



Camden Council

Business Paper

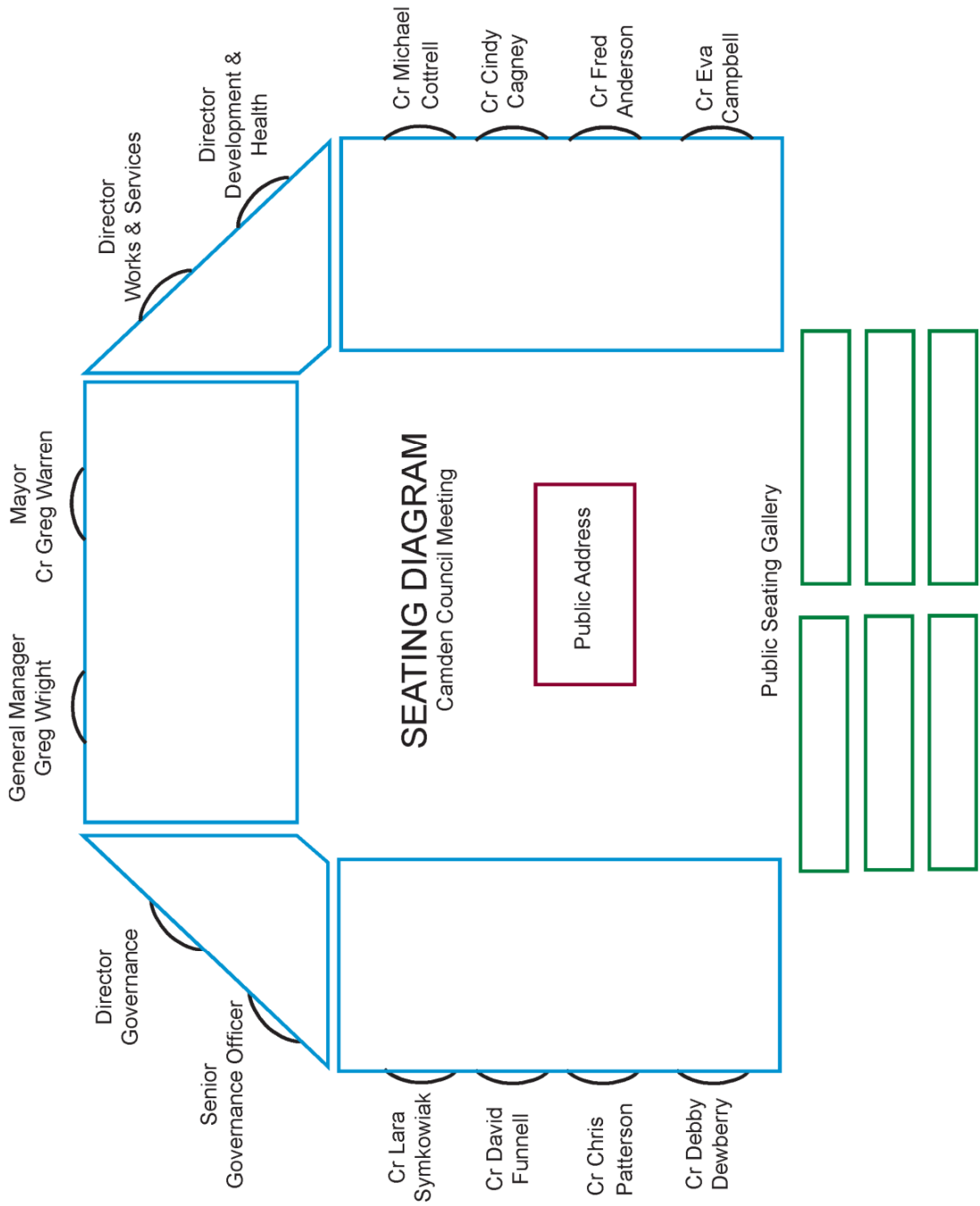
Ordinary Council Meeting
26 July 2011

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

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



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Public Address

Public Seating Gallery



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

Public Addresses are 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.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 12 July 2011, and the Local Traffic Committee Meeting held 19 July 2011.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 12 July 2011, and the Local Traffic Committee Meeting held 19 July 2011, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

ORD01

SUBJECT: ANCILLARY STRUCTURES, EMBELLISHMENT AND MAINTENANCE WORKS WITHIN THE NARELLAN CEMETERY AT NO 6 (LOT 4, DP 737284) RICHARDSON ROAD, NARELLAN
FROM: Director Development & Health
BINDER: Development Applications 2010

DA NO: 1203/2010
OWNER: The Lebanese Moslem Association
APPLICANT: Paul Davies Pty Ltd
ZONING: SP1 Special Activities - Camden Local Environmental Plan 2010

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination for a Development Application (DA) for the purpose of ancillary structures, embellishment and maintenance works within the Narellan Cemetery at No 6 Richardson Road, Narellan. The application is referred to Council in accordance with its delegations as there remain unresolved objections to the proposal.

SUMMARY OF RECOMMENDATION

It is recommended that the DA be approved subject to the draft development consent conditions attached to this report.

BACKGROUND

In 2003 Council engaged consultants Design 5 to undertake studies of the heritage values of the different land uses within the precinct at the corner of Camden Valley Way and Richardson Road, Narellan. At the time the precinct included the cemetery, chapel and school. The chapel and cemetery have now become listed as separate heritage items. Camden Development Control Plan 2011 also provides relevant controls to promote heritage conservation of the sites.

In 2009 a DA was lodged for essentially the same development as the subject application. This was subsequently withdrawn because the applicant could not submit additional information within a reasonable time period.

Between the first and second (current) application being lodged, the applicant met with the community group Friends of Narellan Cemetery. As a result the plans had been revised taking into account some of the concerns Council and the community have with the first application.

The current DA was relodged in October 2010 with only part of the original information which had been requested. Since then the applicant has provided the necessary information and the application has been assessed. The application is now able to be referred to Council for determination.

THE SITE

The subject site is described as No 6 Richardson Road (Lot 4, DP 737284), Narellan and is approximately 1.036ha in area. The site falls from the northwest to the southeast towards the unformed road known as Elyard Street.

Apart from the existing burial plots, the site is currently occupied by a scatter of tree cover ranging from mature eucalypts to areas of recent regrowth. In addition there is a large amount of invasive plantings, particularly along the rear boundary and in a number of the grave sites. The site is also occupied by remnant Cumberland Plain Woodland which is predominately located towards the southwest and southeast of the property. In addition, degraded *Pimelea Spicata* (a threatened tree species) and the Cumberland Plain Large Land Snail are also located within this area.

There is a brick and metal fence on the Richardson Road boundary. A remnant timber post and rail fence is located on the unformed Elyard Street southeast site boundary.

The surrounding land uses include NSW Rural Fire Service facility, Hope Christian School and existing residential dwellings. The St Thomas' Chapel is located to the northwest of the site. **A location plan is provided at the end of this report.**

THE PROPOSAL

The proposal seeks Development Consent for the following development:

- construction of a compound to accommodate earth moving and maintenance equipment. Within the compound there will be a small lockable shipping container for items required for the operation of the cemetery. The size of the compound will be 10m (w) x 17m (l) x 2.4m (h).

It will be constructed of various materials including timber paling fencing with a steel frame gate. It will be further secured by two strands of barbed wire at the top of the fence which will sit above the frame at a maximum height of 450mm. It is intended that this compound will remain until such time that the cemetery is fully utilised;

- construction of an amenities building to accommodate two toilets and hand washing basins. This structure will be 6m (w) x 6m (l) x 5.5m (h). The structure will be constructed from a combination of bagged and painted concrete block walls with open mesh security screen doors in steel frames. The roof will be constructed from a natural finish custom orb roof cladding. The amenities building will be serviced by a septic tank (subject to separate approval) as the site is currently not connected to sewer.

The applicant has advised that the amenities buildings will be used for those attending burials and the facility will be secured and not open for public use;

- relocation of the existing brick gate and fence from the centre of the front boundary to the most northern corner of the front boundary;
- construction of a perimeter fence which is made up of timber posts and stretched horizontal wire;
- construction of stabilised gravel and porous pavers for access pathways around the future grave sites (which themselves do not require development consent but are referenced in this report to provide context for the proposed works the subject of this application); and

tree removal in accordance with the **proposed Tree Removal Plan (page 3 of the proposed plans) provided at the end of this report.**

As a result of the above development, two existing burial sites will be relocated in accordance with state guidelines. The applicant has advised that the purpose of this is:

- to allow new sites to expand in a logical and orderly manner, including new orientation of the plots which were previously north/south but will now be to the east/west; and
- to ensure the older graves are located within the vicinity of other early graves rather than have them in isolation and surrounded by graves that do not provide a relative context for them.

The applicant has stated that these works do not require development consent, however Council Officers believe that the heritage values of the site require that proper consideration of the impact on heritage items occurs. This issue is assessed further in the "Camden Local Environmental Plan 2010" section of this report. **A copy of the proposed plans is provided at the end of this report.**

NOTIFICATION

The application was notified for a period of 14 days in November 2010 in accordance with Camden Development Control Plan 2006. Notification letters were posted to properties within the vicinity of the site as well as two local action groups. Eight submissions were received with the issues raised being addressed in the "Any Submissions" section of this report. **A copy of the submissions is provided with the Business Paper supporting documents.**

PLANNING CONTROLS

The following are relevant planning controls that have been considered in the assessment of this application:

- Deemed State Environmental Planning Policy No 20: Hawkesbury/Nepean River
- Camden Local Environmental Plan 2010
- Camden Development Control Plan 2006
- Camden Development Control Plan 2011.

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

Deemed State Environmental Planning Policy No 20: Hawkesbury/Nepean River

The overall aim of this Plan is to protect the function of the Hawkesbury/Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. It is therefore considered that the aims and objectives of this Policy will not be prejudiced by this development and that there will be no detrimental impacts upon the Hawkesbury/Nepean River system.

Camden Local Environmental Plan 2010

The land is zoned SP1 Special Activities. The use of the land remains a cemetery. The works proposed are ancillary to the operation of a cemetery and, under the land use table of the above zone, this is permitted by virtue of the words "including any development that is ordinarily incidental or ancillary to development for that purpose" which are stated in the "Permitted with consent" section of this zone's land use table.

It is also considered that the development is consistent with the relevant objective of this zone in that it facilitates "development that is in keeping with...the intended special use (of the site)" and that it "minimises any adverse impacts on surrounding land."

The following LEP clauses are relevant to this development:

Clause 5.9 - Preservation of trees or vegetation

Under this clause tree removal requires development consent and the heritage provisions of clause 5.10 Heritage Conservation will be applicable to any such considerations (refer to the proposed Tree Removal Plan on the landscape plans provided).

The applicant states that this will be carried out in stages and as an offset, additional complementary landscaping throughout the site will be provided. To ensure the complementary landscaping enhances the area it is proposed that:

- the entire complementary landscaping works will be completed prior to the first stage (as shown on the plans provided) being taken up by burial plots;
- the scatter of trees located toward the rear of the site within Stage Two (as shown on the plans provided), and delineated as an outline of trees, are to be removed only at the time that this area of land is required for burial sites. In this way, the trees will remain in place for as long as possible.

It is considered that these two strategies will provide enough time to allow the complementary landscaping to appropriately mature which ultimately aims to sustain the existing character of the area.

Clause 5.10 Heritage Conservation

Under clause 5.10 of LEP 2010, consent is not required for new graves or specific maintenance works. Development consent is required however for the proposed new structures, new landscaping, tree removal and the conservation work of the existing historic fabric of the cemetery.

Clause 5.10 requires that the impact of the proposed work on the heritage significance of the cemetery must be considered as part of the assessment.

As part of the DA, a Statement of Environment Effects (SEE) was submitted which incorporates a Heritage Impact Statement. It is considered that the proposed works are not likely to negatively impact the heritage significance of the site.

In summary the SEE outlines that:

- a. the continued use of the historic cemetery for on going burials is the most appropriate use in terms of heritage as it ensures that the place is cared for and has a viable use.
- b. whilst the layout of the new burials (which does not require development consent) will have a different pattern from the historic graves, it will not impact on the heritage significance of the cemetery. It will clearly mark the old from the new and reflect a new era of use;
- c. the cemetery is typical of many cemeteries that include multi-denominational burials, and did so before it was consecrated as an Anglican cemetery in 1879. Anglican or any other faith burial will continue to be possible in the cemetery;
- d. new associated works such as paths, landscaping, fencing and structures have the potential to impact on the heritage significance unless carefully controlled. In this regard, the following features of the development are noteworthy:
 - the use of compatible materials and colours.
 - the location of the storage compound and toilet structure at the southern corner of the site, are well removed from the bulk of the historic grave stones and residential properties.
 - paths of stabilised gravel/earth and porous pavers retain the rural form of Elyard Street (along the site's southeast boundary) and would ensure the semi-rural setting is not altered.
 - mature trees are retained, including the historic Cypress Pine and new graves are located at a distance to not impact on these trees.
 - regrowth plants that have self-generated through the cemetery will be removed and replaced with compensatory Cumberland Plain Woodland species along the western boundary, and in groups along Richardson Road and Elyard Street;
 - landscaping with grasses that are not mowed will allow the endangered species (Pimelea Spicata plant species and the Threatened Cumberland Plain Land Snail) to be retained and regenerate. This will maintain the open semi-rural character, while not obstructing views and surveillance;
 - rural post and wire boundary fencing will be used.
- e. it is intended to divide access to the historic graves and the new graves by two entry points. Including a new entry at Elyard Street (southern boundary) and the relocation of the existing Richardson Road gates to the northern end of the site. The gates have been moved before and were originally closer to the school;
- f. a better balance has been achieved in the revised plans (since its original lodgement in 2009) between the efficient use of the site, conserving its heritage significance and semi-rural character and providing an appropriate buffer to surrounding uses; and
- g. ongoing maintenance and active use of the cemetery is fundamental to ensuring it does not fall into neglect. Maintenance will be to all sections of the cemetery.

(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

There is no draft Environmental Planning Instruments applicable to this site or development.

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

Camden Development Control Plan 2011 (the DCP) came into force on 16 February 2011 and the subject DA was lodged on 19 January 2011.

The DCP states that *"it applies from the date of commencement. However, development applications lodged prior to the commencement date (ie. 16 February 2011) may be assessed under the provisions of the Camden Development Control Plan 2006 (Camden DCP 2006)"*.

Unlike strict savings and transitional provisions for new Environmental Planning Instruments, such provision for DCPs can be at the discretion of each Council and is principally based on what the DCP advocates.

In this instance, considerations will be made to the DCP and a general discussion on any different/relevant controls contained within the now superseded Camden DCP 2006 will be provided as well. This approach is considered the most acceptable and thorough. Should the applicant withdraw and again lodge the same application today, then the 2011 DCP only, would apply.

Camden Development Control Plan 2006

Part G, Chapter 22: Narellan

The desired future character statement within Clause 6.5 is relevant and assessed below:

- a. *Any future development will be limited to the land in east and southeast of the church group and must ensure the physical reconnection of the cemetery with the church buildings by way of pathways, roads or open parklands.*

Officer comment:

The St Thomas precinct character statement derives from a study undertaken by an external consultant. That study contemplated different uses on the basis that the area remains predominantly under the same ownership/management. However given the study was undertaken in 2003, this place statement is somewhat dated given the existing land uses around the precinct have separate ownership and are somewhat different in nature from the original land use (the study contemplates the now Hope Christian School would be used for residential accommodation that could factor in a footway between the chapel and cemetery).

- b. *The cemetery shall retain its rural character and heritage significance. Opportunity may exist for minor facilities associated with the ongoing use and conservation of the cemetery in accordance with an approved Conservation Management Plan. Any development on the cemetery site shall facilitate the retention and conservation of significant vegetation and be integrated with the Cumberland Plain Woodland and Pimelea Spicata area of the Camden Golf Course also known as "Parrott Farm."*

Officer comment:

Council records indicate that the site may contain endangered communities of Pimelea Spicata, Cumberland Plain Woodland and the Cumberland Land Snail. A Fauna and Flora Assessment was submitted and it concluded that the proposed development will not significantly impact on these threatened species and Endangered Ecological Communities and therefore a Species Impact Statement was not required.

Camden Development Control Plan 2011

Part B3.1.4 St Thomas Chapel, Narellan – View Corridors

The relevant controls within this section are:

Control 1 - St Thomas Chapel, the School church, Narellan Hotel, the cemetery and associated significant elements, including the open space and the semi-rural setting shall be retained and conserved as outlined in 'St Thomas' Anglican Church and School Church, Narellan – Conservation Plan by Paul Davies Pty Ltd (CMP).

Officer comment:

Based on the above heritage assessment, it is considered that the works within the subject application is fundamental to ensuring the cemetery does not fall into neglect and will continue to achieve the semi-rural setting.

Control 6 - The cemetery shall continue to be used as a cemetery and shall retain its semi-rural character and heritage significance in accordance with the CMP.

Officer comment:

The ongoing maintenance and active use of the cemetery aims to achieve and protect the semi-rural character and heritage significance.

Control 8 - All other relevant general heritage provisions of subsection B3.1.1 must be complied with.

Officer comment:

This section deals with controls mostly associated with building construction work and has minimal relevance to the DA. Notwithstanding, the considerations of conservation and compatibility have been assessed and are discussed elsewhere in this report.

(1)(a)(iia) 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 applicable to this development.

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

Impact on unmarked graves

Existing cemetery records and changes in the ground surface may indicate the presence of unmarked graves. It was originally intended to undertake radar sampling but it is understood that this is not reliable and will not be used.

The applicant has stated that the most reliable way to determine the presence of unmarked graves is by scraping the surface to remove grass and top soil and to visually inspect the area for changes in soil. The applicant has requested that test scrapes be deferred until they are needed allowing sufficient time between the test scrape and the burial for the statutory process to be followed should an unmarked grave be discovered.

It is considered that this approach is satisfactory for Stages 2 and 3 and the areas of the reserved plots and separate plots.

With regard to Stage 1, being used now for new burials, the consultant states that:

- the ground surface in the unoccupied areas of the site is very consistent, very hard and provides little physical indication of disturbance;
- the existing burial plan map indicates that the southern corner (Stages 2 and 3) is the most likely place for unmarked graves to be found since there is some take up of the area already; and
- none of the above means that there is no potential to find an unmarked grave. However if one is discovered, there is a statutory process required under the NSW Heritage Branch and NSW Health.

On this basis soil scrapes are not considered necessary for Stage 1.

