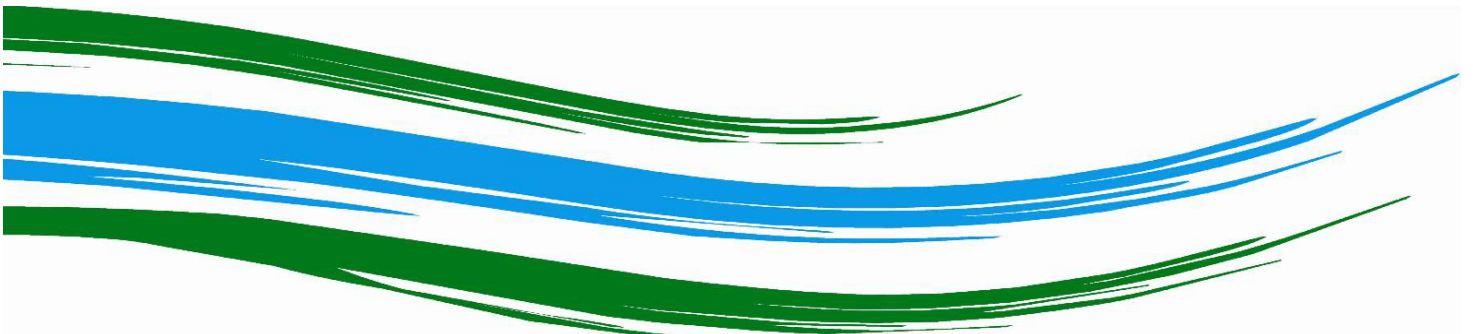




Camden Council

Business Paper

Ordinary Council Meeting



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that Councillor Dewbery be granted a leave of absence.

THE MOTION ON BEING PUT WAS CARRIED.

ORD251/10

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.

RESOLUTION

There were no declarations to be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD252/10

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

Public Addresses are tape 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. A copy of the tape recording may be available to third parties (in certain circumstances).

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

RECOMMENDED

That the public addresses be noted.

RESOLUTION

Mr Michael Gordon addressed Council in relation to Item ORD05.

Mr Paul Hood addressed Council in relation to Item ORD05.

Mr Paul Wakeling addressed Council in relation to Item ORD01.

Mr Argirious Skarmoutsos addressed Council in relation to the Narellan Town Centre Car Park.

Councillor Dewbery arrived at the Chamber, the time being 6.14pm.

Mr Stephen McMahon addressed Council in relation to Item ORD06.
Mr Manu Siitonen addressed Council in relation to Item ORD05.

Moved Councillor Symkowiak, Seconded Councillor Funnell that the public addresses be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD253/10

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 9 November 2010, and the Minutes of the Local Traffic Committee Meeting, held 16 November 2010.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 9 November 2010, and the Minutes of the Local Traffic Committee Meeting held 16 November 2010, copies of which have been circulated, be confirmed and adopted.

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that the Minutes of the Ordinary Council Meeting held 9 November 2010, and the Minutes of the Local Traffic Committee Meeting held 16 November 2010, copies of which have been circulated, be confirmed and adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD254/10

MAYORAL MINUTE
ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE - CAMDEN ANGLICAN PARISH CAROLS IN THE PARK
FROM: Mayor
FILE NO: Mayoral Minutes

Correspondence was received by Council to assist St John's Anglican Church to hold their annual Community Carols in the Park on 11 December in Macarthur Park, Camden.

A request for the waiving of the booking fee for the use of Macarthur Park was received and this has been granted.

The Local Government Act requires that approval be obtained from Council to hold this event and a Development Application be lodged. A fee of \$220 for the lodgement of the DA is therefore required by the Parish.

The annual Community Carols in the Park is a free event held specifically for the community and to celebrate Christmas. As such I am recommending that the Development Application fee of \$220 be paid for from Ward Funds to assist the Parish to hold this event.

RECOMMENDED

That the \$220 application fee for Community Carols in the Park be allocated from Ward Funds.

RESOLUTION

Moved Councillor Patterson, Seconded Councillor Funnell that the \$220 application fee for Community Carols in the Park be allocated from Ward Funds.

THE MOTION ON BEING PUT WAS **CARRIED**.

SUSPENSION OF STANDING ORDERS

Moved Councillor Campbell, Seconded Councillor Anderson that Standing Orders be suspended to allow for consideration of Item ORD05.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD255/10

ORDINARY COUNCIL

ORD05

SUBJECT: REZONING OF LAND OFF KIRKHAM LANE AND
MACQUARIE GROVE ROAD, KIRKHAM
FROM: Director Governance
FILE NO: Binder: Rezoning Proposals

PURPOSE OF REPORT

The purpose of this report is to give Council an opportunity to reaffirm its intention to prepare a draft Local Environmental Study (LES), Local Environmental Plan (LEP) and Development Control Plan (DCP) on Lot 1 DP 882365 and Lot 1 DP 554326, corner Kirkham Lane and Macquarie Grove Road, Kirkham, and to inform Council of the results of the drainage assessment on this land.

BACKGROUND

Council originally considered the rezoning of this land on 24 March 2009 and resolved to proceed to prepare a draft LEP, LES and DCP. However, the Department of Planning (DoP) did not support the rezoning at this time. Subsequently Council sent further information in support of the proposal to the DoP and a request to reconsider its decision. On 7 September 2009 Council received notification from the DoP under S54 to proceed with the rezoning process.

During this time Council received objections from adjoining residents as to the rezoning of the land, particularly relating to drainage issues. As a result of resident objections and the DoP S54 notification, a Council report informing of the S54 notification and seeking reaffirmation of Council's intention to prepare a draft LES, LEP and DCP was considered on 22 September 2009. Council resolved to proceed with the draft LES, LEP and DCP and investigate the concerns/issues raised by the residents through the LES process and LEP and DCP drafting.

It was determined, that in light of the overwhelming concern by residents regarding the drainage issue, and concern that the proponents not be subject to unnecessary expense, that the draft LES process should be undertaken in two stages. Essentially the drainage assessment would be undertaken first and reported back to Council at a workshop. If there were no concerns regarding the drainage assessment, the second stage of the LES investigating the remaining issues would take place.

MAIN REPORT

Drainage Assessment

A drainage assessment of the Kirkham land has now be completed by Storm Consulting and is provided in **as an Attachment to this report**. This assessment has been reviewed by Council officers. In summary, this assessment considered a 15 lot

subdivision on the site that would drain across easements already created through lots at The Meadows. Both pre and post development situations were considered. Above average rainfall and average rainfall events were used in assessing the drainage.

In terms of drainage capacity the assessment showed that a detention volume of approximately 10m³ per lot is required to maintain flows from the proposed development at existing levels, up to the 100 year Average Recurrence Interval storm event. This detention can be provided in combination with rainwater tanks and stormwater quality improvement measures.

In terms of water quality the assessment showed that treatment measures, including rainwater tanks (minimum of 5kl per lot) and rain gardens (100m² per lot), bring the Total Suspended Solids (TSS) loads back to existing levels and also meet Council's pollutant load reduction objectives. The assessment also showed that rainwater tanks (5kl per lot) and rain gardens (50m² per lot) are sufficient to meet Council's stormwater management objectives. Flow frequency is expected to remain unchanged as a result of the development, therefore the drainage assessment indicates there will be no additional impact on existing residents.

The drainage assessment investigated the capacity of the existing system pre and post development. This system drains through The Meadows.

Drainage to Macquarie Grove Road, to avoid impact on existing development has been considered by Officers. However, while this may be possible, such an option would allow very few dwellings and these would be located in close proximity and with potentially standard front set backs. This would rely on a piped urban drainage system on Macquarie Grove Road and an inter allotment drainage system as well as potentially some significant earthworks. The potential for drainage to be managed in this way would need to be further investigated and the drainage assessment would need to be completely reworked. It would be clear though that this type of development would be inconsistent with the objectives relating to the retention of scenic landscape character, particularly of Macquarie Grove Road.

Remaining Issues

In the original report to Council dated 24 March 2009 a range of issues were outlined as needing investigation throughout the LES process. These issues include: heritage; contamination; services; bushfire risk; aircraft noise; visual analysis; access; and vegetation.

In June and July 2009 Council received 14 letters and several representations from residents concerned about the rezoning. These concerns included: drainage with related safety and rubbish issues; building footprints and setbacks; height of dwellings with related privacy impacts; costs incurred by residents to achieve previously stated landscape objectives; impact on rural character; and overdevelopment. It was outlined in the Council report, dated 22 September 2009, that these issues would still need to be investigated through the LES process.

Way Forward

If Council resolves to proceed with the rezoning process of the Kirkham site, a head

project manager will be engaged to oversee the preparation of appropriate studies to address the above issues. The outcomes of these investigations will form the draft LES and will be reported to Council, together with a planning proposal (previously LEP) and DCP. It should be noted that all costs will be borne by the proponent.

Council received notification to proceed with the rezoning under the old rezoning process. If Council resolves to proceed with the rezoning process of the Kirkham site, a letter will be sent to the DoP to request conversion of this rezoning to the new rezoning process which will include the preparation of a planning proposal and consideration by the Gateway committee.

If Council chose not to proceed, the proponent and the DoP will be notified and the matter will not progress any further. It should also be noted that, in rezoning matters, the proponent does not enjoy any appeal rights.

CONCLUSION

The first stage of the draft LES has been completed with the drainage assessment report finalised. This drainage assessment shows that any impact on drainage from the development can be mitigated by detention on the new development lots through rainwater tanks and rain gardens.

If Council resolves to proceed with the rezoning process a planning proposal, together with associated studies, will need to be prepared and submitted to the DoP for Gateway committee for determination. The second stage of the draft LES preparation will then be undertaken. The matter would then be reported back to Council prior to public consultation.

RECOMMENDED

A matter for Council

ATTACHMENTS

Attachment - Kirkham Drainage Assessment



Kirkham DrainageAssessment v3.pdf

RESOLUTION

MOTION

Moved Councillor Campbell, Seconded Councillor Symkowiak that Council:

- i. not proceed with the rezoning of Lot 1 DP882365 and Lot 1 DP554326 Macquarie Grove Road, Kirkham; and
- ii. write to the adjoining owners and the proponent advising of Council's decision.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Campell, Cottrell, Dewbery, Funnell, Patterson, Symkowiak and Warren voted in favour of the Motion.
No Councillor voted against the Motion).

RESUMPTION OF STANDING ORDERS

Moved Councillor Symkowiak, Seconded Councillor Funnell that Standing Orders be resumed.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD256/10

ORDINARY COUNCIL

ORD01

DISPLAY OF FASCIA AND FREE-STANDING SIGNAGE AT NO 45 (LOT 1, DP 1137916) ANDERSON ROAD, SMEATON GRANGE

FROM:	Director Development and Health
FILE NO:	Binder: Development Applications 2010
DA NO:	809/2010 and 940/2010
OWNER:	Paul Wakeling Volkswagen
APPLICANT:	Wiin Solutions and Bentleigh Sign Co. Australia
ZONING:	4(a) General Industrial
APPLICABLE PLANNING INSTRUMENT:	Camden Local Environmental Plan No 47

PURPOSE OF REPORT

The purpose of this report is to seek from Council a determination of two development applications for the display of fascia and free-standing signage on the site of an approved motor showroom on the corner of Camden Valley Way and Anderson Road. The applications are referred to Council in accordance with its delegations as they propose variations with Camden Development Control Plan 2006.

SUMMARY OF RECOMMENDATION

It is recommended that Council approve Development Applications DA 809/2010 and DA 940/2010, subject to the draft development consent conditions provided at the end of this report.

BACKGROUND

Council granted Deferred Commencement Consent DA 1000/2007 for a motor showroom development on this site at the Council Meeting of 26 August 2008. This consent eventually lapsed.

At the Council Meeting of 24 November 2009, Council granted Development Consent DA 907/2009 for a similar motor showroom development on this site. Council subsequently granted a Section 96 Modification for minor modifications to this development consent at the Council Meeting of 22 June 2010.

The sign applications, the subject of this application, were received separately on 28 July and 31 August 2010. The applications have been assessed in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and are now able to be referred to Council for determination.

THE SITE

This site is known as No 45 (Lot 1, DP 1134512) Anderson Road, Smeaton Grange. The site is generally rectangular in shape and has frontage to the Camden Valley Way road reserve, Anderson Road and the Simpson Close cul-de-sac. The site is situated on the eastern corner of the Camden Valley Way/Anderson Road/Sir Warwick Fairfax Drive four way signalised intersection.

The site generally slopes upwards from Anderson Road with the land becoming relatively steep on its north-eastern side. The site has been cleared of all vegetation and the previously approved motor showroom development is at a very advanced stage of construction.

The Camden Valley Way road reserve bounds the site to the north-west with Anderson Road bounding it to the south-west. To the north-east is an existing poultry farm comprising several large poultry sheds and a dwelling.

The wider area consists of the Smeaton Grange industrial estate to the south and east. To the west/north-west lies the Harrington Park residential suburb. The Turner Road precinct of the South West Growth Centre is located to the north-east between Camden Valley Way and the Camden/Campbelltown LGA boundary. **A site location map is provided at the end of the report.**

THE PROPOSAL

The two applications seek consent for the following development:

- the display of fascia signage upon the approved motor showroom, along the site's Camden Valley Way and Anderson Road frontages. This signage will display the Holden and Mitsubishi corporate colours, brand names and logos and will be internally illuminated. The signs will have areas of approximately 71.36m² and 22.85m², totalling 94.21m².
- the display of two free-standing signs located within the landscape setback along the site's Camden Valley Way frontage. This signage will display the Holden and Mitsubishi corporate colours, brand names and logos and will be internally illuminated. The signs are proposed to be 9 and 10 metres high respectively.

A copy of the proposed plans are provided at the end of this report.

NOTIFICATION

Public notification was not carried out for these development applications as this is not required by Camden Development Control Plan 2006.

PLANNING CONTROLS

The following are relevant planning controls that have been considered in the assessment of these applications:

- State Environmental Planning Policy No 64: Advertising and Signage

- Camden Local Environmental Plan No 47
- Draft Camden Local Environmental Plan 2010
- Camden Development Control Plan 2006

ASSESSMENT

This application has been assessed in accordance with Section 79C of the Act. The following comments are made with respect to the proposal:

(1)(a)(i) The provisions of any Environmental Planning Instrument

State Environmental Planning Policy No 64: Advertising and Signage (SEPP)

Pursuant to Clause 4(1) of the SEPP, the majority of the proposed signs are considered to be "business identification signs" as opposed to advertising signs in that they simply identify the business but do not include the general advertising of products, goods or services. The only exception to this is the area of the Holden fascia sign which displays the words "Used Cars" which is defined as an "advertising sign" pursuant to the SEPP.

One of the SEPP's main objectives is to ensure that signage is "compatible with the desired amenity and visual character of an area."

The free-standing signs are proposed to be 9m (Holden sign) and 10m (Mitsubishi sign) high. The applicants have requested Council approve the signs at this height because of their distance from Camden Valley Way and that future landscaping within the Camden Valley Way Road Reserve (to be planted by the Roads and Traffic Authority (RTA) as part of the Camden Valley Way upgrade) would obscure them unless they were constructed to these heights.

The applicants have also advised that these signs form an important part of the corporate branding for the respective car dealerships and are integral to their identification. Furthermore, the moulds used to manufacture these signs are only available at certain heights (as standardised sizes are used for such signage throughout Australia) and so manufacturing a sign of a lower height would be a costly and time consuming process.

Officer Comment:

It is recognised that set heights form an important part of motor showroom branding and identification throughout Australia. It is also noted that standardised sign sizes allow for easier and faster manufacture as different moulds are not needed for each individual sign that is manufactured.

Notwithstanding the above it is considered that the proposed signs should still be reduced in height. The majority of the site's motor showroom building will be approximately 5.8m high with its tower feature on the Anderson Road/Simpson Close corner being approximately 7.8m high. In this context it is considered the two proposed signs of 9m and 10m high would be out of scale with this building, which is the site's principal feature, and would unduly visually dominate the Camden Valley Way frontage of this site.

It is agreed that the RTA will landscape the Camden Valley Way road reserve, however it is not accepted that these plantings will completely screen the proposed signage and hinder the advertisement of the site unless the signs were 9m and 10m high. It is considered that the signs could be reduced in height and still have good exposure to Camden Valley Way.

Additionally, although the signs are currently located some distance away from the Camden Valley Way road carriageway following the upgrade of Camden Valley Way involving an expansion from two to four lanes, the signs will ultimately be closer to the traffic on that road.

With all signage there is a need to balance its visibility and ability to adequately identify and advertise a business against its scale when viewed in its surroundings. It is recognised that manufacturing smaller signs will be costly and time consuming and will not provide the high level of advertising the applicant seeks. However in this circumstance the disadvantages to the applicant are outweighed by the need to control signage on a prominent corner site to ensure it is in scale with, and does not visually dominate, the surrounding environment. It is considered that these signs, with their reduced heights, will achieve a reasonable balance between being visible from Camden Valley Way whilst being in scale with, and not visually dominating, the site's motor showroom building.

