

Camden Council Business Paper

Ordinary Council Meeting
12 July 2016

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

AEP Annual Exceedence Probability

AHD Australian Height Datum BCA Building Code of Australia

CLEP Camden Local Environmental Plan

CP Contributions Plan

DA Development Application

DECCW Department of Environment, Climate Change & Water

DCP Development Control Plan
DDCP Draft Development Control Plan

DoPE Department of Planning & Environment

DoIRE Department of Industry Resources and Energy

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

GSC Greater Sydney Commission
LAP Local Approvals Policy
LEP Local Environmental Plan
LGA Local Government Area

MACROC Macarthur Regional Organisation of Councils

NSWH NSW Housing

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

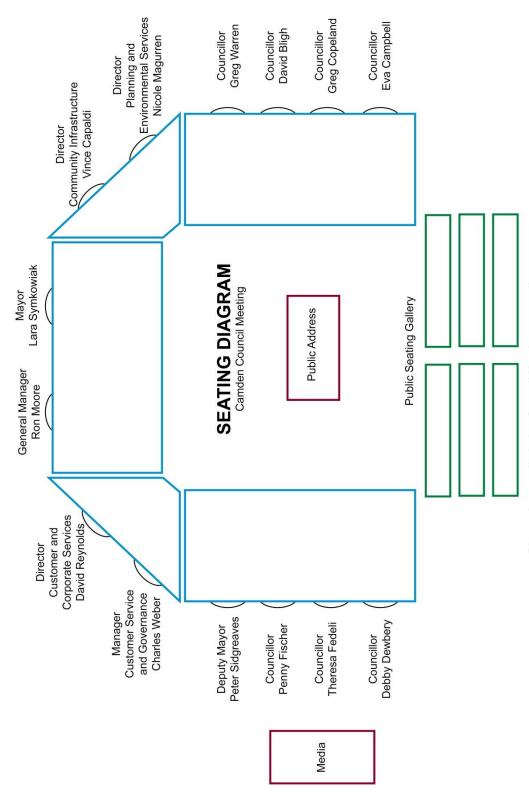
SECTION 73

CERTIFICATE Certificate from Sydney Water regarding Subdivision

SEPP State Environmental Planning Policy 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.



ORDER OF BUSINESS - ORDINARY COUNCIL

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NEW PUBLIC ADDRESS GUIDELINES FOR COUNCIL MEETING

Council has adopted a revised Code of Meeting Practice. The new policy incorporates new public addressing guidelines, procedures and a public address session application form. The application form must be received by Council, no later than 5:00pm, Monday 11 July 2016. For assistance please contact the Governance Team on 4654 7777 or visit the website www.camden.nsw.gov.au.



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)



SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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



SUBJECT: RECORDING OF COUNCIL MEETINGS

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

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



SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



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.



SUBJECT: PUBLIC ADDRESSES

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

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

Speakers are limited to one (1) topic per Public Address session. 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' or 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 session, a response will be provided where Councillors or staff have the necessary information at hand; if not, a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

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

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

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

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person, or make a point of order ruling if a speaker breaches the Guidelines.

RECOMMENDED

That the public addresses be noted.



SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 June 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 June 2016, copies of which have been circulated, be confirmed and adopted.



SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORD01

SUBJECT: CONSTRUCTION OF A TWO STOREY DWELLING AND ASSOCIATED

SITE WORKS - 67 SPRING FARM DRIVE. SPRING FARM

FROM: Director Planning & Environmental Services

TRIM #: 16/174679

APPLICATION NO: DA 482/2016

PROPERTY ADDRESS: 67 Spring Farm Drive, Spring Farm

APPLICANT: Bradley and Kim Phillips

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of a two storey dwelling and associated site works at 67 Spring Farm Drive, Spring Farm.

The DA is referred to Council for determination as there were two (2) submissions received (from 1 property) objecting to the proposed development which are unresolved.

SUMMARY OF RECOMMENDATION

That Council determine DA 482/2016 for the construction of a two storey dwelling and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached in this report.

THE PROPOSAL

DA 482/2016 seeks approval for the construction of a two storey dwelling and associated site works.

Specifically the proposed development involves:

- The construction of a two storey dwelling consisting of four bedrooms and a triple garage;
- Landscaping works;
- Connection of the stormwater line to the street gutter; and
- Associated site works to facilitate the development.

The cost of works is \$550,000.

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

THE SITE

The site is commonly known as 67 Spring Farm Drive, Spring Farm and is legally described as Lot 3421 DP 1204217.



The site is located on Spring Farm Drive within the residential development of Spring Farm. The site is 701.1m² in area and has a slight fall to the rear. To the south is an area of open space whilst to the north, east and west are residential lots which are currently vacant.



KEY DEVELOPMENT STATISTICS

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

	Standard	Proposed	Compliance	
Ca	Camden Local Environmental Plan 2010			
4.3 Height of Building	Maximum 9.5m.	Max 8.167m above existing ground level.	Yes	
Camden De	velopment Control Plan	2011 – Dwelling Hou	se	
D2.3.2 Front Setback	Minimum 4m.	Front setback is 4.8m.	Yes	
	1.5m (max) encroachment.	The architectural element is setback 3.5m, which encroaches 0.5m into the prescribed front setback of 4m.	Yes	



