1/11/2018	1823	1250	\$71,575.34
BOQ	TD	\$1,500,000.00	4.50%	7/11/2013	2/11/2016	1091	521	\$18,095.89
BOQ	TD	\$1,000,000.00	5.10%	25/11/2013	22/11/2018	1823	1371	\$26,268.49
BOQ	TD	\$1,000,000.00	4.50%	28/11/2013	24/11/2016	1092	543	\$22,808.22
BOQ	TD	\$1,000,000.00	4.85%	28/11/2013	23/11/2017	1456	907	\$24,582.19
ING Bank	TD	\$1,000,000.00	4.67%	28/11/2013	23/11/2017	1456	907	\$23,467.12
Macquarie Bank	TD	\$1,800,000.00	4.15%	28/01/2014	28/01/2016	730	234	\$15,088.22
BOQ	TD	\$1,000,000.00	4.65%	27/02/2014	22/02/2018	1456	998	\$11,975.34
Rabobank	TD	\$1,000,000.00	5.00%	28/02/2014	26/02/2019	1826	1369	\$12,602.74
Rabobank	TD	\$1,200,000.00	5.00%	3/03/2014	6/03/2019	1829	1375	\$14,794.52
Westpac	TD	\$1,500,000.00	4.55%	15/05/2014	15/05/2019	1826	1445	\$3,178.77
Westpac	TD	\$1,500,000.00	4.55%	21/05/2014	22/05/2019	1827	1452	\$2,056.85
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.05%	22/05/2014	24/05/2017	1098	734	\$1,664.38
Bendigo Adelaide Bank	TD	\$1,000,000.00	4.05%	27/05/2014	31/05/2017	1100	731	\$554.79
Bendigo Adelaide Bank	TD	\$2,000,000.00	4.05%	30/05/2014	31/05/2017	1097	731	\$81,443.84
NAB	TD	\$2,000,000.00	4.00%	5/06/2014	7/06/2017	1098	738	\$79,123.29
Macquarie Bank	TD	\$1,000,000.00	4.00%	31/07/2014	31/07/2017	1096	792	\$33,424.66
BOQ	TD	\$1,000,000.00	4.15%	5/08/2014	1/08/2018	1457	1158	\$34,109.59
ANZ	TD	\$2,000,000.00	3.64%	2/09/2014	2/09/2015	365	94	\$54,250.96
ANZ	TD	\$1,000,000.00	3.64%	18/09/2014	9/09/2015	364	101	\$26,327.67
ANZ	TD	\$1,000,000.00	3.64%	16/09/2014	16/09/2015	365	108	\$25,729.32
NAB	TD	\$1,000,000.00	3.50%	8/10/2014	3/06/2015	238	3	\$22,630.14
NAB	TD	\$1,000,000.00	3.51%	22/10/2014	18/06/2015	231	10	\$21,348.49
Suncorp Metway	TD	\$1,000,000.00	3.45%	29/10/2014	17/06/2015	231	17	\$20,321.92
Westpac	TD	\$1,000,000.00	3.45%	29/10/2014	17/06/2015	231	17	\$20,321.92
Suncorp Metway	TD	\$1,000,000.00	3.50%	7/11/2014	24/06/2015	229	24	\$19,753.42
AMP	TD	\$1,000,000.00	3.50%	13/11/2014	13/08/2015	273	74	\$19,178.08
ME Bank	TD	\$1,000,000.00	3.55%	20/11/2014	24/06/2015	216	24	\$18,771.23
Rural Bank	TD	\$1,000,000.00	3.50%	26/11/2014	17/06/2015	203	17	\$17,931.51
ING Bank	TD	\$1,000,000.00	3.55%	27/11/2014	1/07/2015	236	31	\$18,294.25
Rabobank	TD	\$1,000,000.00	4.10%	27/11/2014	27/11/2019	1826	1641	\$20,893.15
AMP	TD	\$2,000,000.00	3.40%	28/11/2014	19/08/2015	264	80	\$14,465.75
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.25%	28/11/2014	4/12/2019	1832	1648	\$32,311.64
BOQ	TD	\$1,500,000.00	3.60%	3/12/2014	8/07/2015	217	39	\$26,630.14
AMP	TD	\$1,000,000.00	3.40%	4/12/2014	28/08/2015	267	89	\$16,673.97
AMP	TD	\$1,000,000.00	3.40%	11/12/2014	9/12/2015	363	192	\$16,021.92
NAB	TD	\$1,500,000.00	4.00%	16/12/2014	11/12/2019	1821	1655	\$27,452.05
Macquarie Bank	TD	\$1,000,000.00	3.85%	19/12/2014	19/12/2019	1826	1663	\$17,298.63
ING Bank	TD	\$1,000,000.00	3.50%	8/01/2015	15/07/2015	188	45	\$13,888.22
Rural Bank	TD	\$2,000,000.00	3.70%	9/01/2015	9/01/2018	1096	954	\$28,991.78
Rural Bank	TD	\$1,500,000.00	3.70%	14/01/2015	15/01/2018	1097	960	\$20,983.56
NAB	TD	\$500,000.00	3.40%	28/01/2015	22/07/2015	175	52	\$5,860.27
Westpac	TD	\$1,000,000.00	3.50%	2/02/2015	2/02/2020	1826	1708	\$12,715.07
NAB	TD	\$1,500,000.00	3.20%	4/02/2015	29/07/2015	175	59	\$15,386.30
NAB	TD	\$1,500,000.00	3.20%	11/02/2015	5/08/2015	175	66	\$14,465.75

Camden Council Investment Portfolio as at 31 May 2015								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/05/2015
Suncorp Metway	TD	\$1,000,000.00	3.10%	18/02/2015	23/09/2015	217	115	\$8,747.95
NAB	TD	\$1,000,000.00	3.14%	25/02/2015	30/09/2015	217	122	\$8,258.63
NAB	TD	\$1,000,000.00	3.15%	25/02/2015	2/03/2016	371	276	\$8,204.93
NAB	TD	\$1,000,000.00	3.15%	27/02/2015	1/03/2017	733	640	\$8,112.33
Suncorp Metway	TD	\$1,500,000.00	3.00%	2/03/2015	7/10/2015	219	129	\$11,443.56
NAB	TD	\$1,000,000.00	3.13%	4/03/2015	14/10/2015	224	136	\$7,632.05
Suncorp Metway	TD	\$1,500,000.00	3.05%	12/03/2015	21/10/2015	223	143	\$10,152.74
NAB	TD	\$1,500,000.00	2.91%	8/04/2015	28/10/2015	203	150	\$6,457.81
ANZ	TD	\$2,000,000.00	2.85%	15/04/2015	4/11/2015	203	157	\$7,838.73
ANZ	TD	\$2,000,000.00	2.90%	22/04/2015	11/11/2015	203	164	\$6,356.16
BDO	TD	\$1,000,000.00	2.95%	22/04/2015	25/11/2015	217	170	\$3,232.88
ANZ	TD	\$2,000,000.00	2.90%	23/04/2015	18/11/2015	209	171	\$6,197.26
NAB	TD	\$2,000,000.00	2.90%	29/04/2015	16/12/2015	231	189	\$5,243.84
NAB	TD	\$1,500,000.00	2.99%	6/05/2015	16/12/2015	224	189	\$3,130.68
NAB	TD	\$1,000,000.00	2.93%	8/05/2015	16/12/2015	222	189	\$1,926.58
Bankwest	TD	\$2,000,000.00	3.00%	20/05/2015	23/09/2015	126	115	\$1,972.60
Bankwest	TD	\$2,000,000.00	3.00%	20/05/2015	14/10/2015	147	136	\$1,972.60
NAB	TD	\$1,000,000.00	2.95%	20/05/2015	18/11/2015	182	171	\$969.86
Suncorp Metway	TD	\$1,000,000.00	2.90%	25/05/2015	2/12/2015	191	185	\$556.16
# TD Investments	65	\$83,700,000.00	3.66%					\$1,194,474.63
CBA	Call Account	\$1,150,000.00	1.85%					
		\$86,050,000.00						



Appendix B – Ratings Definitions

Standard & Poor's Ratings Description

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

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

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

S&P Short-Term Obligation Ratings are:

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

S&P Long-Term Obligations Ratings are:

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

Fitch and Moody's have similar classifications.

Appendix C – Recently Invested ADIs

Rural Bank

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

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

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

Financial Results

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

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

Rabobank Australia

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

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

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

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

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

ORD04

Attachment 1



ORD05

ORDINARY COUNCIL

ORD05

SUBJECT: ADOPTION OF THE 2013/14 - 2016/17 REVISED DELIVERY PROGRAM AND 2015/16 OPERATIONAL PLAN (BUDGET)

FROM: Acting Director Customer & Corporate Services

TRIM #: 15/131021

PURPOSE OF REPORT

The purpose of this report is to adopt:

- The 2013/14 – 2016/17 Revised Delivery Program, which includes the 2015/16 Operational Plan and Budget,
- The 2015/16 Revenue and Pricing Policy (including the Fees and Charges Schedule),
- A 2.40% rate increase under Section 506 of the *Local Government Act* in accordance with the allowable increase announced by IPART;

As required under the *Local Government Act*, Council is also required to resolve the following:

1. Making of the rates and annual charges for 2015/16,
2. Authorisation of expenditure and voting of money for 2015/16.

BACKGROUND

Council adopted the 2013/14 – 2016/17 Revised Delivery Program and 2014/15 Operational Plan (including budget) on 24 June 2014. The Local Government Amendment (Planning and Reporting) Act 2009, states that any major variations to the adopted Delivery Program must be publicly exhibited for a period of 28 days (minimum).

As part of the 2015/16 annual budget process, there have been a number of recommended inclusions to the 2015/16 budget over and above what was included in the 2013/14 – 2016/17 Revised Delivery Program.

The Revised 2013/14 -2016/17 Delivery Program and 2015/16 Operational Plan has been publicly exhibited for a period of 28 days in accordance with the Local Governmental Amendment (Planning and Reporting) Act 2009, and is now ready for formal adoption.

MAIN REPORT

The current Integrated Planning and Reporting Package has now been in place for approximately 2 years. As reported to Council on the 12 May 2015, there are a number of changes which have been made to the Revised Delivery Program. These changes are largely a result of Council's ability to allocate additional funding to a range operational and capital funding requirements.



A summary of these changes is provided in the table below:

Delivery Program Changes	Cost	Expected Delivery	Funding
Workforce Funding			
Additional Staffing	\$583,800	2015-16	Additional 18 positions in 2015/16 (Recurrent Funding)
Operational Funding			
Open Space Maintenance & Presentation (includes staffing and capital)	\$543,200	2015-16	Recurrent funding through General Fund
High Impact Planting Maintenance Costs (includes staffing)	\$153,000	2015-16	Recurrent funding through General Fund
Internal Audit Program Costs	\$100,000	2015-16	Recurrent funding through General Fund
Business Improvement Plan – Fit for the Future	\$100,000	2015-16	Recurrent funding through General Fund
Capital Works - Design Program Allocation	\$50,000	2015-16	Non-recurrent funding through General Fund
Priority Tree Management Program	\$50,000	2015-16	Recurrent funding through General Fund
Community Events – Additional Funding	\$50,000	2015-16	Recurrent funding through General Fund
Work Health & Safety Initiatives	\$50,000	2015-16	Recurrent funding through General Fund
Electronic Documentation Scanning	\$50,000	2015-16	Non-recurrent funding through General Fund
Risk Management Action Plan & Program Costs	\$40,000	2015-16	Recurrent funding through Risk Mgmt Reserve in 2015/16 and General Fund in LTFP
Strategic Planning Studies	\$250,000	2016-17	Non-recurrent funding through General Fund in 2015/16 (\$150K) and 2016/17 (\$100K)
Development Urban Design Panel	\$100,000	2016-17	Non-recurrent funding through General Fund
Property Development Fund – Seed Funding	\$51,500	2016-17	Recurrent funding through General Fund



ORD05

Delivery Program Changes (Continued)	Cost	Expected Delivery	Funding
Capital Funding			
Birriwa Outdoor Youth Space	\$1,476,300	2015-16	Non-recurrent funding through Section 94 Cash Reserves (\$900K) and General Fund (\$50K 14/15) (\$526K 15/16)
Technology – GIS Replacement	\$618,000	2015-16	Non-recurrent funding from Technology Reserve (\$593K) and General Fund (\$25K)
Technology – Disaster Recovery	\$200,000	2015-16	Non-recurrent funding through General Fund
Works Depot Improvements	\$165,000	2015-16	Non-recurrent funding through General Fund
Camden Cemetery Masterplan Works	\$150,000	2015-16	Non-recurrent funding from the Cemetery Reserve
Libraries – RFID System	\$55,000	2015-16	Non-recurrent funding through General Fund
Springs Rd / Macarthur Rd Roundabout Studies	\$50,000	2015-16	Non-recurrent funding from Section 94 Reserves
Technology – Mobile Devices Integration	\$50,000	2015-16	Non-recurrent funding through General Fund
Technology - Community Web App	\$35,000	2015-16	Recurrent funding through General Fund
Bus Shelter Bin Purchases / Upgrades	\$30,000	2015-16	Non-recurrent funding through General Fund
Stage 1 – Narellan Sporting Precinct	\$7,704,600	2016-17	Non-recurrent funding through Section 94 Cash Reserves (\$5.5M) and VPA Contribution (\$2.2M)
PCYC Building Construction	\$3,510,000	2016-17	Non-recurrent funding through Federal Grant (\$1.4M) and Section 94 Cash Reserves (\$2.1M)
Building Review Strategy Implementation	\$250,000	2016-17	Non-recurrent funding through General Fund
LGA Playground Equipment Shade Structures	\$40,000	2016-17	Recurrent funding through General Fund

PUBLIC EXHIBITION

The 2013/14 – 2016/17 Revised Delivery Program and 2015/16 Operational Plan were publicly exhibited from 14 May to 10 June 2015 inclusive. The exhibition was advertised in a local newspaper and copies of the documents were made available on Council’s website as well as at Council’s Customer Service Centres (Narellan and Camden) and the Camden and Narellan Libraries.

One submission was received during the exhibition period which focussed on support for the Revised Delivery Program. The submission highlighted support for the significant capital investment in major projects including the Narellan Sporting Precinct, additional funding for community events, open space maintenance and presentation, shade structures for playgrounds and investment in technology.

The supportive nature of the submission confirms Council's vision for the community and that the adopted Delivery Program meets the needs of both current and future residents.

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

FINANCIAL IMPLICATIONS

2015/16 OPERATING PLAN & BUDGET

A summary of Council's budget is provided in the following table:

Draft Budget	2014/15
Operating Expenditure	\$88,283,700
Capital Expenditure	\$111,228,900
Gross Expenditure Budget	\$199,512,600
Less Non Cash Items:	
Works In Kind Land & Infrastructure	\$47,340,000
Non Cash Depreciation Expense	\$15,713,000
Transfer to Cash Reserves	\$13,711,800
Net Cash Expenditure Budget	\$122,747,800

Council's budget position for the 2015/16 financial year remains a balanced budget.

There have been two changes endorsed by Council to the Draft 2015/16 Operational Plan since its adoption for the purpose of public exhibition.

- **Springs Road Stage 2 Urban Upgrade**

The Draft 2015/16 Budget has been amended to include additional expenditure of \$200,000 for Springs Road Stage 2 Urban Upgrade. This is required to increase the scope of works to include construction of the roundabout and bus bay pick up/drop off in Springs Road, with funding sourced from the Section 94 funds (Council Resolution ORD 125/15 – 12 May 2015).

- **Roads & Maritime Services 2015/16 Program Funding**

The Draft 2015/16 Operational Plan (budget) has been amended to include additional expenditure as follows (Council Resolution ORD 136/15 – 26 May 2015);

- \$140,000 towards Paddy Miller Avenue Currans Hill Pedestrian Refuge, Hartley Road Smeaton Grange Pedestrian Refuge, Narellan CBD Public Domain Plan and Camden Council Bike Plan. Funding is 50/50 sourced from RMS grant income under the Active Transport Program and the Capital Works Reserve,



- \$40,000 for the upgrade of a pedestrian crossing on Stenhouse Drive Mount Annan. Funding is 50/50 sourced from RMS grant income under the Safer Roads Program and the Capital Works Reserve,

- \$205,000 towards Elizabeth Street / Mitchell Street Camden roundabout and Allenby Road Bringelly shoulder improvements. Funding is sourced from Federal grant income under the Black Spot Program,

Rate Income

Council was advised in December 2014 that IPART had determined an allowable increase in rating income for 2015/16 of 2.40%. Rate estimates included within Council's Revenue Policy have been prepared on the basis of a 2.40% rate increase.

Council did not apply for a rate increase above the allowable increase of 2.40% for the 2015/16 financial year.

The impact on the average residential assessment will be an increase of approximately \$26.86 per annum (52c per week).

Fees and Charges

The 2015/16 Fees and Charges have been prepared on the basis of a 2.60% increase in line with CPI with the exception of fees which are set by regulation, are prepared on a cost recovery basis or where Council provides the service in a competitive market.

During the public exhibition period there were no amendments identified to the Draft Fees & Charges Schedule.

Loan Borrowings Program

As part of formally adopting the 2015/16 budget, Council is required to endorse the level of proposed loan borrowings. Council proposes to borrow up to \$23,000,000 during 2015/16 as part of the funding package for the Central Administration Centre.

Council approved the loan borrowings for 2015/16 as part of the funding package required for the Central Administration Centre in April 2015 (ORD 93/15). The loan borrowings will not be required until the end of 2015.

Reserve Transfers

In adopting the 2015/16 budget for the purpose of public exhibition, Council endorsed a range of reserve transfers which are required to be formally adopted as part of this report. The following table details these transfers:

Proposed Reserve Transfers	Amount	Reason
Net Transfers from Reserves		
Capital Works Reserve	\$1,274,200	The net transfer from reserve to fund the 2015/16 budget includes \$800,000 of internal borrowings to fund the Central Administration Centre.
Working Funds Reserve	\$834,300	The net transfer from reserve to fund the 2015/16 budget.



Camden Town Centre Reserve	\$794,500	Funds are required for Stage 1 works at Argyle Street.
Technology Improvements Reserve	\$593,000	The balance held in reserve is required to fund the purchase of a new GIS System.
Asset Renewal Reserve	\$400,000	The net transfer from reserve to fund the 2015/16 budget – includes internal borrowings to fund the Central Administration Centre – 2015/16 \$756,600 and 2016/17 \$143,400.
Plant Replacement Reserve	\$321,400	Internal borrowings to fund the Central Administration Centre – 2015/16 \$321,400 and 2016/17 \$278,600.
Administration Building Reserve	\$234,000	Required to fund construction costs for the Central Administration Centre.
Commercial Waste Reserve	\$290,000	Transfer of \$290,000 from reserve to fund the 2015/16 budget.
Cemetery Reserve	\$150,000	Funds are required for further implementation of the Cemetery Masterplan.
Risk Management Reserve	\$40,000	Funds are required for risk management program and action plan costs in 2015/16.

Other minor or recurrent reserve transfers are contained within the draft 2015/16 Operational Plan (budget). This report will recommend that Council approve all internal reserve transfers.

2015/16 List of Unfunded Projects & Services

It is recommended as part of adopting the 2013/14 – 2016/17 Revised Delivery Program and 2015/16 Operational Plan (budget) that the unfunded projects and services list be removed for reporting purposes but remain as an internal working document to identify historical requests for funding.

The items on this list are not included in Council’s long-term financial plan to be funded within the next 10 years, and are therefore not identified as an organisational priority. It is mis-leading to represent the list as a backlog of projects or services when it is an historical list of “requests” and many items may never be funded.

It is important to note that a request for funding can be made through a notice of motion, report to Council or as part of an annual or quarterly budget review in any given year.

WORKFORCE PLANNING

A total of 18 additional positions have been endorsed for inclusion in the 2015/16 Operational Plan (budget).

These positions are considered high priority positions and are consistent with Council’s adopted workforce plan. The positions will assist in areas where services are under pressure to keep pace with the demands of urban development and represent a combination of leadership, technical and operational staff.



ORD05

RATES & CHARGES FOR 2015/16 AND AUTHORISATION OF EXPENDITURE

Rates and charges must be made by resolution of Council. In moving the adoption of the appropriate resolution, it is necessary to note that under the *Local Government Act, 1993*:

- All Councils are required to levy a separate Domestic Waste Management Charge. This charge must reflect the reasonable cost of providing the service as general rate revenue cannot be used to finance domestic waste management services;
- Revenue derived from domestic waste management services must be accounted for as a distinct activity from any trade waste or other waste service activity;
- Ratepayers who become eligible for pensioner concessions during the course of the year will become entitled to claim a proportionate rebate of their rates;
- Pension ratepayers who sell their land or lose eligibility for this concession will lose entitlement to a proportion of any previously granted rebate;
- Quarterly rate billing of each instalment must be given unless a ratepayer has, of course, paid their rates in full;
- Interest charges on overdue rates will only be applied to an overdue instalment;
- Interest charges on overdue instalments will be calculated on a daily basis;
- Rate instalments become payable on prescribed dates;
- Ratepayers who fail, for any reason, to pay an instalment on time will not be required to pay the balance of annual rates assessed immediately and will not be prevented from paying by quarterly instalments; and
- The rate of interest on overdue rates and charges is fixed by the Minister for Local Government pursuant to Section 566 of the *Local Government Act, 1993*. The Minister for Local Government has determined that the maximum rate of interest payable on overdue rates and charges for the 2015/16 rating year is 8.50%.