It is therefore recommended that the signs be reduced in height to a maximum of 8m (Holden sign) and 7m (Mitsubishi sign). These reduced heights will place the Holden sign at approximately 1m lower than the showroom building and the Mitsubishi sign at approximately the same level. The recommended heights also takes into account the gradual upward slope of Camden Valley Way and the site's Camden Valley Way landscaped frontage to the north-east. Therefore, it is recommended that the Mitsubishi sign to be located to the north of the Holden sign and at a higher ground elevation, and be slightly shorter than the Holden sign, to remain in context with each other and the approved building.

In accordance with the SEPP objective this will help ensure that the proposed free-standing signs are compatible with the desired amenity and visual character of the site and surrounding area. The scale of the signs will better relate to the motor showroom building on the site and not visually dominate it.

The proposed signs, including the recommended reduced heights for the proposed free-standing signs, have been assessed against the Schedule 1 assessment criteria of the SEPP. The signs are considered acceptable on the basis that:

- they are deemed compatible with the existing and desired future character of the area, being reflective of typical motor showroom signage and complementary to the use of the site;
- the signs will not detract from any special areas such as residential or environmentally sensitive lands;
- the proposed signs are a maximum of 8m high (following reduction in height) and therefore it is not considered that they will dominate the local skyline or unacceptably detract from views of the area;

- the proposed signs will provide some visual interest to the Camden Valley Way and Anderson Road streetscapes, are of an appropriate scale and form for this area and will not protrude significantly above buildings or significant landscape features in the area;
- the scale of the signs and proportions are considered acceptable, having regard to their identification functions, the existing motor showroom building on the site, the surrounding landform and landscape features;
- the proposed signs will be internally illuminated however it is not considered that they will cause any unreasonable light spillage or glare subject to the draft development consent conditions provided at the end of this report; and
- given their proposed locations and designs, it is not considered that the signs will reduce safety for passing pedestrians or motorists, nor will they obscure sight lines at the adjacent Camden Valley Way/Anderson Road/Sir Warwick Fairfax Drive intersection.

Overall it is considered that the fascia and free-standing signs (as reduced in height) are consistent with the aims, objectives and Schedule 1 assessment criteria of the SEPP.

Camden Local Environmental Plan No 47 (LEP)

Although Camden LEP 2010 was gazetted on 3 September 2010, as these applications were lodged before this gazettal date it must only be considered as if it was still in draft form. Therefore LEP 47 is the applicable LEP for this development.

The proposed development is defined as "advertising signs" and "advertising structures" and are permissible with development consent in the applicable 4(a) General Industrial zone.

It is considered that the signs are consistent with the relevant zone objective which seeks to "facilitate the expansion of existing industry and the establishment of new industry" in that although they do not represent an industrial development, they will help to add to the commercial viability of the approved motor showroom development on this site.

No other parts of the LEP are relevant to the proposed development.

(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

Draft Camden Local Environmental Plan 2010 (draft LEP)

As stated earlier, for the purposes of assessing and determining these applications, Camden LEP 2010 can only be considered as if it was still in draft form.

The proposed development is defined as "business identification signs" and an

"Advertisement" and is permissible with development consent in the applicable IN1 General Industrial zone.

It is also considered that the signs are consistent with the relevant zone objective which seeks to "provide a wide range of industrial and warehouse land uses" in that although they do not represent an industrial or warehouse development, the proposed signage will help to add to the commercial viability of the approved motor showroom development on this site.

No other parts of the LEP are relevant to the proposed development.

(1)(a)(iii) The provisions of any Development Control Plan (DCP)

The following parts of Camden DCP 2006 are relevant and the proposal has been assessed against:

Part D, Chapter 4: Outdoor Advertising

The proposed signages' compliance with this DCP chapter is detailed below.

Proposed fascia signs

- The combined area of the signs is approximately 94.21m² which well exceeds the DCP's maximum of 20m². However this larger area is considered acceptable as the signs will be located on the motor showroom building's fascia and are typical of numerous other approved motor showroom signage. Already approved and erected examples in the Camden LGA can be seen within the various showrooms that front Narellan Road at Narellan Business Park.
- The signage fits in well with the overall building design and is appropriately scaled to complement the primary building facades without visually dominating them.
- Between both applications no more than three signs will be visible along the motor showroom building's Camden Valley Way elevation which complies with the DCP.
- The signs will identify the business name, however one Holden fascia sign does propose the lettering "Used Cars" as part of the sign. Whilst this is more than simply the business name (as required by the DCP), the wording directly relates to one of the businesses' activities. Therefore this minor variation to the DCP is supported.
- The signs are located on the building's fascia and are considered to generally be of a uniform size, shape and style, which is in accordance with the DCP requirements.

Proposed free-standing signs

- The proposed signs are 9m and 10m which exceed the DCP maximum of 6m. However, as recommended in the "State Environmental Planning Policy No 64" section of this report, it is recommended that the signs be reduced to 8m (Holden sign) and 7m (Mitsubishi sign) high respectively, in order to ensure that they are in scale with the site's motor showroom building. Whilst these heights still represent a

variation to the DCP of 2 and 1m respectively, it is supported here as signs of these heights are considered to be generally in keeping with the scale of the motor showroom and will not unduly dominate the site's Camden Valley Way frontage.

Considering all of the above, the proposed signs comply with the relevant objectives and standards, although not the controls of this DCP chapter.

(1)(a)(iiia) The provisions of any Planning Agreement

There are no relevant planning agreements applicable to this site or development.

(1)(a)(iv) The provisions of the Regulations

The Regulations do not specify any matters that are relevant to this development.

(1)(b) The likely impacts of the development

All likely impacts of this development have been assessed in other sections of this report.

(1)(c) The suitability of the site for the development

These sites are considered to be suitable for the proposed signs, subject to the height reductions recommended for the free-standing signs in the "State Environmental Planning Policy No 64" section of this report. The zoning of the land allows such signage and they will not have any unreasonable visual impacts upon surrounding properties or the environment. There are no site specific conditions that render this site unsuitable for this development.

(1)(d) Any submissions

Public notification was not carried out for these development applications as this is not required by Camden Development Control Plan 2006, therefore no submissions have been received.

(1)(e) The public interest

The proposed signage, subject to the height reductions recommended for the free-standing signs in the "State Environmental Planning Policy No 64" section of this report, is considered to be within the public interest. The signs will help identify and advertise the approved motor showroom development on this site which will add to the vitality and viability of the overall Smeaton Grange employment area without negatively impacting upon its visual amenity.

CONCLUSION

Council has received two development applications for the display of fascia and free-standing signage. The applications have been assessed in accordance with Section 79C of the Act.

It is considered that the proposed signs, subject to the height reductions recommended for the free-standing signs in the "State Environmental Planning Policy No 64" section of this report, are an appropriate form of signage for the building currently under construction on the site and the site itself. The signage will provide suitable advertisement and identification of the businesses thereon without having a detrimental effect on the visual amenity of the locality.

Consequently the developments are recommended to Council for approval, subject to the draft development consent conditions shown below.

DRAFT CONDITIONS OF CONSENT

DA 809/2010

1.0 - General Requirements

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

(1) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:

- Site plan final A dated 16 June 2010 by Wiin Solutions.
- External plan final A dated 16 June 2010 by Wiin Solutions.
- External elevations final A dated 16 June 2010 by Wiin Solutions.
- Free-standing sign detail DA-01 by Wiin Solutions.
- Signage detail DA-02 by Wiin Solutions.

The development must also comply with the conditions of approval imposed by Council hereunder.

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

Amendments or modification of the approved development requires the prior approval of Camden Council.

- (2) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia* .
- (3) **Signage Illumination** - The illumination of the proposed signs must comply with AS 4282-1996: Control of Obtrusive Effects of Outdoor Lighting.
- (4) **Light Spillage/Glare** – The approved sign must be installed, operated and maintained so as to minimise light spillage and glare upon surrounding properties and passing pedestrians/motorists on Camden Valley Way.
- (5) **Free-Standing Sign Height** – The approved free-standing sign is only approved to a height of 7 metres. Amended plans detailing this modification must be submitted to the Certifying Authority with any application for a Construction Certificate.

2.0 - Construction Certificate Requirements

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

(1) **Matters for the issue of a Construction Certificate - Prior to the issue of a Construction Certificate**, the following matters are to be provided to and approved by the certifying authority:

- Structural Engineers details which include:
 1. Foundation/footing design.
 2. Certification of structural elements.
 3. Bracing and tie down requirements.

Note: A design statement shall be included which certifies that the structure complies with the provisions of Part B of the Building Code of Australia and all applicable Australian Standards.

3.0 - Prior To Works Commencing

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

- (1) **Notice of Commencement of Work** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act, 1979* and Clause 103 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building works.
- (2) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia* . Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

4.0 - During Construction

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

- (1) **Support for Neighbouring Buildings** - If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner,

- and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. In this condition, 'allotment of land' includes a public road and any other public place.

- (2) **Hours of Work** - The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm; and
 - (c) work on Sunday and Public Holidays is prohibited.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

6.0 - Operational Conditions

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

- (1) **No Additional Signs** - The approval of this sign application does not suggest that additional signs may be erected without the prior written approval of the Camden Council.
- (2) **Maintenance** - The subject signs must be maintained in good order at all times. The approved design, colour scheme and wording of the signs must not be altered without the prior written approval of Camden Council.

- (3) **Sign Dimensions and Location** - The approved signs shall be dimensioned and located as detailed on the approved plans.
- (4) **No Signs on Public Land** - Sandwich boards including 'A' frame advertising panels and any other sign shall not be placed on a public footpath or road reserve.

DA 940/2010

1.0 - General Requirements

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

- (1) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:

- Drawing nos. 3292-1, 3292-2 and 3292-3 dated 25 August 2010 by Bentleigh Sign Company Australia.
- Site plan DA-01.

The development must also comply with the conditions of approval imposed by Council hereunder.

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

Amendments or modification of the approved development requires the prior approval of Camden Council.

- (2) **Building Code of Australia** - All works must be carried out in accordance with the requirements of the *Building Code of Australia* .
- (3) **Signage Illumination** - The illumination of the proposed signs must comply with AS 4282-1996: Control of Obtrusive Effects of Outdoor Lighting.
- (4) **Light Spillage/Glare** – The approved sign must be installed, operated and maintained so as to minimise light spillage and glare upon surrounding properties and passing pedestrians/motorists on Camden Valley Way.
- (5) **Free-Standing Sign Height** – The approved free-standing sign is only approved to a height of 8 metres. Amended plans detailing this modification must be submitted to the Certifying Authority with any application for a Construction Certificate.

2.0 - Construction Certificate Requirements

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

- (1) **Matters for the issue of a Construction Certificate - Prior to the issue of a Construction Certificate**, the following matters are to be provided to and approved

by the certifying authority:

- Structural Engineers details which include:
 1. Foundation/footing design.
 2. Certification of structural elements.
 3. Bracing and tie down requirements.

Note: A design statement shall be included which certifies that the structure complies with the provisions of Part B of the Building Code of Australia and all applicable Australian Standards.

3.0 - Prior To Works Commencing

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

- (1) **Notice of Commencement of Work** – Notice in the manner required by Section 81A of the *Environmental Planning and Assessment Act, 1979* and Clause 103 of the *Environmental Planning and Assessment Regulation 2000* shall be lodged with Camden Council at least two (2) days prior to commencing works. The notice shall include details relating to any Construction Certificate issued by a certifying authority, the appointed Principal Certifying Authority (PCA), and the nominated 'principal contractor' for the building works.
- (2) **Construction Certificate Before Work Commences** - This development consent does not allow site works, building or demolition works to commence, nor does it imply that the plans approved as part of the development consent comply with the specific requirements of *Building Code of Australia* . Works must only take place after a Construction Certificate has been issued, and a Principal Certifying Authority (PCA) has been appointed.

4.0 - During Construction

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

- (1) **Support for Neighbouring Buildings** - If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the

allotment of land being excavated or on the adjoining allotment of land. In this condition, 'allotment of land' includes a public road and any other public place.

- (2) **Hours of Work** - The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm; and
 - (c) work on Sunday and Public Holidays is prohibited.

5.0 - Prior To Issue Of Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Occupation Certificate** – An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. In issuing an Occupation Certificate, the PCA must be satisfied that the requirements of Section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.

The PCA must submit a copy of the Occupation Certificate to Camden Council (along with the prescribed lodgement fee) within two (2) days from the date of determination and include all relevant documents and certificates that are relied upon in issuing the certificate.

The use or occupation of the approved development must not commence until such time as all conditions of this development consent have been complied with.

6.0 - Operational Conditions

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

- (1) **No Additional Signs** - The approval of this sign application does not suggest that additional signs may be erected without the prior written approval of the Camden Council.
- (2) **Maintenance** - The subject signs must be maintained in good order at all times. The approved design, colour scheme and wording of the signs must not be altered without the prior written approval of Camden Council.
- (3) **Sign Dimensions and Location** - The approved signs shall be dimensioned and located as detailed on the approved plans.
- (4) **No Signs on Public Land** - Sandwich boards including 'A' frame advertising panels and any other sign shall not be placed on a public footpath or road reserve.

END OF CONDITIONS

RECOMMENDED

That Council:

- i. approve Development Application 809/2010 for the display of fascia and free-standing signage at No 45 (Lot 1, DP 1137916) Anderson Road, Smeaton Grange subject to the draft development consent conditions shown above.
- ii. approve Development Application 940/2010 for the display of fascia and free-standing signage at No 45 (Lot 1, DP 1137916) Anderson Road, Smeaton Grange subject to the draft development consent conditions shown above.

ATTACHMENTS

1. Location plan
2. Proposed plans DA809-2010
3. Proposed plans DA940-2010



Location Plan 45 Anderson Rd Smeaton Grange.pdf DA940-2010 Plans.pdf DA809-2010 Plans.pdf

RESOLUTION

Councillor Campbell left the Chamber, the time being 6.39pm.

Moved Councillor Funnell, Seconded Councillor Symkowiak that Council:

- i. approve Development Application 809/2010 for the display of fascia and free-standing signage at No 45 (Lot 1, DP 1137916) Anderson Road, Smeaton Grange subject to the draft development consent conditions shown above.
- ii. approve Development Application 940/2010 for the display of fascia and free-standing signage at No 45 (Lot 1, DP 1137916) Anderson Road, Smeaton Grange subject to the draft development consent conditions shown above.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.

No Councillor voted against the Motion).

ORD257/10

ORDINARY COUNCIL

ORD02

SUBJECT: RECONSIDERATION OF A DEFERRED DEVELOPMENT
APPLICATION DETERMINATION - 38 LOT TORRENS TITLE
SUBDIVISION AT 1A (LOT 2992 DP 1121800) GREENFIELD
CRESCENT, ELDERSLIE

FROM: Director Development and Health

FILE NO: Binder: Development Applications 2007 (DA305/2007)

PURPOSE OF THE REPORT

The purpose of this report is to inform Council of amended plans relating to a development application proposing a 38 lot subdivision at 2A Greenfield Crescent, Elderslie. **A location plan is provided at the end of the report.**

A further purpose is to seek Council's determination of the development application originally considered by Council at its meeting of 12 October 2010, where the determination was deferred, pending further discussions between Council and the developer (AV Jennings).

SUMMARY OF THE RECOMMENDATION

It is recommended that the amended plans are approved, subject to the draft conditions of the development consent shown later in this report.

BACKGROUND

This development application was originally reported to Council on 12 October 2010, as the proposed subdivision does not fully comply with some of the controls under Part G, Chapter 4 (Elderslie Release Area) of the Camden Development Control Plan (DCP) 2006. Also three (3) submissions were received objecting to the proposal, which were unable to be resolved by way of development consent conditions.

The proposal was for a 43 lot Torrens Title subdivision, construction of new roads, one residue lot and one residue lot for a drainage reserve.

Concerns were raised by Council in relation to the density of the proposed subdivision, considering that 41 of the 43 proposed lots were under the minimum of 450m². Council resolved to defer the determination subject to further discussions between Council and the developer.

These discussions have now been held. Amended plans have been received and placed on public exhibition between 28 October and 12 November. No submissions have been received.

The development application (DA) is now able to be returned to Council for determination. **A copy of the original report considered by Council and the resolution of Council is provided with the Business Paper Supporting Documents, together with a copy of the original plans.**

MAIN REPORT

A meeting was held at Council on 19 October with the developer.

The number of lots that were to face Longley Avenue, adjacent to the Camden Bypass, was discussed. The reason for the lot typology was explained by the developer. Had lots been proposed to back directly onto the Camden Bypass, an acoustic wall would have been required to protect private open space in these lots from unacceptable noise impacts. Such a wall would have had unacceptable impacts on view corridors for residents of Spring Farm.