	Garage setback 1m behind building line and 5.5m from the front boundary.	The garage is setback 1m from the façade and is setback 5.642m from the boundary.	Yes
	Third garage setback an additional 1m behind double garage.	Third garage setback additional 1m.	
D2.3.2 Rear Setback	Minimum 4m - ground floor	Ground 7.848m.	Yes
	Minimum 6m - first floor.	Upper floor 15.848m.	Yes
D2.3.2 Side Setbacks	Minimum 0.9m.	Western boundary 2.945m. Eastern boundary 1.750m.	Yes
D2.3.2 Site Coverage	Maximum 50% Ground Floor Maximum 30% Upper Floor.	Ground floor 280.4m ² /40%. Upper floor 119m ² /17%.	Yes
D2.3.2 Landscaped Area	Minimum 30% of landscaping area Site.	229m ² /32.7% of the site landscaped area.	Yes
D2.3.2 Garages	Lots >20m wide Triple garages permitted	Lot has a frontage of 20.8m and a triple garage is provided.	Yes
D2.3.2 Garage door width	Lots >15m wide Maximum 50% of front façade	Garage doors 38.5% of the façade.	Yes
B5.1 Off Street Car parking	Dwelling houses with more than 2 bedrooms require 2 car parking spaces, one of which must be behind the building line.	A triple garage is proposed which provides for more than 2 car spaces behind the building line with additional car spaces available on the driveway.	Yes
D2.3.2 Private Open Space (POS)	POS to be a minimum of 20% of site area.	21.3% of the site is POS area.	Yes
	An area of principal private open space (PPOS) with a	Area provided with dimensions of 4m x 6m accessible from	Yes



	minimum area of 24sqm, minimum length of 4m and a maximum gradient of 1:10 must be provided. The PPOS must be adequately screened for privacy.	family room and gradient less than 1:10. The PPOS is adequately screened for privacy located at the rear.	Yes
	At least 65% of the POS areas must be soft landscaping.	All of the POS area is soft landscaped.	Yes
D2.1.5 Solar Access	Sunlight must reach 50% of the PPOS (in the proposed surrounding development) for a minimum of 3 hours between 9am and 3pm on 21 June.	receives >50% solar access for >3hrs between	Yes
		The adjoining property to the east has an area of PPOS to the rear that receives >50% solar access for >3hrs between 9am and 3pm on the 21st of June. The additional POS area to the side of the adjoining dwelling will receive >50% solar access for 3hrs between 9am and 12pm.	Yes
	North facing windows of living areas in proposed and surrounding development shall receive a minimum of 3 hours of sunlight between 9am and 3pm on 21 June.	The adjoining property to the east receives at least three hours solar access to the north facing living room windows.	Yes



At least one principal	At least one
living area must face	principal living area
predominantly north.	faces north.

ASSESSMENT

Zoning and Permissibility

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

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

State Environmental Planning	State Environmental Planning Policy 55 -
Policy(s) - S79C(1)(a)(i)	Remediation of land
	Compliant with conditions recommended where
	necessary.
	State Environmental Planning Policy (Building
	Sustainability Index: BASIX) 2004
	Compliant with conditions recommended where
	necessary.
	Deemed State Environmental Planning Policy No 20-
	Hawkesbury-Nepean River
	Compliant with conditions recommended where
	necessary.
Local Environmental Plan -	Camden LEP 2010 – Compliant with conditions
S79C(1)(a)(i) Draft Environmental Planning	recommended where necessary.
Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s)	Camden DCP 2011 - Compliant with conditions
- S79C(1)(a)(iii)	recommended where necessary.
Planning Agreement(s) -	None.
S79C(1)(a)(iiia)	
The Regulations - S79C(1)(a)(iv)	None applicable.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site
	attributes are conducive to development.
	The site is bushfire prone land and a bushfire report
has been submitted with the application which	
	been prepared by a suitably qualified person.
Submissions - S79C(1)(d)	Conditions have been recommended. Two (2) submissions (from 1 property) were received
30011113510115 - 3730(1)(u)	which are discussed in the Submissions section of
	this report.
Public Interest - S79C(1)(e)	The development is in the public interest.



Key Issues

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

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 13 June 2016 to 26 June 2016. Two (2) submissions (from 1 property) were received objecting to the proposed development.

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

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

1. The erection of a two storey dwelling will restrict solar access from 3pm onwards to the open space area on the western boundary of the neighbouring property to the east. That area is intended for a hydrotherapy pool and the overshadowing of this area will make it unfit for its intended purpose.

Officer comment:

The property located to the east of the subject site will receive solar access in accordance with the DCP. The open space area on the western boundary of the neighbouring property will receive the minimum requirement of three hours solar access to more than 50% of the area between 9am and 12pm on the 21st of June. It is acknowledged that overshadowing of this area will occur after 3pm.

Also, the proposed development will not overshadow the rear open space area of the adjoining site between 9am and 3pm. This area meets the criteria for private open space with minimum dimensions of 4m x 6m and is accessible from a living and alfresco area.

The objector requested that the proposed dwelling be mirror reversed to reduce the overshadowing impact on their property. The applicant however is not supportive of this request due to the increased costs associated with redesigning the dwelling. As the proposal complies with the DCP, the overshadowing impact is considered acceptable.

2. The windows on the eastern elevation of the proposed dwelling will face directly into the open space area on the western boundary of the neighbouring property intended for the spa and will therefore compromise privacy.

Officer comment:

The first floor windows on the eastern elevation have a 1.7m sill height to minimise any adverse impacts to privacy or overlooking. The window to each ensuite is also to be obscured.

3. The resale value of the property will be decreased due to the shadow cast and the restriction of natural light to the area intended for the pool/spa and entertaining area, causing the area to be uncomfortable and cold.



The issue of housing value is not a matter for consideration having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*. The issue of overshadowing is discussed above.

4. The decision to purchase the property to the east of the subject site was to facilitate the construction of the hydrotherapy pool/spa and cater for the health needs of the family. The impact of the adjoining dwelling will mean this is a failed investment.

Officer comment:

A two storey dwelling is permissible on the site under Council's controls and the NSW Housing Code. The proposed dwelling complies with the relevant controls, including height and setbacks. As discussed above, the area intended for the pool/spa receives the minimum solar access requirement under Council's controls, with an additional area to the rear of the dwelling which receives full solar access between 9am and 3pm.

