



# Camden Council Business Paper

## Ordinary Council Meeting 9 August 2016

---

Commemorating the first Council Meeting at the new  
Camden Council Administration Building, 70 Central Avenue, Oran Park on

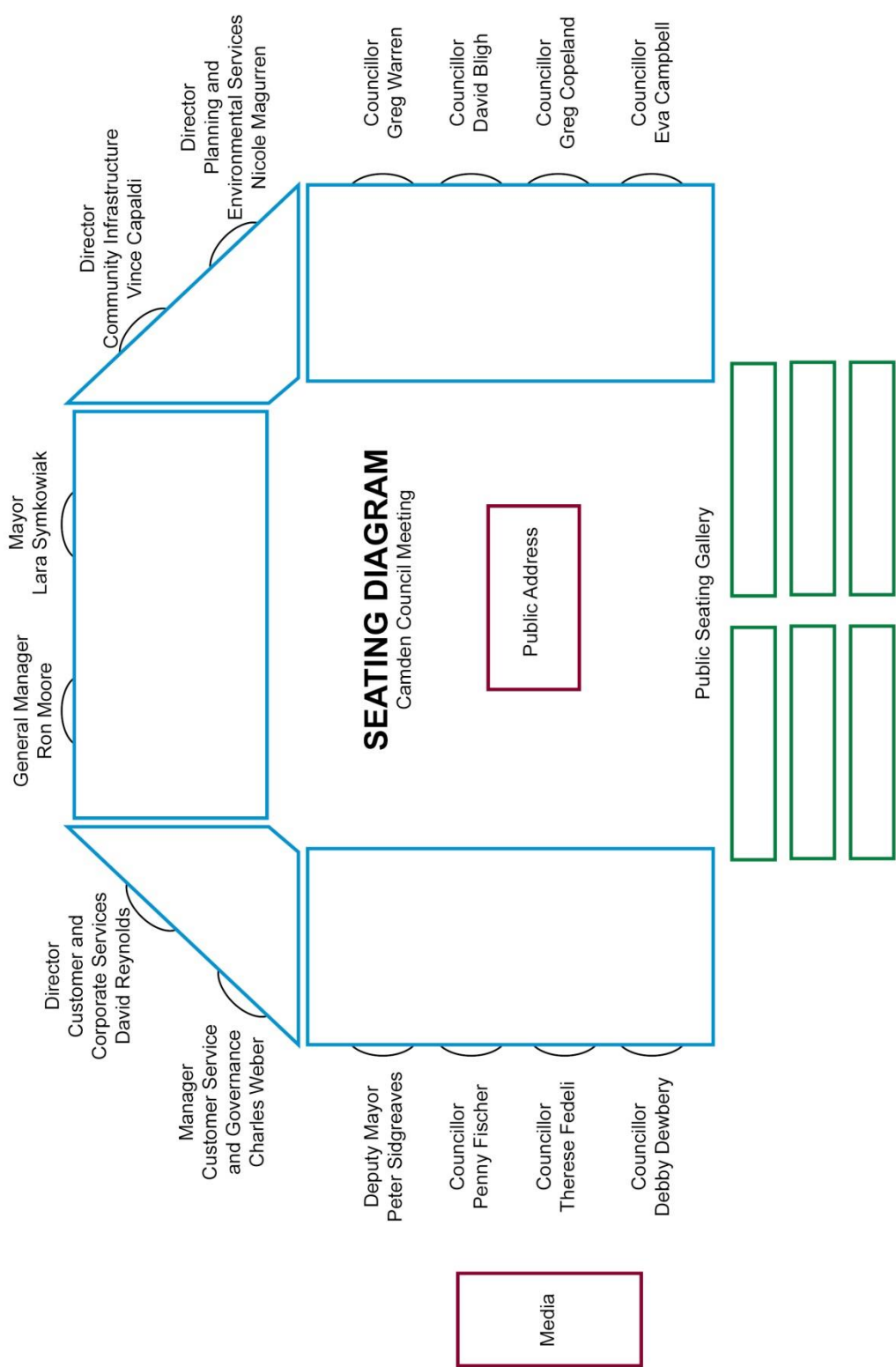
*Tuesday 9 August 2016*

The public is welcome to attend.



## COMMON ABBREVIATIONS

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



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

---

# ORDINARY COUNCIL

## ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer .....	6
Acknowledgement of Country .....	7
Recording of Council Meetings .....	8
Apologies.....	9
Declaration of Interest.....	10
Public Addresses .....	11
Confirmation of Minutes .....	12
Mayoral Minute - Camden Council Now at the Heart of the Camden Local Government Area .....	13
ORD01    Modification of Development Consent to Extend the Hours of Operation - 14 Elizabeth Street Camden .....	16
ORD02    Draft Submission on a Proposed Waste Transfer Facility State Significant Development Application .....	24
ORD03    Catherine Park Voluntary Planning Agreement.....	35
ORD04    Post Exhibition Report - Oran Park Part B DCP Amendment - Denbigh Transition Area .....	42
ORD05    Addendum Report - Amendment of Signs and Banner Policy 2.8 .....	53
ORD06    Provision of Animal Holding Facility Service - Camden LGA.....	56
ORD07    Civic Centre Cultural Performance Subsidy .....	61
ORD08    Community Small Grants 2016/2017 .....	67
ORD09    Tender T026/2016 Construction of Club Rooms and Amenities Building at Narellan Sports Hub, Narellan.....	73



---

## 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 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the *Local Government Act 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.

## **ORDINARY COUNCIL**

**SUBJECT: 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 session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

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

Speakers are limited to one topic per Public Address session. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

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

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

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

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

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

### **RECOMMENDED**

**That the public addresses be noted.**

---

## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

---

Confirm and adopt Minutes of the Ordinary Council Meeting held 26 July, 2016.

### **RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 26 July, 2016, copies of which have been circulated, be confirmed and adopted.**

---

## ORDINARY COUNCIL

### Mayoral Minute

**SUBJECT: MAYORAL MINUTE - CAMDEN COUNCIL NOW AT THE HEART OF THE CAMDEN LOCAL GOVERNMENT AREA**

**FROM:** The Mayor

**TRIM #:** 16/201343

---

Welcome to the first Council meeting to be held in Camden Council's new state-of-the-art Administration Building located at the heart of our Local Government Area (LGA)! It is truly a beautiful space, architecturally designed to feel open, light and spacious, without a doubt an exciting new development for residents and staff of the Camden LGA.

In order to continue delivering quality essential services and facilities for an ever growing community, Council staff numbers will continue to increase from currently 350 to an estimated 800 by 2030. Our new Administration Building will not only cater for Council's existing workforce but will cater for our future workforce for decades to come. Our move to Oran Park finally sees all of our administration staff conveniently located in one building.

These facilities have been many years in the making. In 2008, Council engaged independent experts to assist with the selection of the most appropriate site to accommodate a new Administration Building. Council's administration buildings at Narellan and Camden were nearing capacity, and operating two administration buildings 5km apart was proving to be inefficient. In May 2012, Council resolved to endorse and accept the recommendation of Oran Park as the site for the new building.

Architects were engaged to develop a design for Council's Administration Building at Oran Park in March 2014. Tenders for construction were received in March 2015, and the successful contractor appointed in April 2015.

And now, in August 2016, only fifteen months since commencement of construction, we hold our first Council meeting in the new Administration Building, officially opened on Sunday 7 August 2016 at a community event celebrating the completion of this development.

The Administration Building is ***designed to be as welcoming to our community and Council's customers as possible***. Our open plan Customer Service Hub has plenty of space available with different seating options, including quiet meeting rooms for our customers so they can sit and chat with staff, and a concierge on hand to assist and direct customers to the services they need.

The facilities are also ***technologically enabled*** - in both community and employee areas - to ensure Council is a contemporary and customer-focused organisation. The Customer Service Hub has been fitted out with state-of-the-art technology available for community use including tablets, iPads and computers with access to Council's app, website and printing facilities, an electronic community noticeboard, touch screen display boards and a visitor management system. Smaller meeting spaces have interactive collaboration screens and the larger meeting rooms have access to cutting-edge projector, camera and sound systems. Staff have access to nine collaborative meeting spaces with interactive white boards and projectors that enable personal



---

device screens to be shared and Wi-Fi to enable them to utilise mobile devices and move between meetings and floors whilst still connected to Council systems.

A number of elements have been incorporated into the Administration Building to ensure it is **sustainable and environmentally friendly**, such as 380 roof top solar panels generating energy which is fed back into the grid reducing electricity costs. There is a 50,000 litre rainwater tank for irrigation use, and there are green walls and indoor planting to reduce CO2. Additionally, 80% of all construction waste has been recycled.

The Administration Building has **250 parking spaces** available via a graded and decked car park immediately adjacent to the centre, and will be **located within an impressive Civic Precinct**, which will include a Town Park, currently being constructed, and in the future a Leisure Centre, Library and Community Centre.

Whilst Council's administrative services have relocated to our new Administration Building, a number of **Customer Contact Points are now available for members of the public in our library facilities** located in Camden and Narellan. Residents and customers used to doing business with Council within the suburbs of Narellan and Camden will still be able to do so at these Customer Contact Points.

I am very proud **Council has not had to sell any assets in order to fund our move to these new facilities**. Council has entered into lease agreements for the properties vacated at Camden and Narellan, **with revenue of around \$800,000 p.a.** to be realised into the future. Our vacated properties will house new business uses such as medical centres, disability services and an art gallery. These uses are compatible with each of the sites and will ensure a valuable service is still provided to our community in those locations.

I am also pleased to advise that, to date, **savings of approximately \$2.6M have been realised during the course of the Administration Building project**. This has enabled Council to directly allocate additional funds of \$1.085M towards the Narellan Sports Hub project, which has seen the scope of that project increase.

A number of dedicated individuals have made construction and completion of this development possible and it is only fitting that they are sincerely thanked for their hard work. Council's Director Community Infrastructure, Mr Vince Capaldi, Manager Capital Works, Mr Patrick Mulqueeney, and Project Coordinator, Mr Andrew Stanton, have worked tirelessly to deliver this facility for Council.

There has also been an exceptional team effort from all Council staff from initial feedback about the design, during construction and finally the transition into this wonderful new building. I would like to acknowledge all our Council staff who have worked exceptionally hard with a great deal of professionalism to make this project a reality.

Thank you also to the teams at Adco Constructions, Group GSA and Greenfields Development Company for their professionalism and standard of work delivered.

I look forward to seeing the Council organisation grow and flourish in this fantastic new space at the heart of our Local Government Area, allowing it to continue to deliver quality services for - and connect easily with - our Camden LGA community.

## **RECOMMENDED**

**That:**

- i. Council note the information;**
- ii. Council transfer all savings from the administration building project to the Capital Works Reserve for future allocation; and**
- iii. a further report be brought back to Council as part of the September Quarterly Budget Review process, with details of the final savings realised from the administration building project.**



---

## ORDINARY COUNCIL

**ORD01**

**SUBJECT: MODIFICATION OF DEVELOPMENT CONSENT TO EXTEND THE HOURS OF OPERATION - 14 ELIZABETH STREET CAMDEN**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/207324

---

**APPLICATION NO:** 165(2)/2016

**PROPERTY ADDRESS:** 14 Elizabeth Street, Camden

**APPLICANT:** Dr Alman Ogane

---

### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Section 96(1A) Modification application to extend the hours of operation of an existing medical centre from 8:30am - 4:30pm to 6:00am - 4:30pm Monday to Thursday at 14 Elizabeth Street, Camden.

The DA is referred to Council for determination as there is one 1 submission which is unresolved. One petition was received in support of the application containing 101 signatures.

### SUMMARY OF RECOMMENDATION

That Council determine Section 96(1A) Modification Application 165(2)/2016 to extend the hours of operation of an existing medical centre from 8:30am - 4:30pm to 6:00am - 4:30pm Monday to Thursday for a 12 month trial period pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979* subject to the modified conditions attached to this report.

### THE PROPOSAL

Section 96(1A) Modification 165(2)/2016 seeks approval to modify the hours of operation specified within development consent DA165/2016.

Specifically the modification involves:

- Modify the hours of operation from 8am – 4:30pm to 6.00am – 4:30pm Monday to Thursday. The hours of operation on a Friday are to remain 8am – 4:30pm.

The applicant has advised that between 6.00am and 8.00am on Monday to Thursday a total of 4 patients per hour (15 minute appointments) is anticipated.

### THE SITE

The site is commonly known as 14 Elizabeth Street, Camden and legally described as Lot 100 of DP 1078707 with a frontage of 16.91m and an area of 843.7m<sup>2</sup>.

The site currently contains 2 buildings. The building fronting Elizabeth Street contains 3 offices, an entry foyer, storage area, and staff amenities. At the rear of the site is an attached garage.



Vehicular access is provided along the southern side of the site to an on grade carpark at the rear. The parking area accommodates 7 spaces, with an additional 3 spaces accommodated within the garage. A total of 10 spaces is provided.

The site is occupied by an Ophthalmic Surgeon/Ophthalmologist. The applicant has indicated the following staff will be working at the premises:

- One doctor;
- One part time assistant;
- One receptionist; and
- One practice manager.

The premises currently operate by appointment only.

The site is located within the Camden B4 Mixed Use Zone. The site adjoins an automotive repair workshop to the south and residential dwellings to the north and east. To the west of the site is the former Camden High School.







## HISTORY

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

Date	Development
27 March 2003	DA 401/2003 approved the demolition of the existing cottage.
12 May 2003	DA 312/2003 approved the construction of an administration office including the internal fit out and parking.
28 April 2016	DA 165/2016 approved a change of use to a medical practice.

Council received a complaint with respect to the medical centre not operating in accordance with the DA approved hours. This matter was investigated by Council officers and the Practice Manager was advised to lodge a Section 96 application if they wish to modify their approved hours. The premises were monitored and no further breaches were reported. This application is seeking to modify the approved hours to allow the medical centre to commence at 6am Monday to Thursday.