As reported to Council on 12 October 2010, to avoid needing to construct such an acoustic barrier, the location of Longley Avenue was moved closer to the bypass, eliminating the possibility of having lots backing onto the bypass and creating a physical separation of lots on the north side of Longley Avenue from the bypass. This alternative to an acoustic barrier also needed to be augmented with the creation of "quiet houses" on the north side of Longley Avenue,. That is, smaller lots, with houses in closer proximity to each other, themselves forming a noise barrier to their private open spaces to the rear as well as lots located further behind and to the north.

However it was agreed that notwithstanding this necessary acoustic measure, a reduction in the number of lots would still be able to achieve the same outcomes. There were also concerns raised about the overall number of lots under 450m². This issue was also raised in the submissions made by the community.

The developer took note of these changes, and lodged amended plans on 21 October. The plans have resulted in a reduction in the number of lots from 43 to 38. The changes are detailed below:

- Longley Avenue (north-south) – reduction from 10 lots to 8 lots
- Longley Avenue (adjacent to Camden Bypass) – reduction from 18 lots to 15 lots
- Mitten Street – no change, with 8 lots still proposed
- Kerrigan Street – no change, with 7 lots still proposed
- The number of lots at or greater than 450m² has increased from 2 lots to 10 lots

The amended plans are provided at the end of this report.

It is considered that the amended plans better address the concerns originally discussed at the Council meeting of 12 October 2010, as well as those raised by members of the community making submissions.

Because of the changes to the lot typology and numbering, some conditions are required to be modified in relation to the developer contribution conditions. In addition, Restrictions as to User are required for lots on the Camden Bypass alignment of Longley Avenue in relation to acoustic requirements.

Council officers have considered the amended plans and the DA is now able to be returned to Council with a recommendation that it be approved, subject to development consent conditions.

CONCLUSION

Council originally considered DA 305/2007 on 12 October 2010. At that time, concerns were expressed about the suitability of the proposed lot configuration and the application was deferred pending further discussions with the developer.

These discussions have occurred and Council has received amended plans for a 38 lot subdivision. These plans have been placed on public exhibition, and no submissions have been received.

The development has been assessed on its merits in accordance with the Environmental Planning and Assessment Act 1979, and is now able to be recommended to Council for approval subject to the draft conditions shown below.

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

(1) **Approved Plans** – The development must be carried out strictly in accordance with the following approved plans or other documentation:

- Elderslie Stage 10A, Plan of Subdivision, v5, dated 20/10/10
- Elderslie Stage 10A, Building Envelopes Lot Locality Plan, v5, dated 20/10/10

The development must also comply with the conditions of approval imposed by Council hereunder.

Amendments or modification of the approved development require the written prior approval of Camden Council.

(2) **Residential Lot Threshold** - Council has identified the current road capacity in Elderslie is 627 residential lots. Once this threshold is reached it will be necessary to provide alternate road access. This will require the provision of a signal controlled intersection at the Camden Bypass and construction of the associated connecting road linking Lodges Road to the Camden Bypass. In this regard the Principal Certifying Authority will not release any linen plan of subdivision until the required roadworks are complete and operational.

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

- (a) Camden Council's current Engineering Specifications, and
- (b) the recommendations of the Salinity Management Plan, if applicable

It should be noted that designs for linemarking and regulatory signage

associated with any proposed public road within this subdivision MUST be submitted to and approved by the Roads Authority, Camden Council prior to the issue of any Construction Certificate.

- (4) **Location of Public Utility Services** – All proposed Public Utility Authority plant/infrastructure shall be located in proposed Liz Kernohan Drive and shall be: -
- (i) contained within the footway/s of that road, in accordance with the provisions of the current Streets Opening Conference, and
 - (ii) where visible, located within a distance of 1 metre either side of the prolongation of proposed lot boundaries (if any) except when such plant/infrastructure is to be located adjacent to splay corner/s associated with road intersections.

Notwithstanding the above, the following plant/infrastructure:

- (i) electrical pad-mounted substations, and
- (ii) sewer Access Chambers and mains,

shall not be located within any proposed:

- (a) public road reserve,
- (b) public reserve, and
- (c) drainage reserve

EXCEPT where such subsurface plant/infrastructure, associated with such, is required to traverse a proposed public road. In such circumstances the traverse length must be minimal with the final location of the traverse being confirmed by the Principal Certifying Authority **prior to the commencement of any associated work.**

The design of proposed Public Utility Authority plant/infrastructure shall be consistent with all aspects of the approved road design associated with the issued Construction Certificate.

All proposed Public Utility Authority plant/infrastructure connections in existing public roads must comply with the provisions of the Memorandum of Agreement associated with the current Streets Opening Conference.

(5) **Sewer Access Chambers and Mains -**

- No sewer access chambers are to be constructed within the proposed Road Reserves, Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.
- No sewer mains are to be constructed within both proposed and existing Public Reserves and Drainage Reserves without prior approval of the Principal Certifying Authority.

(6) **Carriageway Widening** – The bend in Longley Avenue, adjacent proposed Lot 1011, shall be widened to provide for the swept turning path of the Heavy Rigid Vehicle (HRV) as noted in Camden Council's Engineering Design Specification. Details of such widening shall be incorporated into the design of the road.

(7) **Water Quality -**

Phase 1

1. **Design of "Construction" Sediment Control Basin** - The design of the "construction" sediment control basin and water quality facility must be prepared in accordance with the requirements of:

a) for sediment control, generally, Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as produced by Landcom, and

b) Camden Council's current Engineering Design Specification,

and **must not** concentrate final discharge flows from the facility.

The construction of the sediment control basin must contain an impervious layer to provide water harvesting.

The design must be: -

a) prepared by a person with experience in the design of stormwater reticulation and management facilities,

b) prepared by a person with Engineering Registration and with a General Area of Practice in Civil Engineering,

c) submitted to the Certifying Authority for **inclusion in any application for a Construction Certificate.**

2. **Location of the "Construction" Sediment Control Basin** - A "construction" sediment control basin must be provided for within the site.

3. **Construction of the "Construction" Sediment Control Basin** - Prior to the commencement of any other subdivision work the "construction" sediment control basin and the associated immediate stormwater drainage system must be constructed: -

a) in accordance with the approved plans, and

b) to the requirements of the Principal Certifying Authority.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

4. **Fencing of the "Construction" Sediment Control Basin** – Any "construction"

sediment control basin must be enclosed by a security fence of a type referred to in the current edition of AS 1926.1 (Figure 2.3). Any such fence is to be continually maintained and is to remain in place until this facility is removed or reconstructed to a temporary/permanent water quality facility.

Phase 2

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

The water quality component must have the following: -

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

- 6. Modified “Construction” On-site Detention/Sediment Control Basin and Water Quality Facility, Operation & Maintenance Manual - Prior to the completion of the modified “construction” on-site detention/sediment control basin and water quality facility, an Operation & Maintenance Manual must be submitted to the Principal Certifying Authority for approval.**

The manual must be prepared by a suitably qualified professional in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition, March 2004 as produced by Landcom and must provide detailed information regarding the following:

- a) method of desilting
- b) method of removal of sediment and gross pollutants
- c) method of removal of noxious weeds.

- 7. Bond for the Decommissioning of the Modified “Construction” On-site Detention/ Sediment Control Basin and Water Quality Facility - Prior to the issue of any Subdivision Certificate a bond for: -**

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

must be lodged with Camden Council.

The bond:

- a) applies only where such a facility is located in existing and/or proposed public land,
- b) has been determined at an amount of \$50,000 and
- c) will be retained by Council until: -
 - i) such works have been completed in accordance with the approved plans and to the requirements of Council,
 - ii) a permanent water quality facility has been provided in a public infrastructure location approved by Council, and
 - iii) the completion of such work has been confirmed, in writing, by Council.

8. Design of the Permanent Water Quality Facility - The design of the water quality facility must be prepared in accordance with the requirements of Elderslie Water Cycle Masterplan & Addendum.

The design must be: -

- a) prepared by a person with experience in the design of stormwater reticulation and management facilities,
- b) endorsed by a practising engineer with National Professional Engineering Registration and with a General Area of Practice in Civil Engineering.
- c) submitted to the Certifying Authority for **inclusion in any application for a Construction Certificate.**

The Design and Construction of the basin must incorporate:-

- a) appropriate "pool type" safety fencing with gate for vehicular access, in accordance with BCA standards and to the satisfaction of the Principal Certifying Authority. Such fencing must incorporate the use of non removable screws,
- b) appropriate Flood Warning signage, and
- c) a reinforced concrete access ramp conforming to the following specifications:
 - minimum 3.6m wide
 - 200mm thick
 - F82 mesh
 - 32MPa Concrete
 - 50mm Clean Fill Sand Bedding
 - parking/turning pad at the base
 - layback in the adjacent kerb if required

- grades and turning manoeuvres in accordance with AS 2890.2 for Heavy Rigid Vehicles

9. Location of Temporary Water Quality Facilities - A temporary water quality facility must be provided for the site. The facility may be provided in the following locations:

- i) within any proposed public road and/or drainage reserve contained within the site,
- ii) within any proposed residue lot contained within the site,
- iii) within any adjoining property that is privately owned. In this regard appropriate easements, pursuant to s.88B of the *Conveyancing Act 1919*, must be registered by the Department of Lands – Land and Property Information, **prior to the issue of any Construction Certificate.**

10. Location of Permanent Water Quality Facilities - A permanent water quality facility must be provided for the site; such a facility must be located within proposed and/or existing public land.

11. Construction of Permanent Water Quality Facilities – A permanent water quality facility must be constructed: -

- a) in accordance with the approved plans,
- b) to the requirements of Camden Council,
- c) when Occupation Certificates for dwellings associated with 70% of the lots have been issued.

Any earth batters associated with such a facility must be compacted and stabilised to ensure that the integrity of the batters is continually maintained.

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

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

- a. **vegetation management**
- b. **removal of noxious weeds**
- c. **replacement of filter medium**
- d. **water quality:**
 - o **Sampling-** water quality sampling should be undertaken for all relevant Water quality parameters contained within the approved “Water Cycle

Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".

- o **Frequency-** The frequency of sampling for each facility must include quarterly sampling for a minimum period of 12 months. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.
- o **Methodology** for attainment of the required water quality discharge parameters.
- e. **Discussion of sampling results.** A comparison of results with respect to the level of compliance with water quality targets/ criteria will be required and include recommendations for corrective action where non-compliance is determined.

In that regard the manual must indicate that water quality sampling and monitoring report/s must be submitted to Camden Council at the commencement of monitoring and at quarterly intervals for a minimum period of 12 months and then continued until such time as the water quality results comply with water quality objectives contained within the Water Cycle Master Plan.

- f. **Methodology for attainment of the required water quality discharge parameters.** Methodology/measures are required to ensure that the subject facilities remain functional/operational.

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

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

14. Section 88b Instrument - The developer must prepare a Section 88B Instrument, for approval by the Principal Certifying Authority, which incorporates the following easements, restrictions to user and public positive covenants:

- (a) Public positive covenant, over any proposed lot/s containing the: -
 - i) modified "construction" on-site detention/sediment control basin and water quality facility, and/or
 - ii) permanent water quality facility

for the maintenance, repair and insurance of such a facility.

15. Works as Executed Plan - A works-as-executed plan in both hard copy and electronic form (.dwg files or equivalent) is to be prepared and submitted to Camden Council **prior to the issue of the Subdivision Certificate** in accordance with the requirements of Council's current Engineering Construction Specification, certified by a surveyor registered with the Institute of Surveyors confirming that the completed facility is wholly contained within the proposed lot.

16. Bond for Defect Rectification of Public Work - Prior to the issue of any Subdivision Certificate a bond for the rectification of any existing and /or proposed public work must be lodged with Camden Council.

The bond must be for 10% of the contract value of all proposed public infrastructure and will be retained by Council for a period of six (6) months after work is completed. Camden Council must confirm the satisfactory completion of such work, in writing, prior to any release/ fund of the bond.

It should be noted that this bond extends to all such work including work that is not completed for which an appropriate bond has also been lodged with Camden Council.

It should be noted that a bond processing administration fee is applicable and that such a fee aligns with Council's current Fees and Charges.

(8) **Provision of Pedestrian/Cycle Shared Way** – A 2.5m wide concrete pedestrian/bicycle shared way must be constructed adjacent the proposed water quality basin in Lot 1000, in accordance with: -

- (i) Austroads – Bicycles Part 14,
- (ii) Camden Council's current Engineering Specifications,

The construction must include links to Longley Avenue and the cycleway within Young Circuit (if such construction is completed) and appropriate fencing/separation from the proposed basin.

(9) **Camden Bypass Retaining Wall** - the design for the Bypass retaining wall must include the following provisions:

- i) Where any retaining wall adjoins a public road reserve the footings of that wall are to be piered to a level that ensures the integrity of the wall is maintained when and if the road reserve is excavated.
- ii) Subsoil Discharge Strategy – All subsoil drainage pipes must be connected to a disposal system/facility that ensures such pipes are maintained in a continual discharged state and are serviceable. It should be noted that discharge of such pipes to any RTA drainage system requires prior approval by the RTA.

- iii) Construction Materials – The retaining wall must be constructed with proprietary/manufactured masonry products. No organic materials will be permitted.
- iv) Design Loads – The design of the retaining wall must consider all anticipated live and dead loadings for activities associated with both subdivision construction work, the public road, residential use and the proposed water quality and detention basin.
- v) Wind Loads – The design of the retaining wall must consider all anticipated wind loadings for any fencing or noise attenuation measure attached to the wall.
- vi) The retaining wall and associated supporting structure shall be located outside of the Camden Bypass Road Reserve.
- vii) Where the retaining wall adjoins public and/or community land the exposed sections of the retaining wall are to be treated with an anti-graffiti coating.
- viii) Design details of the wall, including structural certification, must be forwarded to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.

2.0 - Construction Certificate Requirements

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

- (1) **Works within the Site** - Plans for drainage (including all water quality facilities), roads, retaining walls, earthworks, road pavements, linemarking, vehicle/pedestrian safety barriers, traffic management details and all other matters associated with this subdivision shall be:
 - i) prepared by persons with experience: -
 - a) in civil and structural engineering design, and
 - b) the geotechnical aspects of earthworks
 - ii) endorsed by a practising engineer/s with National Professional Engineering Registration and: -
 - a) associated General Areas of Practice in civil and structural engineering, and
 - b) a Specific Area of Practice in Subdivisional Geotechnics.
 - iii) submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

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

- (2) **Works adjacent to the Site** – Any proposed activity (not including those of any Public Utility Authority) within any existing public road associated with the site must be approved by the Roads Authority, Camden Council, **prior to the issue of any Construction Certificate.**

Accordingly, a Public Road Activity (Roadworks) application for the above must be submitted to the Roads Authority, Camden Council. Public Road Activity application forms are available from Council's Customer Service Counter or from Council's internet site <http://www.camden.nsw.gov.au/>

The application shall: -

- (i) include supporting information that addresses/details all proposed and related activities, and
- (ii) include associated plans/documentation: -
- (iii) be prepared by a persons with experience in civil and structural engineering design, and
- (iv) be endorsed by a practising engineer/s with National Professional Engineering Registration and associated General Areas of Practice in civil and structural engineering.

It should be noted that designs for linemarking and regulatory signage for any proposed/existing public road associated with this subdivision MUST be:

- (i) included with this application, and
- (ii) have prior approval from the Roads Authority, Camden Council.

- (3) **Road Design Criteria** - Dimensions and pavement design details for proposed roads must align with the following:

ROAD NO	ROAD RESERVE	CARRIAGE-WAY	FOOTWAY WIDTH	DESIGN E.S.A'S	CONCRETE FOOTPATH REQUIRED
Kerrigan Cr	16m	7.2m	4.4m	5 x 105	1.2m Eastern Side
Mitten St	16m	7.2m	4.4m	5 x 105	1.2m Eastern Side
Longley Ave North-Sth	16m	7.2m	4.4m	5 x 105	1.2m Eastern Side
Longley Ave East-West	16m	7.2m	4.4m	5 x 105	2.5m Southern Side

(Measurements are in metres)

The pavement design/report shall be prepared by a person with experience in the geotechnical aspects of earthworks and endorsed by a practising engineer with

National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics.

Design parameters shall also comply with the provisions of Camden Council's current Engineering Design Specification and be submitted to the Certifying Authority.

- (4) **Sight Distances** – In relation to vertical and horizontal alignment, widening, benching, landscape, and associated aspects, the applicant, via a suitably qualified designer, is to verify and assure that approach stopping and intersection stopping sight distance requirements have been met in respect to the Australian Standards and the Austroads/RTA Guidelines. The appropriate design speed is to be chosen for the design of sight distance allowances in road and intersection design.
- (5) **Public Risk Insurance Policy - Prior to the issue of any Construction Certificate**, the owner/contractor is to lodge with Camden Council a Certificate of Currency for a Public Risk Insurance Policy. The policy is to relate to the use, occupation of and works within Council's road reserve for all activities associated with this proposed subdivision. The certificate must provide the following details: -
- i) Confirmation that such a policy provides a minimum public liability cover of \$20 million,
 - ii) currency period for the policy,
 - iii) the land to which the policy relates, and
 - iv) the details of the person/company to whom the policy has been issued.

