



Camden Council

Business Paper

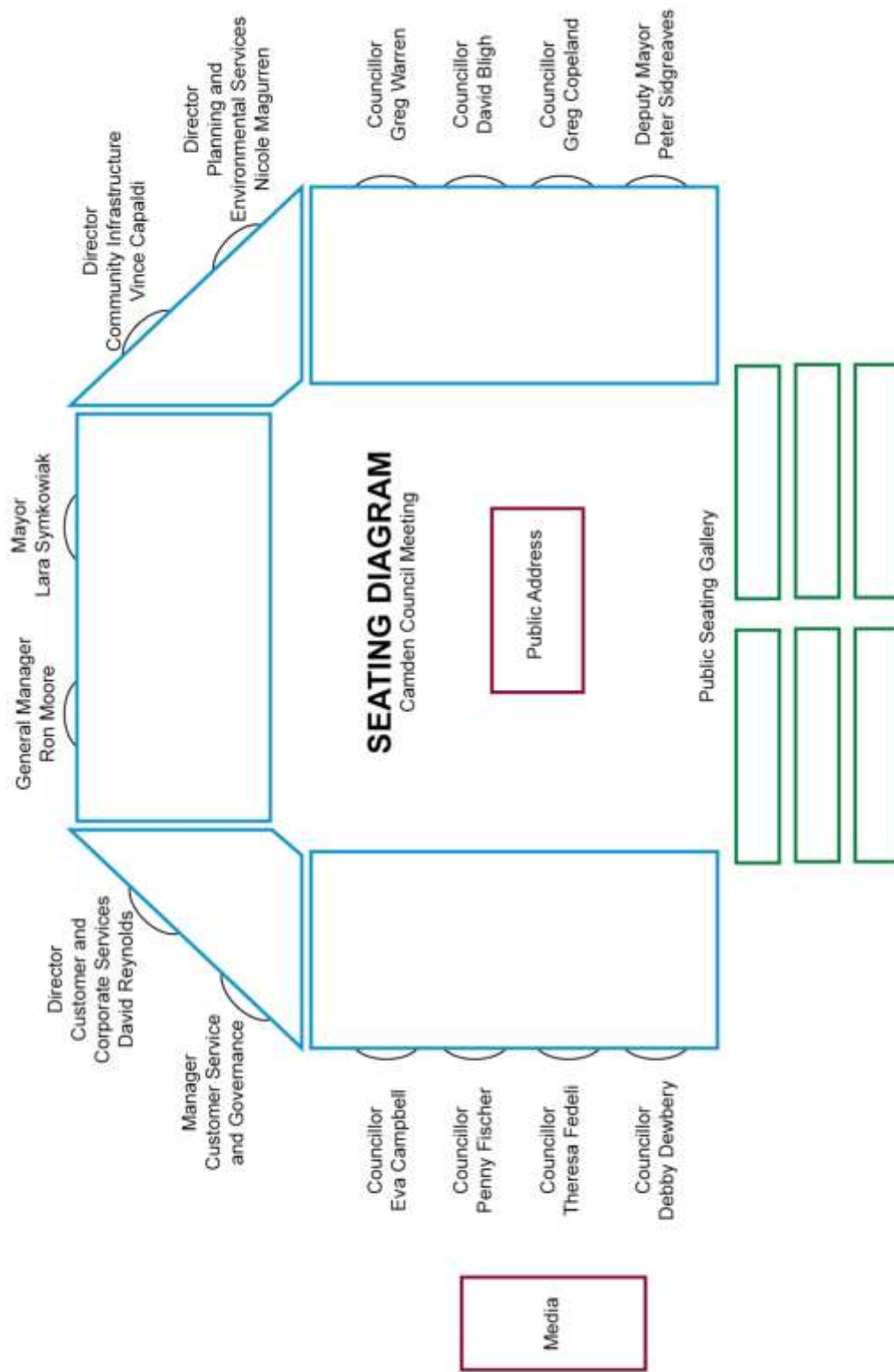
Ordinary Council Meeting
24 May 2016

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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



ORDINARY COUNCIL

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 - Paws in the Park 2016.....	13
ORD01 Addendum Report - Construction of a Two Storey Dwelling, Swimming Pool, Spa and Associated Site Works - 47 Buckingham Loop, Oran Park	15
ORD02 Construction of a Two Storey Dwelling and Associated Site Works - 4 Woodgrove Avenue, Harrington Grove	20
ORD03 Construction of Two x Two Storey Dwellings, Torrens Title Subdivision and Associated Site Works - 2 Jones Street, Oran Park	29
ORD04 Demolition of an Existing Dwelling and Construction of a Single Storey Medical Centre, Car Park, Signage, Drainage, Landscaping and Associated Site Works - 7 Park Street, Camden	38
ORD05 Subdivision to Create 7 Residential Lots, 1 Residue Lot, Construction of 7 Two Storey Dwellings and Associated Garages - 23-41 Camden Acres Drive, Elderslie	51
ORD06 2013/14 - 2016/17 Revised Delivery Program and 2016/17 Draft Operational Plan (Budget)	59
ORD07 Investment Monies - April	72
ORD08 Minutes to the 30 March 2016 Business Assurance and Risk Committee Meeting.....	73
ORD09 Traineeship Program - Notice of Motion Report	75
Diary	79



ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

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

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



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 10 May 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 10 May 2016, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

Mayoral Minute

SUBJECT: MAYORAL MINUTE - PAWS IN THE PARK 2016

FROM: General Manager

TRIM #: 16/144150

Another highly successful Paws in the Park event was held on Sunday 15 May 2016, with residents and visitors, and their four-legged friends, out in force at Camden Bicentennial Equestrian Park to enjoy the day.

This year – the fifth annual Paws in the Park event – saw a record turnout of over 3,000 people and 1,000 dogs in attendance throughout the day. All types of dogs, from Great Danes to Miniature Poodles and everything in between, made an appearance and it was fantastic to see all dogs getting along, enjoying both the beautiful weather and everything the event had to offer.

A great many pooches and their owners enjoyed participating in the 3km walk and watching the demonstrations in obedience, rally-o and agility, as well as the NSW Siberian Sledding Express, a new addition to this year's event. The free vet checks offered by Sydney University and discounted microchipping by Macarthur Veterinary Group were also very well received.

NRL Ambassador **Mario Fenech**, a firm crowd favourite, was back again this year to judge the competitions. We were very grateful for Mario's continued support of this event, and the NRL, and it was a pleasure to host Mario back in Camden once again, we sincerely thank him for his time. It was great to hear Mario speak to the audience about the NRL's Ambassador program, in particular the wellbeing initiatives and the difference they are making in many communities.

The Paws in the Park event also raises money for worthy animal causes. This year all money raised from the event will be donated to Seeing Eye Dogs Australia. I am pleased to say we raised \$1,636.65. This is an outstanding achievement and will go a long way to help training Seeing Eye Dogs. I thank everyone who attended for their generous donations.

I am a passionate advocate of responsible pet ownership and Paws in the Park is an important event to help promote this and to educate the community on the best ways to care for and train dogs of all shapes and sizes.

Through Council's continued efforts in this area we have been able to achieve high levels of rehoming rates across of LGA. In 2014/15, 92% of dogs and 83% cats who were impounded at Renbury Farm were released, sent to a rescue organisation or sold. This is a fantastic result and shows how well Council promotes responsible pet ownership.

Paws in the Park wouldn't be possible without the support and dedication from a range of individuals, businesses and community organisations that sponsor the event.

Thank you to Councillor Theresa Fedeli, Councillor Greg Copeland, Councillor Peter Sidgreaves, Councillor Debby Dewbery and Citizen of the Year Keith Maddock for joining Mario in choosing winners in each of the categories - it was certainly not an



easy choice with so many worthy entrants - well done to everyone who took part and a big congratulations to the winners of each of the categories.

A special thank you goes to Christian and Bella from C91.3 who were MCs for the day. Christian and Bella supported the event last year and we were ecstatic they agreed to come back and support the event again this year. Christian and Bella were amazing MCs, very professional and funny, and we all enjoyed the entertainment and positivity they brought to the day.

Thanks to Ted Gillroy and his amazing men and women from Macarthur Lions who ensured everyone parked safely and had tasty sausage sandwiches throughout the day!

Thank you to our wonderful sponsors:

- Camden Council's **Event Partner** Royal Canin.
- **Platinum Sponsors:** Macarthur Veterinary Group, C91.3FM, The University of Sydney, News Local – Macarthur Chronicle.
- **Gold Sponsors:** The Advantage Family, NRL, Petbarn.
- **Silver Sponsors:** Working Breed Rehab, Corjo Exclusive Pets, Pawlicious Bites, Accell Therapy, Injury and Occupational Health, Doggie Diplomas, Take Your Pet, Pets at Peace.
- **Event Supporters:** Macarthur Lions Club, Camden Bicentennial Equestrian Park – Camden Men's Shed and Channel 9.

I'd like to thank the members of the Paws in the Park committee who gave their time generously to ensure this event is the great success that it is:

- Dr Steve Ferguson – Macarthur Veterinary Group
- Dr Colleen Ritchard – The University of Sydney Vet Clinic
- Peta Wilkinson – Royal Canin
- Chris Patterson, State Member for Camden
- Ted Gillroy – Macarthur Lions
- Neil Burns – Camden Men's Shed
- Patrick White – Bicentennial Equestrian Park.

Lastly, thank you very much to Sarah Ryan from Council who ensured the event ran smoothly, professionally and was the amazing success that it was. Sarah worked extremely hard and I personally thank her for all her efforts. Thank you to all the council staff who assisted in preparation for the day and on the day itself.

All in all, it was an amazing team effort!

RECOMMENDED

That Council note the information.



ORDINARY COUNCIL

ORD01

SUBJECT: ADDENDUM REPORT - CONSTRUCTION OF A TWO STOREY DWELLING, SWIMMING POOL, SPA AND ASSOCIATED SITE WORKS - 47 BUCKINGHAM LOOP, ORAN PARK

FROM: Director Planning & Environmental Services

TRIM #: 16/127923

APPLICATION NO: DA1208/2015

PROPERTY ADDRESS: 47 Buckingham Loop, Oran Park

APPLICANT: Mrs Cristina Mirigliani

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a two storey dwelling, swimming pool, spa and associated site works at 47 Buckingham Loop, Oran Park.

The DA is referred to Council for determination following the deferral of this item at the 26 April 2016 meeting for a site inspection to be undertaken and additional consultation with the submitters. Three (3) submissions were received objecting to the proposal which remain unresolved, requiring the application to be referred to Council for determination. **A copy of the original report is provided as attachment 1.**

Following Council's resolution to defer the matter, copies of the amended plans were provided to each of the original submitters. The submitters were provided one (1) week to provide any further submissions. During that period, two (2) additional submissions were received (from previous submitters).

SUMMARY OF RECOMMENDATION

That Council determine DA 1208/2015 for a two storey dwelling, swimming pool, spa and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

Main Report

Submission Issues

The issues raised by the two (2) additional submissions relate to privacy impacts, rear boundary setbacks, timing of revised plans/report preparation, notification process, lack of articulation of side boundary walls, overshadowing, fence height, design and siting of the dwelling and height above ground level. These matters are discussed below:

Issue Raised

The upper floor balcony will directly overlook neighbouring properties. Overlooking is exacerbated due to site topography. The balcony should be deleted or fully enclosed with privacy screening. The side boundary screening to the balcony will not stop overlooking of adjacent properties.



Officer Comment

The original proposal included an upper level balcony which was 4.16m deep. This was considered excessive for an upper level balcony and raised privacy concerns noting it could be utilised as an area of congregation. Subsequent to discussions between the applicant and Council officers the balcony has been reduced to a depth of 2.8m with the inclusion of privacy screens to 1.8m on both sides of the balcony.

The reduced depth of the balcony limits the use of the area in terms of the number of people and furniture that can be accommodated. The side privacy screens will restrict the ability to overlook the neighbouring properties to the north and south.

The balcony is setback between 8.2m and 11.5m from the rear boundary, which is greater than the rear setback controls of the Oran Park DCP. This setback is considered to provide a sufficient amount of visual separation from the rear neighbouring property without the need of a privacy screen.

The subject site is higher than surrounding lots due to the existing topography however the development is compliant with the 9.5m height control. The maximum height of the development is 7.9m.

Issue Raised

The proposed rear boundary setback should be 6m like other double storey homes.

Officer Comment

The Oran Park Development Control Plan 2011 (DCP) requires a 4m ground floor and 6m upper floor setback to the rear boundary. The proposed development has a ground floor setback of between 4.2m and 13.6m, and an upper floor setback of between 8.2m and 11.5m (inclusive of the balcony) to the rear boundary, which is compliant.

Issue Raised

The proposed development will be 1.2m above ground level. The revised drawings did not show the ground floor level above natural ground level.

Officer Comment

The Oran Park DCP limits the height of the ground floor level to a maximum of 1m above natural ground level.

The site slopes from the front (east) to the rear (west). The ground floor has an RL 110.00 with the RL 109.00 contour situated further west of the highest point of the ground floor. The highest point of the dwelling above existing natural ground level is to the south-western corner of the building.

The dwelling therefore satisfies the 1m above natural ground level control.

Issue Raised

Revised plans were received by Council staff on 19 April 2016 and were express posted to the submitters for comment, however the Council report was already finalised. The changes were not documented in the letter and the plans were too small to identify changes.



Officer Comment

The amended plans resulted from discussions between Council officers and the applicant following a detailed assessment of the proposal and consideration of the submission issues.

On receipt of the amended plans, they were forwarded to the submitters for their information. The amendments included a reduction in the area of the upper floor balcony, and a reduction in the hard stand area within the front setback. These changes were highlighted on the plans.

