



Camden Council

Business Paper

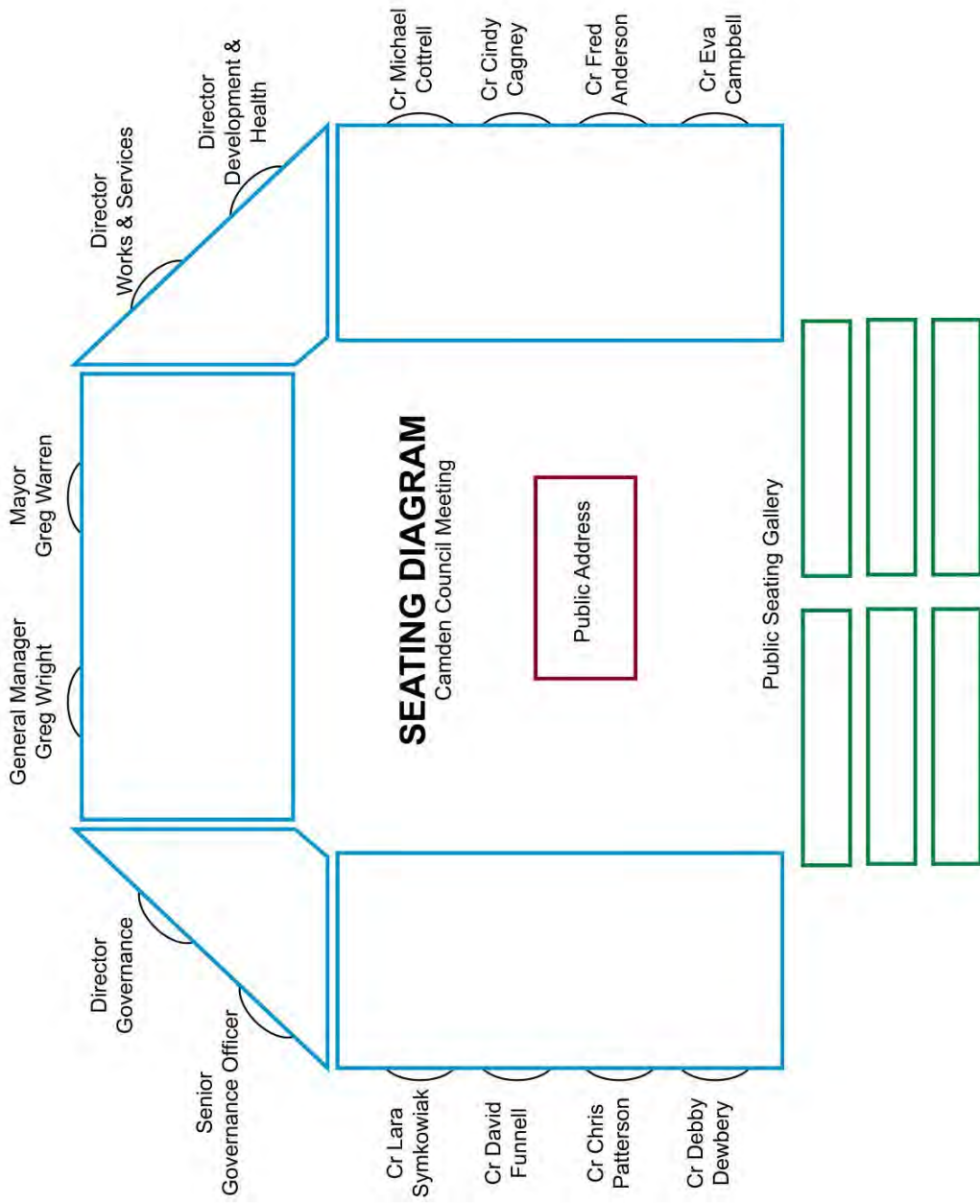
Ordinary Council Meeting
22 November 2011

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
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



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



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 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 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 8 November 2011.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 8 November 2011, copies of which have been circulated, be confirmed and adopted.



ORD01

ORDINARY COUNCIL

ORD01

SUBJECT: 22 LOT RESIDENTIAL COMMUNITY TITLE SUBDIVISION, CONSTRUCTION OF A NEW ROAD, COMMUNITY TITLE PARK AND A 3.5M WIDE FIRE TRAIL AND CYCLEWAY AT 39L (LOT 26 IN DP 270551) FAIRWATER DRIVE, 2A (LOT 100 IN DP 1048741) AND 108A (LOT 3555 IN DP 1118206) SIR WARWICK FAIRFAX DRIVE DRIVE, HARRINGTON PARK

FROM: Director Development & Health

BINDER: Development Applications 2006

DA NO: 1325/2006

OWNER: Dandaloo Pty Ltd

APPLICANT: Development Planning Strategies

ZONING: R2 Low Density Residential - Camden LEP 2010 (gazetted 3 September 2010) / 2(d) Residential - Camden LEP 74 (now repealed)

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Development Application (DA) for a 22 lot residential Community Title subdivision, construction of a new road, Community Title park, as well as a 3.5m wide fire trail and cycleway on adjoining Council owned land at 39L Fairwater Drive, 2A Sir Warwick Fairfax Drive, and 108A Sir Warwick Fairfax Drive, Harrington Park.

The application is referred to Council in accordance with its delegations as there remain unresolved issues raised in a petition received from the public. The development also proposes variations from Camden Development Control Plan 2006.

SUMMARY OF RECOMMENDATION

It is recommended that Council approve this Development Application subject to the draft Development Consent Conditions provided at the end of this report.

BACKGROUND

The subject DA was lodged on 15 December 2006. The application has undergone detailed assessment with the applicant responding to several issues raised by Council staff. This process culminated in June 2011 when the currently proposed subdivision plans were submitted to Council.

The application has been assessed and is now able to be determined by Council.

THE SITE

The site is a vacant lot located on Fairwater Drive approximately 400m to the south-east of the Harrington Plaza shopping centre. The land is bounded by Fairwater Drive to the west and Narellan Creek to the east. The total area of the land is 1.822ha, the site having a total frontage of 192.4m to Fairwater Drive, and a gentle fall towards Narellan Creek. The site is currently fenced off and is cleared of vegetation. There are

existing residential dwellings on the opposite side of Fairwater Drive, to the south a drainage reserve and another section of the Fairwater Gardens residential estate.

A site location map is provided at the end of this report.

THE PROPOSAL

Development Consent is sought for a Community Title subdivision to create 22 residential lots, the construction of a new road, the provision of a Community Title park and a 3.5m wide fire trail running along the northern and eastern boundary of the site. Part of this fire trail will be situated on Council land (known as Lot 100, DP 1048741).

The proposed lots range in size from 402m² to 833m². The proposed park is 596m² and provides a connection from the subdivision to the Narellan Creek public reserve.

The proposed development is classed as Nominated Integrated Development as it requires a Controlled Activity Approval from the NSW Office of Water as works are proposed within 40m of Narellan Creek.

The proposed development is also classed as Integrated Development as it requires a Bush Fire Safety Authority from the Rural Fire Service as it involves the subdivision of bush fire prone land.

Approvals from both of these external agencies have been received.

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

NOTIFICATION

The application was initially publicly notified between 13 and 27 September 2007 with no submissions received.

Upon receipt of amended plans in December 2009 the application was re-advertised between 4 March and 2 April 2010, in accordance with the *Environmental Planning and Assessment Regulation 2000* as it is Nominated Integrated Development. One petition with ten (10) signatures was received as a result of this notification.

The unresolved issues raised in the petition are assessed in the "Any Submissions" section of this report.

A copy of the petition 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:

- State Environmental Planning Policy No. 55 – Remediation of Land
- Deemed State Environmental Planning Policy No. 20 – Hawkesbury/Nepean River
- Camden Local Environmental Plan No. 74
- Camden Local Environmental Plan 2010
- Camden Development Control Plan 2006

ASSESSMENT

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

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the proposed site is suitable for its intended use (in terms of contamination) prior to granting development consent. The applicant has submitted a Contamination Assessment in support of this application. This assessment notes that the site is contaminated by stockpiles from previous developments.

Most of the identified contaminants were determined to be within the acceptable limits for residential subdivision, with the exception of manganese, which was considered to not be significant and is naturally occurring. These conclusions are deemed acceptable by Council staff, with the removal of contaminants to a licensed facility recommended as a development consent condition.

Deemed State Environmental Planning Policy No. 20 – Hawkesbury/Nepean River

It is considered that the aims and objectives of this policy will not be prejudiced by this development and there will be no detrimental impacts upon the Hawkesbury/Nepean River system as a result of it. Existing stormwater quantity and quality facilities in the vicinity of this subdivision will enable protection of the river system.

Camden Local Environmental Plan 74 (LEP)

This LEP was in place before the gazettal date of the Camden LEP 2010 on 3 September 2010, and therefore it is this LEP that must be considered when assessing this application.

The land to which the subdivision applies is zoned 2(d) Residential. Subdivision of land is permissible with consent in this zone.

The proposal complies with the relevant objectives of the zone, those being “to allow the provision of a range of housing types” and “to allow open space for such active and passive recreation as may be required for proper accessibility and distribution in relation to the population generally and to young children in particular” and “to allow land for pedestrian and cycle routes between areas of activity.”

(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

Camden Local Environmental Plan 2010 (LEP)

This LEP was gazetted on 3 September 2010. Given that this DA was lodged before 2 September 2010, it must be assessed under the previous LEP as there are savings provisions in the LEP that state “the application must be determined as if this Plan had not commenced.”

The land to which the subdivision applies is zoned R2 Low Density Residential. Subdivision of land is permissible with consent in this zone.

The proposal complies with the relevant objectives of the zone, those being “to provide for the housing needs of the community within a low density residential environment”

and “to minimise conflict between land uses within the zone and land uses within adjoining zones.”

The minimum lot size specified on the LEP lot size map is 450m², which results in 9 of the proposed lots being under this minimum. However as this LEP is only considered as a draft LEP, compliance with this minimum lot size standard is unnecessary.

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

Camden Development Control Plan (DCP 2011) came into force on 16 February 2011 and the subject DA was lodged on 16 December 2006.

The DCP states that *"it applies from the date of commencement. However, development applications lodged prior to the commencement date (i.e. 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 DCP's 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 Camden DCP 2006.

The proposed development has been assessed against the relevant controls in the DCP. The proposal complies with all controls with the exception of the following:

- (i) 13 of the proposed lots exceed the 450m² maximum lot area;
- (ii) the average lot size exceeds the DCP maximum of 350m²;
- (iii) the corner lot (proposed lot 1) is less than the minimum 650m² area for corner lots;
and
- (iv) the park is less than the required 2,000m² minimum area.

An assessment of the development against these controls is provided below:

Part E, Chapter 1 – Residential Subdivision

Lot Size and Average Lot Size

The site is designated as a "Residential 2" by the DCP. The DCP requires higher densities, and therefore smaller lots with areas less than 450m², with an overall average size of 350m².

Proposed lots 1, 2 and 12 to 22 (inclusive) do not comply with this control in that they have areas of between 453m² and 833m², in other words the lots are too big.

In addition, the average lot size for the entire subdivision is approximately 543m² which is more than the DCP maximum average of 350m².

The applicant has requested that Council support these variations from the DCP for the following reasons:

1. the site is irregular in shape and therefore results in larger lot sizes; and

2. the site is constrained by bush fire prone land and its associated asset protection zone which results in larger lot sizes.

Due to the above, the applicant argues that making all lots less than the maximum area of 450m² with an average of only 350m² is unfeasible and that the larger lot sizes should be supported.

10 of the 11 proposed lots over 450m² in area have front boundaries that address the internal road, whilst their rear boundaries back onto Narellan Creek. Land adjacent to Narellan Creek is identified as being bushfire prone land, which imposes asset protection zones on the lots that restrict the development of future dwellings. Therefore larger lot sizes are required in order to achieve appropriate building footprints for future dwellings.

Additionally, the eastern boundary of the site is irregular due to its location next to Narellan Creek. The alignment of the proposed road also results in lots that are deeper than 40m. A combination of these two factors results in the proposed lots being greater than the maximum 450m² area.

In light of the above, this variation is considered to be acceptable and it is recommended that it be supported by Council.

Corner Lot Size

The DCP specifies that corner lots are to include a minimum lot size of 650m².

The one corner lot proposed in this subdivision has an area of only 463m². However this DCP variation is supported for the following reasons:

1. this control conflicts with the control which requires that lot sizes are not to exceed 450m². It is considered appropriate that because the lot is not constrained by bushfire prone land, that the lower lot size be supported to achieve the DCP's density objectives;
2. it is considered that even with a lot size of 463m² any future dwelling will still be able to comply with the required set backs and dwelling design controls; and
3. the development complies with the objectives of this part of the DCP, being to provide variations in the size of the lots.

On the basis of all of the above, it is recommended that Council support this proposed variation from the DCP.

Open Space

In relation to Section 14 on open space, the proposed Community Title park does not comply with Council's Open Space Strategy as the size of the park is less than 2,000m² in area.

However the land to which this park is situated has a depth of 21.5m on the northern boundary and 21.4m on the southern boundary. With these depths, and also an asset protection zone that is approximately 5m in depth, the possibilities of providing a flexible building envelope for a dwelling is limited and therefore renders this unsuitable for future dwelling construction.

Furthermore, the park is connected to a larger open space area adjacent to Narellan Creek, which will contain a fire trail/cycleway and provide additional opportunities for passive recreation.

Importantly the park will be a Community Title park and therefore Council will not have any maintenance responsibilities for it. It is also noted that the park is additional open space extra to that required by the DCP. Thus it will provide additional recreation opportunities to local residents, which is supported.

In this context it is recommended that the variation be supported by Council. It is a recommended Development Consent Condition that the embellishment of the park (playground equipment and the like) be subject to a separate Development Application.

Bushfire Prone Land

In relation to Section 15 on bushfire prone land, a Bushfire Safety Authority has been issued by the Rural Fire Service. A 3.5m wide fire trail is proposed to be constructed as an extension to the cycleway to the south, and will provide an all weather access from Fairwater Gardens in the event of a bushfire.

Noise Attenuation

In relation to Section 17 on noise attenuation, this issue has been assessed by Council staff and is deemed acceptable. The dwellings will be able to comply with the noise criteria when DAs are approved.

Waste Collection

In relation to Section 18 on waste collection, this will be achieved by the proposed cul-de-sac head.

Part G, Chapter 7 – Harrington Park

As assessed previously in the “Part E, Chapter 1 – Residential Subdivision” section of this report, the site is designated as a “Residential 2” site by the DCP. The site is located on a bus route, within 200m of a bus stop and within 500m of the Harrington Park shopping centre. This complies with the DCP’s requirements.

Water Quality, Drainage & Noise

In relation to Section 9 on water quality, Section 10 on drainage and Section 11 on noise, these issues have been addressed earlier in this report, and are considered to be acceptable subject to the draft Development Consent Conditions provided at the end of this report.

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

There are no relevant Planning Agreements that apply to this site or development.

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

The Regulations prescribe Development Consent Conditions, including the requirement for a Construction Certificate as per Part 8 of the *Environmental Planning and*

Assessment Regulation 2000, which are recommended as part of the draft Development Consent Conditions provided at the end of this report.

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

The likely impacts of this development include:

1. Salinity

The applicant has submitted a salinity assessment of the site to determine its suitability for residential development. This assessment concluded that the site is affected by saline soil and will require good soil and water management to address salinity. This conclusion is deemed acceptable by Council staff, with soil and water management strategies recommended as a draft Development Consent Condition.

2. Economic impacts

The development will contribute to labour force employment during the development phase whilst the resident population will ultimately contribute to the viability of support services in the local economy.

3. Social impacts

The proposed development will potentially contribute to diversity through provision of housing stock, subject to future Development Applications for individual dwellings. It also offers the opportunity of contributing to neighbourhood development.

All other likely impacts of the proposed development have been assessed elsewhere in this report.

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

The proposal fits in with the locality in terms of its ability for future dwellings to conform to the relevant development controls, and the site attributes make it conducive to the development in relation to connections to services and salinity. Therefore it is considered that this site is suitable for the proposed development.

(1)(d) Any submissions

As a result of public notification, one (1) petition with ten (10) signatures was received. The following details the issues raised and provides an assessment of them:

1. *There will be increased vehicular traffic associated with the proposed subdivision. Already, a large number of westbound vehicles are doing U-turns on Fairwater Drive near Morton Terrace. This practice will increase if vehicles need to gain access to the proposed subdivision. The intersection should be moved further to the south.*

Officer comment:

The distance between the two intersections on Fairwater Drive will be 27m. The location of the proposed road is supported by Council's Traffic Engineer who has advised that the traffic generation of the proposed subdivision will be very low as it will only create approximately 20 vehicles per hour during peak times. The Traffic Engineer also states that the proposed road design will accommodate traffic

movements to and from both roads without adverse impacts on public safety or traffic efficiency.

2. *The proposed subdivision is very close to a school and pre-school.*

Officer comment:

As assessed above, Council's Traffic Engineer has advised that the additional traffic generated by this subdivision is very low and it is therefore considered that the development will not adversely impact upon the safety of pedestrians walking to and from the school and pre-school.

(1)(e) The Public Interest

It is considered that the public interest will be positively served by the proposed subdivision as it is consistent with the relevant LEP, and the proposed variations from the DCP can be supported on their merits and are considered to be within the public interest.

CONCLUSION

Council has received an application for a subdivision to create a 22 lot residential Community Title subdivision, construction of a new road and Community Title park, as well as a 3.5m wide fire trail and cycleway on the adjoining Council owned land.

The application has been assessed in accordance with Section 79C of the *Environmental Planning and Assessment Act 1979* and the public submissions received have been considered.

This application has been referred to Council because of unresolved issues raised in a petition as well as proposed variations from Camden Development Control Plan 2006.

These variations have been assessed throughout this report and it is recommended that Council support them. The unresolved issues raised in the petition have also been assessed in this report.

Consequently the development is recommended to Council for approval, subject to the draft Development Consent Conditions shown below.

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

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

- Fairwater Gardens Subdivision Plan, Drawing Number HARHP730_P, dated 27/6/11

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

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

- (2) **Department of Natural Resources** – The development is to comply with all of the conditions specified in the General Terms of Approval issued by the Department of Natural Resources, dated 3 April 2007, Ref No. ERM 2007-7098.
- (3) **Rural Fire Service** – The development is to comply with all of the conditions specified in the Bushfire Safety Authority issued by the NSW Rural Fire Service, dated 17 April 2007, Ref No. D07/0415.
- (4) **Cul-de-sac Head** – The cul-de-sac head must meet the 9.2 metre radius specification as specified in Attachment B to allow for heavy vehicle manoeuvrability.
- (4) **Fill stockpiles** – In accordance with drawing 1 of the report titled “*Report: Preliminary Contamination, Salinity and Geotechnical Assessment, Proposed Residential Subdivision Fairwater Gardens Stage 2, Harrington Park, NSW, Prepared for Harpak, Prepared by GeoEnviro Consultancy Pty Ltd, Ref JC 06059A, Dated March 2007*”, the stockpiles of fill identified as “Stockpile E” must be screened to remove foreign materials where reuse of soils is proposed. Any foreign materials recovered from such screening must be disposed to a licensed waste facility. As an alternative to screening the stockpiles for reuse of soils, the stockpiles must be waste classified in accordance with *Environmental Guidelines Assessment, Classification and Management of Non-liquid Waste, NSW EPA, 1997* and disposed to DEC approved facility.

Where waste materials are required to be disposed to a licensed waste facility suitable to each classification, copies of waste tipping dockets are to be retained by the applicant as proof of disposal.

- (5) **Park** – Any works, including playground equipment and other landscaping, associated with this park will be subject to a separate Development Application.
- (6) **Access Road** – The access road is to not have a gate constructed across the width so as to restrict any public access into the subdivision.
- (7) **Fire Trail** - The proposed fire trail to be constructed on Council land must be fully constructed by the applicant at no cost to Council. The applicant must notify Council of the intended start date on the works on Council land at least one (1) week prior and obtain Council approval to commence the construction.

2.0 - Construction Certificate Requirements

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

- (1) **Soil Erosion and Sediment Control Plans** – Soil Erosion and Sediment Control Plans must be designed and installed in accordance with Camden Council's Soil Erosion and Sediment Control Policy.

Control measures must be maintained during the entire development procedure and can only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised.

Plans containing a minimum of four (4) sets of the undermentioned information must be prepared and submitted to the Principal Certifying Authority for approval **prior to a Construction Certificate being issued:**

- (a) existing and final contours
 - (b) the location of all earthworks including roads, areas of cut and fill and re-grading
 - (c) location of impervious areas other than roads
 - (d) location and design criteria of erosion and sediment control structures
 - (e) location and description of existing vegetation
 - (f) site access (to be minimised)
 - (g) proposed vegetated buffer strips
 - (h) catchment area boundaries
 - (i) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
 - (j) location of topsoil or other stockpiles
 - (k) signposting
 - (l) diversion of uncontaminated upper catchment stormwater around areas to be disturbed
 - (m) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
 - (n) procedures for maintenance of erosion and sediment controls
 - (o) details for staging of works
 - (p) details and procedures for dust control.
- (2) **Civil Engineering Plans** – Indicating drainage, roads, access ways, earthworks, pavement design, details of line marking and traffic management details 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.

Note: The developer must obtain a Construction Certificate prior to commencement of any physical site works.

- (3) **Performance Bond – Prior to the issue of the Construction Certificate**, a performance bond of 10% of the construction cost 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.

- (4) **Traffic Management Procedure** – Traffic management procedures and systems must be introduced during construction of the development to ensure safety and minimise the effect on adjoining pedestrian and traffic systems. Such procedures and systems must be in accordance with AS1742.3 1985 and to the requirements and approval of Council. Plans and proposals must be approved by Council **prior to the Construction Certificate being issued.**
- (5) **Public Risk Insurance Policy – Prior to the issue of the Construction Certificate,** the owner or contractor is to take out a Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve. The Policy is to note Council as an interested party and a Certificate of Currency from the issuer of such policy must be submitted to the Council as evidence of such policy. Where the coverage of such policy expires during the period of construction of the works, the policy must be renewed prior to the expiration of the policy and a Certificate of Currency from the insurer provided to Council.

Failure to keep the works insured shall be reason for Council to make the works safe and all costs associated with making the works safe shall be a cost to the owner of the land.

- (6) **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.
- (7) **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.**
- (9) **Destination** – Pit lintels must be labelled with permanent stencilled signs to identify the watercourse into which the pit drains.
- (10) **Signage and Line Marking** – Any sign or line marking proposals are required to be referred to Council's Local Traffic Committee and approved prior to the issue of a Subdivision Certificate.

3.0 - Prior To Works Commencing

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

- (1) **Pollution Warning Sign** – A sign must be erected at all entrances to the subdivision site prior to work commencing and maintained until the subdivision has reached 80% occupancy. The sign must be constructed of durable materials and be a minimum of 1200mm x 900mm. The wording of the sign must be as follows:-

“WARNING - UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. The Council of Camden (02 4654 7777) - Solution to Pollution.”

The warning and fine statement wording must be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details must be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

The location and details of the signage shall be shown on the Soil and Water Management Plan prior to the release of the construction certificate.

- (2) **Environmental Protection Authority** – The developer must comply with any requirement of the Environment Protection Authority **prior to the commencement of the development.**
- (3) **WorkCover** – The developer must comply with any requirements of the WorkCover Authority **prior to commencement of the development.**
- (4) **Hoarding and Ancillary Requirements** – The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by the Consent Authority (ie Camden Council). An application must be lodged with and approved by Council prior to the erection of any hoarding or fence.

Note 1 No site or demolition works must commence before the hoarding or fence is erected and a Construction Certificate, if applicable, granted by a Certifying Authority.

Note 2 Public thoroughfares must not be obstructed in any manner whatsoever during demolition works.

Note 3 All demolition works must comply with the requirements of AS 2601 - 1991.

- (5) **Signs to be Erected on Building and Demolition Sites** – Under Clause 98A of the *Environmental Planning and Assessment Regulation 2000*, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, and
 - (b) showing the name of the ‘principal contractor’ (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

Note: The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.

- (6) **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.
- (7) **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.
- (8) **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.
- (9) **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 re-vegetation).

Where a Soil Erosion and Sediment Control Plan (or details on a specific plan) has been approved with the Development Consent, these measures must be implemented in accordance with the approved plans. In situations where no plans or details have been approved with the Development Consent, site soil erosion and sediment controls must still be implemented where there is a risk of pollution occurring.

An Infringement Notice issued under the *Environmental Planning and Assessment Act, 1979*, which imposes a monetary penalty of \$600, may be initiated by the Principal Certifying Authority (PCA) and issued by Camden Council where the implementation or maintenance of measures is considered to be inadequate. In the event that a risk of environmental pollution occurs an Infringement Notice issued under the *Protection of the Environment Operations Act 1997*, which imposes a monetary penalty of \$750 for an individual or \$1,500 for a corporation may be issued by Camden Council.

- (10) **Single Access Point** – A single access point must be provided to the site **prior to commencing construction work**.
- (11) **Provide a Truck Shaker** – An approved truck shaker must be provided at the construction entry point in accordance with Council's standards **prior to commencement of work** to prevent dust, dirt and mud falling on roadways. Ingress and egress from the site must be limited to this single access point only.

4.0 - During Construction

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

- (1) **Minimise Cut and Fill** – Avoid exposure and disturbance of sodic soil by minimising cut and fill. In general, excavation should be kept under 900mm. Any deeper excavation should be covered and retained by retaining walls.
- (2) **Batter Slopes** – Appropriate batter slopes for excavations should be adopted to prevent erosion and scouring.
- (3) **Cut and Fill Stabilisation** – Site road works should be planned to reduce cut and filling to absolute minimum and the earthworks undertaken in stages to alleviate erosion and localised instability problems. To minimise the effects of erosion, all road batters whether in cut or fill should be stabilised by planting (or the application of a sprayed-on mulch) with appropriate species or vegetation as soon as practical after construction.
- (4) **Bedding of Pipe work** – Special consideration must be given to the design, bedding of pipe work for the stormwater and other services, as soil within these areas are generally erodible or dispersive. In either event, minor leakage from the pipe work can lead to significant settlement around the pipe work resulting in damage. It is recommended rubber –ring jointed pipes be used. Special types of “pipe-bedding” (eg clean coarse sand) may also be required.

As the soil is potentially unstable in the presence of water resulting in tunnelling, construction of infrastructure should include adequate compaction of services trenches and construction of cut-off walls to prevent migration of fines.

- (5) **Application of Gypsum / Lime** – Prevention of soil erosion, tunnelling and salt scalds may be treated by using Gypsum or Lime.
- (6) **Fill Material For Residential Subdivision – Prior to the importation and/or placement of any fill material on the subject site** a Validation Report and Sampling Location Plan for such material must be submitted to and approved by the Principal Certifying Authority.

The Validation Report and associated Sampling Location Plan must: -

- i) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- ii) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- iii) be prepared in accordance with:
 - a) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity", and
 - b) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".

- iv) confirm that the fill material:
 - a) provides no unacceptable risk to human health and the environment;
 - b) is free of contaminants;
 - c) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - d) is suitable for its intended purpose and land use, and
 - e) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes: -

- v) less than 6000m³ - three (3) sampling locations,
- vi) greater than 6000m³ – three (3) sampling locations with one (1) extra location for each additional 2000m³ or part thereof.

For (v) and (vi) a minimum of one (1) sample from each sampling location must be provided for assessment.

Sampling of Contamination should be undertaken in accordance with the following table:-

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000

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

- (7) **Delivery Register** – In order to comply with the above, the applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Camden Council officers on request and be submitted to the Council at the completion of the development.
- (8) **Construction Noise Levels** – Noise levels emitted during remediation works shall be restricted to comply with the Construction Noise Control Guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of four (4) weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than four (4) weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- (9) **Site Management (No Nuisance Creation)** – The developer must carry out work at all times 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.
- (10) **Fill Material** – No fill material is to be imported to the site without the prior approval of Camden Council in accordance with Council's specifications. All fill material to be imported shall be validated by an appropriately qualified person as posing no unacceptable risk to human health and the environment, and as being suitable for its intended purpose and land use. Putrescible and non-putrescible solid waste (including demolition material) must not be permitted.

All validation works must be carried out in accordance with Council's specifications, the ANZECC and NH&MRC Guidelines and the applicable NSW Environmental Protection Authority Guidelines. The samples of soil for quality validation shall be taken from the compacted fill area. The number of samples to be tested is to be determined by Council's Engineer based on the quality, type, proposed landuse and the conditions of the origin source of the fill material. A copy of this certification plus plans detailing the location of the source of imported fill material, together with documentary evidence that confirms that the extraction of the fill material was lawfully obtained, must be submitted to Camden Council **prior to the issue of the Occupation/Subdivision Certificate.**

- (11) **Vehicles Leaving the Site** – The demolisher shall:
- (i) cause motor lorries leaving the site with demolition material and the like to have their loads covered;
 - (ii) ensure the wheels of vehicles leaving the site do not track soil and other waste material onto the public roads adjoining the site.
- (12) **Hours of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7.00am and 6.00pm, Monday to Friday (inclusive);
 - (b) 7.00am to 4.00pm on Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8.00am to 4.00pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (13) **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 prior to the commencement of use or occupation of a building.
- (14) **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 Saturday.
- 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.
- Builders' 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.

(15) **Civil Engineering Inspections** – Where Council has been nominated as the Principal Certifying Authority, inspections by Council's Engineer are required to be carried out at the following stages of construction:

- (a) prior to installation of sediment and erosion control measures;
- (b) prior to backfilling pipelines and subsoil drains;
- (c) prior to casting of pits and other concrete structures, including kerb and gutter, roads, access ways, aprons, pathways and footways, vehicle crossings, dish crossings and pathway steps;
- (d) proof roller test of sub-grade and sub-base;
- (e) roller test of completed pavement prior to placement of wearing course;
- (f) prior to backfilling public utility crossings in road reserves;
- (g) prior to placement of asphaltic concrete;
- (h) final inspection after all works are completed and "Work As Executed" plans, including work on public land, have been submitted to Council.

Where Council is not nominated as the Principal Certifying Authority, documentary evidence in the form of Compliance Certificates, stating that all work has been carried out in accordance with Camden Council's Development Control Plan 2011 and Engineering Specifications must be submitted to Council **prior to the issue of the Subdivision/Occupation Certificate.**

(16) **Compaction (Roads)** – All filling on roadways must be compacted at 100% standard compaction and tested in accordance with Camden Council's Engineering Design Specifications and associated guidelines and AS1289 by a NATA registered laboratory.

(17) **Survey Marks** – Permanent survey co-ordination marks must be placed within the subdivision in accordance with the *Surveyors Act and Regulations*.

(18) **Street Trees, tree protective guards, root barrier installation and Road Verge areas** – Any nature strip street trees, tree guards, protective bollards, root barrier installation, or any area of the road verge, which are disturbed, relocated, removed, or damaged during the development and construction periods, applicable to this Consent, must be successfully restored at the applicant's cost.

Any repairs, relocations or replacements needed are to be completed with the same type, species, initial installation standards and maturity and the works

carried out successfully prior to the issue of the Subdivision/Occupation Certificate.

- (19) **Dust Control** – Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.

5.0 - Subdivision Certificate

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

- (1) **Section 94 Contributions** – Pursuant to **Contributions Plan No 3** amended in February 1998, a contribution must be paid to Council of \$40,869 per hectare, total \$74,463, for **Trunk Drainage, Water Quality Facilities and Professional Services**.

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

The monetary contribution for Trunk Drainage and Water Quality Facilities may be offset by the value of land transferred to Council or by works-in-kind. Such works cannot commence until an agreement is made with Council pursuant to the Contributions Plan.

- (2) **Section 94 Contributions** – Carry out development in accordance with a Memorandum of Understanding agreed to by Council and Harrington Park Joint Venture dated 15 June 2000.
- (3) **Section 94 Contributions** – Pursuant to **Contributions Plan No. 18** adopted in September 1995, a contribution must be paid to Council of \$841 per additional lot or dwelling, total \$17,661 for a **Library, Netball Courts, Swimming Pool and Professional Services**.

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

- (4) **Section 94 Contributions** – Pursuant to **Contributions Plan No. 20** adopted in October 1996, a contribution must be paid to Council of \$25 per additional lot or dwelling, total \$525, for **Fire and Other Emergency Facilities and Equipment**.

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

- (5) **Section 94 Contributions** – Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$365 per additional lot or dwelling, total \$7,665, for **s.94 Administration and Management**.

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

- (6) **Fill Plan** – A separate Fill Plan on electronic copy (.PDF and .dwg format or equivalent) must be submitted to Council **prior to the release of the**

Subdivision Certificate. The Fill Plan must show allotment boundaries, road reserves and street names only and include details of fill, boundaries, depth of such filling in maximums of 0.5m increments and overall finished contours.

- (7) **Compliance Certificate** – A Compliance Certificate from a suitably qualified and experienced Geotechnical Engineer must be submitted verifying that the works detailed in the geotechnical report have been undertaken under the Engineer’s supervision and to the Engineer’s satisfaction, and that the assumptions relating to site conditions made in preparation of the report were validated during construction. This certificate must accompany the “Works as Executed” drawings.
- (8) **Street Lighting** – Street lighting must be provided within the subdivision in accordance with the relevant Australian standards, Endeavour Energy approval and the satisfaction of Council. All physical works must be complete **prior to the issue of the Subdivision Certificate**.
- (9) **Services** – All services (water, sewer, electricity, telephone and gas including the provision of service conduits and stub mains) are to be installed within the proposed public roads before final inspection of the engineering works.

Prior to the issue of a Subdivision Certificate the following service authority clearances must be obtained and submitted to the Principal Certifying Authority:

- A Section 73 Compliance Certificate under the *Sydney Water Act 1994* shall be obtained from Sydney Water Corporation.
 - A letter from Endeavour Energy stating that all its requirements and any conditions of this consent have been satisfied.
 - A letter from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the development.
- (10) **Show Easements on the Plan of Subdivision** – The developer must acknowledge all existing easements on the final Plan of Subdivision.
- (11) **Show Restrictions on the Plan of Subdivision** – The developer must acknowledge all existing restrictions on the use of the land on the final Plan of Subdivision.
- (12) **Section 88b Instrument** – The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user:
- (a) Easement for services.
 - (b) Easement to drain water.
- (13) **Burdened Lots to be Identified** – Any lots subsequently identified during construction of the subdivision as requiring restrictions must also be suitably burdened.
- (14) **Maintenance Bond** – A maintenance bond in the form of an unconditional bank guarantee or cash bond, being 10% of the value of civil works, must be lodged

with Council **prior to the release of the Subdivision Certificate**. This bond is to cover the maintenance of civil works constructed during subdivision works and any damage to existing roads, drainage lines, public reserves or other Council property or works required as a result of work not in accordance with Council's standards, and/or development consent conditions.

The maintenance bond shall be for twelve (12) months or such longer period as determined by Council's engineer, and shall commence on the date of release of the linen plan in the case of subdivision works or the date of the issue of the compliance certificate in the case of development 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 maintenance bond unless a suitable replacement bond is submitted.

(15) **Work as Executed Drawings** – After completion of all the engineering works and prior to final inspection, work-as-executed drawings and electronic .pdf or .dwg or equivalent signed by a registered surveyor and Compaction Certificates are to be submitted to the principal Certifying Authority in accordance with Camden Council's Engineering Specification, Development Control Plan and associated Guidelines.

(16) **Road Surfacing Bond – Prior to the issue of the Subdivision Certificate** the applicant is to lodge a performance bond with the Consent Authority (ie Camden Council) for the placement of the final layer of asphaltic concrete wearing course for any proposed Public Road within this subdivision.

The bond is to be in the form of cash or unconditional bank guarantee in favour of the Consent Authority (ie Camden Council), and must be equivalent to 130% of the value of the works including the cost of all reinstatement works. The bond amount will be determined by reference to Council's current unit rates for such works.

The bond period is to commence on the date of issue of Subdivision Certificate and the work is required to be held for five (5) years from completion or upon at least 80% of the subdivision occupancy, whichever comes first.

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

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

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

(17) **Compliance Certificate – Prior to the issue of the Subdivision Certificate** the applicant must submit to Council documentary Evidence/Compliance Certificate to confirm compliance of all conditions of the subject consent.

(18) **Value of Works – Prior to release of the Subdivision Certificate** the applicant must submit itemised data and value of civil works for inclusion in

Council's Asset Management System. The applicant can obtain an asset data and valuation sheet from Council upon request.

- (19) **Lot Numbers and Street Names – Prior to issue of a Subdivision Certificate** lot numbers, house numbers and street names must be stencilled on the face of kerb, or in such location as directed by the Principal Certifying Authority.

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

1 Lot numbers:

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

2. House numbers:

Botanic Blue/Brunswick Blue number on white background located adjacent the middle of the lot.

3. Street names:

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

- (20) **Subdivision Certificate Release** – The issue of a Subdivision Certificate is not to occur until all conditions of this consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the Principal Certifying Authority.

- (21) **Footpath Construction Bond** – A footpath construction bond in the form of an unconditional bank guarantee or cash bond, being 200% of the cost of the works, must be lodged with Council **prior to the issue of the Subdivision Certificate.**

- This bond is to cover the construction of the footpaths associated with the development/subdivision. The footpath construction will generally be delayed for a period of twelve (12) months or until the majority (approx 70%) of development has been erected within the development/subdivision. This bond can be released once a satisfactory inspection has been undertaken by Council.

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

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

- (22) **Surveyor's Report – Prior to the issue of the Subdivision Certificate** a certificate from a registered surveyor must be submitted to the Certifying Authority certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or

access ways encroach over the proposed boundary other than as provided for by easements as created by the final Plan of Subdivision.

- (23) **Soil Classification** – A Geotechnical Report must be submitted detailing the classification of soil type generally found within the subdivision. A general classification for each lot within the subdivision must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of SAA AS 2870 “Residential Slabs and Footings”. The classification reports must be submitted to Council **prior to release of the Subdivision Certificate**.
- (24) **Deed of Indemnity** – A Deed of Indemnity shall be executed in order to indemnify the Council from any claims arising out of the use of the access road for the purposes of garbage collection. Such a Deed of Indemnity shall be prepared in consultation with the Council’s solicitor and be submitted for endorsement by the Council **prior to release of the Subdivision Certificate**.
- (25) **Inter-Allotment Drainage Construction** – Inter-allotment drainage lines minimum 150mm in diameter must be constructed to service all lots that do not grade naturally to the road drainage system in the road fronting the property. The maximum number of lots served by a common drainage line must not be more than (8) eight. Where necessary at any time up to the release of the approved plan of subdivision, Council may require drainage works, not necessarily shown in the approved drawings, to be constructed to protect the lots being created or land downstream from flooding as a result of overland flow.

END OF CONDITIONS

RECOMMENDED

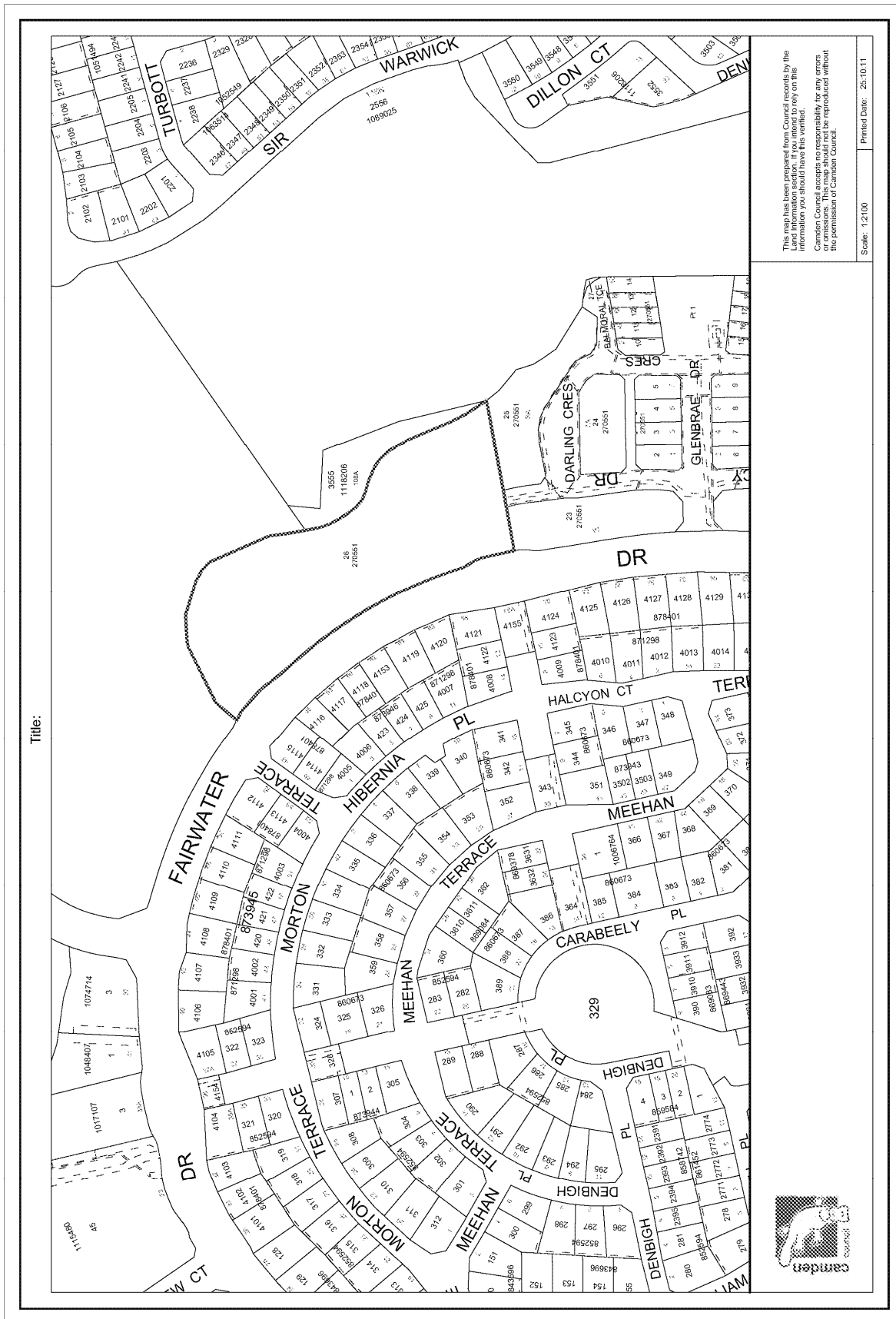
That Council approve Development Application 1325/2006 for a 22 lot residential Community Title subdivision, construction of a new road and Community Title park, as well as a 3.5m wide fire trail and cycleway on the adjoining Council owned land at 39L (Lot 26 in DP 270551) Fairwater Drive, 2A (Lot 100 in DP 1048741) and 108A (Lot 3555 in DP 1118206) Sir Warwick Fairfax Drive, Harrington Park, subject to the draft Development Consent Conditions shown above.

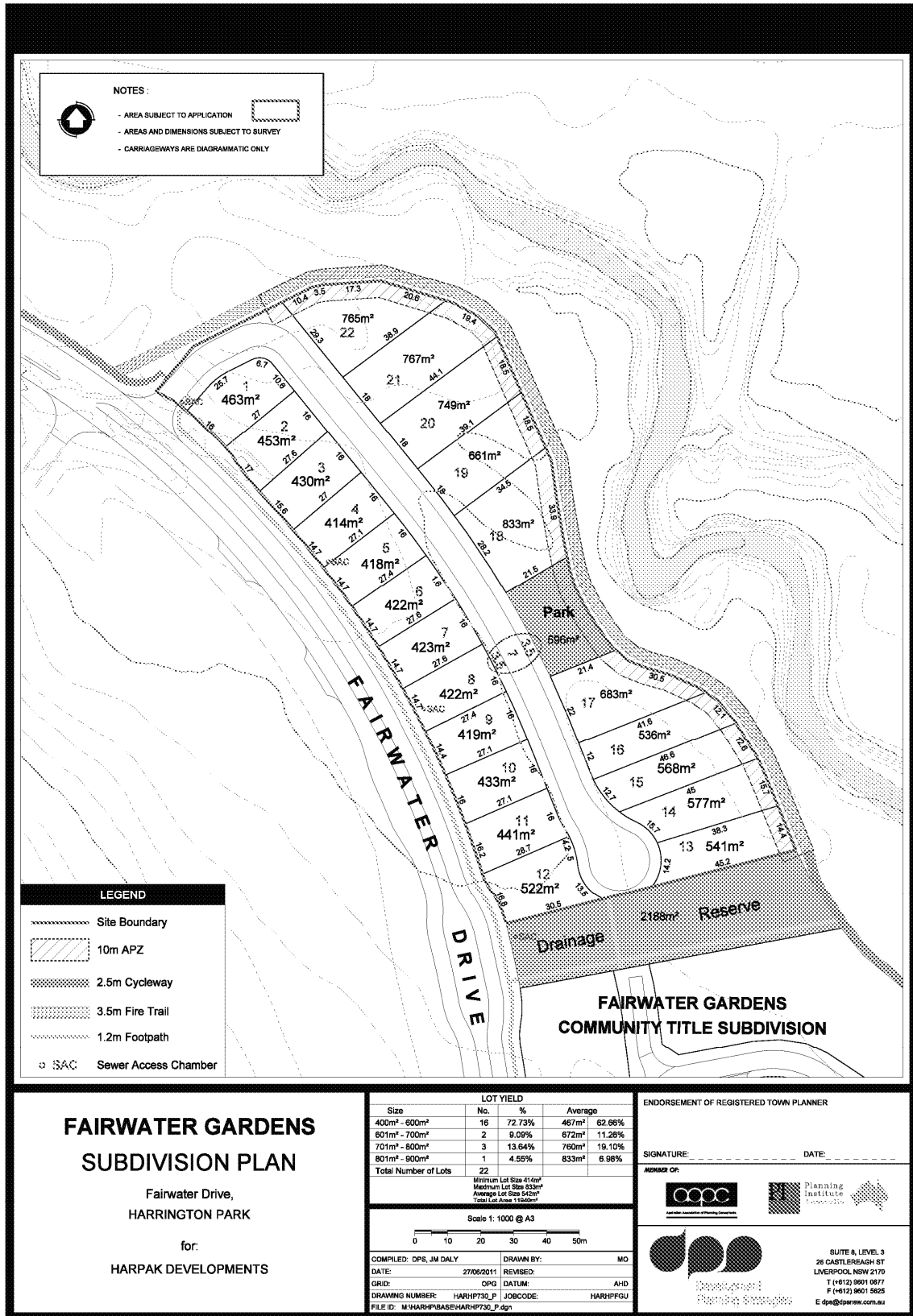
ATTACHMENTS

1. Locality Plan
2. Subdivision Plan
3. Submission and petition - *Supporting Document*

ORD01

Attachment 1







ORD02

ORDINARY COUNCIL

ORD02

SUBJECT: PROPOSED ROAD NAMING, GREGORY HILLS - RESULTS OF PUBLIC EXHIBITION

FROM: Director Development & Health

BINDER: Land Use & Planning/Naming of Roads

PURPOSE OF REPORT

The purpose of this report is to seek Council's further direction in relation to a proposed list of street names within the Gregory Hills release area.