Notwithstanding, in all areas other than Stage 1, should a grave be suspected by the soil scrape, an archaeologist must investigate the presence of a grave. The relocation of the graves and any other discovery of unmarked human remains during works must be carried out in accordance with the statutory requirements of the NSW Heritage Branch and NSW Health.

This requirement is recommended as a draft development consent condition.

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

The use of the land will remain as a cemetery. The proposed works are fundamental to not only maintaining the heritage value of the site, but also providing opportunities to allow the cemetery to be used safely. Consequently the site is considered to be suitable for the proposed development.

(1)(d) Any submissions

As mentioned previously, the application was notified and a total of eight objections were received. The concerns raised are summarised below with an Officer comment.

a. Objection to relocating existing grave sites

Officer comment:

At the time that the application was initially publicly notified it was intended to relocate five burial plots. The applicant has since reduced this to two plots and of the three that are now to remain in the original positions; one is the direct decedent of one of the submitters.

It is intended to relocate the other two sites to allow the new sites to expand in a logical order and to ensure the older graves are located within context of the other earlier graves.

b. Objection to the relocation of existing front gate

Officer comment:

The objection primarily relates to the difficulty and inadequacy of accessing the site from the new location of the gate.

It should be noted the current gate location presents some access difficulties.

It is intended that the relocation of the gates provides a separate access point to the Anglican section and provides an interpretive heritage signage element when entering the cemetery. It is understood that this was discussed at the community group meeting.

It should be noted that the original location of the gate is on the boundary between the school and cemetery and was relocated by the previous cemetery owners, and at the time that the connection between the church and cemetery was no longer required.

c. Objection to the removal of vehicle access to the Anglican section

Officer comment:

This access point was an informal earth path which over time has allowed vehicles to drive onto the site of the cemetery and up to the existing graves. If the path was open to all vehicles, the potential soil erosion could result in environmental impacts and create unsafe areas should the land continue to subside.

d. Objection to the amount of vegetation being removed and impact on threatened Flora and Fauna and failure to consider the Threatened Species Assessment Guidelines – The Assessment of Significance

Officer comment: The first point has been addressed under the sections of the LEP and DCP considerations within this report.

With respect to the failure to consider the Threatened Species Assessment Guidelines – The Assessment of Significance, Council has undertaken a thorough assessment in accordance with the Guidelines and concluded that there is little impact on those species given their limited availability on the site or the level of maturity on the site.

e. Failure to properly establish ground investigations to search for unmarked graves

Officer comment:

It is understood that the applicant engaged in community consultation prior to the second application being lodged, and at that meeting discussions took place for opportunities to use ground-testing radar equipment to locate unmarked grave sites. However subsequent to this, the applicant sought professional advice on the most reliable way to determine the presence of unmarked graves.

It was established that scraping the surface of the land to remove the top soil and to visually inspect the area for changes in the soil would be the most effective way. As noted above, this method would be incorporated within the draft development consent conditions.

f. Lack of signage

Officer comment:

The developer does not intend to erect signs as this may detract from the 'rural character' of the area. It is recommended that only a small sign be placed within the property and near the relocated gates that directs visitors to multi-denomination and/or Anglican sections.

g. Lack of maintenance schedule

Officer comment:

At the time the application was being publicly exhibited, the applicant had not prepared a maintenance schedule. During the assessment process the applicant agreed to provide two sets of schedule of works. They include:

- (a) a schedule of works for maintenance and urgent works that includes general, ongoing routine maintenance including grass mowing, fence repair, urgent stabilisation of headstones and graves in danger of collapse and removal of invasive weeds; and
- (b) a long term grave conservation work and maintenance schedule. This will provide a schedule of works that are more frequent than annual.

The requirement for each schedule forms part of a recommended development consent condition. Schedule (a) will be required prior to any works commencing on the site while schedule (b) would be required as a separate Development Application and no later than 12 months from the date of the issue of any development consent.

(1)(e) The public interest

The fundamental aspect with respect to the public interest and the subject Development Application extends to the protection of the heritage values of the site and ongoing active use of cemetery.

It is considered that the heritage values are maintained through the proposed remedial works and that the ongoing use of the cemetery will be assured.

The information provided by the applicant, the valuable submissions received during the notification process, and the methods with which the issues raised will be addressed will ensure the public interest is not adversely affected should this Development Application be approved.

CONCLUSION

Council has received a Development Application for the purpose of ancillary structures, embellishment and maintenance works within the Narellan Cemetery.

The application was publicly exhibited and as a result eight submissions were received. The issues raised in these submissions have been assessed in the "Any Submissions" section of this report.

The site is a heritage item within Camden Local Environmental Plan 2011. The works have been assessed against the significance of the site and as a result, the works are not expected to have significant impacts upon the heritage value of the site, subject to compliance with the recommended draft development consent conditions.

On this basis it is recommended that this DA be approved subject to the draft development consent conditions shown below.

DRAFT CONDITIONS OF CONSENT

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:
 - a) Staging Plan; Drawing No A03; Issue B; dated May 2010.
 - b) Landscape Approach; Drawing No A04; Issue B; dated May 2010.
 - c) Compound Layout; drawing DWG and Fence Details; drawing DWG 08; dated November 2009.
 - d) Amenities Building Plans and Elevations; drawing DWG 06; dated November 2009.

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 Conditions of Consent, the Conditions of Consent take precedence to the extent of the inconsistency.

Amendments or modification of the approved development require the written 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) **Vegetation Management Plan – Prior to any works commencing for works subject to this Development Application** a Vegetation Management Plan (VMP) shall be produced and shall include the long term work requirements in accordance with Point 7 Ameliorative Conditions and Recommendations listed within the Flora and Fauna Impact Assessment for New Facilities and Landscaping at Narellan Cemetery produced by GIS Environmental Consultants; dated September 2010; except as amended:
 - a) Dot point 3 shall require separate development approval prior to any translocating occurring.
 - b) Dot point 6 shall be amended to include the replacement of logs to colour treated, unobtrusive metal posts that are at the same height.
 - c) A section that includes weed eradication controls as per the requirements of the *Noxious Weeds Act 1993*. This section shall state that the land owner must ensure that at all times any machinery, vehicles or other equipment entering or leaving the site must be cleaned and free from any noxious weed material, to prevent the spread of noxious weeds to or from the property; and that this work shall only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

The VMP shall be implemented and adhered to in perpetuity. Any amendments to the VMP shall be approved by Council.

- 4) **Tree Removal** – Tree removal shall be in accordance with the following;
 - a) Consent is granted for the removal of 82 trees as indicated on the drawing titled Landscape Approach; Project No: 3-020; dated May 2010.

- b) The tree removal shall occur in accordance with the stages as per the Staged Development Plans illustrated on the approved Staging Plan within Condition 1.1.a except for the density of trees located within Stage 2. These trees are to be removed only at the time that this area is required for burials. The trees encroaching onto the building footprint of the compound shall only be removed prior to this stage.
 - c) Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility.
 - d) All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree removal works.
- 5) **Site Landscaping** – The landscaping of the site shall be in accordance with the approved Landscape Plan; Drawing: Landscape Approach; Drawing No. A04; Issue B; dated May 2010 with the following amendments:
- a) at the *school boundary screen planting* remove from list the *Melaleuca decora* and *Acacia decurrens* and replace with *Acacia implexa*,
 - b) within the *new woodland areas* remove from list *Eucalyptus fibrosa* and *Acacia decurrens* and replace with *Eucalyptus crebra* and *Acacia implexa*.

All landscaping shall occur prior to the commencement of any works subject to the development application.

- 6) **Landscaping Maintenance and Establishment Period** - The Applicant will have the maintenance responsibility for all landscaping works associated with this Consent. The Applicant will also be responsible to ensure the landscaping works are successfully established during this 12 month period.

The Date of Practical Completion (DPC) is taken to mean completion of all soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

The DPC will be that date when the Applicant and the Principal Certifying Authority (PCA) agree that the landscaping works have been satisfactorily completed.

It is the applicant's responsibility to arrange a site inspection with the PCA, upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the landscaping maintenance and establishment period, all areas of lawn and plantings must have signs of healthy and vigorous growth

At the completion of the maintenance and establishment period, the landscaping works must comply with the approved Landscaping Plans.

At the completion of the establishment period, the applicant will have ongoing responsibility for the landscaping.

- 7) **Approvals from Other Authorities** – It is the applicant's responsibility to acquire all other necessary approvals/permits from all other approval authorities as required.
- 8) **Potential Archaeological Site Monitoring** - In the event that any potential archaeological relics are encountered during excavation, it is the applicant's responsibility to ensure that all ground disturbances in the area of the find ceases

and that relevant authorities are contacted immediately to determine an appropriate course of action.

- 9) **No Filling** – The importation of any fill is strictly not to occur on the site.
- 10) **Waste Water Approval** - Prior to the toilet block being constructed, an Application to Install, Construct, Alter a Sewage Management System under Section 68 of the *Local Government Act 1993* shall be submitted to Council and approved. The application shall be supported by all such documents as detailed in Camden Council's Sewage Management Strategy.
- 11) **Colour of Toilet Block** - The external colour of the walls of the toilet block shall be Dulux "Linseed", with "Bedbox" trim or equivalent and dark grey colour bond roof, or the like, to blend in with the area.
- 12) **Use of Toilet Block** – The use of the toilet block is strictly limited to when the Site Manager is present at the site. The toilet block shall be locked during all other times.
- 13) **Fencing** - The remnant post and wire fencing adjacent to Elyard Street must be retained. This shall be included on the Construction Certificate plans.
- 14) **Signage** – A small directional sign shall be erected within the property at the entry gate adjacent to Hope Christian School that indicates entry to the Anglican and other denomination section. The sign must blend in with the rural character and must be of earthy materials and colours. No other signage is to be erected without the consent of Council.
- 15) **Ground Investigation for Unmarked Graves** - Test scrapes to locate possible unmarked graves in the cemetery must be carried out and the results submitted to Council before the commencement of works for the following:
 - a) in Stages 2 and 3 and prior to any burials occurring in this stage,
 - b) in the areas of the cemetery marked on the plans as "Reserved Plots" and "Separate Plots" and prior to any burials occurring in this stage; and
 - c) on the sites where relocated graves are to be moved to.

Should unmarked graves be found, the requirements of NSW Heritage Branch and NSW Health must be satisfied.

- 16) **Exhumation of Body** – An application for approval to exhume the remains of the body must be made to the Director-General of NSW Department of Health. A copy of this approval must be submitted to Council prior to the exhumation taking place and Council shall be notified no less than 24 hours prior to the exhumation occurring.

Note: A person shall not proceed with the exhumation unless an officer of the NSW Health or an Environmental Health Officer, approved by NSW Health, is present at the exhumation.

- 17) **Schedule of Works for Long Term Conservation Works** - A separate Development Application, Schedule of Conservation Works and a Heritage Impact Statement is required for all long term conservation works for the existing historic fabric of the cemetery. The schedule shall provide for works for each 10 years, annual work and works required that are more frequent than annual.

This Development Application shall be lodged no later than six months from the date of this consent.

- 18) **Entry Gate** - The relocation of the entry gate and plaques on the Richardson Road boundary must be carefully done so as not to cause damage to the fabric of the gate. The area that the fence was located must be reinstated with the same fence type on either side.
- 19) **Access for People with Disabilities** - Access for people with disabilities shall be provided in accordance with the requirements of Part D3 of the *Building Code of Australia*. **Prior to the issue of a Construction Certificate**, the plans shall be amended to reflect the above.
- 20) **Removal of compound** – The removal of the maintenance compound shall occur at Stage 3 of the Staging Plan. All materials must be suitably disposed of.
- 21) **NSW Health** – All works approved by this consent must consider the requirements contained within the letter by Sydney South West Area Health Service dated 22 January 2010.

2.0 - Construction Certificate Requirements

The following Conditions of Consent shall be complied with prior to the issue of a Construction Certificate.

- 1) **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.
- 2) **Schedule of Conservation Works for Maintenance and Urgent Work - Prior to the issue of a Construction Certificate** a 'Schedule of Works for Maintenance and Urgent Work' for the cemetery is to be prepared and submitted to Council that includes the following:
 - a) A section that deals with the type, frequency and method of the maintenance work required on the site. Such works shall include, but not be limited to:
 - i) weed eradication works within and around graves,
 - ii) minor pruning of tree branches that are unsafe or are likely to cause damage to graves,
 - iii) mowing regime. The schedule must state that edging machines or grass cutters will not be used to trim around historic graves,
 - iv) landscape establishment and maintenance regime for new plantings,
 - v) fencing maintenance work,
 - vi) these shall include best practice methods to maintain but ensure minimal intervention to historic fabric,
 - vii) urgent works where the historic fabric of the old graves are in danger of damage. Such works shall include headstones and grave surrounds that are at risk of falling, collapse or which are loose and capable of being vandalised will be refixed, secured and made safe. This shall include best practice methods prepared by a Heritage Consultant to stabilise and ensure minimal intervention to historic fabric.

- 3) **Amendments to Approved Plans** - The amendments indicated and described below must be incorporated in the overall development and must be reflected in any plans prepared for the purpose of obtaining a Construction Certificate:
- a) Amend all plans to indicate stabilised gravel and porous pavers for access pathways and not exposed aggregate concrete paving as indicated on the landscape plans.
- 4) **Civil Engineering Plans** - Indicating drainage, earthworks, pavement design and details of traffic management must be prepared strictly in accordance with Camden Council's Development Control Plan 2011 (except as varied in the approved plans) and Engineering Specifications and are to be submitted for approval to the Principal Certifying Authority **prior to the Engineering Construction Certificate being issued.**

Please note that:

- under the *Roads Act 1993*, only the Council can issue a Construction Certificate for works within an existing road reserve;
 - under section 109E of the *Environmental Planning and Assessment Act 1997*, Council must be nominated as the Principal Certifying Authority for subdivision work and has the option of undertaking inspection of physical construction works.
- 5) **Drainage Design** - A Stormwater Management Plan is to be prepared prior to the issue of a Construction Certificate to ensure that the final stormwater flow rate off the site is no greater than the maximum flow rate currently leaving the development site for all storm events. This Plan must be submitted and approved by the Principal Certifying Authority. Such designs must cater for future developments of land adjoining the site and overland flow from adjoining properties.

Note: the Stormwater Management strategy may be incorporated with the landscape design.

- 6) **Performance Bond - Prior to the issue of the Construction Certificate** - a performance bond of \$3000 must be lodged with Camden Council. Should any of Council's property sustain damage or the development place the environment or public at risk, Council will perform any works necessary on behalf of the applicant to rectify these works. This bond will be released once all works have been completed to the satisfaction of Council. The applicant must be 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 and Charges, an administration fee for processing of bonds in the form of cash 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.

- 7) **Construction Standards** - All civil engineering work associated with the development must be carried out strictly in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications for roadworks, drainage and other works associated with subdivisions and other developments.

- 8) **Civil Engineering Details** - The developer must submit details of all engineering works on Engineering Plans to the Certifying Authority for approval prior to a Construction Certificate being issued.

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) **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.
- 3) **Stabilised Access Point** - A Stabilised Access Point (SAP) incorporating a truck shaker must be installed and maintained at the construction ingress/egress location 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 of the site must be limited to this single access point. Council's standard details as per SD31 shall be used for construction which is to be approved in Elyard Street.

4.0 - During Construction

The following Conditions of Consent shall be complied with during the construction phase of the development.

- 1) **Storing of Material During Construction Period** - There is to be no storage of materials (i.e. building materials) or spoil on public land adjoining this property.
- 2) **Hours of Work for maintenance and Embellishment Work** – The hours for all construction work are restricted to between:
 - (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm, Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays are prohibited.
- 3) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site.

Soil erosion and sediment control measures must be maintained during construction works and must only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or revegetation).

- 4) **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 7.00am - 6.00pm, Monday to Friday, and between 8.00am - 4.00pm 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.
 - Builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - Waste must not be burnt or buried on site, nor should wind blown rubbish be allowed to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - A waste control container shall be located on the development site.
- 5) **Toilet Facilities** - Toilet facilities must be provided at the work site on which work involved in the erection of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- 6) **Damaged Assets** – All engineering works and public utility relocation shall incur no cost to Camden Council. Any damage to Camden Council's assets shall be rectified at no cost to Council prior to the commencement of use or occupation of a building.

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.

- 2) **Gutter crossing** - The following works must be constructed prior to the issue of the Occupation Certificate and under the *Roads Act 1993* must be approved by Camden Council:

- (a) provision of a rural driveway crossing at all points of ingress and egress from the unformed extension of Elyard Street.

All works must be carried out strictly in accordance with Camden Council's specifications. Prior to works commencing the applicant must contact Council on (02) 4654 7777 to arrange payment of fees and inspection of the works.

6.0 - Operational Conditions

The following Conditions of Consent are operational conditions applying to the development.

- 1) **Dust Control** - Potential dust sources on-site must be minimised. No stockpile shall be permitted to remain exposed on the site.
- 2) **General Requirements** – All machinery and goods must be stored within the site compound when not in use.

All waste and spoil material shall be removed from the site on a daily basis, unless stored and covered in the site compound.

- 3) **Noise** - That the use of machinery and equipment shall not cause an offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997*.
- 4) **Site Management** - The land owner must ensure that the carrying out of all work is undertaken in a manner which will not cause a nuisance by the generation of unreasonable noise, dust or other activity, to owners and occupiers of adjacent properties.

END OF CONDITIONS

RECOMMENDED

That Council approve Development Application 1203/2010 for the purpose of ancillary structures, embellishment and maintenance works at No 6 (Lot 4, DP 737284) Richardson Road, Narellan subject to the draft development consent conditions shown above.