The amendments did not result in the need for a formal re-notification in accordance with the DCP.

Notwithstanding, following the deferral of the matter at the Council meeting of 26 April, larger plans were provided to the submitters for their review. The submitters were provided one (1) week to provide any further submissions. During that period, two (2) additional submissions were received (from previous submitters).

Issue Raised

Four (4) of the finished and occupied dwellings in Lawler Drive were not originally notified, nor provided with the revised drawings.

Officer Comment

The application was notified in accordance with the Camden DCP 2011 which included the directly adjoining neighbours.

Issue Raised

The applicant will not contribute to the costs associated with erecting boundary fences. A 2.5m high fence will be erected within the subject property boundary for privacy separate to the side boundary fence.

Officer Comment

A 2.5 metre high fence is not proposed. 1.8m high fences exist along the southern side and rear boundary. The applicant proposes 1.8m side fencing only on the northern boundary.

Notwithstanding, boundary fencing is a civil matter involving the properties where the fence is proposed, therefore any disputes in this area need to be resolved between the parties independent of Council.

Any additional fences/structures within the property could be considered under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and if the development is not in accordance with the nominated criteria a development application would be required.

Issue Raised

The principal private open space (PPOS) of 45 Buckingham Loop comprises the alfresco area, which is directly accessible off the main living area of the house in accordance with the definition of the Oran Park DCP for PPOS. The alfresco is



considered to be the PPOS for 45 Buckingham Loop and is situated to the north. The PPOS will be in shadow and will not achieve the minimum solar access requirements.

Officer Comment

The PPOS of 45 Buckingham Loop is not considered to be limited to its alfresco area noting its size is not consistent with the nominated dimensions to satisfy the definition of PPOS of the Oran Park DCP.

The PPOS is considered to incorporate the rear yard which is directly accessible from the alfresco area.

The PPOS (rear yard) will receive the required solar access in accordance with the DCP controls.

Issue Raised

The proposed development will unreasonably overshadow habitable rooms along the northern façade of 45 Buckingham Loop.

Officer Comment

The subject lot and 45 Buckingham Loop are orientated from east (front) to west (rear), therefore any development to the north will impact the southern lot. It is acknowledged the development proposed will result in overshadowing to the southern property.

There are no solar access controls within the DCP relating to overshadowing of habitable rooms.

The solar access diagrams provided with the application show that the allotment to the south will receive some solar access to windows on the northern elevation toward the front of the house at 9am. The shadow diagrams show that the northern elevation of the southern neighbours dwelling will be in shadow at 12pm and 3pm.

Notwithstanding, solar access to the PPOS, which is directly accessible from the alfresco area, will receive solar access in accordance with the planning controls.

Issue Raised

The 23m unbroken length of wall is unarticulated. The inclusion of windows is not considered to add sufficient articulation. This length of wall is contrary to the objectives relating to side and rear setbacks, which are:

- (a) To create an attractive and cohesive streetscape that responds to the character areas;
- (b) To minimise the impacts of development on neighbouring properties;
- (c) To provide appropriate separation between buildings;
- (d) To create opportunities for articulation on the side walls.



Officer Comment

The side setbacks of the dwelling are compliant with the side setback requirements of the Oran Park DCP.

There are no specific development controls that require articulation of side boundary walls in the Oran Park DCP.

Notwithstanding, the dwelling is articulated on both side elevations by some stepping of the façade and the provision of windows. The articulation of the side elevations is considered acceptable having regard to the objectives and controls of the Oran Park DCP.

Issue Raised

The pool and entertainment area is elevated and will directly overlook adjacent properties.

Officer Comment

Privacy screening is provided to the pool and entertainment area, which will prevent direct overlooking of adjacent properties given the screen commences at the pool level.

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 1208/2015 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve DA 1208/2015 for the construction of a two storey dwelling, swimming pool, spa and associated site works at 47 Buckingham Loop, Oran Park, subject to the conditions attached.

ATTACHMENTS

1. Previous Council Report
2. Proposed Plans
3. Recommended Conditions
4. Streetscape Design Principles - Oran Park DCP
5. Floor Plans - *Supporting Document*
6. Previous Submissions - *Supporting Document*
7. New Submissions - *Supporting Document*
8. Public Exhibition and Submissions Map - *Supporting Document*



ORDINARY COUNCIL

ORD02

SUBJECT: CONSTRUCTION OF A TWO STOREY DWELLING AND ASSOCIATED SITE WORKS - 4 WOODGROVE AVENUE, HARRINGTON GROVE

FROM: Director Planning & Environmental Services

TRIM #: 16/133687

APPLICATION NO: DA178/2016

PROPERTY ADDRESS: 28 Woodgrove Avenue, Harrington Park

APPLICANT: Mrs Belinda Shafer

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 (2) storey dwelling and associated site works at 4 Woodgrove Avenue, Harrington Grove.

The DA is referred to Council for determination as there are two (2) submissions (from one (1) property address) objecting to the proposal that have not been resolved.

SUMMARY OF RECOMMENDATION

That Council determine DA 178/2016 for the construction of a two (2) 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 contained in this report.

THE PROPOSAL

DA 178/2016 seeks approval for the construction of a two (2) storey dwelling and associated site works.

Specifically the proposed development involves:

- The construction of a two (2) storey dwelling consisting of a three (3) car sub floor garage, five (5) bedrooms and attic space; and
- Associated site works including landscaping and stormwater works.

The cost of works is \$500,000.

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

THE SITE

The site is commonly known as 4 Woodgrove Avenue, Harrington Park and is legally described as Lot 4 DP280018.

The site is 929.48 m² and slopes from the rear towards the street.

There are existing dwelling houses located to the north, east, south and west of the subject site. The site is the last vacant residential allotment on the street.



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is generally compliant with the exception of the variation noted below. Below is a summary of the key development statistics associated with the DA and any variations.

	Standard	Proposed	Compliance
Camden Local Environmental Plan 2010 (LEP)			
4.3 Height of Building	Maximum height of buildings 9.5m.	The maximum height of the dwelling is 9.08m above the natural ground level.	Yes
Camden Development Control Plan 2011 (DCP)			
B1.2 Earthworks	<p>The maximum amount for both cut and fill shall not exceed 1m respectively.</p> <p>Council may consider permitting greater cut for basement garages and split level designed development on steeply sloping sites.</p>	<p>The development proposes a maximum 2.1m cut for the purpose of a basement garage which is considered appropriate given the site a 2.5m fall from rear to front. There is a maximum 860mm fill proposed.</p> <p>The dwelling</p>	Yes



	Use of a deepened edge beam to be a maximum 1m above natural ground level.	proposes a deepened edge beam to 1.1m and is addressed as a variation below.	No – DCP Variation 1
D2.1.3 Height	<p>Height of a dwelling house shall not exceed two storeys above natural ground level.</p> <p>Attic rooms within the roof void are not considered to be a storey where the roof pitch does not exceed 45 degrees and dormer windows are provided.</p> <p>Ground floor level shall be no more than 1m above natural ground level.</p> <p>Council may consider a finished floor level greater than 1m where it can be demonstrated that there is no adverse impact on adjoining properties or the streetscape.</p>	<p>The proposed dwelling is a maximum of two storeys in height. One storey is the garage level and the second storey is the ground floor located above the garage. The proposed attic is consistent with the DCP control and as such is not counted as a storey.</p> <p>For a stepped building such as this, the ground floor level is determined as the first floor above finished ground. In this case the ground floor level is greater than 1m above natural ground level towards the front of the dwelling (maximum of 1.7m at its highest point) as shown in Attachment 2.</p> <p>Privacy and overlooking impacts have been mitigated through the use of 1.5m sill height windows, location of main living areas and the existing retaining walls and boundary fencing limiting views to adjoining development.</p> <p>The proposed dwelling is not considered out of</p>	<p>Yes</p> <p>Yes</p>



		character or dominant in the streetscape in terms of visual bulk and scale given the existing surrounding development.	
D2.3.4 Front setback	Minimum 6m to façade.	6m front setback to façade.	Yes
D2.3.4 Side Setback	Minimum 2m to façade.	West boundary – 2m East boundary – 2m.	Yes
D2.3.4 Rear Setback	Minimum 6m to façade.	18.67m rear setback provided to façade.	Yes
D2.3.4 Garage setback (front)	Minimum 5.5m to garage front.	6.9m setback to garage.	Yes
D2.3.4 Roof Pitch	Main roof pitch $\geq 22.5^{\circ}$ to $\leq 45^{\circ}$.	Main roof pitch 40° .	Yes
D2.3.4 Garages	Where triple garage is provided, third garage to be setback minimum 900mm from other garages.	Triple garage provided. Third garage is setback 960mm.	Yes
D2.3.4 Solar access	$\geq 50\%$ Private Open Space (POS) to received ≥ 3 hrs solar access between 9am & 3pm on 21 st June to subject and adjoining lot.	The subject lot receives $\geq 50\%$ solar access to POS ≥ 3 hrs between 9am & 3pm on 21 st June. Adjoining lots receive $\geq 50\%$ solar access to POS ≥ 3 hrs between 9am & 3pm on 21 st June.	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	R2 Low Density 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 Policy(s) - S79C(1)(a)(i)	<p><u>State Environmental Planning Policy 55 – Remediation of land</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> Compliant with conditions recommended where necessary.</p>
--	--



	<u>Deemed State Environmental Planning Policy No 20–Hawkesbury-Nepean River</u> Compliant with conditions recommended where necessary.
Local Environmental Plan - S79C(1)(a)(i)	<u>Camden Local Environmental Plan (LEP)</u> Compliant with conditions recommended where necessary.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	<u>Camden DCP 2011</u> - Generally compliant with conditions recommended where necessary. One variation is noted below.
Planning Agreement(s) - S79C(1)(a)(iiiia)	None.
The Regulations - S79C(1)(a)(iv)	None applicable.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	One (1) submission was received which is discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

Compliance with Plans or Policies

DCP Variation 1 – Maximum height of a deepened edge beam

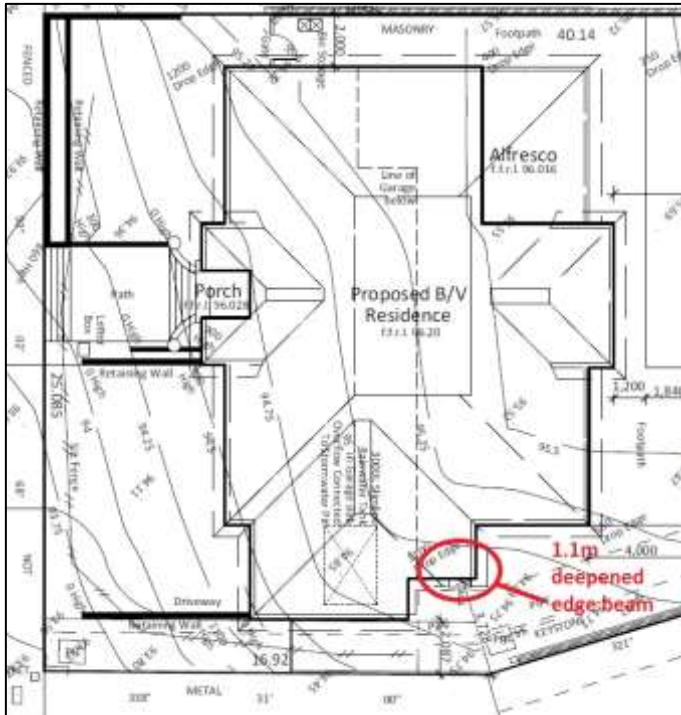
DCP Control

Clause B2.1.3 of the DCP states that the use of a deepened edge beam shall not exceed 1m above natural ground level.

A deepened edge beam, is the beam around the edge of a concrete slab that has been enlarged to contain fill or provide for a level surface. It is generally used in lieu of an external retaining wall.

Variation Request

The proposed dwelling has a drop edge beam with a maximum height of 1.1m where the sub floor garage is not located under the ground floor. The area of non-compliance is shown in the diagram below.



Council Staff Assessment

- Pursuant to clause D2.1.3 (3) Council may consider a finished floor level greater than 1m where minimal adverse impacts to privacy and streetscape is demonstrated. In this regard, privacy and overlooking impacts have been mitigated through the use of 1.5m sill height windows, location of main living areas and the existing retaining walls and boundary fencing limiting views to adjoining development. Further, the proposed dwelling is not considered out of character with the streetscape noting there are other examples of similar deepened edge beam non-compliances in the surrounding area.
- The use of a deepened edge beam of this height ensures earthworks are kept to a minimum and drainage characteristics of the site are maintained.
- The site has a fall of 2.5m from the rear to the front. With this, the use of a deepened edge beam to 1.1m is considered a reasonable solution to maintain the ground floor level on a sloping site.
- The development is not considered to have an unreasonable impact upon the adjoining properties in terms of privacy or overshadowing as a result of the DCP variation.

With the above considered, it is recommended this DCP variation be supported.

Key Issues

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



Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 26 February 2016 to 10 March 2016. Two (2) submissions were received from one (1) property address 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 development description is not compatible with the proposed development. The attic infers that the roof space will be living area and this will mean it will be an extremely tall building.*

Officer comment:

The proposed development is a 2 storey dwelling house with attic which is allowable under the Camden DCP.

In accordance with Section D.2.1.3, attic rooms within the roof void are not considered to be a storey where the roof pitch does not exceed 45 degrees and dormer windows are provided.

The proposed garage/store room is at one level and the main living area level is above. The proposed attic space is not considered a 'storey' as the roof pitch of the proposed dwelling does not exceed 45 degrees.