Authorisation of Expenditure

In relation to the authorisation of expenditure, Regulation 211 of the *Local Government (General) Regulation, 2005 to the Local Government Act 1993* provides:

- A Council, or a person purporting to act on behalf of a Council, must not incur a liability for the expenditure of money unless the Council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
 - a) has approved the expenditure; and
 - b) has voted the money necessary to meet the expenditure.
- A Council must each year hold a meeting for the purpose of approving expenditure and voting money.



2015/16 RATING POLICY

Rating Income

Council has agreed to maintain its current rating structure and as such:

1. Council has the following categories/sub-categories for rateable land in the Camden Local Government Area:

- Residential
- Business
- Farmland Intensive
- Farmland Ordinary

2. up to 50% of total rates will be raised by a base amount on all rateable assessments and such charge be the same for each category/sub-category.

3. that the ad-valorem rate for each category/sub-category be based on the following rating mix:

- Residential 1.0
- Business 2.7 (i.e. 2.7 times the residential ad-valorem rate)
- Farmland Intensive 0.9 (i.e. 0.90 times the residential ad-valorem rate)
- Farmland Ordinary 0.5 (i.e. half the residential ad-valorem rate)

4. based on the above rating categories, the ad-valorem rates and base charges would be charged as follows:

Rate Category	Base Charge	Ad-Valorem Rate
Residential	\$643.00	0.232409
Business	\$643.00	0.627504
Farmland Intensive	\$643.00	0.209168
Farmland Ordinary	\$643.00	0.116205

The above base charge and ad-valorem includes the allowable increase in rate income approved by IPART of 2.40%.

5. based on the above rating categories, the percentage of base amount to total yield for the 2015/16 financial year for each class of rate is:



Rate Category	% Base Amount
Residential	48.92%
Business	13.92%
Farmland Intensive	29.25%
Farmland Ordinary	19.96%

The change in the ad-valorem from council’s draft Revenue Policy is largely a result of recognising additional rateable assessments and the re-categorisation of land in new release areas throughout the LGA. The subsequent budget adjustment relating to this change will be reported to Council at the first quarterly review (September) of the 2015/16 budget.

Waste Management Service Charges

The proposed 2015/16 Domestic Waste Service charges range from a base amount of \$118.90 for vacant properties to \$556.00 for 240 litre bins, reflecting an increase of 5.50% on 2014/15 charges. The most used service, the 120 litre urban service will increase by \$16.70 per year (32c per week).

The increase is required to recover the cost of providing the service, future increases in disposal costs and funding Council’s waste plant replacement program.

The complete list of bins available can be found in Council's Fees and Charges and will be recommended for adoption as the 2015/16 annual charges.

Stormwater Management Levy

Council has taken the approach that this levy should be used to fund the ongoing maintenance and cleaning costs of drainage infrastructure, and improve the quality of water flowing into our streams and rivers. It is proposed that there be no change to the Levy for the 2015/16 Program Budget.

1. Annual Charge for stormwater management services

The levy is to be charged as follows:

- a) for land categorised as residential - \$20.
- b) for residential Strata lots - \$10 (50% of the adopted charge as applied to residential properties).
- c) for land categorised as business - \$20 (per 700 square metres or part thereof, the business levy is capped at \$1,000).
- d) for business strata complexes - \$20 (per 700 square metres or part thereof. The cost is then divided on a pro-rata basis between the lots. The business strata levy is capped at \$1,000 for each individual parcel).

2. Exemptions from the Levy

The following exemptions apply to the Stormwater Management Levy

- Land exempt from rating under the *Local Government Act 1993*.
- Vacant Land (as defined under the *Local Government (General) Amendment (Stormwater) Regulation 2006*).
- Land owned by the Dept of Housing.
- Some land managed under the *Aboriginal Housing Act*.
- Pensioners (see below).

Ratepayers who currently receive a pension rebate will be exempt from this levy providing they qualify for the pension rebate at 1 July of any given rating year.

3. Stormwater Management Levy Program of Works

The Stormwater Management Levy will generate approximately \$454,400 in the 2015/16 financial year. Council will need to adopt the program of works as part of this report. Further details of the works to be funded from the levy can be found under the Revenue Policy Section of the Operational Plan, Pages 15-19.

CONCLUSION

The 2013/14 – 2016/17 Revised Delivery Program and 2015/16 Operational Plan has been publicly exhibited for a period of 28 days, from the 14 May to 10 June 2015. One submission was received which was very supportive of Council's funding priorities.

The 2015/16 Operational Plan (budget) is a responsible allocation of funds, it addresses resourcing and maintenance needs to both enhance and maintain existing service levels, addresses much needed infrastructure and provides for a focus on both customer service and technology needs.

The 2013/14 – 2016/17 Revised Delivery Program and 2015/16 Operational Plan is recommended for adoption by Council.

RECOMMENDED

That Council:

- i. adopt the 2013/14 - 2016/17 Revised Delivery Program, including the recommended changes contained within this report & the 2015/16 Operational Plan (Including Budget),**
- ii. adopt the 2015/16 Budget and Revenue Policy as set out below:**
 - expenditure totalling \$199,512,600 as summarised in the 2015/16 Operational Plan and Program Budget and that the funds to cover such expenditure be voted,**
 - the 2015/16 Fees and Charges,**
 - the continuation of the Stormwater Management Levy as outlined in this report and program of works in the 2015/16 Operational Plan,**



ORD05

- approve the following reserve transfers:

Proposed Reserve Transfers	Amount
Net Transfers from Reserves	
Capital Works Reserve	\$1,274,200
Working Funds Reserve	\$834,300
Camden Town Centre Reserve	\$794,500
Technology Improvements Reserve	\$593,000
Asset Renewal Reserve	\$400,000
Plant Replacement Reserve	\$321,400
Administration Building Reserve	\$234,000
Commercial Waste Reserve	\$290,000
Cemetery Reserve	\$150,000
Risk Management Reserve	\$40,000

- adopt a 2.40% rate increase under Section 506 of the *Local Government Act*, in accordance with the allowable increase announced by IPART,
- adopt the following ad-valorem rates to be levied on the land value of all rateable assessments for 2015/16 financial year:

Rate Category	
Residential	0.232409
Business	0.627504
Farmland Intensive	0.209168
Farmland Ordinary	0.116205

- in accordance with Section 537(b) of the *Local Government Act, 1993*, note the percentage of base amount to total yield for the 2015/16 financial year for each class of rate is:

Rate Category	
Residential	48.92%
Business	13.92%
Farmland Intensive	29.25%
Farmland Ordinary	19.96%

- adopt a base amount of \$643.00 to be levied for each rateable assessment for the 2015/16 financial year,
 - adopt the rate permitted by the Minister for Local Government for the allowable interest rate on overdue rates of 8.50%; and
- remove the Unfunded Projects and Services List for reporting purposes but remain as an internal working document to identify historical requests for funding; and
 - write to formally thank those who made a submission.



ATTACHMENTS

1. Attachment - Submission Draft 2015-16 Budget
2. Unfunded Projects and Services - Attachment

ORD05

ORD05

Attachment 1

Sent: Wednesday, 10 June 2015 11:40 AM

Subject: Submission on draft 'Camden Council Budget 2015/16'

Dear General Manager,

I would like to make a submission on the draft Camden Council Budget for 2015/16.

I was really impressed with the number of major projects that Camden Council is undertaking or will soon be undertaking. It's great to see proactive planning for some larger facilities.

As a resident of Harrington Park with young children, I am keen to see the Narellan Sports Hub built. This is not far from my home but is also ideally located for other residents to access and use. I support the \$7million for its Stage One. We are looking forward to the netball courts, athletics track and walking/cycling paths.

My family and I love going to events in our area and particularly love the Camden Festival in September each year. I note an extra \$50,000 has been allocated for community events run by Council. I fully support this as with the region growing, more funding for events will be needed and everyone in the community can benefit from this funding allocation.

I support the extra allocation towards open space maintenance and presentation. More frequent mowing, particularly over summer, will be very welcome and ensure children can access parks and playgrounds, even if there has been high rainfall and warm conditions. I also support and look forward to the high impact plantings at key locations. This will set Camden above our neighbouring councils and really add an extra lift to our area.

The \$40,000 allocation of shade structures for playground equipment is also a good initiative. With young children in summer, equipment can get very hot and having extra shade will be very welcome and enjoyed by my children.

Lastly, I agree with Council's investment towards technology improvements. The Camden Council Community App will most likely be well utilised by residents with everyone having access to some sort of smart phone. I'm sure the investment in technology improvements will see much more benefit to your organisation in the long run than the initial investment cost. It's great to see funds being allocated to improving efficiency and a government organisation working smarter.

Overall, it's a well balance budget and I am supportive of Council's allocations for the next financial year.

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
Appearance of Public Areas	Operational	Street Tree Planting Program - Camden to Narellan	N	\$25,000	Recreation and Sustainability
Appearance of Public Areas	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$38,000	Recreation and Sustainability
Appearance of Public Areas	Operational	Construction & Contracts - Street Sweeping costs	Y	\$55,000	Infrastructure Services
Appearance of Public Areas	Capital	Recreation - New Toilets at Nepean Shareway	N	\$110,000	Recreation & Sustainability
Appearance of Public Areas Total				\$228,000	
Community Information	Operational	Public Relations Officer - Motor Vehicle	Y	\$15,000	Employee Services & Community Engagement
Community Information	Capital	Customer Service - Call Centre Technology Improvements (New Admin Bldg.)	N	\$450,000	Customer Service and Governance
Community Information Total				\$465,000	
Community Support Facilities & Services	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$157,600	Recreation and Sustainability
Community Support Facilities & Services	Workforce	Community Services - Additional Staff Member	Y	\$73,600	Community Services
Community Support Facilities & Services	Operational	Removal of spoil from Camden Cemetery	N	\$120,000	Recreation and Sustainability
Community Support Facilities & Services	Operational	Narellan Community Hall - lockers	N	\$3,000	Infrastructure Services
Community Support Facilities & Services	Capital	Vehicle for Camden Cemetery maintenance team	N	\$100,000	Infrastructure Services
Community Support Facilities & Services	Capital	Roof Safety for Community Buildings	N	\$100,000	Infrastructure Planning
Community Support Facilities & Services	Capital	Jack Nash Reserve - Improvements to Amenities Building	N	\$35,000	Capital Works
Community Support Facilities & Services	Capital	Narellan Community Hall - provision of shade area	N	\$12,000	Recreation and Sustainability
Community Support Facilities & Services	Asset Management	Harrington Park Community Hall - remove & re-lay pavers	N	\$10,000	Infrastructure Planning
Community Support Facilities & Services	Workforce	Community Services - Additional Staff Member	Y	\$63,800	Community Services
Community Support Facilities & Services	Workforce	Community Services - Additional Staff Member	Y	\$26,300	Community Services
Community Support Facilities & Services	Workforce	Community Services - Additional Staff Member	Y	\$14,600	Community Services
Community Support Facilities & Services	Workforce	Community Services - Additional Staff Member	Y	\$63,800	Community Services
Community Support Facilities & Services	Operational	Civic Centre - External Signage	N	\$5,000	Community Services
Community Support Facilities & Services	Operational	Civic Centre - Promotional Billboard	N	\$5,000	Community Services
Community Support Facilities & Services	Operational	Community Planning Development - Leppington Progress Association Annual Subsidy Increase	Y	\$600	Community Services
Community Support Facilities & Services	Capital	Buildings - Security Screens to windows at Jumbunna	N	\$7,500	Infrastructure Services
Community Support Facilities & Services	Capital	Buildings - Steel Guards to downpipes	N	\$20,000	Infrastructure Services
Community Support Facilities & Services	Capital	Buildings - Replacement of the timber flooring at Catherine Fields Community Hall	N	\$50,000	Recreation & Sustainability
Community Support Facilities & Services	Capital	Camden Town Farm - Miss Davies Walk	N	\$30,000	Recreation & Sustainability
Community Support Facilities & Services	Capital	Camden Town Farm - Restoration of the old Chinese gardens irrigation storage wells	N	\$18,600	Recreation & Sustainability
Community Support Facilities & Services	Capital	Recreation - Community Facilities Audio Visual Equipment	N	\$50,000	Recreation & Sustainability
Community Support Facilities & Services	Capital	Recreation - Harrington Reserve Second Storey Clubroom - Soccer & Netball Amenities	N	\$350,000	Capital Works
Community Support Facilities & Services	Capital	Civic Centre - Digital Cash Register for Automatic Bar Stocktake	N	\$8,000	Community Services
Community Support Facilities & Services	Capital	Civic Centre - Major Refurbishments	N	\$750,000	Community Services
Community Support Facilities & Services	Capital	Civic Centre - Refurbishment of toilets	N	\$137,000	Community Services
Community Support Facilities & Services	Capital	Civic Centre - Sound, lighting, technology	N	\$22,000	Community Services
Community Support Facilities & Services	Capital	Civic Centre Generator	N	\$68,000	Community Services
Community Support Facilities & Services	Capital	Civic Centre - Upgrade Investigation & Concept Designs	N	\$33,500	Community Services
Community Support Facilities & Services Total				\$2,334,900	
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$111,800	Infrastructure Planning
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$125,400	Infrastructure Planning
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$102,800	Infrastructure Planning
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$66,300	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$118,600	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$66,300	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$66,300	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$66,300	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services

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Attachment 2

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Attachment 2

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Construction & Maintenance of Infrastructure	Operational	Roads Infrastructure - Additional Maintenance Request	Y	\$206,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Harrington Green Reserve Formal Carparking	N	\$600,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Design of road improvements to Dunn Road	N	\$250,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Reconstruction of Turner Road (Camden Valley Way to Dunn Road)	N	\$1,000,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Reconstruction of Turner Road to Dunn Road and creek	N	\$1,305,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Doncaster Ave Carpark	N	\$7,800,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	14 additional car parking bays Harrington Park Public School	N	\$30,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Murray Street - pedestrian crossing upgrade	N	\$60,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Graham Hill Road/Camden Valley Way/Richardson Roads right turn bays construction	N	\$1,000,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Murray/Broughton Street Roundabout construction	N	\$300,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	O'Dea / Morgan Roads Traffic Facility	N	\$15,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Intersection Upgrade - Cashmere Drive and Southdown Road Merino Drive/Cashmere Drive Traffic Island	N	\$200,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Intersection Upgrade - Roundabout Bowman/Elizabeth Mac Ave	N	\$100,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Intersection Upgrade - Traffic Signals Argyle/John St	N	\$550,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Old Hume Highway/Menangle Road Roundabout construction	N	\$250,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Murrindah Ave/Macquarie Ave Roundabout Construction	N	\$100,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Old Hume Highway/Ironbark Avenue Roundabout	N	\$600,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Intersection Upgrade - Roundabout Coolalie/Ulmarra Avenues	N	\$100,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Capital	Intersection Upgrade - Roundabout at Mitchell/Elizabeth St	N	\$300,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Roads Infrastructure - Asset Renewal	Y	\$225,200	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Cobbitty Road - Stage 2	N	\$172,800	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Cowper Drive	N	\$31,900	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 O'Dea Road	N	\$13,900	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Alma Road	N	\$257,400	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Springfield Road	N	\$227,100	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Macarthur Road	N	\$145,200	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Fairwater Drive	N	\$2,600	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Lodges Road	N	\$4,700	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Kirkham Street	N	\$4,900	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Hartley Drive	N	\$5,400	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Construction Program 2014/15 Hartley /Anzac Roundabout	N	\$14,500	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Liquidambar Drive	N	\$2,800	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Macarthur Road	N	\$3,200	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Springfield Road seg 1	N	\$19,000	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Springfield Road seg 3	N	\$13,300	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Morgan Road	N	\$1,600	Infrastructure Planning
Construction & Maintenance of Infrastructure	Asset Management	Road Sealing Program 2014/15 Spring Hill Circuit	N	\$3,300	Infrastructure Planning
Construction & Maintenance of Infrastructure Total				\$17,263,800	
Construction & Maintenance of Roads, Footpaths and Kerbing	Operational	Construction & Contracts - Illegally Dumped Roadside Rubbish Removal	Y	\$70,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Operational	Construction & Contracts - Road Maintenance shoulder grading generated waste	Y	\$74,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Construction & Contracts - Cobbitty Road and Cut Hill Road Intersection Upgrade	N	\$200,000	Infrastructure Planning
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Construction & Contracts - Camden Bypass Wall Repairs - Wattle Green Place Narellan Vale Section	N	\$55,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Construction & Contracts - Murray Street Camden - Kerb Blister and Access Ramp	N	\$20,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Open Space - 2 x Variable Message Sign (VMS)	N	\$50,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Plant - Vehicle for Quick Response Team	N	\$30,000	Infrastructure Services
Construction & Maintenance of Roads, Footpaths and Kerbing	Capital	Open Space - Kirkham Park Entry Improvements	N	\$20,000	Recreation & Sustainability
Construction & Maintenance of Roads, Footpaths and Kerbing Total				\$519,000	
Corporate Support Services	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Corporate Support Services	Operational	Buildings - Asbestos Management plan	N	\$28,000	Infrastructure Services
Corporate Support Services	Operational	Buildings - New Maintenance Request	Y	\$3,000	Infrastructure Services
Corporate Support Services	Capital	Works Depot - Workshop to be extended at the rear of the workshop.	N	\$140,000	Infrastructure Services
Corporate Support Services	Capital	Works Depot - Workshop to be extended at the front of the workshop.	N	\$150,000	Infrastructure Services
Corporate Support Services	Capital	Works Depot - AC Works	N	\$15,000	Infrastructure Services
Corporate Support Services	Capital	Works Depot - Provision of amenities	N	\$60,000	Infrastructure Services

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
Corporate Support Services	Capital	Works Depot - Vehicle parking	N	\$30,000	Infrastructure Services
Corporate Support Services	Capital	Works Depot - Vehicle parking	N	\$30,000	Infrastructure Services
Corporate Support Services	Capital	Rainwater Tanks for Council Buildings	N	\$32,000	Recreation and Sustainability
Corporate Support Services	Asset Management	Buildings - Asset Renewal	Y	\$55,800	Infrastructure Planning
Corporate Support Services	Asset Management	Buildings - Additional Maintenance Request	Y	\$54,600	Infrastructure Planning
Corporate Support Services Total				\$650,500	
Economic Development	Workforce	Customer Service and Governance - Additional Staff Member	Y	\$95,200	Customer Service and Governance
Economic Development Total				\$95,200	
Environmental Activities	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$87,200	Recreation and Sustainability
Environmental Activities	Capital	Buildings - Installation of ECMs for reducing power consumption in Council buildings	N	\$180,000	Infrastructure Services
Environmental Activities Total				\$267,200	
Heritage Protection	Workforce	Strategic Planning - Additional Staff Member	Y	\$95,200	Strategic Planning
Heritage Protection Total				\$95,200	
Library Services	Capital	Narellan Library Plaza - Large Shade Tree	N	\$22,700	Community Services
Library Services	Operational	Buildings - Narellan Library Community Rooms - Installation of Glass Security Doors	N	\$4,000	Infrastructure Services
Library Services	Operational	Buildings - Narellan Library Community Rooms - Reception Desk Security Improvements	N	\$5,000	Infrastructure Services
Library Services	Operational	Libraries - Seniors Program	Y	\$2,000	Community Services
Library Services Total				\$33,700	
Local Traffic Management	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$118,600	Infrastructure Planning
Local Traffic Management	Capital	Graham Hill Road/Camden Valley Way/Richardson Roads right turn bays - design	N	\$50,000	Infrastructure Planning
Local Traffic Management	Capital	Remembrance Drive/Elizabeth Macarthur Avenue, Camden South - Traffic Signals design	N	\$50,000	Infrastructure Planning
Local Traffic Management	Capital	Town Centre Traffic Management	N	\$110,000	Infrastructure Planning
Local Traffic Management	Capital	Chellaston Street - Single Street Light Installation	N	\$25,000	Infrastructure Planning
Local Traffic Management	Operational	Transport - Traffic Modelling	Y	\$20,000	Infrastructure Planning
Local Traffic Management Total				\$373,600	
Management of Significant Places	Capital	Camden Town Centre Strategy -Footpath Widening	N	\$570,000	Infrastructure Planning
Management of Significant Places	Capital	Camden Town Centre - Secondary Street Upgrades	N	\$1,000,000	Infrastructure Planning
Management of Significant Places Total				\$1,570,000	
Parks & Playgrounds	Workforce	Infrastructure Services - Additional Staff Member	Y	\$52,100	Infrastructure Services
Parks & Playgrounds	Workforce	Infrastructure Services - Additional Staff Member	Y	\$107,300	Infrastructure Services
Parks & Playgrounds	Workforce	Infrastructure Services - Additional Staff Member	Y	\$117,200	Infrastructure Services
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
Parks & Playgrounds	Operational	Parks & Reserves - Additional Maintenance Request	Y	\$178,300	Recreation and Sustainability
Parks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$20,000	Recreation and Sustainability
Parks & Playgrounds	Operational	Ute - Sportsfield and infrastructure maintenance (running costs)	Y	\$9,000	Recreation and Sustainability
Parks & Playgrounds	Operational	Vehicle for pressure cleaning team (running costs)	Y	\$20,000	Recreation and Sustainability
Parks & Playgrounds	Operational	Ute - Outdoor cleaning (running costs)	Y	\$11,000	Recreation and Sustainability
Parks & Playgrounds	Operational	Tractor and implements (running costs)	Y	\$53,000	Recreation and Sustainability