ATTACHMENTS

1. Location plan
2. Proposed Plans
3. Submissions - *Supporting Document*

ORD01

Attachment 1



SITE LOCATION MAP

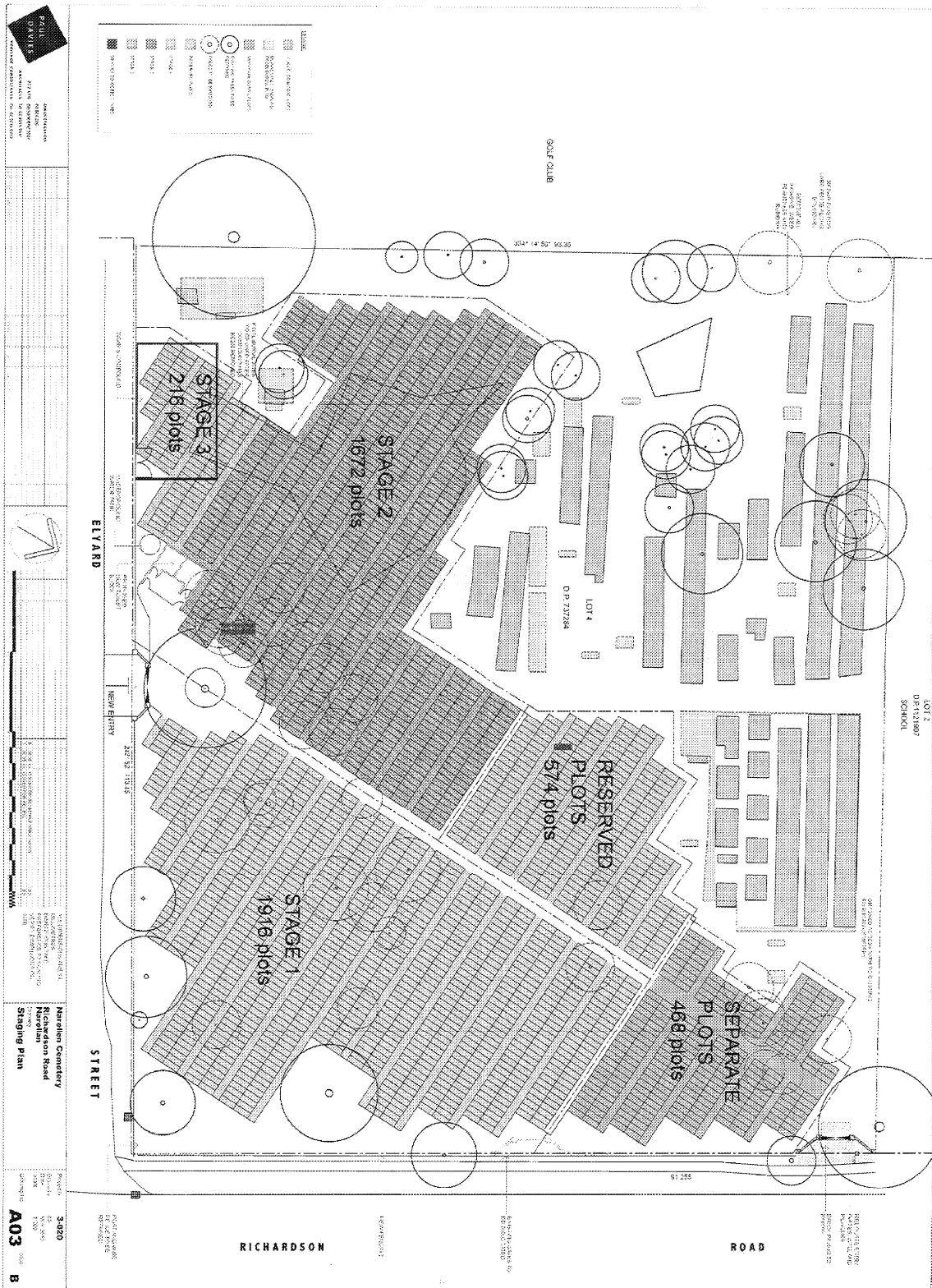
Lot 4 DP 737284
No. 6 Richardson Road, Narellan



Subject Site

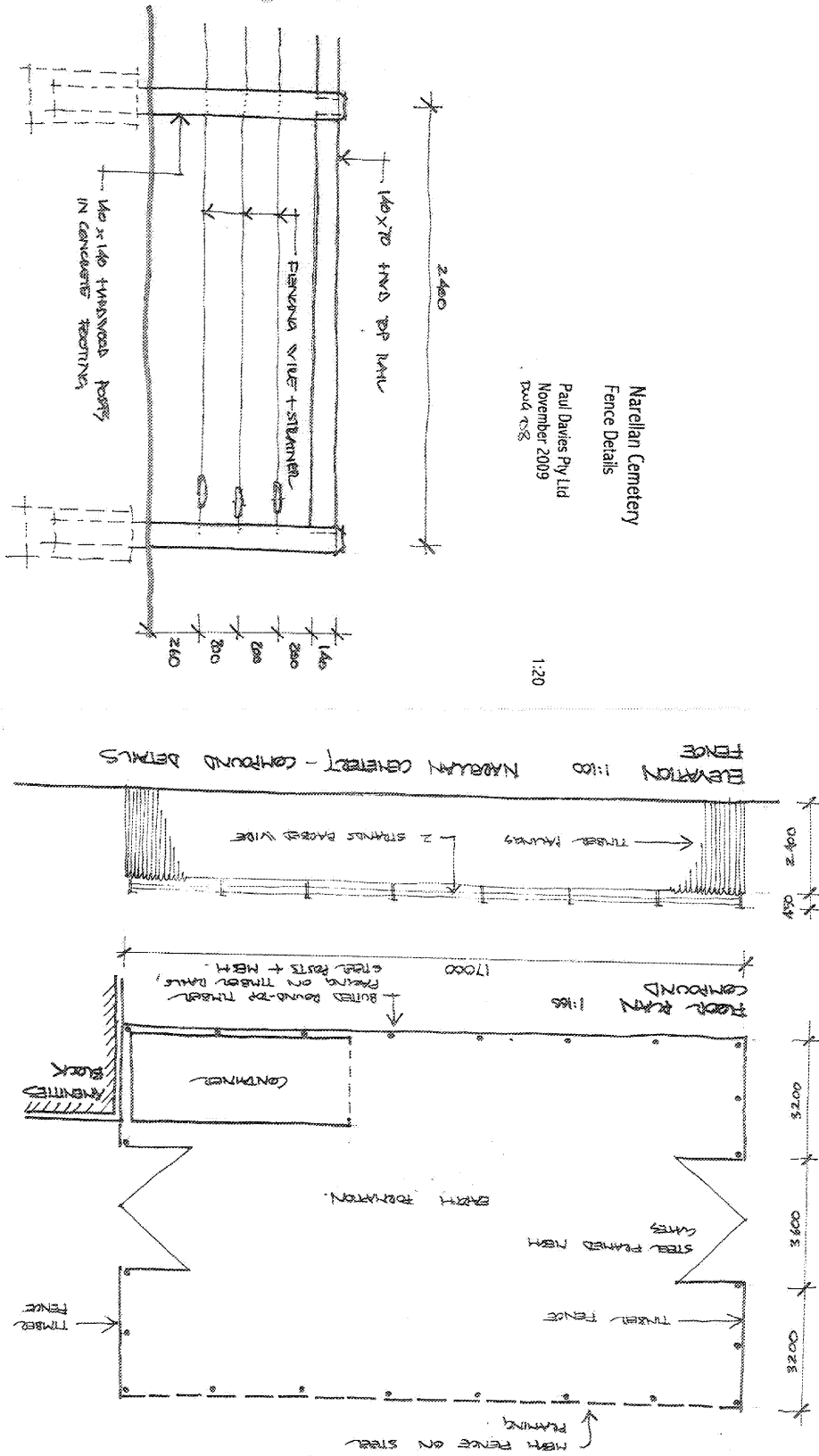


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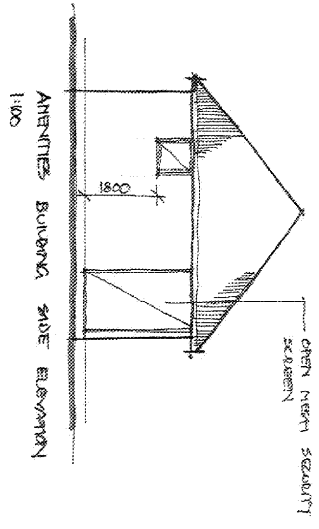
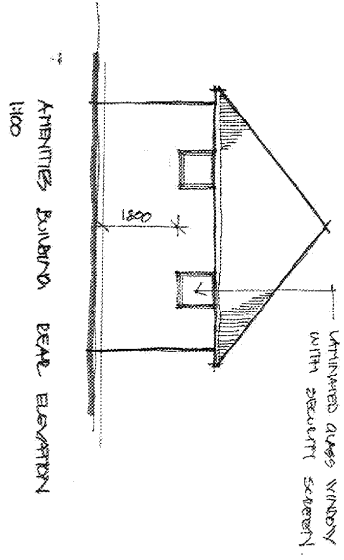
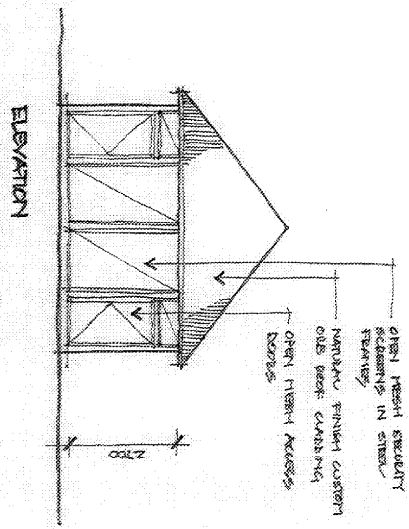
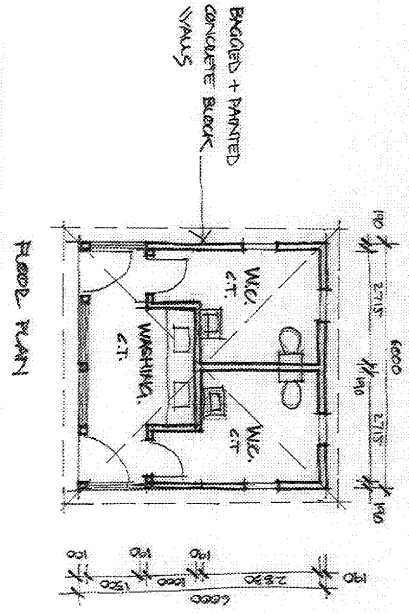
ORD01

Attachment 2



Narellan Cemetery
 Amenities Building Plans and Elevations
 Paul Davies Pty Ltd
 November 2009

DWG. 06
 1:100





ORD02

ORDINARY COUNCIL

ORD02

SUBJECT: PROPOSED SUBURB NAME - GLEDSTWOOD HILLS

FROM: Director Development & Health

BINDER: Landuse and Planning/GLIS/Land Information/Naming of Suburb

PURPOSE OF REPORT

The purpose of this report is to seek Council's resolution to endorse a proposed new suburb name, 'Gledswood Hills', within the Turner Road Precinct and to continue with the suburb naming process required by the Geographical Names Board (GNB).

BACKGROUND

SJB Planning Pty Ltd, acting on behalf of the owners of Camden Valley Golf Resort, former El Caballo Blanco/Australiana Tourist Park, and part of Camden Lakeside Golf and Country Club, have put forward 'Gledswood Hills' to be considered for approval as a new suburb.

Gledswood Homestead is a historic building set on 64ha. Gledswood Homestead (circa 1810) is a grand convict built sandstone home originally owned by the Chisholm family, famous in early Australian history for their pioneering of the wool industry.

Gledswood was first a land grant to Gabriel Louis Marie Huon De Kerillian, a French nobleman who fled to England during the French Revolution. He joined the New South Wales Corps as a Private under the name of Gabriel Lewis and arrived in Sydney on the Convict ship "Surprise" in May 1794.

Because of his knowledge of the French language, he became a tutor to Captain John Macarthur's sons, and on 1 January 1810 he was given the land grant (Gledswood), which he called Buckingham.

In 1816 Huon De Kerillian sold the property to James Chisholm for £250. Chisholm renamed the property "Gledswood". The Chisholm family and their descendants lived at Gledswood for approximately 120 years.

Gledswood Homestead and Winery has twice won the National Tourism Award for Excellence in Heritage & Cultural Tourism. Gledswood Gardens has also been awarded Grand Champion in the Camden Garden Competition for a number of years, as well as individual awards for best roses, perennials, colour and design.

The area is bounded by Raby Road to the north, Camden Valley Way to the west, Gregory Hills Drive and the adjoining Gregory Hills suburb to the south and with existing Campbelltown City Council suburb boundaries of Varroville, Kearns and Eschol Park to the east. **A location plan showing proposed extent of the new suburb boundary is provided at end of this report.**

MAIN REPORT

The GNB has advised Council that the following process is required to be followed in respect of having a suburb name approved. In this instance, the GNB is the Naming Authority:

- I. The developer of the land provides to Council, a proposed suburb name.
- II. The proposed suburb name is checked by Council staff in accordance with the Guidelines published by the GNB.
- III. A report is sent to Council by Council Officers seeking endorsement of the proposed suburb name that is able to be approved by the GNB.
- IV. The GNB advertises the proposed suburb name in the local media for four (4) weeks, inviting submissions.
- V. If objections are received by the GNB, they will be forward to Council by the GNB for review.
- VI. If no objections, then the GNB gazettes the name and notifies Council of the gazettal.

Steps 1 and 2 have now been completed and this report has now been prepared in accordance with **Step 3**.

The proposed suburb name of 'Gledswood Hills' is in accordance with the Geographical Names Board's (GNB) "Guidelines for the determination of placenames and has been considered by Council Officers to be appropriate, taking into account the local history.

Consequently, the proposed name is now able to be recommended to Council for endorsement for the purposes of referral to the GNB.

CONCLUSION

SJB Planning has submitted an application and background information in support of a suburb name to be forwarded to the GNB upon Council's endorsement.

Should Council resolved to endorse the naming proposal, it will be forwarded to the GNB to be considered, and if approved, advertised for the period of one (1) month.

If at the end of the advertised period, the GNB is satisfied that approval can be given, it is expected that gazettal will take place in accordance with guidelines under *The Geographical Names Board Act, 1966*.

Should the GNB receive objections, the application will need to be further considered by Council.

RECOMMENDED

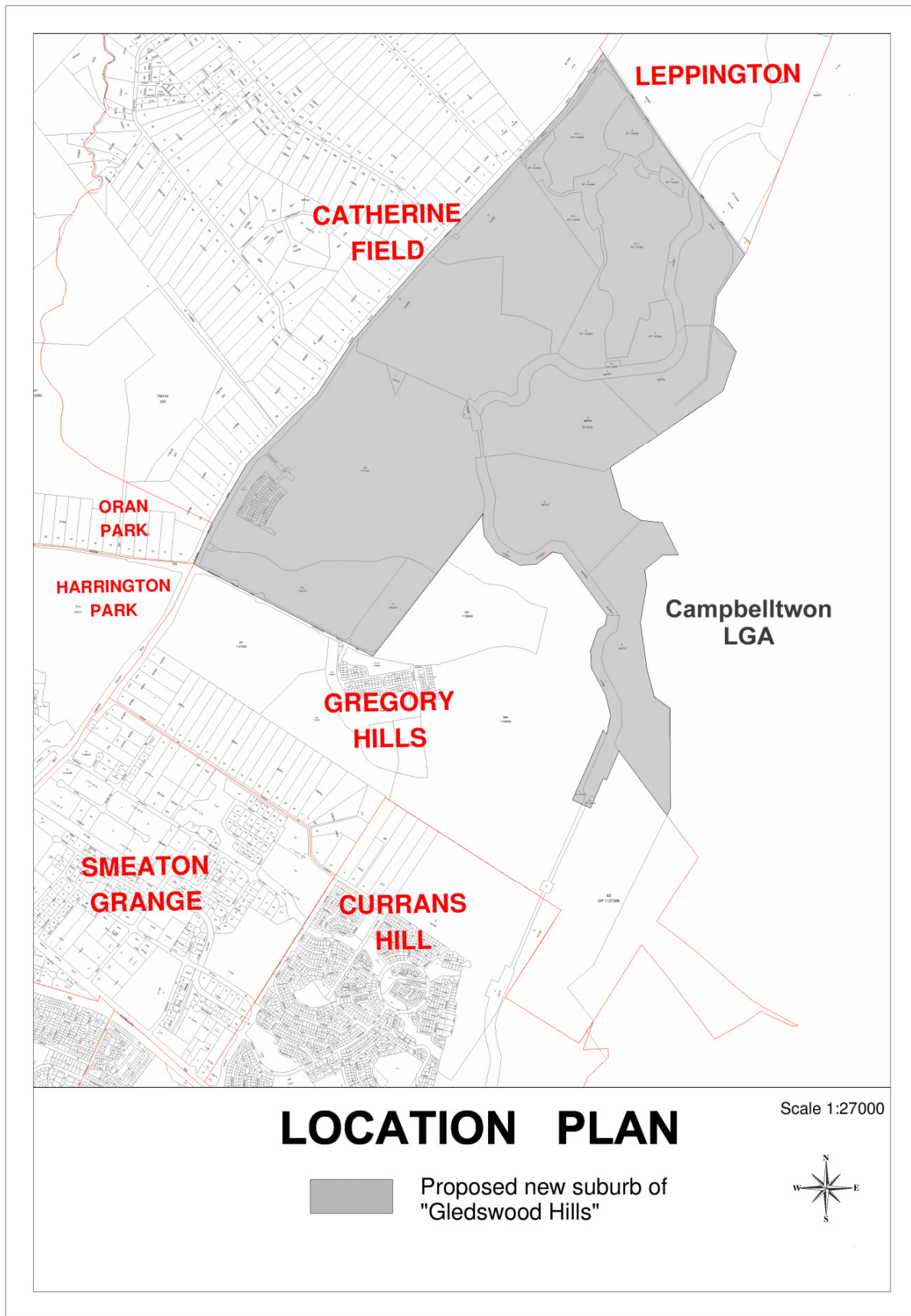
That:

- i. **Council endorses the name 'Gledswood Hills' as the proposed name for the area being developed as part of the Turner Road Precinct;**
- ii. **upon endorsement of the name 'Gledswood Hills', the application prepared by SJB Planning Pty Ltd be forwarded to the Geographical Names Board for further consideration; and**
- iii. **if it is required, a further report be provided to Council detailing any objections to the proposed name as advised by the GNB.**

ORD02

ATTACHMENTS

1. Location Plan



ORD02

Attachment 1

ORDINARY COUNCIL

ORD03

SUBJECT: HEALTH AND COMPLIANCE FEES AND CHARGES

FROM: Director Development & Health

BINDER: Financial Management/Fees and Charges/Pricing Reviews/Fees and Charges 2011/2012

PURPOSE OF REPORT

The purpose of this report is to seek from Council a resolution to endorse, for the purposes of exhibition, a fee into Council's adopted Fees and Charges, relating to compliance inspections on Sex Services Premises.

BACKGROUND

Council considers the adoption of fees and charges in its annual Management Plan and associated Budget. To date, charges for compliance inspections on Sex Services Premises have not been included.

The current Adopted Fees and Charges remain in force until the following year's budget or until Council endorses, publicly exhibits and then adopts any amendment to the current Fees and Charges.