The height of the development is less than the maximum building height of 9.5m above natural ground level as prescribed by the LEP. The maximum height of the dwelling is 9.08m.

2. *The dwelling will overshadow two thirds of the back garden of submitter's property.*

Officer comment:

Shadow diagrams have been provided with the proposal showing overshadowing impact to the adjoining properties. The adjoining property to the rear will not receive unacceptable overshadowing or impact to solar access as demonstrated by the shadow diagrams. The existing boundary fence is the only shadowing that impacts upon the property to the rear.

3. *The dwelling will be very intrusive from the back of our property.*

Officer Comment

The site slopes from the rear to the front with an approximate fall of 2.5m. The dwelling is located to the front half of the site providing a rear setback of 18.67m. The dwelling is not considered to be imposing to the property adjoining the rear as the dwelling is located on a downslope and provides a generous rear setback approximately three times the residential dwelling control (6m is required).

-
4. *The finished floor level of the house is a considerable amount above the natural ground level and giving the house an over-bearing presence.*

Officer Comment

It is acknowledged that the finished floor level is greater than 1m for portions of the dwelling. However given the slope of the site and the presence of a sub floor garage this is an inherent feature of the dwelling design. A finished floor level greater than 1m may be used where minimal impact to adjoining properties privacy is demonstrated as well as minimal impact upon the streetscape. Views to the rear property are considered to be minimised due to the slope of the site, the presence of an existing retaining wall, and boundary fence and rear setback separation of 18m.

The dwelling is considered to present appropriately on the streetscape taking into account the existing development and site surrounds. The dwellings along the streetscape present features such as dormer windows, a sub floor garage and finished floor levels of 1m above the ground level.

5. *What does the cabana include and what is it used for? Will the cabana have any pool plant located within it? I am concerned the cabana is setback only 3.6m from the rear boundary which includes a toilet and barbeque facilities.*

Officer Comment

The development initially included a pool cabana to the rear of the property. The feature was setback 3.6m which did not comply with the DCP. The applicant has removed the pool cabana and is no longer seeking consent for this feature of the development.

6. *The proposed window to the rear of the property is of concern. The large central panel is beyond industrial in size and will possibly be intrusive from our property and it is thought the window will create light pollution. A fair portion of the ground floor level will be above the fence level. The window will cause light pollution.*

Officer Comment

The window to the rear of the property is a design feature to the ground floor living area. As the window is located on the ground floor, it is not considered to impact upon the adjoining property in terms of privacy or views. Due to the 18m rear setback and slope of the site the effect of light to the rear property is thought to be minimised.

The property to the rear is located on higher elevation, with views limited by an existing retaining wall and boundary fence.

7. *I was not made aware by Council that the applicant was also the owner and draftsman of the dwelling plans.*

Officer Comment

This is not information Council would normally provide. Further, this is not a matter for consideration having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*.



FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 178/2016 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve DA178/2016 for the construction of a two storey dwelling and associated site works at 28 Woodgrove Avenue, Harrington Park subject to conditions attached.

ATTACHMENTS

1. Proposed Plans
2. Recommended Conditions
3. Ground Floor Level
4. Proposed Floor Plans - *Supporting Document*
5. Public Exhibition and Submissions Map - *Supporting Document*
6. Submissions - *Supporting Document*



ORDINARY COUNCIL

ORD03

SUBJECT: CONSTRUCTION OF TWO X TWO STOREY DWELLINGS, TORRENS TITLE SUBDIVISION AND ASSOCIATED SITE WORKS - 2 JONES STREET, ORAN PARK

FROM: Director Planning & Environmental Services

TRIM #: 16/119906

APPLICATION NO: DA1471/2015

PROPERTY ADDRESS: 2 Jones Street, Oran Park

APPLICANT: Everlast Homes & Construction Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the construction of two (2) x two (2) storey dwellings, Torrens title subdivision and associated site works at 2 Jones Street, Oran Park.

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

SUMMARY OF RECOMMENDATION

That Council determine DA 1471/2015 for the construction of two double storey dwellings, Torrens title subdivision and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

THE PROPOSAL

DA 1471/2015 seeks approval for the construction of two (2) x two (2) storey dwellings, Torrens title subdivision and associated site works.

Specifically the proposed development involves:

- Construction of two (2) x two (2) storey dwellings with each containing four (4) bedrooms and a double garage;
- Subdivision to create two Torrens title lots (House A - 401.08sqm and House B - 257.15sqm); and
- Associated site works.

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

THE SITE

The site is commonly known as 2 Jones Street, Oran Park and is legally described as Lot 113 DP 1194650.

The site has a frontage of 19m to Jones Street, a frontage of 29.4m to Bourne Ridge, with a 4.245m splay, a depth of 18.725m and an overall area of 658.2sqm. The site is currently vacant.



The immediate area is characterised by single and double storey residential dwellings. The wider area contains the newly developed suburb of Oran Park. To the north is the remaining undeveloped suburb of Oran Park, to the east is Catherine Field, to the west Cobbitty and to the south Harrington Park and the Harrington Grove estate.



KEY DEVELOPMENT STATISTICS

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

Subdivision

	Standard	Proposed	Compliance
State Environmental Planning Policy (Sydney Region Growth Centres) 2006			
4.1AA Lot Size	Development consent may be granted to the subdivision of land to which this clause applies resulting in the creation of a lot that has an area of less than 300m ² (but not less than 225m ²), if the consent authority is satisfied that the lot will contain a sufficient building envelope to	Lot A: 401.08m ² . Lot B: 257.15m ² . The proposal involves the construction of two (2) x two (2) storey dwellings and Torrens title subdivision. The dwelling houses are being	Yes



	enable the erection of a dwelling house on the lot under clause 4.1AC, 4.1AD or 4.1AE.	assessed concurrently with the subdivision.	
Oran Park Development Control Plan 2007 (Amended 2016)			
7.1.2 Residential Density Targets	Residential development is to be generally consistent with the residential structure and typical characteristics of the corresponding Density Band.	<p>The site is located in a low density area which has a Net Residential Target of 12.5 – 20 dwellings per hectare.</p> <p>The proposed subdivision will facilitate development which is consistent with the typical characteristics for this density being predominately a mix of detached dwelling houses, semi-detached dwellings, dual occupancies and the potential for secondary dwellings.</p> <p>The enables a mix of suburban and urban streetscapes.</p>	Yes
7.2 Table 11 Lot Size	300sqm (dwelling house base control) and 250sqm with Building Envelope Plan (BEP).	<p>Lot 113: 401.08sqm.</p> <p>Lot 113B: 257.15sqm (full plans have been provided).</p>	Yes
7.2 Table 12 Lot Width	Minimum frontage by density band - 12.5dw/ha – 12.5m	<p>Lot 113: 18.997m.</p> <p>Lot 113B: 13.893m.</p>	Yes



Dwelling House

	Standard	Proposed	Compliance
State Environmental Planning Policy (Sydney Region Growth Centres) 2006			
4.3 Height of Buildings	≤ 9.5m.	House A - 8.188m. House B - 8.3m.	Yes
Oran Park Development Control Plan 2007 (Amended 2016)			
House A - Front accessed dwellings with frontage width > 15m			
7.6.3 Front Setback	4.5m to building façade line or 3.5m if fronting open space. 3m to articulation zone or 2m if fronting open space. Corner lot secondary setback ≥ 2m.	House A - 4.5m to building façade line. 3.0m to articulation zone. 3.726m.	Yes
7.6.4 Rear Setback	≥ 4m (ground) & ≥ 6m (upper).	House A - 4.0m ground 6.0m upper.	Yes
7.6.4 Side Setbacks	≥ 0.9m (ground) & ≥ 0.9m (side A) upper level and ≥ 1.5m (side B) upper level.	Ground 1.0m Northern. 3.726m Southern (Secondary setback). Upper 3.9m Northern (Side B). 4.865m Southern.	Yes
7.6.5 Site Coverage	Two storey dwellings ≤ 50% at ground and ≤ 30% at upper floor.	Ground 40.6% Upper 27%.	Yes
7.6.5 Landscaped Area	≥ 30% of lot area.	> 45%.	Yes
7.6.8 Car parking	> 2 bedroom dwelling – 2 spaces.	4 bedroom dwelling - double garage proposed.	Yes
7.6.7 Private Open Space	24m ² & min dimensions of 4m & gradient ≤ 1:10.	> 45m ² . Compliant dimensions and gradient.	Yes



<p>7.6.7 Solar Access</p>	<p>≥ 3hrs solar access between 9am to 3pm on 21 June to ≥ 50% of PPOS and adjoining dwelling PPOS.</p>	<p>At least 3 hours of solar access is available between 9am to 3pm on 21 June to 50% of the PPOS of both the proposed dwelling and adjoining dwelling.</p>	<p>Yes</p>
<p>7.6.9 Visual and Acoustic Privacy</p>	<p>Direct overlooking of main habitable areas & adjacent dwellings minimised.</p> <p>Windows not to face adjoining dwelling windows & POS (see DCP).</p>	<p>The balconies servicing the upper level face Jones Street and Bourne Ridge. The balcony off bedroom 2 which faces Bourne Ridge has its primary outlook to the street, however there is an ability to look eastward, which looks primarily over the front setback of dwelling 2. There is no adverse impact on the adjoining dwelling. There is no overlooking of the POS.</p> <p>There are no habitable windows facing the adjoining dwelling windows in the eastern Lot 113B Bourne Ridge, known as dwelling B.</p> <p>Lot 114 Jones Street which is to the north is currently vacant.</p>	<p>Yes</p>
<p>House B - Front accessed dwellings with frontage width ≥ 9m and ≤ 15m</p>			
<p>7.6.3 Front Setback</p>	<p>4.5m to building façade</p>	<p>4.720m to</p>	<p>Yes</p>



	line or 3.5m if fronting open space. 3m to articulation zone or 2m if fronting open space.	building façade line. 3.360m to articulation zone.	
7.6.4 Rear Setback	≥ 4m (ground) & ≥ 6m (upper).	4.0m ground 6.0m upper.	Yes
7.6.4 Side Setbacks	≥ 0.9m where detached.	1.0m west 0.9m east.	Yes
7.6.5 Site Coverage	Single storey dwellings ≤ 60%. Lot ≤ 375m ² upper level ≤ 40%.	44% ground. 33% upper.	Yes
7.6.5 Landscaped Area	≥ 25% of lot area.	42%.	Yes
7.6.8 Car parking	> 2 bedroom dwelling – 2 spaces.	4 bedroom dwelling - double garage proposed.	Yes
7.6.7 Private Open Space	≥ 3hrs solar access between 9am to 3pm on 21 June to ≥ 50% of PPOS and adjoining dwelling PPOS.	At least 3 hours of solar access is available between 9am to 3pm on 21 June to 50% of the PPOS of both the proposed dwelling and adjoining dwelling.	Yes
7.6.9 Visual and Acoustic Privacy	Direct overlooking of main habitable areas & POS of adjacent dwellings minimised.	There will be no overlooking from the first floor balcony servicing the master bedroom due to the balcony facing Bourne Ridge. Obscure glazing has been provided to Window 11 to the first floor servicing a living area. This mitigates privacy	Yes



	<p>Windows not to face adjoining dwelling windows & POS (see DCP).</p>	<p>impacts from potential overlooking onto the POS of the adjoining property.</p> <p>There are no habitable windows facing adjoining dwelling windows within the eastern Lot 112 Bourne Ridge.</p> <p>Lot 114 Jones Street which is to the north is currently vacant.</p>	
--	--	---	--

ASSESSMENT

Zoning and Permissibility

Zoning:	R1 General Residential.
Permissibility:	The proposed development is defined as a "subdivision" and a "dwelling house" by the SEPP which are permissible land uses in this zone.

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

State Environmental Planning Policy(s) - S79C(1)(a)(i)	<p>Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River - Compliant with conditions recommended where necessary.</p> <p>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - Compliant with conditions recommended where necessary.</p> <p>State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Compliant with conditions recommended where necessary.</p>
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable
Development Control Plan(s) - S79C(1)(a)(iii)	Oran Park Development Control Plan 2007 (Amended 2016) - Compliant with conditions recommended where necessary.
Planning Agreement(s) -	None.



S79C(1)(a)(iiiia)	
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.
Submissions - S79C(1)(d)	One (1) submission was received which is discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

Key Issues

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

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 29 January 2016 to 11 February 2016. One (1) submission was received objecting to the proposed development.

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

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

1. *Concerns are raised regarding privacy impacts from the windows located on the western elevation of house A.*

Officer comment:

The proposed dwellings have been designed to minimise overlooking into adjoining properties.

House A contains two (2) small balconies at the upper level facing Jones Street. The balconies service a living area and a master bedroom and measure 4m² and 2m² respectively. The windows on this western elevation service a bedroom and ensuite. The location of the living room on the upper level fronting the street is consistent with the DCP controls.

It is considered the openings and balconies on this façade do not result in overlooking of the adjoining allotments or those on the opposite side of the street given the physical separation and the size of the balconies.

House B contains a window to a living area in the upper floor within the northern elevation, which has been provided with obscure glazing to mitigate potential privacy impacts and overlooking onto the adjoining properties and private open space.

2. *Concerns with the bulk and scale of the development and that the development does not fit in with the surrounding area.*

Officer comment:



The proposed development is for the subdivision of land and construction of two (2) dwellings. The proposed development is permissible with consent in the R1 General Residential zone. The bulk and scale of the proposed development is consistent with the character envisaged by the controls and that of the surrounding streetscape and is therefore considered acceptable. The proposed development fully complies with all applicable controls including site coverage and setbacks.