## KEY DEVELOPMENT STATISTICS

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

Control	Requirement	Provided	Compliance
B.16 Acoustic Amenity	Objective 1 – Ensure that excessive noise impacts from busy roads, rail corridors and other noise generating land uses, which affect sensitive receivers, are mitigated	This application is seeking to extend the hours of operation in the mornings from 8am to 6am, Monday to Thursday.  A condition is recommended that this be for a trial period of 12 months. Further, a condition is recommended requiring a 1.8m high 'lapped and capped' timber fence to the northern and eastern boundaries to mitigate potential acoustic impacts on adjoining residential properties.	Yes
	Objective 2 – Design and manage subdivisions to minimise noise intrusion into residential areas	This is not applicable to the development as it does not involve residential subdivision.	Yes
	Objective 3 – Ensure the amenity of nearby	The land use 'medical centre' operates in a commercial manner.	Yes

Control	Requirement	Provided	Compliance
	residential uses is not unreasonable decreased by noise intrusion from commercial or industrial development	<p>Council Officers have considered the potential acoustic impact of the extended hours. It is concluded that the amenity of nearby residential uses will not be impacted unreasonably subject to the following:</p> <ol style="list-style-type: none"> <li>1. The rear parking area is made accessible to customers at all times during the hours of operation.</li> <li>2. A 1.8m high lapped and capped timber fence shall replace the existing timber paling fence along the adjoining northern and eastern property boundaries to attenuate noise impacts.</li> </ol> <p>In addition, a condition is recommended requiring signage be provided which directs clients to park at the rear of the site and to minimise noise when arriving and departing from the premises.</p>	

**ASSESSMENT**

***Zoning and Permissibility***

Zoning:	B4 Mixed Use
Permissibility:	The proposed development is defined as a 'Medical Centre' 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)	<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 LEP 2010</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> - Compliant with conditions recommended where necessary.
Planning Agreement(s) - S79C(1)(a)(iia)	None.

The Regulations - S79C(1)(a)(iv)	None applicable.
Likely Impacts - S79C(1)(b)	As demonstrated by the above assessment, the proposed amendment to the approved hours of operation is unlikely to have a significant impact on the natural and built environment or the social and economic conditions of the locality. The change of hours will support customers by providing extended availability of specialist ophthalmic services which supports the economy of the locality. The extended hours are considered to increase flexibility for services that can be provided while not adversely impacting surrounding residential premises. A condition is recommended that this be for a trial period of 12 months.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	One 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.

### **Section 96 Modification**

Under Section 96(1A) of the *Environmental Planning and Assessment Act 1979* Council may consider an application to amend development consent provided that:

- (a) *it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all),*
- (c) *it has notified the application in accordance with:*
  - (i) *the regulations, if the regulations so require, or*
  - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The proposed extension of operating hours is considered to result in minimal additional impact on the locality subject to the conditions detailed in this report. The development, as amended, is considered to be substantially the same as the development originally approved. The application was notified for a 14 day period in accordance with Camden DCP. One submission was received which has been considered in the assessment of the application. A petition was also received in support of the application.

In accordance with Section 96 of the *Environmental Planning and Assessment Act 1979* only conditions which are of relevance to the proposed modification can be

varied. The following table outlines the proposed modifications to the conditions that were imposed on the original consent. Council staff assessment of the modifications is also provided.

Condition No.	Condition Requires	Proposed Change	Officer Comment
3.0 (11) Hours of Operation	The approved hours of operation are as follows: - Monday to Friday 8:00am to 4:30pm	The proposed hours of operation are between 6:00am to 4:30pm Monday to Thursday.  The hours of operation on a Friday are to remain 8:00am to 4:30pm.	The proposed modification to the hours of operation is supported for a 12 month trial period to ensure compliance with the recommended conditions noted below.  A further section 96 application will be required to continue the hours of operation beyond the 12 month trial.

Additional conditions have been added and are numbered:

Condition No.	Condition Requires
3.0 (14) Access to Parking	The parking area to the rear of the site must be made available for clientele to park their vehicles at all times during the approved hours of operation.
3.0 (15) Directional Signage	Signage having dimensions of 500mm wide and 300mm deep with a cream background and black lettering is to be affixed to the front fencing panel adjacent to the driveway access. The sign shall include the wording 'All clients are to park at the rear of the site'.  Within the rear carpark, signage is to be installed within each nominated parking bay stating 'Please be quiet and consider neighbours when using this facility'.  All signage shall be maintained for the life of the development.
3.0 (16) Boundary Fencing	A 1.8m 'lapped and capped' timber fence must be erected to replace the existing paling fence along the northern adjoining property boundary commencing 1m behind the building line. A 1.8m 'lapped and capped' timber fencing must also replace the existing paling fence to the eastern boundary where adjoining the property to the rear.



---

## **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 20 May 2016 to 2 June 2016. One submission was received objecting to the proposed development. One petition was received in support of the application containing 101 signatures.

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 practice is already operating before 8:00am which causes nuisance in regards to noise from patients parking on the street in the early hours of the morning.*

### Officer comment:

As noted above, a complaint was received with respect to the medical centre not operating in accordance with the DA approved hours.

The original development consent approved hours of operation from 8:00am to 4:30pm Monday to Friday. The applicant has lodged a Section 96 Modification seeking consent to operate between the hours of 6:00am to 4:30pm Monday to Thursday. The hours of operation on a Friday are to remain 8:00am to 4:30pm.

With respect to the concerns raised relating to noise created via on-street parking, additional conditions are recommended to encourage customers to park at the rear of the site. A condition is also recommended allowing the extended hours of operation for a 12 month trial period to ensure compliance with the recommended conditions.

2. *The on-site car park at the rear is not made accessible for patients to utilise leading to people parking on the street as the gates are closed.*

### Officer comment:

There are 10 parking spaces at the rear of the site, 3 for staff and 7 for clientele, which, via conditions, are to be made accessible at all times during the hours of operation of the medical centre.

In addition, a condition is recommended that directional signage be incorporated within the site directing patients to park within the carpark at the rear of the site. The signage will also inform patients to reduce noise and consider neighbours when accessing and departing the site.

A condition is also recommended requiring the parking area to be bound by a lapped and capped timber fence on the northern and eastern boundaries to provide additional acoustic mitigation to adjoining residential properties.

- 
3. *Allowing an earlier opening time would set precedence for other approvals within the B4 Mixed Use zone.*

Officer comment:

A modification or approval of operating hours within the B4 Zone requires development consent and would be assessed on the merits of each case. In this instance, the proposed 6:00am start is considered acceptable subject to the conditions recommended and discussed within this report.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The DA has been assessed in accordance with Section 96(1A) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 165(2)/2016 is recommended for approval subject to the conditions attached to this report.

**RECOMMENDED**

**That Council grant consent to modify the hours of operation of an approved medical centre at 14 Elizabeth Street Camden subject to the attached modified conditions.**

ATTACHMENTS

1. Recommended Conditions
2. Petition - *Supporting Document*
3. Public Exhibition and Submissions Map - *Supporting Document*
4. Submission - *Supporting Document*



---

## ORDINARY COUNCIL

## ORD02

**SUBJECT: DRAFT SUBMISSION ON A PROPOSED WASTE TRANSFER FACILITY STATE SIGNIFICANT DEVELOPMENT APPLICATION**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/211385

---

### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of a draft submission on a State Significant development application (DA) currently being assessed by the Department of Planning and Environment (DPE). The DA proposes to construct and operate a waste recycling and transfer facility at 52 Anderson Road, Smeaton Grange.

At the Ordinary Council meeting of 26 July 2016, Council resolved that a report on this DA be provided to Council for consideration at the Ordinary Council meeting of 9 August 2016.

### BACKGROUND

The applicant for this DA is Benedict Recycling which is part of Benedict Industries Pty Ltd and is a New South Wales (NSW) based group of companies that operate quarrying, resources and recycling businesses. Benedict Recycling currently operates recycling facilities at Chipping Norton and Belrose, with operations in Newcastle and Canberra opening shortly. The group supplies a range of sands, soils, sandstone, decorative aggregates and recycled products to customers in the greater Sydney Region and across NSW.

The site is located at 52 Anderson Road, Smeaton Grange and is legally described as Lot 319 DP 1117230. The site and surrounding area is located on former agricultural land that has been rezoned and subdivided and is in the process of being developed for industrial purposes. The overall site has an area of 6,862m<sup>2</sup>, a frontage of 36.9m to Anderson Road and a maximum depth of 95.9m. The site is generally level with an approximate fall from the rear of the site to the street of 1m.

The site is located at the southeastern end of Anderson Road at the end of a cul-de-sac. To the north lies Kenny Creek which is a vegetated riparian corridor with other industrial development further to the north. To the south lies a large transport depot operated by Coles Logistics and vegetated land that is elevated by two to three metres higher than the subject site. The land to the west of the site is currently being developed for industrial purposes. To the east lies the existing residential suburb of Currans Hill wherein the closest residence is located approximately 120m from the site. There is an existing electricity transmission line and easement running northeast to southwest approximately 100m east of the site which separates Smeaton Grange from Currans Hill.



An aerial photo of the site is provided below:



A zoning plan of the site is provided below:



The site is zoned IN1 General Industrial (Purple). Currans Hill to the east is zoned a mix of R2 Low Density Residential (light red) and R3 Medium Density Residential (dark red).

The DA proposes the construction and operation of a waste recycling and transfer facility that will process up to 140,000 tonnes per annum of pre-classified general solid (non-putrescible) waste including building and demolition waste, selected commercial and industrial waste, soils, vegetation, rail ballast and spoil. The waste will be processed to produce recyclable materials for resale. The proposed development will not compost, crush or shred any waste on site.





---

The waste recycling and transfer facility will accept waste deliveries from businesses and the general public. There will be approximately 106 daily truck movements and 170 additional daily car/other light vehicle movements as a result of the development (276 daily traffic movements in total).

The proposed development is State Significant Development pursuant to Clause 23, Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 as it is a waste and resource management facility that will handle more than 100,000 tonnes of waste per year. Consequently, the Minister for Planning is the consent authority for the proposed development.

The subject DA is on public exhibition from 14 July to 26 August 2016. The DA is being exhibited at DPE's information centre in the Sydney CBD and Council's Camden office and library. From 8 August 2016, the DA will be exhibited at Council's new administration building in Oran Park.

Council staff have undertaken a review of the EIS and prepared a draft submission for Councillors' consideration and endorsement. **A copy of the draft submission is provided as Attachment 1 to this report.**

## MAIN REPORT

### The Proposal

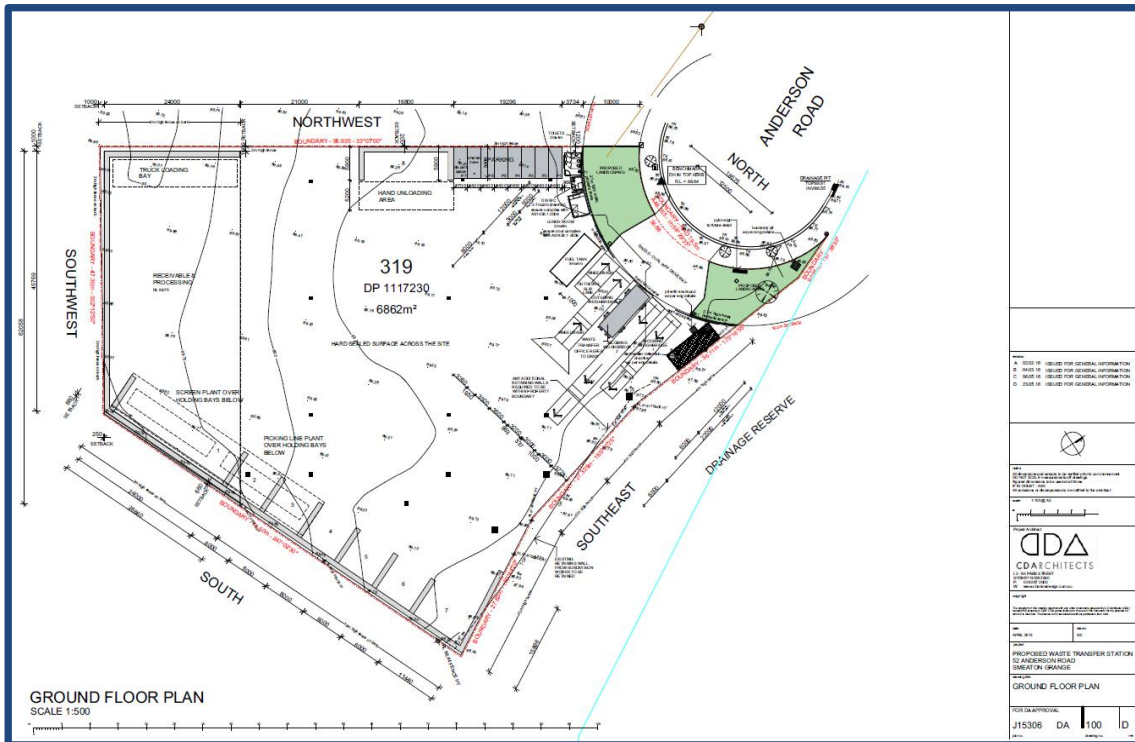
According to the information submitted by the applicant with this development application, the proposed waste recycling and transfer facility will involve the following:

- Construction of a colorbond industrial building with a floor area of approximately 1,300m<sup>2</sup>;
- Operation of a waste recycling and transfer facility that will process up to 140,000 tonnes per annum of pre-classified general solid (non-putrescible) waste including building and demolition waste, selected commercial and industrial waste, soils, vegetation, rail ballast and spoil; the waste will be processed to produce recyclable materials for resale; the proposed development will not compost, crush or shred any waste on site;
- Waste processing will include garden waste, classified by the NSW Environment Protection Authority as non-putrescible waste and defined as waste that consists of branches, grass, leaves, plants, loppings, tree trunks, tree stumps and similar materials, and includes any mixture of those materials;
- The main processing shed will contain a concreted tipoff/inspection area, a screen waste sorter, an enclosed picking line with product bays which will be 4m high with a block wall for screening, and waste/product stockpiles;
- An enclosed picking line inside the main shed that extends outside along a portion of the southern boundary;
- Waste/product stockpiles;
- Hard surfacing of the site in a material such as concrete or asphalt, with a perimeter curb;

- 
- Establishment of a hand unloading area;
  - A weighbridge area with weighbridges;
  - Wheel washes for outbound vehicles;
  - 10 off-street car parking spaces for staff including one disabled space and 2 visitor spaces;
  - Out-of-hours bin storage and waste truck parking;
  - A demountable office and demountable amenities including lunch room and toilets;
  - An enclosed above ground bunded diesel storage tank (approximately 30,000 litres), within a bund with a capacity of 10% more than the tank's capacity, and The enclosed by colorbond (or similar) walls to prevent leaks from the tank spraying outside of the bund;
  - Plant and vehicle diesel tanks to be filled from a bowser located next to the diesel tank; the filling area will also be bunded so that any fuel spilled during plant refuelling will be captured and will drain to an interceptor trap;
  - A surface water management system;
  - A sprinkling site irrigation system to minimise airborne dust;
  - Boundary fencing between 4-10m high along the northeastern boundary, between 2-10m high along the southeastern boundary, 3m high along the southern boundary and 2-3m high along the western boundary;
  - A 2.1m high metal palisade fence with automatic colorbond gates at the ingress and egress point;
  - Associated site works including drainage and landscaping;
  - Acceptance of waste deliveries and dispatch materials Monday to Friday from 6am to 10pm, Saturday from 6am to 5pm and Sunday from 8am to 4pm; waste processing at the facility will occur Monday to Saturday between 7am and 4pm and no waste processing will occur on Sundays;
  - DA approval for the facility to accept (not process) waste 24 hours per day on occasion, from major infrastructure projects such as road and rail works that require waste disposal at night noting that it is anticipated that Council will be given a 48 hour notice when waste will be delivered between 10pm and 6am (i.e. outside day-to-day operating hours); and
  - Expected operation of the waste recycling and transfer facility by approximately 15 employees.