5. The dwelling encroaches into the front setback. The front balcony is set forward by way of structural support beams which cannot be deemed architectural features.

Officer comment:

The façade of the dwelling is setback 4.8m which meets the minimum requirement under the Camden DCP. The DCP also permits a 1.5m encroachment into the front setback for the purpose of architectural features. The DCP prescribes architectural features that may be incorporated into the building design, including balcony treatment to a first floor element and an entry portico, which are features of the proposed dwelling. The balcony/porch feature is setback 3.5m from the front boundary and does not encroach more than 1.5m into the front setback and therefore meets Council's DCP control.

6. The front open and exposed eastern elevation of the balcony presents an elevated view point which directly looks into the private open space of neighbouring property and intended area for the hydrotherapy pool/spa.

Officer comment:

The balcony to the first floor on the front elevation is an architectural feature permitted under the DCP. The balcony is not considered to be an area that facilitates unreasonable views to the rear or side of the adjoining dwelling's private open space. The balcony is 1.3m wide and is not accessible from a main habitable area. Notwithstanding, a condition is recommended requiring a privacy screen to the eastern edge of the upper level balcony to a height of 1.7m.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 482/2016 is recommended for approval subject to the conditions contained in this report.



RECOMMENDED

That Council approve DA 482/2016 for the construction of a two storey dwelling and associated site works at 67 Spring Farm Road, Spring Farm, subject to the conditions listed in the attachments.

ATTACHMENTS

- 1. Proposed Plans
- 2. Recommended Conditions
- 3. Floor Plans Supporting Document
- 4. Adjoining Property Site and Floor Plan Supporting Document
- 5. Public Exhibition and Submissions Map Supporting Document
- 6. Submissions Supporting Document



ORD02

SUBJECT: PROPOSED AMENDMENTS TO PART A OF THE ORAN PARK

DEVELOPMENT CONTROL PLAN 2007

FROM: Director Planning & Environmental Services

TRIM #: 16/151454

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to publicly exhibit proposed amendments to Part A of the Oran Park Development Control Plan (DCP) 2007.

The amendments to be exhibited are provided as Attachment 1 to this report

BACKGROUND

The proposed amendments have been submitted by Greenfields Development Corporation 2 (GDC2), developers of the Oran Park Precinct (OPP).

The OPP was rezoned in 2007 to accommodate a variety of land use outcomes. The Oran Park Precinct DCP was part of the rezoning package prepared at this time, and includes an Indicative Layout Plan (ILP) which forms the basis of the DCP figures and plans adopted.

A significant proportion of the OPP has now been developed. As such, it is appropriate to review the planning controls that relate to the land, and to refine certain elements that have been dependent on detailed design work as the project has evolved over the last ten years.

The proposed amendments are the result of a strategic urban design review undertaken for the undeveloped northern and eastern portions of the OPP. This review has considered existing development approved by Council and has identified opportunities to further refine the ILP in order to deliver an improved outcome for the Precinct.

MAIN REPORT

The proposed amendments to the ILP and DCP figures comprise two components.

For land generally south and west of the Oran Park Town Centre (being the land where development has substantially commenced), the amendments reflect the existing urban form outcome as approved and/or delivered. For land north and east of the Town Centre, the amendments reflect alternative design outcomes identified throughout more detailed planning and urban design analysis.

It should be noted that the proposed amendments maintain existing zone boundaries, and do not require any amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP). There is also no change to the planned residential densities for the remaining undeveloped areas within the OPP.



The resulting proposed amendments to the ILP and associated DCP figures include:

- a) Review of the Road Hierarchy in the north-eastern portion of the Precinct, including minor changes to the alignment of Dick Johnson and Oran Park Drive;
- b) Review of local road layouts north of the Town Centre to respond to design considerations:
- c) Review of Transit Boulevard cross-section to be consistent with Camden Growth Centres DCP;
- d) Review of school site and indicative child care centre locations within the OPP; and
- e) Relocation of planned medium density areas around the Oran Park Town Centre.

Each of these items is discussed in detail below.

Road Hierarchy Review

The amended ILP includes modification to the road hierarchy, layout and intersection arrangements.

These amendments largely seek to address constraints identified through the detailed design work for the Precinct, as well as updated traffic modelling.

Figures 2 and 3 show the current and proposed ILP respectively.

Dick Johnson Drive

Dick Johnson Drive (annotated as '1' in *Figures 2 and 3*) is intended to function as a sub-regional road, providing a link from The Northern Road through to the Oran Park Town Centre and continuing east. It is planned to continue across South Creek, providing a future connection to the Catherine Field (North) Precinct.

The eastern portion of Dick Johnson Drive is impacted by a number of existing constraints, including crossing underneath existing transmission lines and providing a bridge crossing over South Creek. Detailed design work has identified that the current alignment will not achieve the minimum clearance requirements to high voltage overhead powerlines, nor would it allow the road to cross South Creek above relevant flood levels.

Officer Comment

In light of the above constraints, Council officers support amending the alignment of Dick Johnson Drive to meet design requirements.

Oran Park Drive

The adopted ILP identifies an alignment for Oran Park Drive, (annotated as '2' in *Figures 2 and 3*) north of the Town Centre, which crosses the transmission easement.

It is proposed to amend the alignment of Oran Park Drive, north of the town centre, in order to provide an appropriate height clearance to the high voltage powerlines. This amendment will allow for the minimum required clearance between vehicles and overhead powerlines.



The proposed realignment to Oran Park Drive is supported based on the design constraints as presented above.