3. *Concerns the development will increase the traffic flow in the area and safety concerns.*

Officer comment:

The additional vehicle movements generated by the two proposed dwellings is minimal and will not significantly impact on traffic or safety. The proposed development provides two car parking spaces per dwelling which complies with the DCP.

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 1471/2015 is recommended for approval subject to the conditions attached to this report.

RECOMMENDED

That Council approve DA 1471/2015 for the construction of two (2) x two (2) storey dwellings, Torrens title subdivision and associated site works at 2 Jones Street, Oran Park, subject to the conditions attached.

ATTACHMENTS

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



ORDINARY COUNCIL

ORD04

SUBJECT: DEMOLITION OF AN EXISTING DWELLING AND CONSTRUCTION OF A SINGLE STOREY MEDICAL CENTRE, CAR PARK, SIGNAGE, DRAINAGE, LANDSCAPING AND ASSOCIATED SITE WORKS - 7 PARK STREET, CAMDEN

FROM: Director Planning & Environmental Services
TRIM #: 16/132578

APPLICATION NO: DA105/2016
PROPERTY ADDRESS: 7 Park Street, Camden
APPLICANT: Clive Lucas, Stapleton and Partners

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for the demolition of an existing dwelling and construction of a single storey medical centre, car park, signage, drainage, landscaping and associated site works at 7 Park Street, Camden.

The DA is referred to Council for determination as there remain ten (10) submissions (from 8 property addresses) objecting to the proposal. 4 submissions and 2 petitions (34 signatures) were received in support of the application.

SUMMARY OF RECOMMENDATION

That Council determine DA 105/2016 for the demolition of an existing dwelling and construction of a single storey medical centre, car park, signage, drainage, landscaping and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 105/2016 seeks approval for the demolition of an existing dwelling and construction of a single storey medical centre, car park, signage, drainage, landscaping and associated site works.

Specifically the proposed development involves:

- Demolition of an existing dwelling and associated outbuildings;
- Construction of a purpose built medical centre containing 2 theatres, recovery area, administration areas, amenities, and service rooms;
- Construction of a carpark at the rear of the building to accommodate 10 vehicles (including 1 disabled space);
- Removal of 7 trees;
- Erection of signage;
- Drainage, landscaping and associated site works.

The centre will be open from 8:00am until 5:00pm, Monday to Friday. There will be a maximum of 6 staff at the premises at any one time and there will be up to 12 procedures conducted per day.

The services offered by the medical centre relate to:

- Gastroscopy;
- Colonoscopy;
- Minor ear/nose/throat procedures;
- Excision of skin lesions;
- Minor urological procedures e.g. vasectomy; and
- Minor gynaecological procedures and the like.

The cost of works is \$670,500.

A copy of the proposed plans is provided as attachment 1 to this report.

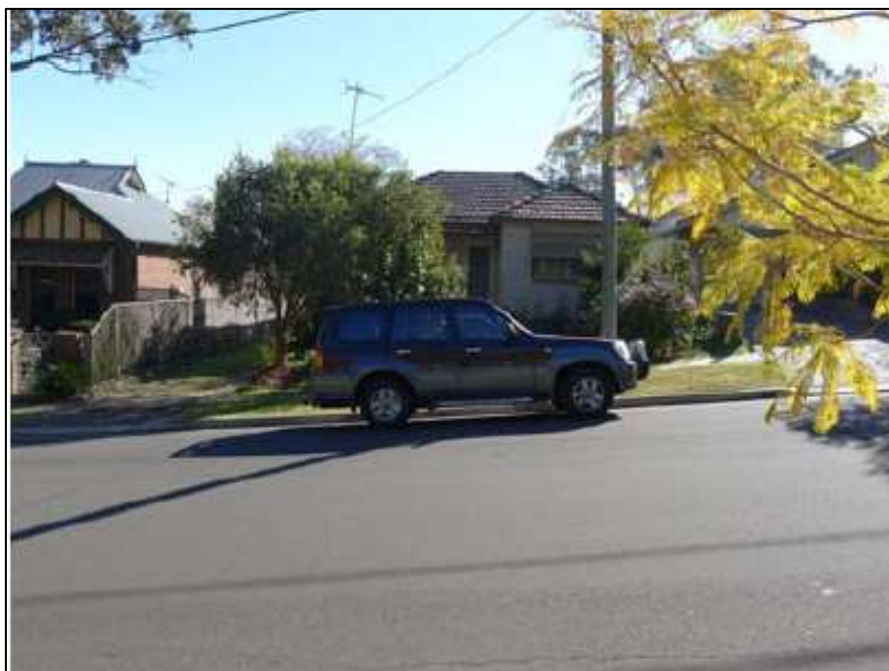
THE SITE

The site is commonly known as 7 Park Street, Camden and is legally described as Lot 11 DP 4542.

The site is located on the northern side of Park Street, Camden. The property is part of the Camden Heritage Conservation area and contains a cross fall from east to west. The allotments to the east and west contain dwellings with the western dwelling being Heritage listed. Adjacent properties to the north (rear boundary) comprise a music conservatorium and a physiotherapy practice. Opposite is public open space (Macarthur Park).



A photo of the subject site as viewed from Park Street is shown below.



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
Camden Local Environmental Plan 2010 (LEP)			
4.3 Height of Building	Maximum permitted height is 7m.	6.3m.	Yes
5.10 Heritage Conservation	The heritage significance of the area must be considered.	<p>The site is within the Camden Heritage Conservation Area. The existing building is dilapidated and does not significantly contribute to the conservation area. Therefore, its demolition is not of significant concern.</p> <p>The proposed building has been designed having regard to the streetscape character and two existing trees within the frontage are to remain. The heritage significance of the area will therefore be protected and arguably</p>	Yes



		enhanced by the replacement of the dilapidated building.	
Camden Development Control Plan 2011 (DCP)			
Front Setback	No setback requirement for commercial building.	6.5m (consistent with adjacent dwellings).	N/A
Rear Setback	No setback requirement for commercial building.	29.4m.	N/A
Side Setbacks	No setback requirement for commercial building.	East – 600mm. West – 3.6m.	N/A
B1.16 Acoustic Amenity	For commercial development, noise must be assessed in accordance with Council's Environmental Noise Policy to determine if an acoustic assessment is required.	An acoustic report was not considered necessary given the proposed hours of operation are outside of sensitive times (8:00am until 5:00pm, Monday to Friday). A 1.8m high solid boundary fence is recommended as a condition of consent to the perimeter of the car park and the vehicular access to assist in the attenuation of noise.	Yes - subject to condition
B3 Environmental Heritage	A Heritage Impact Statement should be prepared detailing likely impacts and mitigation measures. New development must have regard to the existing heritage character of the area.	A satisfactory Heritage Impact Statement was submitted. The building has been designed to read as a dwelling, which is sympathetic to existing dwellings in Park Street. The form and setbacks are consistent with the dwelling to be demolished.	Yes Yes
	Buildings should	A 6.5m front setback is	Yes



	reflect any uniform front boundary setback.	proposed (7.1m existing). The setback is consistent with adjacent dwellings which are setback 6.5m and 7m.	
B5.1 Off-street Car Parking Rates and Requirements	For a medical centre 4 parking spaces per 100m ² gross floor area.	The medical centre has a gross floor area of 225m ² . 9 parking spaces are required. 10 parking spaces are provided.	Yes

ASSESSMENT

Zoning and Permissibility

Zoning:	B4 Mixed Use
Permissibility:	<p>Demolition, construction of a medical centre, car park, signage, drainage, landscaping and associated site works are permitted with consent in the B4 zone.</p> <p>medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.</p> <p>This application is proposing surgical treatments to out-patients only. There will be no in-patient services, which differentiates a medical centre from a hospital.</p>

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

State Environmental Planning Policy(s) - S79C(1)(a)(i)	SEPP 55 - Remediation of Land - Compliant with conditions recommended where necessary. SEPP 64 – Advertising Signage - Compliant with conditions recommended where necessary. Deemed SEPP 20 – Hawkesbury-Nepean River - Compliant with conditions recommended where necessary.
Local Environmental Plan - S79C(1)(a)(i)	Camden LEP 2010 - Compliant with conditions recommended where necessary.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	Camden DCP - Compliant with conditions recommended where necessary.
Planning Agreement(s) - S79C(1)(a)(iiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.



Submissions - S79C(1)(d)	Ten (10) submissions were received which are discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

Compliance with Plans or Policies

The proposed development fully complies with the requirements of the Camden LEP and DCP.

Key Issues

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

Heritage

The B4 zone does not contain specific assessment criteria with respect to building envelope controls. Most of the controls within this zone require an assessment relating to the design features of the building and how this will relate to the Heritage Conservation Area.

The existing building is dilapidated and does not significantly contribute to the conservation area. Therefore, its demolition is not of significant concern.

The proposed building has been designed having regard to the streetscape character. The heritage significance of the area will therefore be protected and arguably enhanced by the replacement of the dilapidated building.

Submissions

The DA was publicly exhibited for 14 days in accordance with the DCP. The exhibition period was from 8 February 2016 to 22 February 2016. Ten (10) submissions were received from 8 property addresses (2 submissions were received from a planning consultant on behalf of the Park Street residents) objecting to the proposed development. 4 submissions and 2 petitions (34 signatures) were received in support of the application.

Council staff contacted the submission writers to discuss their concerns and held 2 meetings with submitters, however were unsuccessful in resolving the issues raised in the submissions.

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

- 1. Parking is inadequate and vehicles will be required to park on the street limiting the availability of parking for Macarthur Park opposite. Parking calculations do not accurately reflect the reality/nature of the proposed use. The gross floor area of the development is not dimensioned on plans. It appears there is approximately 252m² GFA, which would require more than 10 parking spaces for a medical centre.*

Officer comment:

The car parking rate for a Medical Centre use as required by the Camden Development Control Plan and the Roads and Maritime Services (RMS) "Guide to Traffic Generating Development" is based on gross floor area. The requirement for both the Camden DCP



and the RMS guide is 4 parking spaces per 100m² of gross floor area for a medical centre. Council staff have confirmed the gross floor area of the building as 225m² (measured from the internal face of external walls). This proposal therefore requires 9 parking spaces. 10 parking spaces are provided.

- 2. Vehicles cannot safely reverse from car park. A dedicated set-down and pick-up area is required and an ambulance parking bay.*

Officer comment:

Council's Traffic Engineer has assessed the application including the submitted Traffic and Parking Impact Assessment and concludes there is sufficient area in the carpark for vehicles to enter and exit the site in a forward direction. A condition is recommended so that "Give Way" signage is placed at the rear of the property requiring vehicles leaving to give way to entering vehicles, and that vehicles must enter and exit the site in a forward direction.

For a medical centre, a dedicated set-down and pick-up area and an ambulance parking bay are not required.

- 3. The entrance to Park Street off Broughton Street is narrow due to parked cars either side near the entrance. Relocated "no parking" signage further away from the intersection may fix this problem.*

Officer comment:

A Traffic and Parking Impact Assessment was submitted with the application, which concludes the existing intersection at Broughton Street has spare capacity to accommodate the expected number of additional vehicles during peak hours. Council's Traffic officer has reviewed the DA and raised no objection subject to conditions.

- 4. The development will set an undesirable precedent for commercial development in the street.*

Officer comment:

A medical centre is permitted with consent in the B4 Mixed Use zone in accordance with the Camden Local Environmental Plan 2010. The proposed development is compliant with the planning controls. The design of the development is respectful of its location, having regard to the Heritage Conservation Area.

The location of the B4 Mixed Use zone is intended to support the adjacent commercial centre as part of the B2 Local Centre zone. The proposed development is considered to be appropriately located given its proximity to the commercial centre and will fulfil the intent of the zone, which is to provide support to the B2 Local Centre zone.

- 5. The proposed use will result in safety and privacy issues, with patients regularly visiting the site.*

Officer comment:

A medical centre is permitted with consent in the B4 Mixed Use zone in accordance with the Camden Local Environmental Plan 2010.

The medical centre provides specialist medical procedures, which are booked in advance resulting in a reduced patronage with respect to the number of 'walk-in' patients. The proposed hours of operation are within standard business hours being 8:00am until 5:00pm, Monday to Friday, with no trade on the weekend or public holidays. This will reduce the amenity impact on the adjoining properties, which are presently residences.

A condition is recommended requiring a gate to be installed on the driveway between the side boundary and western elevation. The gate is to be secured outside of the business hours to prevent access to the rear of the site. Further a condition is recommended requiring security lighting to be installed.

The site will be suitably sign posted to ensure easy identification of the premises.

6. *The proposed development will exacerbate existing stormwater issues due to more concentrated water flow to the street.*

Officer comment:

On-site detention will be provided to ensure post-development flows discharging from the site do not exceed pre-development flows which are in accordance with Council's pollutant reduction targets.

Stormwater discharge from the proposed development will be managed in accordance with Council's Engineering Design Specifications.

7. *The proposed development will impact the heritage values of the street. The building will have a decreased setback to the eastern side boundary that is less than other side boundary setbacks in Park Street. The existing building should not be demolished.*

Officer comment:

The subject site forms part of the Camden Heritage Conservation Area (HCA). The existing dwelling is considered to be in a dilapidated state, and given its style does not contribute to the HCA. As such the loss of the dwelling is not considered to adversely impact the HCA. The proposed building is consistent with the style of surrounding development with respect to design, materials and setbacks.

The proposed development maintains the current side boundary setback to the adjacent heritage item located at 9 Park Street. The eastern side setback of the proposed building is marginally reduced from 720 to 600mm. This decreased setback will not have a detrimental impact on the HCA particularly given the adjacent zero lot line of an existing carport on the eastern boundary at 5 Park Street.

The proposed building is considered to be an acceptable infill development within the HCA and demolition of the existing dwelling is supported.