The Certificate of Currency must remain current for the duration of all construction activities and until the Plan of Subdivision has been registered by Department of Lands - Land and Property Information. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer provided to Council.

- (6) **Soil Erosion And Sediment Control Plans** - Erosion and sediment control plan/s must be: -
- i) prepared by persons with experience in civil engineering design, designed in accordance with Camden Council's Development Control Plan 2006 and included in the Environmental Site Management Plan (ESMP), and
 - iii) endorsed by a practising engineer with National Professional Engineering Registration and associated General Area of Practice in Civil engineering.

Such plans shall detail the following:-

- i) existing and final contours
- ii) the location of all earthworks including roads, areas of cut and fill and re-grading
- iii) location of impervious areas other than roads
- iv) location and design criteria of erosion and sediment control structures
- v) location and description of existing vegetation

- vi) site access (to be minimised)
- vii) proposed vegetated buffer strips
- viii) catchment area boundaries
- ix) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
- x) location of topsoil or other stockpiles
- xi) signposting
- xii) diversion of uncontaminated upper catchment around areas to be disturbed
- xiii) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
- xiv) procedures for maintenance of erosion and sediment controls
- xv) details for staging of works
- xvi) details and procedures for dust control.
- xvii) location of the Stabilised Access Point (SAP)

Control measures both with the subdivision site and any existing road reserve adjacent must be maintained during the entire period of construction

(7) **Public Utility Service Plans** – Public Utility Service plans must be submitted to the Certifying Authority for inclusion in any Construction Certificate application. The plan/s must: -

- (i) be prepared by a designer accredited by a scheme approved by relevant Public Utility Service Authorities,
- (ii) be suitable for approval by relevant Public Utility Service Authorities,
- (iv) incorporate any relevant conditions associated with this Development Consent,
- (v) recognise all provisions and requirements of the current Streets Opening Conference.

(8) **Dilapidation Survey** – A photographic dilapidation survey of existing public roads, drainage reserves, drainage easements and any other public infrastructure within the immediate area of the development site must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate.

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

(9) **Performance Bond - Prior to the issue of the Construction Certificate** a performance bond of \$100,000 must be lodged with Camden Council. Should any of Council's property sustain damage or the implementation of the development, place the environment or public at risk, Council will perform any works necessary on behalf of the applicant to rectify these works.

The bond will be refunded when: -

- i) all work both within the subdivision site and the existing public road adjacent, has been completed in accordance with the issued consents, and
- ii) the Bond for Rectification of Public Work has been lodged with Council.

The applicant is responsible for any damage caused to existing public utilities, footpaths or public roads during construction works.

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

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

- (10) **Hoarding and Ancillary Requirements** - The work area must be enclosed with a suitable temporary 'A' class type hoarding/security fence. Such a hoarding/s **must not** encroach upon any road reserve or other private land without the prior written concurrence of the affected property owner.

If it is proposed to locate such a hoarding within any property owned/controlled by Camden Council then a Public Road Activity (Hoarded Zone) Application must be submitted to and approved by Camden Council prior to its installation and **the issue of any Construction Certificate**. Application forms are available from Council's Customer Service Counter or from Council's internet site <http://www.camden.nsw.gov.au/>

Note 1 No site work may commence until the hoarding/fence is installed.

Note 2 Public thoroughfares must not be obstructed during the course of construction work.

- (11) **Location of Drainage Pits** – Where drainage kerb inlet pits are proposed adjacent to any lot such pits must be located within 2 metres of either side of the prolongation of any proposed side/ common boundary of the lot. The location of such structures must be clearly delineated in any drainage infrastructure plan submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.

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

- All matters associated with Council's Erosion and Sediment Control Policy.
- All matters associated with Occupational Health and Safety.
- All matters associated with Traffic Management/Control.
- All other environmental matters associated with the site works such as noise control, dust suppression and the like.

- (13) **Traffic Management Plan** – A construction traffic management plan relating to all public places must be included in the submitted Environmental Site Management Plan (ESMP) associated with this development consent. The purpose of such is to ensure public safety and minimise/control potential adverse impacts on existing

pedestrian and vehicular traffic systems. Plans detailing such matters must: -

- (i) be prepared in accordance with the most current edition of AS1742.3, and
- (ii) indicate, but not be limited to, all disposal and delivery routes, the location of the Stabilised Access Point/s (SAP) and any vehicular diversionary thoroughfares associated with the construction.
- (iii) be submitted to and approved by the Roads Authority, Camden Council **prior to the issue of any Construction Certificate**. In that regard, a Public Road Activity (Other) application must be submitted to Camden Council.

Public Road Activity application forms are available from Council's Customer Service Counter or from Council's internet site <http://www.camden.nsw.gov.au/>

- (14) **Provision of Kerb Outlets** – Where proposed lots grade to an existing/proposed public road, fabricated kerb outlets shall be formed into the concrete table drain adjacent to those lots.

Such kerb outlets shall be:

- (i) located within two (2) metres downstream of the prolongation of the lot corner with the lowest reduced level. Where such a location coincides with a stormwater drainage pit, connection to that pit shall be provided in lieu of the kerb outlet,
- (ii) constructed in accordance with Camden Council's current Engineering Specification/s,
- (iii) indicated in any design plan submitted to the Certifying Authority for the purposes of obtaining a Construction Certificate, and
- (iv) to the requirements of the Principal Certifying Authority.

- (15) **Common Drainage Lines** – Common drainage lines must be constructed to service all lots that do not grade naturally to the road drainage system located adjacent to any proposed lot. The drainage lines shall be designed for the 5% AEP, with a minimum pipe diameter of 150mm. The maximum number of lots to be served by any such common drainage line must not exceed (8) eight. Where necessary, and prior to the issue of any Subdivision Certificate, the Principal Certifying Authority may require drainage works, not necessarily shown in the approved drawings, to be constructed to protect proposed lots and existing land downstream from flooding as a result of any overland flow.

Where sewer main construction is proposed adjacent to common drainage lines, the common drainage line must be installed after the sewerage main has been constructed.

- (16) **Drainage Pit Inserts** - Each grated stormwater drainage pit constructed within the proposed subdivision shall be provided with a pollutant filter insert (Enviropod or similar). Details of the inserts and the mechanism/process for installing such inserts

must be incorporated into the drainage infrastructure plan/s and must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate.

- (17) **Long Service Levy - Prior to the issue of any Construction Certificate**, documentary evidence must be submitted to the Certifying Authority verifying that the Long Service Levy has been paid.
- (18) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc., shall be designed in accordance with Camden Council's Engineering Design Specification, and more specifically with the Heavy Rigid Vehicle (HRV) swept turning path referred to in that document.
- (19) **Salinity Management Plan** - All roads, buildings, services, parks etc within the subdivision shall be designed and constructed in accordance with the "*Salinity Management Plan. Lot 6 DP 242250, Lot 100 DP 851222 and Part Lot 101 DP 851222, Irvine Street Elderslie, NSW*" Ref: JE05277A-r3, dated July 2006 prepared by GeoEnviro Consultancy Pty Ltd. Compliance with the plan must be demonstrated with any application for a Construction Certificate.
- (20) **Stormwater Discharge** – The developer shall ensure that the post-development stormwater discharge from the site into the RTA corridor does not exceed the pre-development discharge. Design plans and hydraulic calculations which demonstrate this shall be submitted to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.
- (21) **RTA Drainage System** – Should there be any changes proposed to the RTA's existing stormwater drainage system, detailed design plans and hydraulic calculations are to be submitted to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.
- (22) **Detention & Water Quality Basin** – The developer shall liaise with the Dam Safety Committee to obtain the Committee's requirements. Such requirements shall be incorporated into the design of the basin and the associated retaining wall.

3.0 - Prior To Works Commencing

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

- (1) **Fill Material for Development Site** - Prior to the importation and/or placement of any fill material on the subject site a validation report and sampling location plan for such material must be submitted to the Principal Certifying Authority for approval and concurrence.

The validation report and sampling location plan must be prepared:

- i) by a practising engineer with National Professional Engineering Registration and with a Specific Area of Practice in Subdivisional Geotechnics, and

- ii) in accordance with:
 - a) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - b) The Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- iii) and confirm that the fill material:
 - a) provides no unacceptable risk to human health and the environment;
 - b) is free of contaminants;
 - c) has had salinity characteristics identified in the report;
 - d) is suitable for its intended purpose and land use, and
 - e) has been lawfully obtained.

The sampling for salinity of fill volumes less than 6000m³ must provide for 3 sampling locations; fill volumes exceeding 6000m³, require one sampling location for each additional 2000m³. A minimum of 1 sample from each sampling location must be provided for assessment.

The sampling for Contamination should be undertaken in accordance with the following table:

Classification of Fill Material	No. of Samples per Volume	Volume of fill (m ³)
Virgin excavated Natural material	1 (see note 1)	1000

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

(2) **Imported Fill Delivery Register** – A delivery register for all imported fill material must be maintained at the subdivision site and submitted to the Principal Certifying Authority on request. The register must provide the following information:

- (a) delivery date and time,
- (b) truck registration number
- (c) quantity of fill
- (d) origin and type of fill

When all filling is complete, the register must be submitted to the Principal Certifying Authority, The register must be included in any application for a Subdivision Certificate.

(3) **Signs to be Erected on Subdivision Sites** – Pursuant to c.98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected on any site on which building, subdivision and/or demolition work is being carried

out advising of the following:

- (i) the name, address and telephone number of the Principal Certifying Authority (PCA)
- (ii) full details of the Construction Certificate
- (iii) full details of Development Consent No 327/2006
- (iv) the name of the 'principal contractor' (if applicable) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (v) unauthorised entry to the work site is prohibited.

The sign must be: -

- (i) located within the site,
- (ii) clearly visible and legible from the carriageway of any adjacent public road,
- (iii) a minimum size of 300mm x 400mm,
- (iv) erected prior to the commencement of any work, and
- (v) maintained throughout the duration of the construction works.

Note:

- (1) The Principal Certifying Authority and principal contractor must ensure that the sign/s required by this condition are erected and maintained.**

Any such sign may only be removed when the Department of Lands, Land and Property Information, have registered the Subdivision Certificate/Plan of Subdivision.

- (4) **Pollution Warning Sign** – Pollution warning signs must be erected at all entrances to the subdivision site prior to work commencing; such signage must be maintained until the subdivision has reached 80% occupancy. The signs must be constructed of durable materials, be of minimum dimensions 1200 x 900mm and provide the following information:

- (i) "WARNING - UP TO \$1,500 **penalty**. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. The Council of Camden (02 4654 7777) - Solution to Pollution." with:
-
- (ii) "WARNING - UP TO \$1,500 **penalty**" being in upper case text 120mm high and red in colour,
- (iii) all other text being in lower case 60mm high and black in colour, and

(iv) text in (i) and (ii) above being on white background surrounded by a red border.

- (5) **Stabilised Access Point** - A Stabilised Access Point (SAP) must be installed and maintained at the construction ingress/egress location, in accordance with Camden Council's standard drawing SD31 Rev. A dated Jan 2009, **prior to the commencement of any work.**

The provision of the SAP is to prevent dust, dirt and mud from being transported by vehicles from the site. Ingress and egress to/from the site must be limited to a single point unless noted otherwise on the approved plans. Refer to the approved Soil Erosion and Sediment Control Plan for location details.

The SAP must be sufficient for all proposed construction traffic associated with the proposed subdivision.

4.0 - During Construction

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

- (1) **Site Management** – To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period, the following practices are to be implemented:
- The delivery of material shall only be carried out between the hours of 7 am - 6pm Monday to Friday and between 8am - 5pm on Saturdays.
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
 - All construction activities shall be confined to the curtilage of the site. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - Construction waste must not be burnt or buried on site, nor should any wind-blown matter be permitted to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - A waste control container shall be located within the development site.
- (2) **Hours Of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (3) **Vehicles Leaving the Site** - The contractor / demolisher / construction supervisor **MUST** ensure that: -
- i) all vehicles transporting material from the site cover such material so as to minimise sediment transfer;

- ii) the wheels of vehicles leaving the site: -
 - a) do not track soil and other waste material onto any public road adjoining the site.
 - b) fully traverse the Stabilised Access Point.
- (4) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.
- (5) **Access From Public Places** - Construction access from public places (reserves, parks, walkways and the like) other than roads shall not occur without the prior consent of Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.
- (6) **Buried Building Waste Material** – If building waste materials are encountered on the land then such waste materials must be assessed and classified in accordance with the Environmental Guidelines Assessment, Classification and Management of Non-liquid Waste, NSW EPA, 1997. Where these waste materials are required to be disposed of to a licensed waste facility suitable to each classification, copies of waste tipping dockets are to be retained by the applicant as proof of disposal.
- (7) **Compaction (Lots)** – All proposed lots subject to filling shall be compacted to 95% standard compaction and tested in accordance with Camden Council's current Engineering Specification and the current edition of AS1289.

A practising engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics shall supervise compaction activities to Level 1 responsibility in accordance with the requirements of AS 3798 – 1996.

Sample testing is to be undertaken by a NATA registered laboratory with laboratory reports being: -

- i) endorsed by the engineer noted above, and
 - ii) submitted to the Principal Certifying Authority **prior to the issue of any Subdivision Certificate.**
- (8) **Compaction (Roads)** - All filling on roadways must be compacted at 100% standard compaction and tested in accordance with Camden Council's current Engineering Specification and the most current edition of AS1289.

Compaction activities shall be undertaken by a practising engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics to Level 1 responsibility in accordance with the requirements of AS 3798 - 1996

Sample testing is to be undertaken by a NATA registered laboratory with laboratory reports being: -

- i) endorsed by the engineer noted above, and
- ii) submitted to the Principal Certifying Authority/Roads Authority **prior to the issue of any Subdivision Certificate.**

- (9) **Maintenance of Soil Erosion Measures** – All required soil erosion and sediment control measures must be maintained during the entire construction period until all disturbed areas are restored by turfing, paving or re-vegetation.

An Infringement Notice which imposes a monetary penalty of \$750 for an individual or \$1500 for a corporation may be issued by the Consent Authority (i.e. Camden Council) where the maintenance of measures is inadequate.

- (10) **Unexpected findings Contingency** - Upon the identification of additional contamination or hazardous materials at any stage of the earthworks process all works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination / hazardous materials. If remediation is required, a Remediation Action Plan (RAP) with an application for consent must be lodged with the Consent Authority in accordance with Council's Management of Contaminated Lands Policy.

5.0 - Subdivision Certificate

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

- (1) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8 per additional lot or dwelling, total \$312, for **Secondary Roundabout R6 (Richardson Road/Lodges Road).**

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

- (2) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$26 per additional lot or dwelling, total \$1,014, for **Fire and Other Emergency Facilities and Equipment.**

The contribution must be indexed to the Consumer Price Index, paid prior to issue of the Subdivision Certificate.

- (3) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,307 per additional lot or dwelling, total \$323,973 for **Community Facilities.**

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan paid prior to issue of the Subdivision Certificate.

The monetary contribution may be offset at the sole discretion of Council by the

value of land transferred to Council or by works in kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan. If such an agreement is to be undertaken, it must be signed prior to the release of a Construction Certificate.

- (4) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$369 per additional lot or dwelling, total \$14,391 for **s.94 Administration and Management**.

The contribution must be indexed by the methods set out in paragraph 2.4 of the plan and paid prior to issue of the Subdivision Certificate.

- (5) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84m² per additional lot or dwelling, total 4,400.76m², for **s.94 Open Space Land Acquisition** and 3.68m² per additional lot or dwelling, total 143.52m², for **s.94 Community Land Acquisition**.

The land must be dedicated free of charge in accordance with paragraph 5.1.6 of the plan and clearly identified on the plan of subdivision.

Alternatively, a contribution must be paid to Council of \$15,209 per additional lot or dwelling, total \$593,151.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid prior to issue of the Subdivision Certificate.

- (6) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$31,070 per additional lot or dwelling, total \$1,211,730, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

The contribution must be indexed by the methods set out in Paragraph 2.4 of the plan and paid prior to issue of the Subdivision Certificate.

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

- (7) **Interim Land Release Contribution Deed** – Prior to the issue of any Subdivision Certificate, the applicant must submit to the consent authority written evidence from the Director-General of the Department of Planning which certifies the applicant is not in breach at that time of any of its obligations under the deed entitled “ILRC Deed” between the applicant and the Minister for Planning relating to the development.
- (8) **Damaged Assets** – Damage to Council’s assets/infrastructure caused by any activity and/or work associated with public utility relocation shall incur no cost to

Council. Any such damage must be made good **prior to the issue of any Subdivision Certificate**.

- (9) **Bond for Defect Rectification of Public Work - Prior to the issue of any Subdivision Certificate**, a bond for the rectification of any existing and/or proposed public work must be lodged with Camden Council.