BACKGROUND

Dart West Developments Pty Ltd, the developers of Gregory Hills, have put forward a list of proposed road names to be considered for approval.

Gregory Hills was officially declared a new suburb by the Geographical Names Board (GNB) in August 2008 and is situated within the South West Area Growth Centre Turner Road Precinct.

At the meeting of 23 August 2011 Council resolved to endorse a list of new road names for use in the Gregory Hills release area; to proceed with the new road naming process; and be provided with a further report detailing the results of a 30 day public exhibition period.

The public exhibition period is now completed and the outcome is able to be reported.

MAIN REPORT

Council has followed a process advised by the GNB of having new road names approved.

Council has notified in the local newspaper the list of names, and concurrently notified Australia Post, the Registrar General and Survey General.

During the notification period, no submissions were received.

The proposed list of new road names to be used in the Gregory Hills release area, for which adoption is sought, is as follows:

Name: Native trees	Name: Native birds and animals	Name: Agriculture and livestock	Name: Shakespeare
Bluebell	Blackbird	Acre	Antonio
Cherry	Bowerbird	Baler	Athens
Coral Flame	Brushtail	Bazadais	Capulet
Correa	Chestnut	Bonsmara	Cleopatra
Dusky	Cockatoo	Braford	Creaser
Firewheel	Currawong	Brangus	Dolabella

Flame Tree	Dollarbird	Braunvieh	Duncan	ORD02
Frangipani	Dove	Bue Lingo	Emperor	
Ginger	Echidna	Buffalo	Fitzwater	
Golden Wattle	Fantail	Burienshire	Hamlet	
Ivory Curl	Finch	Canchim	Julius	
Limelight	Flycatcher	Charbray	Kingdom	
Myall	Galah	Crop	Macbeth	
Myrtle	Grey Teal	Dexter	Nile	
Pink Mist	Kangaroo	Drover	Othello	
Prima Donna	Kookaburra	Fallow	Phoebus	
Riberry	Lorikeet	Farmer	Roman	
Rosemary	Miner	Fleece	Romeo	
Violet	Mistletoe	Friesian	Shakespeare	
Warrigal	Musk	Galloway	Timon	
Water Gum	Pacific	Harvest	Titus	
	Peewee	Hedge		
	Ringtail	Herd		
	Robin	Mayweed		
	Rosella	Meadow Grass		
	Sittella	Perendale		
	Songbird	Plough		
	Sparrow	Wheat		
	Starling			
	Swallow			
	Wagtail			
	Wallaby			
	Wallaroo			
	Wattlebird			
	Whipbird			
	Whistler			

ORD02

Name: Periodic table	Name: Australian pioneers, settlers and exploration	Name: Rural Australian towns names of St Gregory's borders	Name: National parks
Bohrium	Antarctic	Armidale	Acheron
Bromine	Barrier	Bega	Akuna
Calcium	Bight	Berridale	Anvil
Cobalt	Botany	Charlton	Arakoon
Copper	Cape York	Cobar	Arakwal
Gallium	Condamine	Cooma	Archway
Helium	Expedition	Cowra	Audley
Hydrogen	Explore	Dalgety	Blue Gum
Iron	Fleet	Dubbo	Conimbla
Lead	Frederick	Glen Innes	Heathcote
Lithium	Giles	Gunnedah	Long Reef
Magnesium	Gulf	Hillston	Mimosa
Neon	Hemisphere	Ivanhoe	Minnamurra
Nickel	Jervis	Jindabyne	Narrabeen
Nitrogen	Kosciusko	Junee	Nattai
Oxygen	McMillan	Lithgow	Wallarah
Platinum	Murrumbidgee	Mudgee	Wollemi
Potassium	Pandora	Narooma	
Silver	Pioneer	Oaklands	
Sodium	Rockingham Bay	Orange	
Sulphur	Settler	Rochester	
Titanium	Shackleton	Scone	
Tungsten	Tasman	Shepparton	
Uranium	Torres Strait	Silverton	
Xenon		Tamworth	
Zinc		Wedderburn	
		Wee Jasper	
		White Cliffs	
		Yass	

Name: Astronomy		Name: Camden history
Apollo	Mars	Benkennie
Asteroid	Mercury	Cumberland
Atlantis	Meridian	Farm Cove
Challenger	Messenger	Kew
Dawn	Metis	Taurus
Deimos	Milky Way	Warby
Discovery	Moon	
Earth	Neptune	
Eclipse	Odyssey	
Enterprise	Orbit	
Equinox	Pioneer	
Explorer	Pluto	
Freedom	Polar	
Galactic	Radiant	
Galaxy	Saturn	
Galileo	Solar	
Gemini	Spitzer	
Glory	Sun	
Horizon	Swift	
Hubble	Twilight	
Jupiter	Universe	
Light Year	Venus	
Luna	Viking	
	Voyager	

If Council approves the above list of proposed new road names, the list will be published in the NSW Government Gazette and in the local newspapers. Also Council will inform Australia Post, the Registrar General, Surveyor General and the RMS.

The list will then be able to be used as street names within the Gregory Hills release area.

CONCLUSION

A proposed list of road names for the Gregory Hills development has been assessed by Council officers in accordance with the criteria of the GNB. The list satisfies the guidelines for the naming of roads.

The list has been publicly exhibited for 30 days and no submissions were received raising concern over the names.

The list is now able to be referred to Council, with a recommendation for adoption.

ORD02

RECOMMENDED

That Council:

- i. approve the final list of new road names within this report, for use in the Gregory Hills release area;**
- ii. publish the approved names in the NSW Government Gazette and in the local paper; and**
- iii. inform Australia Post, the Registrar General, Surveyor General and the RMS of the approved names.**



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: APPOINTMENT OF JOINT REGIONAL PLANNING PANEL MEMBERS
FROM: Director Development & Health
BINDER: Government Relations/NSW State Government

PURPOSE OF REPORT

The purpose of this report is for Council to determine the appointment of panel members to represent Camden Council on the Sydney West Region Joint Regional Planning Panel (JRPP) for a period of 12 months.

BACKGROUND

The Sydney West Region JRPP is the relevant body for determining regionally significant Development Applications (DAs) received by Camden Council.

The Panel consists of five members comprising three State appointed members and two Council appointed members. Council may also appoint a person to be an 'alternate' of a member nominated by Council, who will act in the place of the member and have all the powers of the member.

Council is represented on the JRPP as follows:

- Councillors Campbell and Anderson (alternate). This is not proposed to be changed.
- Mr Chris Lalor Acting Manager – Strategic Planning and Ms Kylie Powell, Manager, Strategic Planning (alternate). Mr Lalor is not proposed to be changed.

Ms Powell is one of Council's current alternate JRPP members; however she has recently commenced a period of maternity leave. As such her position on the Panel is required to be filled to ensure representation during any absence of Mr Lalor.

The Councillors have previously indicated by resolution on 14 June 2011 that they do not wish to nominate any other Councillor to fill this JRPP role.

It is considered that where a staff member is involved in statutory assessment of DAs, there could be a perceived or potential conflict of interest for them to participate in the Panel hearings. To avoid any possible conflict, planning representatives are selected from Council's Strategic Planning Branch; however there are no existing Council staff that are suitably qualified and available to fulfil this role at this time.

Accordingly Council staff invited four suitably qualified and experienced external persons to quote for the supply of Joint Regional Planning Panel services. The request was sent to the applicants on 20 July 2011 with a closing date of 5pm on 5 August 2011.

The applications were considered by Council staff and two applicants, Lesley Bull and Adam Piper, were recommended to be appointed as Council's primary and alternate member on the JRPP.

Council considered a report on 25 October 2011 and deferred the matter pending a Councillor workshop. The workshop was held on 8 November 2011 where a number of options were considered.

It was also noted that the recent changes to the *Environmental Planning & Assessment Act 1979* include increased thresholds for applications requiring JRPP determination, resulting in an estimated reduction of approximately 50% of DA's considered by the JRPP per year.

MAIN REPORT

At the closing date of the request for quotation, Council had received valid responses from all of the four applicants, including:

- Graham Pascoe – Pascoe Planning Solutions (Camden)
- Adam Piper – Piper Planning (Sydney and Newcastle)
- Sue Francis – City Plan Services (Sydney City)
- Lesley Bull – JBA Planning (North Sydney)

Consideration of Quotes

A detailed review of the quotes was conducted by Council staff with the information collated into a spreadsheet cataloguing all aspects of the assessment criteria.

In accordance with the JRPP Operational Procedures and Council's process, the quotes were assessed on the following selection criteria:

1. Ability and capacity to supply service specified, including:
 - senior level experience in dealing with multiple stakeholders;
 - high level communication skills;
 - capability to drive high profile outcomes in a credible and authoritative matter;
 - high level analytical skills;
 - knowledge of the assessment of complex development and planning matters; and
 - a high level of expertise in *one or more* of the following fields:
 - planning
 - architecture
 - heritage
 - the environment
 - urban design
 - land economics
 - traffic and transport
 - law
 - engineering
 - tourism
2. Service availability for the 12 month duration of the appointment.
3. Relevant environmental considerations.

4. Competitive pricing (quote for services was to be provided as a flat fee per DA to be determined).

Applicants were asked to address the above selection criteria and to provide a copy of their Curriculum Vitae (CV), a brief report outlining their understanding of the brief, a completed pricing schedule and a signed declaration of agreement to the appointment terms and conditions.

Evaluation

The aim of the evaluation process is to assess the capability of the applicants to perform all required JRPP services, including primarily to review and determine complex Development Applications and to act in accordance with the JRPP Code of Conduct and Operational Procedures.

An internal Assessment Panel was established to consider in further detail all four quotes received. Using the information provided in the quotation and the selection criteria outlined in points 1 to 4 above, the Assessment Panel evaluated each of the quotes.

The quotes complied with most aspects of the Invitation to Quote document. Each applicant also described a process to readily identify any conflicts of interest in acting for Council when determining Development Applications. The standard of quotes was considered high and came from various firms and sole practitioners.

Each of the applicants has sufficient experience and capability to offer adequate JRPP services to Council. The majority have represented firms or Councils at the Land and Environment Court in planning related matters and have senior level experience in development assessment and dealing with multiple stakeholders. Some applicants had also been involved in strategic planning projects within the Camden Local Government Area (LGA). All applicants signed the terms and conditions which committed to service availability for the 12 month appointment period and most tenders included their firm's relevant environmental practices in carrying out daily work.

The pricing schedules submitted by the applicants consisted of a varied range of flat fee rates.

Whilst the fees represented a significant weighting in the scoring and evaluation of the applications, it is noted that other non-price elements of the submissions such as those identified in selection criteria 1 (for relevant skills and experience), and availability of the applicants also had a major bearing on the recommended appointments. **A summary of the quotations is provided with the Business Paper supporting documents.**

The Assessment Panel were unanimous in the recommendation that Council should retain the flexibility to select from more than one applicant in order to engage the most appropriate panel member, depending on the particular issue and level of complexity.

After consideration of Council's future needs, the necessity to maintain the ability to engage an applicant to match the particular issue and review of the tenders received, it is recommended the following three applicants be appointed as a pool of alternate members:

- Adam Piper – Piper Planning

- Graham Pascoe – Pascoe Planning Services
- Lesley Bull – JBA Planning

Adam Piper has qualifications in planning and environmental engineering and has management level experience in developments ranging from aged care facilities to city centre urban renewal, as well as experience in Land and Environment Court appeals.

Graham Pascoe has qualifications in planning, economics and the environment and has local knowledge and experience in both statutory and strategic planning in Local Government and the private sector, at management level within Camden Council.

Lesley Bull has qualifications in planning and law and has significant experience working on projects ranging from greenfield sites to highly developed urban areas. Lesley has also been involved in policy and plan making for the South West Growth Centres Commission, including the Oran Park and Turner Road release precincts.

CONCLUSION

In conclusion, with the tender panel assessing and evaluating all tenders submitted and after the consideration of Council's future needs, it is recommended to appoint a pool of alternate members until the end of December 2012 as follows:

- Adam Piper – Piper Planning
- Graham Pascoe – Pascoe Planning Services
- Lesley Bull – JBA Planning

RECOMMENDED

That Council:

- i. appoint the following suitably qualified and experienced persons to act as Council's alternate members on the South West Region Joint Regional Planning Panel until December 2012:**
 - **Adam Piper – Piper Planning**
 - **Graham Pascoe – Pascoe Planning Solutions; and**
 - **Lesley Bull – JBA Planning**
- ii. advise all firms tendering of the outcome of the Tender process.**

ATTACHMENTS

1. *Summary of Quotations - Supporting Document*



ORDINARY COUNCIL

ORD04

ORD04

**SUBJECT: DRAFT PLAN OF MANAGEMENT - WAYNE GARDNER RESERVE,
ORAN PARK**

FROM: Director Works & Services

BINDER: Land Use and Planning

PURPOSE OF REPORT

To seek Council's approval to adopt the Draft Plan of Management for Wayne Gardner Reserve, Oran Park, with a view to placing the document on public exhibition in accordance with the Local Government Act 1993.

BACKGROUND

The Oran Park Precinct was rezoned by the State Government in 2008. Council was involved in the planning process with the Department of Planning and Infrastructure. Landcom and Greenfields Development Company (GDC) have begun developing the land east of The Northern Road. A Voluntary Planning Agreement (VPA) has been adopted which will deliver over \$130m of public infrastructure (including the dedication of land and carrying out of works). The VPA includes provision of a range of public open spaces and recreation facilities which will be embellished and dedicated to Council, consistent with Council's Section 94 Plan for Oran Park.

In addition to open space and recreation facilities identified as being required under Council's Section 94 Plan, the VPA offers some facilities over and above those that would normally be required. One such facility is Wayne Gardener Reserve.

In accepting the additional facility as public open space, Council is required under the Local Government Act 1993 (Section 25) to classify the land and determine an appropriate categorisation, being either 'community' or 'operational' land. Given the community use of the land, it is considered appropriate to categorise this reserve as 'community land'. All community land is required to have a Plan of Management to guide the future management, operation and embellishment of the land.

MAIN REPORT

Wayne Gardner Reserve is located on the southern side of the Oran Park town centre, midway between the proposed retirement village on the southern end and proposed school to the north of the reserve as shown in the Location Plan below. The reserve and associated pathway system provide a link from the residential area to the commercial town centre and associated community facilities.

When the Oran Park Precinct was being planned, Council was under increasing pressure from the State Government to reduce contribution rates. To respond to these pressures, consideration was given to the co-use of recreation facilities by schools and the general public. Demand for public playing fields is met by Council owned facilities. Landcom and GDC have offered to construct and dedicate Wayne Gardner Reserve to Council free of cost as part of their VPA. The reserve is over and above what Council would have required via the Section 94 Plan for the area.

The school site has been acquired by the Oran Park Anglican College and construction of a school, to commence operating in 2012, is underway.

Location Plan



The reserve has a number of elements within it including playground equipment, fitness station, riparian bush area, path around the perimeter of the reserve, sportsground with irrigation and floodlights, amenities building and tiered grassed mounds. The reserve was designed by the developer, with some input from Council staff, based on a joint school and community use principle due to the location adjoining the then planned school site. The developer has considered an arrangement which would benefit the school and make available the facility for wider community use. Such a proposal means that the sportsfield and change rooms in the amenities building would be available for exclusive use by the school during school days and open for public use outside the defined school hours. The other areas of the reserve are to remain available to the public at all times.

This arrangement has led to the development of a proposal to share the maintenance costs with the Oran Park Anglican College. The details of this proposed arrangement would be the subject of a lease agreement and the draft POM being adopted by Council. The proposed lease arrangements are the subject of a separate report to Council.

As part of the strategic planning for Wayne Gardner Reserve, the developers commissioned consultants to develop an appropriate Plan of Management (the Draft

POM) in consultation with relevant Council staff and The Sydney Anglican Schools Corporation, who are developing the adjoining school.

The Draft POM includes:

- an outline of the planning context of the reserve;
- a description of Wayne Gardner Reserve;
- an outline of the basis for management;
- management strategies;
- action plan; and
- implementation strategy.

A copy of the draft POM is Attachment 1 to this report.

A key feature of the Draft POM is to recognise the unique status of the reserve and the relationship with the School, with a view to exclusive use of the sportsground and change rooms in the amenities by the school during school days for set hours of 8am to 4pm. The remainder of the reserve including the playground, exercise stations, walking paths and bushland area, are open to the public at all times.

The vision for the reserve has been identified as *“...a visually attractive and well managed sportsfield, park and natural area providing habitat opportunities with accessible facilities for a range of formal and informal recreational activities for all age groups in a safe and secure environment”*.

The Management objectives identified include accessibility, safety and security of users, a wide range of informal recreational activities and settings, and a visually attractive, clean, tidy and useable open space.

The Draft POM identifies the performance targets, means of achieving targets, priority of actions and also a means of assessing performance.

Under the Local Government Act (Section 38), the Draft POM is to be exhibited for a minimum of 28 days, and allow a minimum period of 42 days for submissions.

CONCLUSION

The Draft POM and associated landscape masterplan provide a comprehensive management tool for Council to guide the future management and development of Wayne Gardner Reserve.

In recognition that the residential area surrounding the reserve has not yet been fully established and settled, the plan is limited in terms of community input to date.

The Draft POM identifies the need to review the document over time as the community establishes in the area and changes over time. An annual review of the action plan in accordance with Council's budgets and changing priorities is also identified.

ORD04

RECOMMENDED

That Council:

- i. classify Wayne Gardner Reserve, once acquired by Council, as Community Land;**
- ii. adopt the Draft Plan of Management Wayne Gardner Reserve in principle, and place the document on Public Exhibition in accordance with the Local Government Act 1993; and**
- iii. a further report be presented to Council on the outcome of the public exhibition and submissions.**

ATTACHMENTS

- 1. Draft Plan of Management - Wayne Gardner Reserve**

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May 2011

Wayne Gardner Reserve

Plan of Management



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Wayne Gardner Reserve Draft Plan of Management

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1 Introduction

1.1 Background

Under the *Local Government Act, 1993*, Camden Council is required to prepare Plans of Management for its community land, including its parks and open spaces. This Plan of Management for Wayne Gardner Reserve in Oran Park Town has been prepared by James Mather Delaney Design Pty Ltd Landscape Architects on behalf of Landcom and Greenfields Development Corporation for Camden Council. The key objective of the Plan of Management is to provide a framework for long-term and day-to-day decision-making, regarding the improvements to and management of Wayne Gardner Reserve.

1.2 Land to which this Plan of Management applies

This plan applies to all the land within Wayne Gardner Reserve, to be held in title by Camden Council as Public Reserve to be known as Wayne Gardner Reserve in Lot 17 of Tranche 1 Stage 4 DA No. 900/2009 at 400H The Northern Road Oran Park Lot 101Pt DP:1133602.

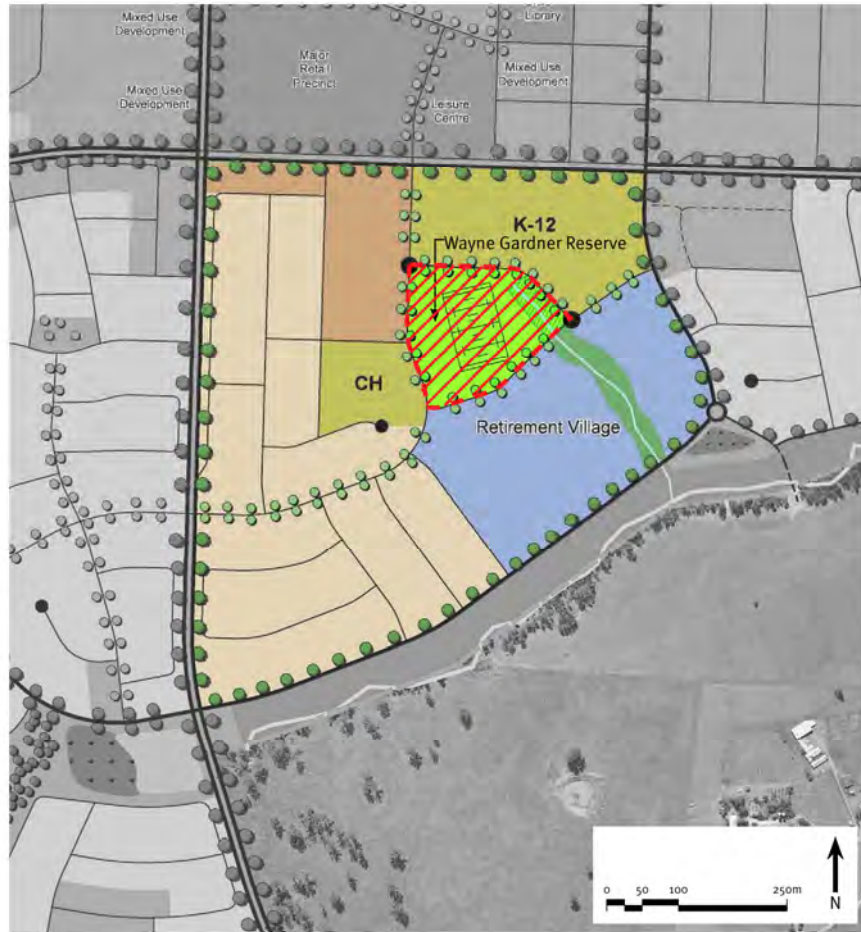


Figure 1.1 Wayne Gardner Reserve Location Map

Attachment 1

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1.3 Objectives of the Plan of Management and Landscape Master Plan

The objectives of preparing the Plan of Management and Landscape Master Plan for Wayne Gardner Reserve are to:

- Prepare a Plan of Management in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979;
- Develop objectives, management goals and action strategies which will satisfy the ongoing recreational needs of the community, regardless of age, sex, culture or level of ability;
- Prepare a Master Plan for Wayne Gardner Reserve which acknowledges the role of Wayne Gardner Reserve in the greater context of Oran Park Town and the open space network and to explore opportunities for linkages within the public domain – Refer to Figure 2.1: Indicative Layout Plan for Oran Park for its context within Oran Park Town;
- Prepare a Master Plan which achieves an integration of uses within a coherent and functional design;
- Increase the public’s awareness and enjoyment of the park, through provision of sporting and social opportunities;
- Ensure the successful co-use of Wayne Gardner Reserve Sportsfield with Oran Park Anglican School during set times;
- Ensure that the park is generally accessible to all users equally and that the sportsfield is accessible to all outside the times when the sportsfield is being used by Oran Park Anglican School or any other organisation that may have booked the facility;
- Provide environmentally sustainable, durable and safe facilities, features and surface treatments in the detailed design.



FIGURE 1.2 ORAN PARK LOCATION MAP

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1.4 Process of preparing this Plan of Management

The process for preparing this plan of management has included:

- Literature review of approvals;
- Camden Council Conditions of Consent DA No: 900 / 2009;
- Review of design documents;
 - Engineering Plans for Oran Park Tranche 1 Stage 4 prepared by Brown Consulting Pty Ltd;
- - Landscape Plans for Wayne Gardner Reserve prepared by JMDdesign Landscape Architects
- - Plans for Wayne Gardner Reserve Amenities Building prepared by DKO Architects;
- Review of relevant environmental reports;
 - Oran Park and Turner Road Waterfront Land Strategy 2009;
- Review of relevant Plans of Management prepared by or for Camden Council;
 - *Camden Riparian Areas Plan of Management (2002).*;
 - *Lake Annan Specific Area Plan of Management (2002).*;
 - *Camden Bicentennial Equestrian Park and Onslow Park Specific Area Plan of Management.*;
- Consultation with Camden Council and Oran Park Anglican School.

1.5 What is included in this Plan of Management?

This Plan of Management is divided into the following sections, as outlined in **Table 1.1**.

Table 1.1: Structure of this Plan of Management

Section	For whom?	Time-frame	What does it include?
1 Introduction	All readers	up to 5 years	Background
2 Planning context	All readers	up to 5 years	State government planning legislation, local planning context
3 Description of Wayne Gardner Reserve	All readers	up to 5 years	History, uses, physical description
4 Basis for Management	Park Operational Managers	10 years	Goals for managing parks in Camden, Values of the community, Vision, Management objectives
5 Management strategies	Managers	5-10 years	Roles of the parks. Management issues and strategies
6 Action Plan	Managers, on-site staff, user groups and Schools	5-10 years	Actions required to implement management strategies. Landscape Master Plan.
7 Implementation and Review	Managers, on-site staff & user groups	5-10 years	Reviews of management and leasing arrangements

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2 PLANNING CONTEXT

2.1 State government planning legislation

2.1.1 Local Government Act

Wayne Gardner Reserve is classified as "community land" under the *Local Government Act, 1993*. This Plan of Management has been prepared according to the requirements of the Act. The Act provides Councils with a specific approach to the management of community land. Specific requirements of the *Local Government Act* for community land are that:

- it must be kept for the use of the general community, and must not be sold.
- its use and management is regulated by a plan of management. Until a plan of management is adopted, the nature and use of the land must not change.

This Plan of Management has been prepared in accordance with the requirements of the *Local Government Act* for the contents of plans of management for community land, as shown below in **Table 2.1**.

Table 2.1: Requirements for plans of management under the Local Government Act

A plan of management needs to identify:	How this Plan of Management satisfies the Act:
The category of the land.	Section 3.4, Figure 3.2
Objectives for categories of land.	Table 4.1
Condition of the land and existing facilities.	Section 3.6.7
The objectives and performance targets of the land.	Desired outcomes (Section 4.3) Management objectives (Section 4.5) Performance Targets (Table 6.1)
The means by which Council proposes to achieve the plan's objectives and performance targets.	Management strategies (Section 5). Action Plan (Section 6)
The manner in which Council proposes to assess its performance.	Methods of performance measurement in Action Plan (Section 6).
Permitted future uses of the land.	Section 7.1
Leases, licences and other estates that can be granted.	Section 7.2

Where exclusive control of all or part of an area or facility is proposed or desirable, a lease is appropriate. There are also other factors which may influence the granting of a lease, including the level or scale of investment in facilities, the necessity for security measures, and the relationship between the activity on the land and the activity of the controller of the land.

The activities undertaken by a leaseholder should be compatible with any zoning or Council requirements and provide benefits and services or facilities for the users of the land. Terms and conditions of a lease should reflect the interest of the Council, protect the public, and ensure proper management and maintenance.

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Where short term, intermittent or non-exclusive occupation or control of all or part of an area or facility is proposed, a licence may be used. Providing there are no conflicts of interest, several licences may apply concurrently.

Further considerations that may affect leases and licences are:

- Fees can be charged as part of a lease or licence and can be commercially based.
- The lessee or licensee should take out public risk insurance and produce notices of policy as required on renewal.
- Use of the premises by the lessee or licensee is restricted to only those activities authorised in the lease or licence.
- Any alteration, transfer or sub-letting, etc should not be permitted without Council's consent.
- Ownership of improvements should be dealt within the lease or licence.
- A lease / licence can be terminated by either party.

In considering whether to grant any lease or licence Council should take into account the consistency of the proposal with the values and management strategies of this Plan of Management, particularly with regard to the following:

- The Lessee/Licensee is responsible for ensuring the area is maintained to a standard which is acceptable to Council.
- There is a need to define the times the land or facility will be available for use by the Lessee/Licensee.
- Any fixed or temporary outdoor lighting of areas to be allowed only between the hours identified in the lease/licence.
- The impact of the lease/licence on the public space use of the park.
- Impact on maintaining the park as one cohesive open space.

The leases and licences which are expressly authorised by this Plan of Management are contained in **Section 7**.

2.2 Management Authority and Ownership

The manager of the land covered by this plan is Camden Council. The land is to be held in title by Camden Council and hence the provisions of the Local Government Act 1993 apply to the preparation of this plan of management.

2.3 Relationship to Other Plans of Management

A number of Plans of Management have been previously adopted by Camden Council, including:

- Specific Plan of Management for Camden Bicentennial Equestrian Park and Onslow Park;
- Specific Plan of Management for Gundungurra Reserve;
- Specific Plan of Management for Lake Annan;
- Generic Plan of Management for Camden Riparian Areas;
- Generic Plan of Management for Camden Parks;
- Generic Plan of Management for Camden Sports Grounds;
- Generic Plan of management for Camden Community Use Areas;
- Generic Plan of Management for Camden Council Natural Areas.

The Generic Plans of Management for Camden Riparian Areas, Parks and Sportsgrounds are relevant to Wayne Gardner Reserve, at this time. These Plans are general documents providing direction for the management of the respective areas within Wayne Gardner Reserve and are to be referenced in the Management of the relevant areas of Wayne Gardner Reserve. The Nominated Generic Plans are to be supported by this specific plan of management for Wayne Gardner Reserve.

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2.4 Council Plans and Strategies

Camden Council has developed a Strategic Plan for the period to 2040. The Plan was adopted by Camden Council on December 2010.

Council's Vision for the LGA, in the year 2025 includes that,

Camden has retained many of the traditional qualities of a rural lifestyle and environment and is characterised by historic towns, country villages and new suburban areas achieved whilst accommodating the fastest urban growth in the Sydney Region.

..... it is not a mere extension of the suburban sprawl of Sydney. Camden's unique rural landscapes and vistas have been retained and improved.

Development has been managed so that each community has a range of facilities to meet local needs and interests. Wayne Gardner Reserve Oran Park Town has been designed and completed in the context of Camden Council's vision.

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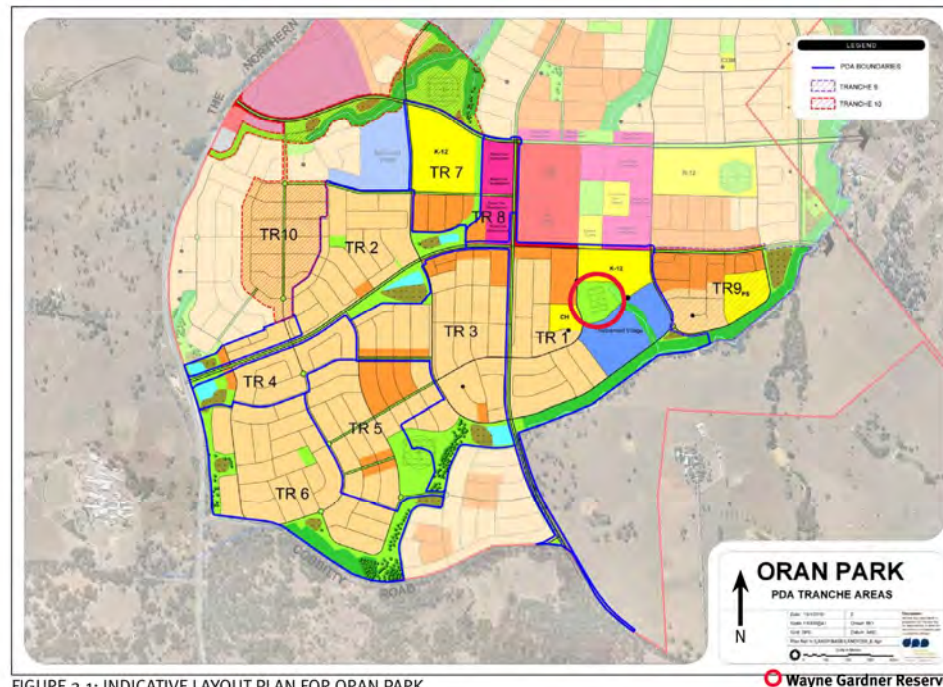


FIGURE 2.1: INDICATIVE LAYOUT PLAN FOR ORAN PARK

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3 Description of Wayne Gardner Reserve

3.1 History and Cultural significance

The following excerpts have been taken from "Assessment of Indigenous Heritage in the Oran Park North Stage 1 DA: Oran Park Precinct" November 2007 prepared by Jo McDonald Cultural Heritage Management Pty Ltd (JMCHM).

"There is considerable debate over which language groups occupied the Camden area prior to European contact and the extent and nature of territorial boundaries in the Sydney basin. This is due in part to the absence of ethnographic and linguistic study at the time of European contact and the scarcity of adequate historical documentation and anthropological interest until well after settlement of the region."

"At European contact, this area was close to the boundary between the Darug, Dharawal and Gandangara language groups. The Narellan Valley area may also have been part of a 'travel corridor' linking the northern Cumberland Plain, the Cowpastures/Camden area and the Illawarra region (Haglund 1989)."

Survey work by JMCHM has identified 44 sites and four areas of good potential archaeological deposit (PAD). None of the sites are located within Wayne Gardner Reserve.

The first land grant of 5,000 acres in the Cowpastures area was made in 1805. Much of the early land-use history comes from records related to the Macarthur property (now Camden Park). In 1815, Harrington Park (the original grant in which Oran Park is located) was granted to William Campbell. Clearing and burning of the Cowpastures land grants was undertaken immediately and the area was utilised for diverse farming, including grain, meat, fruit and dairy produce. The area was subject to fires and severe drought from the late 1820s, and then throughout the nineteenth and twentieth centuries.

By 1841 Camden Village had been established. By the late nineteenth century, dairying had become the most profitable industry for the area. Further clearing, burning and ring-barking was undertaken at this stage to allow for an expansion in grazing and fodder crops. Severe drought in the early twentieth century provided the impetus for the construction of many more silos and dams throughout the area.

Industrialisation of rural industries took off in the 1950s, and new technology was brought to the area in relation to the dairies, orchards and irrigation systems that included the construction of large new dams. Construction of the Oran Park Raceway took place in 1962.

From "Assessment of Indigenous Heritage in the Oran Park North Stage 1 DA: Oran Park Precinct" November 2007 prepared by Jo McDonald Cultural Heritage Management Pty Ltd

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3.2 Local Context

Oran Park Town is a new town being developed in the south west growth sector of Greater Sydney. Oran Park is within the Local Government Area of Camden. Wayne Gardner Reserve is 2.78ha in size and is located centrally within Tranche 1 of the Oran Park Residential Development which lies just south of Oran Park Town Centre. The Reserve is roughly trapezoidal in form and is bounded by Central Avenue to the west, Shannon Way to the north east and Redman Grange along its southern boundary.

The Reserve comprises active and passive recreation facilities and a Category 3 Riparian Corridor along the eastern edge.

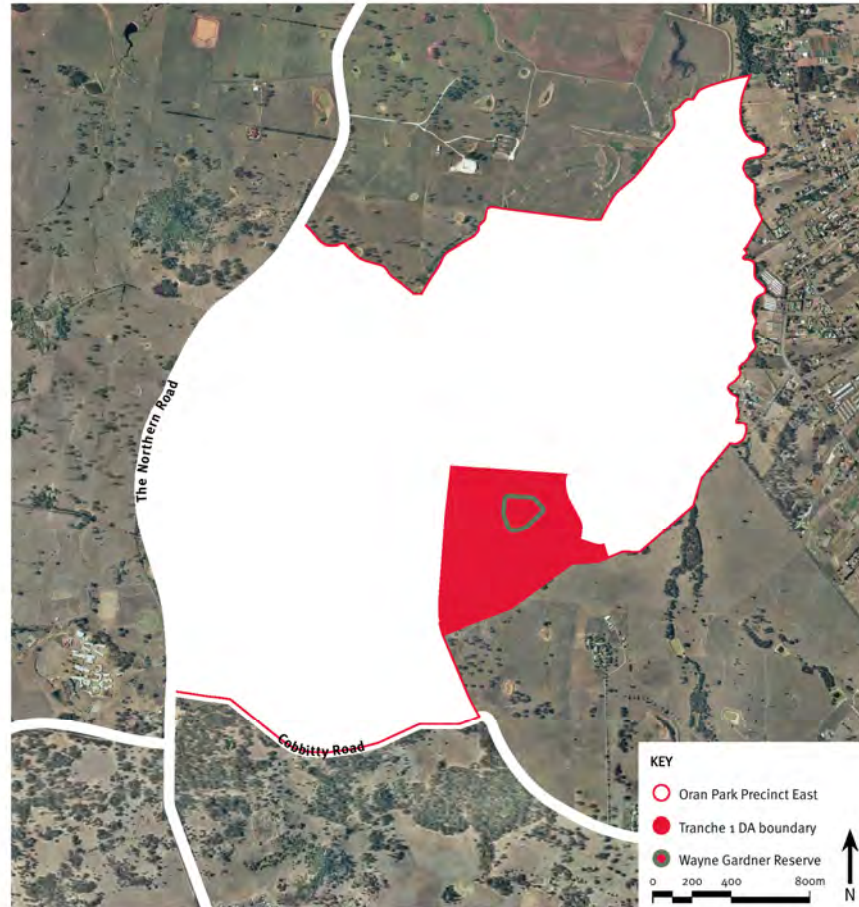


FIGURE 3.1 WAYNE GARDNER RESERVE LOCATION.

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Oran Park Anglican School is proposed to be located north of the Reserve catering to Kindergarten to Year 12 with a strong shareway connection via a learning common through to the town Centre to the north. It is proposed that the school enter into a co-use agreement with Camden Council for exclusive use of the sportsfield area and amenities building between restricted hours on week days during school terms.

To the south of the Reserve an Anglican Retirement Village is proposed. A mixture of low and medium residential developments is proposed for the western edge of the Reserve.

Planning of the Oran Park Town Development was undertaken through the Growth Centres Commission. Detail design of roads, drainage and earthworks around Wayne Gardner Reserve was carried out by Brown Consulting Pty Ltd to Camden Council specifications.

The recreational facilities and landscaping of the area were designed by JMDdesign Pty Ltd Landscape Architects, in consultation with Council and DNR.

3.3 Zoning and planning controls

Wayne Gardner Reserve is zoned R1 General Residential, R3 Medium Density and E2 Environmental Conservation under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Recreation Areas are identified as permissible development within both the R1 General Residential, R3 Medium Density and E2 Environmental Conservation zoning tables.

Part 2 of the State Environmental Planning Policy (Sydney Region Growth Centres) Appendix 1 Oran Park and Turner Road Precinct Plan contains detailed zoning tables which list permissible and prohibited land uses within each of the zones discussed above.

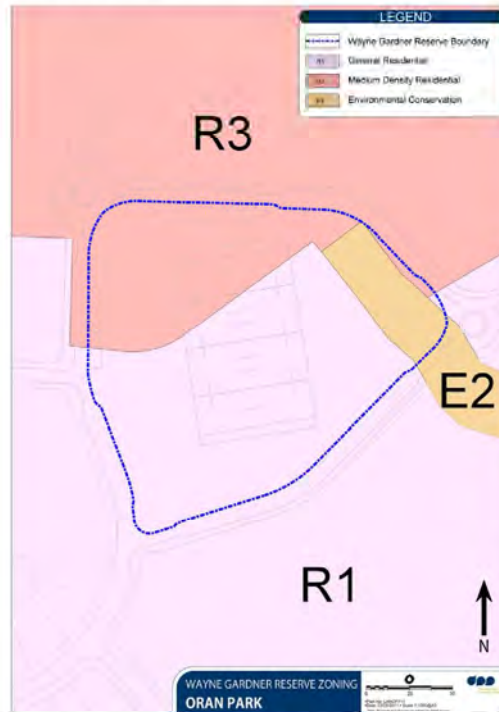


FIGURE 3.2 WAYNE GARDNER ZONING PLAN.

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3.4 Classification and categories

Wayne Gardner Reserve is a multi-functional recreational venue serving a wide variety of recreational, community and formal sporting interests. Wayne Gardner Reserve consists of:

- a formal sports field for football codes and soccer with night lighting for practice purposes;
- informal recreation facilities including a children's playground and picnic areas;
- informal exercise areas;
- a portion of a Category 3 riparian corridor which will be revegetated with locally indigenous plant species;
- an amenities building with toilets, change rooms, storage facility, kiosk and utilities room;
- carparking for over 90 cars to reserve surrounds.

The Local Government Act requires that all community land is categorised. The purpose of classifying the land 'community land' and then proceeding to categorise the land is to assign core objectives to provide clear direction for the management of various types of landscapes and uses in the park. The various landscapes of the park should be managed differently to sustain and complement the purpose, function, quality and different types of land resources to preserve its character and amenity. Because there are a number of land attributes that comprise the park, there is a need, for the purpose of introducing best land management, to delineate these into their appropriate categories.

The categories assigned to the land are based on the land's principal attributes, and its current and preferred future uses. The categories proposed to apply to community land in Wayne Gardner Reserve are:

- Sportsground
- Park;
- Natural Area – Bushland;

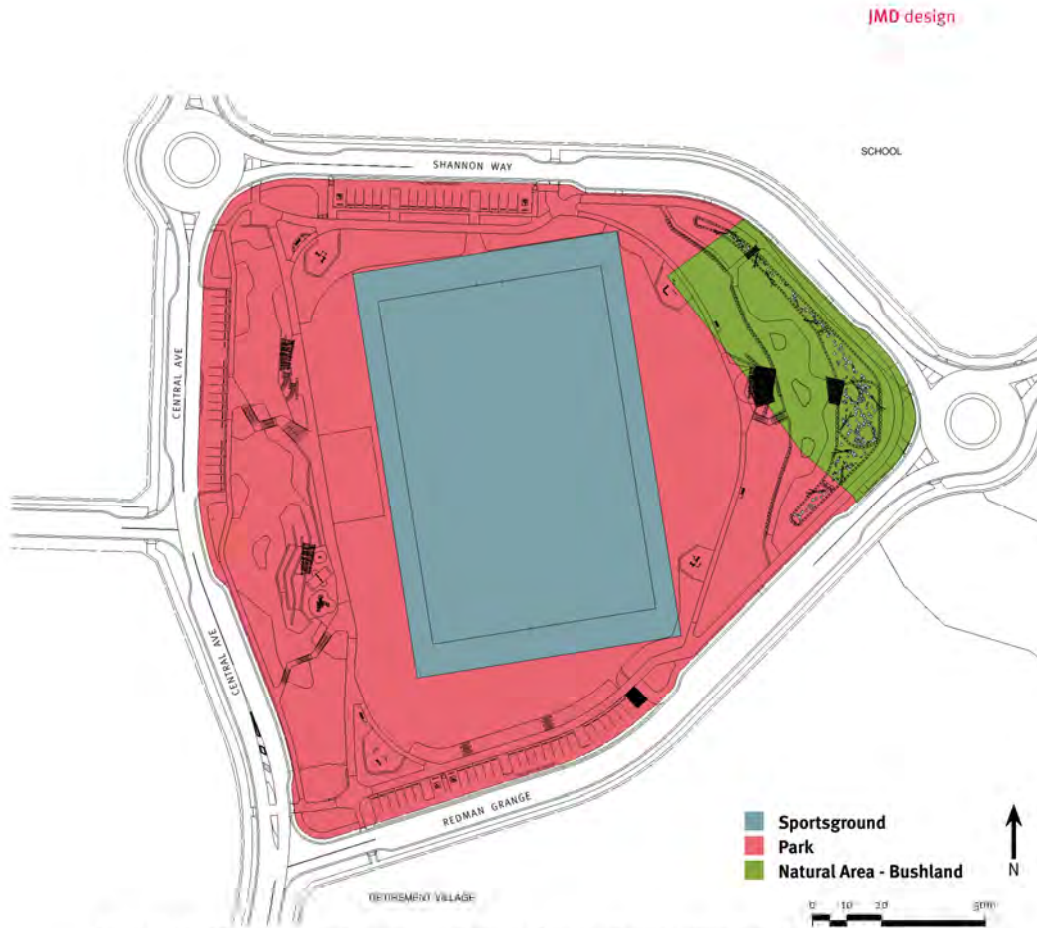





Figure 3.3 Identifies the extent of the various categories of community land within Wayne Gardner Reserve.

Table 3.1: Land Category Assessment

Category	Assessment
 Sportsground	The category 'Sportsground' applies to that area of parkland in Council's ownership that is marked 'Sportsground' on Figure 3.3 and generally includes the sports field and warm up area central to the Reserve.
 Park	The category 'Park' applies to that area of parkland in Council's ownership that is marked 'Park' on Figure 3.3 and generally includes the paths and shareways, children's play area, exercise areas, seating areas, miscellaneous grass and mass planting areas around the sports field and the amenities building and the right angle carparking areas off Redman Grange, Central Avenue and Shannon Way.
 Natural Area - Bushland	The category 'Natural Area - Bushland' applies to that area of parkland marked 'Natural Area - Bushland' on Figure 3.3 and generally includes the Category 3 riparian corridor on the eastern boundary of Wayne Gardner Reserve.