At the meeting of 28 June 2011, Council resolved that:

"a report be prepared and submitted to the next available Council meeting, that provides Councillors with information and a recommendation on the introduction of an inspection and compliance regime associated with the regulation of Sex Service Premises."

"The report should establish whether a fee is able to be charged by Council for inspections of Sex Service Premises, whether those inspections are initiated by Council itself or by Council in response to a complaint received."

"If such a fee is possible, a recommendation on an appropriate inspection regime for health and compliance inspections by Council officers, and setting of a fee on a cost-neutral basis is to be included in the report"

In developing the schedule of fees and charges each year, Council considers the range of products and services that are offered/provided and sets the appropriate level of the fee.

To date there have not been any sex services premises in the Camden LGA and accordingly no fees for such have been set in the 2011/12 Fees and Charges which was adopted by Council at the meeting of 14 June 2011.

MAIN REPORT

In regard to this issue, legal advice was sought from Council's Solicitors.

Section 608 of the *Local Government Act* allows Council to levy fees for service. More specifically Section 608(2) states in part:

"The services for which an approved fee may be charged..... providing a service in connection with the exercise of the council's regulatory functions....."

Section 608(3) states in part:

".....a council may charge an approved fee for inspecting premises that are reasonably required to be inspected in the exercise of the council's functions, whether or not the inspection is requested or agreed to by the owner or occupier of the premise."

Section 610D states in part:

"(1)A council, if it determines the amount for a fee for a service, must take into consideration the following factors:

(a) the cost to the council of providing the service".....

Considering the implications of this, Council's Solicitors have advised that it would not be unreasonable for a council to charge fees for conducting compliance audit inspections in relation to important operational conditions of consent, particularly those designed to protect the neighbourhood amenity.

Further, the advice is that were such a fee to be imposed by Council, that fee would need to form part of any Development Consent conditions associated with the development.

It is important to note that the need to include the fee in any Development Consent applies only to fees for compliance inspections and inspections triggered by valid complaints.

The health and hygiene inspection fees currently charged by Council in relation to developments such as food shops and skin penetration are distinct, and the charge of a fee does not require Council to specifically condition development consents, as these inspections are carried out under enabling legislation in the Public Health Act 2010 and the Food Act, 2003.

Hence, in response to the first part of Council's previous resolution, Council is able to charge for inspections of Sex Service Premises, whether those inspections are initiated by Council itself, or by Council in response to a valid complaint received.

Environmental Health Officers and Development Compliance Officers employed by Council would be the most appropriate to carry out the type of inspections that would be required of Sex Services Premises to ensure development consent conditions are being adhered to.

The purpose of undertaking such inspections would be to ensure that any development, including Sex Services Premises, is being conducted in accordance with the Environmental Planning and Assessment Act and, in the case of Sex Services Premises, conforms with the requirements of The Health and Safety Guidelines for Brothels in NSW.

The professional inspection charge for food shop inspections currently undertaken by Camden Council Environmental Health Officers is in the order of \$123 per hour.

Camden Council does not currently charge for compliance inspections carried out in response to valid complaints or as part of a routine check that Development Consent conditions are being carried out.

It is considered reasonable that were Council to ever approve a Sex Service Premise or other development that may require ongoing compliance inspections, the financial resources that Council would need to expend associated with these inspections should be provided by the operator of the business.

It is also considered reasonable that the hourly fee for such work be at least that currently adopted for food shop inspections.

Hence in response to the second part of Council's previous resolution, it is recommended that a fee of \$123 per hour be endorsed for exhibition. This fee would be charged for all scheduled and mandated inspections, as well as those inspections triggered by a valid complaint or an appropriate Council Officer's reasonable determination that a routine compliance inspection is needed.

Should Council resolve that a fee be endorsed, then the Council must place the matter on public exhibition for a minimum period of 28 days to seek comment from the community. At the conclusion of the exhibition period, Council then takes any submissions into consideration.

A further report would then be provided to Council, with recommendations in relation to adopting a fee, which would amend the previously adopted schedule of fees and charges which forms part of the Management Plan.

CONCLUSION

Council previously resolved to undertake an investigation on whether it was possible to charge a fee for the inspection of Sex Services Premises, what an appropriate inspection regime would be, and what an appropriate fee would be.

There is a need to ensure that Council's Fees and Charges Schedule reflects the community expectation that "the user pays" principle applies and that the community is not financially burdened.

Legal advice indicates that it is possible to charge a fee for the inspection of Sex Services Premises, provided it is included in any Development Consent conditions. This fee can be applied to any form of development that may require ongoing compliance inspections.

Consequently, it is considered appropriate to endorse for the purposes of exhibition, such a fee, and it is recommended that the exhibited fee be set at \$123 per hour.

If adopted, the fee would be charged for all scheduled and mandated inspections, and also for inspections of developments in response to valid complaints and a reasonable determination that a routine compliance inspection is needed.

RECOMMENDED

That:

-
- i. Council endorse the exhibition of a proposed new fee of \$123 per hour able to be charged for compliance inspections of any development, including Sex Service Premise;**
 - ii. the proposed inspection regime include all scheduled and mandated inspections and also inspections in response to valid complaints and a reasonable determination by an appropriate Council Officer that a routine compliance inspection is needed;**
 - iii. the proposed fee be placed on public exhibition for a period of 28 days seeking community submissions; and**
 - iv. a further report be provided to Council at the conclusion of the exhibition, providing further recommendations on the adoption of a fee and inspection regime.**

ORD03

ORDINARY COUNCIL

ORD04

SUBJECT: ARGYLE RETAIL PROPOSAL
FROM: Director Governance
BINDER: Argyle Retail Masterplan Site

PURPOSE OF REPORT

The purpose of this report is to update Council on the current status of the retail development at the northern end of Argyle Street and seek a resolution to prepare a draft DCP to provide controls for this site.

BACKGROUND

In August 2009 a workshop was presented to Councillors regarding retail development proposals at the northern end of Argyle Street. This workshop outlined the unique issues of the sites and proposed that a masterplan process would help facilitate a good outcome for the sites and Camden main street. Both sites are zoned B4 Mixed Use which permits retail development. A map showing the location of the sites that are the subject of this report is **provided as Attachment 1 to this report**. The sites are shown hatched in blue and are known as 10 & 16 Argyle Street, Camden (Lots 1 and 2 in Deposited Plan 1017656).

Since the proposal for approximately 15,504m² of retail development at the northern end of Argyle Street was discussed with Council in 2009, the owners of the site have gone into receivership, with the bank appointing Price Waterhouse Coopers (PwC) as the receivers. Council has received a new proposal to undertake a masterplanning exercise for the sites, which was discussed at the Councillor Workshop on 12 July 2011.

PwC have had initial discussions with Council officers and have agreed to participate in and fund the masterplan process for the site. The masterplan will incorporate a larger area than the site under receivership. The map **provided as Attachment 1 to this report** shows the sites that are under receivership as being hatched in blue. The larger area that is proposed to be the subject of the masterplanning exercise is shown edged in red on the map.

MAIN REPORT

To assist in marketing the site for sale, the receivers have indicated their intention to develop a masterplan, including development controls and a Stage 1 development application (DA). It is considered that a masterplan for this section of Argyle Street will allow Council a unique opportunity to have greater input into the eventual development of the whole site. It is important to remember that a DA could be submitted to Council without this process.

The Masterplan process will include studies/analysis of the unique issues of the site. These include:

- Economic analysis giving a statement of preferred land use and maximum retail floor space and ensure this is appropriate in the context of Camden main street and the wider retail hierarchy;

- Urban design and heritage studies to facilitate a good streetscape, appropriate massing and bulk of buildings, and ensure heritage items, the conservation area and important view lines are considered;
- Traffic and access studies to ensure good traffic movement to and from the site and the rest of Argyle Street;
- Flooding; and
- Contamination - development of a Phase 2 Contamination assessment and a Remediation Action Plan.

The masterplan process will also include the preparation of a draft DCP, which will provide proposed development controls for the retail development.

The strategic process for the masterplan is as follows, with a likely timeframe for completion in early 2012:

- This initial Council report to seek a resolution to prepare a draft DCP;
- Preparation of briefs to engage consultants for the studies;
- Quotes/proposals responding to the briefs;
- Assessment of proposals and engaging individual consultants;
- Consultants undertaking studies;
- Internal Council review of studies;
- Preparation of the masterplan and draft DCP;
- Councillor workshop outlining the masterplan and draft DCP;
- Report to Council to seek resolution to exhibit the masterplan and draft DCP;
- Exhibition of draft DCP and possible stage 1 DA, incorporating a masterplan;
- Report to Council to adopt the masterplan and draft DCP and consider possible stage 1 DA.

Council officers will work closely with the consultants and PwC throughout this process, reviewing briefs and proposals, engaging consultants, reviewing studies and the masterplan and draft DCP.

Consultation

Consultation will be undertaken for this process and will include:

- Written notification to stakeholders - including the local Chamber of Commerce and adjoining owners, inviting them to participate in the process;
- Councillor workshop during the preparation of the Masterplan and DCP;
- Formal exhibition - including public exhibition for 28 days at Council customer service offices, libraries and Council website.

CONCLUSION

The development of a masterplan and DCP for this site is a unique opportunity for Council to have input into the development of the site and promote Council's vision for this area. The studies/analysis of the issues will inform the process and help facilitate a good outcome. They will also help ensure that there is no overdevelopment of the site and that retail floor space is appropriate for the whole of Camden.

Controls will be applied to facilitate a streetscape that will compliment the rest of Argyle Street and will consider heritage items, the conservation area and view lines. The

ORD04

studies/analysis will also facilitate the remediation of the contamination on the site and ensure that flooding is considered.

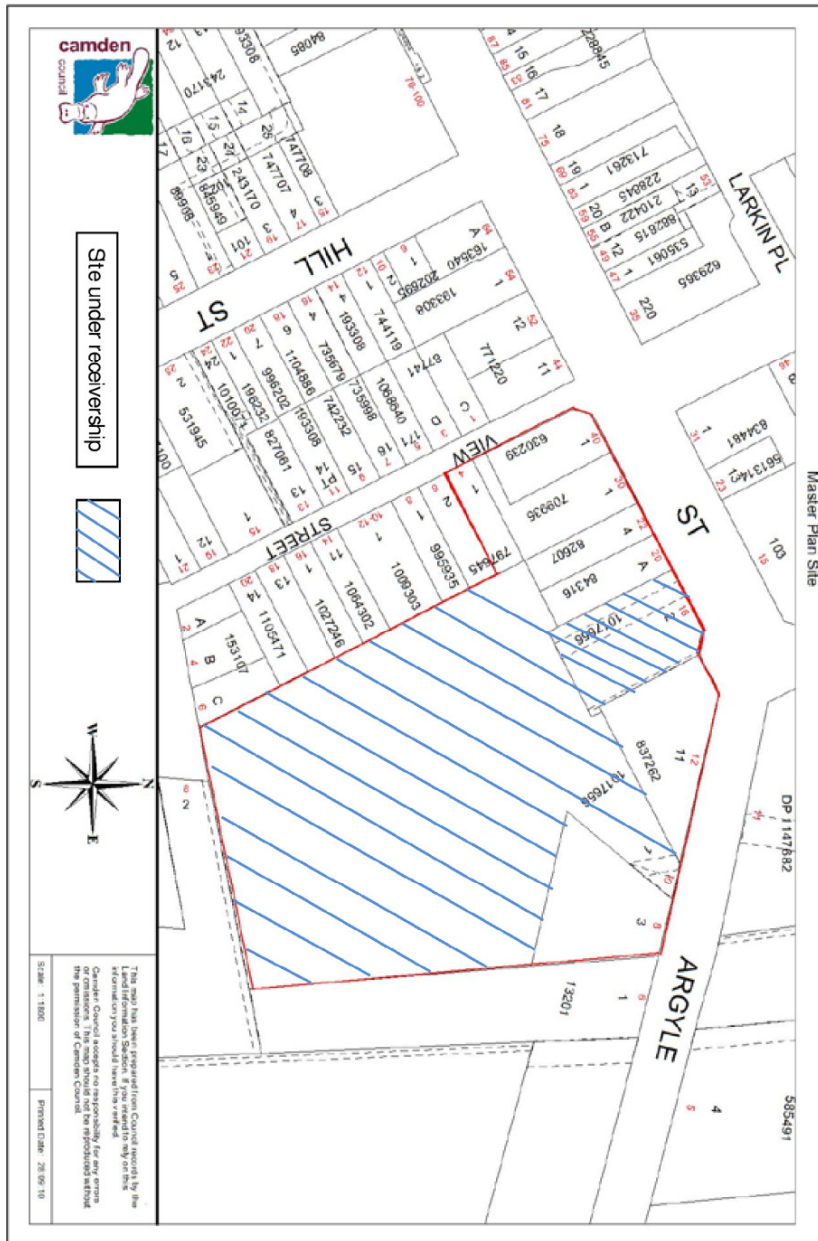
RECOMMENDED

That Council resolve:

- i. to prepare a DCP and consider a Stage 1 Development Application, incorporating a masterplan for the land at the northern end of Argyle Street Camden (as shown in Attachment 1); and**
- ii. that the studies will be fully funded by the proponents.**

ATTACHMENTS

1. Attachment 1 Masterplan and location



ORD04

Attachment 1

ORDINARY COUNCIL

ORD05

SUBJECT: SPRING FARM EASTERN VILLAGE –DEVELOPMENT CONTROL PLAN AMENDMENT

FROM: Director Governance

BINDER: Spring Farm

PURPOSE OF REPORT

The purpose of this report is to seek the endorsement of Council to proceed with the public exhibition and consultation of the proposed amendments to the Master Plan of the Spring Farm Eastern Village within Camden's Development Control Plan 2011.

BACKGROUND

The Spring Farm Residential Release Area was approved by the Minister in May 2004, with the gazettal of the Camden Local Environmental Plan No. 121 and Council's adoption of the Spring Farm Development Control Plan No. 123. Since the adoption of these plans, Council has undertaken a process in accordance with State Government directions to transition these plans into a consolidated Camden Local Environmental Plan 2010 (LEP 2010) and Camden Development Control Plan 2011 (DCP 2011).

In October 2009, Landcom and its representatives submitted a proposal to amend the Master Plan of the Spring Farm Eastern Village. A copy of their submission and proposed Master Plan is provided as **Attachment 1 to this report**. The proposed amendments to the Master Plan require an amendment to the Camden DCP 2011. This is discussed in detail below.

Summary of Changes to Master Plan

The following is a summary of the proposed key changes to the adopted Spring Farm Eastern Village Master Plan:

- Amendment to the street layout to create a consistent grid pattern;
- Re-alignment of the Pedestrian and cycle network to correspond with the associated changes to the street layout;
- Re-alignment of the bus route to correspond with the associated changes to the street layout; and
- Reduction in open space that is generally consistent with Council's review of the Camden Contributions Plan 2004.

MAIN REPORT

The Eastern Village of Spring Farm contains a net developable area of approximately 58 Hectares which gains access from the proposed link road (Liz Kernohan Drive), Richardson Road and Springs Road. The adopted subdivision layout of the Spring Farm Eastern Village can be characterised as a curvilinear grid pattern that contains streets and avenues that link through to main arterial roads. This configuration provides residential building blocks that are generally regular in shape, however provide the odd block that is irregular in shape and restricts the opportunity for development.

The proposed subdivision layout maintains the street and avenue links to the main arterial roads, however is reconfigured to a traditional grid type pattern. This layout offers residential building blocks that are regular in shape with greater opportunity to provide north-south and east-west orientated blocks and are appropriate to supply an end product that maximises building potential with enhanced solar efficiency. In return, this orientation provides the greatest opportunity to maximise district views, not only for dwellings, rather providing visual links between Gundagarra Reserve and the rehabilitated bush corridors to the south of the village.

Council, at its meeting of 23 November 2010, resolved to undertake minor housekeeping amendments to Camden's Local Environment Plan 2010 to rectify the zoning alignments within the Spring Farm Residential Release. These adjustments reverted back to the original Master Plan boundaries, which have allowed this proposed DCP amendment to lay within the original zone boundaries. The adjustments to the boundaries are located at the far eastern side of the village and also where the alignment of Springs Road is altered at the south-western portion of the precinct. It should be noted that the proposed re-alignment of the streets to a north-south/east-west orientation are accommodated within the existing zone boundaries of the Spring Farm Eastern Village. A visual representation of this is provided as **Attachment 2 to this report**. This will leave an area where a future DCP amendment will be required once adjustments to the zone boundaries have been gazetted.

Camden's Development Control Plan 2011 states that variations to the DCP will be considered where it is justified that the total dwelling yields remain essentially the same and the principles within the DCP can be satisfied. In accordance with the proposed amendment as described above, it is determined the following figures of Camden's DCP 2011 (Part C) require amendment to accurately reflect the proposal:

1. Figure C18 – Spring Farm Master Plan
2. Figure C20 – Spring Farm Residential Dwelling Density Range
3. Figure C21 – Spring Farm Staging Plan
4. Figure C22 – Spring Farm Street Network and Design Map
5. Figure C23 – Spring Farm Pedestrian and Cycle Path Network
6. Figure C24 – Spring Farm Indicative Bus Route
7. Figure C25 – Spring Farm Riparian and Bush Corridor Land Uses
8. Figure C26 – Spring Farm Bush Corridor Water Management Features

The following is an assessment against each of the principles within the DCP:

Spring Farm Master Plan

The current Spring Farm Master Plan is provided within the introduction to the Spring Farm chapter of the DCP 2011. Whilst there are no objectives within the introduction, this map sets the overall planning impression for the Spring Farm Residential area. This map is a compilation of each of the maps listed below.

Spring Farm Residential Dwelling Density Range

The current Residential Dwelling Density Range Map provides an expectation of the required lot yield within each village. The following objectives are to be satisfied to achieved this target:

Objectives

1. *Ensure the dwelling density target for Spring Farm is achieved.*

In accordance with the residential dwelling density range map, the current target for the Spring Farm East Village is between 1328 to 1416 residential lots. The proposed reconfiguration of the eastern village provides a residential dwelling density range between 1303 to 1417. The variation is relatively minor in nature and is considered acceptable. The current and proposed DCP figures are demonstrated in **Attachment 3A to this report**.