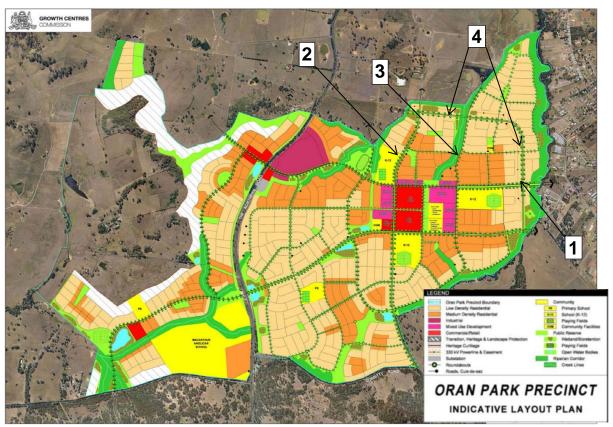
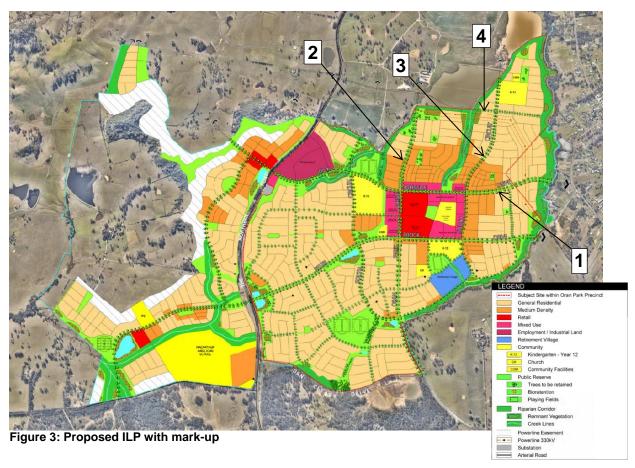


Figure 2: Adopted ILP with mark-up





Realignment of South Circuit (North-Eastern Section)

Amendments to the Oran Park Town Centre Masterplan and Part B of the DCP were adopted in March 2014 in response to detailed design work undertaken for the Town Centre and Civic Precinct. These amendments resulted in the realignment of South Circuit along the eastern edge of the Town Centre.

The revised alignment of South Circuit (annotated as '3' in *Figures 2 and 3*) is centrally located within the residential precincts to the north, delivering a more accessible collector road function for all residents as well as providing a direct connection to the Town Centre. The proposed alignment of South Circuit also forms the western edge of the proposed school site in the north-eastern portion of the OPP, providing bus-capable road access to the school site.

There is no change to the road hierarchy of South Circuit as a result of this amendment.

Officer Comment

The proposed realignment of South Circuit as mentioned above is supported as this will provide improved circulation through the precinct and will also provide bus capable access to the proposed school location.



Removal of East West Road

Proposed East-West Road (annotated as '4' in *Figures 2 and 3*) is shown on the adopted ILP as providing a vehicular link through the northern part of the OPP, and is classified as a 4 lane sub-arterial road.

Updated traffic modelling has identified that the proposed East West Road is now no longer required to be a four lane road beyond its intersection with Oran Park Drive. It is therefore proposed to classify the eastern portion of the East West Road 2 as a 2 lane Collector Road.

The modelling further concluded that this portion of the road is not required to provide a continuous link to Peter Brock Drive to the south. The provision of a Collector Road, linking to South Circuit, will adequately address traffic volumes in this part of the precinct.

Officer Comment

The proposed removal of the East West Road is supported in conjunction with the realignment of South Circuit. Also, a Key Local Street has been included in proposed Figure 5 of the Draft DCP in lieu of the East West Road connection to ensure that service vehicles are able to travel to the east from the north without having to travel through residential streets.

Local Road Layout

The proposed modifications to a number of higher-order roads within the OPP, as discussed in the earlier sections of this report, has required a review of the local road layout in the undeveloped portion of the Precinct. These amendments also respond to proposed changes to the location of open space and community facilities (discussed in the following sections of this report).

Officer comment

The proposed modifications to the local road layout are supported as the proposed road patterns maintain a grid-based layout, with high levels of connectivity for both vehicles and pedestrians.

Transit Boulevard Cross Sections

The current cross-section for a Transit Boulevard in Figure 6 of the Oran Park DCP is not consistent with the more recent cross-sections for a Transit Boulevard in the adopted Camden Growth Centre Precincts DCP. To ensure consistency in road design across the Camden LGA, it is proposed that the Oran Park DCP will be updated to adopt the more contemporary cross-section controls contained within the Growth Centres DCP.

The Oran Park DCP shows a total width of 33.1 metres, while the Growth Centres DCP shows a total width of 29.4 metres. This difference largely stems from the disparity in the median identified in each (i.e. 10 metres compared to 5 metres respectively). Other differences include a 0.2 metre reduction in the width of each carriageway, a 0.1 metre reduction in the width of both the planting and offset, and rather than a 3 metre wide shared path, it is proposed that the Oran Park DCP instead show a 2 metre cycle lane and a 1.5 metre footpath.



The proposed changes are supported as adopting the Transit Boulevard cross sections in the Growth centres DCP will allow smoother transitions with the surrounding Growth Centre Precincts and not alter the function of the road.

Open Space and Pedestrian Connectivity

The proposed modifications to the ILP and DCP for the north-eastern portion of the OPP reflect the size and location of open space as identified by the adopted Oran Park VPA.

Officer Comment

The provision of local open space areas are supported as they have, in principle, been retained in the location in which they were identified in the adopted ILP. Where appropriate, local parks have been sized to reflect the required open space to be delivered under the VPA.

Proposed School Sites

The adopted ILP currently makes provision for a total of 5 school sites, comprising of:

- 2 primary schools;
- 1 public K-12 school; and
- 2 non-government K-12 schools.