The bond has been determined to be 10% of the contract value of all proposed/reconstructed public infrastructure and will be retained by Council for a period of six (6) months after work is completed. Please be advised that: -

- (i) this bond and the bond period extends to all work: -
 - (a) previously rectified under the terms of this bond, and
 - (b) that has not been completed for which an appropriate bond has also been lodged with Camden Council.
- (ii) The contract value/bond amount must be confirmed by Camden Council prior to the lodging of any such bond.
- (iii) Camden Council, must confirm the satisfactory completion of such work, in writing, prior to any release/ fund of the bond.

It should be noted that a bond processing administration fee is applicable and that such a fee aligns with Council's current Fees and Charges.

- (10) **Bond for Final Layer of Asphaltic Concrete - Prior to the issue of the Subdivision Certificate** - the applicant is to lodge a monetary bond with Camden Council for the placement of the final layer of asphaltic concrete wearing course on all proposed public roads within this subdivision.

The bond is to be in the form of cash or an unconditional bank guarantee in favour of Camden Council, and must be equivalent to 130% of the value of the works, including the cost of all reinstatement works, with the estimated cost of such work being determined by reference to Council's current Schedule of Fees and Charges.

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision **or** when Occupation Certificates for dwellings associated with 70% of the lots created by a subdivision adjoining such road have been issued.

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

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

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

- (i) the work has been completed to the requirements of Camden

Council, and/or

(ii) where applicable a suitable replacement bond is submitted.

(11) Footpath Construction Bond - Prior to the issue of the Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of concrete footpath within the road reserves.

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

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision **or** when Occupation Certificates for dwellings associated with 70% of the lots created by the subdivision, directly adjacent to the footway where the subject construction is proposed, have been issued.

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

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

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

- i) the work has been completed to the requirements of Camden Council, and/or
- ii) where applicable a suitable replacement bond is submitted.

(12) Existing Vehicular Turning Heads – The existing vehicular turning heads located in Longley Avenue, Mitten Street and Kerrigan Crescent must remain intact and in service until the subdivision has been registered with the Department of Lands - Land and Property Information Section.

Following registration, the temporary aspects of the existing turning heads are to be removed, the kerb and gutter and drainage lines extended to suit and any other ancillary works completed.

To that end, a bond of \$20,000 is to be lodged for each turning head prior to the issue of the Subdivision Certificate. The bonds will be released following completion of the required works to the satisfaction of the Principal Certifying Authority.

(13) Services - Prior to the issue of any Subdivision Certificate the following service authority certificates/documents must be obtained and submitted to the Principal Certifying Authority for inclusion in any Subdivision Certificate application:

- i) a certificate pursuant to s73 of the *Sydney Water Act 1994*. Application for

such a certificate must be made through an authorised Water Servicing Co-Ordinator,

- ii) a Notification of Arrangements from Integral Energy, and
 - iii) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision site.
- (14) **Value of Works – Prior to issue of the Subdivision Certificate** the applicant must submit an itemised data and value of civil works for the inclusion in Council's Asset Management System. The applicant can obtain a valuation sheet from Council upon request.
- (15) **Lot Numbers and Street Names - Prior to issue of a Subdivision Certificate** lot numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

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

1 Lot numbers:

White number on Blue background located on the prolongation of both common boundaries of each lot.

2. Street names:

White lettering on Blue background at kerb and gutter tangent points or at such locations as directed by the Principal Certifying Authority.

- (16) **Sydney Water Service Covers – Prior to the issue of any Subdivision Certificate** all Sydney Water service covers ie hydrants, stop valves etc., are to be clearly identifiable by appropriate kerb markings and blue coloured raised reflective pavement markers placed at the centreline of the road opposite the hydrant to comply with AS2419. These pavement markers are to be reinstated after placement of the final layer of asphaltic concrete and prior to the release of the final layer asphaltic concrete bond.

- (17) **Geotechnical Certification – Prior to the issue of any Subdivision Certificate** certification from a practising engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics shall be submitted to the Principal Certifying Authority (PCA) verifying that: -

- i) the work indicated in the approved plans and any associated geotechnical reports have been undertaken/completed: -
 - a) in accordance with those documents, and
 - b) with an appropriate level/s of supervision (level/s to be stated), and
- ii) the assumptions made, relating to site conditions, during the preparation of the

subject documents were validated during construction.

The certification shall make reference to both the Works-as-executed and Fill plans.

(18) **Soil Classification** - A soil classification report must be submitted to the Principal Certifying Authority (PCA) for inclusion in any application for a Subdivision Certificate. The report must: -

- i) indicate the classification of soil type generally found within the subdivision,
- ii) provide a lot classification for each lot within the subdivision,
- iii) be prepared: -
 - a) by a person with experience in geotechnical aspects of earthworks
 - b) in accordance with the requirements of the current editions of AS 2870 "Residential Slabs and Footings" and AS 3798"Guidelines on Earthworks for Commercial and Residential Development"
- iv) be endorsed by a practising engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics.

(19) **Vehicular Access Denial for Specific Lots** – The Principal Certifying Authority must confirm the “access denied” location of any proposed lot affected by drainage pits, service fixtures or the like, adjacent a proposed/existing public road. Such information must be reflected in an appropriate restriction-as-to-user pursuant to s.88B of the *Conveyancing Act 1919* and included in any application for a Subdivision Certificate.

(20) **Fill Plan** – A Fill plan must be submitted to the Principal Certifying Authority (PCA) **prior to the issue of any Subdivision Certificate**. The plan must:

- i) show lot boundaries,
- ii) show road/drainage/public reserves,
- iii) show street names,
- iv) show final fill contours and boundaries,
- v) show depth of filling in maximum 0.5m increments, and
- vi) be prepared electronically in Portable Document Format (.pdf) at 150 dpi and .dwg format (or equivalent) with a maximum individual file size not exceeding 2 Megabytes and submitted both on compact disc and an A1 paper plan.

(21) **Works as Executed Plan** – A Works as Executed plan shall be submitted to the Principal Certifying Authority (PCA) **prior to the issue of any Subdivision Certificate**. The plan shall: -

- (a) be prepared in accordance with the requirements of Camden Council's current Engineering Specification,
- (b) include Flood Line Identification requirements for the 5% AEP and PMF,

- (c) be endorsed by a registered Land Surveyor,
- (d) be submitted to the Principal Certifying Authority (PCA) for approval, and
- (e) be submitted electronically in Portable Document Format (.pdf) at 150 dpi and .dwg format (or equivalent) with a maximum individual file size not exceeding 2 Megabytes and submitted both on compact disc and an A1 paper plan.

(22) **Surveyors Report - Prior to the issue of any Subdivision Certificate** certification prepared by a registered surveyor stating that: -

- i) all drainage lines and associated structures have been laid within their respective easements, and
- ii) that no services or accessways encroach upon any proposed boundary other than as provided for by easements as created by the final Plan of Subdivision.

The certificate must be referenced to the works-as-executed plan, be submitted to the Principal Certifying Authority (PCA) and included in any application for a Subdivision Certificate.

(23) **Provision of Locks to Access Gates & Removable Bollards** - Prior to the issue of the Subdivision, all gates and removable bollards that provide restricted access to Council reserves and other property shall be fitted with a padlock, which is required to be master keyed to Camden Council's requirements. The supply of the padlocks is at the applicants cost. Enquiries are to be directed to Council's Works and Services Division.

(24) **Street Lighting** - Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Integral Energy approval and the requirements of the Principal Certifying Authority. All such work must be complete and operative **prior to the issue of the Subdivision Certificate**.

(25) **Stormwater Destination - Prior to the issue of any Subdivision Certificate** pit lintels must be permanently stencilled to clearly identify the watercourse into which stormwater from the pit drains. The stencilling medium must be of a good quality UV stabilised paving paint; stencils are available from Camden Council.

(26) **Street Signs** – Street signs are to be installed: -

- (i) in accordance with the requirements of the Principal Certifying Authority (PCA) and the Roads Authority, Camden Council, and
- (ii) **prior to the issue of any Subdivision Certificate**.

(27) **Delineation on Plan of Subdivision – Prior to the submission of any Subdivision Certificate application** a draft Plan of Subdivision must be submitted to the Principal Certifying Authority (PCA) for approval. The plan shall: -

- a. indicate 1% AEP contour/s watercourses,
- b. indicate public reserves,

- c. indicate drainage reserves, the extent of which is determined by the 1% AEP, and
- d. align with the approved works-as-executed plan.

The approved draft Plan of Subdivision shall form the basis for a final Plan of Subdivision associated with any application for a Subdivision Certificate.

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

- (a) Easement for services.
- (b) Easement to drain water.
- (c) Easement for on-site detention.
- (d) Restriction as to user indicating that any detention basin/water quality facility on privately owned land must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:
 - (i) view the state of repair of the basin;
 - (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
 - (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (e) Restriction as to user over any filled lots which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
- (f) Restriction as to user over each proposed residential lot indicating that no combustion heaters or wood burning fireplaces are permitted in any proposed dwelling on the lots.
- (g) Restriction as to user over each proposed residential lot stipulating that all waste and recycling bins shall be kept behind the building line, not visible from the road.
- (h) Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.

- (i) Restriction as to user over each proposed residential lot stipulating that all dwellings, landscaping & associated works must be constructed/provided in accordance with the *“Salinity Management Plan. Lot 6 DP 242250, Lot 100 DP 851222 and Part Lot 101 DP 851222, Irvine Street Elderslie, NSW”* Ref: JE05277A-r3, dated July 2006 prepared by GeoEnviro Consultancy Pty Ltd. Compliance with the plan must be demonstrated for each residential development application.
- (j) All dwellings on Lots 1009 – 1013, 1022 – 1026, and 1034 – 1038 shall be 2 storeys in height.
- (k) All dwellings on Lots 1009 – 1013, 1022 – 1026, and 1034 – 1038 shall have a zero offset on one boundary and a 0.9m offset to the opposite boundary ensuring that there is only a 0.9m gap between dwellings.
- (l) Lots 1003 and 1004 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass only.
- (m) Lots 1007 – 1014 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass only.
- (n) Lots 1009 and 1013 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass and adjacent exposed facades.
- (o) Lots 1020 –1028 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass and adjacent exposed facades.
- (p) Lots 1034 – 1038 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass only.
- (q) Lots 1034 and 1038 require glazing upgrade of minimum RW 29 and alternate ventilation, that being mechanical ventilation or air conditioning which meets the requirements of the Building Code of Australia, is required to the façade facing the Camden Bypass and adjacent exposed facades.
- (r) Lots 1009, 1013, 1022, 1026, 1034 and 1038 shall have fencing from the garage to the road boundary to its neighbouring lots to the north at a height no greater than 1 metre.

(29) **Show Easements on the Plan of Subdivision** - The developer must

acknowledge all existing easements on the final plan of subdivision.

(30) **Show Restrictions on the Plan of Subdivision** - The developer must acknowledge all existing restrictions on the use of the land on the final plan of subdivision.

(31) **Burdened Lots to be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.





END OF CONDITIONS

RECOMMENDED

That Development Application 305/2007 for a 34 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie be approved, subject to the draft conditions of development consent shown above.

ATTACHMENTS

1. Location plan
2. Copy of original report of 12/10/2010 (sup doc)
3. Original Plans (sup doc)
4. Amended plans

 [Location Plan Lot 2992 DP1121800 Elderslie.pdf](#)  [Copy of Report of 12 October 2010.doc](#)  [original plan \(12 oct\).pdf](#)
 [amended plan.pdf](#)

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that Development Application 305/2007 for a 34 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie be approved, subject to the draft conditions of development consent shown above.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.

No Councillor voted against the Motion).

ORD258/10

ORDINARY COUNCIL

ORD03

SUBJECT: NOXIOUS WEED OFFICER DELEGATIONS
FROM: Director Development and Health
FILE NO: Binder: Environmental Management/Notifications/Noxious Weeds

PURPOSE OF REPORT

The purpose of this report is to seek Council's resolution to give delegations to new Council Officers to enable lawful enforcement under the provisions of the Noxious Weeds Act 1993.

BACKGROUND

The Noxious Weeds Act, 1993 (the Act) grants a range of powers, duties and functions to Local Control Authorities (councils).

Unlike many other Acts regulated by Council, the Act does not permit the sub-delegation of powers by the General Manager to other staff. In essence Section 68 of the Act requires that all delegations under the Noxious Weeds Act must be a resolution of Council to a specific officer.

Following the resignation of Council's former Noxious Weeds Officer and a Council Ranger, it is necessary to delegate new Officers the authority to conduct the duties of the position.

MAIN REPORT

It is necessary to delegate, by resolution of Council, new officers as Inspectors under the Act.

Persons appointed as Inspectors by Council are conferred the powers and responsibilities under Sections 39 and 40 of the Act, namely:

- a. *To inspect land and any other premises for the presence of noxious weed material;*
- b. *To advise as to the presence of noxious weed material and as to the means of controlling those weeds;*
- c. *To report to the local control authority on noxious weeds and noxious weeds control;*
- d. *Such functions as may be conferred or imposed on inspectors by or under this Act or by the local control authority; and*
- e. *An inspector who has reasonable cause to suspect that a weed that is a notifiable weed in any part of the State or is or may be present in an agricultural machine may require the person apparently in charge of the machine to treat the machine*

immediately, in the manner specified by the inspector, to remove any such weed.

It is further proposed to delegate the inspectors the authority to issue notices and conduct other operations under:

- Section 18 - the power to issue 'Weed Control Notices';
- Section 18A - the power to issue 'Prior Notice of Weed Control Notice' (excepting Subsection (2)(c) - the consideration of submissions);
- Section 20(2) - the power to carry out 'Noxious Weed Control by Local Control Authority (Council) after Weed Control Notice not complied with';
- Section 36A - the power to impose 'Temporary restrictions during weed control'; and
- Section 45 - the power to give occupiers 'Notice of Entry' for the purposes of undertaking noxious weeds inspections.

It should be noted persons issued with notice of Proposed Weed Control Notice are entitled to make submissions regarding the terms or timeframe of the Proposed Weed Control Notice.

Council is required to consider any submission received in response to the notice of the Proposed Weed Control Notice. Previously at the Ordinary Council Meeting of 26 March 2007 Council delegated the Director Development & Environment, Manager Environment & Health and Manager Development, Council's powers, duties and responsibilities to consider submissions under Section 18A(2).

No change to these delegations is proposed.

CONCLUSION

It is proposed that Council delegate the powers, duties and responsibilities under Sections 18, 18A, 20(2), 36A, 39, 40 and 45 of the Noxious Weeds Act 1993 to Noxious Weeds Officer Mr Matthew McNaughton.

RECOMMENDED

That Council resolves:

- i. to appoint Mr Matthew McNaughton as an Inspector under Section 41 of the Noxious Weeds Act 1993, for the duration of his employment with Camden Council; and**
- ii. that the above Inspector be delegated with Council's powers, duties and responsibilities under the following sections of the Noxious Weeds Act 1993:**
 - **Section 18 - the power to issue 'Weed Control Notices';**
 - **Section 18A - the power to issue 'Prior Notice of Weed Control Notice' (excepting Subsection (2)(c) - the consideration of submissions);**
 - **Section 20(2) - the power to carry out 'Noxious Weed Control by Local Control Authority (Council) after Weed Control Notice not complied with';**
 - **Section 36A - the power to impose 'Temporary restrictions during weed control';**

- Section 39 - setting out the powers of the Inspector;
- Section 40 - enabling the Inspector to require the cleaning down of machinery; and
- Section 45 - the power to give occupiers 'Notice of Entry'.

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Warren that Council resolves:

- i. to appoint Mr Matthew McNaughton as an Inspector under Section 41 of the Noxious Weeds Act 1993, for the duration of his employment with Camden Council; and
- ii. that the above Inspector be delegated with Council's powers, duties and responsibilities under the following sections of the Noxious Weeds Act 1993:
 - Section 18 - the power to issue 'Weed Control Notices';
 - Section 18A - the power to issue 'Prior Notice of Weed Control Notice' (excepting Subsection (2)(c) - the consideration of submissions);
 - Section 20(2) - the power to carry out 'Noxious Weed Control by Local Control Authority (Council) after Weed Control Notice not complied with';
 - Section 36A - the power to impose 'Temporary restrictions during weed control';
 - Section 39 - setting out the powers of the Inspector;
 - Section 40 - enabling the Inspector to require the cleaning down of machinery; and
 - Section 45 - the power to give occupiers 'Notice of Entry'.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD259/10

ORDINARY COUNCIL

ORD04

SUBJECT: REPORT ON REZONING OF PRECINCT D ON THE MATER DEI RESIDENTIAL DEVELOPMENT SITE
FROM: Director Governance
FILE NO: Harrington Park 2 and Mater Dei

PURPOSE OF REPORT

The purpose of this report is to provide feedback to Council on the public exhibition of Mater Dei Seniors Living Village (Precinct D) planning proposal and associated studies. A copy of the planning proposal is provided as an **Attachment to this report**.