The value of the works is approximately \$2,541,096.

The proposed site plan for the waste recycling and transfer facility is provided below:



### Assessment

Council staff have undertaken a review of the EIS and have significant concerns regarding the suitability of the proposed development on this site. It is recommended that Council object to the proposed development as detailed in the draft submission attached to this report.

A summary of the key issues is provided below:

- Noise impacts upon residential properties;
- Potential air quality and odour impacts from the proposed development upon residential properties;
- Impact of 24 hour operation;
- Parking concerns;
- Insufficient/inadequate information provided; and
- Public interest.

This is discussed in more detail below.

---

## Noise

Council staff have reviewed the EIS and have significant concerns regarding the potential noise impacts from the proposed development upon residential properties in Currans Hill to the east.

The acoustic report indicates that nearby residents will be impacted by noise above the maximum noise criteria. The nearest potentially affected noise-sensitive receivers are residences located approximately 120m southeast of the site. Concerns are raised regarding the night time and morning shoulder (between 6am and 7am) operations and exceedances of the sleep disturbance criteria (i.e. background +15db(A)). The acoustic report notes that the site specific criteria for sleep disturbance is 46dB(A) and it is predicted that the residents may receive up to a 58dB(A), which exceeds the maximum noise criteria of Council Environmental Noise Policy (ENP).

The acoustic report assesses the noise impact against the Environment Protection Authority's Road Noise Policy but not Council's (ENP). Council's ENP must be used.

The quantity of operational plant and equipment has been underestimated in Table 6.1 of the acoustic report, in particular the number of trucks entering and delivering to the site. As such, it is considered that noise generated from the site may exceed that which is stated in the report. This would result in a further exceedance of the sleep disturbance criteria as described above.

The EIS identifies that the site will only accept and not process waste after 10pm. It is not clear if any machinery will be used in the night time for the acceptance of waste. The identification of all machinery proposed to be used and the nominated hours of use must be provided to determine further acoustic impacts.

In addition to the above concerns, the acoustic report has not considered the following and therefore is unsatisfactory for the purposes of understanding the full noise impact:

- Vehicle/truck ingress and egress to the site at night time;
- The re-loading of waste materials back into the trucks;
- Noise from the tipping of waste;
- Noise generated from the beeping of reversing trucks; and,
- If there is any mechanical ventilation/plant equipment for the materials recycling and processing shed.

## 24 Hour Operation

Council objects to the acceptance of waste deliveries 24 hours per day. The proposed development notes that Council will be given 48 hours notice when waste is to be delivered between 10pm and 6am. This is not acceptable given the exceedances of the sleep disturbance criteria as noted above.



---

### Air Quality/Odour

Council staff have reviewed the EIS and have significant concerns regarding the potential air quality and odour impacts from the proposed development upon residential properties in Currans Hill to the east.

It is noted that data used in the odour report for air emissions associated with the recycling facility were sourced from the United States Environmental Protection Authority which do not relate to the Australian guidelines. As such the odour report is considered to be unsatisfactory for the purposes of understanding the full odour impact of the development.

In addition to the above, it is unclear how long waste will be stored on the site before its recycling and removal. Concern is raised that waste stored on the site for an extended period of time will decompose resulting in air quality or odour impacts upon surrounding properties (particularly residential properties).

### Insufficient Parking

The proposed development does not demonstrate that sufficient car parking has been provided and is unacceptable.

Off street parking shall be sufficient to cater for employees and visitors to the site.

It is stated in the traffic impact assessment (page 19) that there will be 15 employees and 2 visitors on site (totalling 17 people on site).

The proposed plans only identify 7 car parking spaces on the plans. The traffic report states that a total of 12 car parking spaces will be provided. 17 spaces are required.

In addition, the location of the car parking spaces within the front setback/landscaped area is not supported due to the potential conflict with heavy vehicles accessing the site and cars entering/exiting the car parking spaces.

### Insufficient and inaccurate plans and documents

The plans and documents provided are insufficient and inaccurate. These concerns are discussed below:

- *Number of staff* - There are discrepancies between the number of employees identified within the EIS and the number identified within the traffic report. The EIS identifies that there will be 8 employees and the traffic report identifies that there will be 15 employees.
- *Bushfire Assessment* - The site is identified as bush fire prone land. A bush fire hazard assessment was prepared for the proposal by EMM who do not appear to be accredited by the Fire Protection Association.
- *Architectural Plans* - The reduced levels (RLs) on the architectural plans are identified as 'TBC'. The ground levels on the elevation plans are not clear and appear to be representing extensive fill, particularly to the southeast elevation. As such it is not clear if the proposed development fully complies with the 11m maximum building height development standard that applies to the site.

- 
- *Landscaping plans* - A detailed landscaping plan has not been provided that demonstrates the proposed landscaping, volume and maturity height.
  - *Manoeuvrability* - The proposed plans do not demonstrate that all vehicles can enter and exit the site in a forward direction, and are unacceptable. The proposed plans do not demonstrate the swept paths of the largest vehicle that will utilise the site.
  - *Traffic Management* - Council does not permit the stopping or parking of vehicles on Anderson Road. The proposal does not indicate how waste vehicles attending the site will be managed to ensure that trucks do not attend the site outside of the approved operating hours and to ensure that vehicles do not queue within the cul-de-sac.
  - *Bin storage and truck parking* - The out-of-hours bin storage and waste truck parking area has not been identified on the proposed plans.
  - *Signage* - The EIS identifies that the proposed development will include a sign at the entrance to the site on Anderson Road. The site plan also demonstrates a pylon sign at front of the site. No further detail of the signage has been provided such as an elevation plan of the sign to demonstrate the height, width, colour and content of the proposed signage.
  - *Aboriginal Heritage* - Aboriginal heritage has not been addressed but which is included within the SEARs information to be included in the EIS.
  - *Waste Management* - Insufficient information has been provided on how noise and dust will be managed during the processing and stockpiling of waste outside of the shed.
  - *Salinity* - The EIS does not consider saline soils.

#### Contaminated waste

The EIS notes that vehicles delivering waste to the site will be inspected for potential contaminants and classified, thereby potentially allowing contaminants into the site. All vehicles making deliveries to the site must be inspected and classed as contaminant-free prior to delivering any waste to the site. No contaminated material must be brought onto the site at any time.

#### Fencing

The EIS (page 91) states that “*while some viewpoints will provide full and/or partial views of the proposed shed walls/fence, these comply with the maximum height requirements for the area*”. In accordance with the Section D4.2.5 of the Camden DCP, the maximum fencing height within the Smeaton Grange Industrial estate is 2.1m. The proposed fencing (up 10m high) is inconsistent with other industrial development within Smeaton Grange and will result in negative visual impacts. The proposed fencing is therefore not supported.

A 2.1m high metal palisade fence along the site frontage with automatic colorbond gates at the ingress and egress points is proposed. Council does not support this front fence and recommends a decorative masonry fence to screen the proposed used from the street. The use of colorbond gates at the vehicle access points is not supported.





---

### Public interest

The proposal is considered not to be in the public interest in light of the concerns of the residents as documented in submissions received by Council. The main concerns raised in the residents submissions are summarised below:

- Concerns are raised that the noise impact assessment confirmed that the 22 nearest residential receivers would be affected by the proposal. The residents would also like to be more involved in the placement locations of noise receptors as there are concerns that the noise readings have not been monitored accurately.
- Residents object to the proposed 24 hour operation of the site due to the impact of noise from the idling and driving of trucks and the tipping of waste on site. There are also concerns that the glare from flood lights would be visible from the residential zone.
- The odour assessment was unable to be viewed by the residents. Concerns are raised that they will be able to smell waste similar to that of Spring Farm Recovery Centre that can often be smelt in Currans Hill.
- The proposal will generate toxic air pollution which raises health concerns for residents and members of the community. Airborne particles will blow east over vast areas of Currans Hill.
- It was advised that green waste would be accepted into the facility. The dimensions of the green waste stockpile have not been provided. There are concerns that even if the green waste is removed after 48 hours of being on the site, the vegetation might have already started to breakdown and create odour prior to being received at the site.
- The proposal will have a negative impact on the immediate environment including Kenny Creek and local wildlife. A study of the existing wildlife within this corridor and potential impact on these species has not been undertaken. Vegetation from other areas brought onto the site will introduce seeds from noxious plants, infest Kenny Creek and flow onto Harrington Park Lake. There is also a concern that the proposed facility will attract pests such as termites in stored timber, rats, mice, Ibis birds etc.
- The traffic impact report states that the existing traffic volumes at the intersections of Hartley Road and Narellan Road were surveyed on Friday 11 December 2015. A SIDRA analysis of the intersections of Hartley Road and Narellan Road found that the intersections are currently operating at near capacity during peak hours. Since the report was prepared, the Camden Valley Way upgrades have been completed and traffic has significantly increased on Hartley Road since December. Currans Hill has only two entrances/exits. The recycling facility will significantly change the volume of traffic within Currans Hill and surrounding suburbs.
- The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. A locality/context plan drawn at an appropriate scale indicating a 1-3km radius from the site to include nearby residential dwellings, local features such as heritage items, the location of schools, childcare centres, and recreation facilities. Residents request that the application be rejected based on it

being 120m away from residential homes and within 1km of two schools, swimming pools, childcare centres and children entertainment facilities.

- The EIS does not confirm that the height of the facility will be a maximum of 11m.
- Questions are raised as to why the Minister of Planning advised that a public hearing should not be held.
- No funds have been spent by the State Government and Council in managing waterways and the remnants of the Cumberland Plain Forest in the area.
- Nearby residents request that the land closest to the residential homes be rezoned to change from IN1 General Industrial to IN2 Light Industrial.
- Enquiries should be made with Liverpool Council of their experience with the Benedict Recycling facility at Chipping Norton, particularly in relation to documented complaints from residents and neighbouring businesses. The operating hours at the Chipping Norton facility are 6am to 7pm Monday to Saturday.
- The operating hours at the Benedict Recycling facility in Belrose are 7am to 4pm. The residents of Currans Hill were advised, at a site meeting in Smeaton Grange, that the operation in Belrose is the closest operating facility to a residential area, being 250m away. The Currans Hills residents were advised that the Belrose facility is a quarry. The effects on residents in the area cannot be compared to the Smeaton Grange proposal which is closer (120m) to residents.
- Enquiries should be made with the relevant licensing authorities such as the Environmental Protection Authority to ascertain if there have been any breaches of the existing facilities operating conditions.

### **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

### **CONCLUSION**

DPE has publicly exhibited a State Significant DA for the construction and operation of a waste recycling and transfer facility at 52 Anderson Road, Smeaton Grange. Council staff have prepared a draft submission for Councillors' consideration and endorsement.

### **RECOMMENDED**

**That Council:**

- endorse the draft submission objecting to the waste recycling and transfer facility State Significant DA; and**
- forward the submission to DPE for consideration as part of its assessment of the DA; and**
- forward a copy of the submission to Mr Chris Patterson MP, Member for Camden.**





---

ATTACHMENTS

1. Draft Submission Report
2. Submissions - *Supporting Document*

# ORDINARY COUNCIL

ORD03

**SUBJECT: CATHERINE PARK VOLUNTARY PLANNING AGREEMENT**  
**FROM:** Director Planning & Environmental Services  
**TRIM #:** 16/205208

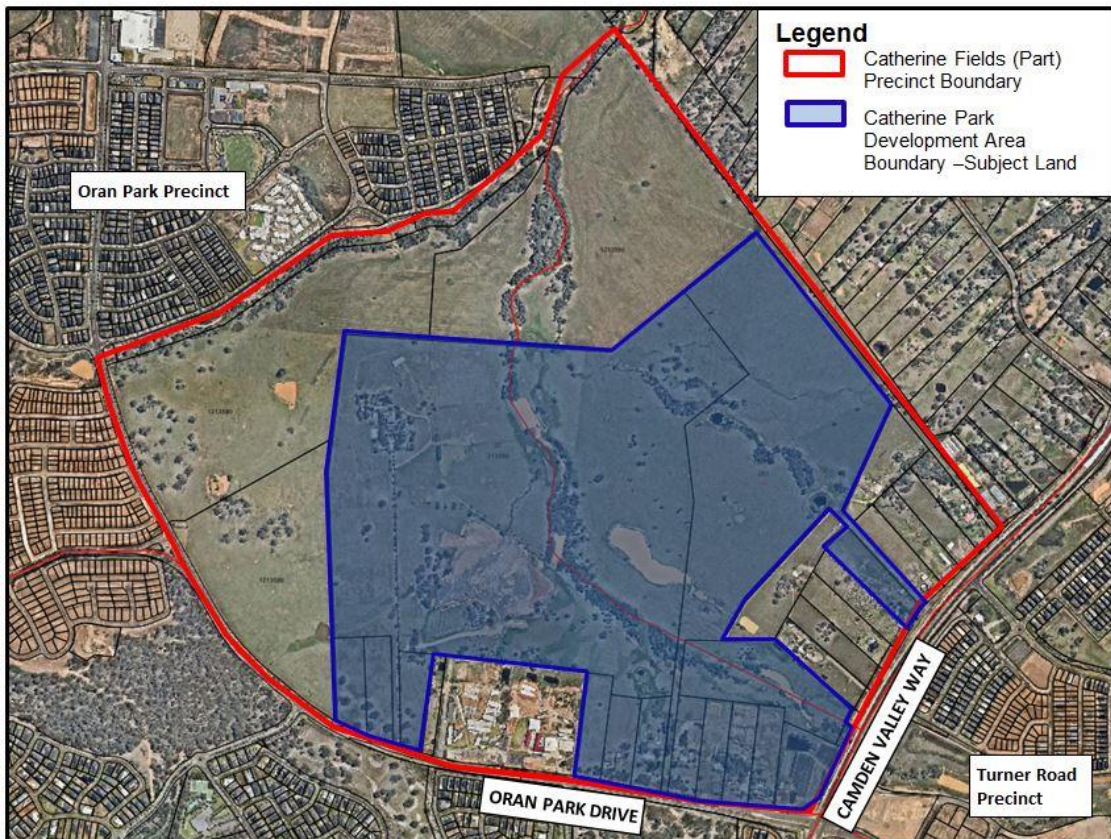
## PURPOSE OF REPORT

The purpose of this report is to inform Council of the draft Catherine Park Voluntary Planning Agreement (VPA) for Council to consider the submission received during the exhibition period and to recommend that Council endorse the draft VPA.