Of the above, 1 public primary school and 1 non-government K-12 school have been constructed. It is also noted that the indicative location of the primary school as shown on the adopted ILP is located within an existing developed area. The remaining non-government K-12 school site, east of the Town Centre, is proposed to be relocated in the north-eastern portion of the OPP. There is also future provision for two sites on Oran Park Drive south of the OPP.

Officer Comment

Council officers have held preliminary discussions with the Department of Education regarding this proposed relocation. The Department has indicated in-principle support of the proposed relocation. Should Council endorse the proposed changes as part of this amendment, further consultation will be undertaken during the public exhibition period.

Community Centre

The adopted ILP prepared in 2007 identified the provision of a small neighbourhood community centre to the north-east of the Town Centre. It is proposed that the Community Centre shift further to the north, to be co-located with the proposed school site. This allows for the creation of a neighbourhood activity node which incorporates the school site, community centre and local park in the centre of the north-eastern portion of the Precinct.



The proposed Community Centre site is supported given that it is centrally located within the anticipated residential catchment and is well serviced by collector roads for vehicle access and proposed pedestrian pathways.

Childcare Centres

The Social Planning Analysis prepared during the rezoning process identified the need for 460 long day care places within the OPP. The Oran Park DCP currently identifies 16 indicative locations for childcare centres within the Precinct, designed to cater, on average, for 40-50 long day care places per centre.

However, larger centres are being delivered by child care providers, in part due to commercial feasibility reasons. It is therefore proposed to amend DCP Figure 21 to show a total of 9 indicative child care centre locations, 2 of which are approved, and/or existing centres as shown in Figure 21 as per **Attachment 1 to this report.**

It is noted that child care centres are permissible within all R1 and B2 (Town Centre) land in the OPP, despite the indicative locations of child care centres as shown in DCP Figure 21.

Officer Comment

The proposed changes to DCP Figure 21 are supported as the overall number of places remains consistent with the total number as per the studies undertaken for the rezoning of the OPP.

Relocation of Proposed Medium Density Areas

The proponent proposes to relocate the medium density residential areas around the Oran Park Town Centre (refer *Figure 4* below). This is due to the realignment of roads and the proposed relocation of the school site. The amount of medium density areas within the town centre remains at 43 hectares.



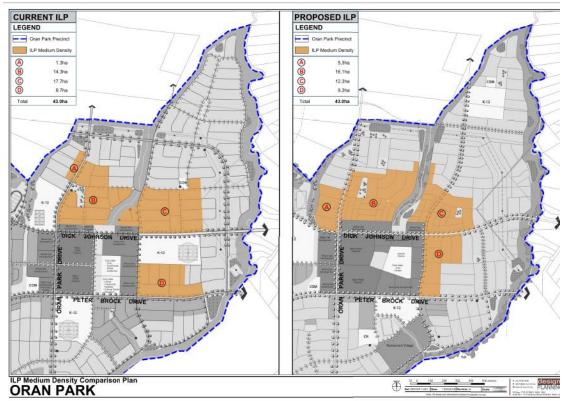


Figure 4: Comparison of Medium Density Areas

The proposed changes to the medium density areas are acceptable on the basis that no additional medium density area is sought and the overall density yield across the OPP will not increase as a result of this change. However, it is noted that the land provided for the school will comprise residential land, which will be offset by the relation of the school to the north-eastern portion of the OPP.

Amendments to DCP Figures

As discussed, the figures contained within the Oran Park DCP have been developed with regard to the indicative location and form of land uses, as identified on the ILP. As such, any amendment to the ILP will necessitate further minor updates to these figures, so that they continue to reflect the ILP.

The summary of changes to the amended DCP figures is provided as **Attachment 1 to this report.**

FINANCIAL IMPLICATIONS

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

CONCLUSION

The proposed amendment to Part A of the Oran Park DCP 2007 will reflect DA approvals to date for land generally south and west of the Oran Park Town Centre.

Amendments for land north and east of the Town Centre reflect recent detailed analysis undertaken as part of a strategic urban design review following the rezoning of



the OPP. The changes will improve the overall design, layout and functionality of the Oran Park Precinct.

RECOMMENDED

That Council:

- i. endorse the draft Oran Park DCP and proceed to exhibition for a period of 28 days in accordance with the provisions of the *Environmental Planning Assessment Act 1979* and Regulations;
- ii. consult further with the Department of Education regarding the relocation of the school site during the public exhibition period;
- iii. forward a copy of the draft Oran Park DCP to the Department of Planning and Environment in accordance with delegations issued to Council dated 19 January 2015; and
- iv. if no unresolved submissions are received:
 - grant delegation to the General Manager to adopt the proposed changes to the Oran Park DCP 2007 in accordance with the delegations dated 19 January 2015 and publicly notify the adoption of the DCP in accordance with the provisions of the Act and Regulations; or
- v. if unresolved submissions are received:
 - require a further report outlining the result of the public exhibition of the draft Oran Park DCP for Council's consideration.

ATTACHMENTS

1. Summary of Changes - Oran Park DCP 2007- Part A amendment - July 2016



ORD03

SUBJECT: CAMDEN COMPREHENSIVE LEP REVIEW - PHASE 1 MINOR

AMENDMENTS

FROM: Director Planning & Environmental Services

TRIM #: 16/160037

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for minor amendments to the Camden Local Environmental Plan 2010 (Camden LEP 2010) as part of a wider comprehensive review. Minor amendments address matters which are of an administrative or low-impact nature with the aim to improve the overall operation and accuracy of the Plan.

The draft Planning Proposal to support the amendments is included as **Attachment 1 to this report**. Should Council resolve to proceed with the draft Planning Proposal, it will be forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.

BACKGROUND

Camden LEP 2010 was gazetted on 3 September 2010 and applies to all land within the Camden Local Government Area (LGA), with the exception of land which falls under State Environmental Planning Policy (Sydney Region Grown Centres) 2006.