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Attachment 2

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Attachment 2

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
arks & Playgrounds	Operational	Sportsfield Mower (running costs)	Y	\$53,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$20,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Operational	Vehicle & Plant for New Team (Running Costs)	Y	\$68,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$60,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle for pressure cleaning team	N	\$80,000	Recreation and Sustainability
arks & Playgrounds	Capital	Replace picket fence at the showground	N	\$40,000	Recreation and Sustainability
arks & Playgrounds	Capital	Embellishment of Rheinbergers Hill	N	\$250,000	Infrastructure Planning
arks & Playgrounds	Capital	Reserve Lighting - Southdown Road	N	\$30,000	Recreation and Sustainability
arks & Playgrounds	Capital	Sportsfield Mower	N	\$115,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$60,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Tractor and implements	Y	\$100,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Vehicle & Plant for New Team	N	\$110,000	Recreation and Sustainability
arks & Playgrounds	Capital	Catherine Fields Lighting of Oval	N	\$190,000	Recreation and Sustainability
arks & Playgrounds	Capital	Floodlighting Rossmore Oval	N	\$150,000	Recreation and Sustainability
arks & Playgrounds	Capital	Camden LGA - Athletics Track	N	\$5,000,000	Recreation and Sustainability
arks & Playgrounds	Capital	MALC - Main plant room - 25m UV control panel	N	\$4,500,000	Recreation and Sustainability
arks & Playgrounds	Asset Management	Parks & Reserves - Asset Renewal	Y	\$29,000	Infrastructure Planning
arks & Playgrounds	Asset Management	Replace boundary picket fence at Birriwa sporting oval	N	\$100,000	Infrastructure Planning
arks & Playgrounds	Asset Management	Repairs to Rotunda	N	\$40,000	Infrastructure Planning
arks & Playgrounds	Capital	Open Space - Leppington Oval Irrigation Improvements	N	\$80,000	Recreation & Sustainability
arks & Playgrounds	Capital	Plant - Large Sportsfields Mower Transport	N	\$110,000	Recreation & Sustainability
arks & Playgrounds	Capital	Plant - Tractor and implements	N	\$115,000	Recreation & Sustainability
arks & Playgrounds	Capital	Recreation - Kirkham Park Skate Facility Upgrades	N	\$30,000	Recreation & Sustainability
arks & Playgrounds	Capital	Open Space - Catherine Fields Reserve Stage 2 Improvements	N	\$110,000	Recreation & Sustainability
arks & Playgrounds Total				\$13,995,000	
rotection of the Natural Environment	Workforce	Infrastructure Services - Additional Staff Member	Y	\$111,800	Infrastructure Services
rotection of the Natural Environment	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
rotection of the Natural Environment	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$52,100	Recreation and Sustainability
rotection of the Natural Environment	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$107,300	Infrastructure Planning
rotection of the Natural Environment	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$102,800	Infrastructure Planning
rotection of the Natural Environment	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$91,600	Recreation and Sustainability
rotection of the Natural Environment	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$82,600	Recreation and Sustainability
rotection of the Natural Environment	Operational	Drainage Infrastructure - Additional Maintenance Request	Y	\$115,000	Infrastructure Planning
rotection of the Natural Environment	Operational	Fauna Management - Control of non companion feral animals and nuisance native animals	Y	\$5,000	Infrastructure Services
rotection of the Natural Environment	Operational	Flood Plain Committee reviews and meeting with external bodies	Y	\$2,000	Infrastructure Planning
rotection of the Natural Environment	Operational	Manage Australian White Ibis population within the LGA - allocation increase	Y	\$8,000	Recreation and Sustainability
rotection of the Natural Environment	Operational	Support the provision of environmental awareness and education activities undertaken by the Macarthur Centre for Sustainable Living	Y	\$50,000	Recreation and Sustainability
rotection of the Natural Environment	Capital	Camden South - Stormwater Drainage Upgrade	Y	\$100,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Mannix Avenue - Stormwater Channel Improvements	N	\$50,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Matthew Reserve Drainage Improvements	N	\$30,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Wilson Crescent Drainage Improvements	N	\$15,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Byron Rd/Rickard Rd Intersection Drainage Improvements - Part of Growth Centre Area	N	\$90,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Lowering of Harrington Park Lake 3a Spillway and Spillway Augmentation (Design & Construct)	N	\$150,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Harrington Park Flood Mitigation and Water Quality Improvement Works (Detailed Design)	N	\$100,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Currans Hill Flood Mitigation Works	Y	\$200,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Mount Annan Flood Mitigation Works	Y	\$200,000	Infrastructure Planning

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
rotection of the Natural Environment	Capital	Elderslie Flood Mitigation Works	Y	\$100,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Mannix Avenue - Stormwater Channel Improvements	N	\$350,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Harrington Park Flood Mitigation and Water Quality Improvement Works (Construction)	N	\$900,000	Infrastructure Planning
rotection of the Natural Environment	Workforce	Environment & Health - Additional Staff Member	Y	\$97,300	Environment & Health
rotection of the Natural Environment	Capital	Infrastructure & Contracts - Harrington Park 3C Vane GPT	N	\$50,000	Infrastructure Planning
rotection of the Natural Environment	Capital	Construction & Contracts - Churchill Reserve Narellan Vale Gross Pollutant Traps	N	\$150,000	Infrastructure Planning
rotection of the Natural Environment Total				\$3,362,600	
recreation Services & Facilities	Operational	Mount Annan Leisure Centre Disaster Recovery plan	N	\$40,000	Recreation and Sustainability
recreation Services & Facilities	Capital	BEP internal road improvements Council share only (half cost with BEP committee)	N	\$45,000	Recreation and Sustainability
recreation Services & Facilities	Capital	Repair to Timber decking Equestrian Park	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	Sport field - Goal post replacements	Y	\$9,000	Infrastructure Planning
recreation Services & Facilities	Capital	Playground replacements increase existing budget- various locations	Y	\$100,000	Infrastructure Planning
recreation Services & Facilities	Capital	Installation of 2 pump system for each pool at Mt Annan Leisure Centre to provide a back up in case of a pump failure	N	\$80,000	Infrastructure Planning
recreation Services & Facilities	Capital	Improvement Program year 1	N	\$235,000	Recreation and Sustainability
recreation Services & Facilities	Capital	MALC - Plant - 240L Carbon dioxide vessels - Air Liquid	N	\$6,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Cool room	N	\$12,000	Infrastructure Planning
recreation Services & Facilities	Capital	Elizabeth Reserve - field fencing	N	\$50,000	Recreation and Sustainability
recreation Services & Facilities	Capital	BEP Committee Requests Year 2	N	\$252,000	Recreation and Sustainability
recreation Services & Facilities	Capital	BEP committee Year 3 and 4 requests	N	\$400,000	Recreation and Sustainability
recreation Services & Facilities	Capital	Onslow Park - replacement of picnic shelter tables and seating (behind Camden Pool)	N	\$50,000	Infrastructure Planning
recreation Services & Facilities	Capital	Narellan Park - complete sealing of access road and carpark to League Field (whatever cannot be done this year) was only sealed	N	\$151,600	Recreation and Sustainability
recreation Services & Facilities	Capital	MALC Plant room - 25m foot valve	N	\$5,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC 25m pool - 2diving blocks	N	\$8,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Leisure pool - Leis/Prog foot valve	N	\$5,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Leisure pool - expansion joints	N	\$30,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Leisure pool - wet deck gutters	N	\$25,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Program Pool - expansion joints	N	\$20,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Program Pool - wet deck gutters	N	\$6,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Spa plant room - Spa UV chamber	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Spa reticulation piping	N	\$5,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Spa plant room - Spa main switchboard	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Duct split - Offices	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Duct split - gym circuit room	N	\$24,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Duct split - creche	N	\$8,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Duct split - Youth drop in	N	\$7,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Duct split - Café/Kiosk	N	\$8,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Apac Package unit - Aerobic exercises	N	\$26,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Additional field at Narellan Park to form second field	N	\$1,000,000	Recreation and Sustainability
recreation Services & Facilities	Capital	MALC - Gym office - stereo,amp,mic,receiver	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - New Recreation Facilities at Ferguson's Land	N	\$12,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Main plant room - 25m pool water heaters	N	\$20,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Main plant room - Leis/Prog UV control panel	N	\$45,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Main plant room - Butterfly valve lever handle	N	\$20,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Main plant room - Ball valves	N	\$8,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Leisure pool - Large fibreglass pool slide	N	\$1,600	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Window frames	N	\$15,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Door frames	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Bi-fold doors	N	\$5,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Fire hose reels	N	\$20,000	Infrastructure Planning
recreation Services & Facilities	Capital	MALC - Ron Dine fields 3 and 4 floodlights	N	\$7,500	Infrastructure Planning
recreation Services & Facilities	Capital	Ron Dine fields 3 and 4 floodlights	N	\$100,000	Recreation and Sustainability
recreation Services & Facilities	Asset Management	Cycleway/Walking path around the Harrington Park Lake - Replace a portion of the existing path with new paving material	N	\$300,000	Infrastructure Planning
recreation Services & Facilities	Asset Management	Painting of Fairfax Reserve Amenities / Meeting Room	N	\$10,000	Infrastructure Planning
recreation Services & Facilities	Asset Management	Replacement of wall panelling in the sauna and steam room at Mt Annan Leisure Centre	N	\$8,000	Infrastructure Planning
recreation Services & Facilities	Workforce	Recreation and Sustainability - Additional Staff Member	Y	\$95,200	Recreation and Sustainability
recreation Services & Facilities	Operational	Recreation - Walking Track Strategy and Cycleway Strategy Review	N	\$80,000	Recreation & Sustainability

ORD05

Attachment 2

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
Recreation Services & Facilities	Operational	Recreation - Community Facility Signage	N	\$14,000	Recreation & Sustainability
Recreation Services & Facilities	Operational	Recreation - Facility Promotion Material	N	\$30,000	Recreation & Sustainability
Recreation Services & Facilities	Operational	Recreation - Open Space Strategy	N	\$70,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$5,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$5,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Kirkham Park - additional toilet block	N	\$164,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	MALC - Telephone system	N	\$9,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Belgenny - Sports Field Reconstruction	N	\$325,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Birriwa Sports Field Drainage System	N	\$150,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Cricket Wickets	N	\$70,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Cut Hill Reserve main entrance to improve safety	N	\$30,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Fairfax Oval Sports Field Drainage	N	\$150,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Fairfax Reserve Upgrade Seating/Gardens	N	\$20,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Jack Nash Reserve Upgrade Seating/Sealing	N	\$20,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Onslow Park - floodlight control system "illuminator"	N	\$13,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Seating & Shade at Sportsgrounds	N	\$100,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Wandarrah Reserve Field Reconstruction	N	\$240,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Recreation - Corporate Facilities Booking System	N	\$60,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Recreation - Fairfax Reserve Fitness Stations	N	\$62,500	Recreation & Sustainability
Recreation Services & Facilities	Capital	Recreation - Kirkham Park Skate Park Area - sealing and line marking	N	\$77,600	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$12,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$25,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$40,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Elizabeth Reserve Sports Field Improvements	N	\$150,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Leppington Oval Sports Field Improvement	N	\$200,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Nott Oval Sports Field Improvement	N	\$150,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Ron Dine Lighting upgrade Fields 3 & 4	N	\$119,900	Recreation & Sustainability
Recreation Services & Facilities	Capital	Recreation - Fitness Equipment	N	\$80,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$50,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$50,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$10,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Cowpasture Reserve - Lighting Upgrade	N	\$177,100	Recreation & Sustainability
Recreation Services & Facilities	Capital	Open Space - Narellan Park Junior Field Lighting upgrade	N	\$109,700	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$40,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$50,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Camden Town Farm - Infrastructure and Development	N	\$190,000	Recreation & Sustainability
Recreation Services & Facilities	Capital	Bicentennial Equestrian Committee - Additional Funds Request Improvement Program	N	\$150,000	Recreation & Sustainability
Recreation Services & Facilities Total				\$6,633,700	
Regulating the Use of Public Areas	Capital	Regulatory Compliance - Digital Infringement Devices	N	\$45,000	Environment & Health
Regulating the Use of Public Areas Total				\$45,000	
Road Safety	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$82,600	Infrastructure Planning
Road Safety	Capital	Community and Road Education Scheme (CARES) Facility - site selection and design	N	\$25,000	Infrastructure Planning
Road Safety	Capital	Community and Road Education Scheme (CARES) Facility	N	\$250,000	Infrastructure Planning
Road Safety Total				\$357,600	
Stewardship of Community Resources	Workforce	ELG - Additional Staff Member	Y	\$118,600	ELG
Stewardship of Community Resources	Operational	Corporate Planning Program Costs	Y	\$4,000	Finance and Corporate Planning
Stewardship of Community Resources	Workforce	Customer Service and Governance - Additional Staff Member	Y	\$109,800	Customer Service and Governance
Stewardship of Community Resources Total				\$232,400	
Support Services	Operational	Employee Services - Electronic Performance Management System	Y	\$25,000	Employee Services & Community Engagement
Support Services	Capital	Works Depot - Fabrication workshop extension from 1 bay to 2 bays, and lift in elevation.	N	\$450,000	Infrastructure Services
Support Services	Capital	Works Depot - Handrail	N	\$25,000	Infrastructure Services
Support Services	Capital	Works Depot - Parking	N	\$25,000	Infrastructure Services
Support Services Total				\$525,000	
Tourism	Operational	Council contribution to Regional VIC - recurrent operations	Y	\$375,000	Employee Services & Community Engagement
Tourism	Capital	Council contribution to Regional VIC	N	\$1,250,000	Employee Services & Community Engagement
Tourism Total				\$1,625,000	

Unfunded Projects & Services List

Local Service	Key Support Strategy	Project Description	Rec. Y / N	Current Estimate	Responsibility Centre
Transport Options	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$118,600	Infrastructure Planning
Transport Options	Workforce	Infrastructure Planning - Additional Staff Member	Y	\$82,600	Infrastructure Planning
Transport Options	Capital	Old Hume Highway - footpath links to bus stops	N	\$50,000	Infrastructure Planning
Transport Options	Capital	Cobbitty Road - Footpath construction and pedestrian refuge	N	\$60,000	Infrastructure Planning
Transport Options	Capital	Coghill Street - footpath at primary school with culvert crossing	N	\$50,000	Infrastructure Planning
Transport Options	Capital	Cawdor Road - Cycleway Extension (Camden to New High School)	N	\$300,000	Infrastructure Planning
Transport Options	Capital	Narellan Road Bus Shelter and footpath to Welling Drive Lighting Improvements	N	\$50,000	Infrastructure Planning
Transport Options	Capital	Werombi Rd (Ellis Lane to Smalls Road) - path construction	N	\$350,000	Infrastructure Planning
Transport Options	Capital	Remembrance Drive/Elizabeth Macarthur Avenue, Camden South - Traffic Signals	N	\$600,000	Infrastructure Planning
Transport Options	Capital	Camden to Narellan Cycleway Extension	N	\$200,000	Infrastructure Planning
Transport Options	Capital	Hayter Reserve to Ron Dine Reserve - Cycleway	N	\$300,000	Infrastructure Planning
Transport Options	Capital	Construction & Contracts - Pedestrian footbridge at Macquarie Grove Bridge	N	\$1,000,000	Infrastructure Planning
Transport Options Total				\$3,161,200	
Urban & Rural Planning	Operational	Planning Reform implementation	N	\$50,000	Strategic Planning
Urban & Rural Planning	Workforce	Strategic Planning - Additional Staff Member	Y	\$95,200	Strategic Planning
Urban & Rural Planning Total				\$145,200	
Waste Services	Workforce	Environment & Health - Additional Staff Member	Y	\$63,500	Environment & Health
Waste Services	Workforce	Environment & Health - Additional Staff Member	Y	\$84,800	Environment & Health
Waste Services	Capital	Waste - Depot Expansion (Additional Staff Accommodation)	N	\$1,415,000	Environment & Health
Waste Services Total				\$1,563,300	
Grand Total				\$55,542,100	



ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: CAMDEN COUNCIL'S FIT FOR THE FUTURE SUBMISSION

FROM: Acting Director Customer & Corporate Services

TRIM #: 15/152034

PURPOSE OF REPORT

For Council to consider its response to the State Government's Fit for the Future criteria and to endorse the submission to IPART by 30 June 2015.

BACKGROUND

Council has been recommended by the Independent Local Government Review Panel for "**No Change**". All councils recommended for "no change" are required to submit an improvement proposal by 30 June 2015. The proposal must demonstrate how Council currently meets or will improve financial performance against seven (7) financial benchmarks by 2020.

Council has a strong history of demonstrating financial sustainability; NSW Treasury Corporation (TCorp) assessed Council in 2013 as financially sustainable with continued prudent financial management. Council's improvement proposal as part of this submission clearly demonstrates Council's scale and capacity to remain Fit for the Future. Council's current financial position is even stronger now and is validated by an independent critique of Council long-term financial indicators by PriceWaterhouseCoopers (PwC). Council also has a history of receiving unqualified audit reports from both Pitcher Partners and PwC.

IPART will present their final report to the Minister for Local Government and Premier by 16 October 2015.

The Fit for the Future requirements and Council's submission have been discussed at two (2) Council briefings and a draft copy of the submission is provided **as an attachment to this report**. It should be noted that the submission is still in draft to allow for minor drafting changes and the graphic design to be completed.

MAIN REPORT

It is important to note that all submissions are to be made using an online portal which has a set format and word limit. Councils are required to provide a self assessment against meeting or improving seven (7) financial benchmarks by **30 June 2020**. The following table demonstrates that Council meets five (5) of the seven (7) financial benchmarks before or by 2019/2020.

Benchmark Ratio	Meets Requirement by or before 2020
Operating Performance Ratio	Yes
Building and Infrastructure Asset Renewal Ratio	No
Own Source Revenue Ratio*	No
Own Source Revenue Ratio (excluding non-cash Income)*	Yes
Infrastructure Backlog Ratio	Yes



Asset Maintenance Ratio	Yes
Debt Service Ratio	Yes
Real Operating Expenditure Per Capita	Yes

*Upon the removal of non-cash income Council meets this benchmark, further information is provided below.

It is important to note that due to rapid growth Council is unlikely to meet the benchmarks for the Building and Infrastructure Asset Renewal Ratio or Own Source Revenue Ratio for the following reasons.

Building and Infrastructure Asset Renewal Ratio

This ratio requires Council to spend annually 100% of its depreciation expense on the renewal of assets. As a result of unique growth 40% of Council's asset base is new or less than 10 years old, meaning there is no requirement to renew those assets. This ratio also does not consider the transfer of funds to an asset renewal reserve or funds held in reserve for future asset renewal. Camden is in a unique position with its growth and while in this phase it would be impossible, nor could Council be expected, to meet this ratio. Council is also undertaking a review of its depreciation methodology which will further improve this ratio.

Own Source Revenue Ratio

Council receives significant amounts of non-cash income due to the high level of development delivered through Works In-Kind Agreements and Voluntary Planning Agreements. Council is actually able to deliver infrastructure faster to the community through this method of infrastructure delivery. Assets dedicated to Council through this mechanism are required under the accounting standards to be brought to account as non-cash income meaning Council receives an asset not a cash payment. This additional income distorts this benchmark. While Council continues to receive high levels of non-cash income it would be impossible, nor could Council be expected, to meet this ratio. It should be noted that if the non-cash income is removed Council comfortably meets this ratio now.

Strategies and Improvement Plan

Council's submission identifies strategies and key milestones as to how Council will meet or improve its performance against each benchmark. **Council is in the unique situation that it is able to achieve the benchmarks without the need for a special rate variation or service reduction.** Council will meet the benchmarks predominately through prudent financial management of growth and a reduction in depreciation expense which has no impact on services or service levels.