Spring Farm Staging Plan

The adopted staging plan for Spring Farm has been developed based on the provision of infrastructure and services as the development migrates through the release area. The following are the objectives for the staging of Spring Farm:

Objectives

1. *Ensure the orderly development of the land and assist in the coordinated programming and provision of necessary infrastructure and sequencing.*
2. *Ensure staging of works protects the amenity of future residents from the effects of mining, industrial and waste disposal activities.*
3. *Ensure services and works are carried out in logical and related stages.*
4. *Ensure the overall order of residential subdivision includes the putting in place of the "living" infrastructure to deal with stormwater drainage in an ecologically sensitive manner.*

Whilst the proposed layout of Spring Farm is altered from the adopted Master Plan, the provision of infrastructure and services continue to expand throughout the release area in a coordinated program. As such, the general staging of the development remains as per the adopted sequence and the DCP 2011 figure will be updated to indicate the amended road pattern.

Spring Farm Street Network and Design Map

The Spring Farm Street Network is identified in Figure C22 – Spring Farm Street Network and Design Map. Whilst there are no objectives to this Clause, there is a statement of intent, which outlines the expected outcome of the street network. This is outlined below:

Statement of Intent

The street network and design in Spring Farm will provide connections to its surrounding localities. This will be fulfilled through a clear hierarchy system, which will facilitate accessibility, movement flows and visual connections in the area. The following figures (C22 and C22.1 – C22.11) illustrate the desired outcome for the road network and design within Spring Farm.

The adopted road network provides a key link from Richardson Road to the proposed link road (Liz Kernohan Drive) to the north. Collector roads then stem from this link, providing access to the local roads to the southern end of the village.

The proposed Master Plan alters this principle to present a north-south and two east-west boulevards providing an additional collector road from the Spring Farm Neighbourhood Centre to the south village whilst maintaining the existing links to the proposed link road. A comparison of the adopted and proposed Street Network map is provided as **Attachment 3B of this report**.

The visual connections along the street will be enhanced through the proposed configuration with the east-west boulevards providing opportunity for dense planting that will enhance the bush character and add interest to the street. The north-south boulevard, also densely planted with indigenous species, provides a revegetated link from the Gundangarra Reserve to the north to the bush corridor and Nepean River to the south of the eastern village.

In light of the above, the proposed road layout maintains a road hierarchy which acts to regulate desired traffic flows to each street, provide a high level of accessibility throughout the village and to the surrounding localities, and maintains the visual connections. The proposed road layout, in comparison to the adopted road layout, respects the existing vegetation and bush corridors which presents minimal impact on the local and surrounding environment.

Spring Farm Pedestrian and Cycle Path Network

The Spring Farm Pedestrian and Cycle Path Network is identified by Figure C23 – Spring Farm Pedestrian and Cycle Path Network map. Whilst there are no objectives to this Clause, the pedestrian and cycle network are provided by a set of controls. This is outlined below:

Controls

- 1. The pedestrian and cycle path network for Spring Farm is to be constructed to comply Figure C23.*
- 2. Cycle and pedestrian bridges shall be located above the 20 year ARI flood level.*

The adopted Figure C23 provides pedestrian and cycle links throughout the eastern village to link with the surrounding villages, bush corridor and Spring Farm Neighbourhood Centre. The proposed pedestrian and cycle path network maintains the underpinning framework of the adopted Master Plan and steps beyond to provide an overview of the regional pedestrian and cycle network needs. This includes the local pedestrian and cycle network linking to the Macarthur wide pedestrian and cycle network which will connect Camden to Menangle Park via the Nepean River and connect these two areas through to Campbelltown via Mount Annan Botanical Gardens and the University of Western Sydney. In this regard, the pedestrian and cycle network is adequately addressed to exceed the current adopted Master Plan. A comparison of the adopted and proposed Pedestrian and Cycle Path Network map is provided as **Attachment 3C of this report**.

Spring Farm Indicative Bus Route

As above, the Spring Farm Indicative Bus Route is indicated by Figure C24 – Spring Farm Indicative Bus Route map. Whilst there are no objectives to this Clause, the indicative bus route is outlined by a set of controls. This is listed below:

Controls

1. *Figure C24 illustrates the proposed bus routes through Spring Farm and the connections to the surrounding areas.*
2. *A bus only link is to be created to Mount Annan as shown below.*

Within the Eastern Village, the adopted Figure C23 provides a bus link from the Spring Farm Neighbourhood Centre through to Mount Annan via a bus only link accessing the Haul Road. The proposed indicative bus route maintains the link through to Mount Annan and provides the bus only link at the far east of the village to the Haul Road. This is clearly demonstrated within **Attachment 3D of this report**.

Spring Farm Parks and Open Space

Camden's Development Control Plan 2011 does not contain an Open Space plan, as this is provided in Camden's Contribution Plan 2004, however the provision of open space is referred to through a set of controls. The controls relating to the provision of parks and open space directly refer to the Landscape Master Plan Report prepared by Context Landscape Design dated December 2003. The following controls are applicable:

Controls

1. *The provision of parks and open space within the Spring Farm release area is to comply with the open space shown on the Landscape Master Plan Report (December 2003) by Context Landscape Design.*
2. *Landscaping of village greens and local parks for Spring Farm must be in accordance with the Landscape Master Plan Report by Context Landscape Design.*
3. *Pedestrian and cycle paths are to be located to the perimeter of village greens and pocket parks to provide central open space for activities.*
4. *Pedestrian and cycle paths are to be located on desire lines and integrated with landscaping.*
5. *Provide shade trees to play and seating areas.*
6. *Reference must be made to the Water Cycle Master Plan prepared by J.Wyndam Prince in park design.*

7. *Generally, no disturbance to existing ground levels are permitted within the drip line of existing significant trees to be retained, unless advised otherwise by a qualified arborist. Utilise physical barriers where necessary to prevent unauthorised vehicular access.*
8. *The location and detailed design of parks is to be consistent with the Spring Farm Conservation Strategy and Spring Farm Bush Corridor and Riparian land use provisions following.*
9. *Eight sports grounds are to be provided on land at the southern end of Spring Farm. The location and detailed design of sports grounds is to be consistent with the Spring Farm Conservation Strategy and Spring Farm Riparian and Bush Corridor Land Uses provisions which follow.*

The adopted Spring Farm Landscape Master Plan Report provides a total of three public open space areas. The proposed open space plan provides the equivalent three public open space areas and an additional pocket park located adjacent to the Springs Road entry to the Eastern Village. Whilst an additional park is being provided, the overall area being provided is reduced from approximately 22,600m² to approximately 16,800m². The reduction in open space is generally consistent with Council's review of the Camden Contributions Plan 2004. Council has been instructed by the State Government to reduce development contribution levies in order to improve housing affordability. Part of the review of Council's contributions plan has included a focus on reducing open space provision, which traditionally has been provided at a rate of 3.64ha per 1,000 people and is well above the more broadly adopted standard of 2.83 ha per 1,000 people. The proposed reduction in open space in the eastern village is consistent with Council's direction taken in the draft contributions plan review.

In this regard, the provision of open space within the proposed Master Plan is consistent with the objectives of the DCP. A comparison of the open space within the Landscape Master Plan Report is provided as **Attachment 4 to this report**.

Spring Farm Riparian and Bush Corridor Land Uses

The Master Plan for the Spring Farm release area places strong emphasis on maintaining and enhancing the bush corridors which surround to define each of the four villages. In this regard, the protection of this environmental corridor is outlined in the following objectives:

Objectives

Ensure protection and management of environmentally sensitive land for the principal purpose of biodiversity conservation, where this land has been identified for this purpose on the Riparian Area and Bush Corridor Land Uses Map shown at Figure C25.

Conserve, restore and enhance native flora and fauna habitat and the ecological viability of land identified for biodiversity protection purposes.

Provide a buffer around areas identified for biodiversity protection purposes.

Provide for development in locations identified on Figure C25 that will not destroy, damage or compromise:

the extent, quality or integrity of the ecological attributes of the land or watercourses.

the potential for restoration and enhancement of native fauna and flora habitat on the land identified for biodiversity protection.

5. *Provide links with other natural areas, as part of an open space and bush corridor network.*
6. *Ensure viable management, long-term survival and enhancement of the bush corridor through the preparation and implementation of plans of management.*
7. *Facilitate passive recreation, pedestrian and cyclist access within the bush corridor, to link the urban villages and beyond, with minimal impact on the bushland.*

The adopted Figure C25 - Spring Farm Riparian and Bush Corridor Land Uses map of the Spring Farm Master Plan clearly outlines the regions of significant vegetation. Furthermore, Camden's Local Environmental Plan 2010 defines the critical habitat through the zone boundaries being R1 – General Residential and E2 – Environmental Conservation.

The proposed alterations to the Master Plan in comparison to the adopted plan do not encroach on these critical areas. In this regard, the bush corridors remain unchanged and are not damaged, altered or destroyed, thus satisfying the objectives of the Riparian and Bush Corridor Land Uses. For comparison, the adopted and proposed Master Plan demonstrates the relationship between the urban areas to the riparian and bush corridor areas in **Attachment 3E to this report**.

Spring Farm Bush Corridor Water Management Features

The Spring Farm release area incorporates the principles adopted from the Water Cycle Master Plan prepared by J. Wyndham Prince and shown diagrammatically through Figure C26 of the Development Control Plan 2011.

The proposed alterations to the Water Cycle Management Plan amend the catchment areas, however the points of discharge, volumes of water and methods of water treatment remain ultimately the same. There will be minimal impact on environment as a result of the amendment. A comparison of the adopted and proposed water cycle management is demonstrated in **Attachment 3F to this report**.

Exhibition

Should Council resolve to support the proposed amendments to the DCP these amendments will be publicly exhibited for a period of 28 days. The exhibition material will be available at:

- Narellan Customer Service Centre and Narellan Library, Queen Street, Narellan
- Camden Customer Service Centre and Camden Library, John Street, Camden
- An advertisement will be placed in the Camden Advertiser at the start of the exhibition.
- The exhibition material will be available on the Council website for the length of the exhibition period.
- At the conclusion of the consultation period a report will be submitted to Council detailing submissions received

CONCLUSION

The proposed Master Plan intends to provide a functional and environmentally sensitive urban design, whilst maintaining the integrity of the key principles of Camden's DCP 2011. By providing key transport, pedestrian and cycle links as well as maintaining open space and high quality district and local views the Master Plan amendments are a positive outcome for the subdivision.

It is demonstrated that the proposed Master Plan addresses the key principles and objectives of the DCP 2011 and ensures the desired future character of Spring Farm is achieved.

The exhibition of these amendments is essential in the process to provide flexibility and guidance for the ongoing development within Spring Farm.

RECOMMENDED

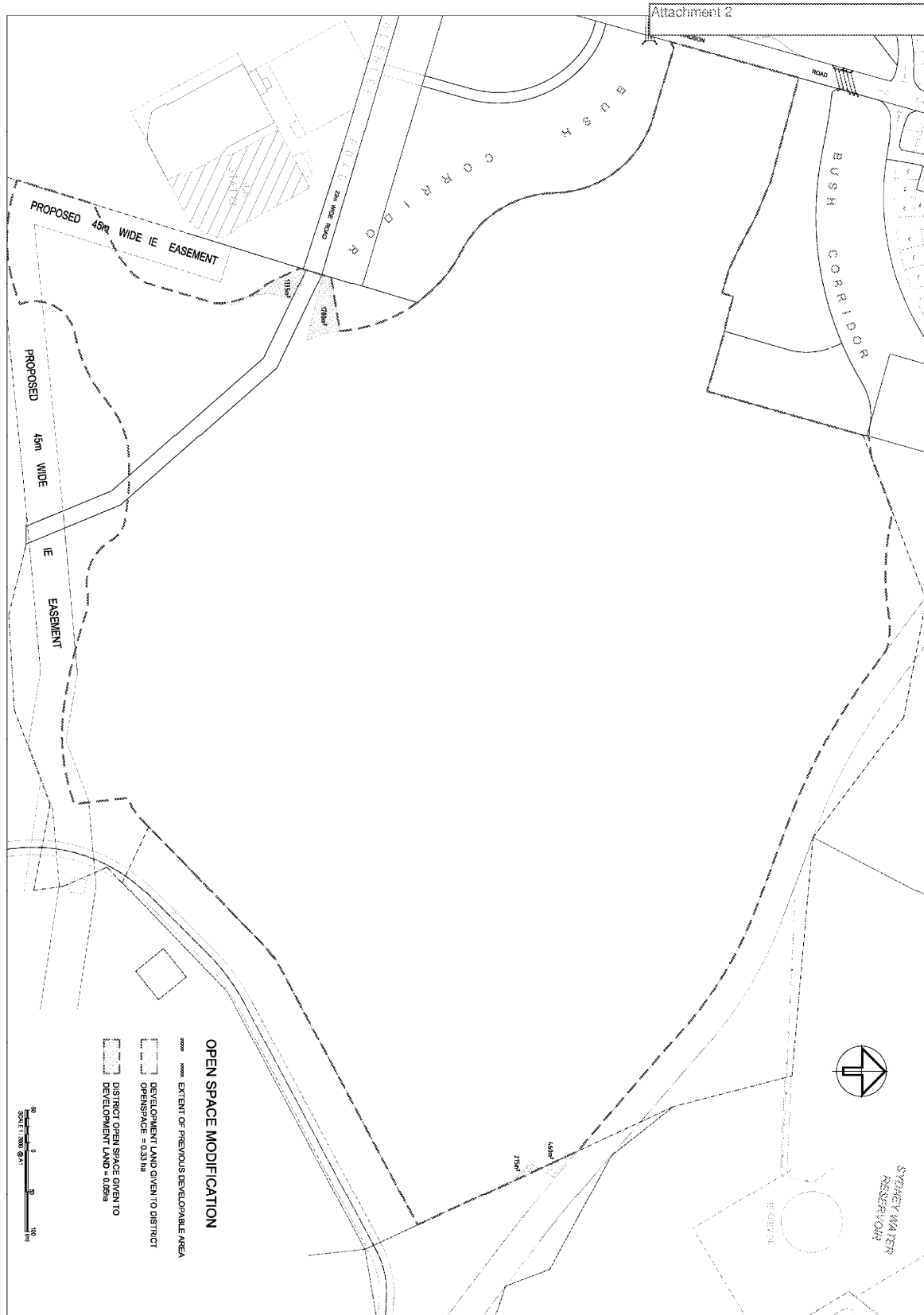
That Council:

- i. publicly exhibit the amendments to the Spring Farm Master Plan and Camden Development Control Plan 2011 figures for a period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act and Regulations; and**
- ii. prepare a further report to be provided to Council at the conclusion of the public exhibition period.**

ATTACHMENTS

1. Attachment 1 Proposed Spring Farm Masterplan Submission
2. Attachment 2 Zoning Anomalies Map
3. Attachment 3 Mapping comparisons
4. Attachment 4 Landscape Masterplan comparison