A copy of the draft Catherine Park VPA and Explanatory Note **is included as Attachment 1 to this report.**

## BACKGROUND

The Catherine Fields (Part) Precinct (CFPP) has an area of approximately 320 hectares and is located between Oran Park Drive and Camden Valley Way, being adjacent to the Oran Park and Turner Road precincts. The portion of the precinct controlled by Hixson Pty Ltd, Dandaloo Pty Ltd and Edgewater Homes Pty Ltd (the developers) has an area of approximately 163 hectares and is known as 'Catherine Park' which is shown shaded blue in **Figure 1 below.**



**Figure 1: Catherine Park (the subject land)**



The CFPP was rezoned for urban development under the Growth Centres SEPP on 20 December 2013 and included the adoption of the Catherine Fields (Part) Precinct Section 94 Contributions Plan (the CP).

The developers of Catherine Park submitted a request to enter into a VPA in December 2014. Council officers have negotiated a schedule of contribution items including the construction of infrastructure, land dedication and monetary contributions, which reflects the requirements of the CP and will meet the needs of the future residents of Catherine Park.

The draft VPA was the subject of a Councillor briefing on 22 March 2016.

### MAIN REPORT

The draft VPA was drafted by Council's legal representatives and is a formal offer by the developers to undertake works, dedicate land and provide monetary contributions to Council for a total of 1,850 lots within the Catherine Park development. The VPA offer is in lieu of making monetary contributions under the CP.

The draft VPA includes:

- Local parks and playgrounds;
- A double playing field;
- A water cycle management scheme;
- The construction of key roads;
- A road creek crossing and pedestrian/cycle bridges;
- A shared pedestrian and cycle path network;
- A monetary contribution towards the construction of an amenities building and community facility;
- A monetary contribution towards the provision of hard courts in the northern portion of the CFPP; and
- A monetary settle-up contribution towards off-site open space, recreation and community facilities in the Oran Park and Marylands precincts.

The draft VPA also includes works and land dedication which is provided in addition to the requirements of the CP, to be undertaken at the developer's cost without any s94 credit being received. These works and land dedication items include:

- The rehabilitation, embellishment and dedication of riparian corridor land forming South Creek and the maintenance of this land for a period of five years;
- The embellishment and dedication of transmission easement land and the maintenance of this land for a period of five years; and
- The embellishment and dedication of additional local open space and drainage land.

A copy of the draft VPA staging plan **is included as Attachment 2 to this report**. The staging plan identifies each of the works and land dedication items (including s94 and non-s94 items) that will be provided under the VPA, and corresponds with the table of works, land dedication and monetary contributions which forms *Schedule 1 – Development Contributions* in the draft VPA which **is included as Attachment 1 to this report**.

The draft VPA has a total value of \$52,537,809. A summary of the developer contributions contained in the VPA is provided below.

---

## Section 94 Contributions Plan items

The draft VPA includes the following items of works, land dedication and monetary contributions, which are identified in the CP and have been included in the calculation of the developers' contribution obligations.

### Open Space and Recreation

The draft VPA includes open space and recreation works and land dedication with a total contribution value of \$18,186,046.

This includes the embellishment and dedication of five local parks with a total area of 5.07 hectares, along with a 4.7 hectare double playing field site near the centre of the development which is identified as LS2 on the VPA staging plan. The double playing field site includes the playing surface, a 120 space car park, and a cleared, prepared and serviced site to accommodate a community centre and amenities building, which will be delivered by Council via monetary contributions provided by the developer under the VPA as outlined below.

### Monetary contribution for construction of community centre and amenities building

The draft VPA includes a monetary contribution of \$2,179,411 to enable Council to construct a community centre and amenities building.

The community centre was originally proposed to be located adjacent to the neighbourhood centre in the northwestern corner of the Catherine Park development. On review, it was agreed that relocation of the community centre to the double playing field site (LS2) enabled the design and construction of an integrated community centre and amenities building facility to better serve the needs of the future Catherine Park community.

To ensure the timely delivery of the community facility and amenities building, the VPA includes mechanisms that apply to both Council and the developers regarding the staging of monetary contributions and key milestones to be achieved during the design and construction process.

### Monetary contribution for relocation of hard courts and lighting

The draft VPA includes a monetary contribution of \$212,000 to enable the co-location of the hard courts when the northern double playing fields are constructed in future.

The CP identified the construction of a floodlit multi-purpose hard court within both of the double playing field complexes contained in the CFPP. An opportunity was identified to co-locate these hard courts within the future double playing fields in the northern portion of CFPP which is owned by Greenfields Development Corporation (GDC). The northern double playing fields site abuts the future school site identified in the CFPP ILP, and the co-location of the hard courts will enable the design of a larger integrated hard courts facility which will provide greater functionality and improved public access.

### Transport and accessibility

The draft VPA includes transport management and accessibility infrastructure works and land dedication with a total value of \$4,715,155.



---

The draft VPA includes the construction of a collector/local road, road creek crossing, bus shelters, pedestrian/cycle bridges across the riparian corridor land, and approximately 3,090 linear metres of shared pedestrian and cycle paths.

#### Water cycle management

The draft VPA includes water cycle management infrastructure works and land dedication with a total contribution value of \$20,241,577. The draft VPA requires the design, construction and dedication of a water cycle management scheme which is generally in accordance with the water cycle management strategy prepared during the rezoning of the CFPP.

#### Other monetary contributions

The draft VPA includes the following additional monetary contributions:

- administration of the VPA - \$297,523;
- preparation of plans of management - \$66,666; and
- settle-up amount - \$4,089,430.

#### **Items not identified in Section 94 Contributions Plan**

The draft VPA also includes works and land dedication not identified in the CP. No development contributions credits or offsets will be provided for these non-s94 items. The works will be undertaken at the developer's expense and dedicated to Council at no cost. The non-s94 items in the draft VPA include:

#### Additional open space land

The developers have offered to embellish and dedicate:

- 0.58 hectares of linear open space located within the road reserve of the Robbins Lane corridor which links Oran Park (Catherine Park) House to Oran Park Drive and was approved via the JRPP determination of DA 228/2014; and
- 0.22 hectares of open space land, which is bounded by Basin B3, Riparian Corridor R3 and a proposed local road and will contain part of the proposed shared pedestrian and cycle path to be constructed under the VPA.

#### Riparian corridor and transmission easement embellishment and dedication

The developers have prepared a submission in accordance with Council's Dedication of Riparian Corridors Policy and Dedication of Land Burdened by Transmission Easements Policy regarding the dedication of 21.02 hectares of riparian corridor land and 2.79 hectares of transmission easement within Catherine Park.

The riparian corridor and transmission easement land in Catherine Park connects in an easterly direction to the riparian corridor and transmission easement land being embellished and dedicated to Council under the Gledswood Hills and Gregory Hills VPAs, and in a northwesterly direction to the riparian corridor land located in the portion of CFPP that is owned by GDC.

The draft VPA includes a proposal by the developers to undertake \$2,550,000 of rehabilitation and embellishment works to the South Creek riparian corridor and transmission easement land. The embellishment of these corridors will include portions



of a shared pedestrian and cycle path network, which is a separately-costed s94 contribution item included in the VPA.

The developers will be required to maintain each stage of the riparian corridor and transmission easement land for 5 years upon completion of the work.

The dedication of land to Council is considered to deliver benefits to Council, the community and the environment. This rationale has underpinned Council's previous acceptance of riparian corridor land under the Oran Park, Gregory Hills, Gledswood Hills, East Leppington, Emerald Hills and Arcadian Hills VPAs and will result in a significant portion of the upper reaches of South Creek and its tributaries being restored and subsequently managed by Council.

### **Cap on total lots under the VPA**

Clause 37 of the VPA limits the application of the VPA to a maximum of 1,850 lots within the Catherine Park development. If the development exceeds 1,850 lots in future, the developers must pay additional monetary contributions under the CP or negotiate an amendment to the VPA that includes additional contributions on behalf of any additional lots.

### **Security**

The *Environmental Planning and Assessment Act 1979* require VPAs to include suitable means of enforcement in the event of a breach of the agreement. The VPA offer includes a package of security provisions to mitigate any risk to Council which includes:

- The registration of the VPA on the title of the land;
- The ability of Council to withhold subdivision certificates if works are incomplete;
- The ability of Council to acquire land for \$1 if the land is not dedicated to Council in accordance with the VPA;
- The provision of financial security by the developers for any incomplete works; and
- The ability of Council to legally enforce the VPA.

### **Exhibition of draft VPA**

The draft VPA was publicly exhibited for a period of 28 days from 28 June 2016 to 25 July 2016 in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. The VPA was advertised in the paper and on Council's website, and hard copies of the exhibition material were made available for review at Council's administration centres at Camden and Narellan, along with the Camden and Narellan libraries.

One public submission was received by Council during the exhibition period. A summary of the submission is provided in **Table 1 in this report** and a copy of the submission is provided as a **supporting document to this report**.

Table 1 – Consideration of submission

Submitter/Agency Name	Issue	Officer Comment
Adjoining Land Owner	<p>The VPA should reflect the updated water cycle management catchment areas identified by during the assessment of DA 1134/2015.</p> <p>This will ensure that appropriate s94 credits can be provided to the developer of the adjoining land if they construct a water cycle management basin in future.</p>	<p>DA 1134/2015 assessed the proposed subdivision of land adjacent to the Catherine Park development.</p> <p>During the assessment of this DA it was determined that the sub-catchment draining to the proposed stormwater basin (B13) was slightly larger than identified in the original water cycle management strategy prepared at the time of rezoning.</p> <p>The increase in catchment size did not however require a larger basin or impact on the size of basins required within the land subject to this VPA.</p> <p>Therefore there is no requirement to amend either the draft VPA or CP as a result of the assessment of DA 1134/2015 or this submission.</p>

### Next steps in the VPA process

Should Council resolve to adopt the draft VPA, it is recommended that Council authorise the draft VPA to be executed under Council's Power of Attorney.

Once executed, contributions for development on the subject land will be levied under the VPA. This will facilitate the timely delivery of infrastructure and land dedication in accordance with the staging plan.

Should Council resolve to not adopt the draft VPA, any future development contributions would be levied under the CP. This would require Council to deliver key infrastructure and acquire land once contributions have been collected.

### FINANCIAL IMPLICATIONS

The net result of the VPA has no foreseeable negative financial impact upon Council as a result of the Catherine Park development. The additional maintenance cost to Council as a result of the completion of community infrastructure and assets and dedication of riparian corridor and transmission easement land will be accommodated within Council's annual budget process.

---

## **CONCLUSION**

The draft VPA between Hixson Pty Ltd, Dandaloo Pty Ltd, Edgewater Homes Pty Ltd and Council proposes to undertake works and infrastructure identified in the CP for the Catherine Park development and includes the dedication of land and works to Council. The draft VPA also provides monetary contributions towards the embellishment of open space land, the construction of a community centre and amenities building, the provision of off-site facilities at Oran Park and Maryland, and contributions towards the implementation and administration of this VPA.

One submission was received during the public exhibition of the draft VPA, the submission has been considered, and the issue raised does not require an amendment to the draft VPA.

The draft VPA enables the timely provision of infrastructure to meet the demands of future residents. The draft VPA has been reviewed by Council officers and endorsed for recommendation to Council.

## **RECOMMENDED**

### **That Council:**

- i. note the outcome of the public exhibition period;**
- ii. endorse the draft Catherine Park Voluntary Planning Agreement; and**
- iii. authorise the VPA to be executed under Council's Power of Attorney.**

### **ATTACHMENTS**

1. Draft Catherine Park VPA
2. Draft Catherine Park VPA staging plan a4
3. CF VPA submission - *Supporting Document*



## ORDINARY COUNCIL

## ORD04

**SUBJECT: POST EXHIBITION REPORT - ORAN PARK PART B DCP  
AMENDMENT - DENBIGH TRANSITION AREA**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/96379

### PURPOSE OF REPORT

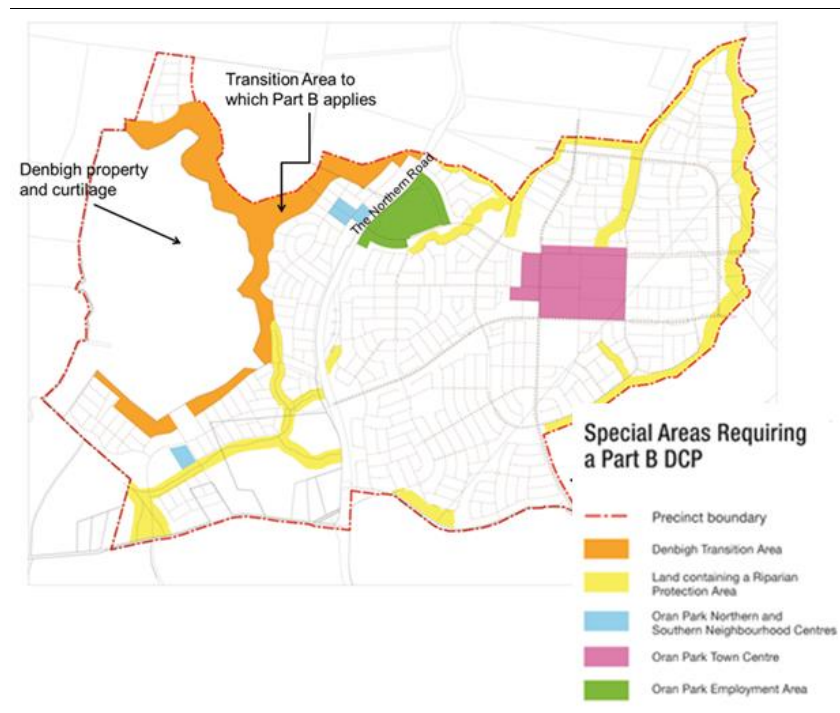
The purpose of this report is to advise Council of the draft Oran Park (Part B) DCP for the Denbigh Transition Area, for Council to consider the submissions received during the public exhibition period, and to recommend that Council adopt the draft Part B DCP.