Assessment of Councils and the "Fit for the Future" criteria

There were a number of issues identified with the methodology and assessment criteria under Fit for the Future. These include:

- There are no liquidity ratios (strength of your cash position) as part of the assessment criteria;
- There is something fundamentally wrong with the assessment criteria if two (2) of the best financially performing Councils in NSW do not meet all seven (7) of the financial benchmarks by 2019/2020 (City of Sydney: four (4) out of seven (7); and Blacktown City Council: three (3) out of seven (7));
- IPART were provided with no power to change the assessment criteria even after consultation with the industry;



- Camden Council is disadvantaged in not being able to meet the Own Source Revenue Ratio benchmark while in a growth phase due to the level of assets delivered to the community via developer agreements;
- There is a fundamental issue with the way the Building and Infrastructure Asset Renewal Ratio is calculated - it is not a good indicator to determine asset management health or performance;
- The Integrated Planning and Reporting framework has not been provided with sufficient time to make a difference in Local Government, for many councils only being in place for less than 5 years.

CONCLUSION

Council's draft submission demonstrates that Council has the scale and capacity to remain Fit for the Future. Council meets five (5) of the seven (7) financial benchmarks by 2019/20 with clear explanations as to why it is impossible to expect Council to meet the remaining two (2) benchmarks. Council would meet six (6) of the benchmarks if you include the adjusted Own Source Revenue Ratio which removes developer dedicated asset from the calculation.

Council was assessed by TCorp in 2013 as being financially sustainable with continued prudent financial management. Council was further assessed by TCorp for sustainability as part of Council successfully applying for loans under round two (2) and three (3) of the Local Infrastructure Renewal Scheme. Council's long-term financial modelling for this submission has been reviewed by PwC who have advised that "Council is in a sound financial position".

Council has been recommended by the ILGRP for 'No Change' and Council's submission validates that recommendation.

RECOMMENDED

That Council affirm that Camden Council is "Fit for the Future" and make the submission to IPART by 30 June 2015.

ATTACHMENTS

1. Fit for the Future Submission

ORD06



*Camden Council's Response
to NSW State Government*



Attachment 1

Draft Submission, June 2015

**Cover image**

Existing Council Administration Building at Camden
New Central Administration Centre at Oran Park, Artist Impression



Post: PO BOX 183, Camden NSW 2570

Email: mail@camden.nsw.gov.au

Web: www.camden.nsw.gov.au

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ORD06

Attachment 1

Content

	Key Dates	4
1	Introduction	
	1.1 Executive Summary	5
	1.2 Scale and Capacity	7
2	Current Position	
	2.1 About Camden Local Government Area	11
	2.2 Key Challenges and Opportunities	17
3	How Camden Council will become/remain Fit for the Future	
	3.1 Sustainability	19
	3.2 Infrastructure and Service Management	23
	3.3 Efficiency	26
	3.4 Improvement Action Plan	27
	3.5 Other Actions Considered	28
4	Plan to Improve Performance	29
5	Putting Plan into Action	31
6	References	33
7	Appendices	35
	• Appendix 1 : Finance Modelling	
	• Appendix 2 : Business Improvement Plan	

Key Dates



1 Introduction

1.1 Executive Summary

Camden Council has been recommended by the NSW Independent Local Government Review Panel for "No Change" which is strongly supported by Camden Council.

Council is a leader in Local Government with a strong strategic capacity and a clear vision to create new well-connected communities. Camden LGA is one of the fastest growing areas in NSW and welcomes approximately 120 new people each week and expects to have a population in excess of 210,000 by 2036.

Council has stable leadership and is supported by a strong and focused Executive and Senior Leadership Group (ELG). Council is financially strong with responsive asset management programs which will evolve due to urban and population growth. It is projected that Council's rates and annual charges income will more than double in the next 10 years from \$40 million to over \$116 million. The growth in income will allow increased discretionary spending to meet the challenges of a growing community, improve the capacity to borrow and diversify income.

Council historically adopts a balanced budget and 10 year Long-Term Financial Plan (LTFP). Council has accessed funding through the NSW Local Infrastructure Fund and has been successful in receiving subsidised loans through rounds two and three of the Local Infrastructure Renewal Scheme (LIRS). Council currently has in place a Special Rate Variation until 2019/20. These funding sources have been aligned to asset renewal programs.

Over the years Council has received recognition and acknowledgement from external agencies including:

- 'Strong Rating' for asset management practices and policy framework as part of the Local Government Infrastructure Audit in June 2013 by the Office of Local Government (OLG),
- 'Moderate (neutral outlook) Rating' for financial capacity and future sustainability by NSW TCorp in 2013,
- 'Strategic capacity, excellent foundation in financial management with superior cash management practices, financial health monitoring systems and sound governance framework' by OLG in the report, *Strengthening Local Government – Promoting Better Practice*, February 2015.

"One of the fastest growing local government areas in NSW"

"Population of over 210,000 by 2036"

"Approx. 120 new residents per week"

"Building new Town Centres and communities"

"Rates and Annual Charges Income doubles to over \$116 million within 10 years"

"Over \$500 million in development approved last year"

"Over \$400 million in developer agreements negotiated"

"Over 40% of Council's asset base is new or less than 10 years old"

Council adopted a new organisational framework in late 2014 and promptly initiated a Business Improvement Plan (BIP). This Plan is an evolving document that will address the needs of the community now and in the future. An example of this is that Council initiated, in 2015, a new action – the development of an Advocacy Strategy.

The BIP identified Asset Management as one key area to meet the challenges of a growing asset base. It is expected that the Asset Management team will be able to deliver immediate and short term outcomes in the next 6 to 12 months and move to an advanced capability over the next 1 to 2 years.

Council's dedicated and motivated workforce continues to deliver effective and quality services to external and internal stakeholders. Council annually reviews the Workforce Plan in order to meet the rapid urban and population growth and aligns with the Long Term Financial Plan.

Through effective leadership and strategic alliance capabilities, staff across Council initiate constructive relationships and continue to strengthen partnerships with the State and Federal Government, and local agencies including neighbouring councils.

Council currently has two administration buildings, one at Camden and another at Narellan. Council has commenced the construction of a new Central Administration Centre at Oran Park to accommodate the existing and growing workforce from both administration buildings. This new building will cost \$35.6 million and will equip Council with an increased efficiency and service capacity.

In summary, Camden Council has a strong strategic capacity and is in a sound sustainable financial position. PriceWaterhouseCoopers (PwC) validates Council's financial position and states "PwC have reviewed the long term financial projections and Fit for the Future benchmarks included in Council's submission and are satisfied that they are reasonable and consistent with the underlying assumptions".

Council has a proven track record in delivering quality core services and a high standard of assets and infrastructure to the community. The performance in delivering efficient and high level services is underpinned by a stable political environment, effective community and stakeholder engagement, strong partnering with the State and Federal Government, a qualified workforce and contemporary safe working environment.

Camden Council's submission supports the NSW Independent Local Government Review Panel's (ILGRP) finding for 'No Change', and demonstrates the necessary scale and capacity to be Fit for the Future.

1.2 Scale and Capacity

Camden Council's scale and capacity review is consistent with the ILGRP's assessment (Box 3.1) and recommendation for 'No Change'.

The Camden Local Government Area (LGA) is one of the fastest growing areas in NSW with annual growth of 5.1% according to the 2014 NSW Local Government Area Population Projection.

Council received a moderate (neutral outlook) rating in 2013 by the NSW Treasury Corporation (TCorp) for the assessment of Council's financial capacity and its future sustainability. This rating was an excellent outcome when considering the cost of rapid growth and the stage at which Council is, in this growth phase. The NSW TCorp's report indicated that Council will remain financially sustainable with continued prudent financial management.

Council has been through a further two financial assessments by the NSW TCorp as part of successfully acquiring interest subsidies for rounds two and three of the Local Infrastructure Renewal Scheme. This demonstrates Council's exceptional long term financial planning and its repayment capacity.

Council also received a 'strong' rating from the Office of Local Government (OLG) for Infrastructure Management as part of the Local Government Infrastructure Audit released in June 2013. The assessment indicated that Camden Council has a greater capacity in managing infrastructure from both a management sense and a financial perspective.

Council's strategic capability was recognised by the OLG in the report, *Strengthening Local Government - Promoting Better Practice*, February 2015. The report indicated that Council has effectively implemented the Integrated Planning and Reporting framework since 2010 and an updated suite of documents in 2013, inline with statutory requirements.

OLG also identified Council as having an excellent foundation in financial management with superior cash management practices, financial health monitoring systems and sound governance framework. This allows Council to effectively manage current and projected revenues and subsequently manage complex and unexpected change.

In addition, Council's Resourcing Strategy is also recognised by the OLG as 'good practice' which further validates Council's proficiency in strategic planning and capability to provide scope and latitude in undertaking new functions and projects.

Box 3.1 Key elements of Strategic Capacity

- More robust revenue base and increased discretionary spending
- Scope to undertake new functions and major projects
- Ability to employ wider range of skilled staff
- Knowledge, creativity and innovation
- Advanced skills in strategic planning and policy development
- Effective regional collaboration
- Credibility for more effective advocacy
- Capable partner for State and Federal agencies
- Resources to cope with complex and unexpected change
- High quality political and managerial leadership.

Source: ILGRP, *Revitalising Local Government - Final Report of the NSW Independent Local Government Review Panel*, October 2013, p 32.

It is projected that the population of Camden LGA will reach 135,886 by 2025 and 212,656 by 2036, according to the NSW Population and Household Projections. This new urban and population growth means Council's current rates and annual charges income will more than double within the next 10 years, providing Council with:

- a more robust revenue base and an increased discretionary spending
- scope to undertake new functions and major projects
- ability to employ a wider range of skilled staff
- an increased capacity to borrow
- diversify income

Council's focus at this time in its life cycle is on delivering a high level of core services to its community. Council has historically adopted a balanced budget and is in a strong financial position. The purpose of delivering core services is to ensure Council has the capacity to deliver services efficiently and remain within its financial means in a rapidly changing environment. This is further supported by Camden Council that clearly understands its financial capacity.

Council recently adopted a new adaptive organisational framework to meet the challenges of the future. A major focus of this change was the creation of a dedicated asset management, organisation development and business improvement functions.

Council prudently allocates its budget to support key priority areas including employing skilled staff to meet the infrastructure demands in a rapidly changing environment. The adoption of the 2015/16 Operational Plan has allowed for a further 18 staff, with 64 new staff being employed since 2013/14. Council's Workforce Plan is reviewed annually to ensure it reflects the changing demographic profile of the community. Council's strong commitment to a knowledge-based and innovative approach reinforces delivery of effective and efficient services that meet the needs of a growing population. This is evident and supported by a range of Service Improvement Programs including the Leadership Program, Professional Development Program, Education Assistance Program and Traineeship Program. Also the Improvement Program incorporates a wide range of new technology across all service areas with a strong customer focus.

Council has a well established partnership with the State Government in creating new communities, as part of the *Plan for Growing Sydney* (formerly Metropolitan Strategy), *NSW Long Term Transport Master Plan*, the *State Infrastructure Strategy* and the *NSW 2021 Goals and Regional Plan*. All State Plans and Strategies are integrated across Camden 2040 (Community Strategic Plan), Delivery Program and Operational Plan, and the Resourcing Strategy, helping Council to effectively plan for a range of housing that relates to the changing population and associated infrastructure needs. Oran Park and Turner Road were the first growth centre precincts to be released in Camden and were rezoned in 2007. The most recent example is rezoning at Narellan to facilitate retail investment with the provision of a public plaza. The Oran Park Town Centre includes retail and commercial development with a strong education and health focus which is moving from the planning to delivering stage.

Council has been able to deliver a wide range of infrastructure through a strong partnership model with the development industry and the State and Federal government to ensure new communities have adequate services from the outset. Council is effectively using Voluntary Planning Agreements, Works In-Kind Agreements, Partnership Project Agreements and completing its own works program using Section 94 funds. Council also has a sound track

record of achieving targeted outcomes and complying with government grant funding requirements.

Council has successfully developed and initiated a strategic and collaborative relationship with various agencies across the State and Federal government, community and the private sector. The agencies include the National Growth Area Alliance, Developers' and Builders' Forum, Regional Special Interest Groups, MACROC, Westpool, Business Alliance, Small Business Friendly Program and neighbouring Councils. For Camden Council, cooperative and purposeful alliances are critical for a fast growing population which supports and enhances the investment in the area to address the community and stakeholders' needs and expectations.

Further, Council's Economic Development Strategy and its implementation is facilitating the fastest growing market sector and providing opportunities to secure a greater amount and diverse range of employment closer to home for local residents. The Gross Regional Product in 2013/14 was \$2.6 billion, about 0.54% of NSW State Product and 27% of the Macarthur region. Camden's annual Economic Growth Rate is 4.7%. This growth rate will continue to increase due to building construction and construction services focused on supplying new residential and commercial estates.

Council's strong and proactive leadership team ensures that Council continues to deliver effective and efficient services to the community and stakeholders, and addresses the needs of the current and growing population. Council's Business Improvement Plan has been acknowledged by the Office of Local Government as a strong culture of self-reflection with commitment to a continuous improvement program to assist in the decision making processes. The Business Improvement Plan includes 57 actions and 40 cross organisational teams involving over 122 staff, further supporting Council as a learning organisation that is taking an innovative and creative approach to the future.

In addition, Council's long established credentials in strategic planning and advocacy with a strong local leadership is well recognised by the local community, business and industry groups, and community organisations. Council is also developing an Advocacy Strategy to assist with active and effective processes in influencing and engaging various stakeholders in responding to the local community needs.

In conclusion, Council has a strong strategic scale and capacity, and is supported by an adaptive, innovative and contemporary working aptitude to govern effectively and meet the needs of its community into the future. Also, Council's financial resources continue to deliver the services, programs and activities as outlined in the Revised Delivery Program and Camden 2040.



Community Event at John Street, Camden, January 2015

2 Current Position

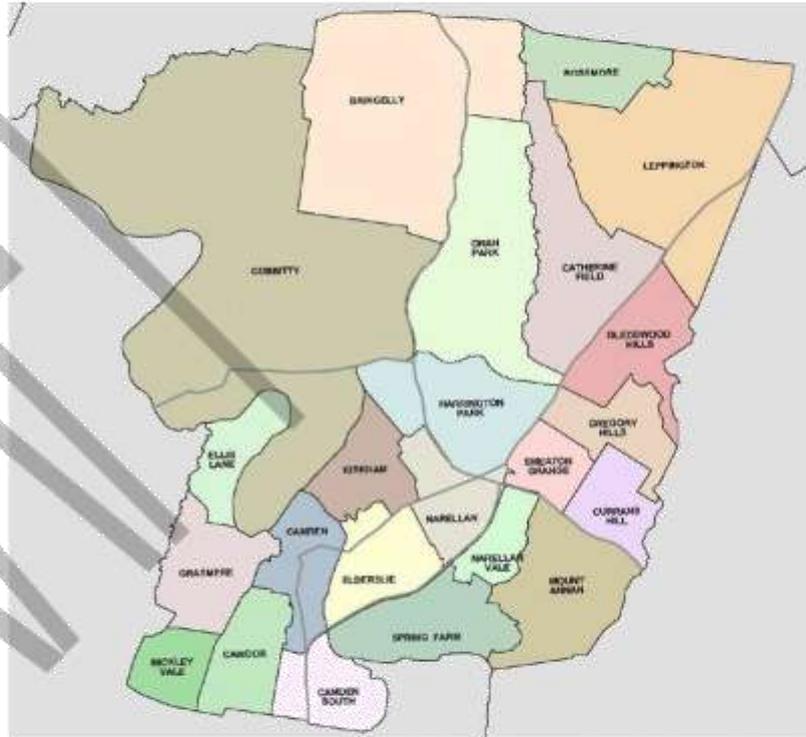
2.1 About Camden Local Government Area

Camden Local Government Area (LGA) is a semi-rural and urban area in the Macarthur region.

The LGA is situated in the South West of Sydney, approximately 60km from Sydney.

The LGA is bounded by Liverpool City Council in the north, Campbelltown City Council in the east and Wollondilly Shire Council in the south and west.

Camden covers an area of 206 sq kms and is bisected by the Nepean River.



Camden LGA is rapidly growing with new land release, as part of the NSW Plan for the Growing Sydney (Formerly Metropolitan Strategy).

Due to this growth, Camden LGA now has twenty three suburbs with special characteristics and uniqueness.

The suburbs are Camden, Camden South, Bickley Vale, Bringelly, Cawdor, Catherine Field, Rossmore, Cobbitty, Kirkham, Leppington, Elderslie, Ellis Lane, Grasmere, Narellan, Narellan Vale, Currans Hill, Mount Annan, Smeaton Grange, Harrington Park, Spring Farm, Oran Park, Gregory Hills and Gledswood Hills.

Characteristics

Camden LGA is one of the fastest growing areas in NSW and Council is effectively balancing the new urban growth with the existing semi-rural country feel by providing people with options to enjoy both urban and rural lifestyle. Camden LGA is an area steeped in heritage, arts, culture, sports and recreation.

The LGA's rich history includes its unique Aboriginal history where the three Aboriginal tribal boundaries intersect - the eastern Cowpastures are Tharawal, the people to the northeast of the Nepean River are Dharug and the sub-group in the Camden or Cowpastures called the Cubbitch Barta.

The region of Macarthur is named after renowned pioneers, John and Elizabeth Macarthur, who were granted 5,000 acres in the Cowpastures area in 1805 to develop Australia's merino wool empire. Macarthur named the estate 'Camden Park' which has been part of the core of Australian history. There are many heritage mansions which captivate a rich array of historic sites.

The LGA is also home to the Australian Botanic Gardens at Mount Annan. It is Australia's largest botanic garden with more than 4,000 species of native plants. The garden features five picnic areas with BBQs, recreational facilities, natural areas and wildlife.

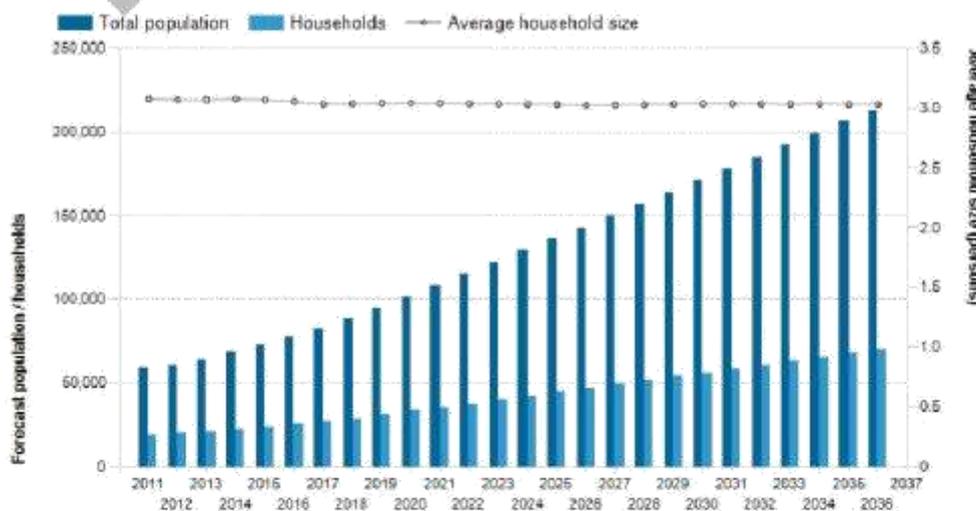
Tourism captures some of the most fascinating experiences and breathtaking sightseeing with helicopter rides, ballooning and gliding. The farming activity at Belgenny Farm, Camden Town Farm, Bicentennial Equestrian Park and Gledswood Homestead highlights the semi-rural character of Camden LGA. The boutique wineries and breweries are also one of the key tourist attractions.

Community Profile

Camden LGA's population is one of the fastest growing areas in NSW. The current population is approximately 72,660 and will reach 212,656 by 2036, an influencing factor for a change in the existing demographic composition of the community. According to 2014 ABS census data, the demographic comprises:

- 8% of people came from countries where English was not their first language.
- Top ten Country of Birth includes – United Kingdom, New Zealand, Italy, Philippines, South Africa, Malta, Germany, India and Ireland.
- 10% of people spoke a language other than English at home – Italian, Spanish, Arabic, Cantonese, Maltese, Serbian, Croatian, Greek, Hindi and Filipino/Tagalog
- Aboriginal and Torres Strait Islander people made up 2% of the population.

The graph below shows the forecast population, households and average household size.



Source: Population and Household Forecasts - prepared by id.profile, 2014

The forecast and associated average annual change is:

Forecast	Forecast Year					
	2011	2016	2021	2026	2031	2036
Population	58,440	77,242	107,749	142,559	177,495	212,656
Average Annual Change	-	5.74%	6.88%	5.76%	4.48%	3.68%

Source: Population and Household Forecasts - prepared by id.profile, 2014

The population growth is due to new land releases and subsequent building development, relocation including from interstate, increase in birth rates and decrease in mortality rates.

Council's Profile

Council's 2015/16 budget is approx. \$200 million (gross). In addition, due to growth, Council's projected rates and annual charges income will be more than double within the next 10 years, from \$40 million to \$116 million, which will provide greater economies of scale.