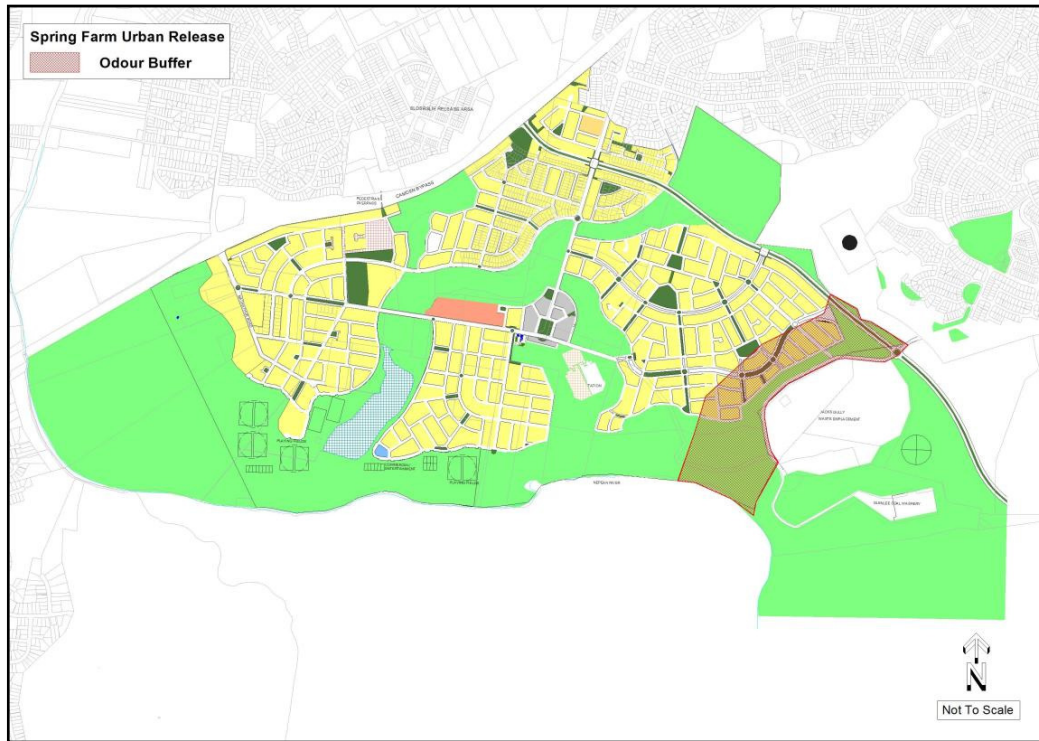
Attachment 1
ORD05



Attachment 3 – Proposed Mapping Amendments

3A Spring Farm Master Plan

Adopted



Proposed



ORD05

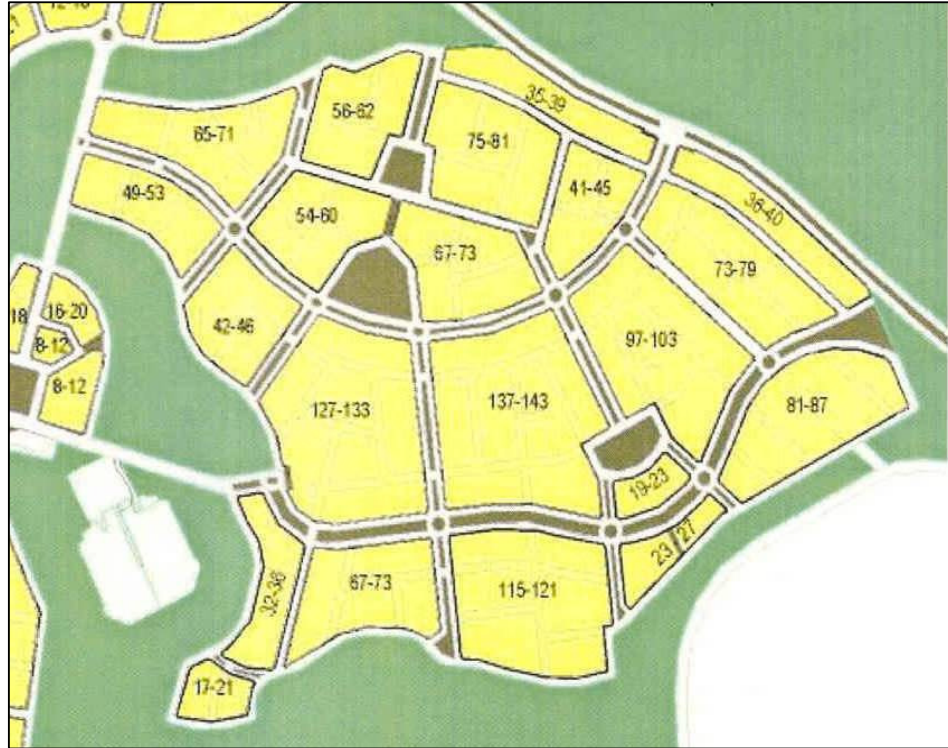
Attachment 2

3B Residential Dwelling Density Range

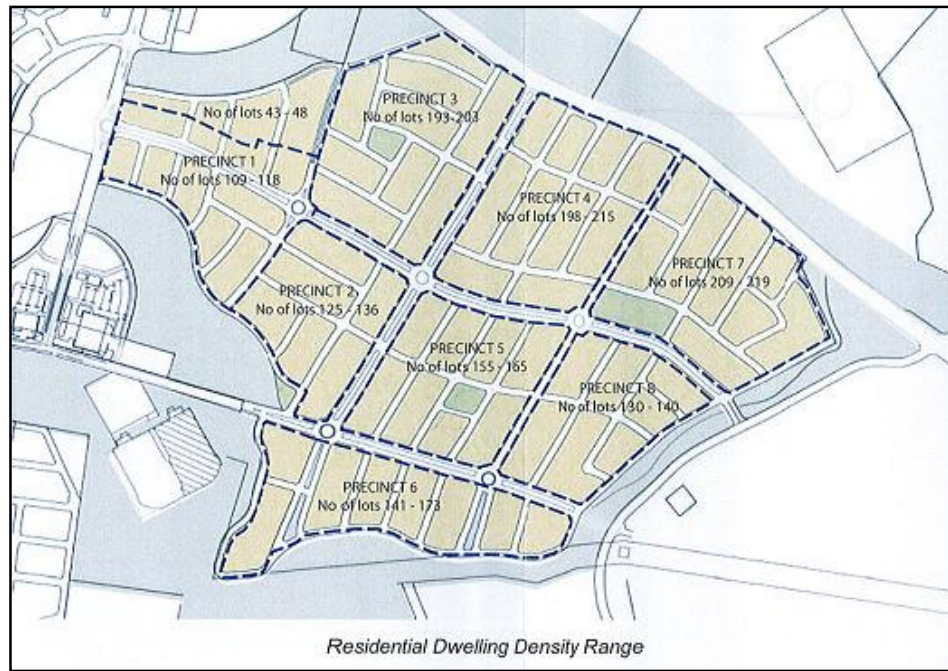
Adopted

ORD05

Attachment 2



Proposed



3C Street Network and Design Map

Adopted



Proposed



ORD05

Attachment 2

3D Pedestrian and Cycle Path Network

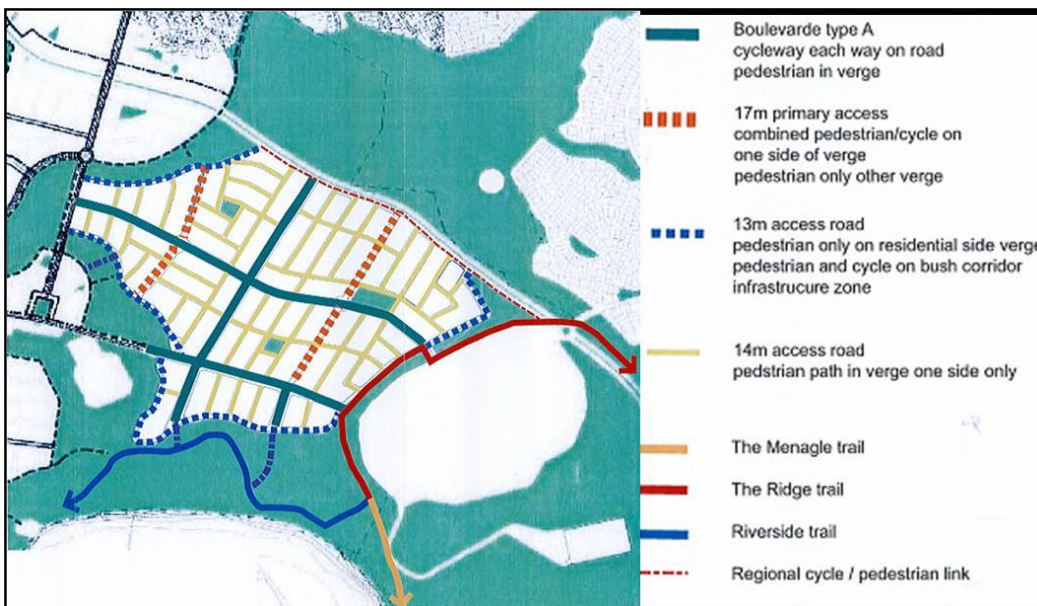
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Adopted

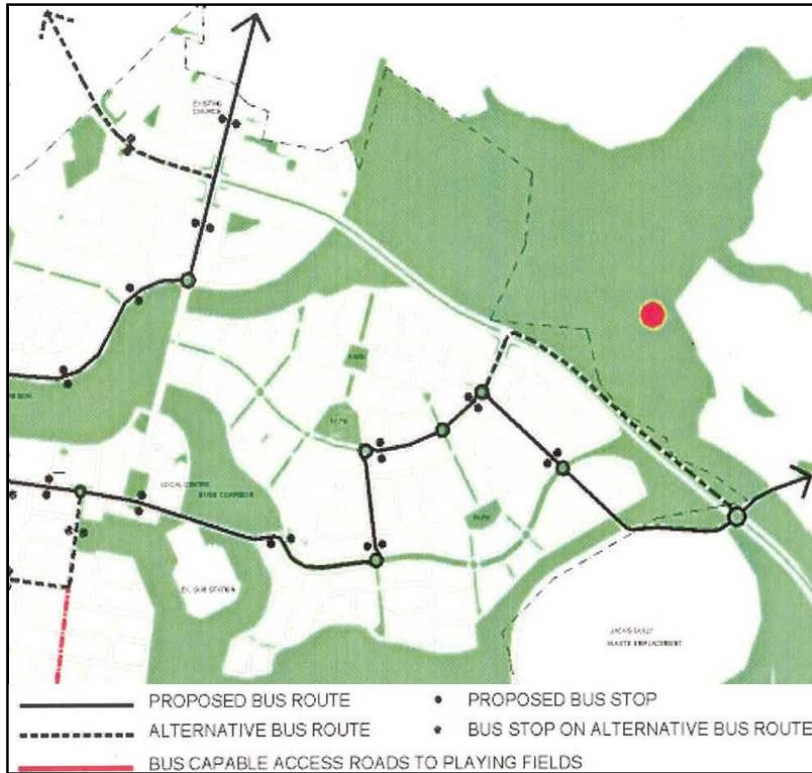


Proposed



3E Indicative Bus Route

Adopted



Proposed

ORD05

Attachment 2

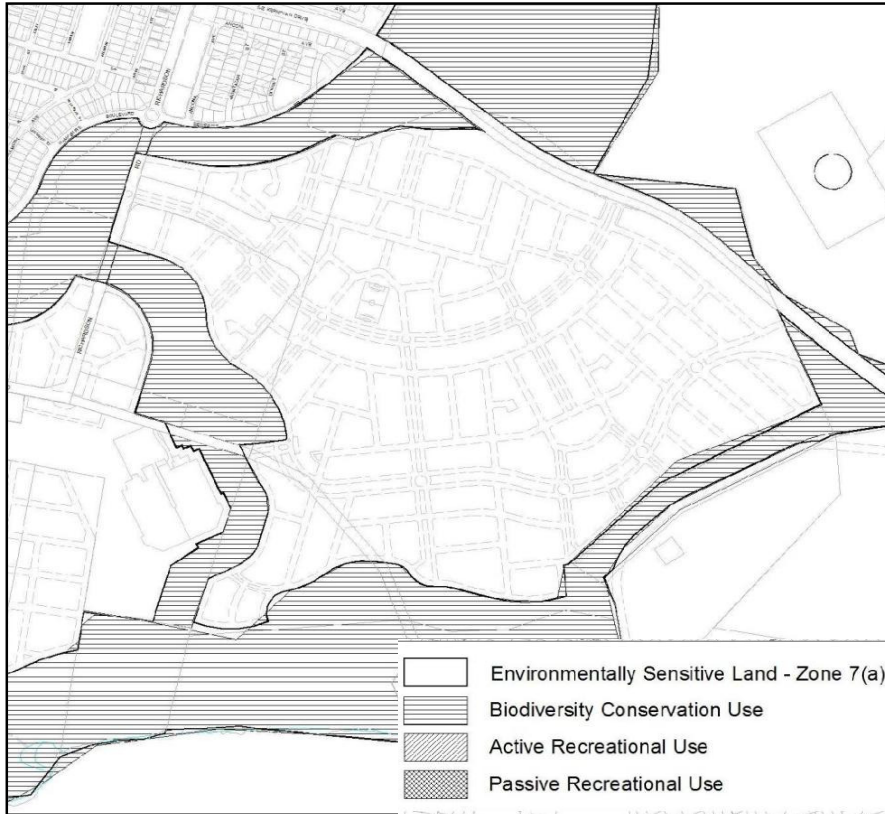
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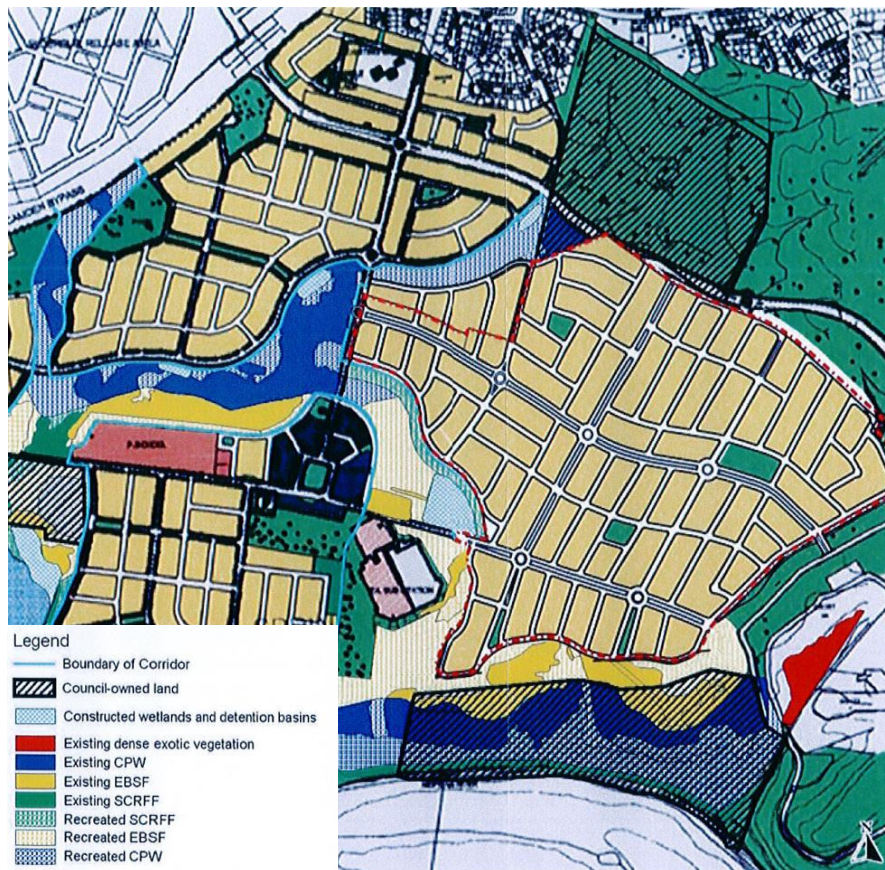


3F Riparian and Bush Corridor Land Uses

Adopted



Proposed



ORD05

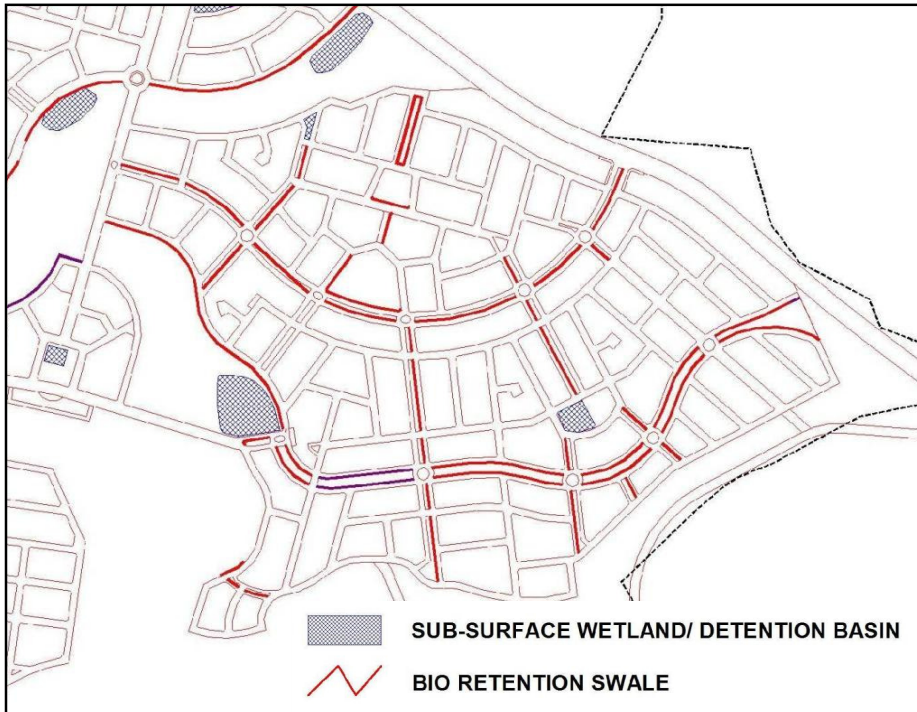
Attachment 2

3G Water Management Features

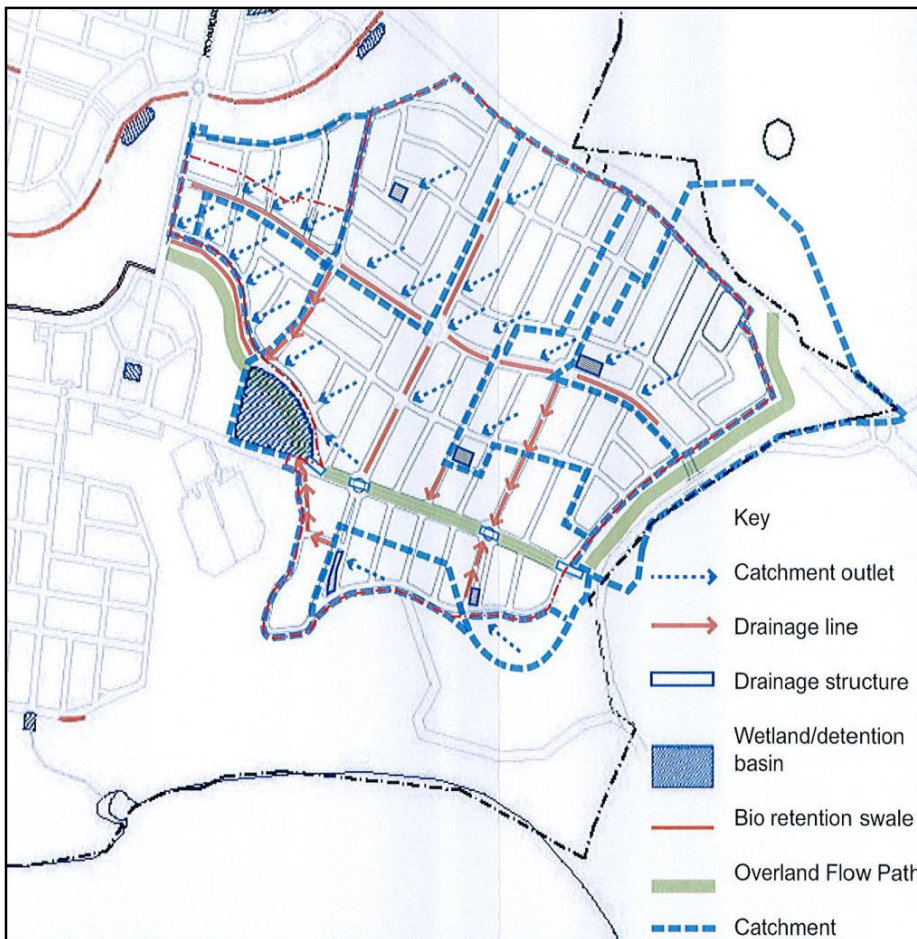
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Attachment 2