8. *The hours of operation were not specified. The proposal will affect residential amenity during sensitive hours.*

Officer comment:

The proposed hours of operation were confirmed by the applicant as being from 8:00am to 5:00pm Monday to Friday. The proposed hours are outside of sensitive



hours with respect to residential amenity and therefore the proposed development will not have adverse acoustic impacts. A 1.8m high solid boundary fence is recommended as a condition of consent along the driveway commencing at the façade of the building and to the perimeter of the car park area to assist in noise attenuation.

9. *The number of staff proposed will be inadequate and will be much higher.*

Officer comment:

The number of staff (6 proposed) will be restricted by the size of the medical centre and the provision of only 2 theatre rooms.

10. *The surrounding properties will be devalued.*

Officer comment:

This is not a consideration under the provisions of Section 79C of the *Environment Planning and Assessment Act 1979*.

11. *The medical practice will be in breach of regulations relating to public health requirements.*

Officer comment:

The applicant was requested to demonstrate the internal layout of the building can accommodate the necessary equipment for the services provided in accordance with the *Private Health Facilities Act 2007* and the *Private Health Regulation 2010*. The internal layout of the building was amended to ensure compliance is achieved. A3 plans were provided to the submitters illustrating the internal changes. The applicant has confirmed the internal layout of the building will be in accordance with the *Private Health Facilities Act 2007* and the *Private Health Regulation 2010*.

Conditions will be provided to reinforce the medical procedures carried out within the premises are conducted by a health practitioner registered under the Health Practitioner Regulation National Law (i.e. Doctor and Nurse).

12. *Neighbours were never notified of the rezoning.*

Officer comment:

The “rezoning” in 2010 was a like-for-like conversion from the former Local Environmental Plan No. 45 to the Standard Instrument Camden Local Environmental Plan 2010. The B4 Mixed Use zone was previously zoned 3(f), the boundaries of the zoning were not modified. Zone 3(f) was Town Centre (Support), which is similar to the B4 zone.

The LEP was publically exhibited prior to its adoption.

13. *The existing building contains asbestos.*

Officer comment:

Conditions for preparation of a hazardous building materials assessment and demolition are recommended so that demolition is carried out by licenced contractors in accordance with WorkCover criteria.

Standard conditions are recommended for demolition so that any unexpected finds are assessed and potential contamination identified for remediation.

14. *The prevailing residential character of the area warrants rezoning of Park Street to residential, which is more appropriate to retain the existing residential qualities of the street, directly opposite the heritage listed Macarthur Park.*

Officer comment:

A medical centre is permitted with consent within the current B4 zone. Further it is noted that medical centres are generally permitted in residential zones including R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and R5 Large Lot Residential zones.

15. *Permissibility and compliance with planning controls should not compel Council to approve the development. Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended) requires Council to assess proposals on their respective merits.*

Officer comment:

The proposed development has been assessed in accordance with the matters raised for consideration pursuant to Section 79C of the *Environmental Planning and Assessment Act, 1979* (as amended), as is demonstrated by this report.

16. *The proposed use and associated infrastructure is in conflict with Clause 1.2, 2 (a) of the Camden LEP, challenging the traditional residential qualities and character of the residential precinct. In particular, with respect to vehicular movements and kerbside parking.*

Officer comment:

Clause 1.2, 2 (a) of the Camden LEP states: “to ensure Camden retains its valued traditional qualities, character and scenic landscapes while providing for sustainable urban growth.”

The proposed development provides for the sustainable urban growth of the Camden Local Government Area by providing a medical facility for the growing community. The valued, traditional qualities, character and scenic landscape of Park Street will be protected given the sensitive design of the building and the proposed hours of operation.

Car parking complies with the requirements of the Camden DCP and the RMS guidelines and will be concealed behind the building at the rear, reducing impacts on the streetscape character.

17. *The proposed development is not compatible with existing residential development and is in conflict with the objectives of the B4 Mixed Use zone.*

Officer comment:

The B4 Mixed Use zone objectives seek to provide a mixture of compatible land uses; to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; to minimise conflict between land uses within the zone and land



uses within adjoining zones; and to encourage development that supports or complements the primary office and retail functions of the local centre zone.

In this regard, the proposed medical centre is accessible from the town centre and will support and compliment the office and retail functions of the adjacent B2 Local Centre zone by providing a medical service for the community.

The proposed development is considered to be compatible with future land uses permitted with consent in the B4 zone, and existing land uses. The proposed development is single storey and the proposed hours of operation are akin to standard business hours, thereby providing amenity for adjoining dwellings in the early mornings, evenings and weekends.

18. Patient arrival will not always strictly adhere to the proposed hours of operation, resulting in acoustic impact within sensitive hours. An acoustic report should be provided. Acoustic impacts associated with vehicle movements, waste collection, general congregation of people, movements beyond nominated hours of operation and external air conditioning units.

Officer comment:

The proposed hours of operation (8:00am to 5:00pm Monday to Friday) are outside of sensitive hours. The proposed hours of operation will be enforced as a recommended condition of consent. It is expected that employees may utilise the premises prior to or after business hours, however the premises will not be opened to the general public outside of nominated hours.

General waste will be collected from the kerb by Council's Waste Services team, which is generally outside of sensitive hours. Medical waste will be stored at the rear of the site and will either be collected at the rear or wheeled to the frontage for collection. A condition is recommended so the removal of medical waste is not to occur before 7am or after 6pm.

Air conditioning units are shown on the site plan and will be directed towards the rear property boundary, away from adjacent residential uses. A condition is recommended to restrict the noise generation of the air conditioning unit.

19. The subject site is not appropriately placed in relation to distance to public transport, impracticality of walking and cycling due to topography. This is in conflict with the objectives of the B4 zone.

Officer comment:

The site is located in close proximity to a bus stop on Broughton Street. Further, the site is adjacent to existing residential uses and surrounding commercial development that forms part of the B4 Mixed Use zone. The subject site is approximately 85 metres from the adjacent B2 Local Centre Zone, 50m from land zone R3 Medium Density Residential and is within proximity to land zoned R2 Low Density Residential. The site is therefore well placed to provide support to surrounding commercial and residential development.

The proposed development has been assessed against the objectives of the B4 zone, and is considered to be in accordance with the objectives.

20. *The proposed development is not in accordance with the objectives of the Camden DCP.*

Officer comment:

The proposed development has been assessed against the controls of the Camden DCP and fully complies. The proposed development is therefore considered to be in accordance with the relevant objectives of the Camden DCP.

21. *9 Park Street currently does not have a solid eastern boundary fence. The proposed acoustic fence along this boundary will impact residential amenity and the outlook for 9 Park Street.*

Officer comment:

The main outlook for adjacent 9 Park Street is to the south, opposite to Macarthur Park. The proposed development will not impact this outlook. A 1.8m high fence is permitted in the B4 zone.

Council's Heritage Officer and Environment and Health Officer have agreed that the acoustic fence should begin at the proposed building façade line so as not to impact the vista to the adjacent heritage item at 9 Park Street. Conditions have been recommended accordingly.

22. *The proposed development will result in increased vehicular activity, impacting the heritage conservation area. The town fringe residential character should be retained and protected.*

Officer comment:

The proposed development complies with the parking requirements. 10 parking spaces are provided off street behind the proposed building, therefore parked vehicles will not impact the streetscape character. The site was previously zoned for commercial development prior to the current Camden LEP and therefore a higher volume of traffic was always envisaged for the area. The proposed use is permitted with consent in the B4 zone.

23. *Impacts upon the heritage listed Macarthur Park opposite the site are not addressed.*

Officer comment:

The existing building is dilapidated and does not significantly contribute to the conservation area. Therefore, its demolition is not of significant concern.

The proposed building has been designed having due regard to the streetscape character and two existing trees within the frontage are to remain. The heritage significance of the area will therefore be protected and arguably enhanced by the replacement of the dilapidated building.

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 105/2016 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve DA 105/2016 the demolition of an existing dwelling and construction of a single storey medical centre, car park, signage, drainage, landscaping and associated site works at 7 Park Street, Camden, subject to the conditions attached.

ATTACHMENTS

1. Proposed Plans
2. Recommended Conditions
3. B4 Zoning Map
4. Public Exhibition and Submissions Map - *Supporting Document*
5. Submissions - *Supporting Document*



ORDINARY COUNCIL

ORD05

SUBJECT: SUBDIVISION TO CREATE 7 RESIDENTIAL LOTS, 1 RESIDUE LOT, CONSTRUCTION OF 7 TWO STOREY DWELLINGS AND ASSOCIATED GARAGES - 23-41 CAMDEN ACRES DRIVE, ELDELSLIE

FROM: Director Planning & Environmental Services
TRIM #: 16/126372

APPLICATION NO: DA1141/2015
PROPERTY ADDRESS: 23 - 41 Camden Acres Drive, Elderslie
APPLICANT: Matthew Waters

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for subdivision to create 7 residential lots, 1 residue lot, construction of 7 two storey dwellings and associated garages at 23-41 Camden Acres Drive, Elderslie.

The DA is referred to Council for determination as seventeen (17) objections from thirteen (13) property owners have been received in response to the proposed development.

The application when originally lodged and notified proposed the construction of 9 x two storey dwellings and 4 secondary dwellings. The majority of objections received were in response to the original proposal. Subsequent to discussions between the applicant and Council officers the proposal has been amended to delete 2 of the two storey dwellings and the 4 secondary dwellings. These amended plans were re-notified and 2 submissions were received in response.

SUMMARY OF RECOMMENDATION

That Council determine DA 1141/2015 for subdivision to create 7 residential lots, 1 residue lot, construction of 7 two storey dwellings and associated garages pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

THE PROPOSAL

DA 1141/2015 seeks approval for subdivision to create 7 residential lots, 1 residue, construction of 7 two storey dwellings and associated garages.

Specifically the proposed development involves:

- Subdivision to create 7 residential lots measuring between 300m² and 337m²;
- Subdivision to create 1 residue lot measuring 684m²;
- Construction of 7 two storey brick veneer dwellings with tiled pitched rooves. Each dwelling contains four bedrooms.
- Construction of 7 double garages one for each dwelling;



- Provision of 5 visitor car spaces within Lots 4281,4282,4283, 4284, 4285 and 4286;
- Creation of easements for access for all over the 5 visitor car spaces; and
- Associated landscaping and site works.

The value of the works associated with the development is \$2,275,000.

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

THE SITE

The site is commonly known as 23-41 Camden Acres Drive, Elderslie and is legally described as Lot 428 DP 1106634.

The site measures 2831m² and is currently vacant. The site fronts Camden Acres Drive to west and adjoins a 6m wide laneway to the east. Condron Circuit adjoins the site to the north and south.

The lot was created as a residue lot under DA 1405/2004 which was approved on 3 April 2006.



KEY DEVELOPMENT STATISTICS

The development has been assessed against the relevant planning controls and is generally compliant with the exception of one minor variation. Below is a summary of the key development statistics associated with the DA and any variations.

Camden LEP 2010			
	Standard	Proposed	Compliance
4.1 Lot Size	Semi-detached dwellings Minimum Lot Size 200m ²	300m ² .	Yes



	Dwellings Minimum Lot Size 300m ² .		
4.3 Height	Maximum 9.5m	8.4m.	Yes
Camden DCP 2011			
	Standard	Proposed	Compliance
D2.3.1 Front Setback	Minimum 4.5m.	4.5m.	Yes
D2.3.1 Rear Setback	Minimum 2.5m.	2.5m.	Yes
D2.3.1 Side Setbacks	Minimum 0.9m.	Minimum side setback proposed 0.93m (Unit 1) Side setback does not apply for zero lot line dwellings	Yes
D2.3.1 Site Coverage	Ground Floor Maximum 50%. Upper Floor Maximum 30%.	Dwelling 1 – 42% Dwelling 2 – 42% Dwelling 3 – 42% Dwelling 4 – 41% Dwelling 5 – 44% Dwelling 6 – 43% Dwelling 7 – 39%. Dwelling 1 – 30% Dwelling 2 – 30% Dwelling 3 – 30% Dwelling 4 – 29% Dwelling 5 – 30% Dwelling 6 – 30% Dwelling 7 – 28%.	Yes Yes
D2.3.1 Landscaped Area	Minimum 30%.	All 7 residential lots provide over 30%.	Yes
D2.3.1 Solar Access	Solar Access to PPOS 2hrs between 9.00am and 3.00pm on 21 June.	All 7 residential lots provide in excess of 2hrs solar access to the PPOS.	Yes
D2.1.5 Private Open Space	Minimum 20%.	All 7 residential lots provide over 20% POS.	Yes
D2.21. Zero Lot Line	Two storey walls should not exceed 30% of the length of the corresponding boundary.	Units 1, 2, 3, 4, and 7 exceed 30%.	No – DCP Variation 1
B5 Car parking	2 car spaces per dwelling with 2 or more bedrooms .	2 car spaces provided for each dwelling plus 5 additional visitor spaces.	Yes



ASSESSMENT

Zoning and Permissibility

Zoning:	R1 General Residential.
Permissibility:	The proposed development proposes seven (7) dwellings including 4 semi-detached and 3 detached dwellings. A "dwelling" and a 'semi-detached dwelling" as defined 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 Policy(s) - S79C(1)(a)(i)	<p><u>State Environmental Planning Policy 55 – Remediation of land</u> Compliant with conditions recommended where necessary.</p> <p><u>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</u> -Compliant with conditions recommended where necessary.</p> <p><u>Deemed State Environmental Planning Policy No 20–Hawkesbury-Nepean River</u> Compliant with conditions recommended where necessary.</p>
Local Environmental Plan - S79C(1)(a)(i)	Camden LEP 2010 - Compliant with conditions recommended where necessary.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	Camden DCP 2011 - Generally compliant with one variation proposed as discussed below.
Planning Agreement(s) - S79C(1)(a)(iiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	Fifteen (15) submissions were received which are discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

Compliance with Plans or Policies

DCP Variation 1 – Zero Lot Line Wall

DCP Control

Part D2.1.2 of the Camden DCP 2011 relates to zero lot line development and specifies that two storey walls should not exceed 30% of the length of the corresponding boundary.