Council has employed an additional 64 staff since 2013/14 and the total number of employees as at April 2015 is 447. It is projected that there will be 531 employees by 2025. The net value of assets owned by the community is \$934 million. The majority of this equity relates to the ownership of land and infrastructure assets such as roads, stormwater drainage, footpaths and bridges. Council's equity will continue to grow as more assets are handed over by developers from new land releases.

Council has commenced the construction of a new Central Administration Central at Oran Park to accommodate the existing and growing workforce from both administration buildings. This new administration building will cost \$35.6 million and will be funded from cash reserves and loan borrowings. The funding of this new building is included in the appropriate Fit for the Future benchmarks. Council has continued to limit loan borrowings to ensure it has the capacity to fund this major project which is a major part of being able to efficiently and effectively provide services to our growing community.

Council is managing the new infrastructure requirements in newly created communities through innovative approaches and partnership models including Voluntary Planning Agreements (VPA), Works In-Kind Agreements, Government Grants and Partnering with the State Government. Council also adopts an extensive capital works program each year funded through Section 94 contributions. The current value of works being delivered through VPA's is approx. \$379 million with another \$89 million currently under negotiation. The current value of Works In-Kind Agreements is \$12 million with another \$30 million currently under negotiation.

Council has also successfully implemented the Integrated Planning and Reporting (IPR) framework by effectively engaging the community in developing the Community Strategic Plan (Camden 2040). Camden 2040 includes the community's goals and priorities through the following Key Directions - 1) Actively Managing Camden's Growth, 2) Healthy Urban and Natural Environment, 3) A Prosperous Economy, 4) Effective Sustainable Transport, 5) An Enriched and Connected Community, and 6) Strong Local Leadership.

Council provides a large number of direct and indirect services to the community with 30 local services that sit under the six key directions of Camden 2040. Council reports back to the community through the Six Monthly Reports under the IPR framework and the Annual Report.

Camden 2040 focuses on population growth and associated specific needs including transport, infrastructure, open space, a well-connected LGA with good community spirit, and retention of places, landscapes and characteristics of semi-rural and country heritage.

Council is also aware of the changing diversity of its community profile and has ensured that there is compliance with the NSW Government Social Justice Strategy and adherence to interrelated principles of Equity, Access, Participation and Rights. This is critical for current and future planning and resource management.

Council's stable leadership is through nine elected Councillors across three wards:

North Ward	Central Ward	South Ward
Mayor, Lara Symkowiak	Deputy Mayor, Therese Fedeli	Councillor Debby Dewbery
Councillor Peter Sidgreaves	Councillor Greg Warren	Councillor Eva Campbell
Councillor David Bligh	Councillor Penny Fischer	Councillor Greg Copeland

Council's Executive Leadership Group (ELG) comprises:

- General Manager
- Director Planning & Environmental Services
- Director Customer & Corporate Services
- Director Community Infrastructure

New Development

Being the major part of the South-Western Sydney Growth Area, Camden represents a rapidly growing region.

In March 2013 Austral and Leppington North were rezoned for redevelopment to deliver 17,350 new homes to house up to 54,000 residents, featuring a major regional shopping centre, Leppington train station, three neighbourhood centres and 220 hectares of industrial land with employment opportunities. In December 2013, a part of Catherine Fields was rezoned for development which will provide approximately 3,200 homes, with a primary school and neighbourhood centre.

The Draft South West Subregional Strategy (DP&I, 2005) recognises Camden Town Centre to be the 'Civic and Cultural Centre' of the Camden LGA and Narellan as the emerging second town centre. The focus of Narellan Town Centre is to service the developing areas of Spring Farm, Elderslie, Harrington Park and Oran Park. The Strategy recognises these two town centres as 'Community Service Hubs' with complementary services at each centre.

Between 2010 and 2014, the value of Development Applications received by Council has increased from \$348 million to \$513 million, the number of subdivisions assessed by Council increased from 44 to 65 and the number of houses built per week has increased from 18 to 33. The Camden LGA welcomes approximately 120 new residents each week.

Future Challenges

The rapid urban and population growth brings significant challenges for Council and the existing community, local community organisations and the local business sector.

Camden Council's challenge is to effectively balance competing priorities by:

- Responding quickly and effectively to community and stakeholders' expectations,
- Providing a working environment that remains adaptive, flexible, innovative and contemporary in responding to community and stakeholders' needs,
- Continually strengthening the working relationship with the State and Federal Government Agencies, Developers and Builders in creating new communities,
- Effectively planning, developing and implementing long-term strategic and land-use plans,
- Investing in employing qualified, skilled, motivated and inspired employees across Council,
- Learning from the experiences of the past by developing and implementing improvement plans, and
- Providing for and adopting best practice strategic asset and financial management planning.

Camden LGA : Camden Council
 Growth = Opportunities
 Camden LGA : Camden Council
 Growth = Opportunities

Council's innovative approach - Narellan Sports Hub

This Hub is a new project located adjacent to the existing sporting facilities at Narellan Park. This project clearly demonstrates Council's commitment to the provision of high quality services for the community.



Narellan Sports Hub caters for the new growth within Camden LGA. The proposed development includes:

- a 44 court netball complex
- athletics facilities and sports grounds
- approximately 1,000 car spaces
- a centrally located amenities building (number 1 on the image above)
- a walking/cycling network and playground are also being considered as part of the Sports Hub.

2.2 Key Challenges and Opportunities

The key challenges and opportunities are highlighted in Camden 2040 which was adopted in 2013, as part of the IPR framework.

Strength

- Adaptive, flexible, innovative and contemporary working aptitude and environment with strong leadership at all levels across Council
- Strong customer service focus and the use of technology to deliver services effectively and efficiently
- Sound understanding of the diverse community needs
- Effective implementation of the Business Improvement Plan, a road map for the future
- Adoption of a new organisational framework that is adaptive to change
- Sound governance practices
- Excellent financial management process as acknowledged by the NSW TCorp and OLG through the Local Government Infrastructure Audit Report
- Sound Asset Management practices and use of LIRS funding to support new growth
- Excellent working relationship with the State and Federal government agencies
- Effective management of semi-rural and urban areas across LGA including the natural environment and heritage places
- Innovative use of Voluntary Planning Agreements and Works In-Kind Agreements to expedite the delivery of infrastructure
- Proven capacity to deliver major projects

Opportunities

- New transport infrastructure across LGA including Southwest rail link extension to Leppington and potentially south to Narellan, a corridor linking Leppington Town Centre to Badgerys Creek and Badgerys Creek Airport
- Capitalise on growth opportunities that would help Council overtime to meet the financial sustainability indicator as recommended by the ILGRP
- Increase in employment opportunities due to new growth in the local business sector
- Building better communities from past experiences and learning
- Increase in capacity to borrow and diversify income streams as per new growth

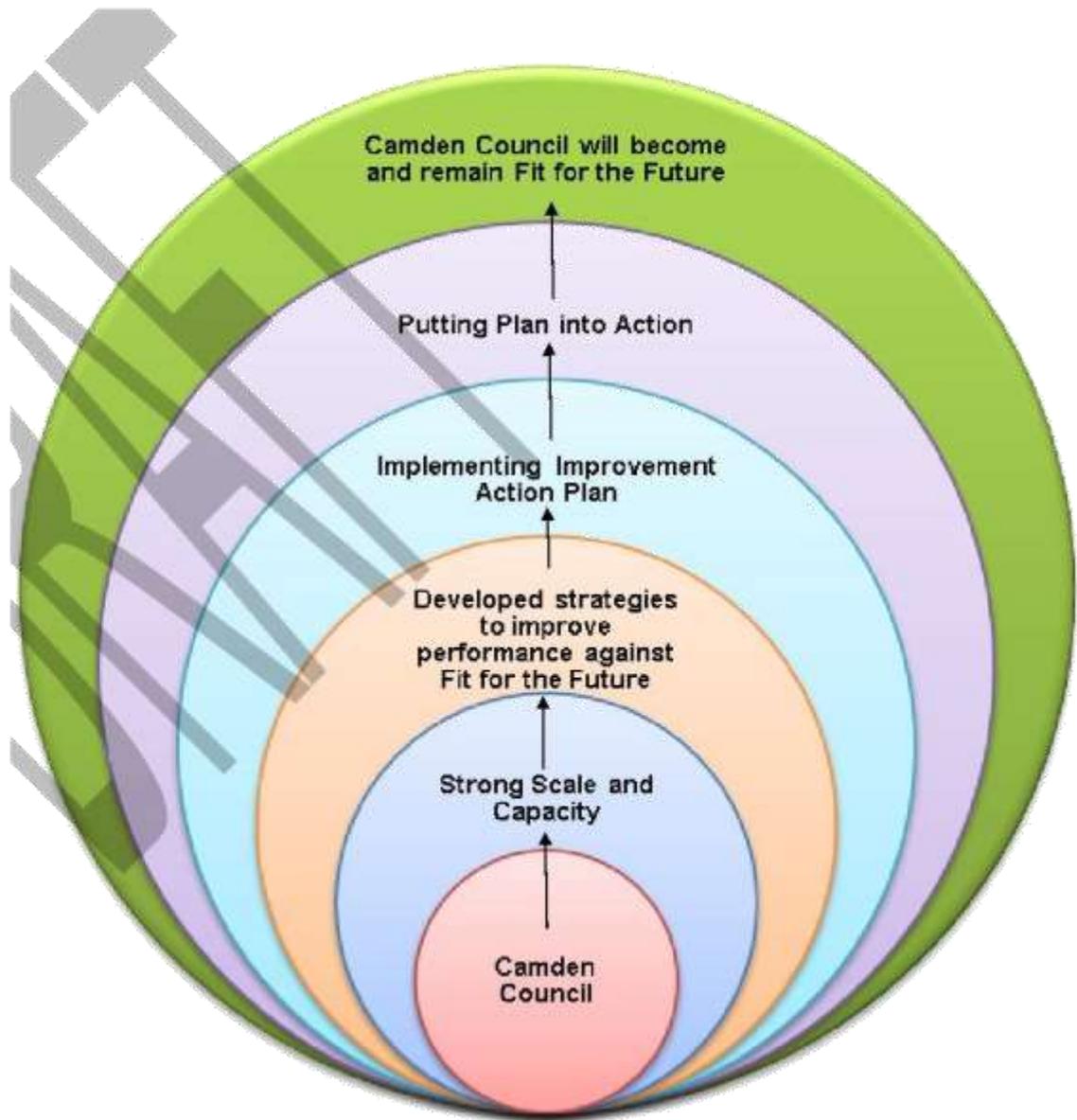
“.....identifies financial and non-financial challenges and opportunities that Council and Camden LGA may face with the rapid urban and population growth”

Weaknesses

- Inability to control or influence the rate of growth due to its dependency on external factors which impact on the rate of demand for service delivery
- The time delay between when additional services are required and income is realised through growth
- Current separation of two administration buildings
- Competing with the private sector to maintain and attract specialised staff

Threats

- Downturn in the housing market and economy, an impact on growth projections
- Changes to current State Government Policy relating to growth in the South West Growth sector
- Coordination of State Agencies in the timing of delivery of infrastructure in greenfield developments
- Cap placed on Section 94 contributions and the timing of cash contributions received
- Timing, coordination and funding of land acquisition in the North Leppington area
- Council's ability to fund non-essential infrastructure within greenfield developments
- Keeping pace with the rate of growth while implementing development in areas with fragmented land ownership



“Camden LGA – One of the fastest growing areas in NSW”

3 How Camden Council will become and remain Fit for the Future

3.1 Sustainability

Council has developed a number of key strategies to maintain or improve Council's performance against the Sustainability benchmarks and these are explained in Table 1.

Operating Performance Ratio

It is vital to note that Camden LGA is one of the fastest growing areas in NSW. This brings many challenges including planning for and delivering service demand sometimes years before additional income is realised. Council's Long-term Financial Plan (LTFP) indicates that rates and annual charges income will more than double over the next 10 years to over \$116 million, providing greater economies of scale in the later years of the long term financial plan.

A key element to an immediate improvement in this ratio is a review of depreciation expense. Council has included a conservative consumption based depreciation model which has seen a significant decrease in depreciation expense. It is expected that depreciation expense will further decrease once Council's recently created asset management team has completed its review of the asset base by June 2016.

Building and Asset Renewal Ratio

This ratio requires Council to spend annually 100% of its depreciation expense on the renewal of assets. As a result of unique growth 40% of Council's asset base is new or less than 10 years old, meaning there is no requirement to renew those assets. This ratio also does not consider the transfer of funds to an asset renewal reserve or funds held in reserve for future asset renewal. Camden LGA is experiencing unique growth, and while in this phase it would be impossible nor could Council be expected to meet this ratio. Council is also undertaking a further review of depreciation expense which will improve this ratio.

Own Source Revenue Ratio

Council receives significant amounts of non-cash income due to the high level of development delivered through Works In-Kind Agreements and Voluntary Planning Agreements. This is unique to councils with new urban and population growth. Assets dedicated to Council through this mechanism are required under the accounting standards to be brought to account as income. This additional income distorts this benchmark. While Council continues to receive high levels of non-cash income it would be impossible nor could Council be expected to meet this ratio. It should be noted that if the non-cash income is removed Council comfortably meets this ratio now.

Additional Information

Council has provided additional information in Appendix 1 with projections for all Fit for the Future benchmarks aligned to Council's LTFP which provides a better indication of Council's financial sustainability and capacity to meet the required benchmarks.

Key Assumptions that underpin Council's Strategies and expected Outcomes

- Council's rates and annual charges income will continue to increase as the LGA grows. Rates and Annual Charges income will more than double within 10 years.
- A major review of Council's depreciation expense to be completed by June 2016. The Operating Performance Ratio is expected to further improve upon completion of this review. Council has included a conservative decrease in depreciation expense using a consumption based depreciation model.
- Over 40% of Council's asset base is new or less than 10 years old making it difficult for Council to meet the requirements of the Building and Infrastructure Asset Renewal Ratio.
- A significant amount of non-cash income is received annually by Council through the dedication of assets impacting Council's ability to meet the requirements of the Own Source Revenue Ratio.
- There is a timing difference between the cost of growth and the realisation of additional income through growth and this will impact Council's Operating Performance Ratio. This is a major factor to consider that relates to those councils that have a rapid urban and population growth.
- The adoption of Council's new organisational framework, Business Improvement Plan (Appendix 2) and the construction of a new Central Administration Centre is expected to deliver significant efficiencies and savings.

Table 1

Sustainability Strategies to improve performance against benchmarks by 2020

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
Council is financially sustainable	Review depreciation expense and methodology for infrastructure assets	<ul style="list-style-type: none"> • Completion of a depreciation review by June 2016 • Useful life and residual value of assets reviewed by June 2016 • Condition of asset reviewed by June 2016 	<ul style="list-style-type: none"> • Reduction in depreciation expenses and move to consumption based depreciation model • Asset Management Plan updated by June 2016 	Reduction in depreciation expense to improve Operating Performance Ratio, Building and Infrastructure Asset Renewal Ratio and Real Operating Expenditure Ratio
	Continue to adopt a balanced cash budget	Annual review and adoption of budget	Cost of growth managed responsibly	Costs remain within budget to assist Operating Performance Ratio and Real Operating Expenditure Ratio

ORD06

Attachment 1

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
	Diversify sources of income	Completion of Camden Town Centre review by 2016	Significant increase in operational lease income	Improvement in Operating Performance Ratio and greater discretion to allocate funding to the improvement in Infrastructure and Service Management ratios. Improved capacity to borrow
	Maintain effective and efficient delivery of core Local Government services	Annual review and adoption of budget	Costs are contained to core service delivery	Will assist Operating Performance Ratio and Real Operating Expenditure Ratio
	Continue to facilitate growth	Annual review and adoption of budget	Increase in Revenue	Improvement in Operating Performance Ratio and greater discretion to allocate funding to the improvement in Infrastructure and Service Management ratios. Improved capacity to borrow
	Continue to strengthen partnerships with the State and Federal Government, and other industry agencies	Apply for and partner grant schemes	Additional Income or capital funding through loan schemes and grants	Improvement in Infrastructure and Service Management ratios

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
	Maintain a strong cash position with effective long-term financial planning and utilisation of reserves	Review LTFP and reserve balances quarterly and adopt annually	Reduction in risk associated with growth assumptions and provision for future asset management needs	Although Fit for the Future does not require liquidity ratios, liquidity is an important part of sustainability and being able to manage sustainability in a rapidly growing environment
	Use of debt to facilitate growth and infrastructure needs	Annual review of loan requirements and capacity to borrow	Provides for intergenerational equity and delivery of infrastructure including asset renewal	Further improvement in Backlog Ratio and Building and Infrastructure Asset Renewal Ratio

3.2 Infrastructure and Service Management

Council's Asset Management Review will be completed by June 2016 which will assist in improving the administration of Infrastructure and Service Management.

Infrastructure Backlog Ratio

Council's Asset Renewal Programs continue to assist in improving the infrastructure backlog benchmark and Council is confident in its ability to meet the benchmark ratio from 2015/16 onwards.

Asset Maintenance Ratio

Council has good asset management practices and policy framework and received a 'strong rating' as part of the Local Government Infrastructure Audit in June 2013. However, there is a need for an updated inventory of Council's asset base and current condition to understand Council's future asset maintenance needs. Council's funding allocation to asset maintenance is increasing over time meaning Council meets the requirement for an improving ratio meeting the benchmark of 100% by 2020/21.

Debt Service Ratio

Council currently meets the Debt Service Ratio benchmark and is projected to over the life of the LTFP (10 years).

Key Assumptions that underpin Council's Strategies and expected Outcomes

- Infrastructure Backlog Ratio requirement met by 2015/16.
- Council will allocate additional funds to Asset Maintenance upon finalisation of the current asset management review. The financial modelling (Appendix 1) indicates Council's capacity to meet the benchmark in future years.
- Debt Service Ratio continues to meet FFTF requirement.

Table 2

Infrastructure and Service Management Strategies to improve performance against benchmarks by 2020

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
Increase allocation of funding for Asset Maintenance	<ul style="list-style-type: none"> Strengthen the asset management section Asset base audit Long-term asset maintenance plan aligned to funding within LTFP 	<ul style="list-style-type: none"> Recruitment of staff as per the new organisational framework Asset base audit completed by June 2016 Asset base audit to include long-term maintenance plan and funding options by June 2016 	<ul style="list-style-type: none"> Continued reduction in asset backlog 100% funding for all asset maintenance requirements 	Meet FFTF asset maintenance ratio requirements earlier and a further improvement in the backlog and renewal ratio
Balance the use of debt in a rapidly growing environment where financial capacity to pay is attainable in the future	Annual review of borrowing capacity and need for debt to facilitate infrastructure growth or renewal	Annual budget review to assess future funding needs	<p>Provides for intergenerational equity</p> <p>Infrastructure delivered or renewed to meet demand</p>	Council currently meets the FFTF requirement and has further capacity to use debt in the future if required to meet the communities needs

ORD06

Attachment 1

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
Reduce infrastructure backlog	<ul style="list-style-type: none"> • Long-term asset management plan aligned to funding within LTFP • Sufficient long-term funding for asset renewal and maintenance • Use of debt where required • Continue to access external funding opportunities provided by all levels of Government • Continue to utilise asset renewal reserve to assist with minimising any future backlog 	<p>Asset Management Review completed by June 2016</p> <p>Annual Budget review to assess future funding needs</p>	Backlog is reduced or remains within required industry benchmarks	Council currently meets the FFTF requirement and will improve this ratio upon continuing with adopted strategies

3.3 Efficiency

Real Operating Expenditure per Capita

Council meets this benchmark from 2014/15. A significant factor impacting this ratio is rapid population growth which is unique to the Camden LGA. As required, Council has used the population growth forecast provided by the NSW Department of Planning and Environment. Council considered it prudent to also provide an alternate population growth assumption currently used to project population growth in Council's LTFF (Appendix 1). It is believed that this forecast better represents Council's future population growth.

The new organisational framework and Organisational Development/Business Improvement Plan is assisting Council in increasing efficiencies and in delivering quality services to internal and external stakeholders. Council is currently constructing a new Central Administration Centre which will result in cost savings and efficiencies as a result of combining two separately located administration buildings into one. The creation of a dedicated asset management team as part of the organisational review will see improvements and efficiencies in the management of assets and infrastructure (including a further decrease in depreciation expense).

Key Assumptions that underpin Council's Strategies and expected Outcomes

- The new organisational framework and established Business Improvement Plan (Appendix 2) ensures that Council will continue to meet FTF for the Real Operating Expenditure per Capita Ratio.

Table 3

Efficiency Strategies to improve performance against benchmarks by 2020

Objective	Strategies	Key Milestones	Outcome	Impact on other measures
Council remains efficient in its delivery of services	<ul style="list-style-type: none"> • Strengthen the new organisational framework • Implementation of Business Improvement Plan • Review Asset Management Plan • Construction of a new centrally located administration building 	<ul style="list-style-type: none"> • Recruitment of staff as per the new organisational framework • Implementation and monthly progress reporting on the Business Improvement Plan • Asset management review – completed by June 2016 • Construction of a new Central Administration Centre completed by June 2016 	Improvement in Council's efficiency in delivering services	Council continues to meet this benchmark

3.4 Improvement Action Plan

The key improvement actions that will be achieved in the first year of the Improvement Plan are listed below. These actions are aligned to achieving the strategies in sections 3.1, 3.2 and 3.3 and will improve Council's ability to meet the required measures by 2019/20.