In 2010, Camden prepared a new LEP to comply with the Standard Instrument (SI) LEP, as required by the State Government. At that time, the previous LEPs were translated to fit within the new SI framework zones and clauses. Camden was therefore a 'like for like' translation, as far as possible.

Since 2010, there has been a number of amendments to the Camden LEP 2010, however there has never been a comprehensive overall review that ensures the planning controls continue to be relevant and responsive to local development trends. This amendment forms the first phase of the comprehensive LEP review.

The LEP Review Program has been separated into three phases to be undertaken between 2016 and 2018:

- Phase 1 Minor Amendments (2016);
- Phase 2 Higher level investigations (2016 2017);
- Phase 3 Significant investigations (2017 2018).

This report highlights the changes proposed as part of hase 1 (Minor Amendments), and each stage will be separately briefed and reported to Council.



MAIN REPORT

The draft Planning Proposal can be broken up into five key areas:

- 1. Administrative review of Schedule 5 (Environmental Heritage);
- 2. Comprehensive review of LEP mapping;
- 3. Review of LEP clauses;
- 4. Review of land use table; and
- 5. Review of Additional Permitted Uses

1. Administrative review of Schedule 5 (Environmental Heritage)

An administrative review has been undertaken of each item in Schedule 5 of the Camden LEP 2010, which lists items of heritage significance in the Camden LGA. Amendments are proposed to update Schedule 5 to reflect instances where the property description or the address of a heritage item has changed since Camden LEP 2010 was made and to correct any disparity between LEP maps and the heritage schedule.

This review is of a minor nature and includes administrative changes only. It is not proposed to add or remove items to the heritage schedule, or amend the intent of the listing.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report.**

2. Comprehensive review of LEP Mapping

A comprehensive review of Camden LEP 2010 maps has been undertaken to ensure that LEP maps are accurate, aligned with cadastral boundaries, consistent with strategic intent, and in line with the current Department of Planning and Environment (DPE) technical mapping standards introduced in November 2015.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report.**

3. Review of LEP clauses

A review of the Camden LEP 2010 has been undertaken to ensure that local clauses continue to be relevant and responsive to local development trends and update to reflect changes in public agencies.

Table 1 – Proposed LEP Clause changes

Clause	Proposed Change
Clause 5.1 – Relevant Acquisition Authority	Clause 5.1 identifies the public authority that will be the relevant authority to acquire land reserved for certain public purposes.
	It is proposed to amend the Authority of the State for land zoned SP2 Infrastructure marked 'Future Classified road widening' from 'Roads and Traffic Authority' to 'Roads and Maritime Services'.



Clause	Proposed Change	
Clause 7.1 – Flood Planning	The definition for "flood planning level" is proposed to be changed to bring this in line with the Growth Centres, best practice and recent Flood Studies / Floodplain Risk Management Studies in the LGA.	
	The current definition of 'flood planning level' means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.6 metre freeboard.	
	Proposed definitions	
	Flood Planning Level means the level of 1% Annual Exceedance Probability (AEP) flood event plus Freeboard.	
	Freeboard: For Freeboard refer to Council's Floodplain Risk Management Policy.	
Clause 7.2 - Airspace Operations	This Clause includes unnecessary referral requirements for referral of development applications.	
	Based on information provided by Sydney Metro Airports, a revised clause has been drafted with the intent to provide clarity on referral to the relevant Commonwealth body.	
	Suggested revised wording for Clause 7.2 is provided in Attachment 1 to this report .	
Clause 7.3 – Development in areas subject to airport noise	The current clause includes a link to the Noise Exposure Forecast Contour Map. This link is non-functioning and the map does not sit within the Camden LEP 2010. It is proposed to remove the link to avoid confusion.	
Clause 7.5 – Child Care	This clause is proposed to be removed.	
Centres	The current clause includes a requirement that, before granting development consent for the erection of a child care centre on residential zoned land, the consent authority must consider whether the land:	
	(a) Has an area of not less than 1,200 square metres; and	
	(b) Has a boundary that adjoins an existing or proposed classified road.	
	Council has recently undertaken a review of DCP controls for Child Care Centres (Part D5.1 of Camden DCP 2011) which now includes detailed controls for bulk and scale, traffic and parking, and includes the requirement for a minimum site area of 1,200m2 in residential zones. In this regard, it is considered that the provisions in Clause 7.5 of the Camden LEP 2010 are no longer relevant.	



Clause	Proposed Change
Clause 7.8 - Road Widening of Camden Valley Way, Catherine Field	It is proposed to remove Clause 7.8 – Road Widening of Camden Valley Way, Catherine Field.
	This road widening is complete.
	It is proposed that Roads and Maritime Services (RMS) be consulted as part of the public authority consultation.

Exempt provisions – Special events and temporary uses of land 'exempt development'.

It is proposed to add a new clause, 'Special events and temporary uses of land (for community events such as concerts, fetes, exhibitions, parades etc.)', to Schedule 2 (Exempt Development).

Exempt development may be carried out without the need for development approval under the *Environmental Planning and Assessment Act 1979*. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act (i.e. the *Local Government Act 1993*) and adjoining owners' property rights and the common law still apply. In this regard, while a development application will not be required, other approvals may need to be obtained, under other Acts, including the *Local Government Act 1993*, the *Roads Act 1993* and the *Crown Lands Act 1989*.

It is proposed that, to be exempt development, the event must take place on a public road or public land owned by, or under the care or control of, the Council. In this regard, owner's (Council) consent will be required.

4. Review of Land Use Table

A review of the Land Use Table (permissible and prohibited uses) in the Camden LEP 2010 has been undertaken to ensure relevance against the objectives of each zone.