Variation Request

A variation is required for Units 1, 2, 3, 4, and 7 as the length of the two storey walls exceed 30% of the length of the corresponding boundary as follows:

- Unit 1 – 32%
- Unit 2 – 32%
- Unit 3 – 32%
- Unit 4 – 32%
- Unit 7 – 48%.

Refer to Attachment 2 for a plan showing the zero lot lines proposed.

Council Staff Assessment

Council staff have reviewed the above variation requested and recommend it be supported for the following reasons:

- The variation proposed is minor in nature especially for Units 1 to 4 with an exceedance of 2%.
- The subject site is irregular in shape and the depth of the lot varies from 33m in the centre of the site to 10m to the southern side of the allotment. The depth of the proposed lots directly relates to the shape of the allotment.
- Proposed lot 4288, due to the narrowing of the allotment to its southern portion, unit 7 does not meet the zero lot line control. The zero lot line control is to enable the efficient use of small allotments, the design of Lot 4288 is considered to meet the objective of this clause as it proposes an efficient dwelling and lot layout.
- The zero lot line control relates to protecting the internal amenity within the site, the length of the wall on the boundary does not result in any amenity impacts on the adjoining lot or any other properties.
- The length of wall will not be readily discernible from the public domain.
- The length of this wall does not result in a change in the density of development on this allotment.
- The proposed development fully complies with all other relevant controls.

Key Issues

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

Submissions

The DA was publicly exhibited for 30 days in accordance with the DCP. The exhibition period was from 22 October 2015 to 20 November 2015. Thirteen (13) submissions were received (all objecting to the proposed development). The application was amended and re-notified to the all adjoining landowners and to those who lodged a submission to the original proposal. The application was re-notified for 14 days from 7 March 2016 to 21 March 2016. Two (2) additional submissions were received during that time.

The proposal was amended subsequent to the second notification period. A copy of the amended plans was circulated to all objectors. Two (2) additional submissions were received in response to the amended plans.



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

1. Adverse traffic and car parking impacts

Officer comment:

The proposed development provides a double car garage for each dwelling in accordance with the provisions of the Camden DCP 2011. The proposal provides 5 additional spaces for visitors (adjacent to dwellings 1-5 inclusive), the visitor car parking spaces are in excess of the DCP requirements. A total of 19 car spaces are proposed for 7 dwellings which is considered more than adequate reducing the demand on on-street parking.

Council's Traffic Unit has assessed the application and does not consider there will be any adverse traffic impacts in the locality. The existing road network adequately accommodates the additional traffic generated by 7 dwellings. Camden Acres Drive has a carriageway width of 7.2m which can accommodate two way traffic together with street car parking, if required. Council's Traffic Unit has advised there is no nexus to prohibit on street parking on Camden Acres Drive. On street parking highlights to drivers to slow down in residential areas which improves safety for drivers and pedestrians.

A condition of consent will require one way traffic movement and no stopping restrictions to be imposed in the existing laneway on completion of the development. This will allow through traffic and bin collection from the laneway. Any illegal parking in the laneway, if reported to Council, would be dealt with accordingly.

2. Overdevelopment of the site

Officer comment:

The original proposal which was initially notified included the construction of 9 dwellings and 3 secondary dwellings. The majority of the submissions were received as a result of the first notification. The amended development proposes 7 residential lots and the construction of 7 two storey dwellings which fully comply with the Camden LEP 2010 and are largely compliant with the controls of the Camden DCP 2011.

The minimum lot size for semi-detached dwellings in this area is 200m². The proposed semi-detached dwellings are on lots of 300m². The site is located within Area 2 as shown in Figure C12 of the Elderslie Indicative Layout Plan (ILP). **Refer to Attachment 1.** Area 2 is designated for small lot housing with rear lane car access and zero lot lines on one side in accordance with Part C6 of the Camden DCP 2011.

The proposed development is therefore not considered an overdevelopment of the site.

3. Privacy and overlooking

Officer comment:

There will be no privacy or overlooking issues either between the dwellings or into adjoining properties. The dwellings are setback between 4m and 17m from the rear boundary and further separated from the dwellings to the east by the 6m wide laneway. The upper floors of all 7 dwellings contain bedrooms and bathrooms only which are not considered areas of congregation and overlooking from these rooms is not considered to adversely impact privacy.



4. Acoustic impacts

Officer comment:

An acoustic report was not considered necessary to support this application in accordance with Council's Environmental Noise Policy. The seven (7) dwellings are not considered to generate any significant noise which will adversely impact the existing residential area.

5. Inappropriate development for the area/out of character

Officer comment:

Semi-detached and detached dwellings are permissible in the R1 General Residential zone. The development as proposed is in accordance with the minimum lot size and height restrictions as specified by the Camden LEP 2010 and fully complies with the setbacks, private open space, solar access, landscaping and car parking requirements for dwellings as specified in the Camden DCP 2011. The semi-detached double storey dwellings as proposed are consistent with the desired character of the area.

6. Presentation to the laneway

Officer comment:

The proposed development with garages fronting the laneway is in accordance the Camden DCP 2011. The laneway is existing and the intent of the laneway is to service rear loaded garages accessed off the laneway. This removes the garage dominance from the primary street frontage. The garages as proposed are setback 2.5m from the laneway in accordance with the DCP requirements.

7. Inadequate plans – no streetscape plan

Officer comment:

The proposal has been amended a number of times and plans have been provided to the objectors accordingly. A streetscape plan was provided to all objectors. The final plans submitted are deemed satisfactory by Council Officers.

8. Disturbance during construction

Officer comment:

A condition of consent will require access to the site to be gained via the existing rear laneway during construction. This will reduce any impact on traffic during construction.

9. Inconsistency with original development intention/covenant

Officer comment:

There are no restrictive covenants registered for this site.



Proposed Residue Lot

Proposed Lot 428 measures 684m² and is a sufficient size and depth to accommodate a built form which complies with the Camden LEP and DCP. Any future development of lot 428 will be subject to a future development application which will be processed in accordance with Council Policies and Procedures.

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 1411/2015 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That Council approve the development for subdivision to create 7 residential lots, 1 residue lot, construction of 7 two storey dwellings and associated garages at 23-41 Camden Acres Drive, Elderslie, subject to the conditions attached.

ATTACHMENTS

1. Elderslie ILP
2. Proposed Plans
3. Recommended Conditions
4. Zero Lot Line Plan
5. Floor Plans - *Supporting Document*
6. Public Exhibition and Submissions Map - *Supporting Document*
7. Submissions - *Supporting Document*



ORDINARY COUNCIL

ORD06

SUBJECT: 2013/14 - 2016/17 REVISED DELIVERY PROGRAM AND 2016/17 DRAFT OPERATIONAL PLAN (BUDGET)

FROM: Director Customer & Corporate Services

TRIM #: 16/129798

PURPOSE OF REPORT

The purpose of this report is to inform Council that the Revised 2013/14 – 2016/17 Delivery Program and Draft 2016/17 Operational Plan (Budget) are now in a position to be formally considered by Council and, if endorsed, placed on public exhibition.

BACKGROUND

Council's Integrated Planning and Reporting Package was adopted on the 25 June 2013. The package included the following key documents:

1. Community Strategic Plan - Camden 2040;
2. Resourcing Strategy (comprising a Long Term Financial Plan, Asset Management Plans and a Workforce Plan);
3. 2013/14 – 2016/17 Delivery Program;
4. 2013/14 Operational Plan (including the 2013/14 Budget).

Council adopted the 2013/14 - 2016/17 Revised Delivery Program and 2015/16 Operational Plan (Including Budget) on 24 June 2015.

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 2016/17 annual budget process, there have been a number of recommended inclusions to the 2016/17 budget over and above what was included in the Revised 2013/14 - 2016/17 Delivery Program. For these reasons, it is appropriate that Council publicly exhibit the relevant documents for a period of 28 days.

A copy of the Revised Delivery Program and 2016/17 Operational Plan (Budget) were distributed to Councillors under separate cover 13 May 2016. A council budget briefing was held 17 May 2016.

FIT FOR THE FUTURE

The Draft 2016/17 Operational Plan (Budget) continues Council's history of prudently allocating financial resources. This further supports Council's rating by the Office of Local Government and IPART as being one of only seven metropolitan Councils financially sustainable and fit for the future.



INTEGRATED PLANNING & REPORTING

The current Integrated Planning and Reporting Package has now been in place for approximately three years.

At the core of the Integrated Planning and Reporting Package is the establishment of strong links between the 4 key component documents to demonstrate that what Council does is driven in the main by community priorities (from Camden 2040) and that sufficient resources have been allocated to these programs and activities so that service outcomes can be delivered on time, in a sustainable manner.

Council's Delivery Program and Operational Plan outlines 30 Local Services and the supporting programs and activities that Council proposes to undertake over a 4 year period to help achieve the aspirations in Camden 2040. This document details the range of services Council delivers, the primary activities involved in delivering those services, the timeframe in which those activities will be delivered and the manner in which success will be measured.

2016/17 OPERATIONAL PLAN (BUDGET)

In summary, the draft 2016/17 Operational Plan is as follows:

Draft Operational Plan	2016/17
Operating Expenditure	\$90,599,500
Capital Expenditure	\$241,430,900
Gross Expenditure Budget	\$332,030,400
Non Cash and Reserve Transfers	
Less: Works In Kind - Land & Infrastructure	\$179,792,400
Less: Non Cash Depreciation Expense	\$14,117,800
Less: Transfer to Cash Reserves	\$15,502,900
Net Cash Expenditure Budget	\$122,617,300

Council's proposed gross expenditure budget for 2016/17 is \$332,030,400. Upon removing non cash expenditure and transfers to reserve, Council's proposed cash budget for 2016/17 is \$122,617,300.

BUDGET RESULT AND ALLOCATION OF SURPLUS

The 2016/17 Operational Plan (Budget) provides the financial resources for Council to continue to deliver the services, programs and activities outlined within the Delivery Program. In reviewing the 2016/17 Operational Plan (Budget), Council has prudently considered both the needs of the community and long term financial sustainability of the organisation.

A review of the 2016/17 Operational Plan identified a budget surplus of \$3,410,500. The proposed allocation of the budget surplus is shown in the following table:

2016/17 Budget Surplus	
Draft Budget Surplus	\$3,410,500
Surplus Allocation	
1 - Workforce Positions	\$1,916,500
2 - Operational Expenditure (Net)	\$1,402,000
3 - Capital Expenditure (Net)	\$828,000
4 - Transfers from Reserve (Net)	(\$3,286,000)
5 - Priority Community Projects	\$2,550,000
2016/17 Balanced Budget	\$0

1 - Additional Workforce Positions

A total of 24 additional positions has been proposed for inclusion in the 2016/17 budget. These positions are considered high priority positions and are consistent with Council's adopted workforce plan. The positions will assist in ensuring services keep pace with the demands of rapid community growth. Operational staff increases include funding to undertake landscape and garden maintenance in growth areas and funding for an increase in street sweeping services within the LGA.

2 – Operational Expenditure

In addition to the funds allocated in the 2013/14 – 2016/17 Revised Delivery Program, Council has proposed the following additional operational items for inclusion in the 2016/17 budget.

Operational Expenditure	
Rates - additional Valuer General costs	15,000
State of Environment Report	50,000
Contributions Planning Review	100,000
Community Strategic Plan	100,000
Implementation of Council's WHS Management System & Training (funded from reserve)	50,000
Development Control Plan 2016	25,000
Additional Software Maintenance	37,000
Remote Access to Council Systems from Mobile Devices	60,000
Economic Development initiatives	30,000
Oran Park administration facility management provision (utilities saving of \$153,000 realised through leasing existing admin buildings included in budget surplus above)	500,000
Parks and Reserves - Additional contract mowing (Council Resolution 169-15 – 14/07/2015)	120,000
Additional Open Space maintenance for new areas handed over by developers to Council (Council Resolution 17-16 – 23/02/2016)	115,000
Camden Town Centre Urban Design Framework	200,000



Total – Operational Funding Requests	\$1,402,000
---	--------------------

3 - Capital Expenditure

In addition to the capital projects already approved as part of the Revised 2013/14 – 2016/17 Delivery Program, it is proposed to also include the following capital items in the 2016/17 budget.

Capital Expenditure	
Establishment of an IT Business Continuity Recovery Facility at Narellan Library	\$100,000
Purchase of a new Waste management system	\$200,000
Sportsfield Fertiliser Spreader	\$15,000
Narellan Library Software Upgrade	\$23,000
Weighbridge at the operations depot	\$150,000
Camden Town Centre upgrade project	\$540,000
Less: Reserve Funding Available	(\$200,000)
Total – Additional Capital Works Projects	\$828,000

4 – Proposed Reserve Transfers

In addition to the reserve transfers already approved as part of the 2013/14 – 2016/17 Revised Delivery Program, the following reserve transfers are also proposed to be made as part of the 2016/17 budget.

Proposed Reserve Transfers	
Capital Works Reserve (transfer from reserve)	(\$1,306,300)
Asset Renewal Reserve (transfer from reserve)	(\$1,979,700)
Technology Improvements Reserve (transfer to reserve)	\$50,000
Risk Management Reserve (transfer from reserve)	(\$50,000)
Proposed Transfers from reserve (net)	(\$3,286,000)

Please refer to the Reserves Section of this report for further information on proposed reserve balances and transfers.