Financial modelling for each of the measures under Sustainability, Infrastructure and Service Management and Efficiency is included in this submission, Appendix 1.

Improvement Action Plan for 2015/16	Milestones
Review the method and approach to accounting for depreciation expense and the available funding for asset management by: <ul style="list-style-type: none"> • reviewing depreciation expense and methodology for infrastructure asset • identification of long-term funding and strategy required for asset maintenance and renewal 	<ul style="list-style-type: none"> • Asset Management Policy and Plan updated • Audit of asset base completed • Completion of depreciation expense modelling • Long-term funding and strategy included in LTFP <p>Completed as part of statutory reporting for 30 June 2016</p>
Implementation of 57 actions as per Business Improvement Plan (Appendix 2)	The Business Improvement Plan covers Milestones for each action

Development of Business Improvement Plan and Financial Modelling that supports Improvement Action Plan:

- Elton Consulting were engaged to assist Council in developing a Business Improvement Plan which identified 57 actions.
- PriceWaterhouseCoopers were engaged to review Council's financial modelling and associated FTF ratios.
- Council's Fit for the Future submission and Improvement Action Plan adopted by Council June 2015.

3.5 Other Actions Considered

Council has identified the key actions (as shown in 3.1, 3.2 and 3.3) which are already underway that will maintain viability or result in an improvement to each of the Fit for the Future measures.

The timing of the Organisational Development / Business Improvement Plan implementation means that Council has already identified key priority actions in the immediate, short and medium term. Several of these initiatives are underway, with the implementation of a dedicated asset management section in 2014 providing additional staff resources to address existing and future asset needs, and long term asset management strategies and a review of internal policies and procedures is in progress.

While Council has good asset management practices and policy framework receiving a "strong rating" as part of the Local Government Infrastructure audit, June 2013, the rate of growth within the LGA quickly identified the need for a dedicated asset management team. This team is required not only to understand community needs in the future but to ensure there is a co-ordinated approach to how Council manages new assets. It is estimated that the entire asset base audit will be completed by June 2016.

It is expected that the Asset Management review will provide Council with more informed data about the allocation of resources and funding. The funding of long-term asset management is approached with a view to using Council's asset renewal reserve, loan borrowings or a special rate variation (if required) upon completion of the appropriate community engagement. Council will not make decisions about its asset management needs without the appropriate data to inform both Council and its community.

Council anticipates this comprehensive data will result in a further reduction in depreciation expense, resulting in an improvement to the operating performance, building and infrastructure asset renewal and asset maintenance ratios.

In the absence of this work being completed Council has approached asset management on a needs basis identifying a program of works and aligning it to internal and external funding source/s. Council has accessed funding through the NSW Local Infrastructure Fund and has been successful in receiving subsidised loans through rounds two and three of the Local Infrastructure Renewal Scheme (LIRS). Council currently has in place a Special Rate Variation until 2019/20. These programs have been aligned to asset renewal schemes.

Attachment 1
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4 Plan to Improve Performance

Measure	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Status against FFTF Benchmarks	2020/21	2021/22	2022/23	2023/24	2024/25	Status against FFTF Benchmarks
Operating Performance Ratio	-19.2%	-3.1%	-2.6%	-4.7%	-3.9%	-1.9%	0.0%	Yes	1.9%	1.2%	3.8%	4.5%	3.3%	Yes
Own Source Revenue Ratio **	50.7%	54.2%	51.6%	41.4%	44.0%	42.8%	51.5%	No **	51.1%	53.2%	57.8%	55.1%	57.3%	No
Own Source Revenue Ratio – Excluding Non-Cash Income	73.9%	79.9%	80.3%	81.5%	83.7%	84.4%	85.4%	Yes	84.7%	85.4%	86.0%	86.6%	87.1%	Yes
Building and Infrastructure Asset Renewal Ratio **	24.4%	82.7%	91.9%	64.2%	42.2%	39.9%	33.2%	No **	44.1%	74.0%	75.4%	80.6%	85.0%	No
Infrastructure Backlog Ratio	2.4%	2.31%	1.91%	1.54%	1.1%	1.0%	1.1%	Yes	1.3%	1.1%	0.9%	0.8%	0.7%	Yes
Asset Maintenance Ratio	78.0%	77.1%	91.0%	85.8%	87.5%	97.7%	99.6%	Yes	100.0%	100.0%	100.0%	100.0%	100.0%	Yes
Debt Service Ratio	5.1%	4.5%	5.1%	6.6%	6.3%	5.5%	5.1%	Yes	2.5%	2.1%	1.9%	1.6%	1.3%	Yes
Real Operating Expenditure per Capita	\$104.51	\$88.31	\$85.49	\$88.51	\$87.22	\$85.70	\$83.96	Yes	\$82.87	\$84.24	\$82.71	\$82.39	\$83.66	Yes

Please refer to Appendix 1 for a detailed explanation of each ratio. **The reasons for not achieving the two measures are discussed in Section 3 and Appendix 1

Key: Green = Meets FFTF Benchmarks Yellow = Improving Meets FFTF Benchmarks

Creating new well-connected communities, Infrastructure and more.....



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Attachment 1

5 Putting Plan into Action

As part of preparing Council for the rapid change and growth in Camden LGA, Council adopted an Organisational Development / Business Improvement Plan in late 2014. The Plan includes 57 actions and is being delivered through 40 cross organisational teams empowered to deliver immediate, short and long terms actions. These actions are prioritised under 7 key action areas:

- Leadership and Culture
- Staff Development and Support
- Customer Service and Service Delivery
- Communications and Engagement
- Strategy, Planning and Measurement
- Systems and Processes
- Information Management and Technology.

Appendix 2 is Council's Organisational Development / Business Improvement Plan.

Further in addressing the challenges of population and urban growth, Council acted promptly for a structural change. In late 2014, Council adopted a new adaptive organisational framework which complements the Organisational Development / Business Improvement Plan. The new framework addresses the need for a dedicated Asset Management team, Business Assurance officer, an Organisational Development officer and a Business Improvement Team. The teams and positions have specific focus areas within the Organisational Development / Business Improvement Plan.

A brief description of the teams and positions are provided below:

Asset Management	Major focus is on the delivery of core asset management services in the next 6 to 12 months, and move to an advanced capability over the next 1 to 2 years.
Business Assurance	Assurance around the efficiency and internal controls of Council's operations and governance.
Organisational Development	Emphasis on leading and implementing transitional and sustainable change through staff engagement and the establishment of a culture that maximises organisational capacity and effectiveness.
Business Improvement	Ensuring a holistic approach to business improvement across Council through effective coordination, development and delivery of organisational development programs and initiatives.

In order to support these initiatives the Corporate Tool, *interplan*, was also implemented to integrate and drive the strategic, corporate, business and service level planning. This tool has an excellent performance management framework that assists Council in ensuring effective integration of planning, monitoring, reporting and allocation of resources. The tool

has embedded a performance culture within Council across all service divisions. It provides for an efficient delivery of monthly updates on the milestones within the Organisational Development / Business Improvement Plan.

Council continues with the recruiting process to support the new framework. Council has employed an additional 64 staff since 2013/14.

Council's compliance with the IPR framework is exceptional and has successfully involved the community in the development of the Community Strategic Plan (Camden 2040), Revised Delivery Program and the Operational Plan. Council prepares six monthly reports to inform the community on the Revised Delivery Program and prepares an Annual Report.

Council regularly keeps the community informed and engaged through Community Newsletters, media releases, up-to-date information on Council's website and community notice boards across the LGA.

The Table below showcases the monitoring and progress reporting against achieving the Improvement Action Plan under section 3.4

Table 4

Improvement Action Plan for 2015/16	Monitoring	Timeframe	Progress Reporting To
Review of Asset Management Plan and associated financials including: <ul style="list-style-type: none"> • review of depreciation expense and methodology for infrastructure assets • identification of long-term funding and strategy required for asset maintenance and renewal 	Regular updates on Asset Management Plan review, Asset base audit and Long-term funding and strategy development	Quarterly	Executive Leadership Group followed by Council for adoption of updated Asset Management policy and plan.
Implementation of 57 actions as per Business Improvement Plan (Appendix 2)	Each action has its monitoring process, please refer to Appendix 2	Each action has specific stated timeframe	Executive Leadership Group

6 References

- Council's Business Improvement Plan
- Council's Integrated Planning and Reporting documents – Camden 2040 (Community Strategic Plan), Revised Delivery Program, Operational Plan, Resourcing Strategy – Long Term Financial Plan, Workforce Plan and Asset Management Strategy
- Council's Economic Development Strategy
- Camden Council's Financial Assessment, Sustainability and Benchmarking Report, NSW TCorp, Office of Local Government and Independent Local Government Review Panel, March 2013
- Draft SouthWest Subregional Strategy, Department of Planning, 2005
- Financial Sustainability of NSW Local Government Sector: Findings, Recommendations and Analysis, NSW TCorp, April 2013
- Local Government Infrastructure Audit, NSW Division of Local Government, June 2013
- NSW 2021
- NSW Long Term Transport Master Plan
- NSW Plan for the Growing Sydney (Formerly Metropolitan Strategy)
- Population and Household Projection, Department of Planning and Environment
- Revitalisation Local Government : Final Report of the NSW Independent Local Government Review Panel, October 2013
- State Infrastructure Strategy
- Strengthening Local Government - Promoting Better Practice Program, Camden Council, NSW Office of Local Government, February 2015



ORD06

7 Appendices

Appendix 1: Financial Modelling

Appendix 2: Business Improvement Plan : 57 Actions

Attachment 1

Appendix 1

Financial Modelling

Sustainability

- Operating Performance Ratio
- Own Source Revenue Ratio
- Own Source Revenue Ratio – Excluding Non-Cash Income
- Building and Infrastructure Asset Renewal Ratio

Infrastructure and Service Management Service

- Infrastructure Backlog Ratio
- Asset Maintenance Ratio
- Debt Service Ratio

Efficiency

- Real Operating Expenditure per Capita – Local Government, Area Population Projections 2014
- Real Operating Expenditure per Capita – Camden's Population Forecasts

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Attachment 1



OPERATING PERFORMANCE RESULT

Camden Council

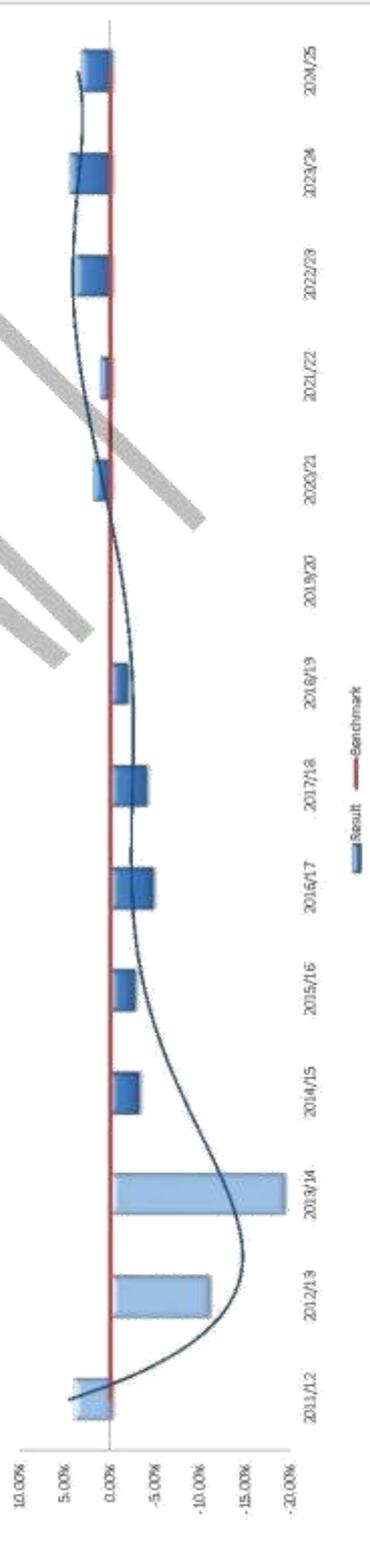
Benchmark:- Greater or equal to break-even average over 3 years

Total continuing operating revenue (excl. capital grants and contributions) / (less operating expenses)
Total continuing operating revenue (excl. capital grants and contributions)

Purpose:- This ratio measures Council's ability to fund operations now and into the future

		Historical													
		2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Result		4.1%	-10.8%	-19.2%	-3.1%	-2.8%	-4.7%	-1.9%	-1.5%	0.6%	1.9%	1.2%	1.8%	4.5%	3.2%
Result	- Meets the FFTF benchmark	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES	YES
Average over 3 years		-8.7%	-11.1%	-8.3%	-3.5%	-3.7%	-3.5%	-1.9%	0.0%	1.0%	2.3%	3.2%	3.9%		
Average	- Meets the FFTF benchmark	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO

Operating Performance Ratio
(greater or equal to break-even average over 3 years)



Fit for the Future Benchmark
Projections indicate Council will meet the benchmark for this ratio in 2019/20.

Comments

The operating performance ratio includes depreciation expense, historically Councils do not cash fund depreciation expense. A measure of sustainability is the ability to fund the maintenance and renewal of your asset base, this submission will demonstrate Council's ability to address asset management over the life of its LTFP. To further support this in late 2014 Council created a asset management section to review the delivery and management of assets throughout the LGA. This review also included the adoption of a conservative consumption based depreciation model which has improved a number of FFTF ratios. When you consider that over 40% of Councils asset base is new or less than 10 years old the adoption of this method will reduce depreciation expense significantly, it should also be considered that with the adoption of Council's new organisational structure and business improvement plan (an attachment to this submission) that further efficiencies and cost savings will be realised.

Attachment 1
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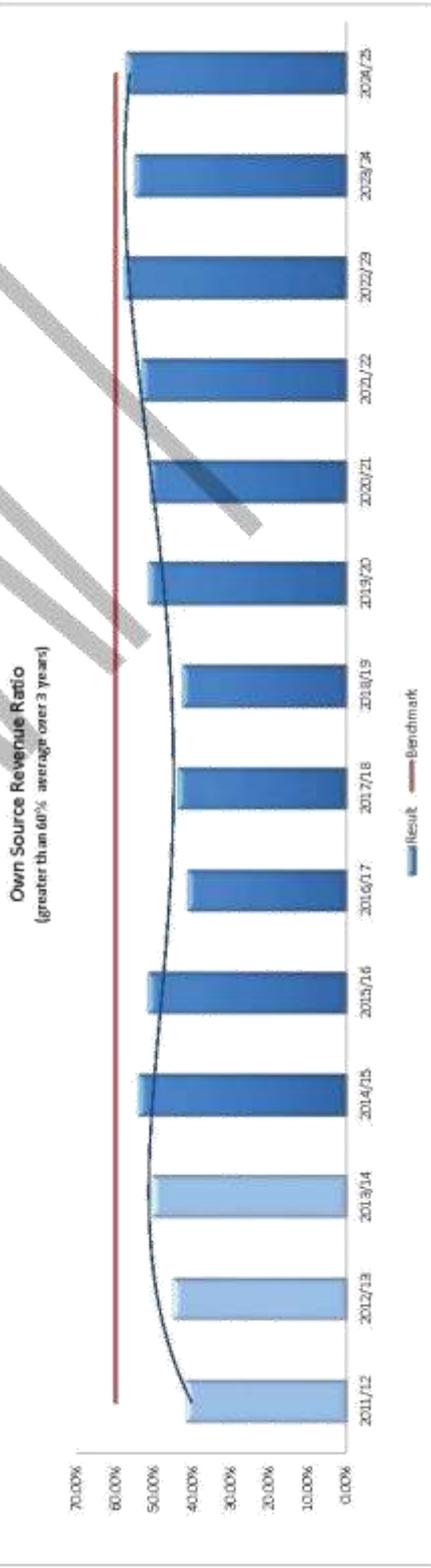
OWN SOURCE REVENUE RESULT
Camden Council

Benchmark:- Greater than 60% average over 3 years

Total continuing operating revenue less all grants and contributions
Total continuing operating revenue inclusive of capital grants and contributions

Purpose:- This ratio measures Council's reliance on external funding (first flexibility)

Historical		Total continuing operating revenue less all grants and contributions Total continuing operating revenue inclusive of capital grants and contributions											
		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Result	42.0%	50.7%	54.2%	53.6%	41.4%	48.0%	43.8%	51.3%	53.2%	52.8%	57.8%	55.1%	57.3%
Result - Meets the FFTF benchmark		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Average over 3 years	46.0%	50.1%	52.2%	49.1%	45.6%	42.7%	46.5%	48.5%	51.9%	54.3%	55.4%	56.7%	56.7%
Average - Meets the FFTF benchmark		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO



Fit for the Future Benchmark

Projections indicate Council does not meet the benchmark for this ratio.

Comments

Camden Council receives significant amounts of non-cash capital income which distorts this ratio. The non-cash capital income is due to the high levels of development infrastructure delivered through Works in Kind Agreements or Voluntary Planning Agreements. As required by the accounting standards Council brought to account \$26.9 million in 2014 (\$46.7 million in 2013) of non-cash income relating to the dedication of assets.

It is unlikely Council will meet this benchmark in the future. If Council removes the non-cash income for dedicated assets from this ratio calculation, Camden meets all of the FFTF benchmarks. Council has provided an adjusted ratio to demonstrate the impact non-cash capital income has on this ratio.

OWN SOURCE REVENUE RESULT - EXCLUDING NON-CASH INCOME

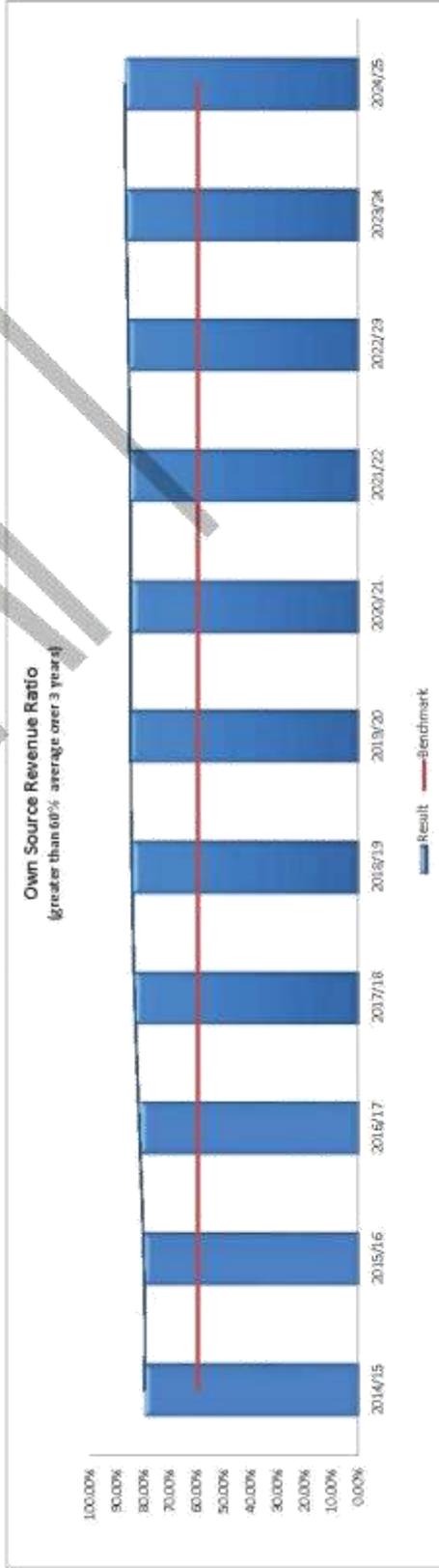
Camden Council

Benchmark: Greater than 60% average over 3 years

Total continuing operating revenue less all grants and contributions
Total continuing operating revenue inclusive of capital grants and contributions (excluding non-cash MM income)

Purpose: This ratio measures Council's reliance on external funding (fiscal flexibility)

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Result	79.9%	80.3%	81.5%	83.7%	84.8%	85.6%	84.7%	85.4%	86.6%	86.6%	87.1%
Result - Meets the FFTF benchmark	YES										
Average over 3 years	79.9%	80.1%	80.6%	81.8%	83.2%	84.5%	84.8%	85.1%	85.4%	86.0%	86.6%
Average - Meets the FFTF benchmark	YES										



Fit for the Future Benchmark

Projections indicate Council meets the benchmark for this ratio, once non-cash capital income is excluded from the calculation.

Comments

As discussed on the previous page, Council receives significant amounts of non-cash capital income which distort this ratio. Non-cash capital income is due to the large development in the LGA area being delivered via Section 94 Works in Kind Agreements and Voluntary Planning Agreements. All Councils with significant non-cash capital income will find it difficult to meet this benchmark without removing the non-cash capital income component from the denominator.