It should be noted that there is a hierarchy of land-use terms in the Standard Instrument LEP. There are group terms and sub-terms (or 'parent' and 'child' definitions). For example, the group term 'residential accommodation' includes sub-terms like 'boarding houses' and 'secondary dwellings'. If a group term is listed as prohibited, all its sub terms are also prohibited. However, sub-terms can also be listed individually as permitted or prohibited.

Table 2 below includes a summary of notable changes. An exhaustive list of changes is contained in the Planning Proposal, provided in **Attachment 1 to this report**.

Table 2 – Notable changes to the Land Use Table

Zone	Proposed Change	Justification
R2 Low Density Residential	Permit secondary dwellings with consent.	This was inadvertently prohibited by the use of the residential accommodation group term.
		This proposed change will also bring the Camden LEP



Zone	Proposed Change	Justification
		into line with the State Environmental Planning Policy (Affordable Rental Housing SEPP) 2009 which applies to Camden and permits secondary dwellings in R2 zones.
	Prohibit 'industrial retail outlets' and 'industrial training facilities'	These uses do not align with the objectives of the R2 Low Density Residential zone.
		Currently, 'industrial retail outlets' and 'industrial training facilities' are not explicitly listed as prohibited development, and as a result are permissible development.
E4 Environmental Living	Permit bed and breakfast accommodation with consent	This use is considered a low-impact use that is suitable for the E4 zone.
	Permit secondary dwellings with consent	E4 zoned land includes land with large lots and large frontages suitable for secondary dwellings.
		This use is considered a low-impact residential use that is broadly consistent with the objectives of the E4 zone.

A complete list of changes and justification for each change is provided in **Attachment 1 to this report.**

5. Review of Schedule 1 (Additional Permitted Uses)

Schedule 1 of the Camden LEP 2010 provides a list of uses permitted on identified sites which are in addition to those uses identified in the LEP Land Use Table or other planning instruments.

An administrative review of Schedule 1 has been undertaken to correct property descriptions and reflect instances where the property description or the address may have changed since Camden LEP 2010 was made.

In addition, table 3 (below) outlines the additional permitted uses which are proposed to be removed.



Table 3 - Additional permitted uses proposed to be removed.

Clause	Location	Additional Permitted Use	Reason
15	166 Ingleburn Rd, Leppington	Liquid fuel depot	The land is now zoned medium density residential in the Leppington North Precinct of the South West Priority Growth Area.
16	51-61 St Andrews Rd	Industries (manufacturing and storing fireworks) and an associated dwelling house	The site is now low density residential in the East Leppington Precinct of the South West Priority Growth Area. All factory buildings on the site have been demolished.
22	Magdalene Catholic High School, Smeaton Grange	Educational establishments	The site has already been developed. The Infrastructure SEPP could be used for alterations and additions.

Changes to the LEP maps and schedule are also proposed in line with the new DPE technical mapping requirements. A complete list of changes is provided in **Attachment 1 to this report.**

Next Steps and Public Exhibition

Should Council resolve to endorse forward the Planning Proposal and forward it to the DPE for Gateway Determination, the following steps will occur:

- Following Gateway Determination, the Planning Proposal will be placed on public exhibition for 28 days or as otherwise required by the Gateway Determination:
- If no unresolved submissions are received, the Planning Proposal will be forwarded to DPE to be made; or
- If unresolved submissions are received during the exhibition period, a further report to Council will be prepared.

During the exhibition period, a notification will be placed in the local newspaper and the exhibition material will be available at:

- Council Administration Centre/s (Hard Copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Camden Council website (Electronic Copy).



In addition, a letter will be sent to all landowners who are directly impacted by the proposed changes.

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 streamline the processing of the Planning Proposal by enabling Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

This Planning Proposal includes a comprehensive range of minor amendments to Camden LEP 2010 with the aim to improve the operation and accuracy of the plan and ensure that planning controls continue to be relevant and responsive to local development trends.

Should Council resolve to proceed with the draft Planning Proposal (included as **Attachment 1 to this report**) it will be forwarded to the DPE for Gateway Determination and will then be publically exhibited for a period of 28 days.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal and forward it 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; and
- ii. pending a favourable response from the Department of Planning and Environment, proceed to publicly exhibit the Planning Proposal for a period of 28 days in accordance with the terms of the Gateway Determination notice; and
- iii. subject to no unresolved submissions being received, forward the Planning Proposal, Camden Comprehensive LEP Review Phase 1 Minor Amendments, to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, require a further report which outlines the results of the public exhibition.

ATTACHMENTS

1. Comprehensive LEP Review Phase 1 - Minor Amendments - July 2016



ORD04

SUBJECT: COMMUNITY SPONSORSHIP PROGRAM - JULY TO DECEMBER 2016

ALLOCATIONS

FROM: Director Customer & Corporate Services

TRIM #: 16/172420

PURPOSE OF REPORT

This report seeks Council's endorsement of the recommended sponsorship allocation requests received, both monetary and in-kind, by the Sponsorship Allocation Committee as per the Community Sponsorship Program. These recommendations are for events/activities to be held July to December 2016.

BACKGROUND

The Community Sponsorship Program was adopted by Council on 8 October 2013 as a component of the Community Financial Assistance Policy. It sets out how Council will administer incoming sponsorship requests from community groups and organisations.

The Program is intended to provide support to community organisations based on the needs of such groups, by supplementing funds raised for their events/activities.

Applications can be made twice per year and all applications are assessed by the Sponsorship Allocation Committee using set guidelines and criteria to evaluate requests.

MAIN REPORT

All previous applicants for sponsorship and those organising external events were sent an application form, and application timeframes were advertised in the local newspaper and on Council's website.

A total of 10 applications was assessed. Each application was assessed against the Program guidelines and criteria, with further consideration given to the benefit for the local community, level of appeal and demonstrated need for funding.