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3.5 Current leases and licences

There are no current leases and / or licences for Wayne Gardner Reserve.

It is proposed that Oran Park Anglican College enter into a Co-Use arrangement of Wayne Gardner Reserve with Camden Council where the college has exclusive use of the sportsfield and the change rooms of the amenities building between the hours of 7.00am and 4.00pm weekdays during school term.

It is also envisaged that the sports field will be allocated on a licence or seasonal basis to local sporting clubs.

3.6 Physical Description and Site Appreciation

3.6.1 Climate

Wayne Gardner Reserve is located within 4 kilometres north of Camden Airport. Climatic data recorded over a 39 year period at Camden Airport (Climatic Averages Australia, Bureau of Meteorology, Dec 2009) indicates:

- The total rainfall is 763mm;
- The lowest mean maximum of 17.2C and minimum of 2.9C temperatures occur in July while the highest mean maximum of 29.4C and minimum of 16.7C temperatures occur in January.
- Winds throughout the year are predominantly stronger in the afternoon. The winds from November to April are predominantly from the north, east and south providing generally a cooling effect to the area. During the cooler months from May to August, wind conditions are variable with the most common wind direction being westerly.

3.6.2 Natural Light

The site has a southerly aspect and is very open due to the lack of any tree canopy. Protection from solar radiation will need to be provided.

3.6.3 Geology and Soils

Reference to the 1:100 000 Wollongong – Port Hacking Geological Series Sheet (Ref 1) indicates that the site is underlain by Bringelly Shale of the Wianamatta Group of Triassic age, which in the vicinity of the site includes an unnamed, fine to medium grained quartz-lithic sandstone member. The Bringelly Shale typically comprises shale, siltstone, claystone and laminite with coal bands, all of which weather to form clays of high plasticity. The results of the investigation were consistent with the geological mapping with siltstone encountered in the pit (Pit 3) that intersected rock.

Site topsoils on Wayne Gardner Reserve are found to be satisfactory for reuse in mass planting and more importantly as turf rootzone material when mixed thoroughly with compost material at a rate of 3 parts compost to 7 parts site topsoil.

3.6.4 Landform and Drainage

The natural landform and drainage regime of the land have been completely altered by the previous land uses. The site has been substantially modified to accommodate the sports field. The reserve falls at a grade of 1V:5H from Central Avenue on the western edge of the park to a bench which accommodates the play area, amenities building pad and shareway through the park. The reserve continues to grade at a rate of 1V:5H down to the sports field level. The sports field has a 1V:70H fall from west to east across the playing surface then batters at a grade of 1V:3H to the riparian corridor along the eastern edge of the reserve.

The riparian corridor shall be reshaped to form a swale along the eastern edge of the park and will take surface flows and excess subsoil drainage from the sport field.

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3.6.5 Flora and Fauna

The original vegetation of the Oran Park Area was Cumberland Plain Woodland. The area has been significantly cleared for farming purposes leaving scattered trees across the paddocks. Common species were *Eucalyptus tereticornis* (Forest Red Gum), *Eucalyptus moluccana* (Grey Box), *Corymbia maculata* (Spotted Gum), with *Angophora subvelutina* (Argyle Apple) and *Casuarina glauca* (Swamp Oak) along drainage lines.

Due to the earthworks required to establish the sport field the entire site has been cleared. It is proposed to revegetate the riparian corridor with locally indigenous plant material.

The remainder of the site will be planted with a range of locally native species and ground covers and exotic deciduous trees around the perimeter of the park.

The sports field will be turfed with Kikuyu.



Eucalyptus tereticornis

Eucalyptus moluccana

Corymbia maculata

Angophora subvelutina

3.6.6 Access, Circulation and Parking

Wayne Gardner Reserve is bounded by roads on all sides (For the purposes of this Plan of Management road names used are those currently submitted to Camden Council for approval. Road names may be subject to change). Shannon Way borders the reserve along the northern edge it consists of angled parking (17 spaces plus two disabled spaces) and parallel parking (14 spaces). Redman Grange borders the park on the southern edge and consists of angled parking (25 spaces plus two disabled spaces) and parallel parking (10 spaces). Central Avenue borders the reserve along the western edge it consists of angled parking (21 spaces) and parallel parking (10 spaces).

Wayne Gardner Reserve is well connected to the pedestrian and cycleway networks of Oran Park Town with entries to the Reserve from all directions.

The reserve is bordered by shareways. Shareway paths provide universal access at a grade of less than 1V:20H along the northern and eastern edge of the reserve link the town centre down to the district cycleway along Kolombo Reserve.

The cycleway through the western edge of the reserve provides universal access to the amenities building and facilities within Wayne Gardener Reserve.

A well graded internal circuit path provides a loop track to Wayne Gardner Reserve and also connects the four exercise stations providing a good workout track for local residence. Refer Figure 3.2 for Wayne Gardner Access, Circulation and Parking.

Access for service vehicles to Wayne Gardner Reserve is gained from the southern end of the field off Central Avenue.

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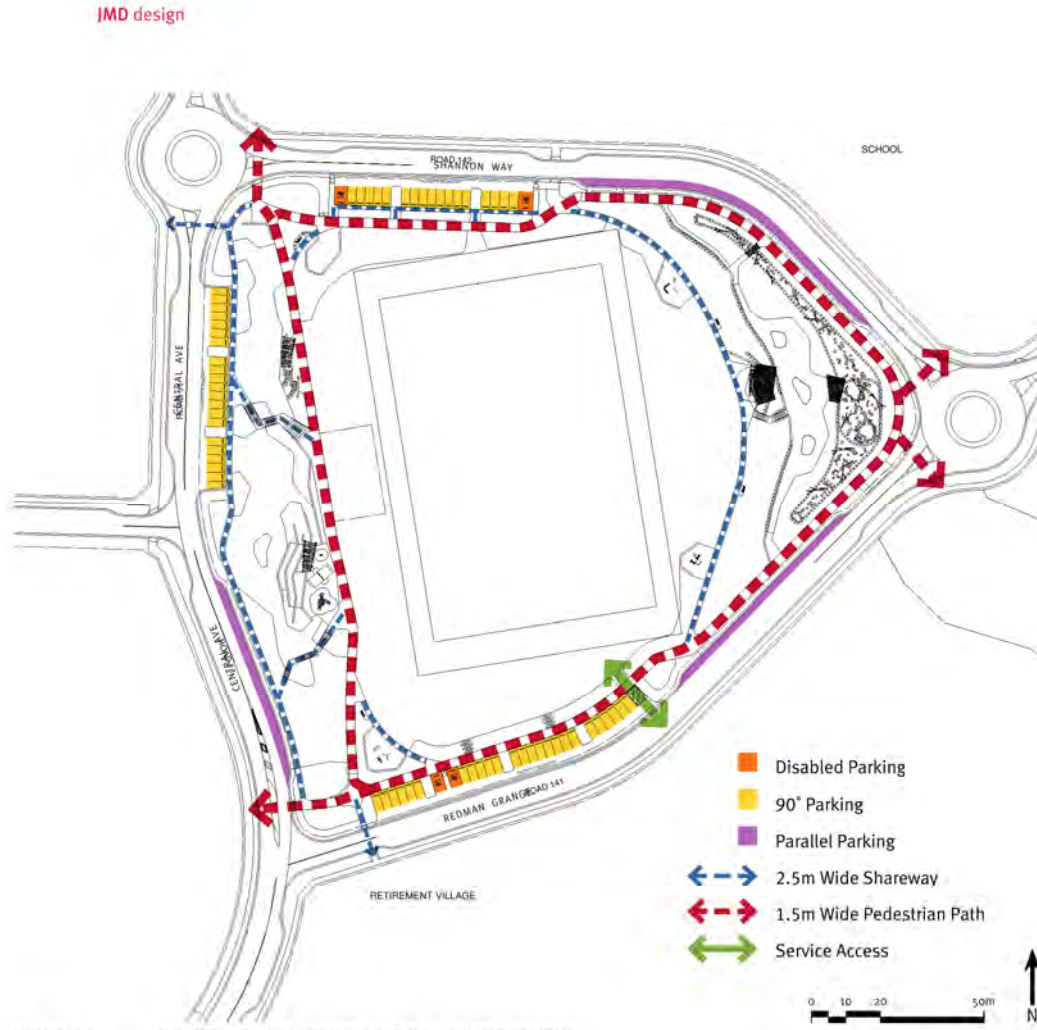


FIGURE 3.4 WAYNE GARDNER ACCESS, CIRCULATION AND PARKING .

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3.6.7 Existing buildings and other structures

Section 36(3A) of the *Local Government Act, 1993* requires that a Plan of Management that applies to just one area of community land must describe the condition and use of the land, and of any buildings or other improvements on the land, as at the date of adoption of the Plan of Management. Wayne Gardner Reserve will be a new purpose built sports field, play ground and natural area. All facilities will be new.

The following table lists the facilities, their construction

Table 3.2: Condition and use of built elements within Wayne Gardner Reserve

Item	Description	Condition of Item
Sports field – turf	Kikuyu	Newly laid turf
Irrigation System	Fully automated pop-up irrigation system	Newly installed
Irrigation tank – 200KL	Heavy duty reinforced concrete tank	Newly installed
Sportsfield Subsoil Drainage System	Mixture of perforated poly pipe, sand slit drainage and poly pipe mainlines that return to the irrigation tank	Newly installed
Surface Drainage System	Concrete pit and pipe system that feeds the riparian corridor	Newly installed
Roof Drainage	Roof drains via poly pipe ad concrete pit to irrigation tank	To be constructed with amenities building
Amenities Building	Split faced coloured concrete block, glazed brickwork, powdercoated metal grill and colourbond roofing	To be constructed
Viewing platform over irrigation tank	Marine grade concrete piers, galvanised steel structure and hardwood decking with galvanised steel balustrade	Newly installed
Pergolas	Galvanised steel posts and frame with hardwood timber battens	Newly installed
Terrace Seating Walls	Marine grade coloured concrete with a shot blast finish	Newly installed
Shareway	2.5m wide asphaltic concrete pavement with concrete edging against grass	Newly installed
Pavements	Mixture of plain concrete and lightly washed coloured concrete	Newly installed
Play Equipment	Powder coated steel frames	Newly installed
Exercise Equipment	Galvanised steel frames with hardwood battens	Newly installed
Lighting	Steel columns with light standards. Sportsfield lighting to AS 2560.2.3 - 2007 for training purposes only	Newly installed
Riparian Corridor Planting	Locally indigenous plant material – refer Appendix A – Wayne Gardner Reserve Planting Schedule	Newly installed
Landscape Planting	A mix of native and exotic planting – refer Appendix B – Wayne Gardner Reserve Planting Schedule	Newly installed

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VIEWING PLATFORM



CONCRETE PATH

Attachment 1



PLAY EQUIPMENT



EXERCISE EQUIPMENT



RIPARIAN CORRIDOR PLANTING

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3.6.8 Services and infrastructure

The park will have established infrastructure including electricity, sewer, telephone and stormwater as shown in **Figure 3.5**. The sewer and telephone relate directly to the amenities building. The amenities building has toilet facilities, showers and change rooms and a kiosk area. Electricity is provided to the amenities building and the irrigation tank. Lighting in the park consists of area lighting to the shareway through the park adjacent to the amenities building and sports field lighting.

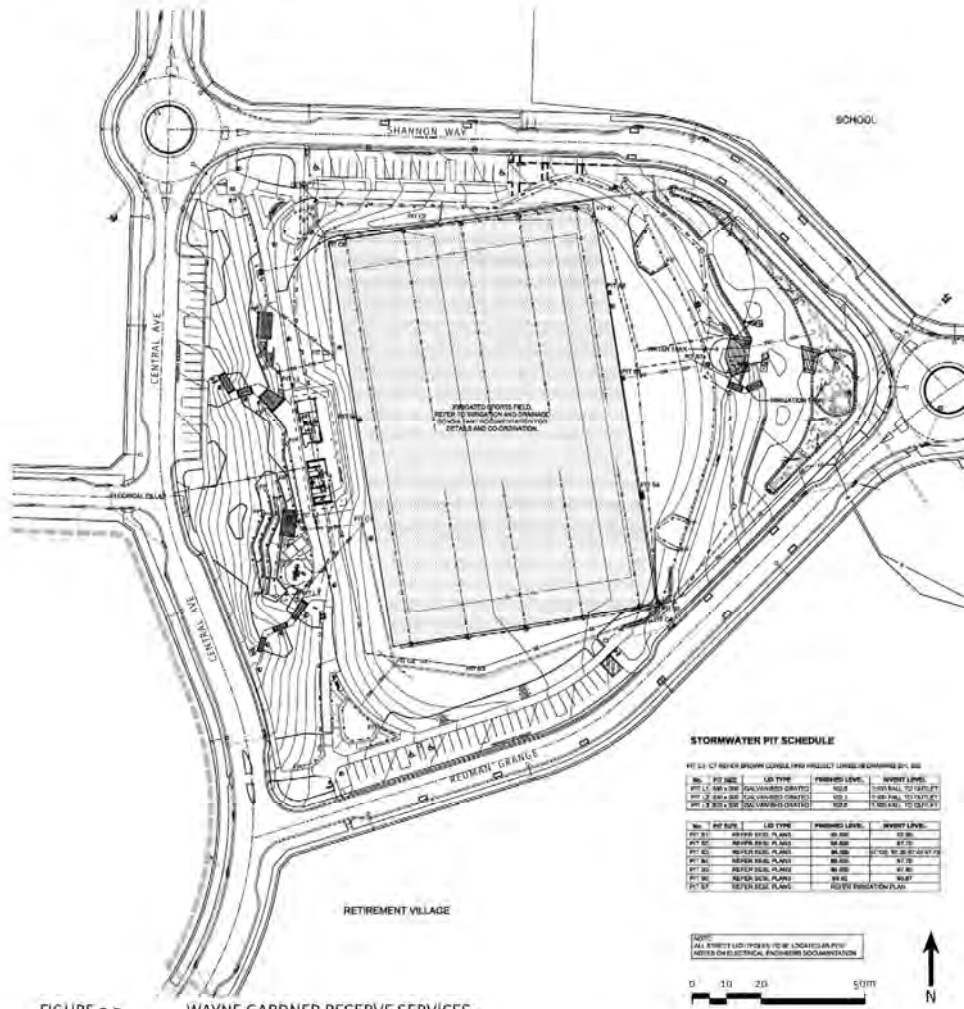


FIGURE 3.5 WAYNE GARDNER RESERVE SERVICES.

LEGEND		
	WATER METER	REFER TO ELECTRICAL ENGINEER'S DOCUMENTATION FOR DETAILS
	EXISTING STREET LIGHTING	REFER ELECTRICAL ENGINEER'S DOCUMENTATION FOR DETAILS
	SPORTS FIELD LIGHTING	REFER ELECTRICAL ENGINEER'S DOCUMENTATION FOR DETAILS
	EXISTING POWER POLE	REFER ELECTRICAL ENGINEER'S DOCUMENTATION FOR DETAILS
	DRINKING FOUNTAIN	AS SPECIFIED
	HOSECOCK	AS SPECIFIED
	STORMWATER PIT	AS SPECIFIED. REFER ENGINEER'S DOCUMENTATION FOR DETAILS
	FLUSH TOILET & SINK	AS SPECIFIED
	STORMWATER PIPE	AS SPECIFIED
	150mm SEWER LINE	AS SPECIFIED
	150mm GAS LINE	AS SPECIFIED
	EXISTING STORMWATER PIPE & MANHOLE	REFER ELECTRICAL ENGINEER'S DOCUMENTATION FOR DETAILS
	WATER SERVICE & METER	AS SPECIFIED
	WATER SERVICE & METER BOX	AS SPECIFIED
	SOLENOID VALVE	REFER TO IRRIGATION PLAN
	IRRIGATION LINE	REFER TO IRRIGATION PLAN
	IRRIGATION PIPE	REFER TO IRRIGATION PLAN
	IRRIGATION VALVE	REFER TO IRRIGATION PLAN
	SEWER ON SOWER LINE FOR FUTURE CONNECTION	REFER TO ELECTRICAL ENGINEER'S DOCUMENTATION

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3.7 Maintenance

Maintenance of the Park will be carried out for the first three years following completion of the park in accordance with the Council Conditions of Consent by Landcom. Following handover of the park to Council maintenance will be carried out by Camden Council's maintenance crews subject to terms and conditions of lease/licence agreement with school and other formal users.

Attachment 1

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4 Basis for Management

4.1 Objectives for managing open space in Camden

4.1.1 State government objectives for managing community land

Sections 36F, 6 and I of the *Local Government Act, 1993* sets out core objectives for various categories of community land. The core objectives for management of community land categorised as a Sportsground, Park and Natural Area Bushland for general community use are outlined below in **Table 4.1**.

Category	Core objectives
Sportsground	<ul style="list-style-type: none"> - to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and - to ensure that such activities are managed having regard to any adverse impact on nearby residences.
Park	<ul style="list-style-type: none"> - to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and - to provide for passive recreational activities or pastimes and for the casual playing of games, and - to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Natural Area	<ul style="list-style-type: none"> - to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and to maintain the land, or that feature or habitat, in its natural state and setting, and - to provide for the restoration and regeneration of the land, and - to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and - to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.
Bushland	<ul style="list-style-type: none"> - to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and - to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and - to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and - to restore degraded bushland, and - to protect existing landforms such as natural drainage lines, watercourses and foreshores, and - to protect existing landforms such as natural drainage lines, watercourses and foreshores, and - to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and - to protect bushland as a natural stabiliser of the soil surface

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4.1.2 Council's Strategy for recreation, open space and community land management
Council's Strategy endeavours to realise the outcome, from Camden 2025 which is:

'A Camden community that has access to and participates in a range of quality recreation and leisure experiences, realising a sense of well-being, inclusiveness and identity.'

4.2 Community Values**4.2.1** Values of Wayne Gardner Reserve

Values are attributes which are highly regarded or important to people. This section outlines the values relating specifically to Wayne Gardner Reserve as a basis for management of the reserve. The values attributed to Wayne Gardner Reserve are:

Table 4.2: Values of Wayne Gardner Reserve

Broad Values	Significance	Explanation
ACCESSIBILITY	Local	The community will appreciate being able to easily access a local park close to where they live, and that is available to be used by everyone. In addition, the park is strategically located close to Oran Park Town, schools and aged care facilities and retirement villages.
SAFETY & SECURITY	Local	Feeling safe and secure while visiting the park is vitally important to park users. The community wishes to feel safe in the park particularly regarding use of the park at night, traffic on surrounding streets, vandalism, sporting and children's play facilities and areas.
VARIETY OF RECREATION OPPORTUNITIES	Local	The community appreciates being able to visit a park that contains a range of settings and facilities that cater for the formal and informal recreation needs of many local people, particularly sporting groups, families with young children, teenagers and dog owners. Dogs will not be allowed on the sports field and must be kept on a leash at all times.
OPEN GREEN SPACE	Local	Wayne Gardner Reserve is valued as a contrast to surrounding residential development. It is important to the community that buildings and structures in the park are minimised, trees are planted to provide visual relief and shade, that the park is well maintained and kept clean and tidy.

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4.3 Desired outcomes of the community

Anticipated objectives and desired outcomes for Wayne Gardner Reserve are:

- The reserve serves the recreation needs of the local community;
- The reserve is successfully co-used with Oran Park Anglican School;
- A welcoming and visually attractive reserve;
- Provision of recreation facilities particularly for families, children, youth, schools, community and social groups, and commuters;
- Use of the reserve for dog exercising on leash, but with restrictions. Dogs will not be permitted on the sports field;
- A safe and secure environment for children;
- No undesirable and anti-social behaviour in the park;
- Accessibility to the reserve and facilities within the reserve for everyone in the community;
- Planting of native and seasonal exotic trees and shrubs in the reserve for shade and to screen undesirable views;
- Provision of quiet and peaceful areas for relaxation and appreciation of nature;
- Provision of open grass areas for informal games;
- Minimal buildings and structures in the reserve;
- Incorporation of community art in the park.

4.4 Vision for managing Wayne Gardner Reserve

Consideration of Council's corporate goals, community values, and the desired outcomes of the community for the reserve outlined above have culminated in a vision for Wayne Gardner Reserve and specific management objectives for implementation. The vision is:

Wayne Gardner Reserve will be a visually attractive and well managed sports field, park and natural area providing habitat opportunities with accessible facilities for a range of formal and informal recreational activities for all age groups in a safe and secure environment.

4.5 Management objectives for Wayne Gardner Reserve

Following on from the vision for managing Wayne Gardner Reserve, the management objectives for the park are to:

- preserve the open space grassed area of Wayne Gardner Reserve exclusively for recreational use;
- preserve the riparian corridor area of Wayne Gardner Reserve exclusively for the rehabilitation of Cumberland Plain Woodland and the corresponding habitat opportunities;
- maintain the quality of structured and unstructured recreation facilities at Wayne Gardner Reserve;
- maintain the quality of the sporting field to enable year round use of the facility by Oran Park Anglican School in a co-use arrangement and local sporting clubs;
- provide a variety of informal recreation opportunities for families and the local community;
- maintain the visual quality of the park;
- preserve the community values of the park;
- maintain the safety and security of the park;
- ensure access to and within the park for everybody in the community;
- maintain flexible and multi-use facilities for a multi-cultural and changing community;
- create a sense of place for the park.

Attachment 1

IMD design

5 Management Strategies

5.1 Future roles

5.1.1 Roles of Wayne Gardner Reserve

Based on the anticipated community values and desired outcomes for the park, and the vision and management objectives for the park, the future specific roles defined for Wayne Gardner Reserve are:

- Venue for organised community activities such as sporting events;
- Co-use arrangement of the sporting field and relevant parts of the amenity building as per the lease/licence agreement between Camden Council and the Dran Park Anglican College;
- Recreation and exercise area for adjacent retirement village and residents;
- Outdoor class areas for school groups undertaking environmental studies;
- Family recreation area;
- Pedestrian and cycle link as part of an open space and pedestrian/cycleway network;
- Local open space for the Dran Park community;
- Preservation of rehabilitated Cumberland Plain Woodland;
- Vegetated habitat corridor linking to Kolombo Creek and South Creek.

5.2 Management issues and strategies

The management issues applying to Wayne Gardner Reserve, and strategies to address these issues, were identified through the design process.

Issues, and strategies to address each issue, are outlined below in Table 5.1 according to the anticipated community value to which they relate.

The means by which Council will implement actions to achieve these strategies are outlined in the Action Plan in Section 6.

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Table 5.1: Management issues and strategies

Values	Issues	Strategies
Accessibility	The park is difficult to find within the surrounding street network.	Improve views into the park.
		Improve signposting of the park from surrounding streets.
		Improve community awareness of the location of and recreational opportunities in the park.
	Pedestrian and cycle access and linkages to and from other parks, the public domain and surrounding roads.	Encourage walking and cycling as the primary means of travelling to the park.
		Provide safe pedestrian access through the park
	Access for people with disabilities to and within the park.	Ensure access for people with disabilities to all facilities and areas within the park.
Safety and security	Lighting within the park.	Maintain existing lighting in the park. Ensure lighting safely illuminates path through park and egress and access stairs in park.
		Ensure there is no overspill of lighting of sports field and that lights of sport fields are turned off at a reasonable hour
	Amenities buildings and structures are subject to vandalism and graffiti.	Reduce the impacts of vandalism and graffiti on the recreational experiences of park users. Carry out repairs to vandalism and graffiti as soon as reasonable after event.
	Anti-social behaviour within the park.	Minimise opportunities for anti-social behaviour within the park through maximising passive surveillance of park and surrounds.
	Dogs off their lead frighten some park users.	Dogs should be kept on their lead at all times. Provide signage that informs dog owners of their responsibility as a dog owner and direct dog owners to the nearest off-leash dog park.

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Values	Issues	Strategies
Variety of recreational opportunities	Relative under-provision of sports fields in Oran Park.	Provide sports fields for active recreation and organised sports in Oran Park.
	Incidence and disposal of dog faeces.	Minimise impacts of the use of the park by dogs on other park users. Designate the park as an on-leash park. Inform dog owners that dogs are not permitted on the sports field.
	Provision of toilets and change rooms.	Encourage longer visits in the park, especially by families and sporting groups.
	Lack of seating within the park.	Ensure adequate opportunities for sitting and resting in the park especially for older park users.
	Opportunities for community events.	Provide a flexible space within the park suitable for community events, such as markets and large school outdoor events.
	Opportunities for community art.	Incorporate community art within designated areas in the park.
Open green space	Appropriate placement of shade trees.	Develop a planting scheme to enhance the visual qualities of the park, and the safety and comfort of park users.
	Maintain the riparian corridor in a clean weed free state	Organise a local bush care group with members from the local school and /or retirement village
	Provision of habitat in riparian corridor	Organise school groups to install and monitor nesting boxes in mature trees in the riparian corridor
	Riparian corridor is a fire risk	Organise a local bush care group in liaison with local rural fire service to monitor and manage fuel loads in the riparian corridor
	Community desire to keep the sports field and lawns neatly mowed, edged and weed free.	Ensure the sports field and park is regularly maintained to an acceptable level and that irrigation system to the sports field is well maintained and monitored.
	Litter.	Minimise littering within the park.

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6 Action Plan

6.1 Landscape Master Plan

The Landscape Master Plan for Wayne Gardner Reserve is presented in Figure 6.1. The Landscape Master Plan illustrates the proposed landscape treatment to the area to achieve the objectives and desired outcomes for the park.

6.2 Action Plan

The management strategies and actions for Wayne Gardner Reserve to resolve management issues (consistent with the community's values for the park) and to implement the Landscape Master Plan are presented in the following tables.

Table headings are explained as follows:

- **Values** – community values of the park, as described in **Section 4.2**.
- **Objective** – related to Council and community objectives for the park (**Section 4**).
- **Performance Targets** – a strategy to achieve the objective.
- **Means to achieve** – specific action required to achieve the performance target.
- **Priority** – importance or urgency of the action as High, Medium or Low priority.
- **Assessment of performance** – how Council intends to measure its performance in achieving the action.

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Attachment 1

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Attachment 1

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FIGURE 6.1 – LANDSCAPE MASTER PLAN



LEGEND	
99.00	SPOT LEVEL
99.0	EXISTING CONTOUR
99.0	PROPOSED CONTOUR
	RIP RAP RETAINING WALL, MAX WALL HEIGHT 900mm
	DRAINAGE PIT
D	DISABLED CAR PARKING SPACE

RECOMMENDED SPECIES LIST		
Botanical Name	Common Name	Mature Heights
TREES		
<i>Angophora subvelutina</i>	Broad-leaved Apple	20m
<i>Corymbia maculata</i>	Spotted Gum	30m
<i>Eucalyptus moluccana</i>	Grey Box	25m
<i>Eucalyptus tereticornis</i>	Forest Red Gum	30m
<i>Melaleuca stypheloides</i>	Prickly Paperbark	5.7m
SHRUBS & GRASSES		
<i>Bursaria spinulosa</i>	Blackthorn	2m
<i>Carex appressa</i>	Tall Sedge	0.8m
<i>Dianella sp.</i>	Flax Lily	0.5-1.0m
<i>Grevillea 'Bronze Rambler'</i>	Prostrate Grevillea	0.3m
<i>Imperata cylindrica</i>	Bladey Grass	1.0m
<i>Isolepis nodosa</i>	Knobby Club Rush	0.7m
<i>Lomandra sp.</i>	Spliny-Headed Matt Rush	1m
<i>Pennisetum alopecuroides</i>	Fountain Grass	1m
<i>Poa labillardieri</i>	Tussock Grass	0.8-1.2m
<i>Themeda australis</i>	Kangaroo Grass	1m
<i>Melaleuca decora</i>	White Cloud Tree	5.7m
SPORTSFIELD TURF		
<i>Kikuyu</i>	Kikuyu Grass	

- KEY**
- Proposed sportsfield** - 100 x 65m with 6.0m overruns to sides and 9.0m overruns to ends of field, to include automatic irrigation and drainage.
 - Proposed amenities building** location and building design to future detail.
 - Proposed exercise station** - exercise equipment set in softfall mulch.
 - Proposed shareway** - 2.5m wide concrete/ asphalt shareways to park perimeter
 - Proposed Circuit Path** - 1.5m wide circuit path to sportsfield linking proposed exercise stations.
 - Proposed toddlers play area** - toddlers play equipment set in softfall mulch.
 - Proposed dry creek bed**
 - Proposed viewing deck** - viewing deck and seating area overlooking riparian corridor and proposed bioretention area.
 - Proposed park entries**.
 - Proposed sportsfield carparking** - carparking for over 90 cars with 4 disabled carpark spaces.
 - Proposed sportsfield service entry**.
 - Proposed grassed batter** - elevated spectator bank at 1%±h grade.
 - Proposed sportsfield lighting** - lighting to meet training standards
 - Proposed concrete retaining wall** - max 900mm height
 - Proposed concrete entry / junction nodes**
 - Proposed footbridge**



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ACTION PLAN

Table 6.1 Action Plan

OBJECTIVE			
Accessibility - Ensure convenient access to and within the park for all sections of the community			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Ensure views into the park.	Remove inappropriately located trees and shrubs.	High	Inappropriately located trees and shrubs are removed
Improve signposting of the park from surrounding streets.	Liaise with Council to install signage to the park on Oran Park Drive and Peter Brock Drive.	Medium	Directional signage installed on Oran Park Drive and Peter Brock Drive.
	Install signage at entry points to the park.	Medium	Signage is installed
Improve community awareness of the location of and recreational opportunities in the park.	Promote community events in the park	Medium	Increased frequency of and attendance at community events in the park
	Include the recreational opportunities of the park in all council promotional literature.	Medium	Increased visitation of the park
Provide attractive and welcoming entrances into Wayne Gardner Reserve.	Define major entry areas into Wayne Gardner Reserve with appropriate planting, signage and landscape treatments.	High	Entry areas are defined
	Provide a wide, open, sealed pathway to link entry points into Wayne Gardner Reserve	High	Entry pathways are constructed

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Attachment 1

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Table 6.1: Action Plan (Cont'd)

OBJECTIVE			
Accessibility - Ensure convenient access to and within the park for all sections of the community			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Encourage walking and cycling as the primary means of travelling to the park.	Ensure Wayne Gardner Reserve is featured on Council's promotional maps and publications.	Medium	Wayne Gardner Reserve is included on Council's promotional maps and publications.
	Ensure there are adequate bicycle storage facilities at Wayne Gardner Reserve.	High	Bikes area stored at bicycle holding rails not against park furniture.
Enhance pedestrian access through the park	Provide pathways through the park along major pedestrian links to schools, town centre and retirement village.	High	Increased use of park as a pedestrian thoroughfare to and from Oran Park Town.
Ensure access for people with disabilities to all facilities and areas within the park.	Ensure the requirements of the Disability Discrimination Act are met in the detailed design of the park.	Medium	The requirements of the Disability Discrimination Act are met
	Designate parking spaces for people with disabilities in the carpark.	Medium	Parking spaces for people with disabilities are designated.
	Design paths according to Australian Standards and Building Code of Australia Standards	High	Pathways are designed according to relevant Standards
Ensure walking and cycle tracks within the park are designed to accommodate a range of activities.	Ensure dual purpose paths within the park meet Austroads Guidelines design requirements.	High	Paths meet Austroads Guidelines requirements
Ensure sufficient off-street vehicle parking within the park to meet the needs of park users and minimise impacts on local residents.	Provide regulated angled and parallel parking spaces for over 90 cars plus four disabled spaces in streets adjacent Wayne Gardner Reserve.	High	Parking spaces constructed

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Table 6.1: Action Plan (Cont'd)

OBJECTIVE			
Improve the safety and security of all users of the park.			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Improve lighting in the park.	Provide lighting to the sports field, parking areas and access paths.	High	Lighting is installed and security is good Community feedback on effectiveness of lighting
	Reduce the impacts of vandalism and graffiti on the recreational experiences of park users.	Paint buildings with graffiti-proof coating or use anti-graffiti materials.	Medium
Minimise opportunities for anti-social behaviour within the park.	Install vandal-resistant park furniture.	Medium	Vandal resistant park furniture is installed Reduced incidence of vandalism of park furniture.
	Maintain clear lines of vision through the park and to all areas within the park in the detailed park design.	High	Clear lines of vision are maintained through park
Minimise opportunities for anti-social behaviour within the park.	Ensure no dense shrub planting within the park, and no shrub planting adjacent to paths.	High	No shrubs are planted adjacent to paths or in dense groupings
	Enlist the support of Camden Police regarding regular police patrols around the park.	High	Increased frequency of police patrols Reduction in incidence of anti-social behaviour Reduction in complaints to police
	Ensure Council rangers include Wayne Gardner Reserve on the roster for patrol of parks and regularly patrol the park.	High	Community feedback to Council

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Attachment 1

IMD design

Table 6.1: Action Plan (Cont'd)

OBJECTIVE			
Improve the safety and security of all users of the park.			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Provide a safe play environment for children within the park.	Ensure the children's play area meets Australian safety standards.	High	Regular inspections of play area and equipment.
Ensure security of buildings that does not require fencing.	Ensure all buildings have adequate security mechanisms that do not involve fencing.	Medium	All buildings are secure. No reports of break-ins.
Provide for a designated dog exercise area while not threatening the security or comfort of other park users.	Install signage at park entries to advise dog owners that dogs are to be kept on leash at all times and of dog owners responsibility to clean up after their dogs.	Medium	Signs installed at park entry points.
	Ensure the provisions of the Companion Animals Act 1998 regarding control of dogs are adhered to in permitting dogs in the park.	Medium	No complaints to Council about conflicts between dogs and other park users.
	Install signage advising dog owners of the nearest dog off-leash park within the area.	Medium	Signs installed at park entry points.

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Table 6.1: Action Plan (Cont'd)

OBJECTIVE:			
Provide recreation facilities and settings for a wide range of informal recreational activities			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Provide multi-purpose facilities for passive recreation in Wayne Gardner Reserve.	Provide a circuit path around field for exercise and as an informal children's bicycle track.	Medium	Circuit path around field constructed.
	Install play equipment for children.	High	Children's play equipment installed. Increase in number of children using play equipment.
			Landscaped areas provided.
	Provide a landscaped area for informal activities.	High	Picnic areas constructed.
	Provide a picnic area.	High	Increase in number of people using picnic facilities.
	Designate a grassed area for informal games.	High	Grassed area for ball games designated.
	Provide quiet seating areas for people to sit in peace	High	People sitting quietly in seating areas provided.
Minimise impacts of the use of the park by dogs on other park users.	Provide group seating areas for schools and community groups to use	High	School and community groups use seating areas for outdoor classes etc
	Enforce the provisions of the Companion Animals Act.	High	Reduction in complaints to Council about dog waste
	Undertake an educational programme to promote responsible pet ownership	Medium	Reduction in complaints to Council about pets in the park

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Attachment 1

IMD design

Table 6.1: Action Plan (Cont'd)

OBJECTIVE:			
Provide recreation facilities and settings for a wide range of informal recreational activities			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Encourage increased use of the children's playground.	Involve local school children and the community in the design of the playground and equipment.	High	School children and the community involved in design of the playground and equipment.
	Install play equipment catering for all ages of children.	High	Play equipment for all ages is installed.
	Provide seating, shade and water within view of the playground for people supervising children.	High	Seating, shade and water is provided near the children's playground. Positive comments from parents and child supervisors.
Encourage increased use of the sports field.	Formalise Co-Use agreement with Oran Park Anglican School as a priority	High	Oran Park Anglican School using the sportsfield on a daily basis during school terms
	Advertise sports field availability and its features.	High	Sports field regularly booked for use
	Calculate carrying capacity of sports field	High	No or minimal worn area
	Manage use of sports field bookings to minimize conflict	High	No double booking
	Ensure high quality of sports field surface is maintained	High	Field is always in satisfactory state of play Positive comments about quality of sports field received
	Provide amenities building, viewing areas, seating, shade and water within close proximity of the sports field.	High	Amenities building, seating, shade and water is provided near the sports field. Positive comments from school groups, sporting groups, parents supervisors.

JMD design

Table 6.1: Action Plan (Cont'd)

OBJECTIVE:			
Provide recreation facilities and settings for a wide range of informal recreational activities			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Encourage longer visits in the park, especially by families and social groups.	Provide secure, vandal-resistant, and accessible toilets.	High	Toilets provided.
Ensure access to potable water by park users.	Provide vandal-resistant bubblers and taps in appropriate locations around the park, especially near sports field, exercise areas, picnic areas and playgrounds.	Medium	Bubblers and taps provided.
Ensure adequate opportunities for sitting and resting in the park.	Install bench seats and bubblers along the pathway.	Medium	Bench seats and bubblers installed along pathway.

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Attachment 1

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Attachment 1

IMD design

Table 6.1: Action Plan (Cont'd)

OBJECTIVE			
Ensure Wayne Gardner Reserve is a visually attractive, clean, tidy and useable open space area			
PERFORMANCE TARGETS	MEANS TO ACHIEVE	PRIORITY	ASSESSMENT OF PERFORMANCE
Develop a planting scheme to enhance the visual qualities of the reserve and riparian corridor, and ensure the safety and comfort of park users.	Provide planting that allows views into Wayne Gardner Reserve	High	Clear visibility throughout the park. Feedback from park users.
	Plant trees for seasonal colour and variation	Medium	Feedback from park users.
	Plant trees to provide shade and habitat for native wildlife	High	Increased presence of native birds and wildlife in the area especially in the riparian corridor Favourable comments from residents and park users.
	Develop a consistent and coherent planting scheme.	High	Favourable comments from residents and park users.
	Plant locally indigenous trees and vegetation in riparian corridor to provide shaded picnic and play areas.	High	Feedback from park users. Increased use of eating and play areas.
	Ensure planting is appropriate to soil and other site conditions.	High	Plantings are vigorous and healthy
Ensure Wayne Gardner Reserve is regularly maintained to an accepted level.	Closely monitor the park's appearance, and revise maintenance schedules as required.	High	Positive feedback from users and residents.
	Implement a level of maintenance appropriate to the provision of additional facilities.	High	Positive feedback from users and residents.
Minimise littering and the presence of litter within Wayne Gardner Reserve.	Provide waste management units, including recycling bins, in appropriate locations, particularly in the picnic and covered seating areas.	High	Recycling bins installed in picnic and covered seating areas.
	Regularly clean reserve and pick up litter	High	Positive feedback from users and residents.

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7 Implementation and Review

7.1 Future uses and development permitted in Wayne Gardner Reserve

Section 36 (3A) (b) of the *Local Government Act, 1993* requires that a Plan of Management that applies to just one area of community land must specify:

- the purposes for which the land, and any such buildings or improvements, will be permitted to be used.
- the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.
- the scale and intensity of any such permitted use or development.

Future developments permitted within Wayne Gardner Reserve are shown in the Landscape Master Plan in **Figure 6.1**, and outlined in The Action Plan in Table 6.1: Action Plan.

Purposes for which the land, and any such buildings or improvements, will be permitted to be used (whether under lease or licence or otherwise), must be consistent with the core objectives for managing community land categorised as "park" or "sportsground" or "natural area" or "bushland" (refer to **Table 4.1**).

The scale and intensity of any such permitted use will be specified by Council in lease or licence agreements. The scale and intensity of any such permitted development will be limited to that shown on the Landscape Master Plan (Figure 6.1). The height of buildings within Wayne Gardner Reserve will be limited to two storey.

7.2 Authorisation of leases and licences

7.2.1 What are leases, licences and other estates?

The *Local Government Act* allows Council to grant leases, licences and other estates over all or part of community land. Leases and licences are a method of formalising the use of land and facilities. Leases or licences can be held by groups such as sporting groups, community groups and schools, and by commercial organisations or individuals providing facilities and/or services.

A lease will be typically required where exclusive use or control of all or part of Wayne Gardner Reserve is desirable for effective management. A lease may also be required due to the scale of investment in facilities, the necessity for security measures, or where the relationship between a major user and facilities in the park justifies such security of tenure.

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the park is proposed. A number of licences for different users can apply to the same area at the same time, provided there is no conflict of interest.

The definition of "estate", under Section 21 of the *Interpretation Act, 1987*, includes other rights over land, such as easements, including "interest, charge, right, title, claim, demand, lien and encumbrance, whether at law or in equity".

7.2.2 Existing leases, licences and other estates

There are currently no leases, licences or other estates over Wayne Gardner Reserve.

However, it is proposed that the Oran Park Anglican School will enter into a Co-Use arrangement of Wayne Gardner Reserve with Camden Council where the school has exclusive use of the sportsfield and the change rooms of the amenities building between the hours of 7.00am and 4.00pm weekdays during school term.

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7.2.3 Authorisation of future leases and licences

To comply with the Local Government Act, this Plan of Management must clearly specify what leases, licences and other estates are authorised within Wayne Gardner Reserve.

Occupation of community land

Occupation of community land by leases, licences and other estate that apply to Wayne Gardner Reserve are set out in Sections 46, 46A, 47, 47A, 47B, 47C and 47D of the Local Government Act, 1993. In respect of community land in general, a lease, licence or other estate may only be granted within Wayne Gardner Reserve for:

- a purpose expressly authorised in this Plan of Management, for purposes including:
 - the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs of the local community and of the wider public in relation to public recreation; the physical, cultural, social and intellectual welfare of development of persons.
 - purposes which are consistent with the core objectives for the categories of "park" or "sportsground" or "natural area – bushland", in relation to:
 - recreational, cultural, social and educational pastimes and activities;
 - organised and informal sporting activities and games;
 - passive recreational activities or pastimes, and casual playing of games;
 - activities relating to public recreation, and the physical, cultural, social and intellectual welfare of development of individual members of the public;
 - or short-term casual purposes, including markets, the playing of a musical instrument or singing for a fee or reward, delivering a public address, commercial photographic sessions, picnics and private celebrations such as weddings and family gatherings, and filming for cinema or television. However, the use or occupation of community land for these short-term casual purposes is permitted only if the activity does not involve erecting a permanent building or structure;
 - restoration and regeneration of the land;
 - conservation of biodiversity and maintenance of ecosystem function in respect of the land;
 - for the purpose of providing underground pipes, conduits or other connections to connect premises adjoining the community land to a Council facility or other public utility provider located on the land.
- provision of public utilities and works associated with or ancillary to public utilities.

The Act specifies that Council must not grant a lease or licence for a period exceeding 21 years, including any period for which the lease or licence could be renewed by the exercise of an option.

Under Section 47, Council may grant a lease, licence or other estate exceeding 5 years if it gives public notice of proposal to the land owner, the public and all stakeholders, and invites and considers public submissions. If an objection to the proposal is made, Council may not grant a lease, licence or other estate without consent of the Minister for Local Government.

For proposed leases, licences and other estates of 5 years or less, Council must publicly advertise the proposal in the same way as for leases, licences and other estates over 5 years. Final approval of the lease rests with Council, but the Minister for Local Government has the discretion to call in a proposed lease and determine the matter in place of Council. However, some short-term and other types of leases, licences and other estates, such as providing underground pipes and connections, are exempt from the need to advertise.

Granting of leases, licences and other estates by tender

Section 46A of the Act requires that Plans of Management must specify purposes for which a lease, licence or other estate may be granted only by tender. A lease or licence for a term exceeding 5 years may be granted only by tender, unless it is granted to a non-profit organisation. However, Council may apply a tender process in respect to granting any particular lease, licence or estate.

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Leases and licences applying to Wayne Gardner Reserve for which tenders must be called for:

- purposes for which a lease or licence for a term exceeding 5 years is desired (excluding non-profit organisations).
- Any commercial activity.

Occupation of Wayne Gardner Reserve other than by lease or licence

The exclusive occupation or use of Wayne Gardner Reserve is only permitted for the purposes of:

- a lease, licence or other estate to which Sections 47 and 47A of the Act applies.

Terms and Conditions of leases and licences

Terms and conditions of a lease or licence should reflect the interest of the Council, protect the public, and ensure proper management and maintenance. In considering whether to grant any lease or licence Council should take into account the consistency of the proposal with the values and management strategies of this Plan of Management, particularly regarding:

- whether the use/activity is in the public interest.
- whether the use/activity would not cause any significant detrimental impact on the park or on the local community.
- the impact of the lease/licence on the public space use of the park.
- the impact on maintaining the park as one cohesive open space.
- compatibility with zoning or other Council requirements.
- provision of benefits and services or facilities for the users of the land.
- responsibility of the lessee/licensee for ensuring the area is maintained to a standard which is acceptable to Council.
- the need to define the times the land or facility will be available for use by the lessee/licensee.
- any fixed or temporary outdoor lighting of areas to be allowed only between the hours identified in the lease/licence.

7.3 Implementation

All proposed development and building works consistent with the values, desired outcomes, strategies and actions in this Plan of Management would be subject to normal development and building applications.

This Plan of Management and Landscape Master Plan would form an important part of the required Development and Building Applications for the proposed works.

7.4 Review of this Plan of Management

Table 1.1 showed indicative time-frames for each section of this Plan of Management. This Plan of Management and Action Tables should be reviewed and updated as necessary according to changing circumstances and to reflect changing community and Council priorities and issues.

The Action Plan tables have a shorter life and therefore require more frequent reviews and updating. The Action Plan tables should be reviewed and revised every year in accordance with Council's budgets and changing priorities.