BUILDING AND INFRASTRUCTURE ASSET RENEWAL RESULT

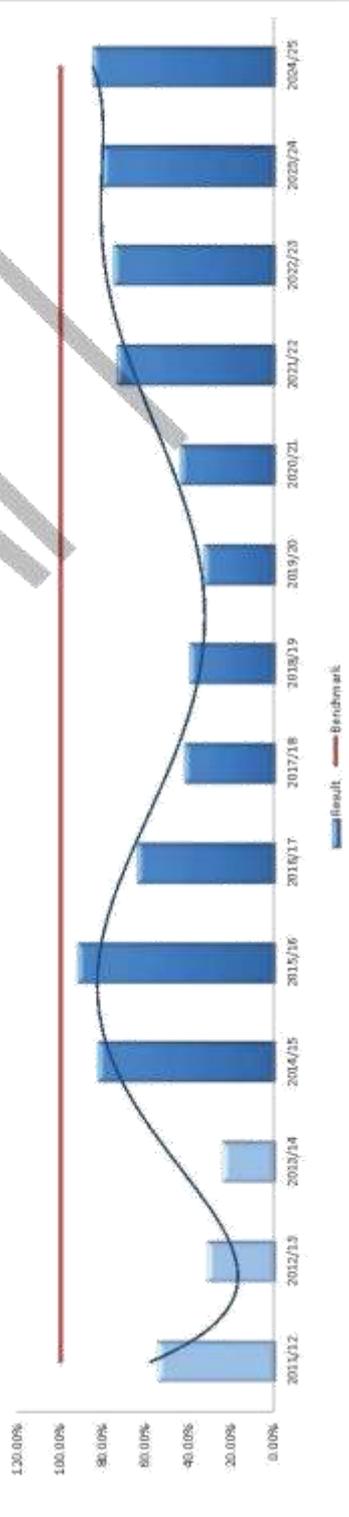
Camden Council

Benchmark:- Greater than 100% average over 3 years

Purpose:- This ratio measures the rate at which assets are being renewed relative to the rate at which they are being consumed (depreciated)

Historical		Asset renewals (building and infrastructure) Depreciation, amortisation and impairment (building and infrastructure)													
		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		
Result	34.7%	39.4%	82.7%	91.9%	84.2%	42.2%	93.9%	33.7%	44.1%	74.0%	75.9%	80.5%	85.0%		
Result - Meets the FFTF benchmark	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO		
Average over 3 years	36.8%	45.3%	88.3%		79.8%	66.1%	68.8%	38.7%	39.1%	50.4%	84.3%	78.2%	80.1%		
Average - Meets the FFTF benchmark	NO	NO	NO		NO										

Building & Infrastructure Asset Renewal Ratio
(greater than 100% average over 3 years)



Fit for the Future Benchmark
Projections indicate Council does not meet the benchmark for this ratio.

Comments

It is important to note that this ratio is impacted by the large level of development and infrastructure assets expected to be constructed over the next 10 years. Currently 40% of Camden's total infrastructure assets are new or less than 10 years old, and this proportion is expected to grow over the next 10 years. Council will therefore not be required to renew these assets in the near future. Camden's unique growth in infrastructure assets means Council will find it difficult to meet this renewal ratio. The spike in asset renewal in 2014/15 and 2015/16 is representative of renewal programs put in place or where renewal programs have been required for existing infrastructure to facilitate development.

In preparation for future renewal expense Council has created an Asset Renewal Reserve (June 2014) and continues to allocate funds to this reserve. It should be noted that the transfer of funds to reserve cannot be included as an expense in this ratio. This transfer does reflect prudent forward financial planning and acknowledgment that asset renewal will be required in the longer term. The work currently being undertaken to reduce Council's depreciation expense will further improve this ratio. Council has also adopted a number of renewal programs accessing an interest free loan from the NSW State Government, has successfully applied for 2 Local Infrastructure Renewal Scheme loans and currently has a special rate variation in place for infrastructure renewal. The quality of infrastructure in the Camden LGA is an important issue for Camden Council.



Infrastructure and Service Management

Attachment 1

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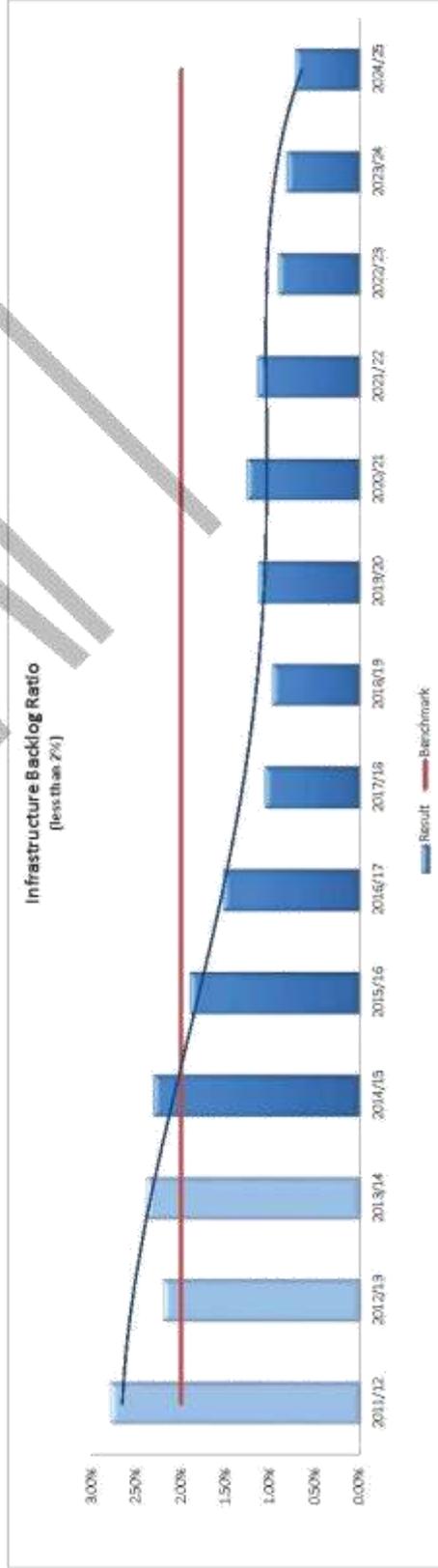
INFRASTRUCTURE BACKLOG RESULT

Camden Council

Benchmark:- Less than 2%

Purposes- This ratio measures the proportion of the infrastructure backlog against the total value of Council's infrastructure asset base. *Estimated cost to bring assets to a satisfactory condition Total (MDV) of infrastructure, buildings, other structures and depreciable land improvement assets*

Historical		2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Result	2.8%	2.2%	2.0%	2.3%	1.9%	1.5%	1.1%	1.1%	1.0%	1.1%	1.1%	0.9%	0.8%	0.7%	
Result - Meets the FFTF benchmark	NO	NO	NO	NO	YES										



Fit for the Future Benchmark

Council does not currently meet the benchmark for this ratio. Projections indicate Council will meet the benchmark for this ratio from 2015/16 onwards.

Comments

Council's exponential growth forecasts result in a significant proportion of new assets constructed each year. This ratio improves as a result of the magnitude of new assets being received through development and renewal/maintenance programs. Council already has in place.

ASSET MAINTENANCE RESULT

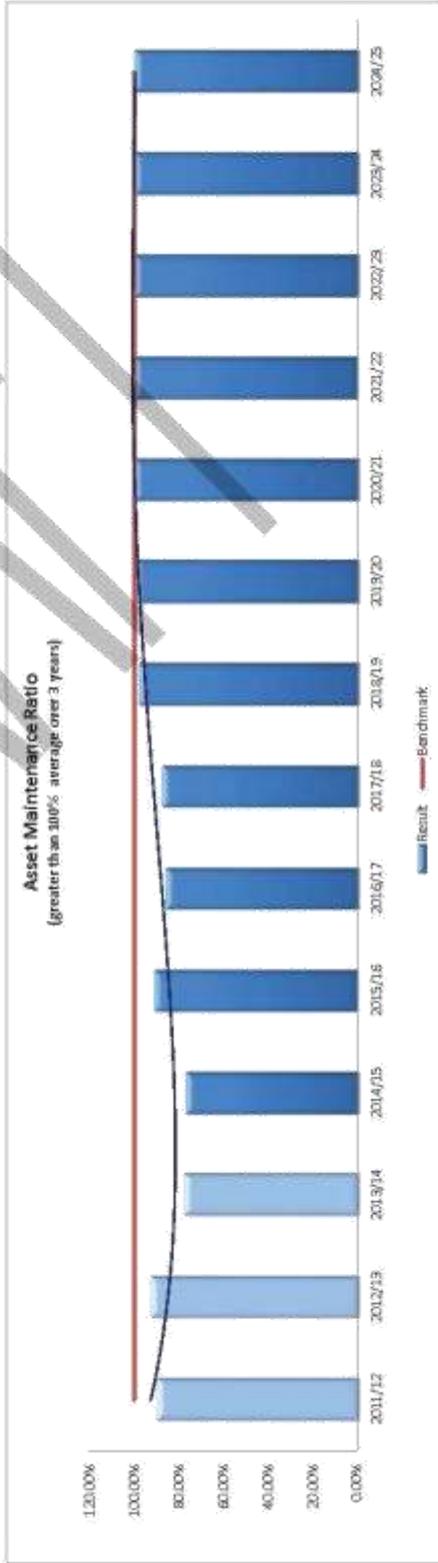
Camden Council

Benchmark:- Greater than 100% average over 3 years

**Actual asset maintenance
Required asset maintenance**

Purpose:- This ratio compares the actual versus required annual asset maintenance

Historical		Actual asset maintenance Required asset maintenance													
		2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Result		89.8%	92.5%	78.0%	77.3%	91.0%	85.8%	87.3%	97.7%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%
Result - Meets the FFTF benchmark		NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES	YES
Average over 3 years		86.8%		82.5%		82.0%		86.2%		90.3%		99.9%		100.0%	
Average - Meets the FFTF benchmark		NO		NO		NO		NO		NO		YES		YES	



Fit for the Future Benchmark

Council does not currently meet the benchmark. Projections indicate Council will meet this benchmark by 2020/21.

Comments

While Council has good asset management practices and policy framework, receiving a "strong rating" as part of the Local Government Infrastructure Audit, June 2013, the rate of growth within the LGA quickly identified the need for a dedicated asset management section. This section is required not only to understand our asset management needs in the future but to ensure there is a co-ordinated approach to how we construct and accept new assets. It is also accepted that an audit of our entire asset base will take time, this review is not expected to be completed until 2016.

Completion of the review of the asset base may also identify a need for additional funds to be allocated to asset maintenance. It is expected that Council will meet the requirements of the FFTF criteria earlier than 2020/21. Council has completed all asset management ratios including a conservative reduction in depreciation expense (on a prudence based model) on the basis of what is currently known about the asset base.

Attachment 1
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DEBT SERVICE RESULT
Camden Council

Benchmark: Greater than 0 and less than or equal to 20% average over 3 years

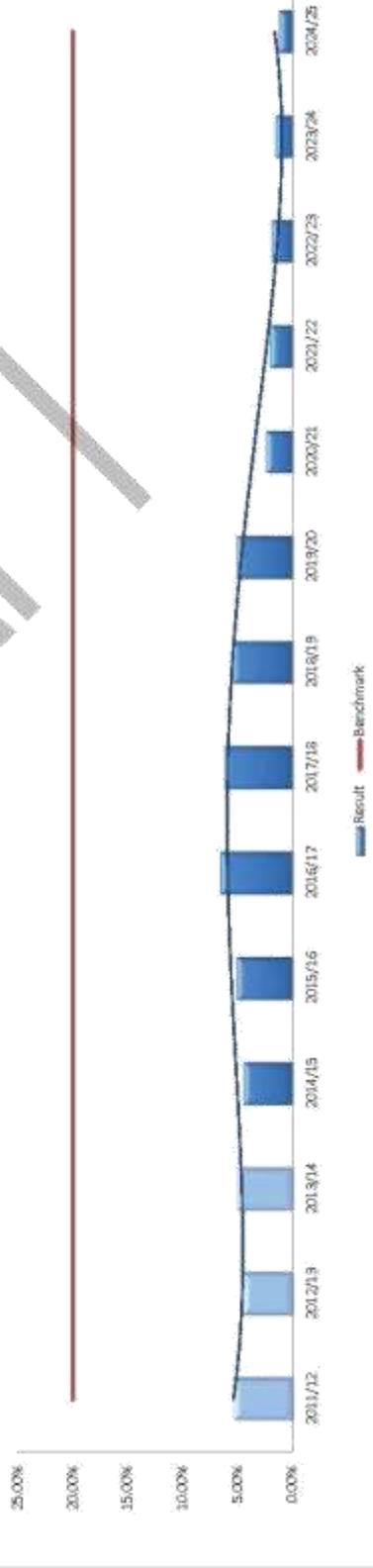
Cost of debt service (interest expense & principal repayments)
Total continuing operating revenue (e.g. capital grants and contributions)

Purpose: This ratio indicates whether Council is using debt wisely to share the life-long cost of assets and a void excessive rate increases

Historical		2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Result		4.8%	5.1%	4.5%	5.1%	5.1%	6.0%	6.3%	5.5%	5.8%	2.5%	2.1%	1.9%	1.6%	1.3%
Result - Meets the FITF benchmark		YES													
Average over 3 years		5.0%	5.0%	4.7%	4.9%	4.9%	5.0%	6.0%	6.3%	5.6%	4.4%	3.2%	2.2%	1.9%	1.6%
Average - Meets the FITF benchmark		YES													

Debt Service Ratio

(Greater than 0% and less than or equal to 20% average over 3 years)



Fit for the Future Benchmark

Council currently meets this benchmark and projections indicate this will continue over the next 10 years.

Comments

Council continues to use debt wisely, balancing the level of debt, capacity to borrow and the opportunity cost of borrowing to ensure inter-generational equity in a rapidly growing environment.



Attachment 1 ORD06

REAL OPERATING EXPENDITURE PER CAPITA RESULT - LOCAL GOV. AREA POPULATION PROJECTIONS 2014

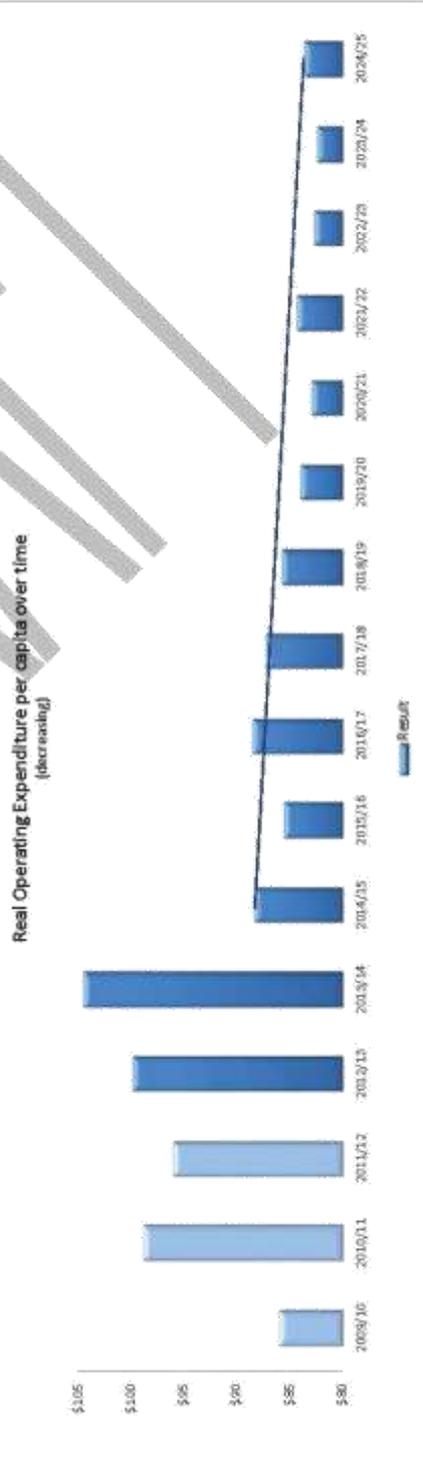
Camden Council

Benchmark: - A decrease in Real Operating Expenditure per capita over time

*Expenditure deflated by CPI
Population*

Purpose: - This ratio indicates how well Council is utilising economies of scale and managing service levels to the community to achieve efficiencies

Historical		Projection													
Year	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Result	\$85.94	\$96.08	\$99.80	\$104.51	\$88.31	\$85.49	\$88.51	\$87.22	\$85.70	\$83.36	\$82.87	\$84.24	\$82.71	\$82.39	\$81.56
Result - Meets the FTFF benchmark	NO														



Fit for the Future Benchmark

Council does not currently meet this benchmark, however projections indicate Council will meet this benchmark over the next 10 years.

Comments

A significant factor impacting this ratio is the significant population growth Council is expecting to realise over the next 10 years, realising economies of scale over the period of the long term financial plan.

The work currently being undertaken to reduce Council's depreciation expense will further improve this ratio. It should also be noted that from 2014/15 onwards Council has used the required population growth figures as published by NSW Planning and Environment. This has seen a dramatic drop in the cost per capita from 2014/15 onwards. Council has provided an additional model which better represents projected population growth. This model is used to inform Council's LTFF using lot projections and average household sizes which Council believes is a better indication of growth in a rapidly changing environment.

REAL OPERATING EXPENDITURE PER CAPITA RESULT - CAMDEN'S POPULATION FORECASTS

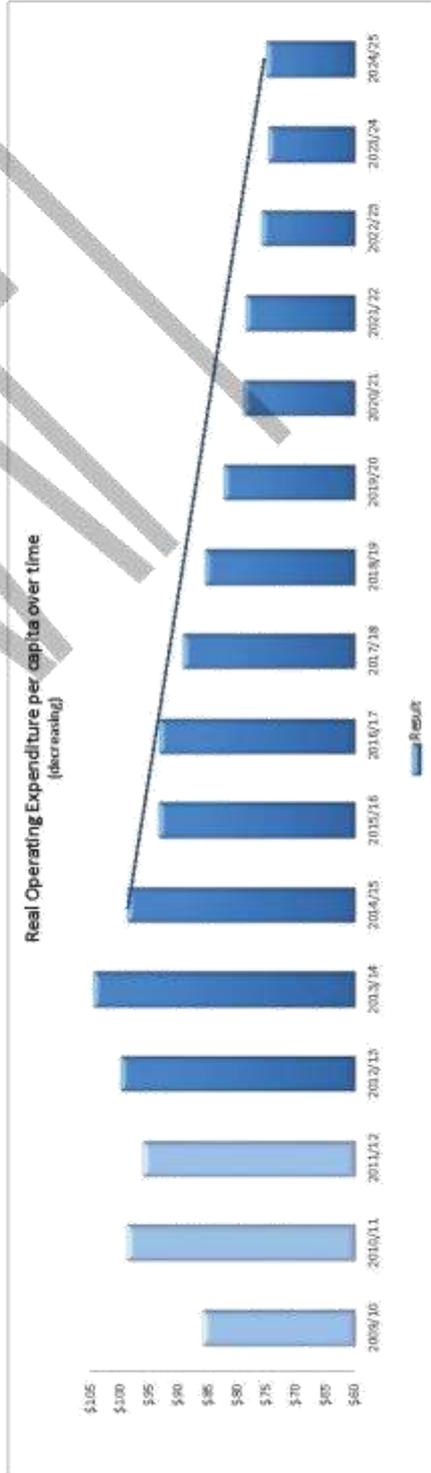
Camden Council

Benchmark: - A decrease in Real Operating Expenditure per capita over time

Expenditure deflated by CPI
Population

Purpose: - This ratio indicates how well Council is utilising economies of scale and managing service levels to the community to achieve efficiencies

	Historical				Population Forecasts												
	2010-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	
Result	\$85.94	\$88.91	\$90.08	\$93.80	\$94.51	\$98.78	\$93.48	\$93.20	\$89.22	\$85.58	\$82.37	\$79.05	\$78.66	\$75.85	\$74.71	\$75.10	
Result - Meets the FFTF benchmark					NO	YES											



Fit for the Future Benchmark

Council does not currently meet this benchmark, however projections indicate Council will meet this benchmark over the next 10 years.

Comments

A significant factor impacting this ratio is the significant population growth Council is expecting to realise over the next 10 years, realising economies of scale over the period of the long term financial plan. Underpinning Council's long term financial plan are population projections that have been modelled using south west growth centre development lot releases and occupancy rates as determined by the adopted Camden Contributions Plan 2021. Council prepares these projections in co-ordination with relevant parties, compared with historical and profiled data and reviews these population projections on an annual basis. Whilst the population projections remain conservative, Council has found that due to rapid growth these assumptions are better aligned and represent true growth in the local area. The work currently being undertaken to reduce Council's depreciation expense will further improve this ratio.