Adopted



Proposed



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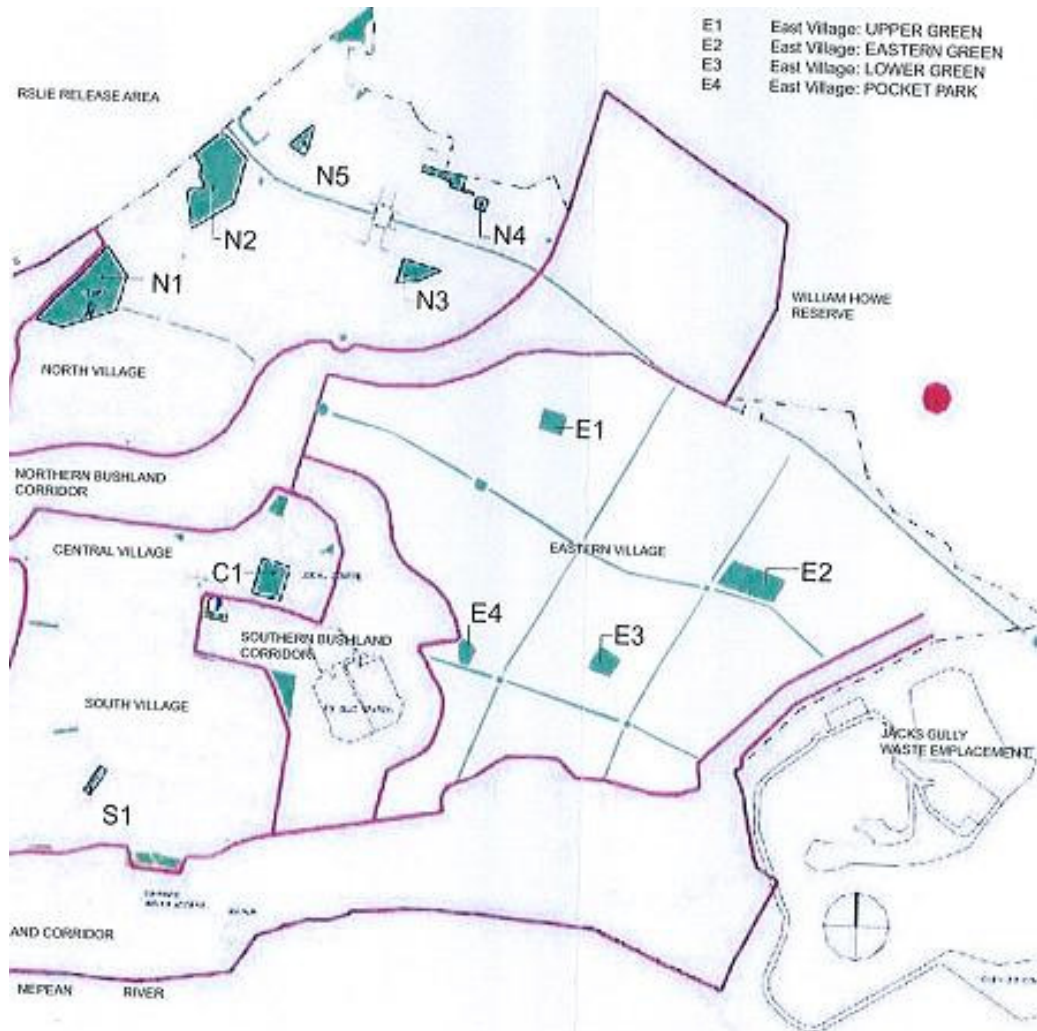
Attachment 2

Attachment 4 - Parks and Open Space

ORD05

Proposed

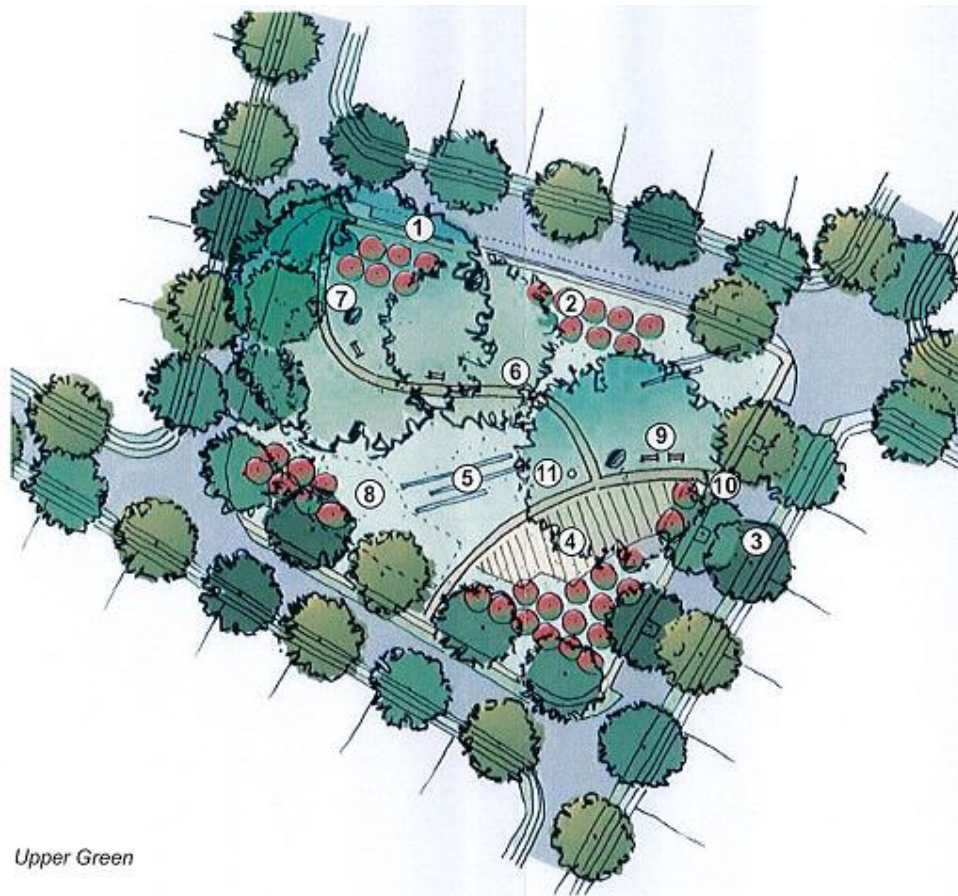
Landscape Master Plan



Concept Master Plan Open Space Key

Attachment 3

E1 – Upper Green



Upper Green

- | | |
|----------------------------------------------------------|--------------------------------------|
| ① Parallel parking | ⑦ Existing tree stand to be retained |
| ② Groves of sculptural specimen trees | ⑧ Bioretention area |
| ③ Street trees and footpaths to both sides of street | ⑨ Seating benches |
| ④ Play area for children under 5 years | ⑩ Bin |
| ⑤ Sculptural seating offering glimpses of district views | ⑪ Drinking fountain |
| ⑥ Access pathway | |

ORD05

Attachment 3

ORD05

Attachment 3

E2 – Eastern Green



Central Green

- | | | | |
|---------------------------------------|--------------------------------------|------------------------------------------------------------|---------------------------------|
| ① Sealing to park | ⑤ High quality paved seating area | ⑧ Street trees between parking bays on both side of street | ⑪ Bioretention area |
| ② Feature trees along pedestrian walk | ⑥ 90 degree angle parking | ⑨ Buffer planting to perimeter | ⑫ Picnic & BBQ facilities |
| ③ Childrens play area | ⑦ Existing tree stand to be retained | ⑩ Bio-ribbons to Boulevard planted central medians | ⑬ Children's cycle path |
| ④ Informal kick-a-bout | | | ⑭ 1/3 basketball court facility |

E3 – Lower Green*Lower Green*

- | | | |
|-----------------------------------------------|------------------------------------------------|---------------------|
| ① Play area for 5-10 year olds | ⑥ Seating spaces offering passive surveillance | ⑩ Seats |
| ② Informal kick-a-bout area | ⑦ Pedestrian footpath | ⑪ Bin |
| ③ Clusters of colourful native specimen trees | ⑧ Informal groves of large native trees | ⑫ Drinking fountain |
| ④ Parallel parking bays separated by trees | ⑨ Bioretention area | |
| ⑤ Pedestrian path to park perimeter | | |

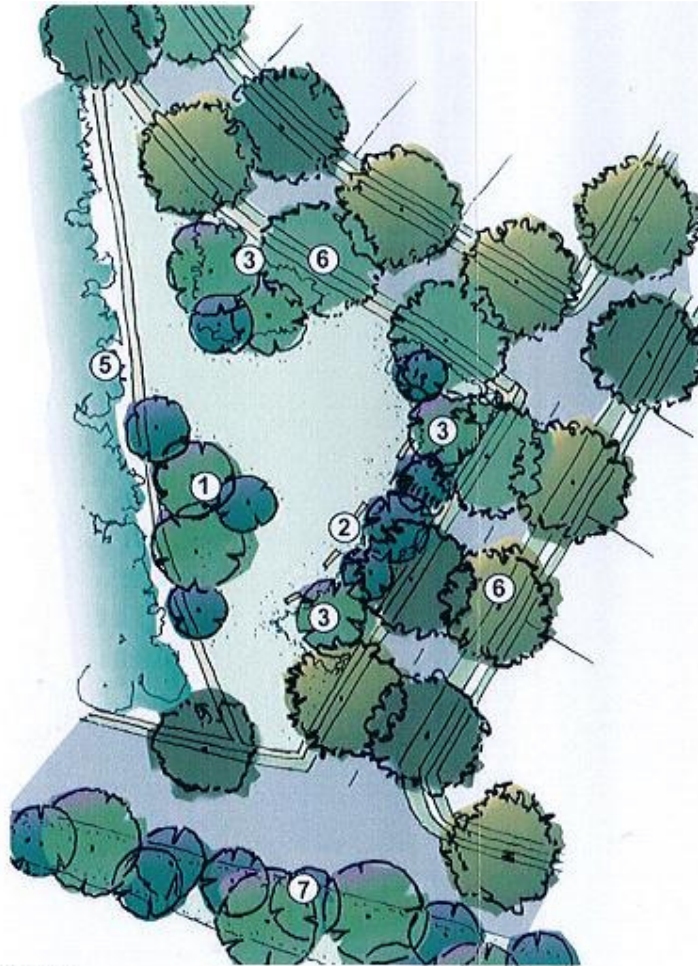
ORD05

Attachment 3

E4 – Pocket Park

ORD05

Attachment 3

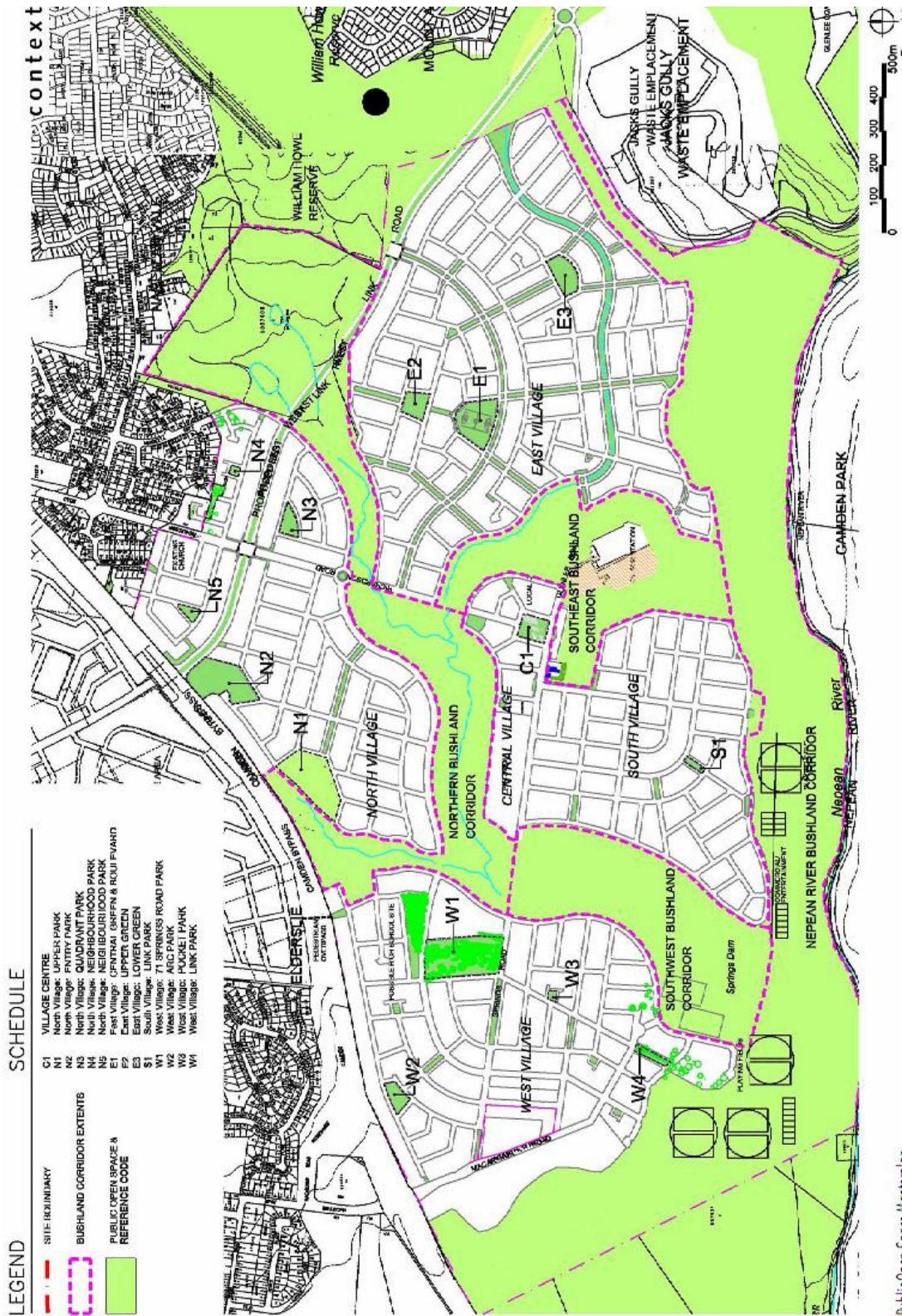


Pocket Park

- | | |
|----------------------------------------------------|--------------------------------------------------------|
| ① Native trees in groves | ④ Pedestrian footpath |
| ② Seating and passive recreational areas | ⑤ Bushland corridor edge |
| ③ Low planting beds with clear stem Specimen trees | ⑥ Street trees in verge |
| | ⑦ Bio-ribbons to Boulevard and planted central medians |

Existing

Landscape Master Plan



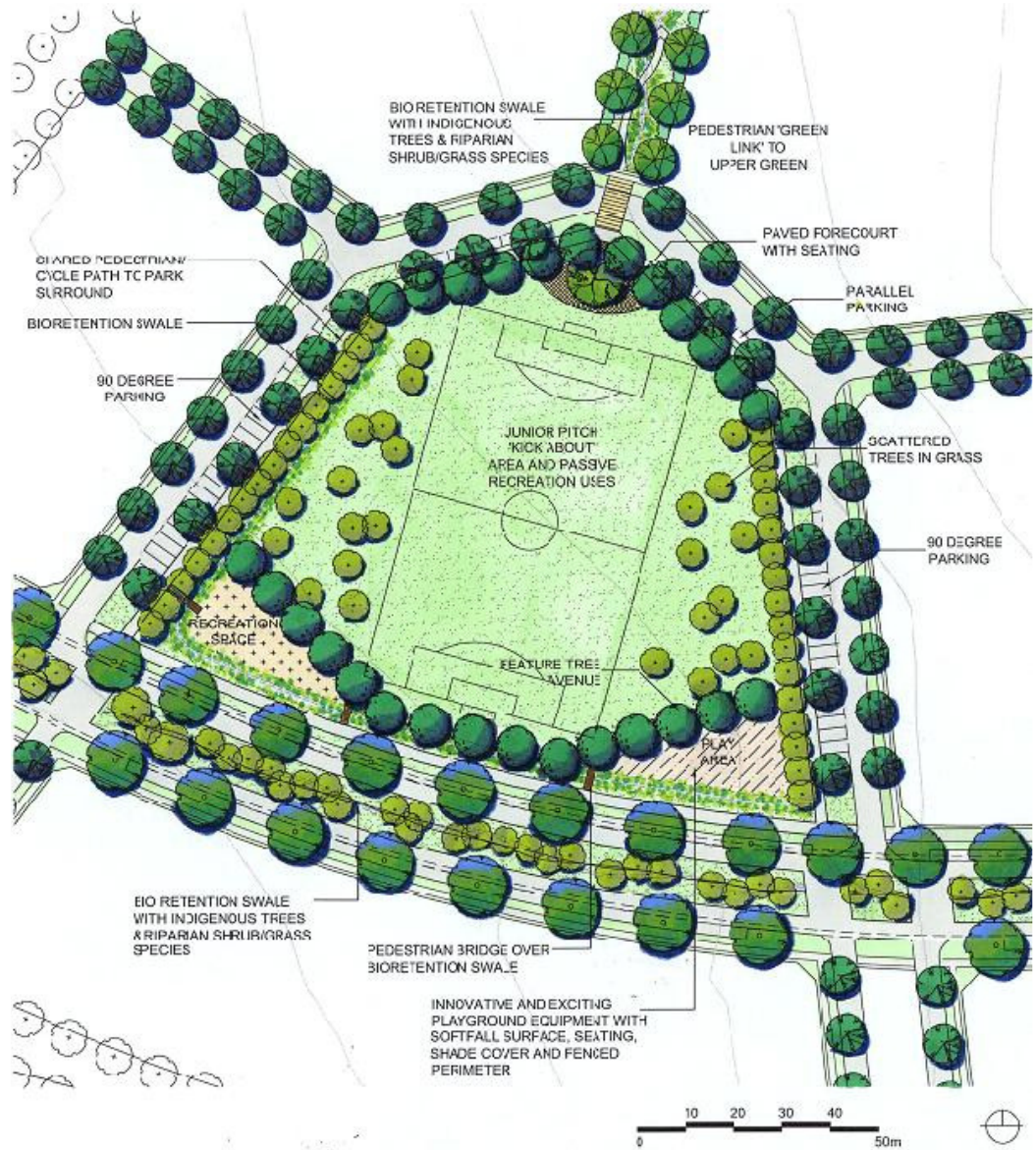
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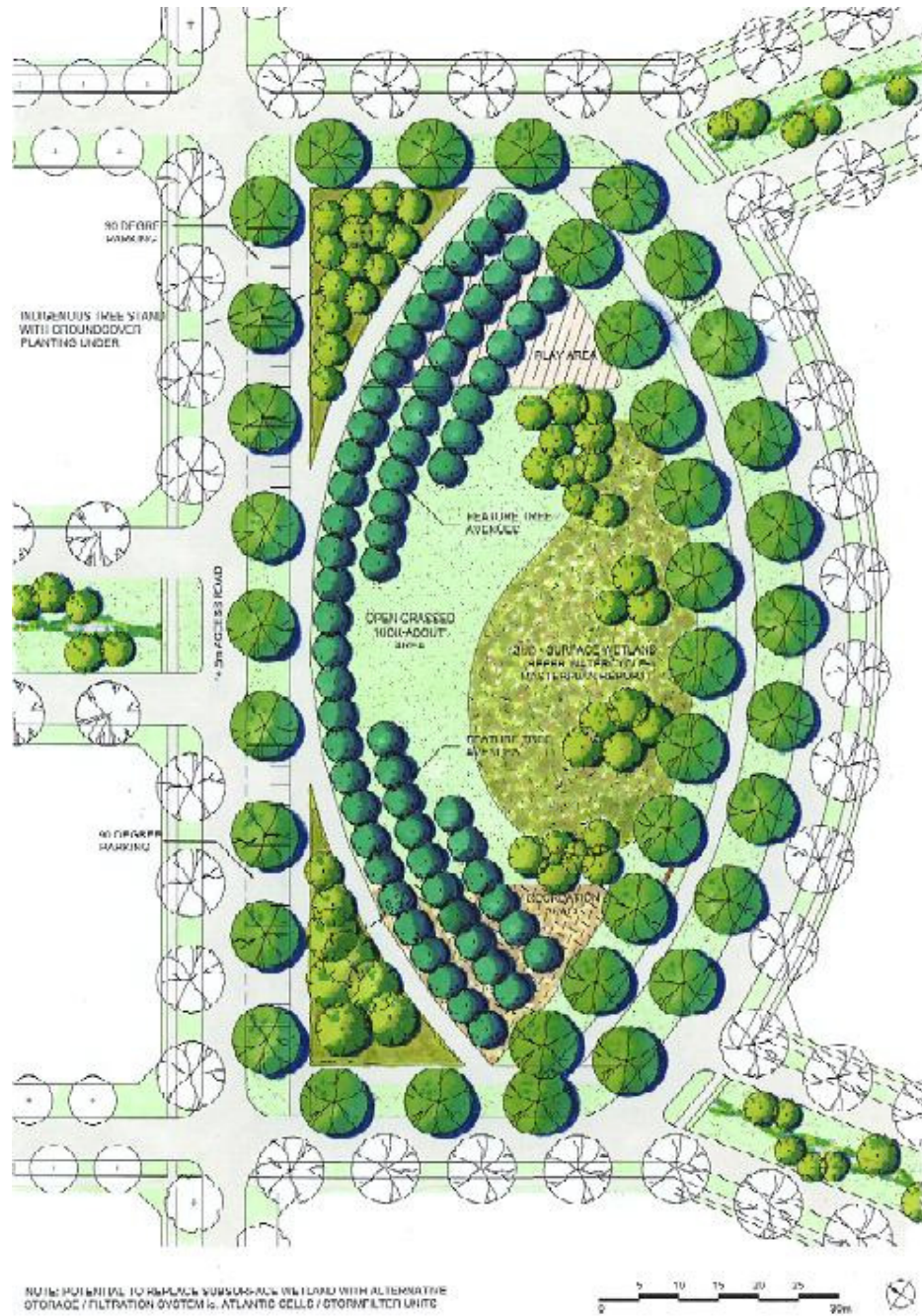
ORD05