After assessment against the guidelines and criteria and consideration of the above, 9 applications are recommended for monetary and/or in-kind support under the Sponsorship Program.

Information was provided to Councillors on 24 June 2016 and an analysis by the Sponsorship Allocation Committee is provided in **supporting documents**.



The following events/activities are recommended for funding from the Community Sponsorship Budget:

	Event	Total Recommended Cash Funding	Total Recommended In-Kind
1	Camden & District Rotary Relay for Life	\$3,000	\$2,961
2	Camden Car Show – Chevy Club	\$500	\$226.30
3	Light the Night – Leukaemia Foundation	Nil Requested	\$244
4	Annual Small Ford Car Club of NSW Show	\$500	\$226.30
5	Christmas in Narellan	\$10,000	\$509.50
6	Light Up Camden	\$10,000	\$3,432.50
7	Harrington Park Community Carols	\$1,000	\$160.80
8	Carols in Macarthur Park	\$3,000	\$344
9	Oran Park Community Carols	\$1,500	\$253.10
	Total - (for each category)	\$29,500	\$8,357.50
	Total Cash Funding and In-Kind	\$37,857.50	

An application received from the Harrington Park Probus Club has not been recommended for funding under this program.

The Harrington Park Probus Club requested support to fund the hire fee for the Harrington Park Community Centre for a period of 12 months. This request did not meet the criteria under the Community Sponsorship Program. The Harrington Park Probus Club already receives a reduced hire rate for the centre under Council's not-for-profit provisions in Council's adopted fees and charges. Harrington Park Probus Club also received \$1,769 in October 2015 under Council's Small Grants Program for the provision of equipment for meetings.

Camden Chamber of Commerce - Light up Camden

Council remains very supportive of the Light up Camden event.

In light of the Council resolution 28 June 2016 (Mayoral Minute), it is recommended that Council allocate the sponsorship for this event but hold those funds in reserve. The funds allocated would be made available for the event once Council has received the Camden Chamber of Commerce independently audited financial reports for the reporting period ending 30 June 2016, and Council has reviewed the Audit Report and additional information resolved by Council on 28 June 2016.

FINANCIAL IMPLICATIONS

The total budget allocation for Community Sponsorship, as per the 2016/17 budget, is \$61,100.



The total recommended sponsorship, both monetary and in-kind, is \$37,857.50 to cover events held July to December 2016.

This will leave a balance of \$23,242.50 for events to be held from January to June 2017.

It should be noted that, in the past, the budget funding for these events has been out of sync with the timing of when the event is held (i.e. the 2015/16 budget is funding 2016/17 events). In order to correct this anomaly, the funding required for the July to December 2016 events will now come from the 2016/17 Community Sponsorship budget. This means in future years the budget will align to the same year as when the event is held.

This change will result in surplus funds within the 2015/16 sponsorship budget of \$31,742 which can be either re-voted for funding additional events in 2016/17 or be realised as a saving in the 2015/16 budget for allocation to reserves or other projects. It is recommended that \$7,000 be re-voted into the 2016/17 Community Sponsorship Program to allow \$30,242.50 (now 50% of the total allocation in 2016/17) for the January to June 2017 events. The remaining balance of \$24,742 will be realised as savings in the 2015/16 budget for consideration as part of the year-end budget result.

CONCLUSION

The breadth and quality of events/activities being undertaken by a range of community organisations, contributing to the increase in social capital and improved community well-being, within the Camden LGA, has been demonstrated by the worthwhile activities seeking sponsorship assistance.

Projects recommended for funding will complement existing activities within the Camden LGA and provide improved opportunities for the community to access activities within the Camden LGA.

RECOMMENDED

That Council:

- i. approve sponsorship for the events and activities 1 to 9, totalling \$37,858 and comprising of \$29,500 cash and \$8,358 in-kind, as recommended by the Sponsorship Allocation Committee in this report, and funded from the 2016/2017 Community Sponsorship budget allocation; and
- ii. hold the funds for the Light Up Camden event in reserve until Council has received the Camden Chamber of Commerce independently audited financial reports for the reporting period ending 30 June 2016, and Council has reviewed the Audit Report and additional information resolved by Council on 28 June 2016.
- iii. re-vote \$7,000 from the 2015/16 sponsorship program to the 2016/17 sponsorship program allowing \$30,242.50 for January to June 2017 events;
- iv. write to each applicant advising them of the outcome.



ATTACHMENTS

1. Council Community Sponsorship Program Summary of Allocation/Recommendation - July-December 2016 - Supporting Document



ORD05

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - ALLOCATION OF MONEY FROM WARD

FUNDS TO JACK NASH RESERVE, CURRANS HILL

FROM: Cr Fedeli TRIM #: 16/191396

"I, Councillor Theresa Fedeli, hereby give notice of my intention to move the following at the Council Meeting of 12 July 2016:

That Council allocate \$40,000 from Ward Funds for concrete works surrounding the amenities building at Jack Nash Reserve, Currans Hill."

RECOMMENDED

That Council allocate \$40,000 from Ward Funds for concrete works surrounding the amenities building at Jack Nash Reserve, Currans Hill.



ORD06

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - ALLOCATION OF MONEY FROM WARD

FUNDS TO HARRINGTON PARK UNITED FOOTBALL CLUB

FROM: Cr Symkowiak TRIM #: 16/191399

"I, Councillor Lara Symkowiak, hereby give notice of my intention to move the following at the Council Meeting of 12 July 2016:

That Council allocate \$15,000 for the construction of a permanent BBQ structure on site for Harrington Park United Football Club from Ward Funds."

RECOMMENDED

That Council allocate \$15,000 for the construction of a permanent BBQ structure on site for Harrington Park United Football Club from Ward Funds.