ORD06

Appendix 2

Attachment 1

Business Improvement Plan : 57 Actions

Key:

- Immediate : Action completed within one year
- Short Term: Action completed within two years
- Medium Term: Action completed within five years

Number	Actions	Timeframe
1	Prepare and communicate an organisational vision and values that support the community vision in Camden 2040	Immediate
2	Agree and communicate a purpose and regular meeting cycle for ELG and SMT meetings, including: <ul style="list-style-type: none"> • standard agenda items • reporting of organisational priorities • attendance by team leaders and other specialist staff to present their reports and recommendations • reporting of progress with OD/BIP actions • reporting of progress with cross organisational working groups • short, practical sessions to support the continued development of partnering skills 	Immediate
3	Enhance the capacity of the Executive Development and Support branch to support the organisation	Immediate
4	Establish structured, cross organisational working groups to implement key priorities in areas such as: <ul style="list-style-type: none"> • communications • customer service • developer agreement planning and management • information technology • infrastructure planning and coordination • property development • risk management 	Short term
5	Regularly review the success of cross organisational working groups and other collaborative mechanisms	Short term
6	Review the leadership development program for existing leaders and for potential and emerging leaders Develop a revised program targeted to organisational needs	Short term

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Attachment 1

Number	Actions	Timeframe
7	Review and refine the organisational structure and associated job design	Immediate
8	Include clear responsibility in the Employee Services and Community Engagement branch for: <ul style="list-style-type: none"> organisational development and improvement supporting staff through organisational change 	Immediate
9	Review staffing levels and structures in branches which are tasked to deliver organisational priorities identified in the Delivery Program and OD/BIP	Immediate
10	Review roles and responsibilities for key positions tasked to deliver organisational priorities identified in the Delivery Program and OD/BIP (linked to Action 9)	Immediate
11	Design and deliver an ongoing training program to improve budget development and management skills	Short term
12	Communicate regularly with staff about progress with the actions in the Workforce Plan	Short term
13	Review and update the actions and strategies in the Workforce Plan	Short term
14	Update existing training programs to identify and address emerging skills gaps	Medium term
15	Continue to conduct staff well being surveys and feed results back into strategy, planning and leadership development	Medium term
16	Review and, if necessary, refine the organisational structure	Medium term
17	Develop a Customer Service Strategy to drive improvements to systems and processes across the organisation.	Immediate
18	Discuss, agree and document three to five key operational service standards as a pilot	Immediate
19	Identify key interdependencies between branches and directorates to deliver priorities in the Operational Plan	Immediate
20	Upgrade Council's telecommunications system to allow better customer service, as well as monitoring and reporting of call metrics	Immediate

Number	Actions	Timeframe
21	Develop key performance indicators relating to the delivery of Council's customer service across the organisation	Immediate
22	Discuss, agree and document service standards for all remaining Council functions, building on the learnings from Action 18	Short term
23	Review the painting of Council's waste, recycling and green waste fleet to enable more flexible use of plant to improve service provision	Short term
24	Develop and implement distinctive branding of Council vehicles and uniforms for outdoor staff	Short term
25	Review interdependencies between branches and directorates and update the agreement about their management	Ongoing
26	Implement mystery shopper/mystery caller programs to measure key performance indicators relating to the delivery of Council's customer service across the organisation and support continuing improvements	Medium term
27	Report quarterly to the ELG on the key performance indicators relating to the delivery of Council's customer service operations across the organisation	Medium term
28	Use 'Lets Connect' to progressively communicate Council's service standards to the community	Medium term
29	Review the 'Welcome to Camden' booklet to communicate key service standards	Medium term
30	Review the frequency and purpose of staff meetings and agree a regular cycle that suits different directorates and branches	Immediate
31	Distribute regular communications to help keep all staff informed about organisational change	Immediate
32	Develop and implement a program to engage staff in the detailed design and transition to the new offices at Oran Park	Immediate
33	Finalise, launch and begin delivering the Communications Strategy	Short term

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Attachment 1

Number	Actions	Timeframe
34	<p>Work with the Social Committee to program a series of 'bringing us together' events and activities at a range of locations and times to:</p> <ul style="list-style-type: none"> • provide an opportunity to communicate about organisational development and change • give new and existing staff in different branches an opportunity to meet and get to know each other 	Short term
35	Develop and implement a program to engage staff should a redesign of the existing depot be planned	Medium term
36	Report twice yearly to the ELG on the delivery of the Communications Strategy	Medium term
37	<p>Establish branches focused on driving organisational improvements in key areas of strategy and planning:</p> <ul style="list-style-type: none"> • finance and corporate planning • infrastructure planning • strategic land use planning 	Immediate
38	Use one or more SMT workshops to engage managers in implementing organisational priorities for 2014/15	Immediate
39	Formalise and communicate an organisation wide corporate calendar, including budget and reporting cycles and responsibilities	Short term
40	Update the Infrastructure Management Improvement Program to guide the continuous improvement of Council's asset management plans	Short term
41	Review and streamline the approach to preparing the Operational Plan and Delivery Program, including the process for manager and team leader involvement	Short term
42	Prepare a hierarchy of Council's existing strategies and plans and the interrelationships between them	Short term
43	In consultation with SMT, identify three to five key strategies which need to be prepared to fill identified gaps (linked to Action 42)	Short term
44	Report progress on implementing the Infrastructure Management Program quarterly to SMT (linked to Action 40)	Medium term

Number	Actions	Timeframe
45	Review the strategies and measures in the 'Strong Local Leadership' direction of Camden 2040	Medium term
46	Maintain focus on improving Workforce Health and Safety systems and processes	Ongoing
47	Establish an Infrastructure Coordination Group to: <ul style="list-style-type: none"> • guide the continuous improvement of asset management plans • improve the coordination of planning, delivery and handover of infrastructure • develop project management systems and processes • improve capital works prioritisation processes • ensure operational perspectives are incorporated into infrastructure policies and design guidelines 	Immediate
48	Map and improve the process of planning for and managing funds and infrastructure acquired through Section 94 and developer agreements	Immediate
49	Map infrastructure management lifecycles for: <ul style="list-style-type: none"> • open space infrastructure • roads and transport infrastructure • building infrastructure • stormwater infrastructure. 	Short term
50	Review Council's budget preparation and reporting process, and the associated policy, to: <ul style="list-style-type: none"> • enable greater manager and team leader participation in and responsibility for budgeting • leverage from the introduction of the electronic budget system and monthly financial reporting 	Short term
51	Review progress in delivering systems and process improvements and agree a new priority group of actions	Medium term
52	Establish a Technology Solutions branch, to create an organisational focus and area of high level expertise	Immediate

ORD06

Attachment 1

Number	Actions	Timeframe
53	Use the IT Steering Committee, chaired by the Director, to: <ul style="list-style-type: none"> • coordinate the updating of Council's IT Strategy • prioritise immediate requests for additional IT resources • resolve complex operational IT issues 	Immediate
54	Consult operational staff to prioritise technology improvements which will support service delivery	Immediate
55	Review and update the organisational wide IT Strategy, including a prioritised implementation plan	Short term
56	Incorporate the introduction and improvement of priority e-services into the planned upgrade of Council's website	Short term
57	Report twice yearly to the ELG on the delivery of the IT Strategy	Medium term



ORDINARY COUNCIL

ORD07

ORD07

SUBJECT: BIODIVERSITY CERTIFICATION IN THE CAMDEN LGA POLICY
FROM: Director Community Infrastructure
TRIM #: 15/120520

PURPOSE OF REPORT

The purpose of the report is to inform Council of the results from the public exhibition of the Draft Biodiversity Certification in the Camden LGA Policy and to recommend that Council adopt the Policy.

BACKGROUND

On 14 April 2015 Council considered a report on the Draft Biodiversity Certification in the Camden LGA Policy and resolved to:

- i. agree to publicly exhibit the Draft Biodiversity Certification in the Camden LGA Policy for a period of 28 days; and*
- ii. be provided a further report detailing the results of the exhibition of the Draft Biodiversity Certification in the Camden LGA Policy.*

The public exhibition is now complete and the matter can be reported to Council.

MAIN REPORT

In accordance with Council's resolution, the Draft Biodiversity Certification in the Camden LGA Policy was advertised in local newspapers and on Council's website from 29 April 2015 to 26 May 2015, with a copy of the Draft Biodiversity Certification in the Camden LGA Policy held at Council's Customer Service areas and the Camden and Narellan Libraries.

No submissions were received and no amendments to the Draft Biodiversity Certification in the Camden LGA Policy (**Attachment 1**) are proposed.

FINANCIAL IMPLICATIONS

The Policy clearly states that the proponent of proposed land for biodiversity certification is responsible for any costs associated with the submission of an application to the NSW Office of Environment and Heritage (OEH) including the preparation of the Biodiversity Certification Assessment Report and Biodiversity Certification Strategy.

Further OEH have confirmed in writing that there are no costs or ongoing reporting requirements for Council as a result of Biodiversity Certification.

CONCLUSION

The Draft Biodiversity Certification in the Camden LGA Policy has been publicly exhibited. No submissions were received and no amendments to the Draft Biodiversity Certification in the Camden LGA Policy are proposed.



ORD07

It is recommended that Council adopt the Draft Biodiversity Certification Policy in the Camden LGA.

RECOMMENDED

That Council adopt the Draft Biodiversity Certification in the Camden LGA Policy.

ATTACHMENTS

1. Draft Biodiversity Certification in the Camden LGA Policy



DRAFT
BIODIVERSITY
CERTIFICATION
IN THE CAMDEN LGA
POLICY

ORD07

Attachment 1

DRAFT BIODIVERSITY CERTIFICATION IN THE CAMDEN LGA POLICY

DIVISION: COMMUNITY INFRASTRUCTURE

BRANCH: RECREATION AND SUSTAINABILITY

PART 1 - INTRODUCTION

1. BACKGROUND

- 1.1 Council is a Relevant Planning Authority under the Environmental Planning and Assessment (EP&A) Act 1979.
- 1.2 The potential impact of development on a site on any threatened species, populations or communities is assessed using the Assessment of Significance (or 7 part test) under Section 5A of the EP&A Act.
- 1.3 If the impacts on the site were found to be 'significant', a Species Impact Statement would be required as would concurrence from the Director General of the NSW Office of Environment and Heritage (OEH).
- 1.4 An alternative method of biodiversity impact assessment is 'biodiversity certification'. Under Part 7AA of the Threatened Species Conservation Act 1995, a planning authority can apply to the NSW Government's Office of Environment and Heritage (OEH) for land to be biodiversity certified.
- 1.5 Biodiversity certification offers planning authorities a streamlined biodiversity assessment process for areas marked for development at the strategic planning or development stage, along with a range of secure options for offsetting impacts on biodiversity.
- 1.6 After biodiversity certification is conferred on an area, development may proceed without the usual requirement under the Environmental Planning and Assessment Act 1979 for site-by-site threatened species assessment.
- 1.7 Under Part 7AA (s126J) of the Threatened Species Conservation Act 1995, only planning authorities can apply to the Minister to have biodiversity certification conferred over an area of land.
- 1.8 The South West Growth Centre underwent biodiversity certification during the preparation of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006

2. OBJECTIVE

- 2.1 To facilitate the implementation of measures to maintain and/or improve the biodiversity values within the Camden LGA
- 2.2 To provide guidance to Council, proponents and the community as to methodology to pursue biodiversity certification of land within the Camden LGA

3. SCOPE

- 3.1 This policy applies to all land within the Camden LGA excluding the South West Growth Centre.

4. DEFINITIONS

Biodiversity Certification Assessment Report describes the procedures and assumptions used to calculate the offset requirement (in terms of biodiversity credits) and also explains how the assessment provides an improve or maintain outcome.

Biodiversity Certification Assessment Methodology prescribes the manner in which a planning authority must undertake an assessment and sets out a rule set that ensures biodiversity values are improved or maintained as a result of conferring biodiversity certification over a development site.

Biodiversity Certification Assessment Strategy outlines how, when and by whom conservation measures will be provided.

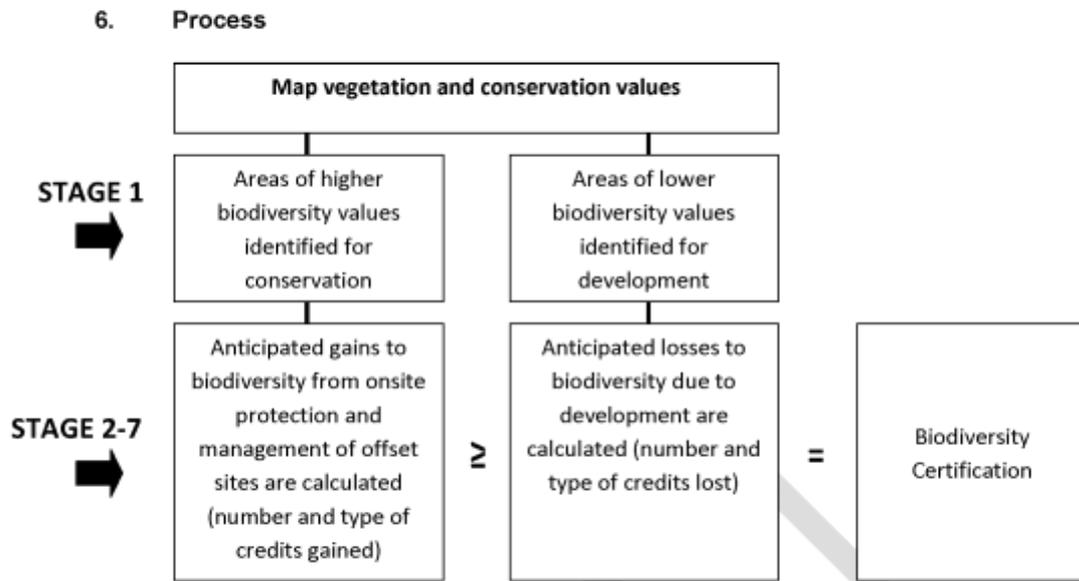
Red Flag Variation – under Biodiversity Certification, red flags are areas that cannot simply be offset by the retirement of biodiversity credits in order to achieve an improve or maintain outcome for biodiversity.

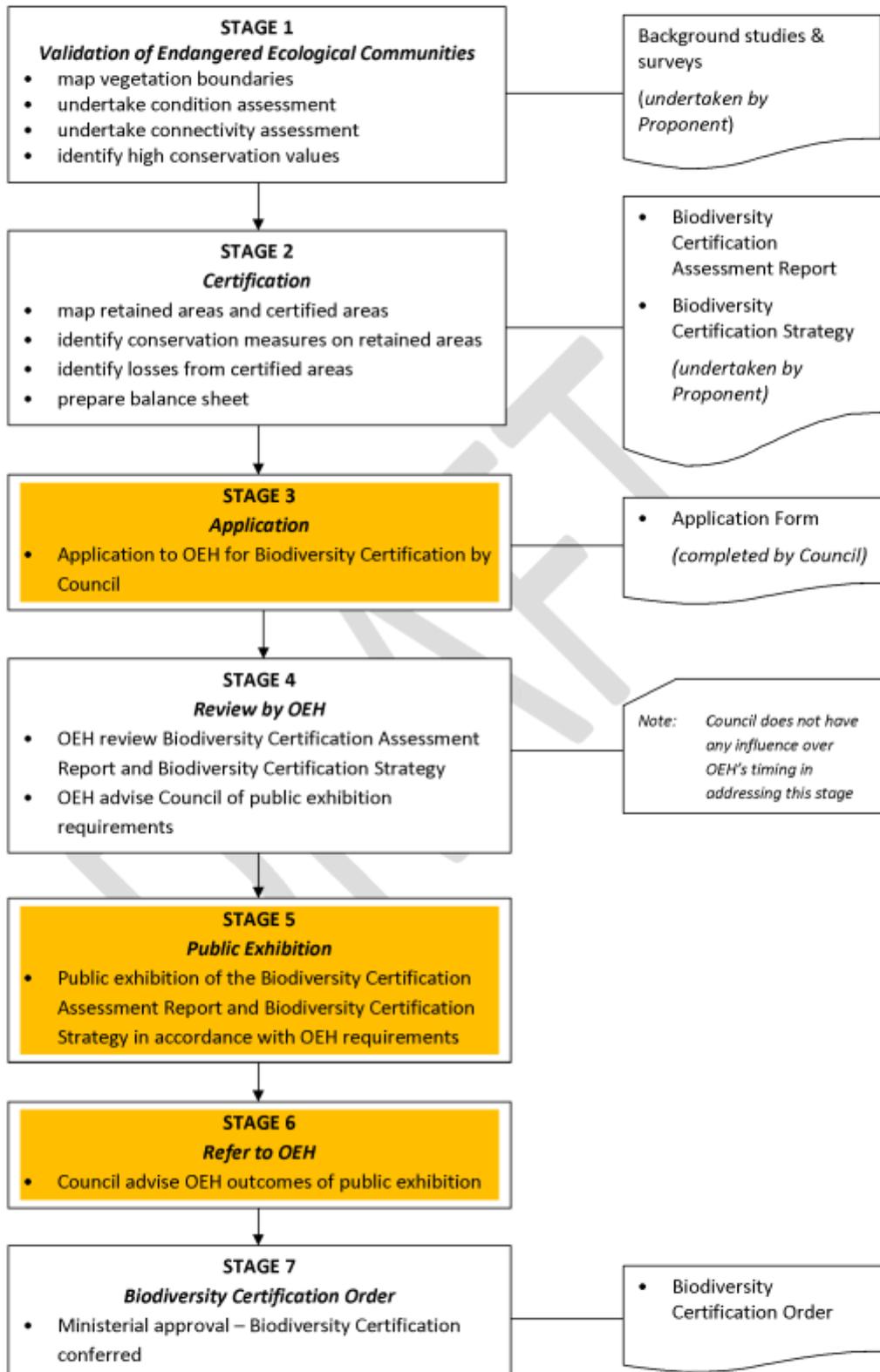
PART 2 - POLICY STATEMENT

- 5. Council acknowledges the value and importance of sustainably managing the Camden Local Government Area's biodiversity. It also recognises the need for a supply of affordable residential land, community services and facilities and economic growth via a sound strategic planning process. In this regard Council will consider applications for Biodiversity Certification on a case by case basis.

ORD07

Attachment 1





POLICY NAME
Adopted by Council: (DATE); Amended

7. Benefits of Biodiversity Certification

7.1 Benefits to Council

- A streamlined development assessment process once biodiversity certification has been conferred

7.2 Benefits to the Community

- Secure conservation outcomes for high value natural environments and strategically target mitigation or offset efforts at an early stage
- A reduction in the cumulative impacts resulting from continued ad-hoc development

7.3 Benefits to the Proponent

- Greater certainty to landowners regarding potential land uses and future development opportunities
- Savings in time and money spent on individual flora and fauna studies and negotiating individual conservation outcomes

8. Responsibilities of Parties

8.1 Responsibilities of Proponents

- 8.1.1 The proponent is responsible for undertaking background studies or surveys to determine if the site is suitable for consideration of Biodiversity Certification, including all costs associated.
- 8.1.2 The proponent is responsible for the preparation of the Biodiversity Certification Assessment Report, including all costs associated.
- 8.1.3 The proponent is responsible for the preparation of the Biodiversity Certification Strategy, including all costs associated.
- 8.1.4 The proponent is responsible for any applications required under the Environment Protection and Biodiversity Conservation Act
- 8.1.5 The proponent is responsible for applying for Red Flag Variations.
- 8.1.6 The proponent is responsible for providing Council with the digital GIS data of the proposed Biodiversity Certification area. Formats accepted by Council are ESRI Shape, Map Info or CAD (Coordinates are GDA 94.MGA Zone 56).
- 8.1.7 The proponent is responsible for any costs incurred by Council in the formal application for Biodiversity Certification of land to the NSW Office of Environment and Heritage.
- 8.1.8 The proponent is responsible for any costs associated with reporting undertaken by or on behalf of Council in relation to Biodiversity Certified land.
- 8.1.9 Where offset measures are proposed, i.e. biobanking, the proponent shall endeavour to offset within the Camden LGA.

8.2 Responsibilities of Council

- 8.2.1 Council is responsible for the submission of the formal application for Biodiversity Certification together with the Biodiversity Certification Assessment Report and Biodiversity Certification Strategy.
- 8.2.2 Council is responsible for the public exhibition of the proposed Biodiversity Certification.
- 8.2.3 Council encourages the proponent to submit as early as possible in the planning process.

* * *

RELEVANT LEGISLATION: Environmental Planning & Assessment Act 1979
Threatened Species Conservation Act 1995

RELATED POLICIES AND PROCEDURES:

RESPONSIBLE OFFICER: Manager Recreation & Sustainability

APPROVALS Council

NEXT REVIEW DATE: March 2017

RECORD KEEPING NOTES:

CONFIDENTIALITY/PRIVACY REQUIREMENTS: List is available to the public and where available.

HISTORY:

PREVIOUS POLICY Nil

ADOPTED:

MINUTE:

DRAFT