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Appendix A

Wayne Gardner Reserve Planting Schedule

RIPARIAN CORRIDOR PLANTING		
Botanic Name	Common Name	Mat Hgt x Spd (m)
TREES		
<i>Angophora subvelutina</i>	Broad-leaved Apple	20 x 10
<i>Eucalyptus crebra</i>	Narrow Leaved Ironbark	25 x 10
<i>Eucalyptus moluccana</i>	Grey Box	25 x 10
<i>Eucalyptus tereticornis</i>	Forest Red Gum	20 x 10
<i>Melaleuca styphelioides</i>	Prickly Paperbark	4.0-8.0 x 2.0-5.0
SHRUBS		
<i>Bursaria spinosa</i>	Blackthorn	2.0-5.0 x 1.0-2.5
<i>Daviesia ulicifolia</i>	Gorse bitter pea	2.0 x 0.5
<i>Dillwynia juniperina</i>	Prickly Parrot- Pea	1.0 x 1.0
<i>Indigofera australis</i>	Australian Indigo	2.0-2.5 x 1.0-2.0
GRASSES & GROUNDCOVERS		
<i>Austrodanthonia</i> sp.	Wallaby Grass	0.8 x 0.5
<i>Carex appressa</i>	Tall Sedge	0.8 x 0.8
<i>Carex inversa</i>	Knob Sedge	0.5 x 0.5
<i>Chloris truncata</i>	Windmill Grass	0.5 x 0.3
<i>Dianella caerulea</i> 'Breeze'	Flax Lily	0.6 x 0.6
<i>Dianella caerulea</i>	Blue Flax Lily	0.4 x 0.4
<i>Dichelachne</i> sp.	Plumegrass	0.6-1.0 x 0.6-1.0
<i>Dichondra repens</i>	Kidney Weed	.02-.05 x .15-.02
<i>Hardenbergia violacea</i>	Purple Coral Pea	1.0 x 1.5
<i>Imperata cylindrica</i>	Japanese Blood Grass	0.4 x 0.4
<i>Lomandra filiformis</i>	Wattle Mat-Rush	0.5 x 0.2
<i>Lomandra longifolia</i>	Mat-Rush	0.7 x 0.7
<i>Microlaena stipoides</i>	Weeping Grass	0.7 x 0.5
<i>Poa sieberana</i>	Grey Tussock Grass	0.8 x 0.4

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Attachment 1

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Appendix B

Wayne Gardner Reserve Planting Schedule

SPORTS FIELD PLANTING		
Botanic Name	Common Name	Mat Hgt x Spd (M)
TREES		
<i>Calodendron capense</i>	Cape Chestnut	10 x 4.0
<i>Corymbia maculata</i>	Spotted Gum	10 x 8.0
<i>Eucalyptus crebra</i>	Narrow Leafed Red Ironbark	20 x 10
<i>Eucalyptus tereticornis</i>	Forest Red Gum	40 x 10
<i>Ficus macrophylla</i>	Moreton Bay Fig	30-40 x 25-35
<i>Liriodendron tulipifera</i>	Tulip Tree	20 x 8.0
<i>Angophora subvelutina</i>	Broad-leaved Apple	20 x 10
<i>Nyssa sylvatica</i>	Blackgum	11 x 6.0
SHRUBS		
<i>Callistemon 'Endeavour'</i>	Red Bottlebrush	3.0 x 3.0
<i>Melaleuca linariifolia 'Snow Storm'</i>		
<i>Bursaria spinosa</i>	Blackthorn	2.0-5.0 x 1.0-2.5
<i>Daviesia ulicifolia</i>	Gorse bitter pea	2.0 x 0.5
<i>Dillwynia juniperina</i>	Prickly Parrot- Pea	1.0 x 1.0
<i>Indigofera australis</i>	Australian Indigo	2.0-2.5 x 1.0-2.0
<i>Westringia fruticosa</i>	Coastal Rosemary	1.0 x 1.0
GRASSES & GROUNDCOVERS		
<i>Austrorhizonia sp.</i>	Wallaby Grass	0.8 x 0.5
<i>Carex appressa</i>	Tall Sedge	0.8 x 0.8
<i>Carex inversa</i>	Knob Sedge	0.5 x 0.5
<i>Chloris truncata</i>	Windmill Grass	0.5 x 0.3
<i>Dianella caerulea 'Breeze'</i>	Flax Lily	0.6 x 0.6
<i>Dianella caerulea</i>	Blue Flax Lily	0.4 x 0.4
<i>Dichelachne sp</i>	Plumegrass	0.6-1.0 x 0.6-1.0
<i>Dichondra repens</i>	Kidney Weed	.02-.05 x .15-.02
<i>Hardenbergia violacea</i>	Purple Coral Pea	1.0 x 1.5

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Wayne Gardner Reserve Planting Schedule (Cont'd)

SPORTS FIELD PLANTING		
Botanic Name	Botanic Name	Botanic Name
GRASSES & GROUNDCOVERS		
<i>Imperata cylindrica</i>	Japanese Blood Grass	0.4 x 0.4
<i>Liriope spicata</i>	Creeping Liriope	0.3 x 0.5
<i>Lomandra longifolia</i>	Mat-Rush	0.7 x 0.7
<i>Lomandra 'Tanika'</i>	Tanika	0.6 x 0.6
<i>Lomandra filliformis</i>	Wattle Mat-Rush	0.5 x 0.2
<i>Microlaena stipioides</i>	Weeping Grass	0.7 x 0.5
<i>Poa labillardieri</i>	Common Tussock Grass	1.0 x 0.5
<i>Poa sieberana</i>	Grey Tussock Grass	0.8 x 0.4
<i>Themada australia</i>	Kangaroo Grass	0.8 x 0.5
<i>Trachelospermum 'Tricolor'</i>	Star Jasmine	6.0 x 6.0

ORDINARY COUNCIL

ORD05

SUBJECT: PROPOSED LEASE OF SPORTING FACILITY - WAYNE GARDNER RESERVE, ORAN PARK

FROM: Director Works & Services

BINDER: Land Use and Planning

PURPOSE OF REPORT

To seek Council's in principle approval to grant a 20 year lease to the Sydney Anglican Schools Corporation, of a portion of Wayne Gardner Reserve, Oran Park in accordance with Section 47 of the Local Government Act. The proposed lease would be applicable to defined times on school days only.

BACKGROUND

Council has been provided with a separate report on the draft Plan of Management (POM) for Wayne Gardner Reserve for consideration. The draft POM was developed to guide the future management and development of the reserve, which included the intention to permit the sporting facility within the reserve to be provided on an exclusive use basis to the school adjoining the reserve, within defined periods.

The Reserve has a number of elements within it including playground equipment, fitness station, riparian bush area, path around the perimeter of the reserve, sportsground with irrigation and floodlights, amenities building, and tiered grassed mounds. The reserve was designed based on a joint school and community use principle for the sportsground and change rooms of the amenities building with all other areas of the reserve to remain available to the public at all times.

The area proposed for lease is outlined in Figure 1 below.

Figure 1



MAIN REPORT

The Draft POM for the reserve recognises the potentially unique relationship between the reserve and the School with respect to the sharing of resources and use of the sportsground and amenities by the school during school hours. It is also noted that the remainder of the reserve including the playground, exercise stations, walking paths and bushland area are available to the public at all times.

The vision for the reserve has been identified as “a visually attractive and well managed sportsfield, park and natural area, providing habitat opportunities with accessible facilities for a range of formal and informal recreational activities for all age groups in a safe and secure environment”. To support this, the reserve area will not have any fencing around it or any part of it, as the site has been designed and built to maximise passive surveillance while landscaped elements provide buffers to adjacent roads.

The provision of Wayne Gardner Reserve as a facility in addition to the required level of public open space and sporting facilities, on the basis of being shared use with the adjoining school, is considered a resource sharing project which will benefit not only the residents that attend the school, but the wider community in general.

The proposal for “co-use” of the facility has benefits for both the school and for Council. Neither organisation is required to bear the full cost of ownership or operation of the sportsfield as would be the case if the sportsfield was on school grounds or a “normal” Council sportsfield. The arrangement would be for a 50:50 split of maintenance costs between Council and the school.

In addition, the arrangement avoids having the sportsfield underutilised outside of school hours as could be the case if the sportsfield was enclosed within a secure school property.

One of the perceived disadvantages is the need to manage competing demands for access, whereby members outside the school community wish to use the sportsfield during school hours. Under Council’s current approach for sportsfields, whereby schools are given preference, this in theory can be an issue at any sportsfield. To date, Council has not had any requests for exclusive use of sports grounds during school hours, with the exception of Onslow Park which hosts the annual show and various exhibitions and agricultural activities. Currently 9 out of 15 existing Council sportsfield sites are used by schools on a “part time” basis. There are 5 which are used on a regular weekly basis including Onslow, Nott, Fairfax, Kirkham and Belgenny. None of the schools which use these fields make any contributions to maintenance costs for those fields.

In the case of Wayne Gardner Reserve, the formalised arrangement with the Oran Park School will be indicated on signs appropriately placed at access points around the reserve.

The school is also very much aware of its responsibilities and duty of care toward its students, visitors and staff and will be implementing strategies to ensure such duty is exercised appropriately.

In order to formalise the relationship between the school and Council as reserve owner and manager, it is appropriate that a formal agreement be considered which outlines the intended use arrangements, each organisation’s responsibilities and cost

disbursements, in conjunction with the various Council standard lease terms such as insurance etc. for sporting facilities.

A summary of proposed lease terms has been drafted specifically applicable to the Wayne Gardner Reserve and are in addition to 'standard terms' are **contained in Attachment A** to this report. The terms of the lease have been discussed with the Anglican Schools Corporation and are acceptable to it. Given the length of the proposed lease, it is recommended that the 20 year term be divided into four 5 year options. This will enable a review of the terms and opportunity to make any required updates.

The Local Government Act S47 outlines the process for granting leases over community land for periods exceeding 5 years which include:

- a) give public notice of the proposal and invite submissions;
- b) exhibit notice of the proposal on the land to which the proposal relates;
- c) give notice of the proposal to such persons as appear to own or occupy the land adjoining the community land;
- d) notify persons living in the vicinity of the land if Council believes that the land "is the primary focus on the person's enjoyment of community land";
- e) consider submissions made about the proposal; and
- f) refer the proposal to the Minister of Local Government if Council receives any objection to the proposal.

CONCLUSION

The intended resource sharing arrangement in the design and construction of Wayne Gardener Reserve is recognised in the draft POM for the reserve and may be formalised through a lease agreement with the Anglican Schools Corporation.

It is proposed that Public Notice be made regarding the intention to lease the sports field and change rooms in the amenities building for exclusive use by the school during school days and defined hours, and relevant stakeholders be advised accordingly. The notice will invite submissions and a further report be presented to Council on the outcome of the public exhibition.

RECOMMENDED

That Council:

- i. Council give approval in principle to the proposal to lease the sports field and change rooms in the amenities building to the Anglican Schools Corporation for a period of 20 years subject to the draft terms of lease;**
- ii. the proposed lease be the subject of public exhibition with notice inviting submissions, being advertised in the local press and the proposal be displayed at Council's Offices and libraries at both Camden and Narellan, in conjunction with the Draft Plan of Management for Wayne Gardner Reserve; and**
- iii. a further report be presented to Council on the outcome of the public exhibition.**



ATTACHMENTS

1. Lease Terms - Wayne Gardner Reserve

ORD05

Wayne Gardner Reserve

Proposed Lease Terms to Sydney Anglican Schools Corporation (school)

Draft site specific recommended terms of lease, (in addition to standard lease clauses); proposed to be entered into between Camden Council and the Sydney Anglican Schools Corporation (to be referred to as the “school” in this document).

1. **Area of reserve subject of proposed lease** – Attachment “A”. The portion of the reserve which includes the sporting field and immediate surrounds, (as defined by shaded area) and toilet and change rooms of the amenities building (to be referred as the “amenities” in this document).
2. **Term of lease** – In accordance with the Local Government Act, section 47 and 47A, it is proposed to enter into a 20 year lease comprised of 4 terms of 5 years (5x 5x 5x 5 years) with a review of the terms and conditions to be undertaken at the end of each 5 year period.
3. **Purpose of lease** – the purpose of the lease is to formalise a co-use agreement relating to the use, maintenance and responsibilities for costs associated with defined facilities within Wayne Gardner Reserve
4. **Types of use** – The school will have exclusive use of the defined facilities for the following activities: sports carnivals, sporting fixtures, sports training, PDHPE lessons and other learning activities
5. **Hours of use** - The school will have exclusive use of the sport field and amenities between the hours of 8am and 4pm on school days, during school term only. Any requirements for use beyond these defined times will be subject to Council sports field booking process and applicable fees and charges. The exclusive use does not exclude Council staff or contractors who may need to access the facilities for maintenance or improvement works.
6. Camden Council will erect signs at key entrance points to the reserve notifying the public of the co-use arrangement with the school and the periods of exclusive use.
7. The school will have the **responsibility to manage use** of the sports field and amenities during their exclusive use period. However any subletting of the facilities for commercial purposes during period of exclusive use will require Council consent.
8. The school will be required to **provide access to the exclusive use area and time period to Council staff** and or nominated contractors. Council will endeavour to undertake maintenance works within the nominated exclusive use areas between the hours of 7.00am and 9.00am where feasible, however, Council reserves the right to exclude areas for maintenance if and when necessary.
9. **Cleaning of facilities used** – the school will be responsible for the cleaning of amenities and sport field after school use to ensure usability by public beyond lease timeframes. Council will be responsible for cleaning of facilities following public use in accordance with adopted standards for similar facilities.
10. **Sports field maintenance - Camden Council will maintain** Wayne Gardner Reserve including mowing, maintenance of irrigation systems and regular cleaning of facilities related to non school use periods in accordance with adopted Council standards. Where additional frequency of service is required by the school, the school will be required to pay cost of requested services.

11. **Annual renovations** – Camden Council generally conducts renovations of its sporting ovals on an annual basis. During these times access to portions of the sports field may be limited
12. **Operational costs** -The school will share in the maintenance, waste removal, water and sports field renovation costs on a 50% basis. School to provide their own consumables such as toilet paper. Options of school and Council sharing the cost of contracted cleaning services based on the proportion of use. Council to meet with the school twice per year to review maintenance regimes, practices, programmes and costs. An annual review of the co-use agreement including cost sharing arrangements be undertaken.
13. **Damage to the reserve and amenities** caused by the school use shall be repaired at the school's cost by Camden Council. Damage to the facility caused by the public use will be repaired by and at Council's expense. The Council will endeavour to carry out repairs to all damaged facilities as quickly as possible.
14. **Wear and Tear** –reasonable wear and tear will be managed through the maintenance program and generally annual renovation works. Cost to be shared between Council and school.
15. **Camden Council has the right to close the sports field and amenities** building for whatever reason whether it be due to wet weather, repairs, weed spraying, painting etc. During periods when the sports field and facilities are closed the affected areas will be closed to all park users, including the school.
16. **Ground and facility upgrades or improvements** – any proposed new facilities or upgrades required by the school must be approved by Council, and available to the public in non exclusive periods.

17. **Termination of Lease** – Maintaining positive relationships and good will is important for the success of this scheme. If the agreement were to fail, ownership of the reserve remains with Council and Council has the right to terminate the lease, which is an undesirable outcome. It is in both parties' interest to work positively with each other to overcome any issues that may arise.
18. **Insurance** – Both Council and the school are required to keep and maintain public liability insurance associated with the use of the reserve. Council will also cover the building and infrastructure insurance costs.

ORD05

Attachment 1



ORD06

ORDINARY COUNCIL

ORD06

SUBJECT: RESULTS OF THE 2011 COMMUNITY SURVEY
FROM: Director Governance
BINDER: Integrated Planning and Reporting

PURPOSE OF REPORT

To inform Council of the results relating to the recently conducted 2011 Community Survey.

BACKGROUND

Council conducts an annual telephone survey of residents. The focus of the survey alternates between measuring Council's sustainability indicators and measuring the community's satisfaction with Council and its services.

The focus of the 2011 survey was on satisfaction with Council and its services. This survey was first conducted in 2009.

A copy of the 2011 Community Survey is attached as a Supporting Document.

MAIN REPORT

Council engages an external research company, IRIS Research, to undertake a telephone based survey of residents of the Camden Local Government Area on an annual basis.

This survey is undertaken in such a way as to ensure that the random sample of residents mirrors the characteristics of the overall adult population of the area, based on Census data, including age, gender and suburb of residence.

The survey for 2011 involved a sample of 515 residents. The accuracy of this survey means that if the survey were to be repeated there would be a 95% chance that the new result would lie within +/- 4.5% of that achieved within this survey.

Survey Focus

The focus of the 2011 survey was on the community's satisfaction with Council as an organisation, and the services it provides.

The survey addressed the following questions:

1. Importance of Council's services to the resident
2. Satisfaction of the resident with Council's services
3. Satisfaction of the resident with Council's overall performance
4. Issues and projects of personal importance to the resident

Summary of Survey Results

1. Council's overall performance

- 85.3% of all residents indicated that they were **satisfied** with Council's overall performance (rating of 6 or higher).
- 72% of all residents surveyed provided a **high satisfaction** rating (7 or above) for Council's overall performance.
- Only 3% of those surveyed gave a **low satisfaction** score (3 or lower).

The overall distribution of these satisfaction scores resulted in an average rating of 7.14 out of 10. This compares with a rating of 7.10 out of 10 in 2009.

This overall performance rating is a very good result for Council. In comparison to other comparable Councils, Camden rates very highly.

2. Areas where Council is performing very well

There are 6 areas where Council is considered to be performing particularly well in. Those areas are

- a. Collection of rubbish and recycling
- b. Public health inspections and education
- c. Town centre and village atmosphere
- d. Providing recreation services and facilities
- e. Providing library services, and
- f. Providing information on Council services and activities

3. Areas where Council needs to improve

There are 8 areas where Council needs to improve. This is where the greatest impact on overall community satisfaction can be achieved.

- a. Managing local roads and traffic
- b. Improving transport options
- c. Council's ability to make good decisions on behalf of the community
- d. Improving road safety
- e. Council's management of community resources (eg asset management)
- f. Construction and maintenance of local roads, footpaths and kerbing
- g. Enabling the community to be better engaged in local decisions, and
- h. Management of natural areas and waterways under council's control

Interestingly, all of the above areas appear to be consistent with the issues raised by residents in other local government areas. The survey results for Camden suggest that whilst there is still some work to do in these areas, all 8 of the areas benchmark well when compared with the results of other councils.

4. *The biggest issues facing Camden*

Residents were asked what they thought were the biggest issues facing Camden. The top 4 responses (totalling 66% of all responses) were as follows:

- a. Infrastructure and planning (24%)
- b. Roads or Traffic (20%)
- c. Over-development or over-population (15%)
- d. Public Transport (7%)

5. *Where should significant surplus funds be allocated*

Residents were asked the question “if council had significant surplus funds available, which service or project would you like Council to allocate those funds towards?” Almost half (49.9%) of the residents surveyed responded “roads and transport infrastructure”.

Other responses included health (4%), parks and recreation (3.7%), education (3.3%), youth services and facilities (2.8%) and the environment (2.8%).

6. *Priorities for Projects*

Respondents were provided with a list of projects and asked to rate the importance of these projects relative to their own priorities. These projects were identified in submissions from the community on Council’s Delivery Program and Budget, and were to be put to a wider sample through the telephone survey, as a way of identifying priority projects for the allocation of Council’s budget surplus for the 2010/11 financial year.

The mean importance ratings given by respondents to these projects are as follows:

- Improving safety design features in public parks and private spaces, including car parks, 7.93
- Managing traffic and driver behaviour in Argyle Street, 7.76
- Managing natural areas and waterways under Council’s control, such as Kings Park Bushland (the bike track), 7.55
- Managing the ibis population in Lake Annan, 6.91
- Public art, 5.19

The analysis of these results indicates that most of the projects were given a “medium” level of importance, with the exception of public art, which received a “low” level mean importance score.

Next Steps

There will be opportunity in the coming year to undertake some further consideration of these issues as part of the review of Camden 2040 and preparation of a new Delivery Program from 2013 onwards, as per the Integrated Planning and Reporting Requirements of the *Local Government Act*.

The report provided is in draft form as there are a few refinements still to be made to the information that is presented, particularly to include some further comparable data from the 2009 survey.

It is intended that the full results of this survey be presented to Councillors in a workshop early in the New Year. IRIS Research would provide this presentation and answer any detailed questions Councillors may have regarding the survey methodology or the results.

CONCLUSION

Council has recently undertaken the annual telephone survey of residents, with a focus on satisfaction with Council and its services, which was first conducted in 2009.

The results are similar to those achieved in the 2009 survey, with satisfaction of Council's overall performance receiving an overall rating of 7.14. This is considered a very good result for Council and benchmarks well when compared with other councils.

These results provide important insight into the community's views on Council's performance, and further investigation into the priority services will enable a more detailed understanding of how Council might continue to address the community's priorities in its service delivery.

RECOMMENDED

That the information be noted.

ATTACHMENTS

1. Results of the 2011 Resident Telephone Survey - *Supporting Document*

ORDINARY COUNCIL

ORD07

SUBJECT: HARRINGTON GROVE PLANNING PROPOSAL
FROM: Director Governance
BINDER: Harrington Park 2 & Mater Dei

PURPOSE OF REPORT

The purpose of this report is to consider a Planning Proposal for the Harrington Grove development to amend the maps relating to the zoning and minimum lot sizes for Harrington Grove and the Harrington Park Homestead property.

A Planning Proposal to support these amendments is **included as Attachment 1 to this report.**

BACKGROUND

A report on a Planning Proposal, for a number of matters at Harrington Grove, was considered by Council at its meeting on 23 August 2011. Council resolved that further consideration of the Harrington Grove Planning Proposal should be undertaken. A Council workshop was subsequently held on 8 November 2011. As a result of this workshop the proponent has undertaken some amendments to the Planning Proposal.

The Harrington Grove site was rezoned for conservation and residential development on 9 February 2007. Rezoning was based on achieving restoration of Harrington Park Homestead and Orierton and conservation of over 280 hectares of land containing Cumberland Plain Woodland. These outcomes have been enshrined in a Voluntary Planning Agreement (VPA) negotiated for the site. Various consents have been given for residential development on the site.

The changes proposed in this application include:

- Amendment of the zone boundary and minimum lot size for Precinct J in accordance with an approval issued by the Federal Department of Sustainability, Environment, Water, Population and Communities (DSEWPC);
- Amendments to the northern zone boundary for Precinct I to avoid dual zoning for residential lots;
- Amendment to the southern boundary for Precinct F and an associated minimum lot size amendment to facilitate more regular lots and subdivision pattern;
- Amendment of the zone boundary for Harrington Park Homestead and an associated minimum lot size amendment to facilitate land tenure arrangements;
- A zone amendment for the designated District Playing Fields in Harrington Grove West to reflect the planned and intended use of the site;
- A minimum lot size amendment for Precinct G to reflect an approved subdivision layout;
- A minimum lot size amendment for Precinct O to facilitate a more flexible approach to the vision of the precinct.

Whilst the following maps are found within the body of the Planning Proposal, they are extracted separately for ease of access as attachments to the report.

- A Precinct Location Plan is **shown in Attachment 2 to this report.**
- A map showing amendments to the zoning map is **shown in Attachment 3 to this report.**
- A map showing amendments to the Lot Size Map is **shown in Attachment 4 to this report**

MAIN REPORT

Over the last few months Council officers have been working with the proponent to review the Harrington Grove Planning Proposal and several onsite meetings with specialist staff have been undertaken. A Council workshop has also been held on this matter. As a result of this workshop and previous work, changes have been made to the Planning Proposal. The proposal presented in this report is the outcome of extensive review and has support from Council staff.

The Planning Proposal will result in a small amount of additional lots. Any changes in dwelling yield will not impact on the level of facilities provided as a result of the Voluntary Planning Agreement (VPA) developed for this site. The level of facilities provided will cater for the additional growth as there is spare capacity for this to occur. In the case of facilities to be provided off-site, the VPA provides for the payment of contributions per dwelling. As a result, Council will collect funds to cater for any additional demand in off-site facilities that are to be provided by Council.

Any changes to the roads, intersections and water management as a result of changes in the dwelling yield will be assessed at the development application stage. Any works required by the development will be addressed through Conditions of Consent. Initial discussions with relevant officers in Council confirm that the level of increase in dwelling yield as a result of the Planning Proposal will not result in major changes.

The Harrington Grove site was rezoned partly because of the vision of conservation of the Cumberland Plain Woodland vegetation. While the proposal seeks to increase the dwelling yield, this will help facilitate the bushland conservation as the bushland will be retained in larger parcels that are more readily conserved and maintained. This is in line with Federal Government approval and the original vision for the area.

The following table gives a summary of the changes proposed in the Planning Proposal.

Precinct/Area	Current Status	Proposed Change
Precinct J	<ul style="list-style-type: none"> • Area zoned E4 Environmental Living • 2000m² minimum lot size 	<ul style="list-style-type: none"> • Rezone some E4 land to E2 Environmental Conservation • Change minimum lot size to 700m² <p>This will result in a decrease in development footprint from 17.23 ha to 13.65 ha. It will also result in an increase of conservation area from 32.55 ha to 36.13 ha.</p>
Precincts I	<ul style="list-style-type: none"> • Northern boundary of precinct zoned E2 Environmental Conservation 	<ul style="list-style-type: none"> • Rezone northern boundary of precinct to E4 Environmental Living
Precinct South	<ul style="list-style-type: none"> • Area zoned R5 Large Lot Residential • 6000m² minimum lot size 	<ul style="list-style-type: none"> • Rezone 9100m² of area to R2 Low Density Residential. • Change minimum lot size to

		700m ² This will result in a more regular subdivision pattern and lot layouts.
Harrington Park Homestead	<ul style="list-style-type: none"> • Zoned RE1 Public Recreation • Minimum lot size for area zoned R5 Large Lot residential is 40 ha 	<ul style="list-style-type: none"> • Rezone portion of land to R5 Large Lot Residential • Change of minimum lot size for area zoned R5 to 5 ha.
District Playing Field	<ul style="list-style-type: none"> • Area zoned RU1 Primary Production 	<ul style="list-style-type: none"> • Rezone area to RE1 Public Recreation.
Precinct G	<ul style="list-style-type: none"> • 2000m² minimum lot size 	<ul style="list-style-type: none"> • Change minimum lot size to 700m²
Precinct O	<ul style="list-style-type: none"> • 2000m² minimum lot size 	<ul style="list-style-type: none"> • Change minimum lot size to 700m² and 6000m²

Precinct J - zone boundary and minimum lot size amendments

The Harrington Grove development was referred to DSEWPC in accordance with the provisions of the *Federal Environment Protection and Biodiversity Conservation (EPBC) Act*. The referral was mainly as a result of the presence of the critically endangered Cumberland Plain Woodland (CPW) on the site. While DSEWPC supported most of the development across Harrington Grove, it did not consider the current outcome for Precinct J would be in the best interest of the conservation of the CPW. The current outcome for the precinct would see large tracts of CPW in private ownership. Of particular concern was the fragmented ownership and management of the CPW.

As a result of this concern DSEWPC has issued an approval with the understanding that the footprint of the residential development within Precinct J will be substantially reduced and higher value CPW will come under one management. This will require a zoning map amendment of some land from E4 Environmental Living to E2 Environmental Conservation. The DSEWPC approval forms an annexure to the Planning Proposal as **shown in Attachment 1**. See **Attachment 2 and 3** to this report for location and rezoning for Precinct J.

As part of this approval DSEWPC has agreed to a greater concentration of development and so an amendment to the minimum lot size map of 2000m² to 700m² is also proposed. This minimum lot size change means that there will be a development footprint decrease from 17.23ha to 13.65ha and potentially could provide approximately 20 extra lots. This also means there will be a corresponding increase of conservation area from 32.55 ha to 36.13 ha. The creation of these smaller lots is beneficial to the bushland conservation objectives as they will form part of a Community Title Scheme that will be financially responsible for the bushland maintenance. If these lots are not created, there will not be a secure source of funding for the bushland conservation works. An indicative Subdivision Plan is within the DSEWPC approval in attachment 5 to the Planning Proposal. This is considered a better outcome for the conservation of the CPW. See **Attachment 4** to this report for minimum lot size for Precinct J. The developer of the site has also agreed to transferring the planned pedestrian/cycle path on a portion of Cobbitty Road to an area running through the bushland adjacent to this precinct.

As a result of discussion and site visits these changes to the minimum lot size are supported. It is recommended that as part of the Planning Proposal process that the proposal for Precinct J be assessed by the NSW Office of Environment and Heritage.

Precinct I - amendments to northern zone boundary

Precinct I is predominantly zoned E4 Environmental Living. However, a narrow strip of land along the northern boundary abutting Cobbitty Road is zoned E2 Environmental Conservation. The intention of this was to protect the mature vegetation between the carriageway of Cobbitty Road and the residential area proposed for these precincts. However, this has resulted in residential lots having dual zoning. The proposal is to rezone this strip of land to E4 Environmental Living to allow residential lots to have one zone. The proposed amendment will clarify the Planning Controls applying to these sites. See **Attachments 2 and 3** to this report for location and rezoning for the northern boundary of Precinct I.

A site visit determined that the significant vegetation is primarily located within the roadside verge and not the Harrington Grove site. Furthermore, the land within the Harrington Grove site contains vegetation of lesser significance, which will become part of residential allotments under the existing subdivision approvals for Harrington Grove. Therefore it is recommended that this change be supported and that a covenant be put on the title of each affected parcel of land to give further support to the Planning Controls that exist to ensure this vegetation is retained. The covenant should include:

- retain significant vegetation;
- revegetate the northern boundary of each property; and
- provide that rural type fencing is required for the northern boundaries of these properties.

It is also recommended that as part of the Planning Proposal process that the proposal for Precinct I be assessed by NSW Office of Environment and Heritage.

Precinct F South - zone boundary and minimum lot size amendments

The southern boundary of Precinct F adjacent to the area known as Stage 34 of Harrington Park has an irregular alignment, which has resulted in a series of irregularly shaped lots. The proposal is to rezone approximately 9100m² of the Stage 34 land and incorporate the land into Precinct F. This area is currently part of a large landscaped mound that has been planted with native trees and was constructed as part of the works for the Sir Warwick Fairfax Drive connection to Camden Valley Way. The area is only a small portion of the northern most tip of this landscaped area, with a large area of the landscaped buffer remaining. The addition of this land and associated rezoning will allow more regular shaped blocks and a more regular subdivision pattern. An indicative subdivision layout is within the planning proposal (page 11). See **Attachment 3** for location of Precinct F.

An associated amendment to the minimum lot size to the proposed rezoned section is also part of the proposal. The minimum lot size of this area is currently 6000m² and the proposal is to amend this to 700m² to reflect the minimum lot size applying to Precinct F. See **Attachment 4** for minimum lot size proposed for Precinct F South. This change in minimum lot size could potentially provide approximately 10 extra lots.

A site visit determined that the area proposed to be rezoned will not have adverse visual or environmental impacts. It is recommended that the remaining buffer of vegetated land (after the rezoning) be retained.

Harrington Park Homestead - zone boundary and minimum lot size amendment

Currently there are two different zones applying to the Harrington Park Homestead property. The main portion of the property, which contains the homestead and associated buildings, is zoned R5 Large Lot Residential. The northern portion of the property is zoned RE1 Public Recreation and includes land that contains an established nursery and land that will be dedicated, as required by the VPA, as Public Reserve.

The proposal is to rezone part of the northern portion of the property to the same zone as the land that contains the homestead and associated buildings, that is to R5 Large Lot Residential. This will provide certainty to the owner regarding the use of the property and eliminate a situation where private land is identified for 'Public Recreation'. It will also remove any expectation that Council will be obliged to purchase this land for open space, which is not planned and is unfunded.

The proposal also includes an amendment to the minimum lot size for the homestead lot from 40 ha to 5 ha. This amendment is to enable the subdivision of the site, to excise land containing the established nursery and land that does not contribute to the archaeological significance of the homestead, from the homestead lot. The archaeological significance of the site has been determined by a Heritage Impact Statement (HIS) which is attached to the Planning Proposal as a supporting document. This proposal will not enable the subdivision of land for residential development as the land will not be able to be further subdivided. The State Heritage listing of the property gives security that this can not occur. See **Attachments 1, 2 and 3** to this report for location, and rezoning and minimum lot size proposal, for the Harrington Park Homestead site.

It is recommended that as part of the planning proposal process that this amendment be assessed by the NSW Heritage Office. It is also recommended that the subdivision be consistent with the preferred Option 3 identified in the Heritage Impact Statement which identifies areas of archaeological significance on the site. Option 3 will ensure that areas of archaeological significance will be kept within the homestead lot.

District Playing Field - zone amendment

The Harrington Grove VPA provides for a portion of land in Harrington Grove West to be used for district playing fields, and be dedicated to Council. Currently the site is zoned RU1 Primary Production in CLEP 2010, which does not permit a full range of sporting facilities. The proposal is to rezone this site to RE1 Public Recreation, which permits a range of sporting facilities associated with playing fields and will allow the developer to construct the playing fields in accordance with the VPA. See **Attachment 3** for area to be rezoned to RE1.

Precinct G - minimum lot size amendment

The proposal is to amend the minimum lot size for Precinct G from 2000m² to 700m² so it is consistent with the development approval issued (16 June 2010) applying to the whole of the precinct (DA 1267(5)/2006). See **Attachment 2 and 3** to this report for location and minimum lot size for Precinct G.

Precinct O - minimum lot size amendment

The proposal is to amend the minimum lot size for Precinct O to facilitate a more flexible approach to the vision of the precinct. Currently CLEP 2010 allocates a minimum lot size of 2000m² and the proposal is to amend this to a range of minimum lot sizes. These are: 6000m² enabling a lot layout that is reflective of the adjacent Kirkham Estate; and, 700m² for the more elevated northern portion of the precinct. This change in minimum lot size could provide approximately 7 extra lots. One area of the precinct adjacent to Kirkham Estate will retain the current lot size of 2000m² See **Attachment 2 and 4** to this report for location and minimum lot size of Precinct O.

The vision for this precinct has always been to create a residential precinct that accommodates an equestrian focus. It was proposed to do this by creating larger lots so that residents could accommodate their horses and horse infrastructure. However, a more flexible approach is now sought by allowing a range of minimum lot sizes. This also allows development in a large portion of the precinct that is more in keeping with the existing development at Kirkham Estate and development that is more appropriate to the landform in the northern portion of the precinct.

DCP Amendments

If the Department of Planning and Infrastructure (DPI) provide Gateway Determination to proceed with the Planning Proposal various changes to the Camden DCP 2011 will be required to reflect the matters contained in the Planning Proposal. A further report outlining the DCP amendments will be brought to Council.

The Process from Here

If Council determines to proceed with the Harrington Grove Planning Proposal, it will be sent to DPI for Gateway Determination. Based on previous experience it is expected that a response would be received from DPI within six (6) weeks, although there are no time guidelines. If there is a Gateway Determination to proceed, the proposal will be exhibited for 28 days, in the following manner:

- The exhibition material will be displayed at Narellan and Camden Customer Service Centres, and Narellan and Camden Libraries;
- An advertisement will be placed in the Camden Advertiser;
- The exhibition material will be available on Council's website for the duration of the exhibition period.

The proposal will also be sent to the NSW Office of Environment and Heritage and the NSW Heritage Council for assessment. As part of Gateway Determination, there may also be recommendations to send to other public authorities or government departments.

At the conclusion of the exhibition period, a report will be submitted back to Council detailing submissions received.

CONCLUSION

The Harrington Grove Planning Proposal has merit and will assist in:

- facilitating the DSEWPC approval and assist in providing a better conservation outcome for Precinct J;
- facilitate the application of one zone to residential lots for Precincts I;

- remove the RE1 zoning on land which Council does not intend to acquire for public use on the Harrington Park Homestead site.
- assist land tenure arrangements for the Harrington Park Homestead site, while still maintaining the current heritage outcome;
- provide more regular lot shapes and subdivision pattern for Precinct F;
- facilitate appropriate permissible uses for the District Playing Fields;
- reflect an approved subdivision layout for Precinct G; and
- facilitate a more flexible approach for Precinct O, that is more in keeping with the development at Kirkham Estate and more appropriate to land forms in the northern portion of the precinct.

The Planning Proposal has been extensively reviewed by Council staff and has been the subject of a Council workshop. A number of modifications have been negotiated as a result of these. The changes will result in some increases to lot yields, but this will assist in providing financial support via Community Title Schemes to ensure the facilities and outcomes that were part of the vision for the Harrington Grove development are delivered.

RECOMMENDED

That Council:

- i. forward the Harrington Grove Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination;**
- ii. place the Planning Proposal on public exhibition for 28 days subject to receiving Gateway Determination giving approval to proceed;**
- iii. seek assessment of the proposal from the NSW Office of Environment and Heritage and the NSW Heritage Council and any public authorities and government departments required by the Gateway Determination, subject to receiving Gateway Determination giving approval to proceed; and**
- iv. require a report be brought back to Council at the conclusion of the public exhibition.**

ATTACHMENTS

1. Planning Proposal
2. Precinct Location Plan
3. Land Zoning Map
4. Lot Size Map



ORD07

Attachment 1

Harrington Grove

LOCAL PLAN PLANNING PROPOSAL

CAMDEN LOCAL ENVIRONMENTAL PLAN 2010

November 2011

Prepared for
Harrington Estates Pty Ltd

Prepared By
Development Planning Strategies (NSW)

ORD07

Attachment 1

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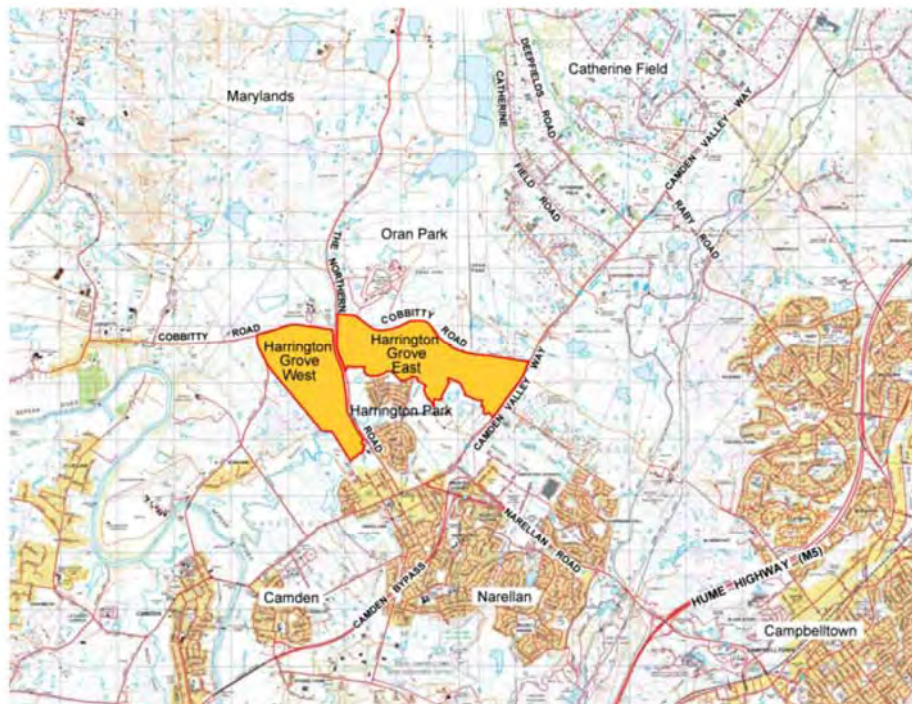
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INTRODUCTION

The land subject to this planning proposal is identified as Harrington Grove and the Harrington Park Homestead property. Harrington Grove is an approved community title residential development that includes over 1,200 residential lots. Harrington Grove occupies part of the former grazing property that was associated with the Harrington Park Homestead.

The subject land is located within the Camden Council Local Government Area and the site is 6km northeast of Camden, 20km southwest of the Liverpool CBD, and 50km southwest of the Sydney CBD. The residential development of Harrington Park is located immediately to the south of the site, with the South West Growth Centre abutting the northern boundary. Harrington Grove is bound by Cobbitty Road and Oran Park Drive to the north, Camden Valley Way to the east and Macquarie Grove Road to the west. The Northern Road divides the Harrington Grove development area in a north-south alignment.

Location Plan



Harrington Grove was rezoned for residential development in September 2007. Since then, a multi-purpose community facility incorporating a restaurant, cafe, function rooms and recreational activities has been constructed in addition to over 250 residential allotments. As part of the development over 280 hectares of land containing Cumberland Plain Woodland vegetation is being protected for conservation and rehabilitation, which is to be mostly maintained as part of the community title scheme but still accessible to the broader local community and general public.

ORD07

Attachment 1

As part of rezoning Harrington Grove, the land was comprehensively investigated to confirm its suitability for a residential development. Site investigation studies undertaken to determine the constraints of the subject land were used to support the evolution of a concept design for an environmentally responsive development outcome. The Concept Plan below illustrates the area of bushland to be retained and green spaces to be created, which is substantially greater than other urban developments within the region.

Harrington Grove Concept Plan



As seen in the Concept Plan, the site has been sensitively designed to allow residential development within areas of low environmental significance and areas with higher levels of environmental significance protected. Due to the size of the Harrington Grove site, the areas for residential development have been identified as Precincts (Refer to Attachment 1 - Site Location Plan). These Precincts have been adopted in the Camden Development Control Plan 2006.

This Planning Proposal seeks several modifications to the Camden Local Environmental Plan 2010 (CLEP 2010) to amend the maps relating to the zoning and minimum lots sizes for Harrington Grove and the Harrington Park Homestead property. The proposed amendments will better reflect the development already approved by Council, and rectify some anomalies between the existing CLEP 2010 controls and existing/future land uses within the Harrington Grove and Harrington Homestead lands.

In addition, part of the Planning Proposal amendments relate to an environmental approval issued by the Federal Department of Sustainability, Environment, Water, Population and Communities (DSEWPC), which was formerly the Department of the Environment, Water, Heritage and the Arts. The Department's approval required a change to the development philosophy in Precinct J as the existing outcome for this precinct was not considered to be an acceptable environmental outcome. Notwithstanding, DSEWPC considered the environmental outcome for the remaining areas of the Harrington Grove development to be of a high standard.

In summary, the amendments relate to the following LEP components:

1. Zoning maps
2. Minimum lot size maps

In general, the Planning Proposal is required to allow development to continue as was planned and intended prior to CLEP 2010 taking effect. Accordingly, amendment to CLEP 2010 is required to enable an appropriately zoned, coordinated and environmentally sensitive residential development to progress within Harrington Grove and Harrington Park.

ORD07**Attachment 1**

ORD07

Attachment 1

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The Harrington Grove site was initially rezoned for urban development in September 2007 as an amendment to the now superseded Camden Local Environmental Plan No. 74. During 2009/2010 Council prepared a new LEP in accordance with the NSW State Government's Standard LEP Template. CLEP 2010 was finalised in September 2010 and is now the principal Environmental Planning Instrument for Camden Council.

In preparing the new CLEP 2010, Council transitioned to the new Standard LEP format with a 'like for like' approach. Consequently, the preparation of the new LEP did not provide an opportunity to consider a change in zones or development standards that would facilitate principle changes in land use and/or permissibility between the current and previous LEPs. Now that CLEP 2010 is finalised, minor amendments to the maps of CLEP 2010 are sought to reflect the original development philosophy, environmental approvals issued by DSEWPC and approved subdivision layouts applying to Harrington Grove and the Harrington Park Homestead land.

The objectives of this Local Plan Planning Proposal are as follows:

- To update the Camden LEP 2010 in accordance with existing development approvals and land tenure arrangements.
- To rationalise zone boundaries and associated principal development standard boundaries to reflect constructed and approved development outcomes.
- To modify statutory provisions to reflect the requirements of an environmental approval issued by the Federal Department responsible for the environment.
- To implement the changed development philosophy within Harrington Grove by enabling the creation of 700m² or greater residential allotments within selected areas of the residential development to achieve a better environmental outcome.

The intended outcome is to achieve an LEP containing mapping that depicts boundaries and designate land uses within Harrington Grove that is consistent with cadastral boundaries, environmental and planning approvals, and/or physically constructed development.

PART 2 – EXPLANATION OF PROVISIONS

The objectives of this Planning Proposal are to be achieved by amending selected CLEP 2010 maps. The following maps will require amendment under this proposal:

1. Zoning maps:
 - Sheet LZN_007
 - Sheet LZN_012
 - Sheet LZN_016
 - Sheet LZN_017

2. Minimum Lot Size Maps:
 - Sheet LSZ_007
 - Sheet LSZ_012
 - Sheet LSZ_016
 - Sheet LSZ_017

The specific amendments to each LEP map are outlined below.

1. Amendments to Zoning Maps (Refer to Attachment 2)

Precinct J

It is proposed to amend the zone boundaries of the E2 Environmental Conservation and E4 Environmental Living zones in accordance with an environmental approval from the *Environmental Protection and Conservation Act* approval issued by the Federal Department of Sustainability, Environment, Water, Population and Communities (DSEWPC), which was formerly the Department of the Environment, Water, Heritage and the Arts (Refer to Attachment 4 - letter dated 25 May 2010 by Ecological Australia & Attachment 5 – DSEWPC Approval).

Prior to issuing their approval, DSEWPC conducted a comprehensive environmental assessment of the entire Harrington Grove development with particular regard to the conservation of the Cumberland Plain Woodland remnants. Following this environmental assessment, DSEWPC confirmed its support for the proposed development and environmental outcome throughout the entire Harrington Grove with exception to Precinct J.

Initially Precinct J proposed large allotments with each containing a large tract of Cumberland Plain Woodland vegetation. DSEWPC did not consider this arrangement to be a satisfactory environmental outcome for the ongoing protection of the Cumberland Plain Woodland vegetation. In particular, DSEWPC considered this arrangement fragmented the management of the Cumberland Plain Woodland vegetation, which would be detrimental to the ongoing conservation of this significant vegetation. Because of this view, the DSEWPC was not prepared to issue their approval under the *Environmental Protection and Conservation Act* until a satisfactory environmental outcome was resolved for the Precinct J area.