BACKGROUND

Currently, Precinct D on the Mater Dei site is zoned E4 Environmental Living. The Mater Dei Precinct D planning proposal is proposing to rezone Precinct D to R2 Low Density Residential to permit a seniors living village. At its meeting of 28 September 2010, Council resolved to place on public exhibition for 28 days, the Seniors Living planning proposal, Gateway Determination and associated studies.

MAIN REPORT

While the purpose of the planning proposal is to rezone Precinct D from E4 Environmental Living to R2 Low Density Residential, it will not involve a change to the development footprint. Council received Gateway Determination from the DoP to proceed with the planning proposal on 16 July 2010 and required public exhibition of the planning proposal, Gateway Determination and associated studies for a period of 28 days. There have been no public submissions received.

Comprehensive studies from the previous rezoning were updated to support the planning proposal for a seniors living village. These studies included: Wivenhoe Village (Seniors Living Village) Services Plan; traffic assessment; aircraft noise assessment; development control plan analysis table; and a SEPP Seniors Living assessment.

The public exhibition was held from 6 October to 3 November 2010 and was exhibited at Narellan and Camden Customer Service Centres, both Libraries and on Council's website. A letter advising of the public exhibition was sent to all adjoining neighbours. A notice of exhibition was also placed in the local paper.

Supporting Studies

The supporting studies have been assessed by Council staff and it was determined that the following matters will need to be addressed as part of the assessment of any subsequent development application and implementation of the development:

- Attention is to be given to the need for extended evacuation during times of flood or fire that will likely be required for residents with restricted mobility;
- The Sustainability Assessment summary is to be used as a checklist against which to assess the subsequent DAs to ensure that the development is achieving sustainability.
- The Site Manager and Resident Coordinator are to consult with Council's Community Development staff during the development and implementation of the service plan.

A requirement of the Gateway Determination was for Council to consult with the following public agencies:

- The Hawkesbury/Nepean Catchment Management Authority
- Department of Environment, Climate Change and Water (DECCW)
- Integral Energy
- NSW Rural Fire Service
- Roads and Traffic Authority
- State Emergency Service
- Sydney Water
- Department of Community Services

Letters of consultation were sent out to public agencies at the beginning of the public consultation period. Those agencies that did not provide comment were contacted by phone at the close of the exhibition period. No further comment was received by Council at the time of writing this report. Those comments received are provided in the table below.

Agency	Agency Comments	Council Comments
Department of Environment, Climate Change and Water (DECCW)	<ul style="list-style-type: none"> ● DECCW's primary focus on the subject proposal is to ensure the conservation outcomes, including the protection of Cumberland Plain Woodland are retained. ● DECCW raises no issue with the proposed increase in density in the planning proposal, as the footprint of the precinct remains unchanged and therefore will not change the environmental outcomes including the protection of the Cumberland Plain Woodland. ● Council should ensure that the location of the APZs required for the development of the site for seniors living do not compromise the conservation outcomes. 	<ul style="list-style-type: none"> ● Noted ● Noted ● APZ locations have been determined and reviewed by the conservation consultant. It has been determined that the APZs will have no impact on the conservation outcomes.
NSW Rural Fire Service (NSW RFS)	<ul style="list-style-type: none"> ● NSW RFS notes that the site has land identified as bush fire prone on the Camden Bush Fire Prone Land Map. ● Future residential and Special Fire Protection Purpose development will be subject to the 	<ul style="list-style-type: none"> ● Noted. This will be considered at the DA

	<p>requirements of Section 79BA of the <i>Environmental Planning and Assessment Act 1979</i> and Section 100B of the <i>Rural Fires Act 1997</i>. As such the requirements of <i>Planning for Bushfire Protection 2006</i> should be considered in the planning stages of the development.</p> <ul style="list-style-type: none"> • The SEPP Seniors Living should be considered as a Special Fire Protection Purpose. • Asset Protection Zones for Special Fire Protection Purpose developments are to be provided in accordance with Table A2.6 of <i>Planning for Bushfire Protection 2006</i>. • Public road access shall comply with section 4.1.3(1) of <i>Planning for Bushfire Protection 2006</i>. • Future re-vegetation and rehabilitation of the subject site area should have regard to bush fire and should be undertaken in such a way that a bush fire hazard is not generated. If rehabilitated areas pose a threat to development from bush fire, then APZs applicable for a Special Fire Protection Purpose in accordance with <i>Planning for Bushfire Protection 2006</i> shall apply 	<p>stage.</p> <ul style="list-style-type: none"> • Noted • Noted. This will be considered at the DA stage. • Noted. This will be considered at the DA stage. • This has been considered and planned for by the conservation consultant. While detail is to be resolved at Development Application stage, the conservation consultant is confident that the requirement of the RFS can be met
Hawkesbury-Nepean Catchment Management Authority (HNCMA)	<ul style="list-style-type: none"> • Notes the presence of Cumberland Plain Woodland and River-Flat Forest on the site. Both are listed as Endangered Ecological Communities under the <i>Threatened Species Conservation Act 1995</i>. In the HNCMA Catchment Management Plan 2007-2016 the Cumberland Plain Woodland and River-Flat Forest are listed as priority habitat vegetation types. • HNCMA strongly encourage improvement in the condition of the remnant vegetation on the property. 	<ul style="list-style-type: none"> • The Wivenhoe Conservation Management Plan (CMP) has been developed to enhance the remnant vegetation on the site. The CMP has been adopted as part of the Voluntary Planning Agreement for the site.
Sydney Water	<ul style="list-style-type: none"> • Sydney Water has no objection to the development • Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 Certificate – this will enable Sydney Water to specify works required as a result of the development and to assess if amplification and/or changes to the system are applicable. • Sydney Water requests Council to continue to require proponents to obtain a Section 73 Certificate. 	<ul style="list-style-type: none"> • Noted • Noted • Council will require the proponent to obtain a Section 73

CONCLUSION

During the 28 day public exhibition period of the Mater Dei Seniors Living Village (Precinct D) planning proposal Council received no submissions from the general public. A range of public agencies were consulted. Only four public agencies returned comments generally alerting Council to issues already addressed. No public agencies had objections to the planning proposal. Internal comment within Council on the planning proposal was also sought during the exhibition period.

Internal comments and public agency comments have been noted and will be taken into account when detailed planning and development begins should the rezoning proceed.

The adoption of the planning proposal for a seniors living village would assist in providing a range of seniors living dwellings within Camden. The range of facilities proposed to be provided on site makes this an attractive development for the residents of Camden.

RECOMMENDED

That Council :

- i. adopt the Mater Dei Seniors Living Village (Precinct D) planning proposal as exhibited;**
- ii. resolve to send the adopted planning proposal and studies to the Department of Planning so that the plan can be made; and**
- iii. advise the proponent of the above and of the matters listed in the report that will need to be addressed as part of any subsequent development application.**

ATTACHMENTS

Attachment - planning proposal



Mater Dei Revised Planning Proposal.doc

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that Council :

- i. adopt the Mater Dei Seniors Living Village (Precinct D) planning proposal as exhibited;
- ii. resolve to send the adopted planning proposal and studies to the Department of Planning so that the plan can be made; and
- iii. advise the proponent of the above and of the matters listed in the report that will need to be addressed as part of any subsequent development application.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD260/10

ORDINARY COUNCIL

ORD06

SUBJECT: PLANNING PROPOSAL - MINOR HOUSEKEEPING
AMENDMENTS TO CAMDEN LEP 2010
FROM: Director Governance
FILE NO: Camden LEP

PURPOSE OF REPORT

The purpose of this report is to seek Council's resolution to prepare a planning proposal which includes minor housekeeping amendments to Camden Local Environmental Plan 2010 (LEP 2010), and to forward the planning proposal to the Department of Planning (DoP) for Gateway Determination so that the planning proposal may be exhibited.

BACKGROUND

LEP 2010 was gazetted on 3 September 2010 and subsequently became the principal planning instrument covering zoning and land use in the Camden LGA. Council staff have now had the opportunity to use and interpret the LEP and the associated maps, and several errors of a minor nature have been identified. This is a normal practice that occurs with the implementation of a new LEP. These errors will be addressed via the preparation of a planning proposal which seeks to amend the LEP.

MAIN REPORT

A detailed planning proposal will be prepared which includes several minor amendments to LEP 2010 and the accompanying maps. The amendments will ensure that the LEP is consistent with the 'status quo' approach adopted during the conversion of the former Camden LEPS into the new LEP template format.

The proposed amendments are grouped into two categories which are 'LEP Instrument Amendments' and 'LEP Map Amendments'.

LEP Instrument Amendments

Land use tables

The land use tables in LEP 2010 were created by translating the former Camden LEPS into the new LEP template format as a 'like for like' conversion. This was intended to ensure that the permissible and prohibited land uses under the former LEPS were carried over to LEP 2010 as far as the LEP template allowed.

A review of the land use table in LEP 2010 has identified minor errors which occurred during the final legal drafting of the LEP land use tables. A list of the minor errors and the proposed amendments **are included as Attachment 1 this report.** The

amendment of the land use tables will ensure that they are more consistent with the 'status quo' approach adopted in the preparation of the LEP, and will better reflect the range of permissible and prohibited land uses under the former LEPs.

The planning proposal will seek to amend the land use tables contained in LEP 2010 in accordance with Attachment 1.

Schedule 1 – Seniors housing on Lot 1 DP 1019708 No. 359 Narellan Road Currans Hill

Schedule 3 of Camden LEP 48 permitted the use of the above site for the purpose of seniors housing subject to the granting of development consent. A map showing the site **is included as Attachment 2 to this report**. Consent was granted under DA 2770/1999 and construction of the seniors housing development commenced, however the development was never fully completed.

The 'Seniors Housing' was not listed as a 'scheduled use' in Camden LEP. It is considered that this use should be reinstated as an additional use to ensure consistency between Camden LEP 48 and Camden LEP 2010.

The planning proposal will seek to amend Schedule 1 of LEP 2010 by adding a new additional permitted use which allows seniors housing on the site subject to development consent.

Schedule 1 – Landturn Site, bordered by The Northern Road, The Old Northern Road and Camden Valley Way, Narellan

Schedule 5 of Camden LEP 46 permitted the use of the Landturn Site for the purpose of shops subject to meeting certain conditions and subject to the granting of development consent. A map showing the location of the Landturn Site **is included as Attachment 3 to this report**. In the conversion of the scheduled uses from the existing Camden LEPs to the new Camden LEP 2010, the 'scheduled use' was inadvertently changed from 'shops' to 'retail premises'.

Retail premises is a group term which encompasses other types of premises in addition to shops. One of the conditions applying to development on the Landturn Site is that the floor area of all retail premises must not exceed 11,300m². It was only intended that this cap apply to shops and not the broader group of uses encompassed in retail premises. The use of the group term 'retail premises' will result in a number of other uses being inadvertently captured by the term 'retail premises' and would therefore be included in the floor area calculation.

The planning proposal will seek to amend Schedule 1 in LEP 2010 by amending Clause 19 so that it refers to 'shops' rather than 'retail premises'.

Schedule 5 – Items of heritage significance

During the preparation of the final LEP 2010 instrument by Parliamentary Counsel drafting officers, the suburb names for several heritage items has been omitted from Schedule 5 of the LEP.

The planning proposal will seek to amend the list of heritage items in Schedule 5 by adding the suburb names where they have been omitted.

LEP Map Amendments

Miscellaneous map amendments

LEP 2010 is accompanied by a set of detailed maps which relates to various parts of the LEP. The gazetted version of the LEP maps contain some minor errors relating to suburb name spelling and the type of font used for the text. In addition, there are some minor discrepancies between the mapping cadastre (the road and lot boundary layout) and the boundaries on the maps.

The planning proposal will identify each of the minor mapping errors and will seek to amend them.

R3 Medium Density Residential zoning at Harrington Park

Camden DCP 2006 designates certain sites within the Currans Hill, Harrington Park and Mount Annan release areas as 'Res 2'. Under the previous LEPs, these sites had the same 2(d) Residential zoning as the surrounding land. DCP 2006 provides additional controls relating to reduced lot sizes and the suitability of these sites for medium density residential development types.

During the preparation of LEP 2010, the Res 2 sites were converted into R3 Medium Density Residential to better reflect the intended use of these lots, and the applicable minimum lot size was mapped via the Lot Size Maps rather than via the DCP. An area of land at Harrington Park was omitted from the conversion of the Res 2 lots to R3 Medium Density Residential. A map which shows the subject land **is included as Attachment 4.**

The planning proposal will seek to amend the Land Zoning Map to show the sites as R3 Medium Density Residential, and to amend the Minimum Lot Size Map to show a minimum lot size of 250m².

R3 Medium Density Residential zoning at 3A Stewart Street, Harrington Park (Lot 92 DP 1051164)

At the Ordinary Council Meeting held on 23 March 2010, Council resolved to approve DA 917/2009 which sought consent for the subdivision of the site for residential purposes. Three of the proposed lots were designated as 'Res 2' lots in accordance with DCP 2006. A map showing the land to which this applies **is included as Attachment 5 to this report.**

To maintain consistency with the approach outlined above regarding the zoning of Res 2 sites under LEP 2010, the planning proposal will seek to amend the Land Zoning Map to show the sites as R3 Medium Density Residential, and to amend the Minimum Lot Size Map to show a minimum lot size of 250m².

Mater Dei heritage curtilage and zone boundary

The proponents of the Mater Dei rezoning lodged a submission during the exhibition of LEP 2010 which sought two amendments to the exhibited maps applying to the site. A map showing the land **is included as Attachment 6 to this report**.

The first amendment included the adjustment of the heritage curtilage shown on the Heritage Map so that it corresponded with the revised heritage conservation management plan. The second amendment included the realignment of the zone boundary on the Land Zoning Map so that the existing stables would be located within the same R5 Large Lot Residential zone as the rest of the heritage listed buildings at Mater Dei.

On 24 November 2009, Council resolved to support the above amendments. However, these amendments to the maps were omitted in error.

The planning proposal will seek to amend the LEP by including the above amendments.

Height of buildings on certain sites at Elderslie

As part of the rezoning process undertaken for the Elderslie Release Area, the accompanying chapter in DCP 2006 included a single storey height limit for certain land adjoining the existing residential areas at Elderslie and Narellan. This map showing this land **is included as Attachment 7 to this report**. The reduced height limit was omitted from the Height of Buildings Map in LEP 2010.

The planning proposal will seek to amend the Height of Buildings Map to show a maximum building height of 6.5m applying to this land.

Spring Farm – minimum lot size and zoning adjoining Narellan Vale

The Spring Farm Release Area and the locality of Narellan Vale each have different minimum lot sizes and land zonings applying to that land. The boundary between these two localities, and the corresponding land zoning and minimum lot size applying to land on either side of that boundary, has been shown incorrectly on the Minimum Lot Size Map and the Land Zoning Map. A map showing the subject land **is included as Attachment 8 to this report**.

The planning proposal will seek to amend the Minimum Lot Size Map and Land Zoning Map for the subject land by applying the zoning and minimum lot size controls that applies to the Spring Farm Release Area.

Minimum lot size for zero lot line development at Elderslie Release Area

The preparation of LEP 2010 included the conversion of the minimum lot size controls contained in DCP 2006 into the LEP template format. The existing Elderslie Release Area control for zero lot line development (minimum 240m² lot size) could not be included in the Lot Size Map due to the limitations of the mapping technical requirements and the allocation of lot sizes and colours on the map.

The planning proposal will seek to have the minimum lot size of 240m² included in LEP 2010 via an amendment to the Minimum Lot Size map for the Elderslie Release Area,

or if this cannot occur, via the inclusion of an appropriate clause in the LEP.

Zoning of land at Macarthur Resource Recovery Park (MRRP) at Spring Farm

Council has received notification from WSN (the proponents of the MRRP facility) regarding an amended Project Approval obtained from the Department of Planning for the waste services operations on this site. The amended approval involves the use of an adjacent lot for the purpose of slope stabilisation. The adjacent lot is currently zoned RU1 Primary Production and 'waste or resource management facilities' are permissible in this zone. WSN have requested that this land be rezoned to SP2 Waste or Resource Management Facility so that the zoning is consistent with the rest of the MRRP site. A map showing the subject land **is included as Attachment 9 to this report.**

The planning proposal will seek to rezone this lot to SP2 Waste or Resource Management Facility. This is a housekeeping matter which will result in the entire operations of the MRRP being located within the same zone.

Community and government agency consultation

The proposed amendments to LEP 2010 are housekeeping only and reflect the 'status quo' and do not seek to impose new planning provisions that have not already been subject to public exhibition or a Council resolution at a previous stage. Accordingly, it is considered that a community and government agency consultation period of 14 days is appropriate.

CONCLUSION

Council officers will prepare a detailed planning proposal for submission to the Department of Planning which aims to make minor amendments to the LEP as outlined in this report. These amendments will address anomalies and omissions which occurred during the conversion of the former Camden LEPs into the new LEP template process. These amendments will ensure the LEP is robust.