Attachment 3

Central Green



Lower Green



ORD05

Attachment 3

ORD05

Attachment 3

Upper Green



ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: COMPULSORY ACQUISITION OF LAND AT LODGES ROAD, ELDESLIE

FROM: Director Governance

BINDER: Corporate Services>Council Properties>Compulsory Acquisition

PURPOSE OF REPORT

The purpose of this report is to seek the endorsement of Council to proceed with the compulsory acquisition of a parcel of land from the NSW Department of Education (Elderslie Public School site). The land will be used to construct a section of the Oxley Rivulet Trunk Drainage Corridor within the Elderslie Release Area.

MAIN REPORT

To facilitate the construction of a section of the Elderslie Trunk Drainage Project it is necessary for Council to acquire a triangular shaped parcel of land with an area of 273 square metres (known as Lot 3 DP 1096138).

The Department of Education has requested that Council take title of the land via the compulsory acquisition process, set out in the *Land Acquisition Just Terms Compensation Act 1991*. This requires the publication of a Notice of Acquisition in the Government Gazette. The land is then officially acquired and any compensation payable by Council is determined by the Valuer General. The *Land Acquisition Just Terms Compensation Act 1991* also stipulates that the acquiring authority (Council) is responsible for all reasonable costs associated with the matter.

It is not Council's normal practice that it acquire property via compulsory acquisition but understand that this is the only method the Department of Education will accept.

Council's acquisition of the land does not hamper the use of the school or its grounds in any way as the Department set aside the land required during construction of the school.

CONCLUSION

To enable the construction of necessary trunk drainage, Council is required to acquire Lot 3 DP1096138. The construction of the requisite trunk drainage and riparian corridor are essential elements within the overall drainage system in the Elderslie Release Area.

The Department of Education are bound by policy to have the land acquired by compulsory process and by no other means.

RECOMMENDED

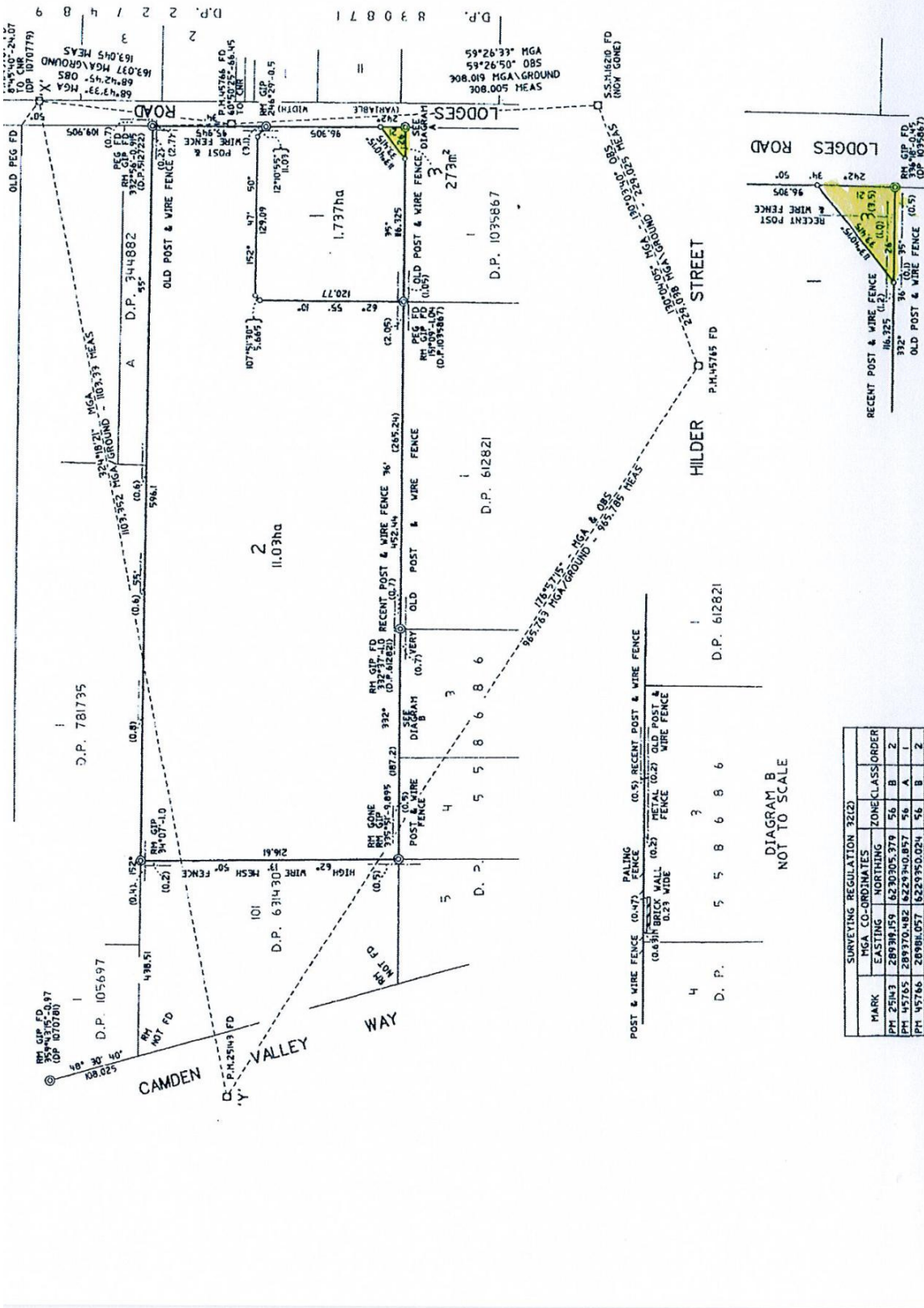
That:

- i. Council acquire Lot 3 DP 1096138 for drainage purposes from the Department of Education;**
- ii. the acquisition be completed via the process outlined in the *Land Acquisition***

-
- Just terms Compensation Act 1991* including the placement of a “Notice of Acquisition” in the Government Gazette;
- iii. Council pay all reasonable costs associated with the matter; and
 - iv. the Mayor and General Manager be authorised to sign under seal any documents relating to this matter.

ATTACHMENTS

1. Location Plan



ORD06

Attachment 1

ORDINARY COUNCIL

ORD07

SUBJECT: SUSTAINABLE EVENT MANAGEMENT POLICY**FROM:** Director Governance**BINDER:** ESD/Grants and Subsidies/Sustainability/DECCW Waste and Sustainability Improvements Program

PURPOSE OF REPORT

To seek Council's adoption of the draft Sustainable Event Management Policy and endorsement to forward the adopted Sustainable Event Management Policy to the Office of Environment and Heritage satisfying the Sustainable Event Management Standard in the 2010/2011 Waste and Sustainability Improvement Payment Program.

BACKGROUND

Since 2006, eligible NSW Council's have received payments from the NSW Government under the Waste Service Performance Improvement Payment (WSPIP) program. This money is generated from Section 88 Waste Levy paid annually by Councils to the NSW Government. Under the WSPIP program, the money received by Council was not tied to specific requirements, but was intended to be spent on projects and programs which focused on waste avoidance and recovery.

In August 2009, the NSW Government introduced a revised Waste and Sustainability Improvement Payment (WaSIP) program for Councils in NSW. This revised program made available to eligible Councils \$256 million over seven years for investment in new and enhanced sustainability initiatives, provided the Councils committed to achieving the ongoing and current year standards. This program is administered by the NSW Office of Environment and Heritage, which was formerly the NSW Department of Environment, Climate Change and Water.

Council's participation in the WaSIP program is voluntary. If Council were committed to continuing the sustainability initiatives already introduced as well as introducing new initiatives in the future it may be eligible to receive a further \$2 million dollars over the next 5 years under this program. This is in addition to approximately \$480,000 that Council has received in the past 2 years under the program.

MAIN REPORT

The WaSIP program provides Council with a funding source to implement new and enhanced sustainability initiatives. However, to receive the funding Council must comply with the ongoing and current year standards.

Under the 2010/2011 WaSIP program, Council is required to adopt and submit a Sustainable Events Management Policy to the Office of Environment and Heritage.

Council Officers have prepared a draft Sustainable Event Management Policy that satisfies the standard. The objective of the policy is to provide guidelines, advice and standards to ensure events organised by Council, and run in the Camden local government area, will be operated in an environmentally sustainable manner.

The Sustainable Event Management Policy identifies the following areas that must be considered when events organised by Council are conducted:

1. Venue Selection - accessibility, potential safety hazards and proximity to waterways.
2. Transport - accessible by public transport or within walking distance
3. Equipment and Supplies - environmentally friendly options
4. Promotion - recyclable paper, social media, electronic means of advertising and existing print mediums
5. Waste - recycling bins, sufficient number of bins, waterwise practices and energy conservation measures
6. Information Handouts and Giveaways - print double sided, recyclable paper and reusable materials.

Whilst it is acknowledged that these areas must be considered it is also recognised and accepted that not all of these may be practical or achievable for all events.

A copy of the draft Camden Council Sustainable Event Management Policy is provided as an attachment to this report.

The adoption and submission of the Camden Council Sustainable Event Management Policy to the Office of Environment and Heritage will satisfy the Sustainable Event Management Standard in the WaSIP program.

CONCLUSION

The WaSIP program provides Council with a funding source to implement new and enhanced sustainability initiatives. However, to receive the funding Council must comply with the ongoing and current year standards.

The adoption and submission of the Camden Council Sustainable Event Management Policy to the Office of Environment and Heritage will satisfy the Sustainable Event Management Standard in the WaSIP program.

RECOMMENDED

That Council:

- i. **adopt the Draft Sustainable Event Management Policy; and**
- ii. **forward the adopted Sustainable Event Management Policy to the Office of Environment and Heritage to satisfy the Sustainable Event Management Standard under the WaSIP program.**

ATTACHMENTS

1. Sustainable Event Management Policy

ORD07

Attachment 1



SUSTAINABLE
EVENT
MANAGEMENT
POLICY
POLICY (POLICY # here)

SUSTAINABLE EVENT MANAGEMENT POLICY

DIVISION: GOVERNANCE

PILLAR: GOVERNANCE

FILE / BINDER:

POLICY OBJECTIVE:

Camden Council holds a number of events throughout the year to celebrate our heritage, show case and celebrate the Camden Local Government area, attracting tourists to the area and transforming community vision into action.

The objective of this policy is to provide guidelines, advice and standards to ensure events organised by the Communications Department and run in the Camden Local Government Area are operated in an environmentally sustainable manner.

The policy identifies the following areas that must be considered when events organised by the Communications Department are conducted:

- Venue Selection
- Transport
- Equipment and Supplies
- Promotion
- Waste
- Information and Handouts

SCOPE:

This policy applies to all events organised by the Communications Department and held in the Camden Local Government on public land. This policy does not include private events.

The Communications Department will also encourage other event organisers within Council and Council Event Community Management Committees to follow this policy.

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Attachment 1

DEFINITIONS:**Biodegradable:**

Capable of being decomposed by bacteria or other living organisms and thereby avoiding pollution.

Reuse:

1. Use again or more than once
2. The action of using something again

Recycle:

1. Convert (waste) into reusable material
2. Return material to a previous stage in a cyclic process
3. Use again

Recyclable:

1. Able to be recycled
2. A substance or object able to be recycled

Greenhouse Gas Emissions:

Any of the atmospheric gases that contribute to the greenhouse effect by absorbing infrared radiation produced by solar warming of the Earth's surface. They include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (NO₂), and water vapour.

Sustainable:

capable of being maintained at a steady level without exhausting natural resources or causing severe ecological damage.

Sustainability:

conserving an ecological balance by avoiding depletion of natural resources.

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POLICY:**Venue Selection**

- (a) Venue selection should be selected by site inspection as well as consideration for environmental, social, cultural and economic impacts.
- (b) Accessibility for patrons to the venue should be taken into consideration. This should include access to the venue and into the event.
- (c) Impact, including the affect and damage (immediate and long term) of the event on the venue and surrounding environment.
- (d) Potential safety hazards in or around the venue that could have an impact or effect on the target audience and/or the venue.
- (e) Ensure venue size is sufficient, that it isn't too large that it will require additional power and water resources than necessary.
- (f) Where possible, event organisers are not to select venues that are directly located on or in close proximity to a waterway such as a dam, lake, river etc. This is to help reduce any additional waste entering the waterway to ensure ecological balance.

Transport

Transport is a major contributor to greenhouse gas emissions. Where possible venues are to be in walking distance for the target audience and/or are easily accessible by public transport.

Equipment and Supplies

- (a) Where possible source and bulk order equipment and supplies from local suppliers to minimise greenhouse gas emissions produced by transport.
- (b) Where possible research environmentally friendly options and consider equipment lifecycle to ensure sustainable decisions are made.

Promotion

Promotion of events can have a large impact on resources. Organisers should consider a range of promotional options to minimise the impact such as the following:

- (a) Social Media
- (b) Promotional material should be printed on recyclable and biodegradable paper
- (c) For multiple page documents, encourage double sided printing to reduce amount of paper used
- (d) Electronic methods of advertising such as website, emails and electronic newsletters should be used to reduce quantity of printed stock
- (e) Inform audience that material is made from recyclable material and encourage audience to recycle material.
- (f) Use existing print mediums such as Council newsletters and advertising to promote events.
- (g) Where possible and practical provide information for events on posters rather than individual handouts.

Waste

Measures should be taken to minimise waste generated from events.

- (a) Ensure recycling bins are available for the audience to place recyclable material in
- (b) Provide appropriate number of general and recycling waste bins for the number and type of waste being produced
- (c) Ensure there are sufficient number of bins at events and all bins are clearly labelled indicating type of bin (recycling or general waste)
- (d) Ensure stallholders at events remove and dispose of their own rubbish including liquids.

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ORD07

- (e) Where possible, ensure that lights are switched off when the venue isn't in use.
- (f) Ensure waterwise practices
- (g) Ensure water restrictions are observed
- (h) Encourage food vendors to use sustainable equipment including reusable and/or biodegradable cutlery, plates, bowls etc

Information Handouts and Giveaways

Information handouts and giveaways are common at events and are often available in large quantities. If information handouts are essential the following considerations should be taken into account:

- (a) Where possible handouts should be printed double sided
- (b) Where possible handouts should be printed on recycled paper
- (c) Where possible avoiding dating handouts so they can be reused at future events
- (d) Encourage recipients to recycle material once they are finished with it

If information giveaways are available the following considerations should be taken into account:

- (a) Where possible giveaways should be made from recycled or recyclable material
- (b) Where giving away products in bags, bags should be reusable or made from recycled products.
- (c) Try and ensure the giveaways have a souvenir value so recipients are more likely to hold onto them then dispose of them

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Attachment 1

REFERENCES:

- <http://www.london2012.com/documents/locog-publications/london-2012-sustainability-events-guidelines.pdf>
- Guide to Policy Development for Sustainable Event Management
- Online Oxford Dictionary <http://oxforddictionaries.com/>
- Integrated Planning and Reporting Package - Camden 2040
- Purchasing and Procurement

* * *

RELEVANT LEGISLATION:

RELATED POLICIES:

DELEGATIONS:

Y / N

SUSTAINABILITY ELEMENT:

Y / N

STAFF TRAINING REQUIRED?

Y / N

NEXT REVIEW DATE:

PREVIOUS POLICY

ADOPTED:

MINUTE:

TITLE HERE
 POLICY (# HERE)
 Adopted by Council:
 Minute No:

ORDINARY COUNCIL**ORD08****NOTICE OF MOTION**

SUBJECT: NOTICE OF MOTION - ROUNDABOUT AT INTERSECTION OF WELLING DRIVE, WATERWORTH DRIVE AND MAIN STREET, MOUNT ANNAN

FROM: Mayor

BINDER: Notices of Motion

"I, Councillor Greg Warren, hereby give notice of my intention to move the following at the Council Meeting of 26 July 2011:"

That a report be prepared with a view to identifying any measures such as traffic calming, overhead lighting and landscape treatment to improve traffic flow and safety at the roundabout at the intersection of Welling Dr/Waterworth Dr/Main St, Mt Annan.

RECOMMENDED

That a report be prepared with a view to identifying any measures such as traffic calming, overhead lighting and landscape treatment to improve traffic flow and safety at the roundabout at the intersection of Welling Dr/Waterworth Dr/Main St, Mt Annan.