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To address their concerns, DSEWPC sought an environmental outcome for Precinct J that consolidates the Cumberland Plain Woodland within the precinct under a single management and tenure arrangement, which is to be offset by allowing a greater concentration of residential development within a defined 'development footprint'. Further, the 'development footprint' area was determined to be predominately of low environmental significance, and therefore, the more concentrated residential development area would ensure preservation of the Cumberland Plain Woodland and uphold the environmental conservation principles of the overall development. This arrangement is the key outcome for DSEWPC to enable the issue of the environmental approval under the *Environmental Protection and Conservation Act*.

As a result of the DSEWPC approval, the total area of land for residential uses has been substantially reduced. However, this has been offset by allowances for a greater density of residential development within the smaller defined development footprint, which has been formalised under the DSEWPC approval. The land within the development footprint has been deemed to be suitable for standard residential development providing the land outside the development footprint, which contains the significant Cumberland Plain Woodland, is contained under a single tenure and management arrangement.

The DSEWPC approval includes requirements for the future use and ownership of land within Precinct J. Annexure 1 in the DSEWPC approval defines the developable area, which corresponds with the boundaries in this proposal, as 'Development Footprint'. The remaining area of Precinct J, which contains the Cumberland Plain Woodland vegetation, is defined as 'Council Reserve'. Accordingly, DSEWPC has determined that the best environmental outcome for the area containing the significant vegetation should be that it is vested with Council.

Development resulting from the proposed amendments to Precinct J will continue to be consistent with the overarching objectives for the Harrington Grove Development. The principle objectives for Harrington Grove are outlined in Camden Development Control Plan 2011. Each objective with a corresponding explanation of how consistency with the objectives is achieved is listed in the table below.

Objectives	Response
1. Facilitate the development of Harrington Grove in a way that is environmentally sensitive and responds positively to the site's heritage and scenic character, while conserving large sections of regionally significant remnant bushland.	The proposed amendment will facilitate a better environmental outcome by ensuring a better management response to Cumberland Plain Woodland vegetation. This will therefore enhance the scenic character of the overall development and better conserve large portions of consolidated regionally significant bushland.

Objectives	Response
2. Provide a viable regionally significant habitat corridor in an east – west direction across the site, that retains the high value remnant Cumberland Plain Woodland and includes riparian corridors.	The consolidation of the Cumberland Plain Woodland into a single tenure and management arrangement will improve the viability of the habitat corridor that traverses Harrington Grove. There will be no fences and no clearing within the areas of highest environmental significance, which will preserve the ecological habitat in the highest possible standard and the lowest amount of interference.
3. Protect the scenic character and significant views.	The revised development will not adversely impact on the character of scenic views of the locality. The development footprint area is not visible from the Camden Valley to the south or elevated areas within Oran Park to the north. In addition, the character of Cobbitty Road will be maintained with the retention of mature trees within the roadside verges, which is where the majority of vegetation along Cobbitty Road is located.
4. Provide appropriate curtilages in accordance with the Conservation Management Plans around the areas of heritage significance.	The proposed amendment to Precinct J will not have any impacts of the heritage curtilages of Harrington Park or Orielson Homesteads.
5. Facilitate the ongoing management and conservation of the natural and cultural heritage of the site.	The proposed amendments will result in superior outcome for the ongoing management of the Cumberland Plain Woodland. As determined by the DSEWPC, the proposed development outcome will result in a management arrangement that will better protect and conserve the bushland of highest significance.
6. Avoid development in areas of high salinity potential, areas with excessive steepness and associated instability.	The proposed development area has already been determined suitable for residential development, which is demonstrated by the existing E4 zoning.

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Objectives	Response
7. Ensure future residents of the site are able to conveniently access employment, shops, educational, community facilities and recreational opportunities both within the site and in the surrounding area.	Access to the future residents within Precinct J will not change. Residents will be able to access the full range of facilities through highly connected pathway networks, which link to the community facility in Harrington Grove, retail and community facilities in Harrington Park, and future facilities and services within Oran Park.
8. Ensure that development is staged in a manner which is efficient in terms of infrastructure use and provision.	Precinct J will be delivered and coordinated in accordance with the timely and efficient provision of infrastructure, as initially intended. Preliminary investigations have confirmed that the residential area of Precinct J can be adequately and appropriately serviced. More detailed investigations into servicing and infrastructure will be undertaken as part of the comprehensive investigations following the Gateway Approval.
9. Provide opportunities for equestrian acreage and eco environmentally sensitive housing in a bushland setting.	The proposed development outcome will result in an enhanced eco environmentally sensitive setting and provide an extensive interface with the adjacent bushland setting. It is noted that the equestrian activities relate to the Precinct O area and not Precinct J.

Revising the zoning for Precinct J land by rebalancing the E2 Environmental Conservation and E4 Environmental Living zones increases the area zoned for E2 and is critical in delivering the outcomes associated with the DSEWPC approval. Further, it will result in a greater area (3.5ha) of Cumberland Plain Woodland protected under the E2 zone. This is therefore a considerably improved environmental outcome for the conservation of significant vegetation within Harrington Grove.

In light of the above, it is proposed to rezone the portions of land within the area of Precinct J currently zoned E4 Environmental Living to E2 Environmental Conservation and conversely other portions from E2 Environmental Conservation to E4 Environmental Living (Refer to Attachment 2 for proposed zone amendments).

Precinct I

Precinct I is predominantly zoned E4 Environmental Living to facilitate a sensitive form of residential development. Precinct I abuts Cobbitty Road on its northern boundary and borders the environmentally significant land of the community woodland on the remaining boundaries, which is zoned E2 Environmental Conservation.

Within this Precinct the boundary of the E4 zone is inconsistent with the boundary of the area approved for residential development. As a result, Precinct I contains a narrow strip of E2 zoned land along the interface with Cobbitty Road. Whilst it is appreciated that Council's intention was to protect the mature vegetation between the carriageway of Cobbitty Road and the residential areas of Harrington Grove to maintain the character of Cobbitty Road, the significant vegetation is primarily located within the roadside verge and not the Harrington Grove site. Furthermore, the land within the Harrington Grove site contains vegetation of lesser significance, which will become part of residential allotments under the existing subdivision approval for Harrington Grove. The existence of mature vegetation in the verge is illustrated in the photographs below.

Precinct I Interface with Cobbitty Road



In addition to the significant trees being located within the roadside verge, the strips of E2 zoned land, which are located entirely within an area approved for residential development, result in residential allotments that are affected by two different zones. The application of two different zones to a single landholding, in particular a residential allotment, presents a complicated situation for the landowner in managing, maintaining and using their land. It also presents a difficult situation for Council in administering their LEP and assessing development proposals.

In light of the above, it is proposed to rationalise the E4 zone to incorporate the entire area identified for residential development within this Precinct (Refer to Attachment 2 for proposed zone amendments). This will therefore result in zone boundaries that accord

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with boundaries approved by existing development consents and the cadastral boundaries of the residential allotments.

Harrington Park Homestead

Currently there are two different zones applying to the Harrington Park Homestead property. The main portion of the property, which contains the homestead and associated buildings, is zoned R5 Large Lot Residential with the northern portion of the property zoned RE1 Public Recreation. This is an anomaly that eventuated from adopting the zoning in Council's now superseded LEP No. 74.

It is therefore proposed that the northern portion of the homestead allotment be zoned R5 Large Lot Residential to reflect existing zoning of the main Harrington Park Homestead area and future dedication of land for public reserve. This will provide certainty to the owner regarding the use of the property and eliminate a situation where private land is identified for 'Public Recreation', which is normally a zone applied to land that is owned and managed by a public authority.

In addition, the northern portion of the homestead allotment comprises an operational parcel of land in relation to the Harrington Grove development, which contains activities such as a horticultural operation to provide mature street trees and maintenance sheds. It is intended to subdivide this operational land from the core Harrington Park Homestead land, which contains the areas of heritage significance.

Precinct F South

The southern boundary of Precinct F adjacent to the area known as Stage 34 of Harrington Park has an irregular alignment, which has resulted in a block of irregular shaped allotments. These allotments have varying widths and relatively long depths due to the difficulty in responding the urban layout to the existing boundary.

The land subject to the proposed rezoning is contains no remnant native vegetation but contains some immature plantation trees. The landform is gently undulating and slopes slightly toward the existing residential development of Harrington Park to the west and Camden Valley Way to the east. The land is at a lower elevation to the other areas of Precinct F and generally level with the existing adjacent residential development within Harrington Park.

A large landscape mound that has been planted with native trees is situated to the south, which was constructed as part of the works for the Sir Warwick Fairfax Drive connection to Camden Valley Way. This mound provides a physical visual screen to the Precinct F South area from the south, in particular when travelling towards the subject site on Sir Warwick Fairfax Drive. It also provides screening from Camden Valley Way in a northbound direction.

Due to the physical attributes of the landform, landscaped mound and the elevation of the subject land, the development of the Precinct F South area will result in no adverse visual impacts. In fact, the existing Precinct F area that is already zoned for regular residential development is more elevated and would be more visually prominent than the area subject to this proposal.

Precinct F South Area Site Photos



An indicative subdivision layout is illustrated in the diagram below. The subdivision layout is an orderly and regular subdivision pattern which results in a logical 'rounding-off' of the residential area for Precinct F that will have no adverse environmental or visual impacts.

Indicative Subdivision Layout



To accommodate this subdivision layout, an area of approximately 9100m² of the Stage 34 area needs to be rezoned. Accordingly, it is proposed that the 9100m² portion of land, which is identified as Precinct F South on the location plan (Refer Appendix 1), be rezoned from 'R5 Large Lot Residential' to 'R2 Low Density Residential' to reflect the current zoning for the balance of Precinct F within Harrington Grove.

In addition to creating a more orderly residential layout, the ability for the new residential allotments to mitigate traffic noise emissions from Camden Valley Way will be significantly improved. Whilst it has already been demonstrated that the existing irregular allotments are able to provide the necessary noise attenuation required for traffic noise emissions from Camden Valley Way, a more regular subdivision layout that results in

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more contained private open spaces and built form will achieve a more optimal response to noise emissions.

This is demonstrated in the subdivisional layouts along the Camden Valley Way interface to the north. These approved residential allotments that front and side Camden Valley Way underwent rigorous noise modelling to ensure that noise emissions could be attenuated successfully. In comparison to the irregular shaped allotments, which form the existing southern boundary to Precinct F area, the regular shaped allotments were significantly better performing in mitigating the noise impacts.

In addition to the subdivision layout delivering a better response to traffic noise impacts, the design will achieve a better lot layout pattern that includes a logical 'rounding-off' of the interface between Precinct F and Stage 34 in Harrington Park.

The proposed amendment will facilitate a residential development that does not result in any adverse visual or environmental impacts and subdivision layout that will provide optimal noise attenuation opportunities for the future residents of Precinct F South. In addition, the proposal will result in an improved and more efficient use of land, and will contribute to increasing housing supply without any adverse impact on infrastructure or Council resources.

District Playing Fields

District playing fields and associated facilities are planned for Lot 8 DP 1132349, which are to be provided in accordance with the Voluntary Planning Agreement for Harrington Grove. The site is zoned RU1 Primary Production in CLEP 2010, which does not permit a full range of sporting facilities. Prohibited uses include indoor recreational facilities, such as swimming pools and gymnasiums, and major recreation facilities. Furthermore, the RU1 zone does not reflect the planned and intended use for this site, which is for a major public recreation and sporting complex.

A more appropriate zone for the site is RE1 Public Recreation, which permits a range of sporting facilities associated with the playing fields and aims to "provide a full range of recreational settings and activities". Accordingly, it is proposed that Lot 8 be zoned RE1 to reflect the future use of the land and to enable the successful delivery of the facilities required under the Harrington Grove Voluntary Planning Agreement.

2. Amendments to Minimum Lot Size Maps (Refer to Attachment 3)

Precinct J

It is proposed to amend the minimum lot size requirement for the Precinct J area from 2000m² to 700m² to enable the environmental outcome in the *Environmental Protection and Conservation Act* approval issued by the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) to be implemented (Refer to Attachment 4 - letter dated 25 May 2010 by Ecological Australia & Attachment 5 – DSEWPC Approval).

As detailed in the previous section explaining the proposed zoning amendments to Precinct J, DSEWPC has completed a comprehensive environmental assessment of Harrington Grove and has confirmed its support for the proposed development except for

Precinct J. The proposed larger allotments that fractured the ownership of the area containing significant vegetation was not considered by DSEWPC to be a satisfactory arrangement for the ongoing protection of the Cumberland Plain Woodland vegetation.

To obtain full support from DSEWPC to then enable the issue of an environmental approval under the *Environmental Protection and Conservation Act*, a smaller development footprint was identified where a greater concentration of residential development is allowed. The area of land outside the development footprint is to be contained under a single tenure and management arrangement. The difference in the development footprint under the existing LEP and the proposed amendment is as follows:

	Development Footprint	Conservation Area
Existing LEP	17.23ha	32.55ha
Proposed Amendment	13.65ha	36.13ha

In light of the above, the existing 2000m² minimum lot size in CLEP 2010 does not enable an increase in residential development within the smaller development footprint in accordance with the DSEWPC approval. Therefore, a minimum lot size of 700m² within the E4 zoned area of Precinct J is proposed to facilitate the improved environmental outcome approved by DSEWPC.

Precinct G

CLEP 2010 currently allocates a minimum lot size of 2000m² to Precinct G, which was adopted from the minimum lot size requirement in Camden DCP 2006 on a like-for-like basis. However, prior to the finalisation of CLEP 2010 Council approved a subdivision layout within Precinct G that contained lot sizes of around 700m² to 800m² or greater under Development Application 1267(5)/2006 (issued 16 June 2010) (Refer to Attachment 6 – Approved Subdivision Plan).

Accordingly, it is proposed to update the minimum lot size for Precinct G so it is consistent with the development approval applying to the site, being a minimum of 700m². In addition, the amendment to the minimum lot size will enable an irregular lot boundary for two allotments within the Precinct G area to be rectified.

Precinct O

CLEP 2010 allocates a minimum lot size of 2000m² to Precinct O, which was adopted from the minimum lot size requirement in Camden DCP 2006 on a like-for-like basis. However, the 2000m² minimum lot size requirement does not enable the necessary flexibility to deliver a lot layout that responds to the topography and development constraints applying to this Precinct.

It is intended to implement a minimum lot size regime that will deliver a lot layout reflective of the existing lot pattern in Kirkham Estate for area forming the floodplain of Narellan Creek, which are allotments that are typically 6000m² in area or greater. This

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will ensure an existing development pattern is continued that respects the existing residents adjacent to Precinct O.

It is also the intention to enable the delivery of allotments with a range of differing land areas in response to changes in the landform for the more elevated areas of the Precinct. Accordingly, the allotments in the northern portion of the Precinct are expected to have a range of areas from the 700m² to 800m² and in excess of 2000m².

The lot sizes will be dependent on detailed the detailed subdivision design and will respond to the following considerations:

- provision of a suitable road access,
- provision of reticulated sewer to allotments,
- providing residential allotments that have a suitable buildable area that will not result in exorbitant dwelling construction costs, and
- providing suitable building pads for housing with adequate freeboard to flood levels.

Accordingly, it is proposed to amend the existing minimum lot size for Precinct O of 2000m² to:

- 6000m² for the allotments incorporating the flood liable land associated with Narellan Creek, and
- 700m² for the portion of the Precinct relating to the elevated areas of the Precinct.

It is noted that one portion of the Precinct abutting the Kirkham Estate is to retain the current lot size of 2000m² to ensure a similar subdivision pattern is formed on the boundary with existing residents of Kirkham Estate. This revised minimum lot size regime will ensure a subdivision layout that is sympathetic to the existing residents of Kirkham Estate and the landform pertaining to the Precinct.

Harrington Park Homestead

CLEP 2010 allocates a minimum lot size of 40ha for a portion of the Harrington Park homestead allotment. There is no minimum lot size annotated for the northern portion of the site, which reflects the area zoned 'RE1 Public Recreation'.

The Harrington Park homestead lot, not including the land to be dedicated as public reserve, is approximately 14.5ha in area and contains the homestead, a caretakers residence, sheds and a nursery, which supplies trees for the Harrington Grove residential estate to the north.

In addition to rezoning the northern portion of the parent lot to R5 Large Lot Residential, as explained in the previous section, it is proposed that the minimum lot size map be amended to incorporate a minimum lot size of 5ha and apply this minimum lot size requirement to the entire Harrington Park Homestead allotment.

Amendment to the minimum lot size requirement for the homestead allotment would enable the subdivision of the site to excise land containing the established nursery and land that does not constitute to the archaeological significance of the homestead. This portion of the homestead allotment is part of the working and operation landholding of

the Harrington Grove development and does not form part of the core or significant area associated with the Harrington Park homestead.

A Heritage Impact Statement (HIS) has been prepared by Tropman & Tropman Architects to assess the potential heritage impacts and implications of subdividing the homestead allotment as well as defining the best option for boundary alignments for the proposed subdivision (Refer to Appendix 7).

A preferred lot layout for the Harrington Park Homestead lot has been identified in the HIS, proposing the creation of a two allotments of approximately 9ha and 5.5ha. The 9ha allotment would encapsulate all areas of archaeological potential associated with the homestead, whilst the 5.5ha allotment will encompass the existing nursery and land that does not constitute to the archaeological significance of the homestead.

The HIS confirms that the proposed subdivision of the homestead allotment for the purposes of excising land associated with the nursery and open space areas from the Harrington Park homestead would not affect the heritage curtilage of the estate or any significant views and vistas to the State heritage listed item. It also complies with the relevant policies of the Harrington Park Homestead Conservation Management Plan 2006.

The current minimum lot size requirements for the Harrington Park homestead allotment in the CLEP 2010 does not permit the subdivision of the site to excise the existing nursery and areas of minimal heritage significance. Therefore, a minimum lot size of 5ha for the entire allotment is proposed to facilitate the future subdivision of the site that has been comprehensively investigated by a heritage specialist.

Precinct F South

In addition to rezoning a portion of land to be incorporated into Precinct F South for residential purposes, as explained in previous section on the zoning changes, it is proposed that the minimum lot size of this area be amended to reflect the existing minimum lot size applying to the Precinct F area. Accordingly, it is proposed that the amended area corresponding with the R2 zone in Precinct F South for be allocated a minimum lot size of 700m² to ensure consistency with proposed zoning. The 700m² minimum lot size is consistent with the existing residential areas of Precinct F.

PART 3 – JUSTIFICATION

Section A - Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal for Harrington Grove and Harrington Park is not the result of any study or report that has specifically been prepared to support the proposed amendments as the Proposal is to mostly rectify anomalies and inconsistencies affecting the subject land. However, as discussed in the previous section, a major part of the Planning Proposal (Precinct J) is the result of the *Environmental Protection and Conservation Act* approval that has been issued by DSEWPC. DSEWPC determined that the entire Harrington Grove development was acceptable from an environmental viewpoint with the exception of Precinct J. The improved environmental outcome for Precinct J, which enabled DSEWPC to issue their approval, forms part of this Planning Proposal.

The broader planning and development of the Harrington Grove residential development commenced with high level planning through to the detailed development approvals in accordance with State and local strategic requirements.

Harrington Grove has been identified for urban development in the State Government's Metropolitan Development Program (MDP) since 2002. In the MDP the overall site is earmarked for approximately 1500 dwellings. Sydney Metropolitan Strategy, which was introduced in December 2005 to guide the growth of Greater Sydney, identifies Harrington Grove as an 'Existing Urban Area'. Similarly, the Draft South West Subregional Strategy identifies the site as a 'New Release Area'.

Following a detailed Local Environmental Study (LES) process, Harrington Grove was rezoned in September 2007. The LES comprehensively considered the environmental characteristics and attributes of the site to determine the suitability of portions of the site for residential development. This included detailed investigations of the following:

- Flora and Fauna
- Bushfire
- Riparian Ecology
- Soil and Salinity
- Archaeological and Cultural Heritage

The findings from the above studies were used as the basis for the zoning and detailed design to support the development approvals which currently apply to the Harrington Grove site.

In light of the above, the Planning Proposal is essentially proposing minor amendments to the statutory framework that has been already implemented under previous LEP processes and is a refinement of the work informed by the original LEP studies.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The changes included in this Planning Proposal are the proper and best means of achieving the included objectives and intended outcomes. Given the proposed amendments relate to

land use issues and principal development standards set by CLEP 2010, the appropriate means to achieve the sought amendments to these statutory requirements is to amend Council's LEP.

Other available processes are not considered an appropriate means of achieving the objectives and intended outcomes of this Planning Proposal.

3. Is there a net community benefit?

As suggested in the Department's Local Plan-Making Guidelines, the Evaluation Criteria to undertake a Net Community Benefit analysis has been adapted from the Draft Centres Policy (April 2009). In some cases the Evaluation Criteria have been modified or removed to ensure the criteria are meaningful to this Planning Proposal.

Net Community Benefit Evaluation Criteria	Response
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The subject site for this Planning Proposal is within an area covered by the Sydney Metropolitan Strategy and the South West Sub-Regional Strategy for Sydney. These documents identify the subject land as 'Existing Urban Area' and 'New Release Area' respectively.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The Planning Proposal is in accordance with the established Metropolitan, regional and local planning frameworks, which is supported by Council and the Department of Planning. Therefore, it is not likely to set an undesirable precedent.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The Planning Proposal is consistent with the overall broad zoning regime adopted for the Harrington Grove and Harrington Park developments. Accordingly, no cumulative effect of similar spot rezoning proposals is to be expected.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The proposal will not directly facilitate permanent employment growth and will not result in any loss or impact on employment lands. The development of the land however results in considerable local employment.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The Planning Proposal will create a minor increase the supply of residential allotments and therefore have a positive impact on housing affordability and diversity.

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Net Community Benefit Evaluation Criteria	Response
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The subject site is within a major urban growth area of Sydney, which has been comprehensively planned for public infrastructure requirements. The Harrington Park and Harrington Grove developments, along with the Oran Park and Turner Road Precincts of the South West Growth Centre, have or will contribute to the provision of major road upgrades and essential public infrastructure services. In addition, this includes the provision of an extensive public accessible cycling and pedestrian pathway network throughout Harrington Park, Harrington Grove and surrounding areas. Accordingly, there is adequate public infrastructure to accommodate the proposed amendments.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	As stated above, there are significant investments in infrastructure for the locality. However, any potential increases in patronage resulting from the proposal is not expected to have any actual impact.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The Harrington Grove site has been comprehensively investigated for environmentally impacts from the overall development. The proposal will reduce the overall footprint of private owned land and ensure a greater portion of the Cumberland Plain Woodland being protected in perpetuity. The proposal does not relate to land affected by flooding.
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The proposal is compatible and desirably complementary with adjacent land uses, which include urban development in Oran Park to the north. Residential development of the same nature also lies within the subject site. There will be no impacts on amenity or the broader community and the quality public domain area of Harrington Grove and Harrington Park will be maintained.

Net Community Benefit Evaluation Criteria	Response
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	<p>There are three main public interest reasons for progressing the Planning Proposal, including:</p> <ol style="list-style-type: none"> 1. The supply of housing will increase, which will have a positive impact on affordability and diversity. 2. The public will have access to a significantly larger area of open space that will incorporate the protection of Cumberland Plain Woodland in accordance with an environmental approval issued by DSEWPC. 3. Considerable employment during the construction phase of the development and as part of the management of the woodland areas over time.

There is a significant net community benefit resulting from the Harrington Grove Planning Proposal, particularly as it will have a minor increase housing supply in the locality whilst reducing the overall footprint of residential development across Harrington Grove. It will also meet regional objectives to expand housing and it will not adversely impact an environmentally sensitive land as development has been carefully designed to respond to environmental considerations.

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Section B - Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Plan for Sydney 2036 and the Draft South West Subregional Strategy apply to the area subject to this proposal. Metropolitan Plan for Sydney 2036 was recently reviewed and that the Draft South West Subregional Strategy is now under review.

Metropolitan Plan for Sydney 2036 identifies Harrington Grove as an 'Existing Urban Area' and sets broad objectives and actions to guide urban growth.

Relevant key objectives in Metropolitan Plan for Sydney 2036 relate to the subject land are the provision of housing and protecting the environment. The Planning Proposal is consistent with these objectives as it will deliver increased housing opportunities and better protect the Cumberland Plain Woodland.

The Structure Plan within Draft South West Subregional Strategy identifies the subject site as a 'New Release Area' for urban development. Harrington Grove is a relatively new release area that is identified for urban growth, and in particular residential development.

Relevant key aims in the Draft South West Subregional include:

- Accommodating housing needs of existing and future communities.
- Planning for major housing growth.
- Councils to plan for sufficient zoned land to accommodate their housing target in Principal LEPs.
- Protect and enhance the environmental assets.
- Conserve Sydney's heritage.

The Planning Proposal will result in a minor increase in housing in a planned growth area and will contribute to Council's housing target under the Draft South West Sub-Regional Strategy. In addition, the proposal will facilitate a better environmental outcome for the Cumberland Plain Woodland and rectify an anomaly in the zoning and minimum lot size of the Harrington Park Homestead.

The subject site is consistent with objectives and actions contained within both the Metropolitan Plan for Sydney 2036 and the Draft South West Subregional Strategy. Whilst the proposed amendments to Council's LEP are minor in the context of both strategies, the outcomes of this proposal will contribute significantly to achieving the objectives and actions.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

There are two local strategic plans relevant to the Planning Proposal, prepared by Camden Council.

Camden 2040 represents the community's vision for the Camden area over the coming three decades and details the strategies that will need to be prioritised by a range of agencies, groups and individuals in order to achieve this vision. Camden 2040 establishes a strategic

framework for the expected large-scale population growth and urban development that is coming to the local government area in the coming decades, under the State Government's Metropolitan Plan. Furthermore, it identifies the strategies that will be required to achieve balanced and quality environmental, social, economic and governance outcomes for the community and place of Camden.

Camden 2040 includes six key directions as follows:

Key Direction 1	Actively Managing Camden's Growth
Key Direction 2	Healthy Urban & Natural Environments
Key Direction 3	A Prosperous Economy
Key Direction 4	Effective and Sustainable Transport
Key Direction 5	An Enriched and Connected Community
Key Direction 6	Strong Local Leadership

Each Key Direction outlines strategies, responsibilities and performance indicators for measuring success. Further, the relevant objectives to the Planning Proposal include:

- Ensuring greater choice and diversity in housing to meet a range of existing and future community needs.
- A commitment to strong leadership and partnerships in the urban planning and development process that carefully balances environmental, social and economic outcomes.
- Prioritising the protection and enhancement of biodiversity throughout the local government area and South West Growth Centre through the active management and restoration of bushland and riparian corridors.
- Reducing the environmental footprint of residents, businesses, organisations and government agencies in Camden.
- Encouraging and facilitating biodiversity conservation efforts on private lands through effective partnerships, assistance and education.

The objectives of this Planning Proposal are consistent with the strategies outlined in Camden 2040. The proposed changes will ensure that a range of housing options are provided for current and future residents, and will help create a sustainable community set in a natural landscape that ensures environmental impacts are minimised.

Camden Residential Strategy 2008 does not provide a detailed account of the Harrington Grove development but acknowledges it will contribute to a significant increase in the population due to residential development.

6. Is the planning proposal consistent with applicable state environmental planning policies?

The State Environmental Planning Policies (SEPPs) that are relevant to the Harrington Grove Planning Proposal are identified below.

Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
SEPP No 1 - Development Standards	The new CLEP 2010 contains provisions that supersede SEPP No.1.
SEPP No 55 - Remediation of Land	As part of the previous planning processes

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Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
	to zone the subject land, the site was comprehensively investigated for contamination and Areas of Environmental Concern have been identified. The current proposal does not create a need to undertake any further investigations for contamination.
SEPP (Building Sustainability Index: BASIX) 2004	BASIX will continue to apply to the construction of all residential dwellings.
SREP No 20—Hawkesbury-Nepean River	The development approvals applying to the subject land have considered the requirements of SREP No 20. The proposed amendments mostly reflect development that has already been approved except in the instance where the development in Precinct J has a smaller footprint, and therefore, a better environmental outcome.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Each s117 Ministerial Direction is listed below with an annotation stating whether it is relevant to the Harrington Grove Planning Proposal and confirming its consistency.

s.117 Direction Title	Applies	Consistency of Planning Proposal
1.1 Business and Industrial Zones	NA	Not applicable
1.2 Rural Zones	NA	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	NA	Not applicable
1.4 Oyster Aquaculture	NA	Not applicable
1.5 Rural Lands	NA	Not applicable
2.1 Environment Protection Zones	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal will not affect the areas within the site that have been identified as environmentally sensitive areas, as determined by site investigation. In addition, a larger area of Cumberland Plain Woodland will be managed under a single management regime.
2.2 Coastal Protection	NA	Not applicable

s.117 Direction Title	Applies	Consistency of Planning Proposal
2.3 Heritage Conservation	Y	The Planning Proposal is consistent with this Ministerial Direction. The proposed rezoning of the northern portion of the Harrington Park Homestead and amendment of the minimum lot size requirement for this allotment will not adversely impact on the heritage significance of the homestead. In addition, a Heritage Impact Statement has been prepared to ensure there will be no adverse impacts to items of heritage significance.
2.4 Recreation Vehicle Areas	NA	Not applicable
3.1 Residential Zones	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal is consistent with the strategic growth policy framework identified for South West Sydney. In addition, the proposal will increase housing choice, have a reduced environmental impact and use existing infrastructure.
3.2 Caravan Parks and Manufactured Home Estates	NA	Not applicable
3.3 Home Occupations	NA	Not applicable
3.4 Integrating Land Use and transport	Y	The Planning Proposal is consistent with this Ministerial Direction. Road infrastructure within the site will be suitable for bus routes and pedestrian/cycle paths will link residential areas within the site to the surrounding areas of Oran Park and Harrington Park.
3.5 Development Near Licensed Aerodromes	NA	Not applicable
4.1 Acid Sulfate Soils	NA	Not applicable
4.2 Mine Subsidence and Unstable Land	NA	Not applicable
4.3 Flood Prone Land	NA	Not applicable

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s.117 Direction Title	Applies	Consistency of Planning Proposal
4.4 Planning for Bushfire Protection	Y	The Planning Proposal is consistent with this Ministerial Direction. Comprehensive bushfire assessments have been undertaken for each residential interface with the woodland and grassland areas. As a result Asset Protection Zones and Bushfire Attack Level construction standards are implemented throughout the development.
5.1 Implementation of Regional Strategies	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal applies to an area identified for residential development and will contribute to increasing the supply of housing in the locality.
5.2 Sydney Drinking Water Catchments	NA	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA	Not applicable
5.6 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NA	Not applicable
5.9 Second Sydney Airport: Badgerys Creek	NA	Not applicable
6.1 Approval and Referral Requirements	NA	Not applicable
6.2 Reserving Land for Public Purposes	Y	The Planning Proposal is consistent with this Ministerial Direction. It will facilitate the removal of the RE1 zone from privately owned land which is not intended for acquisition by Council.
6.3 Site Specific Provisions	NA	Not applicable
7.1 Implementation of the Metropolitan Strategy	Y	The Planning Proposal is consistent with this Ministerial Direction. It meets objectives of the Metropolitan Strategy through facilitating urban growth by providing residential development as detailed in the Sydney Metropolitan Strategy Map.

Section C - Environmental, social and economic impact.

- 8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

Extensive flora and fauna assessment of Harrington Grove was undertaken at the LES stage of the rezoning process, which confirmed the ecological attributes of the subject site. The assessment classified the level of significance of flora and fauna species found within the site and identified the presence of Cumberland Plain Woodland. Cumberland Plain Woodland has been classified as a threatened species by the NSW Department of Environment, Climate Change and Water.

The proposal will result in an improved conservation outcome for the Cumberland Plain Woodland. It will enable the consolidation of this threaten species into a single management regime, which represents some of the higher quality tracts of Cumberland Plain Woodland within the Harrington Grove development. This has been confirmed by the DSEWPC approval, which consolidates the Cumberland Plain Woodland vegetation into a single tenure and management arrangement.

In light of the above, the Planning Proposal will not result in any adverse environmental impacts.

- 9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are no other likely environmental effects that could result from this proposal. The lands subject to this proposal are not affected by flooding and appropriate bushfire management and protection measures will be implemented as part of existing or any future development approvals. In addition, there are no other contamination or salinity issues that have not been dealt with as part of the overall planning for Harrington Grove and Harrington Park.

- 10. How has the planning proposal adequately addressed any social and economic effects?**

Assessment of the economic and social impacts for the overall Harrington Grove development was undertaken as part of the initial rezoning process. Works resulting from the Planning Proposal will create employment during the construction phase of development and will also result in a larger area of publicly accessible land of environmental significance. In addition, it will boost the housing supply in the locality.

It is expected that the proposal will have minor economic and social effects over and above those derived from the whole of the Harrington Grove development. However, these effects will result in positive impacts for the local and wider community.

In addition, Harrington Park is almost fully built-out with residential dwellings and a full complement of community facilities and services have been established for the development.

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Section D - State and Commonwealth interests.**11. Is there adequate public infrastructure for the planning proposal?**

The subject site is within a major urban growth area of South West Sydney. It abuts the Oran Park and Turner Road Precincts of the South West Growth Centre, with construction of residential land and major public infrastructure provision well underway. In addition, as part of the development of Harrington Grove, there have been significant contributions towards public infrastructure to accommodate the demands of an increased population resulting from the residential development. Public infrastructure for the locality has sufficient capacity to accommodate any increased demand resulting from this proposal and is therefore not considered to affect the level of infrastructure already being provided.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

This section of the planning proposal is to be completed following consultation with the State and Commonwealth Public Authorities identified in the Gateway Determination. There has been no early consultation with State and Commonwealth public authorities other than the DSEWPC, which forms part of the basis for amending CLEP 2010.

DSEWPC determined that the overall environmental outcome of Harrington Grove was deemed appropriate except for the Precinct J area. Following extensive consultation with DSEWPC, an agreement to modify the development proposed for Precinct J that consolidates the Cumberland Plain Woodland within single ownership and under a common management regime was the outcome needed for DSEWPC to issue their environmental approval under the *Environmental Protection and Conservation Act* (Refer to Attachment 4 – DSEWPC Approval).

PART 4 – COMMUNITY CONSULTATION

The Planning Proposal is considered to be “low impact” as it is consistent with surrounding land uses and the strategic planning framework, and presents no infrastructure issues. Accordingly, an exhibition period of the full Local Plan documentation should extend for a maximum of 14 days.

Community consultation will be commenced by giving notice of the public exhibition of the Planning Proposal:

1. in a newspaper that circulates in the area affected by the Planning Proposal;
2. on the Camden Council website; and
3. in writing to adjoining landowners.

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CONCLUSION

The Planning Proposal seeks:

1. Rezoning of selected areas to rationalise zone boundaries with cadastre and existing development approvals for subdivision.
2. Amending the minimum lot size of selected areas to enable an approval from DSEWPC and the current development philosophy and approvals applying to Harrington Grove.

An LEP amendment through the Gateway Process is the most appropriate method to effect the intended outcome of this proposal. In addition, the proposal is supported by State and local strategic planning guidelines as well as the statutory planning framework requirements, including Section 117 Directions and State Environmental Planning Policies.

The proposal has a positive outcome for the environment and community. Accordingly, progression of the proposal to the LEP Gateway is sought.

ATTACHMENTS

Attachment 1 – Site Location Plan

Attachment 2 – Amendments to Zoning Map

Attachment 3 – Amendments to Lot Size Map

Attachment 4 – Letter dated 25 May 2010 by Eco Logical Australia to DSEWPC

Attachment 5 – DSEWPC Approval

Attachment 6 – Approved Subdivision Plan

Attachment 7 – Heritage Impact Statement

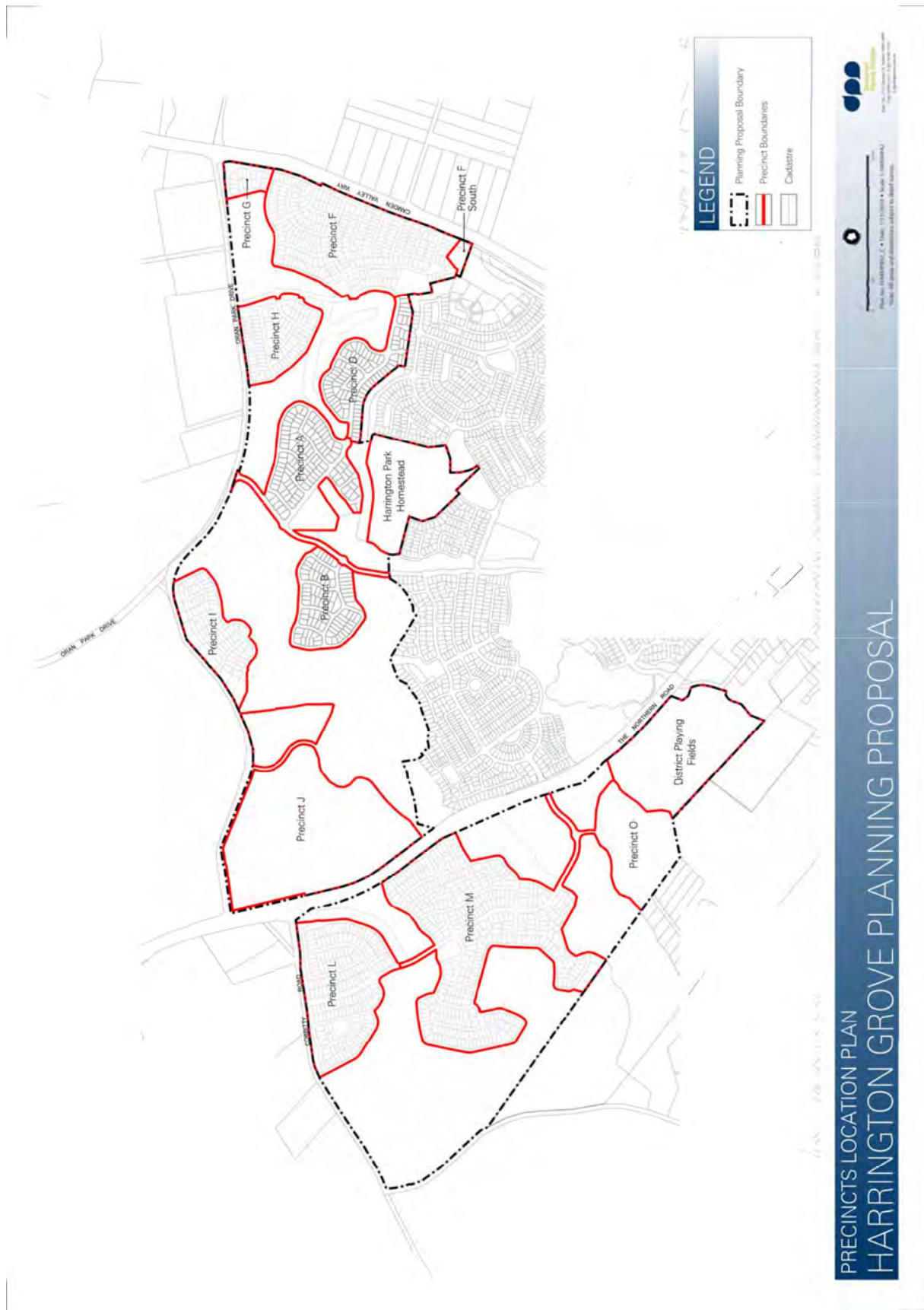
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Attachment 1

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Attachment 1 – Site Location Plan

Attachment 1



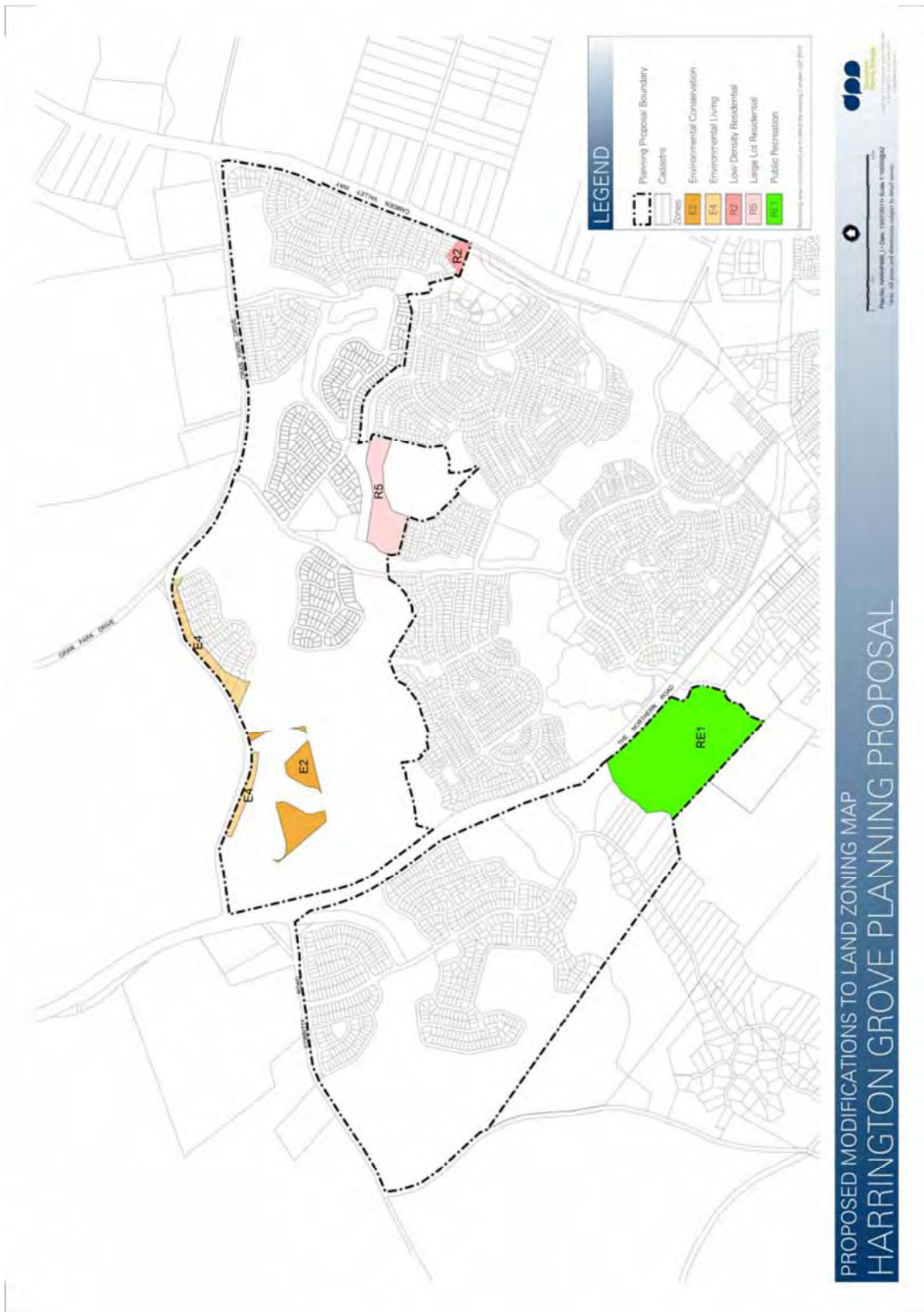
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Attachment 1

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Attachment 2 – Amendments to Zoning Map

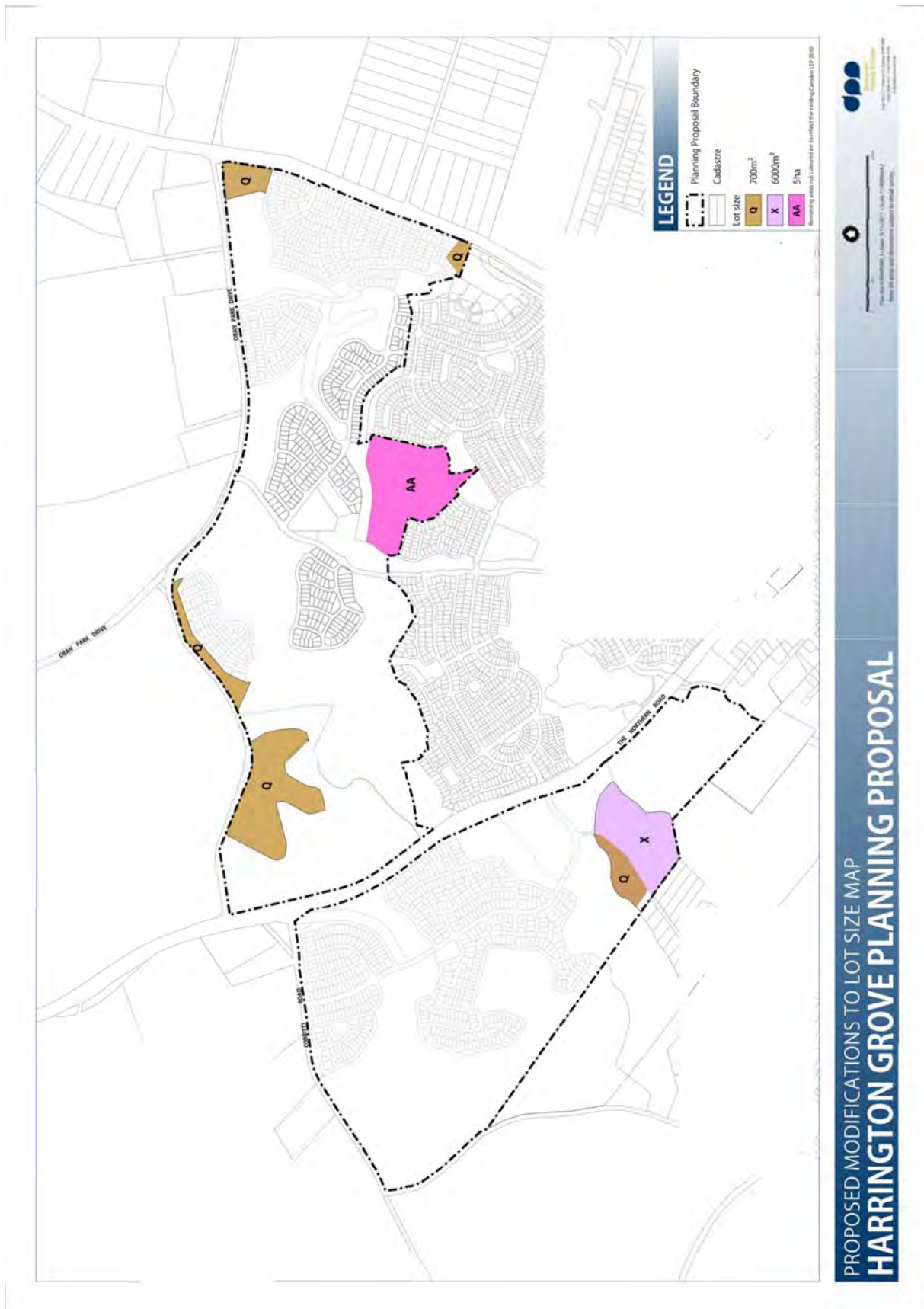
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Attachment 3 – Amendments to Lot Size Map

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**Attachment 4 – Letter dated 25 May 2010 by Eco Logical Australia
to DSEWPC**

Attachment 1

Ms Zarni Bear
 SE QLD and NSW Section
 Environment Assessment Branch
 Department of the Environment, Water,
 Heritage and the Arts
 GPO Box 787
 CANBERRA ACT 2601



ECO LOGICAL AUSTRALIA PTY LTD
 ABN 87 096 512 088
 www.eco088.com.au

25 May 2010

Dear Ms Bear,

**Further information in relation to proposed residential development at
 Harrington Grove, Western Sydney (EPBC 2009/4862)**

Please find the following response to your request for additional information in relation to the assessment of the Harrington Grove Residential Development.