RECOMMENDED

That Council:

- i. resolve to prepare a planning proposal and associated map amendments for Camden LEP 2010 which addresses the issues outlined in this report;**
- ii. forward the planning proposal to the DoP for Gateway Determination;**
- iii. pending a favourable response from DoP, proceed directly to public exhibition;**
- iv. if submissions are received, report back to Council at the conclusion of the public exhibition period; and**
- v. if no submissions are received, forward the planning proposal directly to the DoP for the plan to be made.**

ATTACHMENTS

Attachment 1 - Land Use Table
Attachment 2 - Seniors Housing Currans Hill
Attachment 3 - Landturn

Attachment 4 - Harrington Park
Attachment 5 - R3 Medium Density 3 A Stewart St
Attachment 6 - Nater Dei Curtilage
Attachment 7 - Elderslie Building Height
Attachment 8 - Spring Farm
Attachment 9 - MRRP



Attachment 1 - Land Use Table Amendments.doc Attachment 2 - Seniors Housing Currans Hill.pdf



Attachment 3 - Landturn Site.pdf Attachment 4 - R3 Zone Harrington Park.pdf



Attachment 5 - R3 Medium Density at 3A Stewart St Harrington Park.pdf Attachment 6 Mater Dei Curtilage and Zoning.pdf



Attachment 7 - Elderslie Building Height.pdf Attachment 8 - Spring Farm Land.pdf Attachment 9 - MRRP.pdf

RESOLUTION

MOTION

Moved Councillor Warren, Seconded Councillor Symkowiak that the matter be deferred for further consultation clarification and brought back to the next Council meeting.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD261/10

ORDINARY COUNCIL

ORD07

SUBJECT: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO
MAYOR AND COUNCILLORS POLICY
FROM: Director Governance
FILE NO: Expenses Policy

PURPOSE OF REPORT

To provide Council with a review of the Expenses and Facilities Policy and readopt the policy as required by the Local Government Act, 1993 (the Act).

BACKGROUND

In 2006, the Act was amended to provide a more rigid regime for adopting a policy for payment of expenses and the provision of facilities to the Mayor and Councillors to ensure a level of consistency across all Councils.

Council initially adopted the policy in 2007 and has reviewed and readopted the policy every year since, as required by the Act.

MAIN REPORT

The Division of Local Government has issued revised guidelines based on the findings of a 2007 review of existing council policies as well as feedback from Councils.

The revised guidelines do not offer any major changes to the current methodology of preparing the policy but they do reinforce the notion that the policy must ensure there is accountability and transparency in the reimbursement of expenses incurred (or to be incurred) by Councillors and in the provision of any facilities to Councillors.

The overriding principle to be addressed in the development and review of the policy is that the details and range of expenses paid and facilities provided to Councillors by Council must be clearly and specifically stated and be fully transparent and acceptable to the local community and where applicable, adequate limits placed on the level of reimbursement.

Following review and a memorandum sent to Councillors seeking their input, Council's current policy adequately addresses these principles. **A copy of the policy is attached at the end of this report.**

CONCLUSION

The policy as submitted complies fully with the latest guidelines and ensures

Councillors are provided with adequate and reasonable expenses and facilities to enable Councillors to carry out civic duties as elected representatives of their local communities, while also providing an adequate level of accountability.

RECOMMENDED

That Council adopt the "Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy" for the ensuing 12 month period in accordance with the provisions of the Local Government Act, 1993.

ATTACHMENTS

Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy



5.57 - Payment of Expenses & Provision of Facilities to Councillors.doc

RESOLUTION

Moved Councillor Warren, Seconded Councillor Anderson that Council adopt the "Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy" for the ensuing 12 month period in accordance with the provisions of the Local Government Act, 1993.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD262/10

ORDINARY COUNCIL

ORD08

SUBJECT: MANAGEMENT PLAN - SEPTEMBER 2010
FROM: Director Governance
FILE NO: Management Plan

Council prepares a Management Plan and Budget annually, which sets out strategies and actions for the next three years. The Local Government Act requires quarterly reports to be submitted to Council showing progress to date on each of the strategies and actions within the Management Plan for the current 12 months.

The September 2010 review has been completed and is **provided in the Business Paper Supporting Documents**. The attachment highlights the progress of Council's adopted strategies and provides comments on each of the items.

RECOMMENDED

That the September 2010 Management Plan review be noted.

ATTACHMENTS



Management Plan Sept 2011.xls

RESOLUTION

Moved Councillor Warren, Seconded Councillor Anderson that the September 2010 Management Plan review be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD263/10

ORDINARY COUNCIL

ORD09

SUBJECT: INVESTMENT MONIES
FROM: Director Governance
FILE NO:

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 October 2010 is provided.

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

The weighted average return on all investments was 5.72% p.a. for the month of October 2010.

The Principal Accounting Officer is the Manager Corporate Services.

RECOMMENDED

That:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy.**
- ii. the list of investments for October 2010 be noted.**
- iii. the weighted average interest rate return of 5.72% p.a. for the month of October 2010 be noted.**

ATTACHMENTS

Investment Report



Investment Report October 2010.xls

RESOLUTION

Moved Councillor Warren, Seconded Councillor Anderson that:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy.**

- ii. the list of investments for October 2010 be noted.
- iii. the weighted average interest rate return of 5.72% p.a. for the month of October 2010 be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD264/10

ORDINARY COUNCIL

ORD10

SUBJECT: SEPTEMBER REVIEW OF THE 2010/11 BUDGET
FROM: Director Governance
FILE NO:

PURPOSE OF REPORT

This report presents the September Quarterly Budget Review for the 2010/11 financial year in accordance with Part 9, Division 3, Clause 203 of the Local Government (General) Regulation 2005.

Its purpose is to inform Council of the necessary changes to the 2010/11 Budget since the adoption of the 2010/11 Management Plan and Budget, and to consider other changes put forward for determination.

SUMMARY OF BUDGET REVIEW

In adopting the 2010/11 Management Plan, Council approved a balanced budget position. Budget adjustments identified at the September Review represent a projected budget surplus for the 2010/11 financial year of \$1,380,851.

This projected surplus is above Council's minimum working funds level of \$1,000,000.

The improvement in the projected budget position is primarily a result of a higher than expected level of development activity which has led to a significant increase in development income, an increase in the Financial Assistance Grant Council receives from the Local Government Grants Commission and additional rate income.

Management's recommendation and explanation of the allocation of the budget surplus is detailed below:

PROJECTED BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$1,380,851
Lodges Road & Hilder Street Loan Repayment	\$469,171	
Additional Staffing Requirements	\$750,000	
Budget Cuts & Service Reductions Re-Instatement	\$109,900	
Total - Funded Projects / Resources		\$1,329,071
Budget Surplus Balance After Allocation		\$51,780

Lodges Road and Hilder Street Reconstruction Loan Repayment - \$469,171

At its meeting 9 February 2010, Council resolved to accept an \$11.8 million interest free loan from the NSW State Government (NSW Local Infrastructure Fund) to undertake major roadworks at Lodges Road and Hilder Street in Elderslie.

The source of funding for the loan repayment is \$3.8 million from Council's General Fund and \$8.0 million from Section 94 Developer Contributions. The amount to be funded from Council's General Fund was originally included in Council's application to the Minister for Local Government for a special rate variation under Section 508(2) Category 2 of the Local Government Act.

The restriction by the Minister for Local Government of the approved special rate variation to only three years led to a funding shortfall of \$2.95 million. Whilst this shortfall has been partially addressed through the 2010/11 budget and the 2009/10 Year End Result, there is still a funding shortfall of \$469,171 which needs to be addressed.

It is recommended that \$469,171 of the projected budget surplus be transferred to the Capital Works Reserve to ensure that Council can meet its obligation to repay this loan under the agreed loan repayment schedule.

Additional Staffing Requirements in Key Service Areas - \$750,000

As Councillors will be aware, Camden Council has a very lean staff establishment in comparison to other Councils of a similar style and nature.

The average Australian council has a staff complement of one staff member for every 130 citizens. The average NSW council has a complement of one staff member to every 145 citizens. Camden Council has one staff member for every 193 residents.

This means that even to reach the NSW average staffing level (much less the national level), Camden would need an additional 94 staff. Clearly, it is impractical to achieve an increase in staffing by that quantity and it would, in all probability, be counter productive to the high levels of operational and cost efficiency that has been built here over recent years. Even with these high levels of efficiency, we still maintain high levels of satisfaction with our residents and customers.

Notwithstanding this view, it is clear that with significant population growth it will be necessary to increase the staff of the Council in many operational areas simply to maintain current service standards and statutory responsibilities. In order to meet State Government housing targets of more than 2000 new dwellings per year would require more than 30 new staff each year, based on our current average per capita. This is also an unrealistic expectation.

Depending upon the levels and types of new positions created, it is anticipated that approximately ten new positions (including salaries, accommodation and equipment) can be funded by the \$750,000 suggested. Analysis indicates that the funding can be sustained on a permanent basis. Ten new positions is only one third the number necessary to meet government dwelling release expectations and it is only about 10% of the growth necessary to achieve the NSW average. It should be said, however, that

we do not aspire to achieve the “average”. Rather we wish to maintain our better than average efficiencies.

Council’s management will, if the allocation is endorsed at this meeting, determine the priority areas for the new positions and advise Council in the New Year on the spread of resources possible. Councillors, and the broader community, may rest assured that the additional staffing will be directed at those areas of direct service provision valued by our community and reinforced through recent community consultation as part of the development of the Community Strategic Plan.

Expenditure reductions in the 2009/10 Budget - \$109,900

In adopting the 2009/10 budget, Council endorsed a range of expenditure cuts and service reductions. This allowed Council to balance the 2009/10 budget with only essential services being considered. The 2009/10 expenditure cuts also reduced the need for a large rate increase during a difficult economic period for both business and families.

Council's improving financial position has already allowed for the reinstatement of some expenditure cuts where a reduced level of service was impacting residents.

A review by management has identified more expenditure cuts that could be reinstated as part of this Quarterly Budget Review.

2009/10 BUDGET CUTS & SERVICE REDUCTIONS	
Items Re-Instated at September Review	
Divisional Support Funding	\$60,000
OH&S Tree Trimming Works	\$14,900
Partial Reinstatement of Street Sweeping	\$35,000
Total - Items Re-Instated into Budget	\$109,900

Management recommends that the balance of the 2009/10 expenditure cuts as shown below should be permanently deleted. The budget allocations are no longer required.

2009/10 BUDGET CUTS & SERVICE REDUCTIONS	
Items not be Re-Instated into Budget	
Councillor Ward Committee Meetings	\$2,200
General Expense Allocation Reductions	\$37,300
Heritage Advisory Services	\$5,200
Coal Association Membership Fee	\$6,700
Councillor Special Projects Allowance	\$123,600
Street Sweeping Residual Funds	\$68,500
Parks Landscaping & Mowing Residual Funds	\$41,200
Corporate Annual Report Printing Costs	\$16,000
Total - Items not to be Re-Instated into Budget	\$300,700

Remaining balance of the Projected Budget Surplus - \$51,780

It is recommended that the balance of the budget surplus \$51,780 remains uncommitted for allocation at future Quarterly Budget Reviews.

MAIN REPORT- SEPTEMBER REVIEW OF THE 2010/11 BUDGET

Further information and explanation of the increase in the projected budget surplus for 2010/11 is detailed below:

NOTE 1 – PROPOSED VARIATIONS TO BUDGET

Variations between the adoption of the 2010/11 Budget and the September Review for 2010/11 led to a projected budget surplus of \$1,380,851. A list of these variations (greater than \$10,000) is provided in the following table and brief explanations below.

SEPTEMBER REVIEW OF THE 2010/11 BUDGET PROPOSED VARIATIONS TO BUDGET	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: Increase in income is an increase in working funds	
Shortfall in income is a decrease in working funds	
1. Development - Fees & Charges Income Increase	\$645,400
2. Additional Rates Income Increase	\$161,439
3. Financial Assistance Grant Income Increase	\$152,544
4. Gundungurra Reserve Gas Lease Income Increase	\$46,050
5. Section 603 Certificate Income Increase	\$33,000
6. Health Services - Foodshop Inspections Income Increase	\$11,100
Variations under \$10,000 - Various Increases	\$15,446
Sub Total - Income Adjustments	\$1,064,979
EXPENDITURE ADJUSTMENTS	
Note: Increase in expenditure is a decrease in working funds	
Savings in expenditure is an increase in working funds	
7. Mount Annan Leisure Centre Operations Savings	\$113,846
8. Corporate Salaries - Superannuation Expense Savings	\$76,268
9. Corporate Salaries - Salary Adjustments Savings	\$38,982
10. Corporate Management - Rates Notice Printing Savings	\$27,100
11. Corporate Office Equipment Leasing Savings	\$25,833
12. Risk Management - Insurance Premium Savings	\$20,925
13. Principal & Interest Loan Repayments Savings	\$12,699
Variations under \$10,000 - Various Savings	\$219
Sub Total - Expenditure Adjustments	\$315,872
TOTAL - PROPOSED VARIATIONS TO BUDGET	\$1,380,851

1. Development Fees & Charge Income - Increase in Income of \$645,400

Development income continues to exceed budget expectations. Council has again received a number of Development Applications of high value this quarter which reflects the high development activity in the release areas of Spring Farm, Elderslie, Oran Park and Turner Road. Individual dwelling application numbers remain above expectations due to the first home owners scheme and the greater availability and hence affordability of ready-to-build residential lots in Camden. The income received from development activity in 2010/11 is anticipated to be similar to that received in the 2009/10 financial year, and as such this adjustment reflects an increase to similar revenue estimates.

2. Additional Rate Income - Increase in Income of \$161,439

Council was advised at the March Review and 2009/10 Year End Review that a number of land valuation objections had resulted in a decrease in rating income. It was also reported that Council is entitled to recover this income shortfall in the following financial year. This increase is primarily a result of recovering that revenue.

3. Financial Assistance Grant Income - Increase in Income of \$152,544

Please refer to the detailed analysis provided in Note Seven (7) to this report.

4. Gundungurra Reserve Gas Lease Income - Increase in Income of \$46,050

Council recently entered into an access and compensation agreement for the extraction of gas on Gundungurra Reserve. This additional income represents the annual licence fee payable to Council in accordance with the agreement.

5. Section 603 Certificate Income - Increase in Income of \$33,000

Income from processing Section 603 Certificate applications continues to exceed budget expectations. This increase in Section 603 certificate income now reflects a similar budget estimate to income which was received in 2009/10.

6. Foodshop Inspections Income - Increase in Income of \$11,100

The NSW Government has recently introduced a compulsory inspection regime where Council is required to inspect every foodshop premise in the LGA twice a year. This has significantly increased the income Council generates through the issue of administration fees. It should be noted that whilst there has been an increase in the number of foodshop inspections this has reduced the availability of health officers to undertake other duties.

7. Mount Annan Leisure Centre Operations - Decrease in Expense of \$113,846

Council was informed of the improvement in the financial performance of the Mount Annan Leisure Centre as part of the 2009/10 Year End Budget Result. The improved financial performance is anticipated to continue in the 2010/11 financial year. This adjustment reflects a revised budget position for operations at the centre during 2010/11.

8. Corporate Superannuation Expense - Decrease in Expense of \$76,268

Savings in superannuation expense primarily relates to the retirement or resignation of employees in the Defined Benefits Scheme. These positions have been filled by employees who are covered under the Superannuation Guarantee Scheme which is calculated at a significantly reduced rate.

9. Corporate Salaries Adjustments - Decrease in Expense of \$38,982

Council's performance management system allows for 1.5% of total salaries. This is an adjustment to the original budget to bring the allowance in line with the total salaries for 2010/11.

10. Rate Notice Printing - Decrease in Expense of \$27,100

As reported at the Year End Review of the 2009/10 budget, Council has achieved a significant budget reduction by recently changing its rate notice printing supplier. A similar reduction in expenditure is required to the 2010/11 budget.

11. Corporate Office Equipment Leasing - Decrease in Expense of \$25,833

As part of an ongoing expenditure review, Council has recently entered into a new leasing agreement for its photocopiers which has resulted in significant budget savings in the 2010/11 and future years budgets.

12. Risk Management Insurance Premiums - Decrease in Expense of \$20,925

Savings in Insurance Premiums primarily relate to a reduction in Council's Public Liability insurance premium compared to the adopted budget.

13. Principal & Interest Loan Repayments - Decrease in Expense of \$12,699

Council authorised loan borrowings of \$1.6 million for the 2009/10 financial year (22 June 2010 - ORD 134/10) at a fixed rate of 7.79%. Council's original budget forecasted a borrowing rate of 9.00%. This adjustment represents the reduction in principal and interest repayments for 2010/11.

NOTE 2 – COUNCIL AUTHORISED VARIATIONS

Council has authorised fifteen (15) budget variations since the adoption of the 2010/11 Original Budget.