The draft Part B DCP is included as **Attachment 1 to this report**.

### BACKGROUND

The Oran Park Precinct was rezoned by State Environment Planning Policy (Sydney Region Growth Centres) 2006 (SEPP) on 21 December, 2007. The Oran Park DCP, adopted on 4 December, 2007, applies to the land.

The Oran Park DCP identifies several areas which require the preparation of a Part B DCP to provide detailed controls prior to any development occurring in that area. This includes the Denbigh Transition Area as shown in orange in **Figure 1**.



**Figure 1: Areas requiring a Part B DCP Amendment – Oran Park DCP**

The Denbigh Transition Area surrounds the Denbigh Homestead and associated outbuildings as shown in **Figure 2** below. The transition area and homestead are positioned on the western side of The Northern Road at Cobbitty and located within the Oran Park Growth Centre Precinct.

The Denbigh Homestead is listed on the NSW State Heritage Register as an item of state significance. The draft Part B DCP will protect the heritage values and rural character, including views from the homestead.

The Denbigh Transition Area to which the draft Part B DCP applies is zoned E4 Environmental Living under the Growth Centres SEPP.



**Figure 2: Location Map**

The proposed Part B DCP was presented at a Councillor Briefing on 10 May, 2016.

## **MAIN REPORT**

### **Draft Part B DCP Amendment**

The draft Part B DCP has been prepared through consultation with stakeholders, including Council officers, an external heritage consultant, the Denbigh land owner and State agencies, including the Office of Environment and Heritage (OEH) – Heritage Division.

The draft Part B DCP outlines the vision and associated development controls for the Denbigh Transition Area. The key issues and development outcomes sought are discussed below.

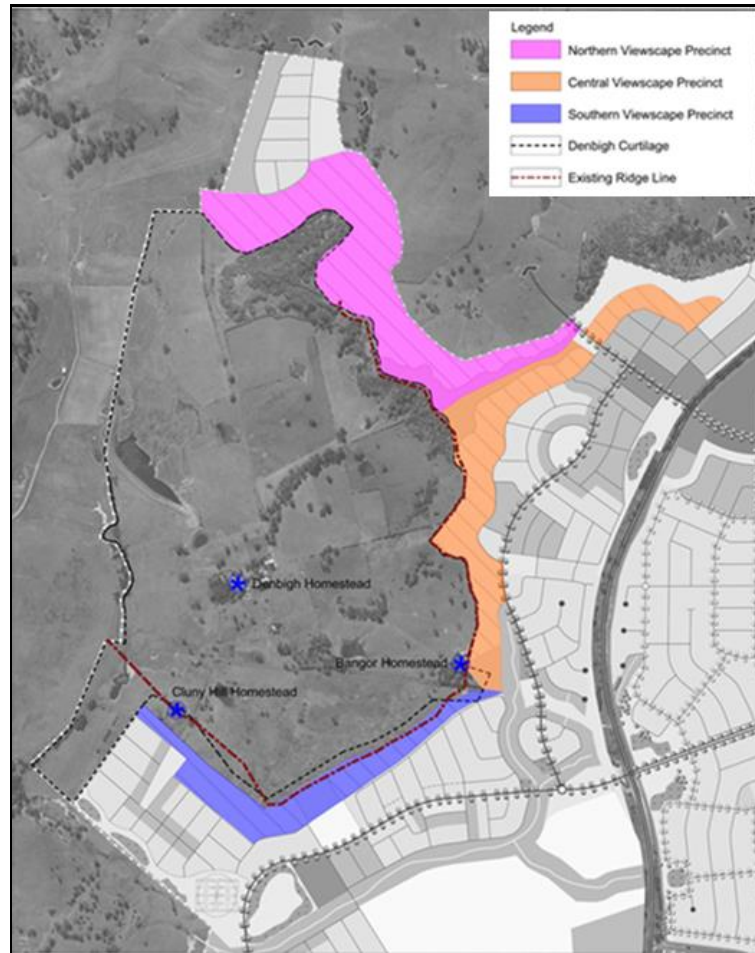
### **Proposed Viewscape Precincts**

The existing Denbigh heritage curtilage is separated from the proposed residential development within the Oran Park Precinct west of The Northern Road by a natural

ridgeline which extends along its northern, eastern and southern boundaries as shown in **Figure 3** below.

The draft Part B DCP identifies 3 separate viewscape precincts along the length of the ridgeline being the northern, central and southern viewsapes (refer **Figure 3** below).

**Figure 3: Proposed Viewscape Precincts**



The Northern Viewscape Precinct does not form part of this DCP amendment. Further consideration of this area will form part of the precinct planning work for the Marylands Precinct.

The Central Viewscape Precinct is adjacent to the eastern boundary of the Denbigh curtilage. The existing ridgeline in this section provides a suitable visual buffer for future residential development within the transition area.

The Southern Viewscape Precinct is situated along the southern boundary of the Denbigh curtilage. This section features a less prominent ridgeline and contains more gently sloping land. In this precinct, additional screening is required via the construction of a landscaped earth mound to obscure future residential development from the Denbigh property.

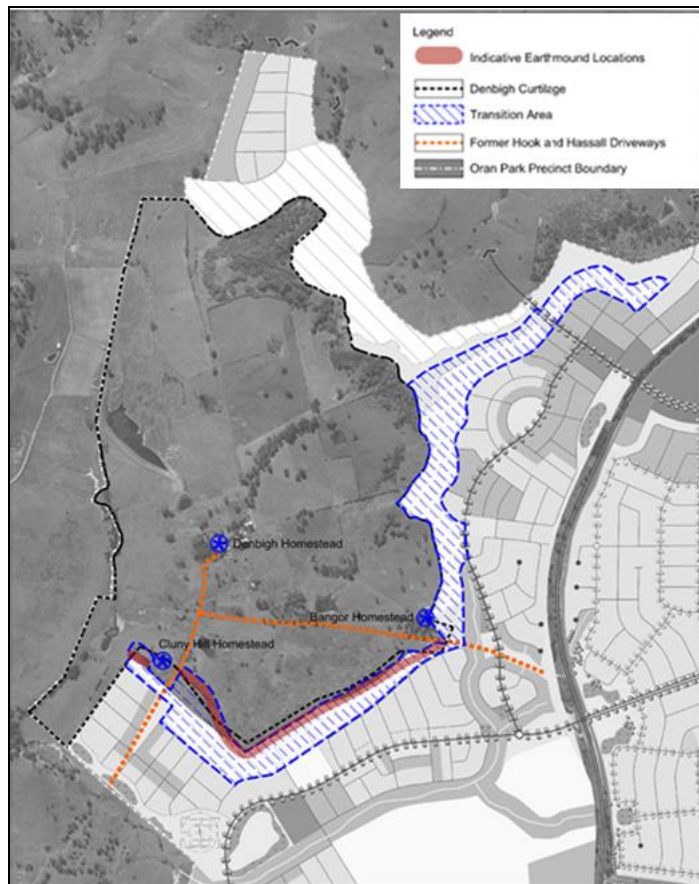


### Proposed Screening Controls to Protect Views from Denbigh

The draft Part B DCP includes controls to minimise the visual impact of new development from the Denbigh homestead and associated outbuildings.

This will be achieved through the requirement to construct a landscaped earth mound along the southern boundary adjoining Denbigh (as shown in **Figure 4** below). The mound will be planted with trees and shrubs endemic to the Camden area to help screen views of rooftops.

The earth mound construction and associated revegetation works will be carried out by the developer with the approval of the owners of the Denbigh property and must be completed prior to the approval of dwellings within the transition area.



**Figure 4: Proposed Earthbound along southern Transition Area**

The draft Part B DCP also requires dwellings to be single storey at the rear facing Denbigh and have a maximum building height of six metres where adjoining the southern ridgeline of the Denbigh curtillage (refer **Figure 5**).

A landscaping zone of 9.5 metres on the residential side of the earth mound will also be required as another screening control.

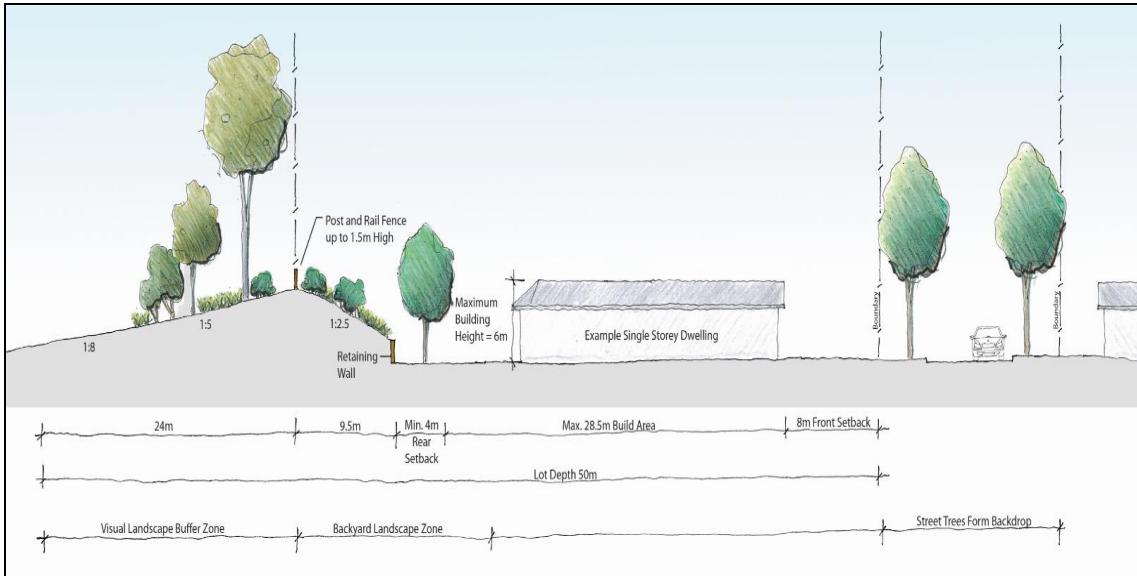


Figure 5: Cross-section of development adjoining Transition Area

Protection of Rural Character and Development Controls

The controls within the draft Part B DCP provide a transition from the rural environment of the Denbigh property to the adjoining new residential development. Land immediately adjoining the ridgeline will have a minimum lot size of 1000m<sup>2</sup> (refer Figure 6 below) under the SEPP (Growth Centres).

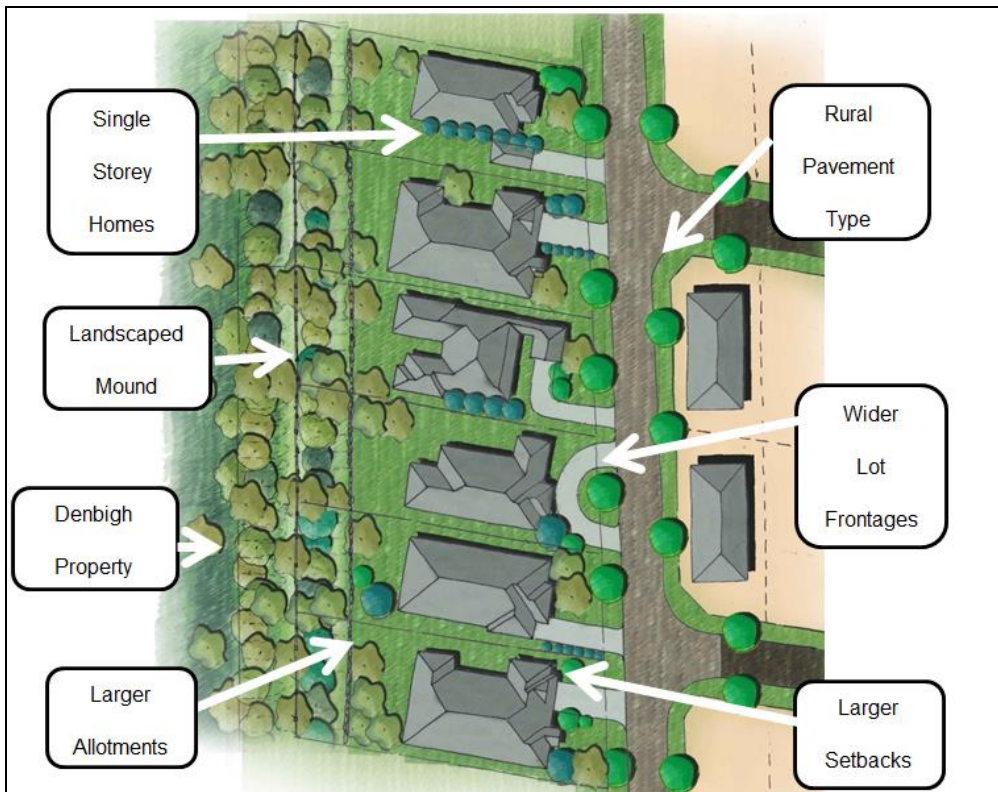


Figure 6: Proposed Development Adjoining Transition Area

The draft Part B DCP requires lots to have a frontage width of at least 20 metres. In addition, the dwelling siting controls shown in Table 1 below will apply to future dwellings which directly adjoin the Denbigh curtilage boundary.