Question 1 – redesign of Precinct J

The original layout of Precinct J allowed seven housing lots defined within distinct development envelopes. These development envelopes were located to minimise the impact to CPW. Of the 36.77 ha of CPW within Precinct J, approximately 2.72 ha was proposed to be lost through this original layout. However, the only mechanism available for the on-going protection and management of the retained woodland within Precinct J (34.05 ha) was to impose a set of obligations on each of the seven private landowners.

As discussed in the meeting held on 6 April 2010, this mechanism to protect the conservation areas is less favourable from a regulatory perspective compared with public management. For this reason, Precinct J has been re-designed to enable security and on-going management of the retained woodland through council ownership.

The new design of Precinct J is shown at Attachment 1.

The outcome for CPW as a result of this redesign is presented in Table 1. Compared with the original layout, the new design for Precinct J will lead to a further 6.46 ha of loss of CPW. This increase in the impact reflects the need to improve the lot yield of Precinct J to make council management of the conservation areas feasible. Through this revised layout and management arrangement, it is considered that an improved conservation outcome for CPW is achieved.

Development at Harrington Grove will now lead to the loss of around 46 ha of CPW (comprising 16.14 ha of high quality, 24.12 ha of moderate quality, 5.41 ha of low quality and 0.39 ha of very low quality CPW), while providing for the protection and on-going management of around 153 ha. This area of retained CPW comprises over 86% of the higher quality woodland.

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Attachment 1

Table 1: Areas of Cumberland Plain Woodlands conserved and lost within Precinct J.

Cumberland Plain Woodlands within Precinct J				
	High	Moderate	Low	<i>Total</i>
Future council reserve	23.25	3.42	0.90	27.57
Development	5.72	3.46	0	9.18
<i>Total</i>	28.97	6.88	0.90	36.75

Question 2 –covenanting, management and funding of conservation areas

The redesign of Precinct J will enable transfer of an additional 36 ha of conservation land to Camden Council as public reserve following completion of the CMP program by Dandaloo Pty Ltd.

The key revised figures relating to the development and conservation outcome at Harrington Grove are now approximately:

- 149 ha of development land;
- 132 ha of land managed for conservation purposes by the Harrington Grove Community Association; and
- 101 ha of land managed for conservation purposes by Camden Council.

The conservation areas will be protected and managed in-perpetuity. For the land that becomes the property of the Community Management Scheme, the Community Association must undertake maintenance of the conservation areas in accordance with the CMPs. This is a requirement set out in Section 36 of the Community Management Statement. Under the community title laws, this requirement cannot be changed by the Community Association.

For the land that is transferred as a public reserve to Camden Council, it is proposed that a positive covenant under the NSW *Conveyancing Act 1919* be placed on the title of the land requiring implementation of the CMP. This will ensure that ownership of the land entails management in accordance with the CMP, irrespective of who owns it.

As described in Section 6.4.5 of the Assessment Report, funding requirements associated with implementing the conservation and management activities are set out in Section 7 of the CMPs. For the land that becomes the property of the Community Management Scheme, the Community Association will obtain the necessary management funding through the levies which will be paid by each resident on an annual basis.

Camden Council is required to fund the management of the land transferred as a public reserve, in accordance with the *Local Government Act 1993*. Although the redesign of Precinct J will impose additional costs on Camden Council, the redesign will also provide additional revenue to fund these costs through council rates as a result of the increased lot yield.

Question 3 – additional research funding

Dandaloo Pty Ltd have made a \$150,000 contribution which was originally proposed to fund a CPW corridor study. This money has been provided to the NSW DoP and the study was expected to be coordinated by NSW DECCW.

We understand that this CPW corridor study is now being delivered by development within the Sydney Growth Centres. As a result, DoP and DECCW are currently discussing options for spending these funds on other recovery actions relating to CPW.

Dandaloo Pty Ltd are now prepared to commit an additional \$150,000 of research funding. As discussed at the meeting on 6 April 2010, it is proposed that this money go towards the implementation of a recovery action consistent with the Draft Cumberland Plain Recovery Plan (DECCW, 2009) and that this activity be undertaken on-site at Harrington Grove. This additional funding will be combined with the initial \$150,000 to resource a more substantial CPW recovery project.

With this funding we propose to establish a best-practice direct seeding restoration site with the overall objective of developing a mechanism to significantly increase the diversity of species used in CPW revegetation works. A key strategy to achieve this objective will be the inclusion of herbaceous species that are typically not used in revegetation works due to their limited seed set and difficulties in seed selection. Improvements such as these in restoration techniques will contribute significantly to the successful recovery of areas of CPW and is particularly applicable in light of the extensive revegetation works that are proposed to be undertaken as part of the Sydney Growth Centres. This project would be undertaken in consultation with Camden Council.

This project would address the following recovery actions identified in the Draft Recovery Plan:

- 2.1:** Preferentially target any future investment associated with the management of the Cumberland Plain's threatened biodiversity to the priority conservation land where practicable
- 2.2:** Support and promote the adoption of best practice standards for bushland management and restoration on public and private lands within the Cumberland Plain
- 3.4:** Work collaboratively with local government authorities to inform communities about the value and role of remnant vegetation on the Cumberland Plain, the best practice standards for its management, and any opportunities to participate in the recovery program
- 3.6:** Establish and promote best practice demonstration sites for the recovery plan's threatened biodiversity

Please do not hesitate to contact me if you have any further questions.

Yours sincerely,



Steve House

Director

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Attachment 5 – DSEWPC Approval

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Australian Government

Department of the Environment, Water, Heritage and the Arts

Approval

Harrington Grove Residential Development, western Sydney, NSW (EPBC 2009/4862)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted	Dandaloo Pty Ltd
proponent's ACN (if applicable)	ACN: 002338543
proposed action	A residential development of approximately 900 lots located at Harrington Grove, western Sydney, NSW.

Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

conditions of approval This approval is subject to the conditions specified below.

expiry date of approval This approval has effect until 2039.

Decision-maker

name and position	Michelle Wicks Assistant Secretary Environment Assessment Branch
signature	
date of decision	24 June 2010

Approval Conditions

No	Condition
1	<p>The person taking the action must carry out the action in accordance with the conditions of this approval and as described in the referral documentation dated 16 April 2009, Preliminary Documentation dated 29 November 2009, the Planning Agreement with NSW Department of Planning (reference 15266/15343/80056275) and the additional information dated 25 May 2010. Where the referral, Preliminary Documentation, planning agreement and/or additional information and these conditions are contradictory, these conditions shall prevail to the extent of the contradiction.</p>
2	<p>Prior to works commencing, the person taking the action must demonstrate in writing to the Minister that a conservation covenant or covenants have been registered on the titles of all land identified as 'Community Reserve', 'Council Reserve' and 'Cultural Landscape' on Annexure 1. The conservation covenant/s must provide for the protection and active management of Cumberland Plain Woodlands and other matters of national environmental significance in perpetuity.</p> <p>Works may not commence until the Minister has notified the person taking the action, in writing, that the Minister is satisfied with the covenant and how it will protect and provide for the active management of Cumberland Plain Woodlands and other matters of national environmental significance in perpetuity.</p>
3	<p>Prior to the works commencing, the person taking the action must provide in writing to the Minister for approval a plan that includes a detailed schedule of expenditure for management activities and associated outcomes that will aid active recovery of Cumberland Plain Woodlands (CPW) on-site. The plan must demonstrate how no less than \$150,000 will be spent on on-ground recovery of CPW on-site. Activities are to complement the objectives of the draft <i>NSW and National Recovery Plan – Cumberland Plain Recovery Plan</i>. Activities and funding outlined in this plan must be demonstrated as being additional to that required by other approval conditions and already committed to in the Harrington Grove West Conservation Management Plan and Bushfire Management Plan, the Harrington Grove East Conservation Management Plan and Bushfire Management Plan and the \$150,000 contribution to conservation in accordance with the Planning Agreement with NSW Department of Planning.</p> <p>The plan is to include a monitoring and reporting component to measure and report the success of proposed outcomes.</p> <p>The plan must be implemented and outcomes reported to the department annually until such time as it is demonstrated that the activities and associated outcomes have been achieved to the satisfaction of the Minister.</p> <p>Works may not commence until the Minister has notified the person taking the action, in writing, that the Minister is satisfied with the proposed plan.</p>
4	<p>The person taking the action must undertake the action in accordance with the Voluntary Planning Agreement with Camden Council, dated 22 August 2008, specifically the implementation of the Harrington Grove West Conservation Management Plan and Bushfire Management Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007).</p> <p>Any change, that has potential to have any impact to matters of national environmental significance and made prior to the transfer of conservation land to community or council ownership (as detailed in the Voluntary Planning Agreement with Camden Council), to:</p> <ol style="list-style-type: none"> the Harrington Grove West Conservation Management Plan and Bushfire Management Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007); or the elements of the Voluntary Planning Agreement which relate to the implementation of the Harrington Grove West Conservation Management Plan and Bushfire Management

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	Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007); requires the approval of the Minister. Approval of any amendment must be obtained by the Minister in writing prior to implementation of the amendment.
5	<p>The person taking the action must ensure that the Community Management Statement requires the Harrington Grove Community Association and Camden Council to manage and maintain their respective transferred land, as defined in Annexure 1 and 2, in accordance with the Harrington Grove West Conservation Management Plan and Bushfire Management Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007).</p> <p>Any change, that has potential to have any impact to matters of national environmental significance and made prior to the transfer of conservation land to community or council ownership (as detailed in the Voluntary Planning Agreement with Camden Council), to:</p> <p>a) the Harrington Grove West Conservation Management Plan and Bushfire Management Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007); or</p> <p>b) the elements of the Community Management Statement which relate to the implementation of the Harrington Grove West Conservation Management Plan and Bushfire Management Plan (August 2007) and the Harrington Grove East Conservation Management Plan and Bushfire Management Plan (August 2007);</p> <p>requires the approval of the Minister. Approval of any amendment must be obtained by the Minister in writing prior to implementation of the amendment.</p>
6	The person taking the action must ensure that any element of the Voluntary Planning Agreement with Camden Council, the Community Management Statement or conservation management plans that deal with management of conservation land include reference and equal level of protection and management to the conservation land to be dedicated to Camden Council as shown on Annexure 2.
7	Within 10 days of commencement of the action , the person taking the action must advise the department in writing of the actual date of commencement.
8	If, after 3 years from the date of this approval, the person taking the action has not substantially commenced the action to the satisfaction of the Minister , the person taking the action must obtain the written agreement of the Minister to commence or continue taking the action.
9	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.
10	If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, reports or strategies referred to in this approval, the person taking the action must submit for the Minister's approval a revised version of any such plan, report or strategy. The varied activity shall not commence until the Minister has approved the varied plan, report or strategy in writing. If the Minister approves such a revised plan, report or strategy, that plan, report or strategy must be implemented in place of the plan, report or strategy originally approved.
11	If the Minister believes that it is necessary or desirable for the better protection of listed threatened species and ecological communities to do so, the Minister may request that the person taking the action make specified revisions to the plans, reports or strategies approved pursuant to the conditions of this approval and submit the revised plan, report or strategy for the Minister's approval. The person taking the action must comply with any such request. The revised approved plan, report or strategy must be implemented. Unless the Minister has approved the revised plan, report or strategy, then the person taking the action must

	continue to implement the plan, report or strategy originally approved under this approval.
12	Within three months of every 12 month anniversary after the commencement of the action, the person taking the action must submit to the department an annual report addressing compliance with each of the conditions of this approval, including implementation of any management plans that have been approved by the Minister. Annual reports must be provided until the Minister is satisfied that the person taking the action has complied with all conditions of this approval.
13	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of this approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Departments website. The results of audits may also be publicised through the general media.

Definitions:

Commencement of action: Undertaking of any activity identified below under the definition of works.

Department: The Australian government Department responsible for the *Environment Protection and Biodiversity Conservation Act 1999*.

Minister: The Minister responsible for the *Environment Protection and Biodiversity Conservation Act 1999*.

Substantially commenced: the commencement of the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation within Precincts E, F, G, H, I, J, L, M or O.

Works: Includes any preparatory works required to be undertaken including clearing vegetation, the erection of any onsite temporary structures and the use of heavy equipment for the purpose of breaking the ground for buildings or infrastructure.

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Attachment 6 – Approved Subdivision Plan

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Attachment 7 – Heritage Impact Statement

Attachment 1

Heritage Impact Statement for subdivision plan of the Harrington Park Homestead Lot

Harrington Park, Camden, NSW



prepared for
Dandaloo

to accompany DA submission to
Camden Council and
NSW Heritage Office

July 2011
REF: 0825:HIS
Issue 03

Tropman & Tropman Architects

Architecture Conservation Landscape Interiors Urban Design Interpretation
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TROPMAN AUSTRALIA PTY LTD ABN 71 088 542 885 INCORPORATED IN NEW SOUTH WALES
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Tropman & Tropman ArchitectsHeritage Impact Statement for subdivision plan to the
Harrington Park Homestead Lot, Harrington Park, NSWRef: 0825:HIS
July 2011**Report Register**

The following table is a report register tracking the issues of the *Heritage Impact Statement for the subdivision plan of the Harrington Park Homestead Lot* prepared by Tropman & Tropman Architects. Tropman & Tropman Architects operate under a quality management system, and this register is in compliance with this system.

Project Ref No.	Issue No.	Description	Prepared by	Checked by	Issued To	Issue Date
0825:HIS	01	Harrington Park Homestead Lot Subdivision Draft Heritage Impact Statement	Joanne Lloyd	Lester Tropman	Terry Goldacre Darren Youens Via Email	04.03.11
0825:HIS	02	Harrington Park Homestead Lot Subdivision Final Heritage Impact Statement	Joanne Lloyd	Lester Tropman	Terry Goldacre Darren Youens Via Email	15.03.11
0825:HIS	03	Harrington Park Homestead Lot Subdivision Final Heritage Impact Statement	Christine Plewinski	Lester Tropman	Terry Goldacre Darren Youens Via Email	08.07.11

Attachment 1

Tropman & Tropman Architects
 Heritage Impact Statement for subdivision plan to the
 Harrington Park Homestead Lot, Harrington Park, NSW

ii
 Ref: 0825:HIS
 July 2011

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Tropman & Tropman Architects
Heritage Impact Statement for subdivision plan to the
Harrington Park Homestead Lot, Harrington Park, NSW

1
Ref: 0825:HIS
July 2011

1.0 INTRODUCTION

1.1 Brief

This Heritage Impact Statement has been prepared for the proposed subdivision of the Harrington Park Homestead Lot of the Harrington Park Homestead Estate located at Harrington Park near Camden. This report has been prepared for Dandaloo for submission to the NSW Heritage Office and Camden Council. The aim of this report is: to review the proposed subdivision and to produce a statement of heritage impact relating to heritage issues for the Harrington Park Homestead Lot.

1.2 Development Proposal

The proposal seeks to subdivide a portion of the northern edge of the homestead lot. No changes to the heritage curtilage are proposed.

1.3 Author Identification

This report has been prepared by:

Tropman & Tropman Architects:
Lester Tropman Director, Architect, Heritage Conservation Consultant, Landscape Architect
Joanne Lloyd Project Manager (Heritage and Interpretation)

1.4 Methodology

The method for the Heritage Impact Statement follows that set out in the "NSW Heritage Manual" Update August 2000 produced by the NSW Heritage Office. The method is outlined below:

Heritage Impact Statement

The statement of heritage impact should identify what impact the proposed works will have on the significance of the item/site, what measures are proposed to mitigate negative impacts and why more sympathetic solutions are not viable. Recommendations are developed in order to maintain the heritage significance of the site.

1.5 Study Area

The study area is the Harrington Park Homestead Estate Lot. Refer to the following figures.

For the purposes of this study, the **local** area refers to the council area of Camden. The **state** refers to the state of New South Wales.

1.6 Cultural Significance

The Harrington Park Homestead Estate has State significance as one of the earliest Cowpasture Homesteads that became a Gentleman's residence on the Cumberland Plain. The Harrington Park Homestead Estate continues to be a landmark and a focus in the Camden Valley as part of the cultural landscape of scenic setting, remnant pastureland, residential development and open space.

The Homestead, associated structures, gardens, landscape features, grazing paddocks and surviving contextual setting have historical, social, aesthetic and technical significance to the State of New South Wales.

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The Harrington Park Homestead is a significant example of an early two storey country residence with generally intact interior. Alterations and additions to original are superficial. Its architectural quality, setting and its connection with William Campbell, an important settler, mariner and trader; Abraham Davy, for restoring the gentrification of the Homestead; the Rudd/Bretton family for using the place to express their social status; and Sir Warwick and Lady Mary Fairfax for their use of the place to pursue and develop their cultural interests, make it a property of great importance.

Tropman & Tropman Architects, Harrington Park Homestead Estate Conservation Management Plan, 2006, pg. 115.

1.7 Previous Reports, Available Information and References

This report should be read in conjunction with the following documentation:

- Tropman & Tropman Architects, 2006, *Harrington Park Homestead Estate Conservation Management Plan*.
- Colleen Morris and Geoffery Britton for the National Trust of Australia (NSW), 2000, *Colonial Landscapes of the Cumberland Plain*
- Australia ICOMOS 2000, *Australia ICOMOS Charter for the Conservation of Cultural Significance (The Burra Charter) and Guidelines to the Burra Charter: Cultural Significance, Conservation Policy, and Undertaking Studies and Reports*, Australia ICOMOS, ACT.
- Heritage Office 2001, *Assessing Heritage Significance*, Heritage Office, Sydney.
- Heritage Office, *Statements of Heritage Impact Guideline*, Heritage Office, Sydney.

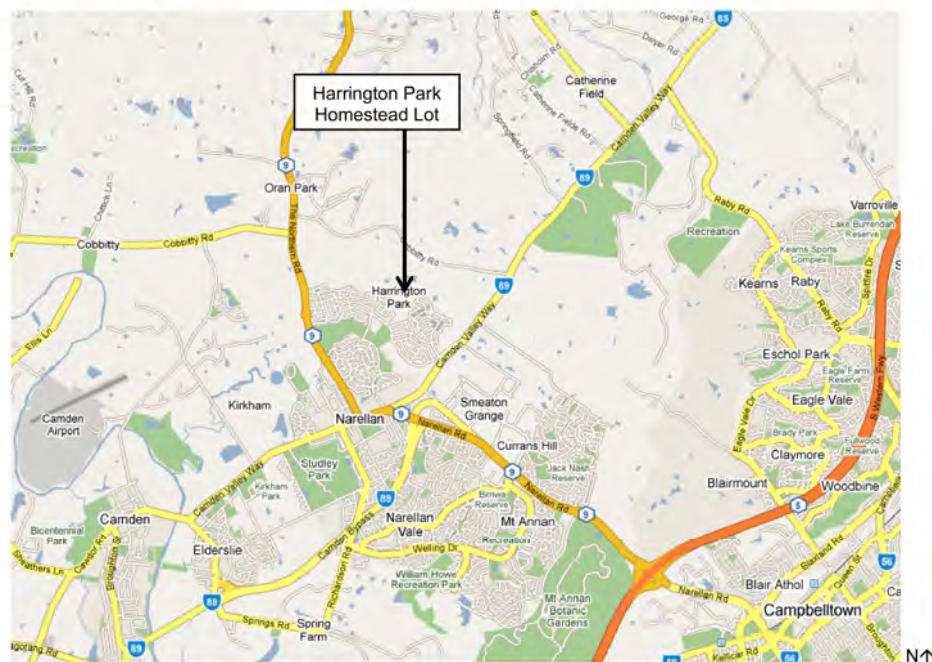


Figure 1: Location Plan. Subject site is circled. www.maps.google.com.au

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N↑

Figure 2: 2008 aerial image of the subject property. www.maps.google.com.au.

Harrington Park
homestead lot



N↑

Figure 3: 2008 aerial image of the subject property. www.maps.google.com.au.

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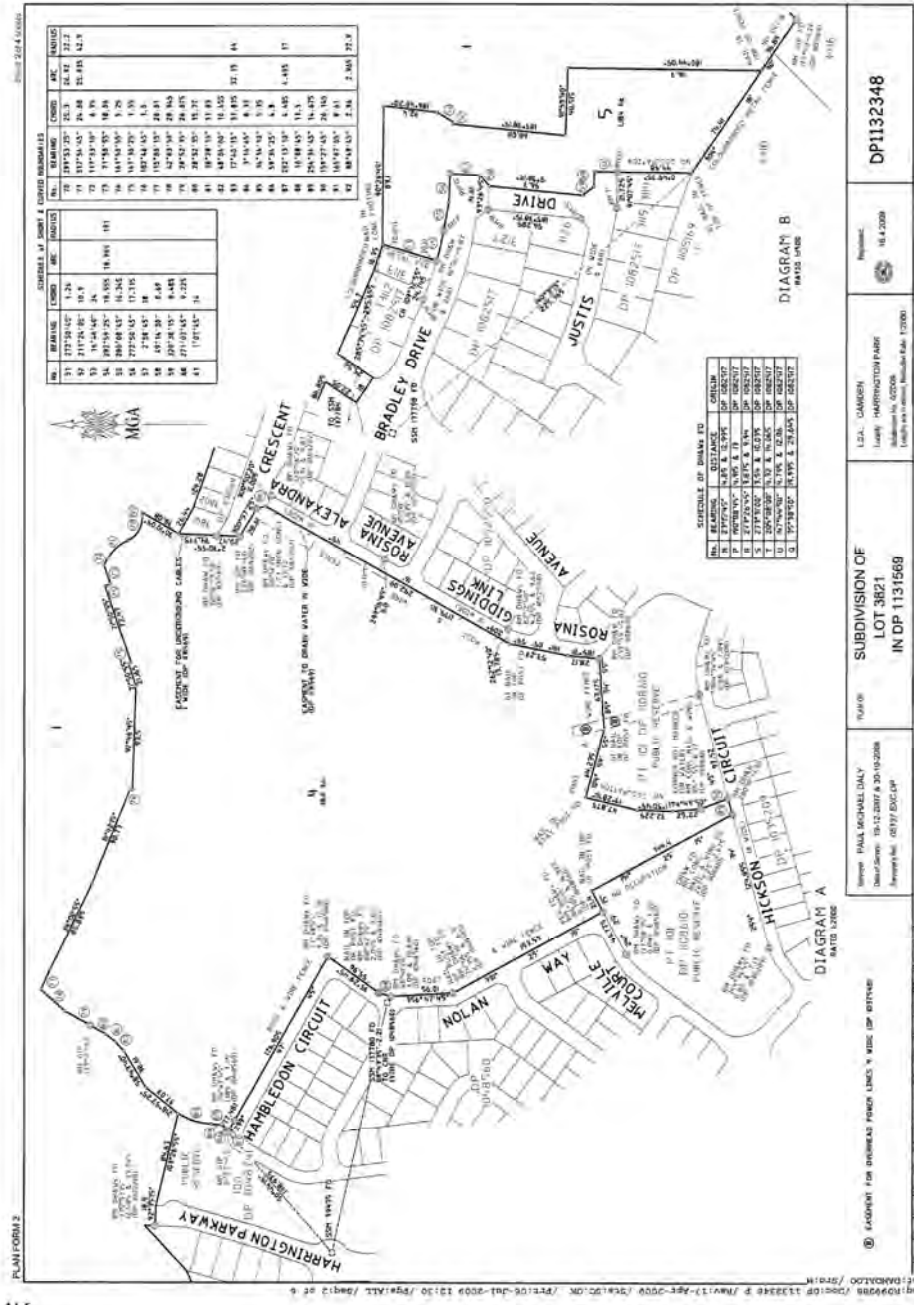


Figure 4: Harrington Park Plan showing existing homestead lot. Source: Harpak.

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Figure 5: State Heritage Register map showing extent of Harrington Park Homestead curtilage.

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2.0 HARRINGTON PARK HOMESTEAD SETTING

The landscape setting of the Harrington Park homestead and gardens is based on the Summit Model. The homestead is located on a knoll in the centre of the estate and is a landmark feature in the landscape framed by mature plantings. (See Morris & Britton *Colonial Landscapes of the Cumberland Plain*; pp.126-128 for further details).

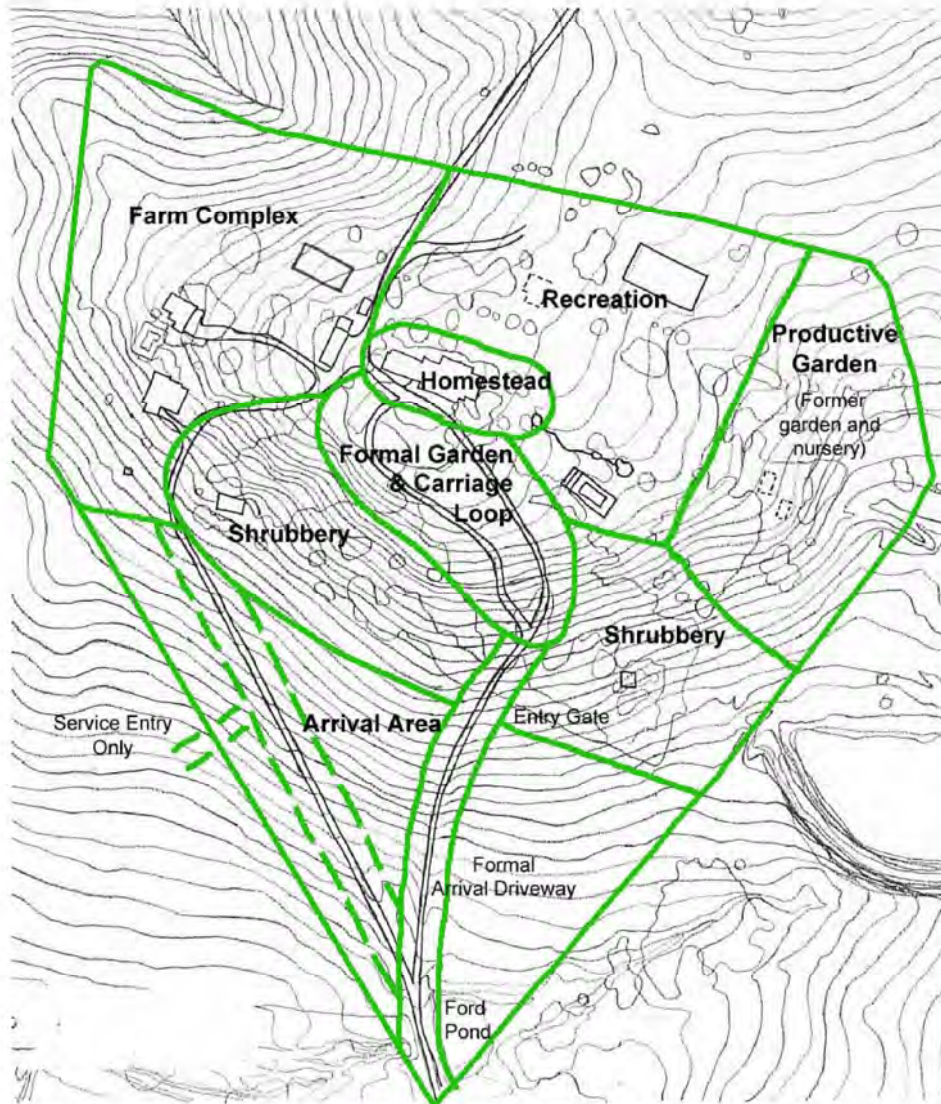


Figure No.6: Areas of the Homestead complex. (Harrington Park CMP, Fig 47, Pg 64.)

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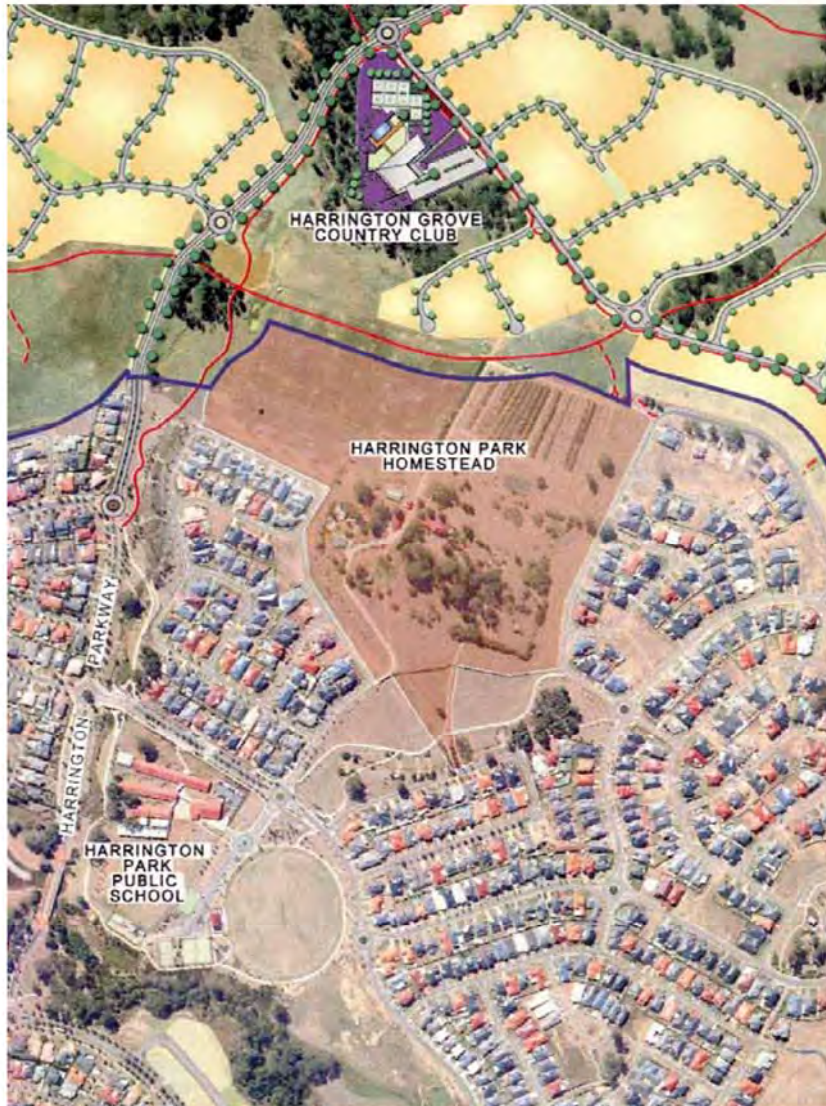


Figure 7: Masterplan showing Harrington Park Homestead and the proposed cycle track (in red)

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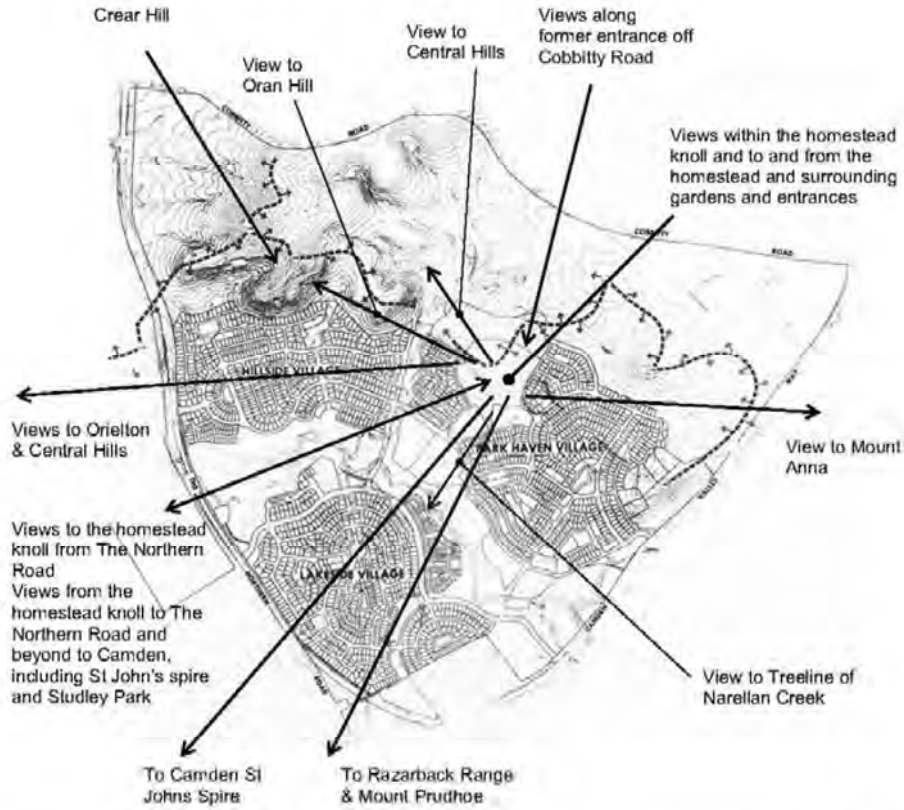


Figure 8: Significant views and vistas from Harrington Park Homestead. (Harrington Park CMP. Fig 131. Pg 125.)

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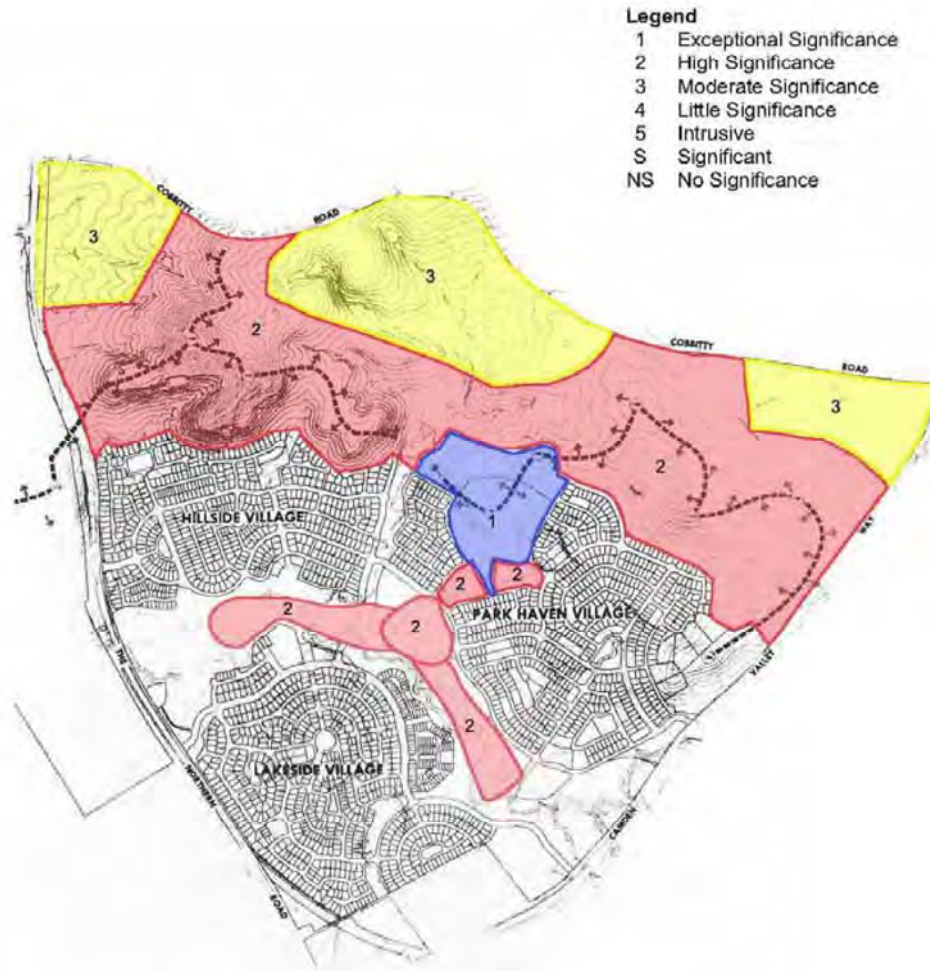
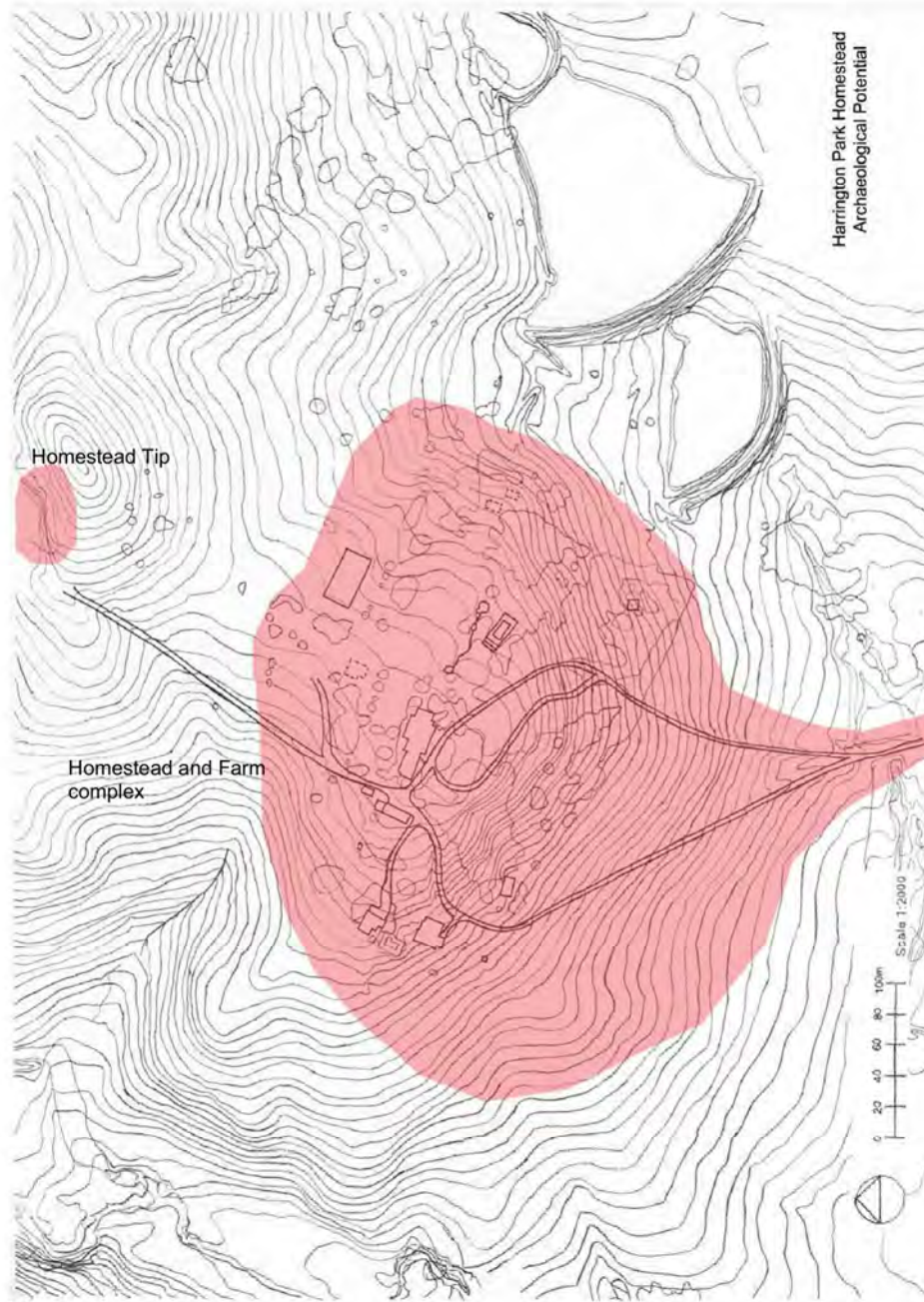


Figure 9: Levels of significance in Harrington Grove East. (Harrington Park CMP, Fig 126, Pg 118.)

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Figure 10: Archaeological potential around the Harrington Park Homestead. Archaeological potential is also located along the former entrance routes from Cobbitty Road and Camden Valley Way. (Harrington Park CMP, Fig 93, Pg 84.)

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Figure 11: 1947 aerial of the site and surrounding area showing the early fence lines and road ways. (Harrington Park CMP. Fig 106. Pg 93. Source: Department of Lands).
N ↑



Figure 12: 1966 aerial of the site showing the early fence lines and road ways around the homestead. (Harrington Park CMP. Fig 107. Pg 94. Source: Department of Lands).

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Figure 13: 1990s aerial of the site and surrounding area showing the fence lines and road ways around the homestead. (Source: Harpak).

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Figure 14: Detail of the 1990s aerial of the site and surrounding located in Figure 13. Note the area surrounding the homestead forming part of its arrival sequence, setting and recreational grounds is mowed lawn. The shed located near the tennis court to the north of the homestead is also visible. (Source: Harpak).

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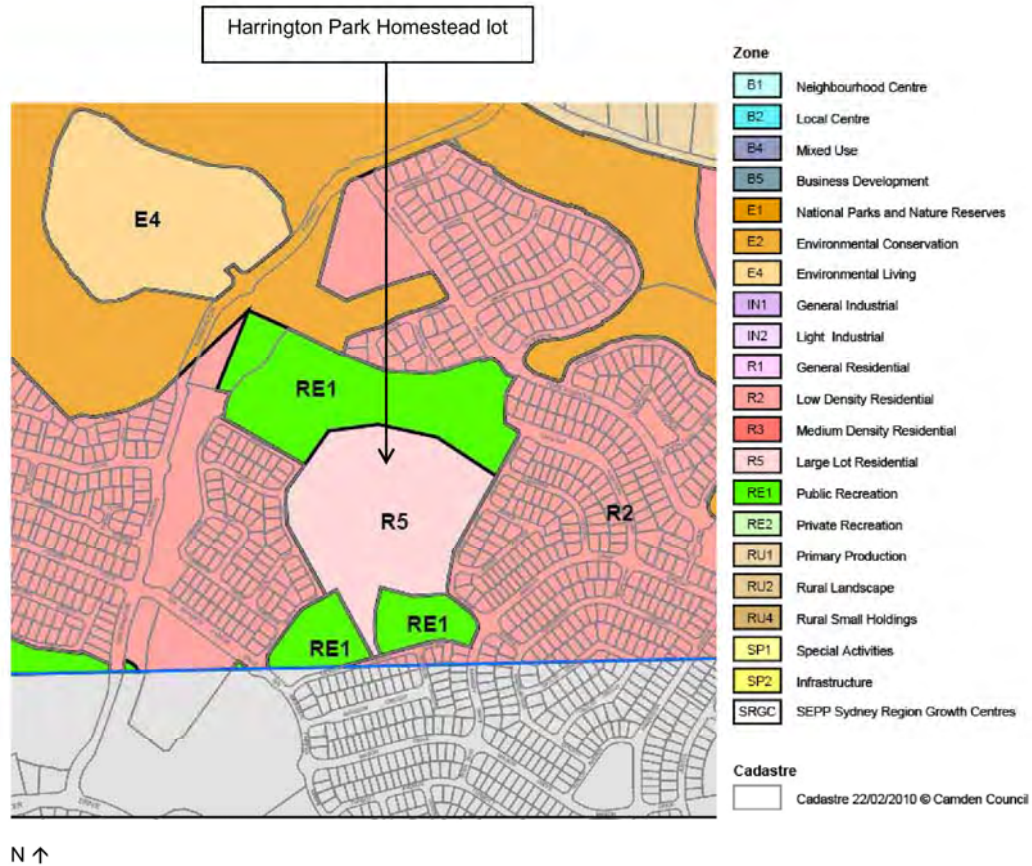


Figure 15: Camden Council Zoning Map 2010. (Source: Camden Council Local Environmental Plan 2010, Land Zoning Map, Sheet LZN_007).

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3.0 COMPLIANCE OF THE PROPOSED SUBDIVISION WITH THE CONSERVATION MANAGEMENT POLICIES

Please note only those policies relevant to this study have been included.