COUNCIL AUTHORISED VARIATIONS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Lodges Road & Hilder Street Reconstruction	\$5,525,000	\$5,525,000	\$0
Council Minute ORD 26/10 - 09/02/2010			
Approved Special Rate Variation Rate Increase	\$1,227,400	\$1,227,400	\$0
Council Minute ORD 144/10 - 13/07/2010			
Community Infrastructure Renewal Program	\$860,400	\$860,400	\$0
Council Minute ORD 144/10 - 13/07/2010			
Financial Assistance Grant Advance Payment	\$0	(\$538,169)	\$0
Transfer from Working Funds Reserve	\$0	\$538,169	
Council Minute ORD 222/10 - 12/10/2010			
RTA REPAIR Program Road Improvements	\$524,000	\$524,000	\$0
Council Minute ORD 184/10 - 24/08/2010			
Narellan ArtyCafe Grant Funding Agreement	\$449,500	\$449,500	\$0
Council Minute ORD 302/09 - 08/12/2009			
Federal Government Infrastructure Grant (Rd 2)	\$265,000	\$265,000	\$0
Local Infrastructure Community Program (Sec 94)	\$55,000	\$55,000	\$0
Council Minute ORD 272/09 - 10/11/2009			
Waste and Sustainability Improvement Program	\$274,000	\$274,000	\$0
Council Minute ORD 185/10 - 24/08/2010			
2009/10 Budget Surplus - Staff Based Projects	\$250,000	\$250,000	\$0
Council Minute ORD 222/10 - 12/10/2010			
Lodges Rd - Infrastructure Loan Repayment	\$100,000	\$100,000	\$0
Council Minute ORD 26/10 - 09/02/2010			
Camden Swimming Pool - Dept Sport of Recreation	\$100,000	\$100,000	\$0
Council Minute ORD 26/10 - 09/02/2010			
RTA Blackspot Program Grant Funding	\$73,000	\$73,000	\$0
Council Minute ORD 167/10 - 10/08/2010			
Development Assessment Assistance	\$70,000	\$70,000	\$0
Council Minute ORD 101/10 - 25/05/2010			
RTA Traffic Facilities Block Grant Funding	\$7,800	\$7,800	\$0
Council Minute ORD 184/10 - 24/08/2010			
Library My Tutor Program Partnership	\$5,500	\$5,500	\$0
Council Minute ORD 157/10 - 27/07/2010			
TOTAL COUNCIL AUTHORISED VARIATIONS	\$9,786,600	\$9,786,600	\$0

NOTE 3 – CONTRA ADJUSTMENTS

This section deals with all offsetting adjustments between income and expenditure or a transfer of funds between allocations. These adjustments have NO impact on Council's

projected budget result as both movements of income and expenditure are of equal value.

During the period 1 July 2010 to the 30 September 2010, a number of contra adjustments have taken place amounting to a total of \$1,161,485 (an increase in both income and expenditure). For a detailed list of these adjustments, **please refer to the supporting documents in the business paper.**

NOTE 4 – EXPENDITURE REVOTES

To assist Council in framing a realistic and accurate 2011/12 Budget, Managers and Directors were encouraged to identify any programmed works/projects that will not commence or be completed by 30 June 2011. There were no revotes submitted by Managers and Directors at the September Review.

NOTE 5 – 2010/11 BUDGET DISCRETIONARY LIST

In adopting the 2010/11 Management Plan and Budget, Council endorsed the Budget Discretionary List. The Discretionary List identifies works or services that Council is unable to fund or commence at this point in time. Items are added or deleted from the list via Council reports or by Council officers as a result of Councillor or community feedback.

There were no adjustments to the Discretionary List during the period 1 July 2010 to the 30 September 2010. **A copy of the current Discretionary List has been included as an attachment to this report.**

NOTE 6 – COUNCILLOR CONSOLIDATED WARD FUNDS

To further assist Councillors in understanding the total available funds for consideration at each budget review, the following table is provided. This table is to inform Councillors of the current balance of Consolidated Ward Funds, and where funds have been spent in this financial year.

It should be noted that the balance of Consolidated Ward Funds is over and above the projected working funds surplus of \$1,380,851 as advised in this report.

CONSOLIDATED WARD FUNDS		
Total Funds Available 2010/11		\$30,000
Projects Funded in 2010/11		
Camden Churches Board of Christian Education	\$600	
Council Minute ORD 214/10 - 28/09/2010		
Total Projects Funded 2010/11		\$600
Balance of Councillor Ward Funds Available 30 September 2010		\$29,400

NOTE 7 - FINANCIAL ASSISTANCE GRANT INCOME

Financial Assistance Grants are an allocation of federal tax revenue (e.g. income taxes and GST) distributed to the various States and Territories of Australia. The Local Government Grants Commission is the State body that calculates the financial assistance payable to each Local Government Council.

Council recently received notice from the Local Government Grants Commission advising the financial assistance grant allocation for 2010/11. The entitlement to Council consists of two components:

- 1) General Purpose Component - \$1,460,580
- 2) Local Roads Component - \$772,564

A comparison of the Financial Assistance Grants paid to Council over the past five years (including the 2010/11 grant) is outlined in the following table:

	General Purpose	Local Roads	Total Grant	Increase / (Decrease)
2006/07	\$1,400,466	\$573,979	\$1,974,445	-
2007/08	\$1,375,166	\$598,762	\$1,973,928	(\$517)
2008/09	\$1,409,482	\$638,087	\$2,047,569	\$73,641
2009/10	\$1,362,835	\$670,618	\$2,033,453	(\$14,116)
2010/11	\$1,460,580	\$772,564	\$2,233,144	\$199,691

The 2010/11 allocation is a considerable improvement on previous years.

In the 2010/11 Budget, Council estimated it would receive \$2,080,600 in total financial assistance grant (a 1.0% increase on the 2009/10 General Purpose allocation and a 5.0% increase in the Local Roads allocation). The actual increase in the General Purpose allocation is 7.2% and the Local Roads allocation is 15.2%

As a result of the higher than expected increase, the 2010/11 estimate needs to be revised upwards to \$2,233,144, representing a budget increase of \$152,544.

NEW INTERNAL RESERVE - NARELLAN ARTYCAFE

The establishment of an internal reserve requires a resolution of Council. Council formally accepted grant funding for the establishment of the Narellan ArtyCafe at its meeting 08/12/2009. The funding agreement requires Council to restrict income generated from the operations for the purpose of expenditure at the ArtyCafe. The creation of this reserve will ensure that Council complies with the conditions of the funding agreement.

SUMMARY OF SEPTEMBER REVIEW ADJUSTMENTS

The following table is a summary of budget adjustments up to 30 September 2010.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2009/10 Carried Forward Working Funds Balance			\$1,000,000
2010/11 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
Total Available Working Funds 01/07/2010			\$0
2010/11 September Review Adjustments			
NOTE 1: Proposed Variations	(\$315,872)	\$1,064,979	\$1,380,851
NOTE 2: Authorised Variations	\$9,786,600	\$9,786,600	\$0
NOTE 3: Contra Adjustments	\$1,161,485	\$1,161,485	\$0
NOTE 4: Revotes (Budget Carry-Overs)	\$0	\$0	\$0
Total September Review Adjustments			\$1,380,851
TOTAL PROJECTED BUDGET SURPLUS			\$1,380,851

CAPITAL WORKS RESERVE

The uncommitted balance of the Capital Works Reserve is \$965,400. The balance does not include the sale of the Narellan Carpark or the pocket park in Somerset Avenue.

This report recommends a transfer of \$469,171 to the Capital Works Reserve which is to be committed to the repayment of the loan for the reconstruction of Lodges Road and Hilder Street.

CONCLUSION

Council's financial position continues to improve as a result of an improving economy and growth within the Camden Local Government Area (LGA).

Although the Minister for Local Government approved Council's application for a Special Rate Variation for a Community Infrastructure Renewal Program from 2010/11 this was for three years only, leaving a significant funding gap in Council's renewal program. The infrastructure renewal backlog is currently being addressed as part of the introduction of Integrated Planning and Reporting. An extensive Community Engagement Strategy has already identified that Camden residents believe that Council should place a high priority on the quality of infrastructure within the Camden LGA.

The projected budget surplus will allow Council to consider the reinstatement of some expenditure cuts made as part of adopting the 2009/10 budget. The cuts were made as part of Council's expenditure reduction program during the global financial crisis. The expenditure cuts reduced the need for a large rate increase during a difficult economic period for both business and families. The projected budget surplus will also provide Council with an opportunity to address staff shortages in areas where the demand for service is now greater than Council's capacity to deliver.

RECOMMENDED

That:

- i. Council approve the necessary budget adjustments as identified in the categories of 'Proposed Variations', 'Contra Variations' and 'Expenditure Revotes' of this report.**
- ii. Council approve the following allocation of the 2010/11 projected surplus:**

PROJECTED BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$1,380,851
Lodges Road & Hilder Street Loan Repayment	\$469,171	
Additional Staffing Requirements	\$750,000	
Budget Cuts & Service Reductions Re-Instatement	\$109,900	
Total - Funded Projects / Resources		\$1,329,071
Budget Surplus Balance After Allocation		\$51,780

iii. Council approve the balance of the projected budget surplus of \$51,780 remain uncommitted for consideration at future quarterly budget reviews.

iv. Council approve the deletion of budget items as identified within the following table:

2009/10 BUDGET CUTS & SERVICE REDUCTIONS	
Items not be Re-Instated into Budget	
Councillor Ward Committee Meetings	\$2,200
General Expense Allocation Reductions	\$37,300
Heritage Advisory Services	\$5,200
Coal Association Membership Fee	\$6,700
Councillor Special Projects Allowance	\$123,600
Street Sweeping Residual Funds	\$68,500
Parks Landscaping & Mowing Residual Funds	\$41,200
Corporate Annual Report Printing Costs	\$16,000
Total - Items not to be Re-Instated into Budget	\$300,700

iv. Council approve the creation of a Narellan ArtyCafe Operations Reserve.

ATTACHMENTS



Current Discretionary List.pdf



Budget Result Appendix.pdf

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Warren that:

i. Council approve the necessary budget adjustments as identified in the categories

of 'Proposed Variations', 'Contra Variations' and 'Expenditure Revotes' of this report.

- ii. Council approve the following allocation of the 2010/11 projected surplus:

PROJECTED BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$1,380,851
Lodges Road & Hilder Street Loan Repayment	\$469,171	
Additional Staffing Requirements	\$750,000	
Budget Cuts & Service Reductions Re-Instatement	\$109,900	
Total - Funded Projects / Resources		\$1,329,071
Budget Surplus Balance After Allocation		\$51,780

- iii. Council approve the balance of the projected budget surplus of \$51,780 remain uncommitted for consideration at future quarterly budget reviews.

- iv. Council approve the deletion of budget items as identified within the following table:

2009/10 BUDGET CUTS & SERVICE REDUCTIONS	
Items not be Re-Instated into Budget	
Councillor Ward Committee Meetings	\$2,200
General Expense Allocation Reductions	\$37,300
Heritage Advisory Services	\$5,200
Coal Association Membership Fee	\$6,700
Councillor Special Projects Allowance	\$123,600
Street Sweeping Residual Funds	\$68,500
Parks Landscaping & Mowing Residual Funds	\$41,200
Corporate Annual Report Printing Costs	\$16,000
Total - Items not to be Re-Instated into Budget	\$300,700

- iv. Council approve the creation of a Narellan ArtyCafe Operations Reserve.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD265/10

ORDINARY COUNCIL

ORD11

SUBJECT: POSITIVE AGEING GRANT PROGRAM
FROM: Director Works and Services
FILE NO:

PURPOSE OF REPORT

To seek Council acceptance of grant funding of \$5,000 (excl. GST) from the Department of Ageing, Disability and Home Care to develop a community garden for caravan park residents (Poplar and Four Lanterns Caravan Parks) at the Camden Town Farm.

BACKGROUND

In order to build community capacity amongst minority groups in the area, Council applied for funding under the 2010/2011 Positive Ageing Grants Program for a community garden at Camden Town Farm for older residents residing in caravan parks in the Camden LGA.

Research indicates that approximately 90% of all permanent residents at both Poplar and Four Lanterns Caravan Parks were classified as older persons and are also reported as having a low disposable income.

Therefore, it was felt that this project would be of benefit to these residents by maximising opportunities for older people to remain active, socially connected and engaged in the community.

MAIN REPORT

On 7 October 2010, Council received notification from the NSW Government that it will receive \$5,000 (excl. GST) for the '*Community Garden Project for Seniors*'.

The community garden to be located at the Camden Town Farm site on Exeter Street, Camden will engage up to 120 senior tenants of Caravan Parks located within the Camden LGA. Council has already received in-principle support from both Four Lanterns Caravan Park and Poplar Caravan Park for this project.

The community garden will be one of many positive initiatives that will strengthen the community and contribute to an aged-friendly culture in Camden LGA. It is also hoped the project will create a sense of identity as well as engendering the concept of volunteering as something that is beneficial to the community. Volunteers will be sourced from the Men's Shed and other local service clubs within our community to prepare the site for the garden. Funds can be utilised for either direct investment in the garden or services to facilitate participation at the gardens (such as transport, etc).

The project also aligns with the NSW whole of Government's ageing strategy *towards 2030: planning for our changing population* as well as Camden's Community Strategic Plan, *Camden 2040*.

CONCLUSION

The grant funding of \$5,000 (excl. GST) will assist to establish a community garden for caravan park residents at the Camden Town Farm and will assist these residents to remain engaged and valued in the wider Camden community.

RECOMMENDED

That Council:

- i. accepts funding from Department of Ageing Disability and Homecare;**
- ii. agrees to execute documents and to affix the Council seal as necessary to secure the grant; and**
- iii. the 2010/11 budget be adjusted to reflect this funding.**

RESOLUTION

Moved Councillor Warren, Seconded Councillor Anderson that Council:

- i. accepts funding from Department of Ageing Disability and Homecare;
- ii. agrees to execute documents and to affix the Council seal as necessary to secure the grant; and
- iii. the 2010/11 budget be adjusted to reflect this funding.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD266/10

ORDINARY COUNCIL

ORD12

SUBJECT: FESTIVALS AUSTRALIA PROGRAM
FROM: Director Works and Services
FILE NO:

PURPOSE OF REPORT

To seek Council acceptance of a grant of \$7,900 (excl. GST) from Festivals Australia towards the cost of the project '*Chinese Lion Dancing*' at the Narellan Rhythms Festival.

BACKGROUND

Council applied for funding under Round 30 of the Festival Australia Program for a *Chinese Lion Dance* project.

One of the key goals of the project is to provide a demonstration of Chinese culture at the Narellan Rhythms Festival in October 2011.

MAIN REPORT

On 26 October 2010, Council received notification from Festivals Australia that Council will receive \$7,900 (excl. GST) for the '*Chinese Lion Dancing*' Project.

This project will engage the children of isolated Chinese market gardeners in drumming, costume and dance workshops. The workshops will result in a spectacular festival performance and the beginnings of a local Chinese dance troupe.

The special needs community with whom this project will work are the children of Chinese market gardeners who attend Leppington Public School. Leppington is a relatively isolated rural/semi-rural community with limited public transport and few community services. The area is part of the South West Sydney Growth Centre and is earmarked for future urban development. The area is also characterised by a lower than average socio-economic status with a large proportion of Chinese market gardeners.

Chinese market gardeners have worked and lived in the Leppington area of Camden LGA for many years. They are now at risk of being displaced due to new land releases and building development. Through this project, this community group will be provided with additional information on the availability and accessing of much needed support systems in the LGA.

It will also provide an opportunity for students of Leppington Public School to come together to learn more about their cultural heritage, develop a performance artwork and to learn important social skills.

The project will be showcased at the 2011 Narellan Rhythms Festival with a demonstration of Chinese culture and will help bridge the gap between the Leppington market-gardening community and local service providers.

CONCLUSION

This funding will assist people the Leppington area become a more integral part of the LGA by engaging the children of isolated Chinese market gardeners in drumming, costume and dance workshops. The workshops will result in a spectacular festival performance at the 2011 Narellan Rhythms Festival and the beginnings of a local Chinese dance troupe.

RECOMMENDED

That Council:

- i. accepts the grant of \$7,900 (excl. GST) from Festivals Australia for the Chinese Lion Dance Project;**
- ii. agrees to execute documents and to affix the Council seal as necessary to secure the grant; and**
- iii. the 2010/11 and 2011/12 budget be adjusted to reflect this funding.**

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Dewbery that Council:

- i. accepts the grant of \$7,900 (excl. GST) from Festivals Australia for the Chinese Lion Dance Project;
- ii. agrees to execute documents and to affix the Council seal as necessary to secure the grant; and
- iii. the 2010/11 and 2011/12 budget be adjusted to reflect this funding.

THE MOTION ON BEING PUT WAS **CARRIED**.

THE MEETING CLOSED AT 7.15PM.

ORD267/10

**THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23
NOVEMBER 2010 WERE ADOPTED AT AN ORDINARY COUNCIL MEETING
HELD 14 DECEMBER 2010. MIN. NO. ORD 270/10**

A handwritten signature in black ink, consisting of several fluid, connected strokes, positioned above the title 'CHAIRPERSON'.

CHAIRPERSON