**Table 1: Setbacks for Dwellings directly adjoining the Denbigh Property**

Building Component	Minimum Setback
Articulation Zone	6m to the front property boundary.
Building Façade Line	8m to the front property boundary.
Side Boundary	3m to one side property boundary. 1m to the other side property boundary.
Garage Line	8m to the front property boundary except for side facing front garage.
Rear Lot Boundary Retaining Wall Setback	13.5m for up to 50% of the rear lot boundary. 15.5m for the remaining building area.
Side Facing Front Garage	4m to the front property boundary.

The draft Part B DCP also requires the construction of a post and rail fence with a maximum height of 1.5 metres at the top of the earth mound which is to be compatible with the existing rural fencing on the Denbigh curtilage (refer **Figure 5**).

**Housekeeping SEPP Amendment – Building Heights**

As a separate matter to this DCP amendment, the Department of Planning and Environment (DPE) is finalising a SEPP Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP) which reduces the maximum height of buildings within the southern portion of the Denbigh Transition Area from 9.5 metres to 6 metres. This will ensure consistency with the objectives and intended development outcomes of the draft Part B DCP.

The SEPP Amendment was placed on public exhibition from 22 June, 2016 until 6 July, 2016. DPE has advised that gazettal of the SEPP Amendment is imminent.

The draft Part B DCP will be enforced once gazettal has occurred.

**Public Exhibition (DCP Amendment)**

The draft Part B DCP was placed on public exhibition from 24 May, 2016 to 21 June, 2016. Documentation was made available at Council’s Customer Service Centres in Camden and Narellan as well as the Camden and Narellan libraries. A notice was also placed in the local newspaper on 24 May, 2016 and 7 June, 2016.

Council received a total of 5 submissions during the public exhibition period. A summary of the submissions received during the public exhibition period is discussed in Tables 2 and 3 and the submissions are provided as **supporting documents** to this report.

Table 2 – Consideration of Public Submissions

	Issue	Officer Consideration	Action
1.	<b>Refer Supporting Document No. 1</b>		
	<p>a) Concern relating to exclusion of the proposed Northern Viewscape Precinct from Draft Part B DCP, which will inhibit future access to the subject sites.</p> <p>b) Inclusion of a future connection point through the Southern Viewscape Precinct to allow linkage to subject site.</p>	<p>a) The Northern Viewscape Precinct was not intended to be included within the current draft Part B DCP, as no detailed design work has been undertaken within the future Marylands Precinct regarding the future impacts of the transition between the heritage curtilage and future urban development area.</p> <p>b) A future connection point through the Southern Viewscape Precinct has not been considered as part of the draft Part B DCP. This would be subject to a separate planning proposal process and would require consultation with the land owner within the Southern Viewscape Precinct.</p>	<p>a) No amendment proposed.</p>
2.	<b>Refer to Supporting Document No. 2.</b>		
	<p>a) Support provided for the draft Part B DCP and recommends its approval and adoption.</p>	<p>a) Design 5 Architects has been involved throughout the preparation and review of the draft Part B DCP, including consultation with all parties including the proponent, Council's heritage officer and the Denbigh land owner.</p>	<p>a) No amendment proposed.</p>



Issue	Officer Consideration	Action
<b>3. Refer to Supporting Document No. 3.</b>		
<p>a) Ensure street lighting is as sympathetic as possible to the transition between rural and urban land.</p> <p>b) Would like to see exotic trees (i.e. Hoop Pines, Bunya Pines and Oak Trees) planted within the Transition Area as they have significant heritage link to Denbigh.</p>	<p>a) Clause 4.2(5) of the draft Part B DCP refers to the design of street lighting to minimise impacts of light spill on views from the Denbigh Homestead and associated rural outbuildings.</p> <p>It is noted that the total height to the top of the street lamp is 5.9m, which is less than the 6.0m screening height provided by the proposed landscaped mound.</p> <p>b) Part A of the DCP and this draft Part B DCP require that the “ridgeline is revegetated with appropriate endemic species so as to provide a dense visual buffer”, and not with exotic species.</p> <p>The heritage significance of the use of exotic species such as those nominated (Hoop Pines, Bunya Pines and Oak trees) is generally for formal plantings such as that in the Denbigh property.</p> <p>Planting on the ridgeline is proposed to provide an informal natural buffer, not formal planting like that found on the Denbigh property.</p>	<p>a) To minimise light spill, it is recommended that Clause 4.2(5) be amended to require street lights to have hoods or other suitable design treatment, which is consistent with the control in the Camden DCP 2011. This will minimise light spill visible from the Denbigh Homestead</p> <p>b) No amendment proposed.</p>



Table 3 – Consideration of State Agency Submissions

State Agency	Issue	Officer Consideration	Action
Department of Planning and Environment  Refer to <b>Supporting Document No. 4.</b>	No objection to the draft Part B DCP.	N/A.	No amendment proposed.
Office of Environment and Heritage (OEH) – Heritage Division  Refer to <b>Supporting Document No. 5.</b>	<p>a) Minor changes to objectives, DCP figures and controls throughout draft Part B DCP.</p> <p><u>Outstanding Issues</u></p> <p>b) <i>Existing Clause 1.3 – Relationship to Oran Park Part A DCP 2007.</i></p> <p>Request for inclusion of Conservation Management Plans (CMP) for Denbigh and Oran Park.</p> <p>c) <i>Section 5.3 (4) – Fencing</i></p> <p>It is suggested that diagrams of the type of fencing be inserted. For example pool type fencing may not be appropriate.</p>	<p>a) All suggested minor changes to objectives and controls have been made, with the exception of those mentioned as outstanding issues, which are discussed in more detail below.</p> <p>b) The CMP for the Denbigh Curtilage Study was finalised in July 2006 and has recommendations for land outside the heritage curtilage, including land subject to this draft Part B DCP.</p> <p>The current planning controls in the draft Part B DCP have evolved since the CMP was prepared and have improved the heritage outcomes from what was envisaged in the CMP.</p> <p>c) The draft Part B DCP indicates that front fencing is to be of an open, rural character (i.e. timber post and rail).</p>	<p>a) Addressed.</p> <p>b) It is not proposed to include references to the CMP for Denbigh. It is considered that the Part B DCP provides improved visual impact outcomes from that contained within the CMP.</p> <p>c) No amendment proposed. It is considered that this description is sufficient.</p>

State Agency	Issue	Officer Consideration	Action
	<p>d) <i>Proposed Clause 7 - Archaeological</i></p> <p>It is suggested that the objectives and controls in relation to archaeological information be inserted as a new section within the Draft DCP.</p>	<p>d) There are existing provisions in the Part A DCP and Heritage Act 1977 in relation to archaeological and heritage information that address this issue. Therefore, it is unnecessary to replicate these controls in the draft Part B DCP.</p>	<p>d) A cross reference to Section 6.4 of the Part A DCP will be inserted to the Draft Part B DCP.</p>

**Next Steps**

If Council resolves to endorse the draft Part B DCP, it will be formally adopted under delegation following the gazettal of the SEPP Amendment.

The draft Part B DCP will come into force following notification of the amendment in the local newspaper.

**FINANCIAL IMPLICATIONS**

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

**CONCLUSION**

The draft Part B DCP aims to protect heritage values and the rural character of the Denbigh homestead and its associated rural outbuildings.

The draft Part B DCP will provide the framework to ensure that visual impacts within the transition area are mitigated through limiting building heights, increased lot sizes and dwelling setbacks.

The preparation of the draft Part B DCP has involved consultation with stakeholders including Council officers, an external heritage consultant, the Denbigh land owner and State agencies.

All outstanding matters, including items raised in the submissions received by Council have been considered and resolved to the satisfaction of Council officers. On this basis, it is recommended that Council adopt the draft Part B DCP.



---

## **RECOMMENDED**

**That Council:**

- i. adopt the draft Part B DCP to the Oran Park DCP 2007 for the Denbigh Transition Area;**
- ii. upon gazettal of the Growth Centres SEPP Amendment:**
  - a. grant delegation to the General Manager to adopt the proposed changes to the Oran Park DCP 2007 in accordance with Delegations dated 19 January, 2015;**
  - b. forward a copy of the draft Part B DCP to the Department of Planning and Environment in accordance with delegations dated 19 January, 2015; and**
  - c. publicly notify the adoption of the draft Part B DCP in accordance with the provisions of the Act and Regulation.**

## ATTACHMENTS

1. Draft Oran Park DCP 2007 - Part B3 Denbigh Transition Area - Post Exhibition Version (Final)
2. Submissions - *Supporting Document*

---

## ORDINARY COUNCIL

ORD05

**SUBJECT: ADDENDUM REPORT - AMENDMENT OF SIGNS AND BANNER POLICY 2.8**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/202102

---

### PURPOSE OF REPORT

The purpose of this report is for Council to consider amending its Signs and Banner Policy to delete locations that are currently unavailable due to road works, to include new locations, and to seek Council's endorsement to place the amended Policy on public exhibition.

### BACKGROUND

Council adopted the Signs and Banner Policy in August, 2001 and the Policy was last amended in February 2015. The Policy regulates the placement of banners at designated locations around the LGA. Banner placement is subject to approval providing the applicant complies with the Policy.

The Policy offers not for profit and other eligible groups an opportunity to advertise their upcoming events on designated public land for free for a period of two weeks leading up to their event. The placement of banners is becoming increasingly popular with a number of locations booked well in advance. Council approves over 300 banners annually.

This matter was reported to Council on 26 July, 2016, where the matter was deferred until the 9 August 2016, Council meeting, to allow a review of the permissible size requirements for rigid signs under this Policy.

Given the potential safety impacts due to wind loading with increasing the size of rigid signs above 1m<sup>2</sup>, it is recommended that further research be undertaken on the safety implications of changing the rigid sign criteria. This review will include consideration of the relevant Australian Standards, including the standards for wind loading.

In light of the ongoing high demand from the community and not-for-profit groups for placement of banners in accordance with this Policy, Council is requested to consider the current amendment with a further report on the size criteria for rigid signs to be brought back to Council within 3 months.

### MAIN REPORT

The current Policy has 13 locations for the placement of banners. Due to road upgrade and construction works, the following 6 banner locations are unavailable:

1. Mount Annan – Narellan Road East of Mount Annan Drive (2 Banners);
2. Narellan – Intersection of Camden Bypass and Narellan Road (2 Banners);
3. Harrington Park – The Northern Road, North of Hillside Drive (2 banners);



- 
4. Harrington Park – Intersection of The Northern Road and Porrende Street (2 Banners);
  5. Rossmore – Bringelly Road Corner of Masterfield Road (1 Banner); and
  6. Leppington - Camden Valley Way, north-east of Denham Court Rd (2 banners).

These locations will be unavailable for an extended period of time (and in some cases up until mid-2018). As a consequence, it is proposed to remove these locations from the Policy until the completion of road works. Due to the loss of these locations, it is proposed that alternate additional locations be made available to enable groups to continue to promote their events.

The following sites have been identified as suitable alternate locations for the placement of banners:

1. Elderslie – Camden Bypass, Corner of Liz Kernohan Drive (1 Banner);
2. Narellan – Camden Valley Way, between George Hunter Drive and Narellan Road Intersections (outside McDonalds Narellan) (2 Banners);
3. Oran Park – The Northern Road, Intersection of Peter Brock Drive (2 Banners);
4. Harrington Grove – Oran Park Drive, opposite Harrington Parkway Intersection (1 banner);
5. Catherine Field – Camden Valley Way, opposite Raby Road Intersection (2 Banners);
6. Camden (west) – Cawdor Road, on Northbound side of Sheathers Lane Intersection. (1 Banner); and
7. Camden South – Old Hume Highway, Northbound side 130m from Wire Lane Intersection. (2 Banners).

The deletion of the locations impacted by road works and the inclusion of new banner locations is the only amendment proposed to the Policy (provided as **Attachment 1**).

It is recommended that the amended Policy be placed on public exhibition. Comment will also be sought from Roads and Maritime Services (RMS) on the suitability of the additional locations bounding RMS managed roads.

Upon completion of all road construction and upgrade works, the Policy and all banner locations will be reviewed to assess the ongoing viability of each location. This is expected to occur in mid-2018.

### **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications.

### **CONCLUSION**

It is proposed to amend Council's Signs and Banner Policy to provide additional locations for banners, due to the loss of existing locations as a result of road upgrades and construction works. It is recommended that the amended Policy be placed on public exhibition for a period of 28 days to seek public comment.

A report on the feasibility of and safety impacts associated with increasing the permissible size for rigid signs will be brought back to Council within the next 3 months.

---

**RECOMMENDED**

**That Council:**

- i. **place the Draft Signs and Banners Policy 2.8 on public exhibition for a period of 28 days;**
- ii. **require a report to be brought back to Council following the receipt of any unresolved submissions; or**
- iii. **if no unresolved submissions are received, adopt the draft Policy at Attachment 1 with effect from the day after the close of the public exhibition period; and**
- iv. **require a further report be brought back to Council within 3 months to advise on the feasibility of, and associated safety impacts of increasing the permissible size for rigid signs under this Policy.**

**ATTACHMENTS**

1. Attachment Amended Signs and Banner Policy 2.8





---

## ORDINARY COUNCIL

**ORD06****SUBJECT: PROVISION OF ANIMAL HOLDING FACILITY SERVICE - CAMDEN LGA****FROM: Director Planning & Environmental Services****TRIM #: 16/217734**

---

### PURPOSE OF REPORT

The purpose of this report is to report to Council on the findings of the investigation into future options for an animal holding facility, following the pending closure of Renbury Farm and to recommend that Council:

1. Delegate authority to the General Manager to finalise negotiations with Campbelltown Council to provide an animal holding service to Camden Council.
2. Approve funding of \$250,000 for the installation of demountable kennel and cattery buildings and exercise yard at Campbelltown Council's Animal Care Facility.
3. Require a report be brought back to Council within 12 months on the longer term options for an animal holding facility.

### BACKGROUND

To fulfil its functions under the *Companion Animals Act 1998* and *Impounding Act 1993*, Council's Rangers investigate complaints regarding roaming dogs, cats, livestock and dog attacks. In exercising their powers, Council Rangers are required to impound animals on a regular basis.

Renbury Farm at Austral has acted as Council's animal holding facility for over 20 years. Renbury Farm also provided an animal holding service to Liverpool, Fairfield and Bankstown Councils.