5 – Priority Community Projects

Council has proposed the following additional priority works for inclusion in the 2016/17 budget.

Priority Community Projects	
Macaria Building – maintenance – historical building	\$150,000
Catherine Fields Community Hall – replacement of timber flooring	\$80,000
Mount Annan Leisure Centre – refurbishment and upgrade of existing facilities to match and complement new construction	\$194,000



Camden Town Farm New Toilet Facility	\$150,000
Priority Community Projects (Continued)	
Camden Cemetery New Toilet Facility	\$220,000
Cuthill Reserve (Camden Cricket Club) – tables and shelters	\$20,000
Kirkham Park Rugby Clubhouse – replace gutters and downpipes	\$12,000
Camden Civic Centre – kitchen upgrade, painting, tiling	\$180,000
BEP Arena Renewal – renovation of existing main arena (BEP to contribute \$150k) – total project cost \$265k	\$115,000
Harrington Park Lake – renewal of cycleway circuit surrounding lake	\$429,000
Birriwa Reserve Cricket – O’Dea Road – additional parking	\$85,000
Harrington Park Lake – Exercise Stations	\$150,000
Pat Kontista Reserve	\$100,000
Coghill Street – widening travel lanes and additional parking and footpath	\$250,000
High School Public Art, installations on community facilities (eg, Birriwa amenities)	\$25,000
Additional Community Events (2)	\$60,000
Lower Kirkham – Installation of cricket pitch	\$25,000
Fairfax Reserve – carpark expansion	\$55,000
Parks Lighting – changeover to automated system – 11 sites	\$70,000
Belgenny Reserve – improve lighting levels – 6 new poles	\$150,000
Onslow Oval Rear Fields – new lamps on existing poles	\$30,000
Total – Priority Community Projects	\$2,550,000

2016/17 OPERATIONAL PLAN HIGHLIGHTS

Rate Income

Council was advised in December 2015 that IPART had determined an allowable increase in rating income for 2016/17 of 1.80%. Rate estimates included within Council’s Revenue Policy have been prepared on the basis of a 1.80% rate increase.

The impact on the average residential assessment is approximately \$19.60 per year (38c per week).

Council has not made an application for a rate increase above the allowable increase of 1.80% for the 2016/17 financial year and does not propose any changes to its current rating policy.

Please note that the above projections include the one-off 1.10% special rate variation approved by IPART in June 2013. This revenue is used to part fund the Community Infrastructure Renewal Program and is approved for a period of six years.



Council will continue to levy properties that receive a stormwater service with the Stormwater Management Levy. No change is proposed to the levy amount, which is \$20 per annum for land categorised as residential.

Domestic Waste Charges

It is proposed to increase domestic waste charges by 5.50%. The impact on the average 120 litre service is approximately \$17.50 per year (34c per week). This 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 list of proposed charges applicable to waste services can be found in Council's Fees and Charges schedule for the 2016/17 financial year.

Fees and Charges

Proposed fees and charges for 2016/17 have generally been increased by 2.10% 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.

Council's Fees and Charges schedule for the 2016/17 financial year will be part of the documentation placed on exhibition for public comment.

Investment Income

Council has an adopted investment policy which outlines the manner in which Council may invest funds, risk profile considerations, and the types of institutions and products which it may invest in.

Interest projections for 2016/17 have been prepared on the basis of generating a return on investment of 2.70%. This is the same forecasted rate used as part of the 2015/16 budget. Council is currently achieving a return on investments portfolio of approx. 3.45% (April 2016).

Pensioner Subsidy

Pensioner rebate estimates have been revised to reflect the current number of residents who can claim a pensioner rebate.

As part of the 2014/15 budget, the Federal Government announced that it would cease paying its 5% subsidy towards pensioner rebates. This decrease was subsequently covered by the NSW State Government for 2014/15 and 2015/16.

In lieu of the NSW State Government confirming that they will continue to cover 55% of the pensioner rebate for 2015/16, Council's LTFP assumes this will decrease to 50% in 2016/17 and onwards due to the decision of the Federal Government to discontinue their part funding of this scheme.

Community Infrastructure Renewal Program (LIRS Round 2) (6 Year Program)

The six-year \$6.3 million Community Infrastructure Renewal Program is funded by a combination of internal reserves (\$1.5 million), a special rate variation of 1.10% including interest (\$2.8 million) and loan borrowings via the Loan Infrastructure Renewal Scheme (\$2 million). The 2016/17 financial year is the fourth year of this program.



The total programmed expenditure for the first 3 years of the Community Infrastructure Renewal Program was \$3.9 million. As at 30 April 2016, \$3.2 million (82%) of the identified works program have been completed.

It should be noted that Council will realise loan interest savings of over \$700,000 through rounds two (2) and three (3) of this scheme.

Capital Works Program

The Capital Works Program for 2016/17 is \$225,779,000. A breakdown of this program is shown in the following table:

Local Service	2016/17
Road / Transport Infrastructure	\$83,788,000
Drainage Infrastructure	\$45,396,000
Waste Management	\$2,719,000
Parks & Playgrounds	\$61,476,000
Community Facilities	\$16,559,000
Recreational Facilities	\$12,320,000
Public Libraries	\$319,000
Central Administration Building	\$2,204,000
Governance & IT	\$998,000
	\$225,779,000
<i>Funded By</i>	
Works In Kind Agreements	\$179,792,000
Section 94 Funds (Cash Reserves)	\$22,247,000
Waste Management Reserve	\$2,719,000
External Grants	\$6,737,000
Land Compensation Income	\$1,082,000
Community Infrac. Renewal Program	\$469,000
Internal Reserves	\$5,902,000
Other Contributions	\$2,200,000
General Fund	\$4,631,000
	\$225,779,000

Loan Borrowings - External

The following loan borrowings are included in Council's Revised 2013/14 - 2016/17 Delivery Program.

	2014/15	2015/16	2016/17
Recurrent Loan Borrowing Program	\$0	\$0	\$1,000,000
Local Infrastructure Renewal Program	\$2,250,000	\$0	\$0
Central Administration Centre	\$0	\$23,000,000	\$0
Total – Loan Borrowings	\$2,250,000	\$23,000,000	\$1,000,000
Principal Outstanding	\$19,722,000	\$41,200,000	\$38,768,000
Debt Servicing Costs (principal & interest)	\$3,166,000	\$3,780,000	\$5,246,000



Historically Council has borrowed \$1.6 million annually to part-fund its road renewal program (road reconstruction). Council reviewed this practice and the amount borrowed in developing the 2013/14 budget and Long Term Financial Plan.

As a result of this review, Council approved a debt reduction strategy, which gradually reduced the reliance on recurrent loan borrowings to part-fund the road reconstruction program. The strategy will result in recurrent loan borrowings being phased out after 2016/17. At this point in time the proposed loan borrowing in the 2016/17 Operational Plan (budget) is \$1 million. The need to borrow these funds will be re-visited throughout the year and will depend on Council's financial position at that time.

The debt servicing for these loans is already included in Council's long-term financial plan and formed part of IPART's review of council's financial sustainability with Camden Council being one of only seven metropolitan Councils deemed financially sustainable and fit for the future.

Internal Borrowings

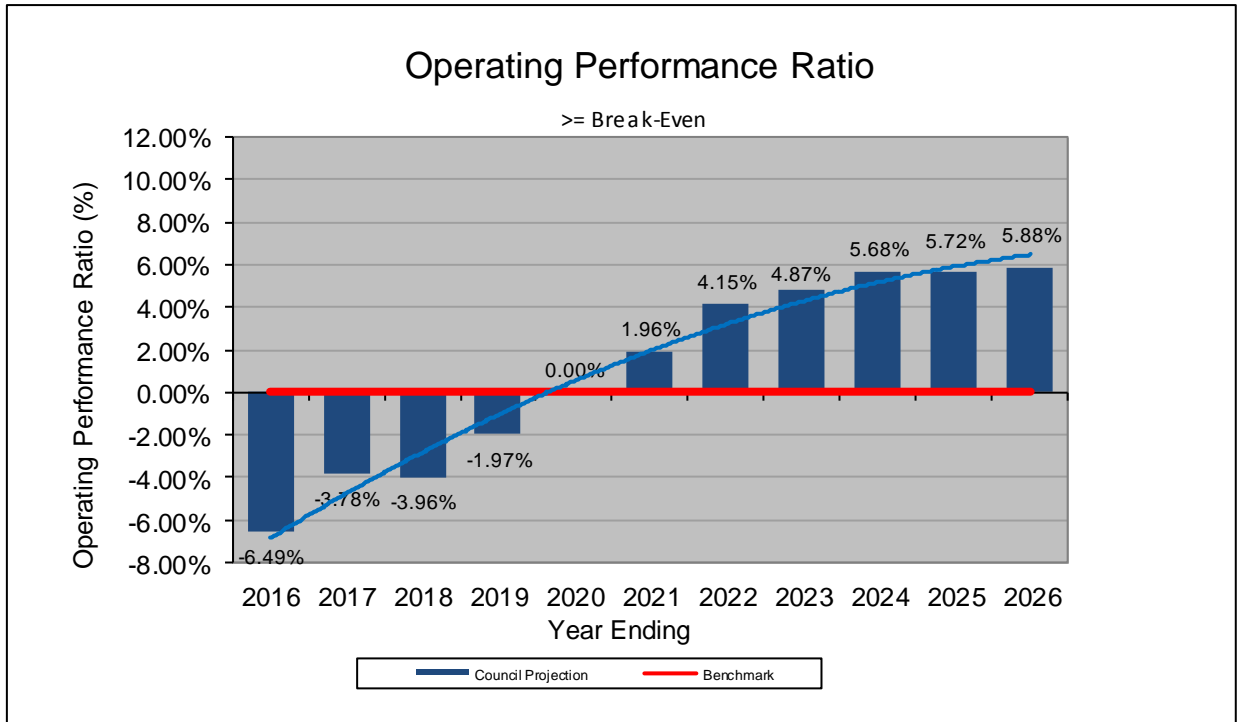
Internal borrowings were used to part fund the construction of the new central administration building. To date \$1.7 million has been repaid leaving a balance of \$1.3 million to be repaid from future quarterly reviews. There is no immediate need for Council to repay this balance.

Reserve	Internally Borrowed	Already Repaid	Balance	Notes
Capital Works Reserve	\$800,000	(\$800,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015
Asset Renewal Reserve	\$900,000	(\$900,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015 and 279/15 27/10/15
Plant Replacement Reserve	\$600,000	\$0	\$600,000	To be repaid at a future Quarterly Review
Commercial Waste Reserve	\$700,000	\$0	\$700,000	To be repaid at a future Quarterly Review
Total	\$3,000,000	(\$1,700,000)	\$1,300,000	

FINANCIAL SUSTAINABILITY INDICATORS

Operating Performance Ratio

This ratio measures Council’s ability to fund operations (including non-cash depreciation) now and into the future. The benchmark for this ratio is to break even.



The Camden LGA is one of the fastest growing areas in NSW. This brings the challenges of planning and delivering service demand and infrastructure sometimes years before additional income is realised through growth. Rates and annual charges income is expected to more than double over the next 10 years to over \$123 million p.a., providing greater economies of scale in the later years of the long term financial plan.

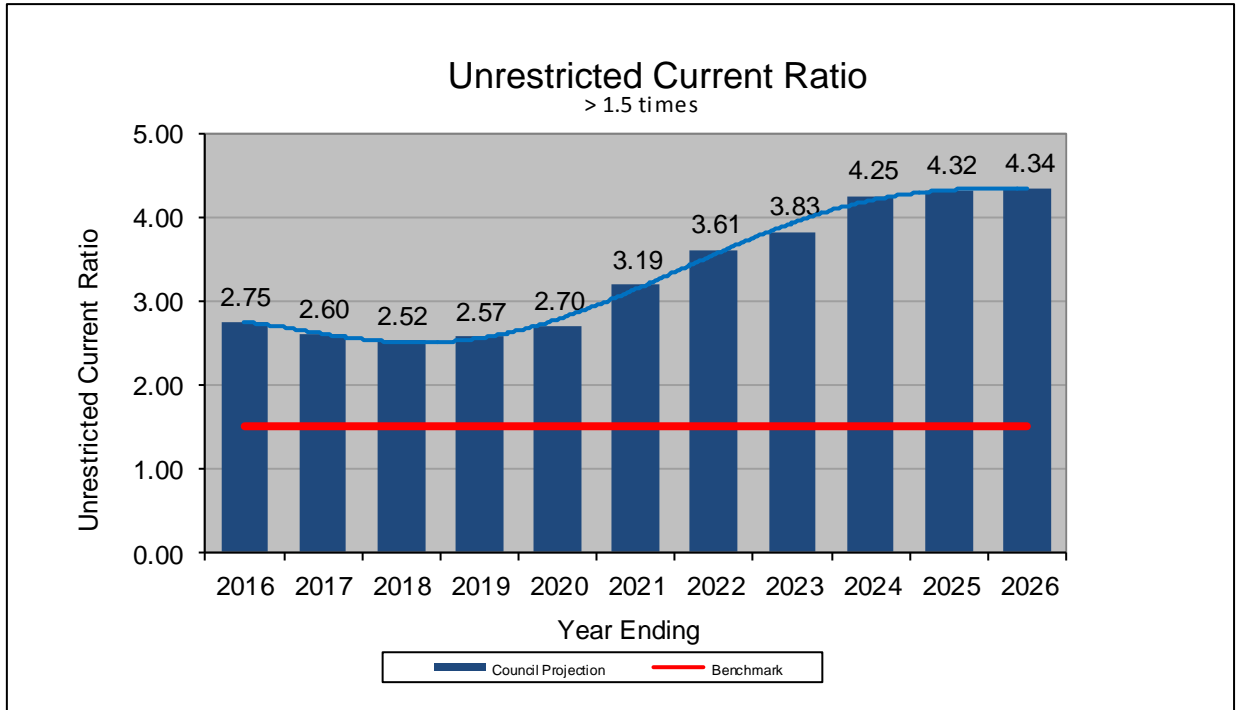
The Operating Performance Ratio improves over the life of Council’s LTFP predominately through growth and a reduction in depreciation expense which historically has been too high. Noting that a reduction in depreciation expense has no impact on services or service delivery. This includes the review and adoption of a consumption based depreciation model. Over 40% of Council's asset base is new or less than 10 years old, so the adoption of this depreciation model will see a reduction in depreciation expense.