Policy	Compliance of Proposal	Discussion
Tropman & Tropman Architects, <i>Harrington Park Homestead Estate Conservation Management Plan</i> , 2006.	Complies Capable of Complying Not Complying	
7.2 Subject Site		
7.2.1 General		
7.2.1.1 The character of the subject site, which is that of a partly subdivided rural estate, should be managed to maintain the enclosure of the homestead by landscaped gardens, grazing paddocks and hedging. The original setting which relates to the topography, open space and distant views in the vicinity of the homestead should be conserved.	Complies	The portion of land proposed to be subdivided from the northern edge of the Harrington Park Homestead Lot is proposed to form part of the open space area that exists to the north of the homestead and to allow the retention of the established plant nursery that exists on the site. The identified views are maintained in this proposal.
7.2.1.6 The area surrounding and including Harrington Park Homestead and the farm complex are of exceptional significance. Development in this area is limited and should be managed and guided to maintain significant values.	Complies	This area is being managed by the heritage curtilage zone.
7.2.1.7 Development in the vicinity of the subject site should be carefully monitored, adapted or refused to ensure there is minimal negative impact on the significance of the subject site.	Complies	The northern portion of the existing homestead lot proposed to be subdivided from the property is proposed to be maintained as heritage curtilage as well as maintaining the existing nursery to the north of the homestead.
7.2.1.10 The relationship between the subject buildings and landscape areas should be retained.	Complies	The identified views to the surrounding landscape are maintained.
7.2.1.14 The curtilage to the Estate should be respected and conserved. Discussion: The surrounding paddocks and gardens provide the setting for the estate, especially the homestead and its gardens. They contribute to the significance of the Harrington Grove East and aid in its interpretation as a rural property. Development in this area should be strictly limited and controlled to maintain and continue to enhance the existing functions, landscape character and use. It is noted that the paddocks to the east, south-west have been developed for villages of Harrington Park.	Complies	No change is proposed to the heritage curtilage of the estate. No change of use is proposed for the portion of land to be subdivided from the homestead lot. This portion of the land is to be maintained as part of the heritage curtilage with retention of the existing nursery.

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Policy	Compliance of Proposal	Discussion
Tropman & Tropman Architects, <i>Harrington Park Homestead Estate Conservation Management Plan</i> , 2006	Complies Capable of Complying Not Complying	
7.2.3 Homestead Complex		
7.2.3.1 Development in the paddocks immediately surrounding the homestead should be strictly limited and controlled to maintain and continue to enhance the existing functions, landscape character and use.	Complies	The views, topography and bushland are retained in a coherent pattern to maintain and respect the Harrington Park Homestead's setting and context.
7.3 Subject Landscape		
7.3.4 The relationship between the homestead, north knoll, saddle and paddocks, and the east, south and west paddocks should be maintained.	Complies	These relationships are maintained in this proposal by the heritage curtilage and public reserves.
7.3.5 The hills behind the homestead should not be obscured from the homestead. They should remain the dominant skyline landform element framing and providing a backdrop to the homestead.	Complies	The views to the hills are maintained in this proposal by the heritage curtilage.
7.3.7 There is limited opportunity for development along the north escarpment and ridge. Built development should be restricted so that the ridgeline is not broken and views and vistas as shown in CMP fig.126 are retained to maintain the broad landscape setting.	Complies	The ridgeline and the significant views and vistas are maintained in this proposal by the heritage curtilage.
7.3.21 Appropriate controls should be developed to maintain the landscape character and to guide future development in areas of adjacent properties identified as falling within the broad heritage curtilage and current boundaries of Harrington Park.	Capable of complying	Controlled by Council DCP and the requirements of the Conservation Management Plan and the heritage curtilage as the existing house is under the same zone.

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4.0 HOMESTEAD LOT NORTH BOUNDARY OPTIONS

It is proposed to subdivide a portion of land from the northern extent of the existing Harrington Park Homestead lot. The purpose of the subdivision is to ensure that the existing uses (nursery and open space) are maintained in the future. No changes to the heritage curtilage or use of the land are proposed.

Various alignments for the northern boundary of the proposed subdivision of the homestead lot were investigated on site and through documentary evidence. Three final options were presented, with Option 3 being the preferred option.

Each of the three options is discussed in the following pages.

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4.1 Option 1



Figure 16:
Option 1.

N↑

4.1.1 Positive effects

- 4.1.1.1 Generally follows early fence lines or roadways.
- 4.1.1.2 Encapsulates the areas marked as being of archaeological potential (refer fig.10).
- 4.1.1.3 Encapsulates the recreational grounds associated with the homestead (refer fig.6).
- 4.1.1.4 Significant views and vistas are maintained.

4.1.2 Negative effects

- 4.1.2.1 Includes the recent (1990s) established nursery as part of the homestead lot.
- 4.1.2.2 The nursery established in the 1990s will likely be removed in this proposal. The nursery supplies plants throughout the Harrington Park estate residential development.

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4.2 Option 2



Figure 17:
Option 2.

N↑

4.2.1 Positive Effects

- 4.2.1.1 Follows early fence lines.
- 4.2.1.2 The 1990s nursery is located outside of the homestead lot.
- 4.2.1.3 Significant views and vistas are maintained.

4.2.2 Negative Effects

- 4.2.2.1 Does not encapsulate areas of archaeological potential (refer fig.10).
- 4.2.2.2 Does not encapsulate the recreational grounds related to the homestead (refer fig.6).
- 4.2.2.3 Boundary is located too close to the homestead and does not provide an appropriate setting for the homestead.

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4.3 Option 3 – PREFERRED OPTION



Figure 18:
Option 3
PREFERRED
OPTION.

N↑

4.3.1 Positive Effects

- 4.3.1.1 Northern boundary generally follows past fence lines.
- 4.3.1.2 The proposed boundary encapsulates the areas marked as being of archaeological potential (refer fig.10).
- 4.3.1.3 The proposed boundary encapsulates the recreational zones of the homestead (refer fig.6).
- 4.3.1.4 The 1990s nursery is located outside of the homestead lot.
- 4.3.1.5 Significant views and vistas are maintained.

4.3.2 Negative Effects

- 4.3.2.1 The northern most edge of the boundary (adjacent the nursery) does not follow early fence lines however, it is running along the edge of the nursery established some twenty odd years ago on the site.

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5.0 IMPACT OF PREFERRED OPTION 3 ON HERITAGE VALUES

5.1 Significant Views and Vistas

5.1.1 Impact of proposed works

None – Low

5.1.2 Discussion

5.1.2.1 Significant views and vistas are maintained in this proposal. No changes to the use of the land subdivided from the Harrington Park Homestead lot are proposed – the land is to form part of the public reserve thereby maintaining the significant views and vistas from the homestead and northern ridgeline to the south, east and west

5.1.3 Recommendations

5.1.3.1 The existing established nursery should remain.

5.1.3.2 The policies laid out in the CMP should be followed.

5.2 Heritage Curtilage

5.2.1 Impact of proposed works

None – Low

5.2.2 Discussion

5.2.2.1 The existing established immediate and broad heritage curtilages will not be affected in this proposal. The land proposed to be subdivided from the homestead lot will form part of the homestead curtilage. This land also forms part of the broader State Heritage Register curtilage (refer Fig.5).

5.2.2.2 The existing curtilage allows significant views and vistas to be maintained and provides an appropriate setting for the homestead and farm complex buildings and will aid in the interpretation of the estate once being a much larger holding. No changes to the heritage curtilage are proposed.

5.2.3 Recommendations

5.2.3.1 The policies laid out in the CMP should be followed.

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5.3 Subdivision and Zoning Boundaries

5.3.1 Impact of proposed works

Low

5.3.2 Discussion

5.3.2.1 The purpose of subdividing the small portion of land from the northern edge of the Harrington Park Homestead lot is twofold. Firstly, this allows a more traditional "squaring up" of the property by following traditional or later established fence lines within the former estate property. The second purpose is to allow the existing low intensity use of the nursery to continue into the future, associated with the development and in accordance with the heritage curtilage.

5.3.2.2 The preferred option, Option 3, is compliant with the Conservation Management Plan policies and it will allow the retention of an appropriate setting for the homestead (refer Fig. 14) and aid in its interpretation as a former gentleman's estate.

5.3.3 Recommendations

5.3.3.1 The area subdivided from the Harrington Park Homestead Lot should be zoned as Large Lot Residential R5 to match the zoning of the homestead.

5.3.3.2 The policies laid out in the CMP should be followed.

5.4 Summary of Impacts

The following table answers applicable questions from the NSW Heritage Office "Statements of Heritage Impact" guidelines.

Proposed Change to Heritage Item	Questions	Discussion
Subdivision	How is the proposed curtilage allowed around the heritage item appropriate?	No changes are proposed to the existing immediate and broad heritage curtilages previously established (refer State Heritage Register and CMP) for the estate property. The established curtilage is appropriate as it maintains the pastoral setting of Harrington Park. The northern ridgeline provides a backdrop to the homestead and farm building complex and helps to frame the homestead in a rural setting. The curtilage area is further enhanced by the areas of public reserve to the north and west.
	Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?	No. The portion of land subdivided from the Harrington Park homestead lot is to be used and maintained as it currently operates. No intensive development of this portion of the land will be permitted and will be controlled by Council's DCP for the area.

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Proposed Change to Heritage Item	Questions	Discussion
	Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?	No. The portion of land proposed to be subdivided from the northern portion of the Harrington Park Homestead lot is proposed to retain its existing uses and form part of the existing homestead zone. Important views and vistas are maintained in the proposal.

6.0 GENERAL RECOMMENDATIONS

- 6.1 The existing nursery established on the site in the 1990s should remain and continue to supply plants to the Harrington Park Estate residential development and to the Orielton Park Estate residential development in the future.
- 6.2 The portion of land subdivided from the Harrington Park Homestead lot should be zoned to match that of the homestead zoning.
- 6.3 Generally, the Conservation Management Plan policies should be fully implemented.

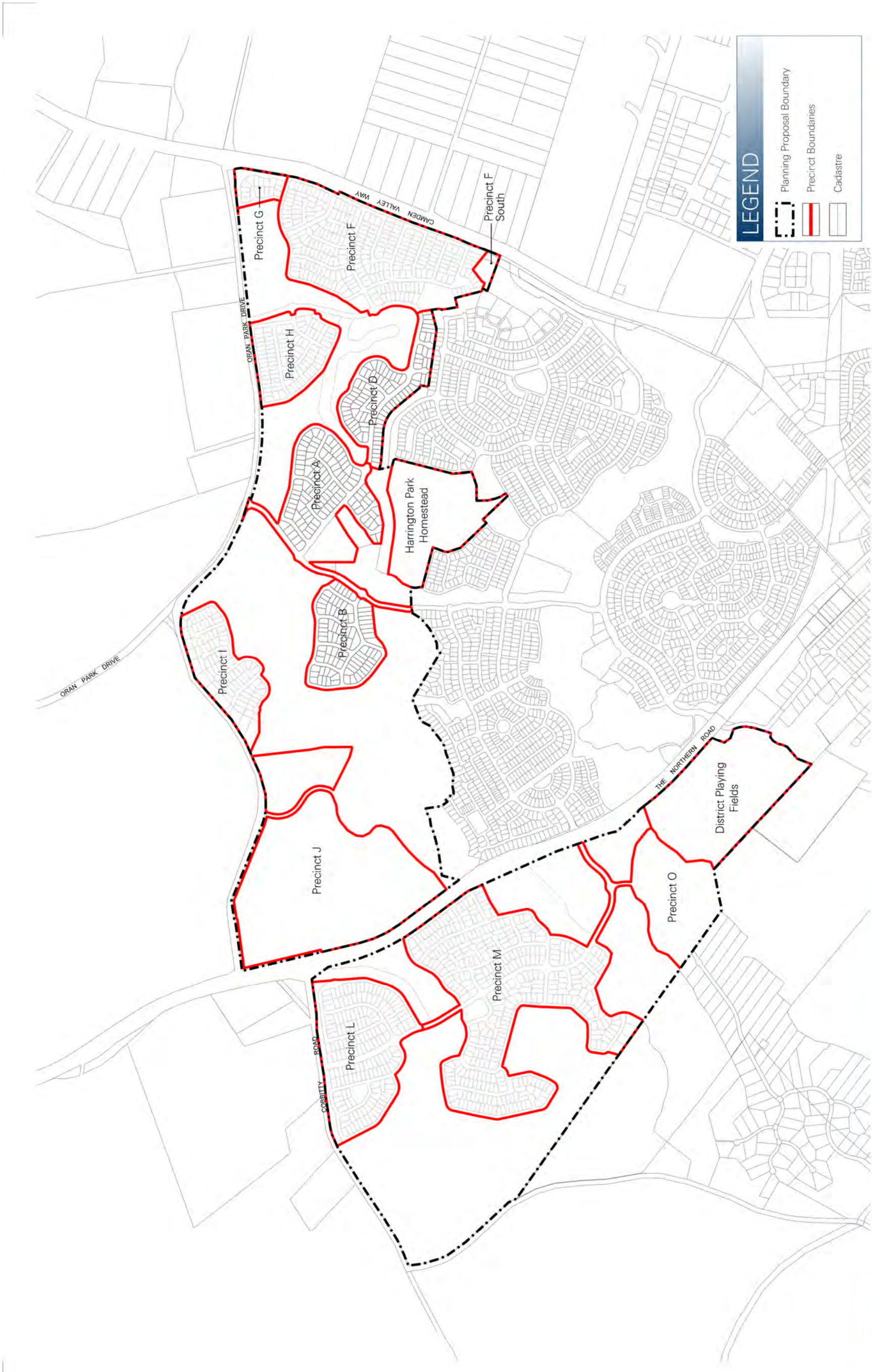
7.0 CONCLUSION

The proposed subdivision of the Harrington Park Homestead lot is respectful of the significance of the Harrington Park Homestead and grounds. The preferred option, Option 3, encapsulates the areas of archaeological sensitivity associated with the homestead lot, the recreational grounds associated with the homestead, and follows past established fence lines. The proposed subdivision will not affect the heritage curtilage to the homestead, significant views and vistas or the existing and proposed uses of the parcel of land subdivided from the homestead lot as open space/public recreation.

The proposal complies with the relevant policies of the Conservation Management Plan.

We support the proposal, provided the recommendations detailed in this report are undertaken.

Attachment 1



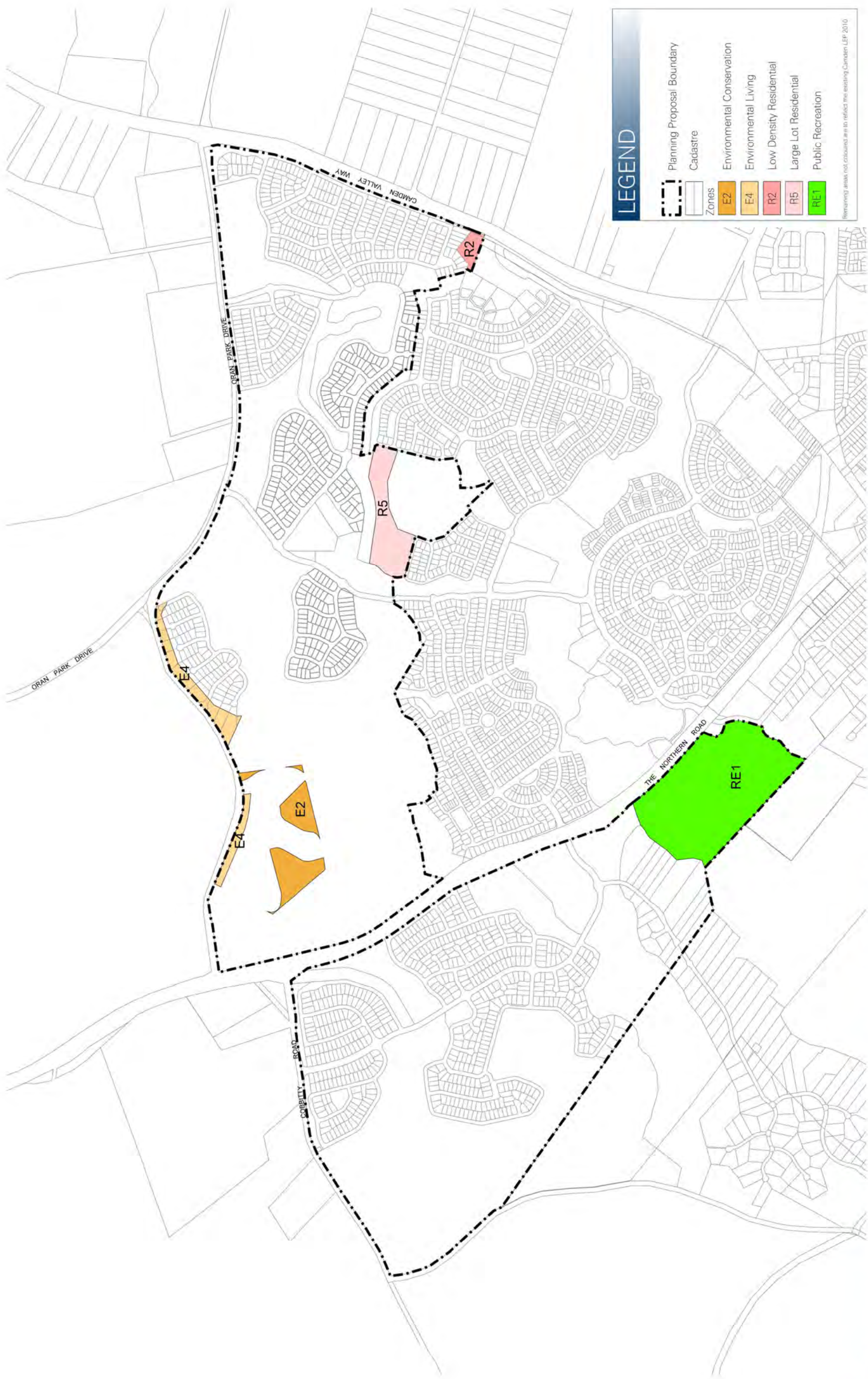
PRECINCTS LOCATION PLAN
HARRINGTON GROVE PLANNING PROPOSAL



 Department of Planning and Infrastructure
 Queensland Government
 Plan No: HAR11002_C - Date: 1/11/2010 - Scale: 1:10000/A2
 Note: All areas and dimensions subject to detail survey.

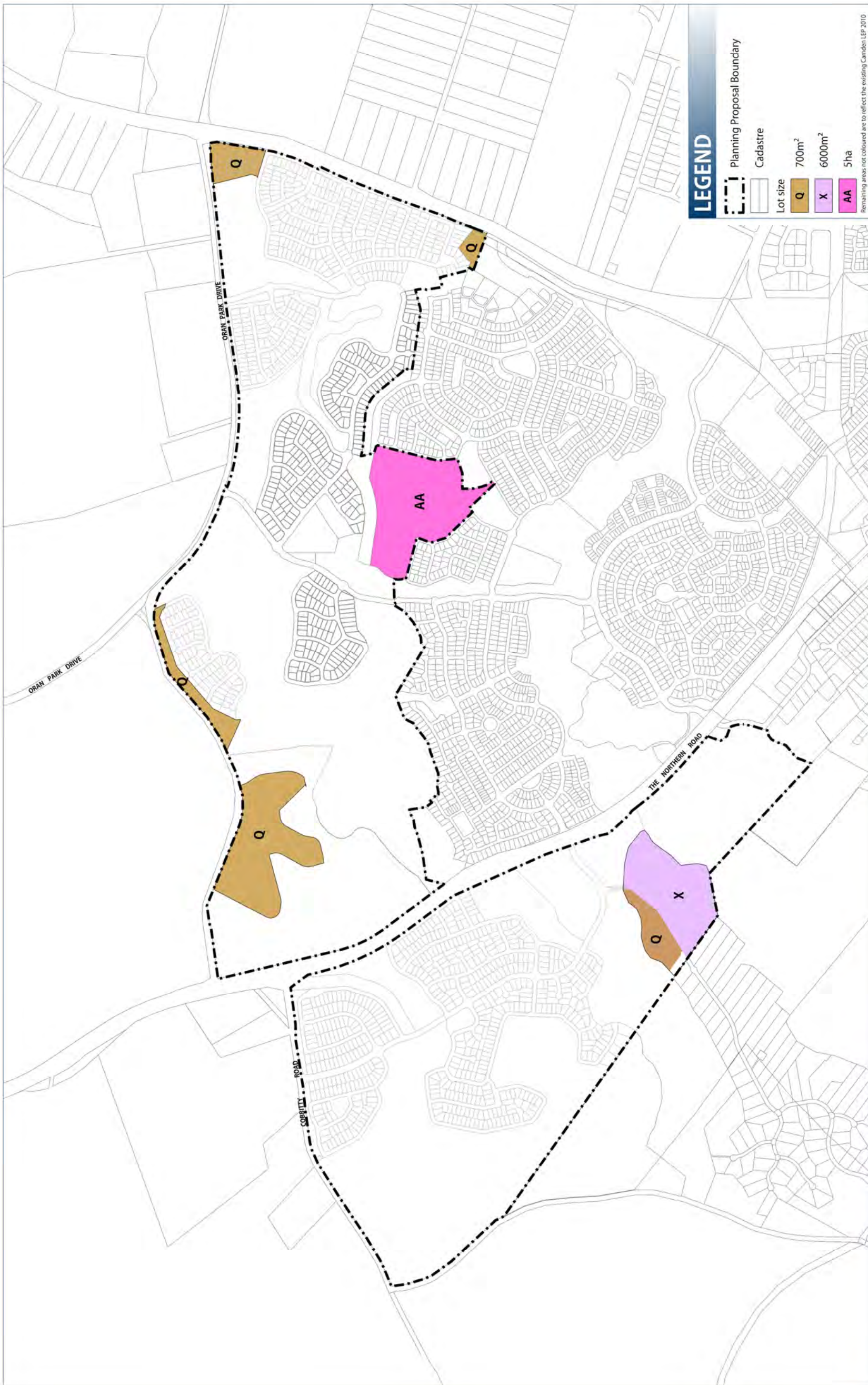
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Attachment 3



PROPOSED MODIFICATIONS TO LAND ZONING MAP
HARRINGTON GROVE PLANNING PROPOSAL

Plan No: HARHP689.1 • Date: 13/07/2011 • Scale: 1:1000@A2
 Note: All areas and dimensions subject to detail survey.



PROPOSED MODIFICATIONS TO LOT SIZE MAP
HARRINGTON GROVE PLANNING PROPOSAL

Plan No: H4619990 - Date: 9/11/2011 - Scale: 1:10000(A3)
 Note: All areas and dimensions subject to detail survey.





ORD08

ORDINARY COUNCIL

ORD08

SUBJECT: MATER DEI BOUNDARY ANOMALIES PLANNING PROPOSAL
FROM: Director Governance
BINDER: Harrington Park 2 and Mater Dei

PURPOSE OF REPORT

The purpose of this report is to consider a Planning Proposal for the Mater Dei site for minor boundary adjustments. The Planning Proposal is **shown as Attachment 1** to this report.

BACKGROUND

Following the exhibition of the draft Camden LEP, Council resolved to incorporate numerous minor amendments to address matters raised in submissions. One of these matters related to a minor adjustment of the boundaries applying to the E4 precincts in the Mater Dei release area. These were approved by Council to go to the Department of Planning and Infrastructure as part of the Template LEP process.

Another minor adjustment of the boundaries applying to the JRPP approved R2 zoned Seniors Living precinct is also required. It is proposed that these boundary adjustments be incorporated into this Planning Proposal and be assessed as a package.

MAIN REPORT

This Planning Proposal incorporates two sets of minor boundary adjustments to the Mater Dei release area. These are as follows:

E4 Residential Precincts

Due to further ground truthing and detailed planning of the E4 Residential precincts on the Mater Dei site, minor boundary adjustments are sought to align the boundaries more correctly. This will include small areas of E2 Environmental Conservation land rezoned to E4, and small areas of E4 rezoned to E2. The Planning Proposal seeks to amend the land zoning, lot size, and height maps applying to these precincts in the Camden LEP 2010. Figure 1 below shows those areas to be rezoned to E4 in red and areas to be rezoned E2 in blue.

R2 Seniors Living Precinct

Also due to further ground truthing and detailed planning of the R2 Seniors Living precinct on the site minor boundary adjustments are sought for this precinct. These will align the boundary more correctly with the JRPP approved Seniors Living subdivision. This adjustment will include small areas of E2 Environmental Conservation land rezoned to R2, and small areas of R2 rezoned to E2. The Planning Proposal seeks to amend the land zoning, lot size and height maps applying to this precinct in the Camden LEP 2010. Figure 1 below shows those areas to be rezoned to R2 in purple, and areas to be rezoned to E2 in blue.

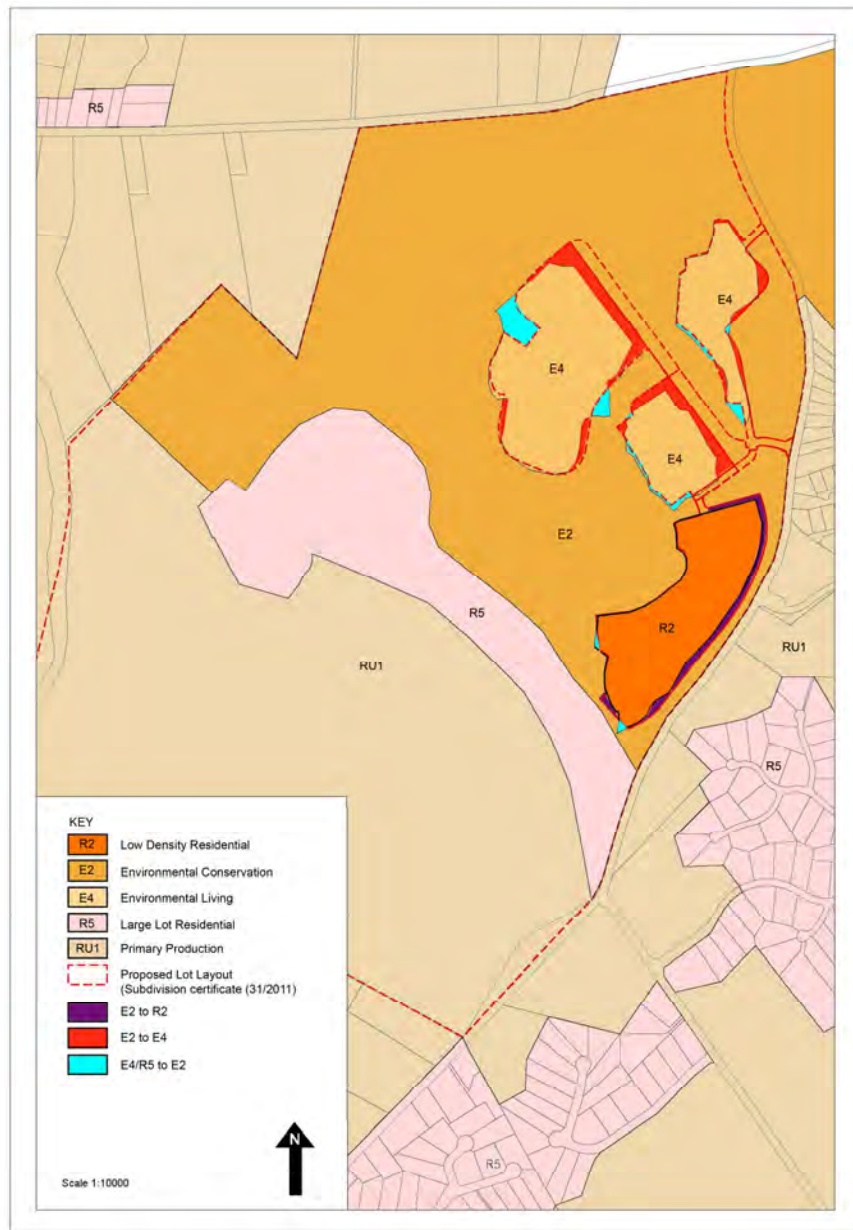


Figure 1 – Minor Boundary Adjustments

The E2 Environmental Conservation zoned areas that are proposed to be rezoned E4 and R2, have been assessed as having little conservation value. A letter from an ecological expert (the consultant that prepared the adopted Bushland Conservation Management Plan for this area) attesting to the minimal conservation value of these areas is shown in Figure 2 in the Planning Proposal.

The Process from Here

If Council determines to proceed with the Mater Dei Boundary Anomalies Planning Proposal, it will be sent to the Department of Planning and Infrastructure (DPI) for Gateway Determination.

Council has already approved the first amendment within the LEP Template process and the second boundary adjustment was previously approved by Council when the subdivision pattern was given consent. Given these previous approvals by Council and the minor nature of the changes, it is not intended to exhibit the Planning Proposal.

It is not felt that this Planning Proposal needs to be referred to any Government bodies or agencies as the boundary adjustments are minor anomalies and will not affect the viability of the conservation area.

CONCLUSION

The Mater Dei Boundary Anomalies Planning Proposal has merit and will assist in facilitating minor boundary adjustments for the residential precincts zoned E4 and R2. These boundary adjustments do not impact on any high or moderate value bushland but will help in the creation of a range of housing for Camden and its residents.

RECOMMENDED

That Council:

- i. forward the Mater Dei Boundary Anomalies Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination;**
- ii. Place the Planning Proposal on public exhibition, without a further Council resolution, only if it is required to do so as a result of the Gateway Determination; and**
- iii. if submissions are received as a result of Council being required to publicly exhibit the Planning Proposal, a further report is to be provided to Council at the conclusion of the public exhibition period; or**
- iv. if no submissions are received as a result of Council being required to publicly exhibit the Planning Proposal, the Planning Proposal is to be forwarded directly to the Department of Planning and Infrastructure to be made.**

ATTACHMENTS

1. Planning Proposal



CAMDEN COUNCIL

PLANNING PROPOSAL

Amendment No. 5 – Mater Dei Boundary Anomalies

November 2011

ORD08

Attachment 1

Amendment No. – Mater Dei Boundary Anomalies

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Amendment No. – Mater Dei Boundary Anomalies

Background

The Mater Dei release area is located at Kirkham and is bounded by Macquarie Grove Road to the west and Cobbitty Road to the north.

The portion of the land intended for residential development is zoned E4 Environmental Living and R2 General Residential, an area of heritage significance is zoned R5, whilst the remainder of the land which is intended to be conserved is zoned E2 Environmental Conservation.

A diagram showing the location of the subject land, and existing zones is **shown in Figure 1** at the end of this Planning Proposal.

Camden LEP 2010 (LEP 2010) was gazetted on 3 September 2010 and became the principal planning instrument covering land use and zoning in the Camden LGA.

Following the exhibition of the then-draft Camden LEP, at the meeting of 24 November 2009 Council resolved to incorporate numerous minor amendments to address matters raised in submissions. One of these matters related to a minor adjustment of the boundaries on the maps applying to the Mater Dei release area. Since then further additional minor adjustments of the boundaries applying to the Mater Dei release area have been identified. It is proposed that these boundary adjustments be incorporated into a joint Planning Proposal and assessed as a package. The following section will outline the changes proposed in the Planning Proposal.

Part 1 – Objectives or Intended Outcomes

Council is seeking a range of minor boundary adjustments to the Mater Dei release area.. These changes are as follows:

1. Minor adjustments to the LEP boundaries for the residential precincts, currently zoned E4 Environmental Living, this will also require minor adjustments to the E2 zoned area;
2. Minor adjustment to the LEP boundary for the precinct currently zoned R2 Low Density Residential. This will also require minor adjustments to the E2 zoned area;

Part 2 – Explanation of provisions

The objectives of this Planning Proposal are to be achieved by amending selected Camden LEP 2010 maps. The following maps will require amendment under this proposal and should be in accordance with the new boundaries **shown in Figure 2** at the end of this Planning Proposal:

1. Zoning Maps

ORD08

Amendment No. – Mater Dei Boundary Anomalies

-
- Sheet LZN_007
 - Sheet LZN_008
2. Height of Building Maps
 - Sheet HOB_007
 - Sheet HOB_008
 3. Minimum Lot Size Maps
 - Sheet LSZ_007
 - Sheet LSZ_008

The specific amendments are outlined below:

E4 Residential Precincts

Due to further ground truthing of the E4 Residential precincts on the Mater Dei site minor boundary adjustments are sought to align the boundaries more correctly. This will include small areas of E2 Environmental Conservation land rezoned to E4, and small areas of E4 rezoned to E2. This planning proposal seeks to amend the land zoning, lot size and height maps applying to these precincts in the Camden LEP 2010. **Figure 2** shows the area proposed to be rezoned to E4 for these precincts in red and area proposed to become E2 in blue.

R2 Seniors Living Precinct

Also due to further ground truthing and detailed planning of the R2 Seniors Living precinct on the site minor boundary adjustments are sought for this precinct. These will align the boundary more correctly with the JRPP approved Seniors Living Subdivision. This will include small areas of E2 Environmental Conservation land rezoned to R2 and small areas of R2 rezoned to E2. This Planning Proposal seeks to amend the land zoning, lot size and height maps applying to these precincts in the Camden LEP 2010. **Figure 2** shows the area proposed to be rezoned to R2 in purple, and area proposed to be rezoned to E2 in blue.

The E2 zoned areas that are proposed to be zoned E4 and R2 have been assessed as having little conservation value. A letter from an ecological specialist (the company that prepared the adopted Conservation Management Plan for this area) attesting to the minimal conservation value of these areas is **shown in Figure 2**.

Attachment 1

Amendment No. – Mater Dei Boundary Anomalies

Part 3 – Justification

Section A – Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not a result of any strategic study or report. The planning proposal seeks minor boundary adjustments of the land zoning map, height of buildings map and lot size map. These minor adjustments are a result of further ground truthing of the residential precincts, a boundary inadvertently changed and carried over to Camden LEP 2010, and an inclusion of a heritage item into the same zone as the other heritage items on the site.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the planning proposal provides the best way of achieving the intended outcome via a minor amendment to the land zoning map, height of buildings map and lot size map.

3. Is there a net community benefit?

Given the minor and administrative nature of the amendment to the land zoning map, height of buildings map and lot size map, it is not considered that a Net Community Benefit Test needs to be undertaken in this instance. However, given that the proposed amendments will refine Camden LEP 2010 and ensure that it is accurate and robust, it may be considered that there is a positive net community benefit gained by proceeding with this planning proposal.

Section B – Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with both the draft South Western Regional strategy and the Sydney Metro Strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2040.

6. Is the planning proposal consistent with applicable state environmental planning policies?

ORD08

Attachment 1

Amendment No. – Mater Dei Boundary Anomalies

The planning proposal is consistent with applicable state planning policies.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Ministerial Directions.

Section C – Environmental, social and economic impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal involves minor amendments to the boundaries between the E2 Environmental Conservation and E4 Environmental Living zones. These amendments are the result of detailed investigations which ground-truthed the location of the zone boundaries and informed the final subdivision layout. There is no likelihood of any adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no likely environmental effects as a result of this planning proposal.

10. How has the planning proposal adequately addressed any social and economic affects?

Not applicable.

Section D – State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

Not applicable.

12. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?

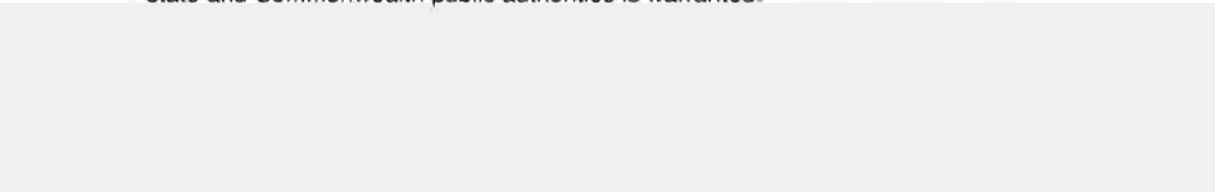
Given the minor nature of the issues listed in this planning proposal no state or Commonwealth public authorities have been consulted.

Amendment No. – Mater Dei Boundary Anomalies

Part 4 – Community Consultation

Background and Strategy

Given the minor nature of the proposed amendments to the maps for the Mater Dei release area, it is considered that no public exhibition period or consultation with state and Commonwealth public authorities is warranted.



ORD08

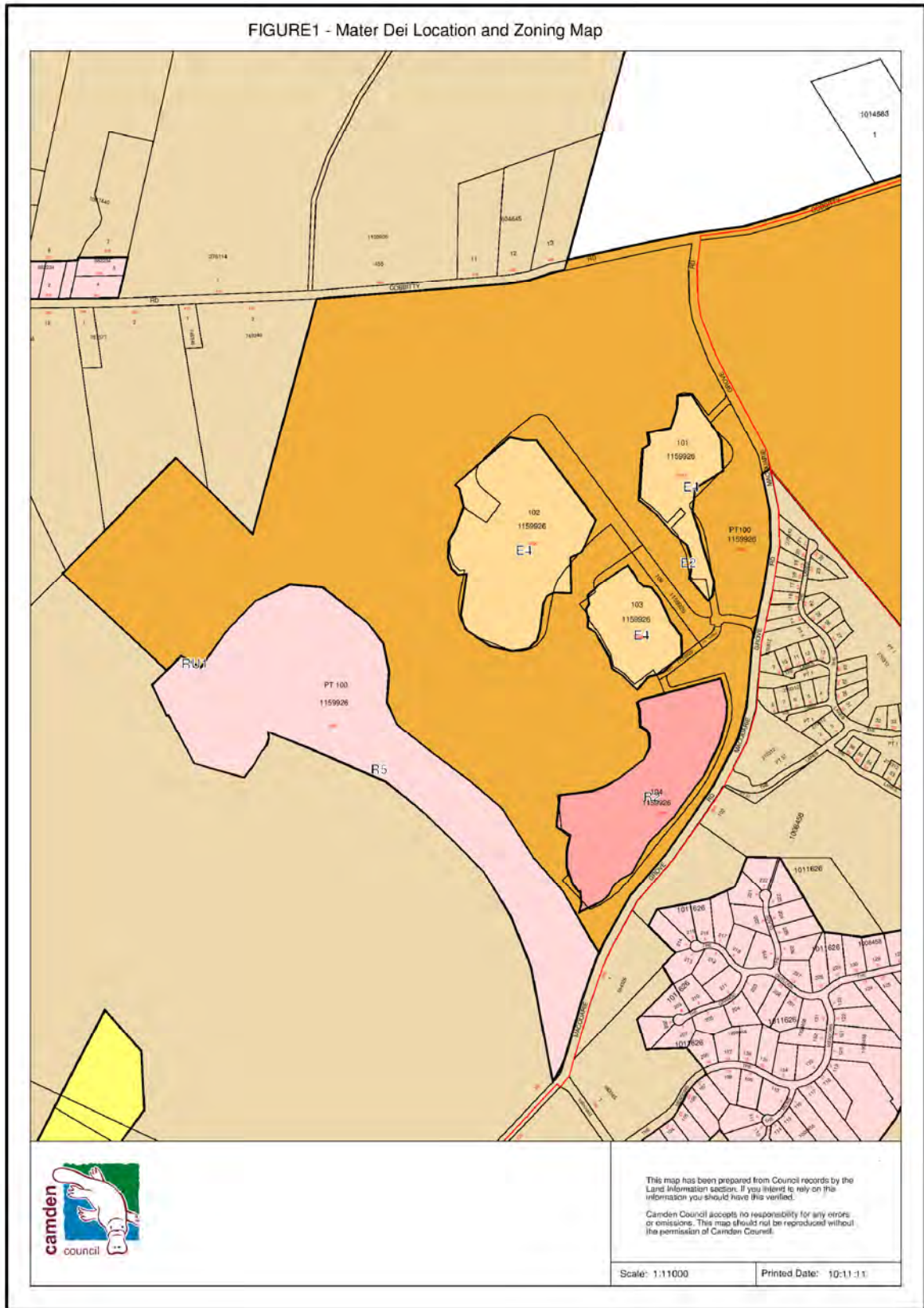
Attachment 1

Attachment 1 ORD08

Amendment No. – Matter Del Boundary Annotallies

Appendix A – Applicable section 117 directions

Direction	Objective	Response
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	The planning proposal includes minor adjustments to the zone boundary between the E2 Environmental Conservation and E4 Environmental Living zones. These amendments ensure these boundaries correspond with the actual location of environmentally sensitive areas on the site, as ground-truthed via the post-rezoning development process.
4.4 Planning for Bushfire Protection	<p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	The amendments to the zone boundaries are minor and do not impact upon the provision and maintenance of appropriate asset protection zones for future residential lots.
7.1 Implementation of the Metropolitan Strategy	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	The proposal is compatible with the Metropolitan Strategy in that it assists in the delivery of residential greenfield development.



ORD08

Attachment 1

Figure 2 - letter from ecology specialist

Your reference:
Our reference: 10SUTECO-0007



9 November 2011

ECO LOGICAL AUSTRALIA PTY LTD
ABN 87 096 512 088
www.ecoaus.com.au

Wivenhoe Camden Pty Ltd
Level 15, 2 Bulletin Pl
Sydney NSW 2000

Re: Wivenhoe LEP - mapping refinements

Eco Logical Australia is aware that a planning proposal has been prepared to facilitate the amendment of the maps for the zoning of the Mater Dei release area. ELA understands that the amendments are a result of macro level map boundaries, created during the rezoning process, being refined during the micro level subdivision layout preparation and this follows extensive ground-truthing and refinement during the development application process.

From the map provided (see attachment 1) it appears that the amendments to the zoning boundaries will have no implications for the intention and management of the Conservation Management Plan for Mater Dei. We note the application of R5 zoning over the heritage curtilage lands (shown in attachment 1), and your confirmation from Council that this is a result of the best fit transfer process, as the school use is not permitted in the environmental zones which would usually be applied to such heritage lands.

From the information provided the mapping amendments will see no adverse impacts on the conservation lands, as the changes reflect mapping refinement through further ground truthing.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Julie Holden".

Julie Holden
Manager – NSW South Coast

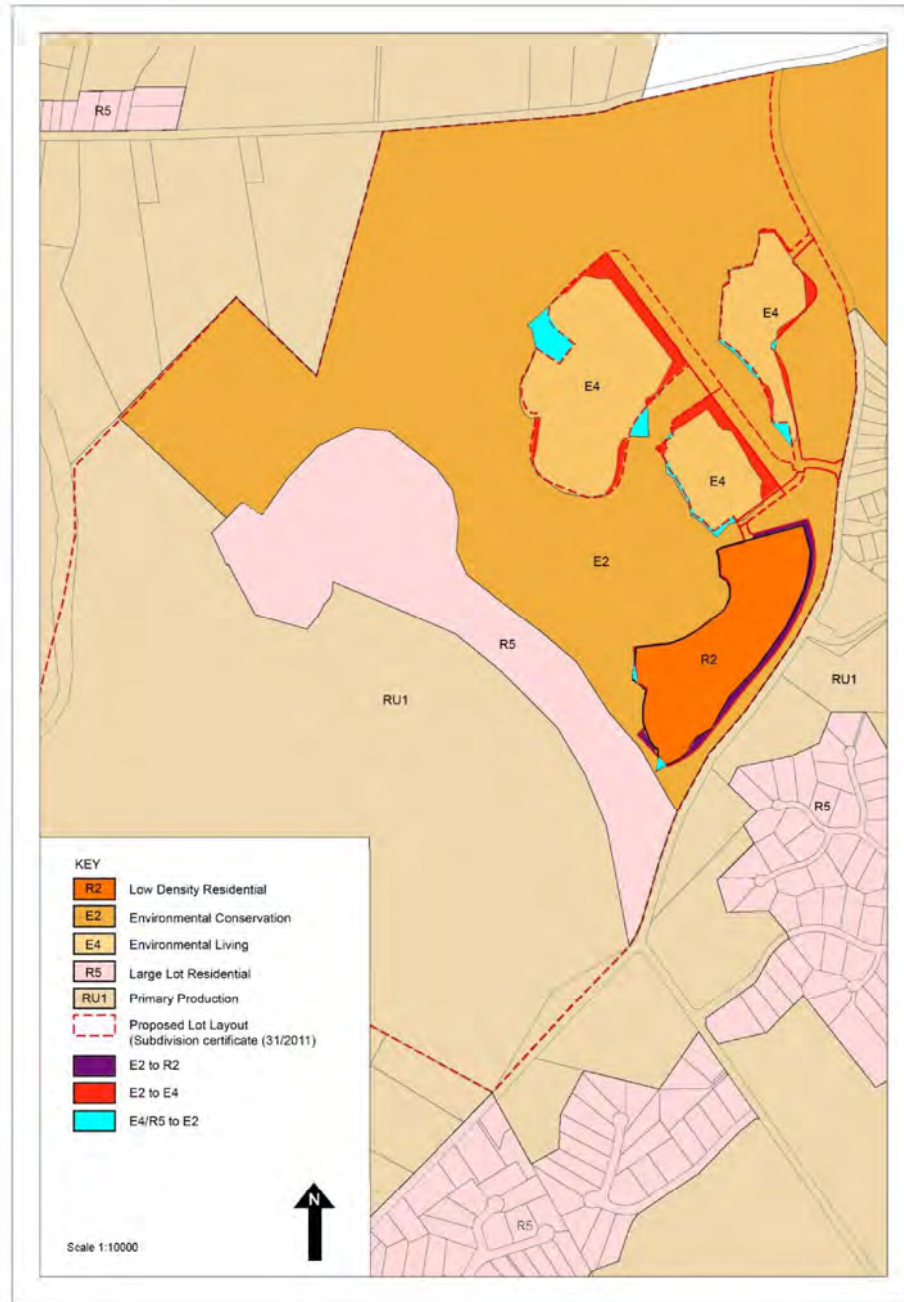
Attachments:

1. LEP Map (Taylor Brammer)

8/128 ISLAND POINT ROAD ST GEORGES BASIN NSW 2540 | PO BOX 106 ST GEORGES BASIN NSW 2540 T | 02 4443 5555 F | 02 4443 6655

ARMIDALE | CANBERRA | COFFS HARBOUR | GOSFORD | MUDGEE | NAROOMA | NEWCASTLE | PERTH
ST GEORGES BASIN | SUTHERLAND | SYDNEY | WOLLONGONG

ECO LOGICAL AUSTRALIA PTY LTD



ORD08

Attachment 1



ORD09

ORDINARY COUNCIL

ORD09

SUBJECT: AMENDMENTS TO COUNCIL'S DELIVERY PROGRAM
FROM: Director Governance
BINDER: Integrated Planning and Reporting

PURPOSE OF REPORT

To seek Council's approval to amend the Success Indicators in the four year Delivery Program.