In early 2016, Council went to tender to formalise arrangements with an animal holding facility provider, however no tenders were submitted.

In March 2016, the operator of Renbury Farm (Transpet Pty Ltd) advised Council that it will be ceasing its operations on 30 September 2016. Recent discussions with the operator have confirmed that an extension until 30 November 2016 is available, after which Liverpool City Council will take over the lease of the facility. A further extension may be possible subject to negotiation and agreement with Liverpool City Council.

Council runs an extensive companion animal education program to promote responsible pet ownership. This program includes subsidised de-sexing programs, free microchipping days, bus advertising and regular educational days at schools and local events.

Council's work in promoting and supporting responsible pet ownership is overseen by our Companion Animal Advisory Committee comprised of local residents, vets, Councillors and staff.

---

## **CURRENT SITUATION**

On receipt of advice of Renbury Farm's closure, Council officers commenced an investigation into possible future options for an animal holding facility.

This investigation involved discussions and inspections of a number of facilities, including various council operated and private facilities to consider short, medium and long term options for Council.

### **Key Criteria of a service provider**

In addition to cost, Council officers considered the following key criteria in investigating animal holding facilities:

#### *Capacity to accommodate Camden animals*

Based on projected figures for the next few years, Council requires a facility that can accommodate 20 dog kennels and 12 cat enclosures to home impounded animals. This allows for seasonal fluctuations and extended stays for animals unable to be rehomed quickly.

Council has averaged 600 animals impounded annually for the last 5 years with a spike to 657 animals in 2014/15 (430 dogs and 227 cats).

#### *Management Practices*

It is considered imperative that Camden Council's low animal euthanasia rate is maintained. In addition, the service provider will need to ensure a high standard of animal care, including kennel construction standards and animal welfare practices.

In 2014/15, Camden's euthanasia rate was 8% (dogs) and 17% (cats). When animals euthanised at the owners request, dangerous dog and feral and infant cats are removed from this result, our euthanasia rate was 4.4% (dogs) and 4.3% (cats).

#### *Proximity for Camden residents*

It is considered important that the service provider be located within close proximity for Camden residents.

## **PREFERRED SHORT - MEDIUM TERM OPTION**

### **Campbelltown Council Animal Care Facility**

Having investigated a number of facilities, Campbelltown Council's Animal Care Facility is considered the preferred short to medium term option due to it best meeting the key criteria.

Campbelltown Council operates an animal holding facility in Rose St, Campbelltown within the industrial precinct near Blaxland Road. The facility has recently been refurbished to a high standard of fitout and Campbelltown Council has a team of experienced staff operating the facility. Campbelltown Council has recently appointed a dedicated animal rehoming officer that has increased their rehoming of impounded animals.

The facility is in relatively close proximity to the Camden LGA and access to the facility for Camden residents will be improved once the Badgally Rd extension is completed.



---

Furthermore, the site is large enough to cater for future expansion to accommodate the projected numbers of animals from both Camden and Campbelltown Councils.

Campbelltown Council has indicated a willingness to establish a service level agreement with Camden Council to ensure the current care levels provided to Camden Council's impounded animals are maintained or improved.

Proposal: Demountable kennel and cattery buildings and yard at Campbelltown

It is recommended that additional infrastructure be installed at Campbelltown Council's facility to accommodate Camden's animals.

It is proposed that Council purchase and install demountable buildings at Campbelltown Council's facility and equip the buildings with air-conditioning and 20 high specification modular kennels and 12 cat condominiums for homing animals (**Attachment 1**). It is also proposed to erect an exercise yard at the front of the building.

There is sufficient capacity in this proposal to allow impounded animals to stay an extended period of time if required.

A shared service arrangement is proposed with Campbelltown Council to utilise Campbelltown Council's services, including their Rehoming Officer.

It is also proposed that a dedicated Camden Council Companion Animal Ranger be based at the Campbelltown facility to oversee the care and rehoming of Camden's animals.

Management fee/operational costs

In addition to the installation of demountable buildings and associated infrastructure, a management fee is to be negotiated with Campbelltown Council based on a shared service arrangement. This fee includes the use of Campbelltown Council staff for cleaning, feeding of animals, some administrative functions and utility costs.

Whilst details of this arrangement are to be finalised, preliminary costings suggest a management fee up to \$200,000 per annum, which is higher than our current arrangement with Renbury Farm. However, the higher management fee is attributed to our current non-contractual arrangement with Renbury Farm being largely unchanged for close to 10 years and the economies of scale existing at Renbury Farm with operating costs being spread across four Councils.

Key Benefits

The key benefits of this proposal include:

- Campbelltown Council's Animal Care facility is within close proximity for Camden residents.
- The site has the capacity to accommodate the installation of new infrastructure.
- The proposed demountable buildings provide the capacity to accommodate Camden's animals, whilst being demountable and owned by Council.
- The Campbelltown facility has recently been refurbished to a high standard and has a team of experienced staff, including a dedicated Rehoming Officer.

- An opportunity to leverage a shared service arrangement, including office administration and promotion, whilst allowing a level of autonomy to be maintained for Camden.
- A dedicated Camden Council Companion Animal Ranger will allow increased oversight over Camden's impounded animals in terms of their care and rehoming.
- Builds on the existing strong relationship between Camden and Campbelltown Councils within the Macarthur region.

### **LONG TERM OPTION**

The use of Campbelltown's Animal Care Facility is considered a viable short to medium term option. However, given Camden's growth estimates, a longer term option for a larger animal holding facility needs to be considered.

It is recommended that a report be brought back to Council within 12 months outlining longer term options for Camden. This report will include options such as the opportunity for an animal holding facility within the Camden LGA, and/or a regional facility which could be utilised by neighbouring councils.

### **FINANCIAL IMPLICATIONS**

The purchase, installation and fitout of demountable buildings is estimated to cost approximately \$250,000. This can be funded from the Capital Works Reserve.

#### **Operating Costs**

Council's 2016/17 budget for operational costs is \$83,500. Whilst negotiations are not finalised, indicative management fees are estimated to be up to \$200,000 per annum.

The funding shortfall could be considered throughout the year as part of Council's quarterly budget review process.

#### **Companion Animal Ranger**

The establishment of a dedicated Camden Council Companion Animal Ranger position to oversee Camden's animals will be funded from an existing vacant position within the 2016/17 budget.

### **CONCLUSION**

Having investigated a number of facilities, Campbelltown Council's Animal Care Facility is considered the preferred short to medium term option for Camden's animals.

It is recommended that Council delegate authority to the General Manager to finalise negotiations with Campbelltown Council in line with the preferred option.

It is also recommended that a report be brought back to Council within the next 12 months on the longer term options for an animal holding facility.



---

## **RECOMMENDED**

### **That Council:**

- i. delegate authority to the General Manager to finalise negotiations with Campbelltown Council to provide an animal holding service to Camden Council in line with the preferred option.**
- ii. approve funding of \$250,000 from the Capital Works Reserve for the preferred option as detailed in this report.**
- iii. require a report be brought back to Council within 12 months on the longer term options for an animal holding facility.**

### **ATTACHMENTS**

- 1. Proposed Demountable Kennel and Cattery Buildings**

---

## ORDINARY COUNCIL

### ORD07

**SUBJECT: CIVIC CENTRE CULTURAL PERFORMANCE SUBSIDY**

**FROM:** Director Customer & Corporate Services

**TRIM #:** 16/195372

---

### PURPOSE OF REPORT

This report seeks approval to allocate funding to local community groups, organisations and individuals through the annual Camden Civic Centre Cultural Performance Subsidy.

### BACKGROUND

The Cultural Performance Subsidy calls for applications annually and provides up to \$1200 per event to subsidise the cost of hiring the Camden Civic Centre. Council provides the funds to not-for-profit organisations providing musical or performance art presentations within the venue. These funds increase the capacity of local groups to access the venue, provide a platform to showcase their talents to an audience and to provide quality affordable entertainment to the community.

The Cultural Performance Subsidy seeks to attract high quality cultural performances to meet key demographic groups in our community - seniors, family, youth and children. When the subsidy budget allocation is not fully expended, Centre Management will endeavour to use the remaining funds to source entertainment that further meets the needs of the community, if any suitable option is available.

Applications are reviewed and assessed against the following criteria:

- Demonstrate value to both the Camden community and Camden Council through the provision of high quality cultural performances;
- Involve participation and audience from local residents;
- Indicate local support either financial or in kind;
- Show evidence that the proposed activity is well planned and likely to attract the target audience;
- Contribute to the Annual Civic Centre cultural program.

The intention of the policy is to provide the community with the most appealing range of entertainment and ensure community access to the venue.

Eligibility:

- Cultural performances must be scheduled to be held within the Camden Civic Centre.
- Funds are available to non-government organisations which are not-for-profit and/or community groups based in the LGA, or undertaking a performance of direct benefit to the community and people of Camden
- Applications may be for a portion of venue hire costs to the value of and not exceeding \$1200 (excluding GST).



In 2015/2016, 8 subsidised events offered excellent entertainment, appealed to a large number of people and played to significant audiences. In most instances, audiences exceeded 500 people.

### MAIN REPORT

The 2016/17 funding round was advertised by direct mail to previous applicants and the Centre's database, on Council and Civic Centre websites, in Let's Connect and via Facebook.

Council received 10 applications in this round. Application requests total \$11,200 with \$12,700 available for 2016/2017. As the applications are reviewed annually, two of the applicant's events have been held. This was done on the proviso that funding may not be available and the events would be charged full hire fees, subject to a future decision by Council.

The following applications were received:

	Summary	Demographic and Date	Amount Requested 2016/17	Funded 2015/16	Recommended for funding
1	<b>Camden Public School</b> – primary school performance and creative arts concert. The funds assist every child and family in the school to be involved.	All age concert September 6 and 7	\$1200	Yes	Yes
2	<b>ADFAS</b> (Australian Decorative and Fine Arts Society) - Kiddies Concert. This is the sixth concert ADFAS has conducted in the Ferguson Gallery aimed at the 2-6yr age group and their parents/grandparents. The Fishers Ghost Youth orchestra works with the children to introduce the children to the world of music. The subsidy is less than other requests as the event is held in the gallery and hire costs are less for this space.	Children March 2017	\$400	Yes	Yes



<b>3</b>	<p><b>Mater Dei</b> - Performing Arts Night. The performance provides students with an opportunity to showcase their wonderful talents to the community. Mater Dei encourages participation, provides an excellent production and receives excellent feedback. The rehearsal matinee is an opportunity for local schools and seniors to come along and see the performance at no charge.</p>	<p>Family November 2016</p>	\$1200	Yes	Yes
<b>4</b>	<p><b>Quota Club Macarthur</b> - Cavalcade of Fashion. A cultural, historical presentation of past fashions that appeals to many in the community. Local school students studying textiles and design will benefit from this educational event. Several previous performances have been very successful with all tickets sold. Funds were not utilised in 2015/2016. Funds raised will be distributed to community charities and organisations.</p>	<p>All age predominantly female audience, textiles and design students. May 2017</p>	\$1200	Funds allocated but not used	Yes
<b>5</b>	<p><b>Macarthur VIEW Club</b> - Cavalcade of Fashion. As above with all funds raised going to the Smith Family.</p>	<p>All Age Held July 2016</p>	\$1200	No	Yes
<b>6</b>	<p><b>Campbelltown</b></p>	<p>Family</p>	\$1200	Yes	Yes



	<p><b>Camden District Band Inc.</b> The CCBB conduct 2 concerts each year one in Camden and one in Campbelltown and have done for over 15 years. The concert encompasses training bands, Youth Ensemble, Daytones and Main Wind Ensemble providing a variety of repertoire for concert band audiences.</p>	October 2016			
7	<p><b>Community Connections</b> - Christmas Concert for Seniors. A delightful afternoon of quality entertainment. This affordable event will provide local over 55s and elderly a great local lunchtime Christmas event.</p>	Senior  December 2016	\$1200	Yes	Yes
8	<p><b>Rock Wave Dance Party/Electronic Music Festival</b> for Youth brings youth 12 -25yrs together in a safe environment to enjoy local entertainment provided by youth utilising the event to showcase their talents. The event has been in place for six years and has been well received by the youth, growing each year.</p>	Youth  April 2017	\$1200	Yes	Yes
9	<p><b>2016 Camden Shorts</b> - A showcase of young local talent in storytelling, theatre, music and dance aged between 12 and 25 years of age.</p>	Youth  May 2017	\$1200	Yes	Yes

<b>10</b>	<b>An Irish Christmas In July - Lachlan Glenn</b> A world class concert featuring Lachlan Glen and Emmett O'Hanlon (from Celtic Thunder) just for residents of local retirement communities and other pensioners. Tickets at minimum cost.	Family  Staged – 2 July 2016	\$1200	Yes	Yes
-----------	---	------------------------------------	--------	-----	-----

**Total Funds Requested     \$11,200**  
**Total Events Requested     10**

**FINANCIAL IMPLICATIONS**

An amount of \$12,700 is allocated in the budget for 2016/2017 and the recommended applications total \$11,200. All groups who requested funds can be supported within the existing budget allocation.

In keeping with previous practice, the remaining funds will enable Civic Centre management to source 1 additional event catering to community interest from available opportunities.

**CONCLUSION**

The Civic Centre Cultural Performance Subsidy Program supports local groups to access the Civic Centre and to provide a range of entertainment options for the local community.

A number of the 2016/2017 applicants have successfully applied for funding in previous funding rounds, and have proven their capacity to provide exceptional, high quality entertainment to the community. They have worked with volunteers to create a series of events which form part of the annual Camden events program.

The 2016/2017 applicants represent a reasonable selection of events catering for youth, children, families and seniors which complement the existing calendar of events.

It is recommended that each applicant be funded fully on the basis of their application, past history and anticipated community involvement in terms of performance and audience with the balance of funds used to source performances that may further enhance the program offered by the Centre.