It is important to understand that the Operating Performance Ratio is not a measure of Council’s budget result; Council adopts a balanced budget position each year and over the life of the long-term financial plan (10 years). The Operating Performance Ratio includes non-cash entries such as depreciation expense which makes up almost 15% of total expenditure. Council allocates funds each budget cycle to both asset renewal and maintenance to ensure council's asset base is maintained at an expected community standard.



Unrestricted Current Ratio

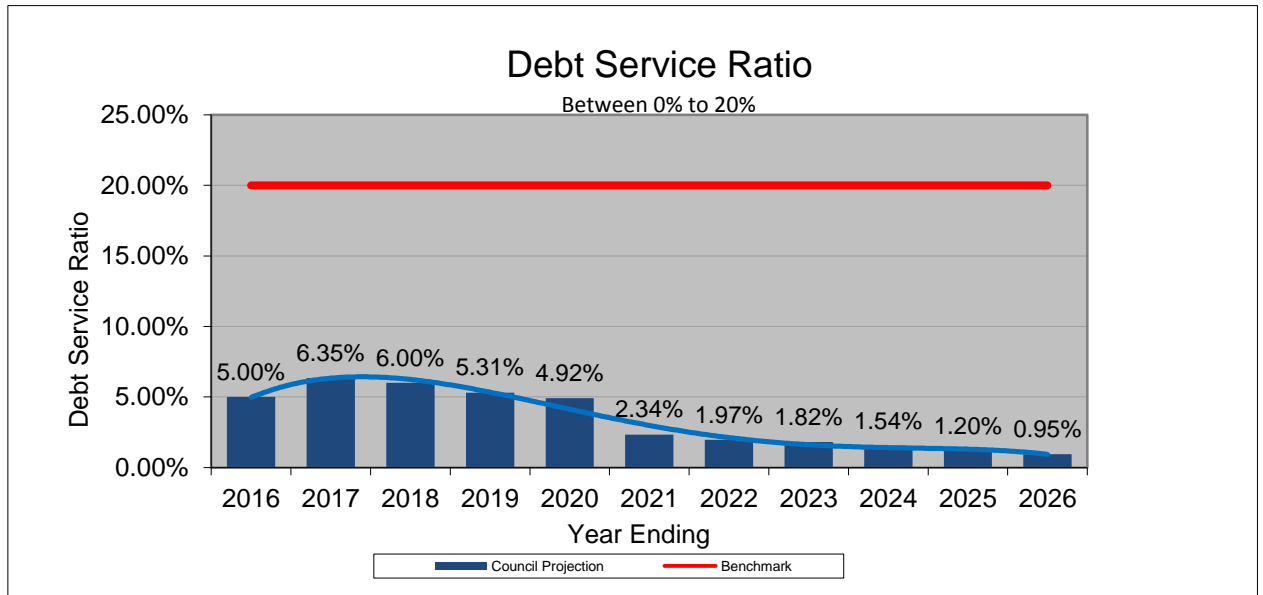
The unrestricted current ratio measures Council's ability to fund short term financial obligations such as loans, payroll and leave entitlements (measures liquidity).



Council's Unrestricted Current Ratio remains above the industry benchmark of 1:1.50 meaning that Council has almost double the minimum unrestricted current assets required for a sustainable Council. This ratio will decrease at times as cash reserves are used to fund major projects. The use of reserve funds does not impact Council's ability to deliver existing services or service levels. Council's Long Term Financial Plan (LTFP) remains funded and balanced over life of the plan. Reserves are essentially created to hold funds for a future purpose. The use of reserve funds is completely justified and ultimately reduces Council's reliance on long-term debt.

Debt Service Ratio

The Debt Service Ratio measures what percentage of Council’s revenue is being used to service debt.



Council’s capacity to service debt remains strong. The borrowing for the new Central Administration Centre has already been factored into Council’s LTFP peaking in 2016/17 but still well within the industry benchmark of below 20%. Council’s capacity to service debt improves even further in future years as our budget capacity grows over the next 10 years.

INTERNAL RESERVE TRANSFERS

The following table details the main transfers proposed from internal reserves within the 2016/17 Operational Plan which require Council’s approval.

Proposed Reserve Transfers	Amount	Reason
Net Transfers from Reserves		
Capital Works Reserve	(\$1,306,300)	The net transfer from reserve to fund the 2016/17 budget includes \$540,000 of to fund Stage 2 of the Camden Town Centre.
Asset Renewal Reserve	(\$1,979,700)	The net transfer from reserve to fund the 2016/17 budget
Risk Management Reserve	(\$50,000)	Funds are required for risk management program and action plan costs in 2016/17.
Net Transfers to Reserves		
Technology Improvements Reserve	\$50,000	Increase the annual indexed transfer to reserve from \$100,000 to \$150,000 per annum.



Other minor or recurrent reserve transfers are contained within the draft 2016/17 Operational Plan (budget). This report will recommend that Council approve all internal reserve transfers.

RESERVE BALANCES

The balances available to Council for future allocation from its two major reserves are shown below.

Capital Works Reserve	
Current Reserve Balance	\$5,354,405
Less: 2014/2015 Revotes	(\$258,930)
Less: 2015/16 Approved budget allocations	(\$2,506,300)
Less: 2016/17 Draft budget allocations	(\$1,306,300)
Projected Reserve Balance – 30 June 2017	\$1,282,875
Less: Funds Committed in Future Years - Argyle Street Lighting	(\$39,685)
Uncommitted Reserve Balance Available for Allocation	\$1,243,190

Asset Renewal Reserve	
Current Reserve Balance	\$5,265,606
Less: 2015/16 Approved budget allocations	(\$3,285,906)
Less: 2016/17 Draft budget allocations	(\$1,979,700)
Projected Reserve Balance – 30 June 2017	\$0
Uncommitted Reserve Balance Available for Allocation	\$0

PUBLIC EXHIBITION

Public exhibition will commence Wednesday 25 May and conclude Tuesday 21 June 2016 (inclusive).

The 2013/14 – 2016/17 Revised Delivery Program and 2016/17 Draft Operational Plan (Budget) will be advertised in a local newspaper. These documents will also be available at Council's Customer Service Centres (Narellan and Camden), the Camden and Narellan Libraries and will be published on Council's website throughout the course of the exhibition period.

Submissions and/or comments received will be reported back to Council as part of the adoption of the Revised Delivery Program and 2016/17 Operational Plan (budget).

CONCLUSION

The 2013/14 - 2016/17 Revised Delivery Program & 2016/17 Draft Operational Plan (Budget) is now in a position to be presented to Council and, if approved, be placed on public exhibition for a period of 28 days.



The 2016/17 Operational Plan (budget) maintains existing services and service levels, to ensure Council is able to service its growing population and addresses much needed infrastructure to be delivered over the next year.

Council has adopted the allowable rate increase at 1.80% and a modest increase in the domestic waste management service which will see average residential rates increase by less than \$1.00 per week.

The Revised Delivery Program and 2016/17 Operational Plan (budget) is a responsible budget and continues Council's prudent financial management of historically adopting balanced budgets. As a result IPART assessed Camden Council as one of only seven Council's in metropolitan Sydney to be financially sustainable and fit for the future.

RECOMMENDED

That Council adopt, for public exhibition:

- i. the Draft Revised 2013/14 - 2016/17 Delivery Program;**
- ii. the Draft 2016/17 Operational Plan (Budget);**
- iii. the 2016/17 Draft Revenue Policy, Draft Long-Term Financial Plan and, Draft Fees and Charges;**
- iv. the Minister's Allowable limit of a 1.80% rate increase to apply to the 2016/17 rating year;**
- v. the following proposed reserve transfers:**

Proposed Reserve Transfers	Amount
Net Transfers from Reserves	
Capital Works Reserve	(\$1,306,300)
Asset Renewal Reserve	(\$1,979,700)
Risk Management Reserve	(\$50,000)
Net Transfers to Reserves	
Technology Improvements Reserve	\$50,000
Proposed Transfers from reserve (net)	(\$3,286,000)



ORDINARY COUNCIL

ORD07

SUBJECT: INVESTMENT MONIES - APRIL
FROM: Director Customer & Corporate Services
TRIM #: 16/141620

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 30 April 2016 is provided.

MAIN REPORT

The weighted average return on all investments was 3.45% p.a. for the month of April 2016. The industry benchmark for this period was 2.45% (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 Responsible 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 Responsible 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 April 2016; and;**
- iii. **note the weighted average interest rate return of 3.45% p.a. for the month of April 2016.**

ATTACHMENTS

1. Investment Report - April 2016



ORDINARY COUNCIL

ORD08**SUBJECT: MINUTES TO THE 30 MARCH 2016 BUSINESS ASSURANCE AND RISK COMMITTEE MEETING****FROM:** General Manager**TRIM #:** 16/132481

PURPOSE OF REPORT

The purpose of this report is to provide Council with the minutes of the 30 March 2016 Business Assurance and Risk Committee meeting.

BACKGROUND

The Business Assurance and Risk Committee are required to meet a minimum of four times per year.

Council resolved to adopt the Committee's current Business Assurance and Risk Committee Charter on 13 October 2015. The Charter includes a requirement to report to Council the minutes of the Business Assurance and Risk Committee meetings for noting.

MAIN REPORT

The Business Assurance and Risk Committee met on 30 March 2016. The agenda discussed at the meeting included consideration of the following:

- Transition To Oran Park Presentation;
- Policies And Procedures Internal Audit Report;
- Procurement Internal Audit Status Update;
- Other Audit And Risk Related Matters;
- Internal Audit Plan Status Update;
- Audit Report Recommendations - Implementation Status Update - March 2016;
- External Audit update;
- Enterprise Risk Management Framework update;
- Proposed Phase 1 Local Government Act Amendments.

The minutes for the Business Assurance and Risk Committee meeting of 30 March 2016 are attached.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

The Business Assurance and Risk Committee plays an important role in supporting the governance framework of Council. Reporting the minutes from Committee meetings keeps Council informed of the outcomes from those meetings and are submitted for information.



RECOMMENDED

That Council note the Minutes to the Business Assurance and Risk Committee meeting of 30 March 2016.

ATTACHMENTS

1. Business Assurance and Risk Committee Minutes 30 March 2016



ORDINARY COUNCIL

ORD09

SUBJECT: TRAINEESHIP PROGRAM - NOTICE OF MOTION REPORT

FROM: Director Customer & Corporate Services

TRIM #: 16/139144

PURPOSE OF REPORT

To address the Notice of Motion, and report on investigation into options for Council in placing a member of the Aboriginal community into an operational based traineeship.

BACKGROUND

At the meeting of 26 April 2016, Council resolved (ORD84/16) as follows:

- i. offer a traineeship each year to a person under the age of 21, who must identify as a member of the Aboriginal community, as per Section 52G(1)(a) of the Aboriginal Land Rights Act 1983;*
- ii. create a recruitment strategy to be targeted directly to high schools within the Camden local government area to encourage local applications; and*
- iii. investigate opportunities for operational based traineeships on alternate years and report back to Council by 24 May 2016.*

MAIN REPORT

In partnership with MG My Gateway, Council is able to offer a traineeship to a person under the age of 21 who identifies as a member of the Aboriginal community.

Our current trainees and apprentices are employed by MG My Gateway and Council is the host employer. All associated on-costs and formal training remains the responsibility of MG My Gateway. It is proposed to use the same arrangement for the Aboriginal traineeship.

Council, in conjunction with MG My Gateway, would develop a recruitment strategy targeted at high schools within the Camden local government area.

Available operational traineeships

Council officers have investigated opportunities for operational traineeships on alternate years. Operational traineeships options include:



Qualification	Duration
Certificate II Civil Construction	12 months
Certificate II Local Government (Operational Works)	12 months
Certificate III Civil Construction (Road Works)	24 months
Certificate III Local Government (Operational Works)	24 months

Having considered the available courses, offering a Certificate III level operational traineeship to a member of the Aboriginal community is considered to be a better option as it would offer the trainee a broader skill set and more employment opportunities upon completion.

FINANCIAL IMPLICATIONS

The cost to employ this additional trainee would range from \$36,000 - \$38,000. The exact cost is dependent upon the trainee's age and number of years since completion of school.

An annual allocation for an additional traineeship has been included in the draft 2016/17 budget for Council's consideration at the 24 May 2016 Council meeting. If approved this would be a recurrent expense.

CONCLUSION

It is considered that offering a Certificate III level operational traineeship to someone who identifies as a member of the Aboriginal community would be a valuable addition to Council's workforce. On the alternate year, Council would offer an administrative based traineeship.

RECOMMENDED

That Council:

- i. proceed with a Certificate III level operational traineeship commencing January 2017, alternating with an administrative traineeship on completion of each period for this program; and**
- ii. note the recurrent budget request.**