---

## **RECOMMENDED**

### **That Council:**

- i. approve the subsidy requests set out in this report and the resulting allocation of \$11,200 to be drawn from the Civic Centre Cultural Performance Subsidy Program for the 2016/17 year and advise each applicant in writing.**
- ii. utilise the balance of funds in the 2016/17 program to secure a mid-week performance that will further enhance the Centre's program.**

---

## ORDINARY COUNCIL

### ORD08

**SUBJECT: COMMUNITY SMALL GRANTS 2016/2017**

**FROM:** Director Customer & Corporate Services

**TRIM #:** 16/132855

---

### PURPOSE OF REPORT

This report seeks Council's endorsement of the recommended funding allocations in this year's Community Small Grants Program (CSGP), a component of Council's Community Financial Assistance Program.

### BACKGROUND

Council provides an annual financial assistance program to assist local groups, one element of which is the CSGP. The 2016/17 budget has allocated \$85,700 to this program.

CSGP guidelines assist Council in the consideration and allocation of funds to applicants. The guidelines are available on Council's website and are provided to all applicants.

### MAIN REPORT

The availability of funds through the CSGP was promoted via:

- Two information sessions for community groups were held at Narellan Library on 31 May 2016 and 1 June 2016;
- Council networks, the Camden Interagency Group;
- Local papers, radio; and
- Council's website, Camden and Narellan Council offices and Camden and Narellan Libraries.

Thirty-six applications were received with a total of \$150,190 requested. Nine new groups applied for funding.

Each application was assessed against the program guidelines, with further consideration given to the impact on the local community, number of participants, applicant's financial or in-kind contribution and availability of other funding sources.

As it is not possible to fund every project under the program, unsuccessful groups will be:

- Advised of potential alternate sources of funding and provided with assistance to access these funds wherever possible;
- Provided with information about other partnerships which may be possible to achieve their goals; and



- Notified of and encouraged to participate in grant writing workshops.

This matter was the subject of a Councillor briefing on 26 July, 2016 and a subsequent item in the Councillor update.

In the current budget, \$85,700 is allocated, however \$4,970 was returned to Council from the 2015/2016 program from Focus on Families, increasing the total budget to \$90,670. After assessment against the CSGP guidelines, 27 applications have been recommended for CSGP funding totaling \$90,026 (excluding GST).

The following projects are recommended for full funding:

Project Number	Name of Community Group	Project	Amount requested	Amount Recommended for funding
1	Mt Annan Swimming Club	<b>Time Keeping Equipment</b>  Full funding recommended.	\$5000	\$5000
2	YMCA	<b>Skate Park League</b>  Full funding recommended.	\$4370	\$4370
3	Camden District Care Inc	<b>Let's Rock</b>  Full funding recommended.	\$3197	\$3197
4	The 7th Light Horse Regiment Menangle Historical Troop (Auspiced by NSW Harness Racing Ltd)	<b>Camden Horse Trailer</b>  Full funding recommended.	\$5000	\$5000
5	Macarthur Lions Club Inc	<b>New Mobile Cool Room.</b>  Full funding recommended.	\$5000	\$5000
6	Currans Hill Rainbow Babies and Kids Playgroup (Auspiced by Playgroup NSW)	<b>Improving developmental outcomes for children of LGBTI families through Music and Art</b>  Full funding recommended.	\$1700	\$1700
7	Camden Oakdale Girl Guides Parent Support Group (Auspiced by Girl Guides NSW/ACT)	<b>Screens and security doors</b>  Full funding recommended.	\$4370	\$4370

8	Lions Club of Camden	<b>Auxiliary Power Generator</b>  Full funding recommended (funds remain from previous project which will be reallocated to this project).	\$4000	\$1098
9	Macarthur Preschool	<b>Insulation of Macarthur Preschool</b>  Full funding recommended.	\$5000	\$5000
10	Lions Club of Narellan Inc	<b>BBQ Trailer Refurbishment</b>  Full funding recommended.	\$2000	\$2000
11	Anglican Parish of Cobbitty (Auspiced by Anglican Church Property Trust)	<b>Hall Heating</b>  Full funding recommended.	\$5000	\$5000
12	Camden Equitation Incorporated	<b>Custom built trailer to hold dressage arenas</b>  Full funding recommended.	\$5000	\$5000
13	Camden Rugby Union Club Inc	<b>Repairs to Disability Access Ramp</b>  Full funding recommended.	\$4813	\$4813
14	Mount Annan Currans Hill (MACH) Knights Junior Rugby League Football Club (JRLFC)	<b>Upgrade of 1st Aid equipment</b>  Full funding recommended.	\$4967	\$4967
<b>Sub Total: Fully Funded Projects Recommended</b>				<b>\$56,515</b>

15	Probus Club of Gregory Hills	<b>Capital Equipment</b> Part funding recommended.	\$1551	\$957
16	<u>MS Society Ltd</u>	<b>Living Well with MS</b> Part funding	\$4144	\$2500



		recommended.		
17	The Shepherd Centre	<b>School Readiness</b>  Part funding recommended.	\$5000	\$4500
18	Camden Mens Bowling Club	<b>Jack Attack</b>  Part funding recommended	\$2900	\$1500
19	Mother Hubbards Cupboard Inc	<b>Supporting Survivors</b>  Part funding recommended.	\$3600	\$2400
20	Macarthur Chinese Services Incorporated	<b>Home of Wisdom-Building social networks for Chinese families in the Macarthur region</b>  Part funding recommended.	\$5000	\$3120
21	Turning Point Community Connect (Auspice Mother Hubbards Cupboard)	<b>Emergency Relief Food Pantry</b>  Part funding recommended.	\$8132	\$3000
22	Camden/Wollondilly DV Committee (Auspice Macarthur Legal Centre)	<b>Domestic Violence Banner Pens</b>  Part funding recommended.	\$4136	\$3086
23	Australian Breastfeeding Association Camden-Wollondilly Group	<b>Postnatal Wellbeing Project - Breast Pump for In-Need Mums</b>  Part funding recommended.	\$3082	\$2962
24	Mets Baseball Club	<b>New Equipment</b>  Part funding recommended.	\$3920	\$1986

25	Rossmore & Districts Pony Club Incorporated	<b>Purchase of equipment</b> Part funding recommended.	\$5000	\$2500
26	Macarthur District Temporary Family Care Inc. T/A Disability Macarthur Family Support and Care	<b>Relax, Reboot, Rejuvenate</b> Part funding Recommended.	\$5000	\$2500
27	1st Camden South Scout Group	<b>Preparing for Cuboree</b> Part funding recommended.	\$4872	\$2500
<b>Sub Total: Part Funded Projects Recommended</b>				<b>\$33,511</b>
<b>Total Recommended for Funding</b>				<b>\$90,026</b>

The following projects are not recommended for funding:

28	Camden Community Connections	<b>A Taste of Harmony.</b>	\$2400	Not recommended for funding.
29	Camden Community Connections	<b>Mosaic Mural Project.</b>	\$2500	Not recommended for funding.
30	Cobbitty Village Market Day Committee Incorporated	<b>Automate stall-holder rent collection on market days; and extra storage.</b>	\$4150	Not recommended for funding.
31	Lifeshouse Church	<b>Outdoor Cinema in Gregory Hills.</b>	\$5000	Not recommended for funding.
32	L'estro Armonico String Orchestra	<b>Project Unnamed.</b>	\$5000	Not recommended for funding.



33	Camden Show Society	<b>Camden LGA &amp; Camden Show Awareness Showcase Campaign.</b>	\$5000	Not recommended for funding.
34	Camden Baptist Church (Auspice One Meal)	<b>Soup Kitchen</b> project partnership and to avoid potential duplication.	\$4974	Not recommended for funding.
35	Fighting for Autism	<b>Inclusion at the Park -</b> Funday Sunday.	\$2780	Not recommended for funding.
36	Camden Society of Artists Inc	<b>Refurbish Art Gallery and Art Classroom.</b>	\$2632	Not recommended for funding.

### FINANCIAL IMPLICATIONS

An amount of \$85,700 has been allocated in the 2016/2017 budget for the Community Small Grants Program, unexpended funds of \$4,970, returned from a community project, have been included and a small amount has been reserved for a community presentation. The total amount allocated is \$90,670.

### CONCLUSION

The work undertaken by a range of not-for-profit community organisations contributes to the increase of social capital and improved community well-being within the Camden LGA. This has been demonstrated by the quality and range of projects seeking assistance.

Applications have been assessed against the criteria contained in the program guidelines and recommendations reflect this assessment. The recommendations seek to maximize support to as many and as broad range of community groups as possible.

Projects recommended for funding will compliment existing services within the community and provide improved opportunities for the community to access services and/or facilities within the LGA.

### RECOMMENDED

**That Council:**

- i. approve grants to projects 1 to 27, totalling \$90,026 as outlined in this report, to be funded from the 2016/2017 Community Small Grants Program; and**
- ii. write to all applicants, both successful and unsuccessful, advising them of the outcome.**

ATTACHMENTS

1. Community Small Grants Program 2016/2017 - *Supporting Document*

---

## ORDINARY COUNCIL

ORD09

**SUBJECT: TENDER T026/2016 CONSTRUCTION OF CLUB ROOMS AND AMENITIES BUILDING AT NARELLAN SPORTS HUB, NARELLAN**

**FROM:** Director Community Infrastructure

**TRIM #:** 16/216595

---

### PURPOSE OF REPORT

To provide details of the tenders received for contract T026/2016, being the construction of club rooms and an amenities building at the Narellan Sports Hub, and to recommend that Council accept the tender submitted by Axis Constructions Pty Ltd.

### BACKGROUND

At its meeting of 28 June 2016, as a result of savings in the cost of constructing Council's Administration Centre (\$1.085M), Council resolved to increase the scope of works for Stage 1 of the Narellan Sports Hub. The increased scope includes a larger building for the clubrooms, storage and amenities, 30 new netball courts rather than the 26 originally planned, and additional internal roads to link the netball and athletics to the existing rugby league and hockey precinct.

The allocated budget for Stage 1 of the Narellan Sports Hub is \$9.86M.

Council has also submitted a Federal funding application for \$7.7 million for Stage 2 of the Narellan Sports Hub, through the National Stronger Regions Grant – Round 3. The grant is expected to be announced in August 2016.

The design of the building allows for the athletics clubroom, canteen and tiered spectator seating areas to be priced and constructed separately to the remainder of the building.

These athletics elements are not included in the funding for Stage 1 of the Narellan Sports Hub project, however would be included in the contract for construction of the building should Council be successful with its grant application.

To enable this option, tenderers were requested to provide a lump sum price for the entire building in addition to a price which excluded these athletics elements.

### MAIN REPORT

#### **Invitation to Tender**

The tender for construction of the club rooms and amenities building at Narellan Sports Hub was advertised in the local press, Sydney Morning Herald and the NSW e-tendering website. Tenders opened on 29 June, 2016 and closed on 27 July, 2016.



## Tender Submissions

Tenders were received from the following companies:

<i>Company</i>	<i>Location</i>
Westbury Constructions Pty Ltd	Baulkham Hills NSW
Projectcorp Australia Pty Ltd	Gordon NSW
Momentum Built Pty Ltd	Caringbah NSW
Kellyville Building Pty Ltd	Kellyville NSW
Icon Building Group Pty Ltd	Prestons NSW
HPAC Pty Ltd	Silverwater NSW
Fabric Interior.Exterior Pty Ltd	Camperdown NSW
Michael Camporeale Builders	South Hurstville NSW
Axis Constructions Pty Ltd	Wetherill Park NSW
ATB Morton (NSW) Pty Limited	Tomago NSW
Project Coordination (Australia) Pty Ltd	Unanderra NSW

## Tender Evaluation

The aim of the tender evaluation process is to assess the capability of the tenderers to provide the best value and quality services to Council and to recommend the preferred tenderer.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given weighting of 60% and non-price factors a weighting of 40%.

Non-Price Factors considered for this project were:

- Company capacity to carry out the works;
- Experience in past similar projects;
- Construction program;
- Works methodology; and
- Work Health Safety.

An assessment of the tenders was undertaken in line with the tender evaluation plan. A summary of the tender evaluation can be found in the **Supporting Documentation**, which is commercial-in-confidence.

Axis Constructions Pty Ltd has provided a competitive price as well as meeting all requirements of Council's tender documentation. Past clients were contacted and gave positive feedback for Axis Constructions Pty Ltd.

Axis Constructions Pty Ltd has demonstrated a track record of delivering projects of similar scale and nature.

The panel members all agreed that the tender by Axis Constructions Pty Ltd represented the best value to Council.

---

## Relevant Legislation

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

## Critical Dates / Time Frames

Subject to Council's acceptance of this tender, Axis Constructions Pty Ltd will be given access to the site in September 2016 to commence works. It is expected that construction will be completed for use in the winter netball season.

Council has engaged with Camden Netball Association (CNA) regarding the likely timeframe for the completion of the tendered works. At this stage, CNA have not finalised the date for commencement of the 2017 winter season, however we will continue to engage with CNA to ensure that its needs are catered for.

## FINANCIAL IMPLICATIONS

There are sufficient funds currently allocated in Council's budget to accept the tender for construction of the proposed club rooms and amenities building, excluding the athletics-specific elements.

Council has submitted a Federal funding application for \$7.7 million for Stage 2 of the Narellan Sports Hub through the National Stronger Regions Grant – Round 3. The grant is expected to be announced in August 2016.

Should Council be successful in this grant application, there would be sufficient funding to construct the remaining athletics-specific elements. In this event, a separate price for these elements has been included in this tender, could be included as a variation to the tenderer's contract.

## CONCLUSION

Axis Constructions Pty Ltd has provided a conforming Tender. The Tender assessment concludes that its offer represents the best value to Council and the Company has a proven track record of performance on projects of a similar scale and nature.

Should Council be successful in the grant application, there would be sufficient funding to construct the remaining athletic specific elements, which could be included as a variation to the tenderer's contract.

## RECOMMENDED

### That Council:

- i. **accept the tender provided by Axis Constructions for the lump sum of \$2,617,474 (GST exclusive) for construction of the proposed club rooms and amenities building, excluding the athletics-specific elements;**
- ii. **authorise that the contract be varied by the tendered amount of \$869,187 (GST exclusive) to include the additional athletics-specific elements priced separately in this tender, in the event that Council is successful in its Federal grant application for Stage 2 of the Narellan Sports Hub through the National Stronger Regions Grant – Round 3; and**





- 
- iii. **authorise the relevant documentation to be completed under the Council's Power of Attorney.**

ATTACHMENTS

1. Tender T026/2016 - Narellan Sports Hub Club Rooms and Amenities Building - *Supporting Document*