BACKGROUND

Council adopted its four year Delivery Program on 14 June 2011, as part of its Integrated Planning and Reporting requirements under the Local Government Act.

In preparing for the first report on the Delivery Program following December 2011, a number of amendments are proposed to the Success Indicators in order to ensure that these can be effectively and reliably measured.

The Integrated Planning and Reporting requirements state that any proposed amendment to the Delivery Program be reported to Council. Amendments of a significant nature require the Delivery Program to be re-exhibited, however based on advice from the Division of Local Government, amendments to indicators are not considered significant.

MAIN REPORT

The Integrated Planning and Reporting (IP&R) amendments to the Local Government Act came into effect in October 2009. All NSW councils were required to nominate into a group for compliance with the legislative amendment, being June 2010, June 2011 or June 2012. Camden Council elected to join Group 2 for compliance, and adopted the necessary elements of the IP&R requirements in June 2011.

These elements included Council's Community Strategic Plan, Camden 2040 (adopted 14 December 2010), its four year Delivery Program and Resourcing Strategy (comprising a Long Term Financial Plan, Workforce Plan and Asset Management Strategy and Plans), adopted 14 June 2011.

Council is further required to report progress on its Delivery Program each six months, with the first report due following December 2011, and prepare an annual report within five months of the end of the financial year.

The amendments to the Local Government Act relating to the Delivery Program require a method of assessment "to determine the effectiveness of each principal activity in the Delivery Program in achieving the objectives at which the activity is directed."

Council's Delivery Program contains a set of Success Indicators within each Local Service in order to measure and track Council's progress in delivering the objectives it has set within its services. These are linked to the community's vision and priorities as contained within Camden 2040.

This was Council's first attempt at preparing a comprehensive set of measurable and quantifiable indicators for assessing the outcomes of all of its activities. In preparing them for first assessment and reporting post-December 2011, a number of amendments are proposed in order to ensure that all the indicators can be effectively and reliably measured.

The list of proposed amendments, some of which are deletions, is provided in **Attachment 1 to this report**, along with an explanation for each one.

Council's Success Indicators will continue to be refined over time where new information becomes available, corporate systems are upgraded or replaced that enable reliable performance data, or where new ideas for effective indicators and measures are developed.

The amended Delivery Program will contain a note regarding the date and reasons for the amendment, and will continue to be available to the community on Council's website.

CONCLUSION

Council's Delivery Program Success Indicators have been reviewed in preparation for first measurement and reporting post December 2011. A number of amendments are proposed to ensure that all the indicators can be effectively and reliably measured.

RECOMMENDED

That Council:

Approve the proposed amendments to the Delivery Program Success Indicators.

ATTACHMENTS

1. Proposed Amendments to Delivery Program Success Indicators

Attachment 1

ORD09

Key Direction	Local Service	Existing Indicator	Proposed Indicator	Reason for Proposed Amendment
Actively Managing Camden's Growth	Urban and Rural Planning	Legal challenges are minimised	Delete	This indicator is open to too many variables and is not an effective measure of Council's performance
Health Urban and Natural Environments	Regulating the Use of Public Areas	The number of complaints/ 1000 population remains the same or decreases	Delete	The current Customer Request Management system is unable to provide data to accurately measure this indicator. Following upgrade of the system in 2012 this indicator should be reinstated.
Health Urban and Natural Environments	Regulating the Use of Public Areas	Nil	Companion animals are appropriately identified	Additional indicator to cover companion animals
Health Urban and Natural Environments	Public Health	Number of non-complying premises are decreasing	Number of non-complying premises are decreasing (food and skin penetration)	Clarification - measuring only food shops and skin penetration as this is possible to measure based on improvement notices issued
Health Urban and Natural Environments	Public Health	Nil	Onsite sewage management systems are operating satisfactorily	Additional indicator to cover onsite sewage management systems
Health Urban and Natural Environments	Protection of the Natural Environment	Percentage of natural areas under active management by Council increases	More natural areas are under active management by Council	Slight change in wording for ease of measurement. Will be measured by number of hectares under active Council management.
Health Urban and Natural Environments	Protection of the Natural Environment	Development Assessment of environmental activities are completed within agreed timeframes	Delete	Removed, this is an operational indicator and does not provide meaningful reporting at DP level. Development Assessment timeframes are address in "Development Control"
Health Urban and Natural Environments	Protection of the Natural Environment	Appeals to the Land and Environment Court are minimal	Delete	This indicator is open to too many variables and is not an effective measure of Council's performance
Health Urban and Natural Environments	Parks and Playgrounds	The number of parks and playgrounds per 1000 children will remain about the same	Children have places to play	Changed wording of the indicator to make it an indicator not a measure. Will be measured by number of parks per 1000 children
Health Urban and Natural Environments	Parks and Playgrounds	Playground Strategy is adopted and implemented	Delete	Removed, this is an output indicator which does not provide meaningful information regarding impact of Council's service behaviour
Health Urban and Natural Environments	Environmental Activities	Percentage of waste removed from landfill increases	The community is generating less waste	Indicator amended to provide better picture of community behaviour
Health Urban and Natural Environments	Environmental Activities	Council's energy action plan targets are achieved	Council utilises natural resources efficiently	Change in wording, not in meaning of indicator. This will be measured by Council's water and energy consumption
Health Urban and Natural Environments	Environmental Activities	Nil	The community is becoming more educated about sustainability	Addition - provides information about community behaviour
Health Urban and Natural Environments	Enforcement of Legislation and Policies	Repeat complaints are reducing	Delete	The current Customer Request Management system is unable to provide data to accurately measure this indicator. Following upgrade of the system in 2012 this indicator should be reinstated.
Health Urban and Natural Environments	Enforcement of Legislation and Policies	Investigation times are decreasing	Delete	The current Customer Request Management system is unable to provide data to accurately measure this indicator. Following upgrade of the system in 2012 this indicator should be reinstated.
Health Urban and Natural Environments	Appearance of Public Areas	Customer requests	Delete	The current Customer Request Management system is unable to provide data to accurately measure this indicator. Following upgrade of the system in 2012 this indicator should be reinstated.

A Prosperous Economy	Economic Development	Retail occupancy is high	Delete	Cannot currently be measured. Following employment of an Economic Development Officer in 2012/13, this indicator should be reinstated.
A Prosperous Economy	Management of Significant Places	Camden residents feel they have the best of both worlds (by significant place location)	Delete	Not possible to reliably measure at this point
Effective and Sustainable Transport	Transport Options	Identified projects are completed as planned	Identified projects are completed as planned	Change to wording of indicator to remove "to meet demand" and to add "as planned". Meet demand cannot currently be measured, however the on time completion can be
Effective and Sustainable Transport	Local Traffic Management	Approved projects are implanted on time	Approved projects are completed as planned	Minor wording change to be consistent with indicator above regarding completion of projects
Effective and Sustainable Transport	Local Traffic Management	The amount of funding from successful grant applications increases in proportion to our growth	Delete	Delete - achieving grant funding can be affected by a range of external factors and therefore this is not a good measure of performance
Effective and Sustainable Transport	Construction and Maintenance of Local Roads, Footpaths and Kerbs	Projects are completed (or substantially completed) as planned	Approved projects are completed as planned	Change to wording to be consistent with other indicators regarding completion of projects.
An Enriched and Connected Community	Recreation Services and Facilities	Our community is healthier	Delete	Whilst some aspects of community health are measured for Council's sustainability indicators, proving nexus between the provision of recreation services and health of community is not possible
An Enriched and Connected Community	Community and Cultural Development and Planning	The level of participation in cultural events will increase	More opportunities for participation in community cultural events are provided	Changed to reflect the importance of the number of opportunities provided to the community, rather than number of people attending events
An Enriched and Connected Community	Community and Cultural Development and Planning	More partnerships within the community will be developed	Delete	This indicator is not possible to measure at this time.
An Enriched and Connected Community	Community and Cultural Development and Planning	Nil	The number of programs implemented for Target Groups grows	Moved from Local Service "Community Support Facilities and Services" as this more appropriately belongs in this Local Service
An Enriched and Connected Community	Community Support Facilities and Services	The number of programs implemented for Target Sectors grows	Delete	This indicator moved to Local Service Community and Cultural Development and Planning
An Enriched and Connected Community	Community Safety	Crime rates per 1000 population stay about the same or decrease	Delete	Indicator removed - not possible to measure nexus between Council's small role in community safety and reduction in crime. This indicator is measured in the sustainability indicators
An Enriched and Connected Community	Community Safety	Nil	Camden residents feel safe in their local neighbourhoods	Replaces indicator about crime rates - Council has a greater role in building community pride and confidence so this would be a better indicator to measure Council's success.
An Enriched and Connected Community	Community Events	The number of people attending events increases	The community attends Council events	Slight amendment to indicator to measure Camden resident attendance, as measured by phone survey, rather than rely on less accurate means of head counts
An Enriched and Connected Community	Library Services	A high proportion of residents are library members	Library membership continues to grow	Amendment to indicator to remove the high proportion reference rather than trying to decide what is the ideal proportion of residents as library members

An Enriched and Connected Community	Library Services	Two indicators - "more people use our library facilities" and "more people attend library programs"	More people use our library facilities and programs	Combining two indicators
Strong Local Leadership	Strong Local Democracy	Nil	Council's policies are current	Additional indicator to measure currency of policies
Strong Local Leadership	Strong Local Democracy	Nil	Community is satisfied that their say is taken into consideration	Additional indicator to measure responsiveness to local community
Strong Local Leadership	Stewardship of Community Resources	Nil	Council reports its performance to the community	Additional indicator to measure reporting of Council's performance to the community
Strong Local Leadership	Community Engagement	More residents participating in Council's community engagement will feel engaged in the decision-making process	Residents participating in Council's consultation and engagement processes will feel satisfied that they were engaged in the process	Slight change to wording to be clearer
Strong Local Leadership	Community Engagement	More diverse sections of the community are engaged	Council engages with a demographic diversity of residents that is consistent with the community's demographic composition	Slight change to wording to be clearer
Strong Local Leadership	Management of Community Events	The Disaster Plan is reviewed, adopted and endorsed	The Disaster Plan remains current	Slight change to wording to be clearer
Strong Local Leadership	Management of Community Events	Regular emergency management exercises are completed satisfactorily	Local emergency management committee is familiar with facility and latest procedures	Slight change to wording to make the indicator an "outcome" rather than an "output"
Strong Local Leadership	Support Services	Financial Health Check indicators are trending positively	Council's finances are healthy	Slight change to wording of indicator to change it from a measure, which will then be measured by Financial Health Check indicators

ORD09

Attachment 1



ORDINARY COUNCIL

ORD10

ORD10

SUBJECT: REVIEW OF MODEL CODE OF CONDUCT - SUBMISSION ON DLG POSITION PAPER

FROM: Director Governance

BINDER: Code of Conduct

PURPOSE OF REPORT

To present Council with an update on the progress of the Model Code of Conduct Review being undertaken by the Division of Local Government (DLG) and to lodge a submission to the DLG supporting the general direction of the review.

BACKGROUND

The original version of the Model Code of Conduct (the Model Code) commenced operation on 1 January 2005. A revised version of the Model Code subsequently came into force on 27 June 2008 and operates to this day. Council's Code of Conduct Policy is predicated on the Model Code and was last adopted by Council on 13 July 2010.

The DLG sees the Model Code as an evolving document. While the framework for managing complaints about Council officials has vastly improved over the six years the Model Code has been in operation, the DLG agrees that there remains scope for further refinement and improvement.

The latest review commenced early 2011. A discussion paper was published outlining issues raised about the operation of the current version of the Model Code. The discussion sought views about other areas where the Model Code required improvement and asked for suggestions on how best to make those improvements.

A total of 122 submissions were received (including one from Camden Council) in response to the discussion paper from a range of sources. Based on these submissions, a reform proposal has been prepared with respect to the Model Code and the misbehaviour provisions of the *Local Government Act, 1993*. The DLG now seeks the views in relation to the reform proposal.

The DLG is currently only seeking views on the general direction of the proposed changes. Once the broad direction of the proposed changes has been determined, the DLG will be seeking further views on the technical detail that will underpin and give effect to the proposed changes. To this end, the DLG will issue a draft of the revised Model Code and associated procedures, and any ancillary proposals for the purposes of seeking comment on the technical detail of the proposed changes. At this stage, the DLG has not indicated when this likely to occur.

A copy of the position paper has previously been distributed to Councillors, seeking comments on the paper. Comments submitted to date have been incorporated into council's submission. A copy of the position paper has also been sent to council's conduct review panel for comments. No comments have been received to date.

The DLG requests that submissions be received by Monday, 5 December 2011.

A copy of Council's submission is attached at the end of this report.

A copy of the 'Code of Conduct Review – Position Paper' is provided in Supporting Documents.

MAIN REPORT

In preparing a reform proposal, the DLG has taken into consideration the following needs identified in the submissions it received in relation to the discussion paper:

- for Councils to be ultimately responsible for the management of complaints about the conduct of their officials.
- to put in place a framework for managing such complaints that is rigorous, cost-effective and promotes public confidence.
- to ensure that only those matters that warrant investigation are investigated and that alternative resolution strategies are available for those matters that do not warrant investigation.
- for all Councils, regardless of their size and location, to be able to access a pool of independent and suitably qualified persons to undertake investigations where they are warranted.
- to provide greater clarity and certainty in relation to the procedural requirements of the Code at the same time as allowing flexibility.
- to ensure the Code has more “teeth”.
- to ensure that rights are adequately protected and that appropriate checks and balances are in place.
- to put in place adequate protections and disincentives to prevent the misuse of the Code.
- to minimise the exposure of Councils to costly appeal processes in the Courts.
- to remove the current obstacles to the more effective exercise of the DLG's powers under the misbehaviour provisions of the Act and to provide it with more options for managing misbehaviour.
- to make the penalties that may be applied by the Chief Executive of the DLG and the Pecuniary Interest and Disciplinary Tribunal in relation to misbehaviour more effective in deterring and managing such conduct.

Based on the above considerations, the DLG propose the following:

1. Make a number of amendments to the standards of conduct prescribed under the Code.

These include changes to the political donations provisions, provisions relating to the management of a loss of quorum, prohibition of binding caucus votes, expansion on the scope of the provision relating to use of Council property or facilities for re-election purposes, provisions relating to lobbying, relationships between Council officials, gifts and benefits, and the application of the Code of Conduct to contractors.

2. Create a regional framework for the administration of complaints.

This includes the management of the performance of the conduct reviewers, the appointment of complaints coordinators and the appointment of complaints assessors.

3. Prescribe the procedural requirements of the Code more clearly.

This includes the separation of procedural requirements from the Model Code, how complaints are to be made, the preliminary assessment by the complaints assessor, referral of matters to a conduct reviewer, the conduct reviewer's preliminary assessment of a matter, investigations by conduct reviewers, referral or resolution of a matter after the commencement of an investigation, conduct reviewers' reports, consideration of conduct reviewers' reports by Council, reporting of complaints statistics, and provisions to excuse procedural defects.

4. Include provisions designed to protect the integrity of the Code which will be administered directly by the Division.

This includes the role of the DLG (becoming more active), rights of review, practice rulings and practice directions, disclosure of the identity of complainants (in certain circumstances), and provisions to prevent the misuse of the Model Code.

5. Seek amendments to the misbehaviour provisions of the Act to allow the Division more flexibility to exercise its powers under those provisions, and to expand and enhance the sanctions available to it and the Pecuniary Interest and Disciplinary Tribunal with respect to misbehaviour.

This includes disciplinary action by the Director General, disciplinary action by the Tribunal, and investigative powers of the DLG.

Council's Submission

Broadly speaking, the submission to the DLG outlines Council's support for the changes proposed, acknowledging they will go some way towards addressing the concerns raised by various stakeholders. However, the submission also outlines areas where it is believed the DLG need to go further, where clarification or additional information is sought, and areas where proposed changes may cause some unintended consequences. These are discussed in summary below.

a. The proposed structure by which complaints are to be managed appears to overcome some of the concerns raised in the past, however it may impose an additional administrative burden on Councils. The creation of a Regional Panel Coordinator and a Complaints Coordinator are added impositions on Councils that have not existed in the past.

b. The move to a Regional Panel of sole reviewers is welcomed, however Councils may find themselves in a situation where the sole reviewer is unavailable (for whatever reason) to oversee the complaint for the entire period it takes to investigate the matter. The current system of a Conduct Review Panel (comprising a team of reviewers) is unlikely to be confronted with such an issue.

c. Increasing the pool of potential reviewers is welcomed however there are some concerns surrounding the proposed eligibility of contractors. A monetary contract threshold of \$150,000 over the past two years is considered too high and unnecessarily introduces an arbitrary amount without a plausible argument.

d. The proposed changes enable the subject Councillor to make an oral presentation at the Council Meeting prior to leaving the Chamber and not voting on the matter. This appears inequitable given the complainant (which could be a Councillor) is not afforded a similar luxury.

e. Whilst it is acknowledged the DLG will be playing a more proactive role in complaints, ongoing industry education is critical to the success of the proposed changes. It is hoped that in addition to practice rulings and directions, the DLG will be conducting regular workshops for the benefit of regional panel reviewers, complaints assessors and Councillors alike.

CONCLUSION

The DLG has undertaken an extensive review of the current Model Code and appears to have addressed the primary concerns raised by stakeholders. The vast majority of proposed changes are plausible and will go some towards improving the current version of the Model Code.

Council's submission broadly supports the general direction of the proposed changes with limited exceptions. Those exceptions have been outlined in this report and will be reflected in Council's submission to the DLG.

Once the DLG has reviewed all submissions, a revised Model Code (containing the technical detail) will be made available to all Councils. This will provide a further opportunity for Council to express its views on the matter.

RECOMMENDED

That Council endorse the merits of this report and the attached submission to the DLG on this matter.

ATTACHMENTS

1. Submission
2. Review of Model Code of Conduct - Submission Paper - *Supporting Document*



Camden Council
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PO Box 183, Camden 2570 ABN: 31 117 341 764
Telephone: 02 4654 7777 Fax: 02 4654 7829
Email: mail@camden.nsw.gov.au

23 November 2011

Mr Ross Woodward
CEO Division of Local Government
Department of Premier and Cabinet
Locked Bag 3015
NOWRA NSW 2541

Review of the Model Code of Conduct – Position Paper

Dear Ross,

At the meeting of 22 November 2011, Camden Council resolved to forward a submission to the DLG regarding the proposed changes to the Model Code. Please consider this letter as Council's formal submission.

Broadly speaking, Council supports the general direction of the proposed changes and acknowledges it will go some towards improving the existing Model Code. There are, however, some aspects of the proposed changes that require further consideration. These are detailed below:

1. The proposed structure by which complaints are to be managed appears to overcome some of the concerns raised in the past, however it may impose an additional administrative burden on Councils. The creation of a regional panel coordinator and a complaints coordinator are added impositions on Councils that have not existed in the past.
2. The move to a regional panel of sole reviewers is welcomed however Councils may find themselves in a situation where the sole reviewer is unavailable (for whatever reason) to oversee the complaint for the entire period it takes to investigate the matter. The current system of a conduct review panel (comprising a team of reviewers) is unlikely to be confronted with such an issue.
3. Increasing the pool of potential reviewers is welcomed however there are some concerns surrounding the proposed eligibility of contractors. A monetary contract threshold of \$150,000 over the past 2 years is considered too high and unnecessarily introduces an arbitrary amount without a plausible argument.
4. The proposed changes enable the subject Councillor to make an oral presentation at the council meeting prior to leaving the chamber and not voting on the matter. This appears inequitable given the complainant (which could be a Councillor) is not afforded a similar luxury.
5. Whilst it is acknowledged the DLG will be playing a more proactive role in complaints, ongoing industry education is critical to the success of the proposed changes. It is hoped that in addition to practice rulings and directions, the DLG will be conducting regular workshops for the benefit of regional panel reviewers, complaints assessors and Councillors alike.

2/....

www.camden.nsw.gov.au

ORD10

Attachment 1



- 2 -

Notwithstanding the issues raised above, Council is supportive of the general direction of the proposed changes and looks forward to the opportunity to provide further feedback once the technical detail is available to review.

Yours Sincerely,

Greg Wright
General Manager

www.camden.nsw.gov.au



ORDINARY COUNCIL

ORD11

ORD11

SUBJECT: 2012 LOCAL GOVERNMENT ELECTIONS
FROM: Director Governance
BINDER: Local Government Elections

PURPOSE OF REPORT

To advise Council of recent amendments to the *Local Government Act, 1993* (the Act) relating to the conduct and administration of Council Elections and to obtain a Council resolution relating to the conduct of the 2012 Election.

BACKGROUND

In June, 2011, the State Government passed the *Local Government (Amendment) Elections Act, 2011* which resulted in changes to Section 296 of the Act to provide that Council elections, in future, be administered by the General Manager of the Council concerned. However, in relation to the 2012 Election, Councils may choose to use the services of the NSW Electoral Commission (NSWEC) provided that a decision is made by 30 November 2011 (and within 12 months after the 2012 Elections for the 2016 Elections and so on).

Prior to the 2008 Local Government Elections, Councils were responsible for running elections with the assistance of the NSWEC. Under this arrangement, Councils were able to minimise costs, while still providing an accountable and transparent election process.

The 1999 Elections were conducted at a cost of \$75,657 and the 2004 Election at a cost of \$111,949 (ex GST). In 2008, the NSWEC informed all Councils that the elections would be run on a full cost recovery basis and Councils would be invoiced accordingly. The 2008 Election cost was \$211,000 (ex GST).

These significant increases in costs were considered to be unacceptable by many Councils, including Camden, with the Minister being lobbied and strong objections raised. The LGSA also made strong representations to the Government. Following these representations, the Premier of the day referred the conduct of the 2008 Elections to the Joint Standing Committee on Electoral Matters. A report was published in June, 2010 making 16 key recommendations.

It is in this context that the amendments to the *Local Government Act* have been made and it appears the State Government has sought to allow a degree of flexibility at the next election by enabling Councils to choose how the election will be conducted. The alternatives are:

1. elect to use the services of the NSWEC, or
2. tender out the administration and conduct of the election to a private company (the tendering provisions of the Act apply), or
3. conduct the election in-house.

MAIN REPORT

Following the announcement of the amendments, representatives of the NSWEC met with Council staff to provide information as to the level of assistance to be provided to Council in the case of any of the options being chosen.

The Division of Local Government (DLG) issued a set of Guidelines in September 2011 to provide an understanding on the level of service and accountability that will be required should Council decide to conduct its own election. A copy of those Guidelines is available by contacting the General Manager.

From these meetings and publications, not only is it clear that no assistance will be given to Councils who choose not to have the NSWEC run their elections but also, the DLG have outlined the onerous set of obligations contained in the Act and Regulations placed on the General Manager in assuming the same responsibilities as the NSWEC in the conduct of the election.

A major concern with this election schedule now facing Council is the extremely short time frame in which to make a balanced and informed decision. If Council was to consider engaging a third party provider, an extensive tender document would need to be prepared and to fully comply with Section 55 of the Act, including a 21 day advertising period, with a decision by 30 November 2011. Clearly, this has not been possible. It should be noted that the NSWEC is exempted from the tender regulations.

Issues to be considered

In arriving at a decision on the best course of action in this matter, the following issues need to be considered:

- Lack of viable third party providers – Following the changes to the Act, the option is now available for Council to engage a private company to conduct the election on Council's behalf under the supervision of the General Manager. This could occur by tendering out the complete process.

Camden Council (like many other Councils throughout NSW) has been approached by a Queensland based company which has indicated it has the necessary experience and expertise to conduct the election. During discussions and consultation with other Councils, LGSA and NSWEC, this is the only alternative company to have shown any interest or capacity to complete the task.

In discussions with the company, it has been advised it has a limited capacity to engage only 15 Councils. Should Camden Council not be among these, no other viable alternative other than in-house would be available.

Since the introduction of the Legislation, it has also become apparent that the lack of suitably qualified Returning Officers would also hinder Council's preparation for the election. The General Manager is required to appoint an independent Returning Officer in accordance with the Guidelines should Council conduct the election in-house.

- Loss of skills and expertise – The conduct of elections requires a high level of specialised expertise to address administrative issues such as compliance with Election Legislation, election forms and manuals, ballot papers, nomination and candidates, election material, electoral rolls, polling place staff, communication and information, polling places, proportional representation counts and post election matters.

Since the 1999 Election, the expertise required to run elections has been lost generally within the Local Government sector and particularly at Camden Council with staff turnover during this period.

In addition, the electoral population in the Camden LGA has grown considerably over the period of the past several elections, with 24,100 electors in 1999 compared with 32,000 in 2008 and an estimated 36,600 in 2012. This growth will place more demands on the Returning Officer and electoral staff in terms of the overall scope of the electoral process coupled with the loss of expertise.

- Availability of dedicated vote counting software – A major consideration is the matter of counting of the votes. Councils do not have the dedicated software required. In 2000 “above the line” voting was introduced to allow the voter to determine preferences by showing one or more preferences for groups or parties in the Group Voting squares above the line.

The DLG has indicated in the Guidelines that this change has meant specifically designed software is required to count and distribute preferences. The more preferences “above the line”, the more complex and time consuming the counts become. Such counts cannot be reliably conducted without appropriate software, which also rules out a manual count of the votes.

The NSWEC has also advised its counting software is customised specifically to complement its own business processes, procedures and IT systems and is not transferable to differing operating environments of individual Councils.

Therefore, this software would not be available to outside parties and any Council conducting its own election, either in-house or by third party, would need to have appropriately certified software capable of meeting legislative requirements. This is considered most unreasonable given each council contributed to the full cost of the counting software in the first place.

- Liability of the General Manager – If Council chooses to conduct the election, either in-house or by outsourcing to a private company, in both instances, the DLG and NSWEC make it clear that the General Manager is fully responsible for the administration and conduct of the election and is required to be aware of all relevant legislative provisions and to ensure mechanisms and strategies are in place to guarantee full compliance with the Act and Election Regulation.

Failure to do so could call into question the validity of the election. Coupled with these obligations, following the election, there is also a possibility of issues arising from procedural matter or a challenge to the result with an inherent risk of legal challenges and subsequent potential additional costs to Council.

- Financial implications – As stated earlier in the report, the great concern for Council is the overall cost associated with the administration of the elections. The cost of the 2008 Election was \$211,000 (ex GST) and the NSWEC has indicated Councils will be invoiced on a cost recovery basis for the actual cost of the operation of the 2012 Election. The NSWEC have stated Councils should consider four mark ups to the 2008 charge in determining approximate 2012 costs:

1. Wage costs increasing in the public sector of four years;
2. Other operational costs increasing by four years CPI;
3. Number of electors increasing; and
4. Some economy of scale loss may result due to a reduced number of Councils electing to use the NSWEC.

Based on the costs of the 2008 Election and incorporating these nominated increases, it is estimated the cost of the 2012 Election would be in the vicinity of \$287,000 if provided by the NSWEC. It is pointed out the amount is within the adopted budget estimate contained in the 2012/13 financial year (\$299,200).

Enquiries were also made with the private Queensland company which has offered its services to conduct the election. The company has indicated that such costs for a Council the size of Camden were likely to be the same as the NSWEC for a small to medium sized Council as these Councils have similar fixed costs.

While the private Queensland company has provided an indicative quotation only, it is noted certain pricing elements quoted are subject to variation, such as pay rates, superannuation payments and final elector numbers. Further, it is stated other pricing variables outside the control of the company will be invoiced separately at cost.

The NSWEC estimate and the quote from the private Queensland company are considered comparable.

With respect to the NSWEC, there is also an opportunity to further reduce costs, given Wollondilly Shire Council has recently resolved to engage the NSWEC and has written to Council requesting discussions regarding resource sharing and in particular, a joint Returning Officer, should Camden Council also engage the NSWEC.

- Diversion of resources within Council – In the lead up to the election date, a number of Divisions and Branches within Council will have a role to play in the preparation for the election. These include:
 - General Manager – responsible for conduct of election;
 - Corporate Services – Finance – financial management of the election and post reporting;
 - Human Resources – payroll and insurance;
 - Governance – assisting the General Manager and/or Returning Officer in all aspects;
 - Works – delivery and transport of items such as Polling screen, ballot boxes and pick up following election;
 - Public Relations – media releases and statutory advertising;

- Customer Service – assistance to community with enquiries.

This level of involvement will divert staff from normal operational duties and may impact on the ability to achieve designated organisational outcomes as contained in the Delivery Program.

CONCLUSION

The amendments to the *Local Government Act* have placed the responsibility for the election process with the General Manager. The 30 November 2011 deadline has placed additional pressure on Council to make the decision as whether to outsource the process, conduct the election in-house, or appoint the NSWEC.

The short timeframe has restricted the amount of information able to be collected and coupled with the difficulties involved in undertaking a proper tender process by the deadline date, could be considered unreasonable.

Council has to be assured a legally defensible process is in place relating to the conduct of the 2012 Elections in order to safeguard community expectations and the integrity of Council.

Under the Act and the Guidelines issued by the DLG, unless the NSWEC is appointed, the General Manager is responsible for all matters relating to the election. Given these responsibilities, the unavailability of a suitable pool of Returning Officers and lack of certified vote counting software, it can be reasonably deduced that there may be an increase in the risk of liability to Council should any issues arise that may lead to an investigation or a challenge to the election result.

The diversion of resources across the organisation will also impact significantly on Council operations throughout the year with all Divisions being affected to differing degrees, which will increase closer to the election date.

On balance, given the costs for the election from the NSWEC and the third party company are estimated to be very similar and when all issues are taken into account, the alternative of accepting the services of the NSWEC is considered the best option for Council and the community.

The NSWEC will provide Council with certainty that the election will be conducted in an efficient, effective manner at arms length from Councillors, candidates and staff. It will also relieve Council from the pressures associated from liability issues and will indemnify Council against any claims. It will also serve to free up staff to continue with day to day operations throughout the election period. The indicative costs are also within the 2012/2013 budget estimates.

RECOMMENDED

That Council:

- as provided under Section 296 of the *Local Government Act, 1993* make arrangements with the New South Wales Electoral Commission to administer the 2012 Local Government Election; and**
- following the 2012 Local Government Election, a further report be prepared examining the conduct of the election by the New South Wales Electoral**



ORD11

Commission and a decision made in relation to the conduct of the 2016 Election, as required by the *Local Government Act*.



ORDINARY COUNCIL

ORD12

ORD12

SUBJECT: RECORDING OF COUNCIL MEETINGS
FROM: Director Governance
BINDER: Code of Meeting Practice

PURPOSE OF REPORT

To provide a report in response to a Notice of Motion adopted by Council in relation to the recording of Council meetings.

BACKGROUND

Council, at its meeting of 8 November 2011, resolved the following:

“In light of recent Councillor enquiries regarding the tape recording of Council meetings, we request that Council officers prepare a report to Council outlining what has happened, why it has happened, what (if any) legislation may have been breached and how this matter might be addressed moving forward”.

Council sought legal advice from Council’s Solicitor, Shaw, Reynolds, Bowen & Gerathy with the following instructions issued:

1. whether the tape recording of Council meetings results in a breach of any applicable legislation; and
2. whether the tape recording of Council meetings for administrative purposes is validated

Advice has been received from Council’s Solicitor and has been issued to all Councillors as privileged and confidential information. The matter has also been discussed at a Councillor briefing on 2 November 2011.

MAIN REPORT

It should be clearly stated that Council’s current Code of Meeting Practice stipulates (Section 6.2.5) that Council Meetings, including Extraordinary Meetings, are not tape recorded. The only exemption is recording of Public Addresses for administrative purposes. It should also be stated that it is regrettable that the practice of recording council meetings has been occurring without the knowledge of council. It was clearly an error on the part of officers not to inform council of the change in practice.

In response to the first two issues posed in the Notice of Motion, it is advised that Council has, for several years, recorded, along with the Public Address segment, relevant sections of a particular Council Meeting, when complex reports or issues are debated in order to capture the exact wording of motions or amendments, so as to avoid the prolongation of the meeting by staff calling for clarification of the wording and to enable the prompt and accurate compilation of the Minutes within an acceptable timeframe.

Since the purchase of digital recording technology in early 2009 and due to practicalities, Council staff have recorded entire Council Meetings for these same administrative purposes and for no other reason whatsoever.

In adopting this informal process, Council staff have been mindful of their obligations under the *Privacy and Personal Information Act, 1998* (PIPPA) and, as such, these recordings have not been made available to the public nor disclosed to any third party in any instances or for any other purpose. The recordings have been destroyed as soon as the original purpose is served and are kept for no longer than the last three meetings.

It is pointed out this practice evolved as a method of ensuring Council's compliance with the *Local Government Act* requirement to ensure "full and accurate Minutes are kept" and to streamline the functionality of Council Meetings.

In terms of "*what (if any) legislation may have been breached*", Council's Solicitor has provided detailed advice and concluded that the recording of Council meetings does not result in a breach of any applicable legislation, and as the recordings are used only for administrative purposes, are validated by various delegations and authorities granted to staff.

It is also highlighted, however, that the current practice of recording the proceedings of Council Meetings, is inconsistent with the current Code of Meeting Practice (Clause 6.2.5). However, Council's Solicitor also concluded, the recording of meetings is a legitimate and valid method of satisfying the obligation delegated to the General Manager by Council to ensure the full and accurate keeping of minutes of Council Meetings.

The legal advice also goes on to conclude that in circumstances where the Code is in conflict with the provisions of the Act and Regulations, it is necessary for the Code to be amended to remedy those inconsistencies as they relate to the recording of Council Meetings.

OPTIONS

In addressing the way forward in this matter and suggesting amendments, from an examination of the relevant legislation and guidance publications, it is clear Council has several options available.

Option 1

Council can resolve to adhere to the current Code with no amendment and clearly state proceedings of Council Meetings are not recorded other than the Public Address segment. The effect of this option may lead to occasions when clarification of wording of motions could interrupt the flow of meetings and disrupt what would otherwise be an effective meeting. It may also cause a delay in the publication of the Minutes within an acceptable timeframe.

Option 2

Council could amend the Code of Meeting Practice to permit the recording of entire Council Meetings, subject to certain privacy criteria, including non release to the public. The benefit of this option is that Council Meetings will continue to be smooth and efficient and not be interrupted for points of clarification. It will also allow for the continued timely publication of Minutes and distribution to Councillors and the community.

Option 3

Council can also resolve that Meetings be recorded, with the recordings being retained for three meetings and be made available under the relevant access to information legislation, subject to the applicable Information Protection Principles as outlined below and, to be transparent, also be published on Council's website.

This option would allow for the recording of proceedings and the efficient operation of Meetings, but also, making the proceedings readily available to the community via Council's website. This option, however, has some limitations at present in that the required technology to allow for audio files is not currently available from Council's website provider.

Council is at present in the process of reviewing its website requirements with a view to upgrading its current software to accommodate more interactive technology. Council will be in a position to further explore this option at a later time.

Option 4

Council could consider having a specialist minute taker prepare the minutes 'live' at the meeting, using current technology to assist Councillors, staff and the public gallery.

This option has some merit and has been adopted by many councils throughout NSW. Given Council does not have a dedicated council chamber, this option is logistically challenged. This option is also much more expensive than the other options presented. There may be an opportunity to reconsider this option when council builds its new central administration building.

Industry Practices

In researching this matter and to provide an industry perspective, Council staff conducted a random survey of Councils to obtain information as to the number of Councils who record meetings for administrative purposes. Of the 25 Councils who responded, a significant majority (68%) indicated they recorded meetings to various degrees varying from recording for administrative purposes to web casting meetings direct to the web and retaining all files for a period of time.

Privacy Principles

If Council were of a mind to adopt Option 2 or 3, Council should be mindful of the requirements of the relevant privacy principles as contained in the *Privacy and Personal Information Protection Act, 1998* (PIPPA). These principles relate to the collection, use of and disclosure of personal information contained in the recordings and ensuring the information collected is used for lawful purposes. Privacy NSW issued a User Manual in May, 2004 dealing with the "tape recording of Council Meetings."

The User Manual goes into considerable detail on Council's responsibility in terms of privacy issues in recording proceedings and concludes that if Council does decide to record meetings, an appropriate provision should be made in the Code of Meeting Practice to ensure that:

- "1. Recordings of meetings are only used for verifying the accuracy of minutes;*
- 2. Recording of meetings are not made available to the public or disclosed to any third party, except as allowed under Section 18(1)(c) or Section 19(1) of the PIPP Act or where Council is compelled to do so by Court Order, warrant or subpoena or by any other law.*

3. *Recordings of meetings are to be destroyed as soon as their original purpose is served or three months after their creation (whichever is the later) except where retention for a longer period is otherwise required or recommended under the State Records Act, 1998.*

4. *Appropriate signage is displayed in the public gallery or at the public entrance to Council Meetings and verbal statements made at the commencement of each meeting to notify the public of the matters required under IPP3 (Section 10(a)-(e) of the PPIP Act)."*

It should also be noted, the Division of Local Government have reiterated that a Council may amend its Code of Meeting Practice by preparing a new draft Code and must comply with the public consultation procedure set out in the Local Government Act (Sections 361 and 362). An amended Code will be required to be publicly exhibited for 28 days and allow a period of 42 days to receive submissions.

CONCLUSION

In light of the advice received from Council's Solicitor, it is evident the current practice of recording Council proceedings is inconsistent with the current adopted Code of Meeting Practice and that the Code should be amended.

The tape recording of Council Meetings has only ever been done for administrative purposes and copies of tape recordings have never been given to any third party. Notwithstanding this, it is most regrettable that the practice of recording council meetings has been occurring without the knowledge of council.

After considering the merits of the options presented in this report, it is felt Option 1 is not appropriate as it could lead to delays in meetings and in minute preparation, Option 3 is not technologically possible at present and Option 4 is logistically challenged and expensive (unfunded).

It is recommended that the most appropriate way forward is to adopt Option 2 as outlined above. This option is in line with the Privacy NSW recommendations, allows for the continued recording of Council Meetings for administrative purposes and for the recording to be destroyed after three meetings with no permanent record to be retained.

RECOMMENDED

That Council:

- i. amend the Code of Meeting Practice in accordance with Option 2, inserting a new Clause 6.2(5) as follows:**

"Council Meetings are recorded in accordance with the following principles:

- 1. Recordings of meetings are only used for verifying the accuracy of minutes;*

2. *Recording of meetings are not made available to the public or disclosed to any third party, except as allowed under Section 18(1)(c) or Section 19(1) of the PIPP Act or where Council is compelled to do so by Court Order, warrant or subpoena or by any other law.*

3. *Recordings of meetings are to be destroyed as soon as their original purpose is served or three months after their creation (whichever is the later) except where retention for a longer period is otherwise required or recommended under the State Records Act, 1998.*

4. *Appropriate signage is displayed in the public gallery or at the public entrance to Council Meetings and verbal statements made at the commencement of each meeting to notify the public of the matters required under IPP3 (Section 10(a)-(e) of the PPIP Act).*

and

ii. the amended Code of Meeting Practice be publicly exhibited for a period of 28 days in accordance with Section 361 of the *Local Government Act, 1993* with a further report to be submitted to Council to consider submissions received and final adoption.



ORD13

ORDINARY COUNCIL

ORD13

SUBJECT: SEPTEMBER REVIEW OF THE 2011/12 BUDGET
FROM: Director Governance
BINDER: 2011/12 Budget

PURPOSE OF REPORT

This report presents the September Quarterly Budget Review for the 2011/12 financial year in accordance with Part 9, Division 3, Clause 203 of the *Local Government (General) Regulation 2005*.

Its purpose is to inform Council of the necessary changes to the 2011/12 Budget since the adoption of the 2011/12 Delivery Program and Operational Plan, and to consider other changes put forward for determination.

QUARTERLY BUDGET REVIEW STATEMENT – REPORTING CHANGES

The Division of Local Government has recently introduced additional reporting requirements for the review of Council budgets. The new reporting requirements are to promote consistency in the way Councils review their budgets. The Division has developed a set of minimum requirements which Councils must provide as part of their quarterly reviews of the budget.

Collectively, these documents are known as the Quarterly Budget Review Statements (QBRS). The new reporting requirements are effective from 1 July 2011. The QBRS for the September Quarterly Review of the 2011/12 budget can be found as an **attachment to this report**.

SUMMARY OF BUDGET POSITION

In adopting the 2011/12 Budget, Council approved a balanced budget position. Budget adjustments identified at the September Review represent a projected budget surplus for the 2011/12 financial year of \$874,300.

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

The improvement in the projected surplus is predominately a result of increased levels of development activity and additional rate income through supplementary rates.

ALLOCATION OF THE 2011/12 BUDGET SURPLUS

Council will be presented with the preliminary results of the Community Survey at tonight's meeting. Given the survey will be workshopped with Council early in the new year, it is recommended that the allocation of the surplus be deferred until Council has had an opportunity to assess the results. After considering the results of the survey, Council may elect to fund service improvements based on the priorities identified by the community.

If there is no service improvement priorities identified by the community, Council could consider transferring the surplus to the Central Administration Building Reserve or reducing the level of loan funding required for the 2011/12 financial year.

CURRENT RESERVE BALANCES

To assist Council with the allocation of funds, the balance of the Working Fund Reserve, Central Administration Building Reserve and Capital Works Reserve have been explained below.

Working Funds Reserve (uncommitted) - \$1,309,766

Council at its meeting 11 October 2011 transferred to the Working Funds Reserve the uncommitted balance of the 2010/11 Year-End Budget result (\$1,309,766) pending the results of a Community Satisfaction Survey. If Council decides to transfer the September Quarterly Budget Review surplus to the reserve the balance of the Working Funds Reserve will be \$2,184,066.

The funds are not recurrent but will provide Council with the opportunity to respond to the findings of the Community Satisfaction Survey.

Central Administration Building Reserve - \$2,964,200

The Central Administration Building Reserve was established as part of the 2010/11 March Review. It has been funded by the following transfers:

CENTRAL ADMINISTRATION BUILDING RESERVE	
Property Sales – Narellan Precinct	\$925,000
2010/11 Year End Budget Surplus	\$1,000,000
2011/12 Original Budget	\$1,134,200
Less: Investigation & Planning Costs	(\$95,000)
Current Balance of Reserve	\$2,964,200

Council officers have commenced investigation into the proposed location and construction of a new central administration building. As part of this review \$95,000 is proposed to be funded from the Central Administration Building Reserve for specialist advice.

Capital Works Reserve (uncommitted) - \$476,600

The uncommitted balance of the Capital Works Reserve is \$476,600. The Capital Works Reserve is predominately used to fund emergency capital works or to match grant funding as part of a capital grant funding agreement.

MAIN REPORT- SEPTEMBER REVIEW OF THE 2011/12 BUDGET

Further information and explanation of the increase in the projected budget surplus for 2011/12 is detailed below:

NOTE 1 – PROPOSED VARIATIONS TO BUDGET

Proposed variations between the adoption of the 2011/12 Budget and the September Review for 2011/12 have led to a projected budget surplus of \$874,300. A list of the variations (greater than \$15,000) is provided in the following table and brief explanations below.

SEPTEMBER REVIEW OF THE 2011/12 BUDGET PROPOSED VARIATIONS	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: Increase in income is an increase in working funds	
Shortfall in income is a decrease in working funds	
1. Development Fees & Charges Income Increase	\$300,000
2. Supplementary Rates Income Increase	\$248,500
3. Mount Annan Leisure Centre Surplus Increase	\$181,981
4. Financial Assistance Grant Income Increase	\$84,769
5. Australian Defence Force Reserve Income Increase	\$52,213
6. Gundungurra Reserve Compensation Income Increase	\$47,524
Variations under \$15,000 - Various Increases	\$16,214
Sub Total - Income Adjustments	\$931,201
EXPENDITURE ADJUSTMENTS	
Note: Increase in expenditure is a decrease in working funds	
Savings in expenditure is an increase in working funds	
7. Street Lighting Expenditure Increase	(\$160,000)
8. Fairwater Drive Pedestrian Crossing Increase	(\$61,100)
9. Camden Memorial Pool Operations Increase	(\$59,300)
10. Principal & Interest Loan Repayments Savings	\$121,300
11. Insurance Premium Renewals Savings	\$56,103
12. Corporate Superannuation Expense Savings	\$33,406
13. Corporate Salaries Expense Savings	\$31,805
14. Fleet Management Vehicle Expense Savings	\$23,013
Variations under \$10,000 - Various Increases	(\$42,128)
Sub Total - Expenditure Adjustments	(\$56,901)
TOTAL - PROPOSED VARIATIONS TO BUDGET	\$874,300

1. Development Fees & Charges – Increase in Income of \$300,000

Development income exceeds budget expectations in the first quarter of 2011/12. Council has received a number of Development Applications of high value this quarter which reflects the high development activity in the release areas of Spring Farm, Elderslie, Oran Park and Turner Road. The income received from development activity is anticipated to be similar to that received for the 2011/12 financial year and as such the adjustment reflects an increase to similar revenue estimates.

2. Supplementary Rate Income – Increase in Income of \$248,500

Council was informed at its meeting 28 June 2011 that as a result of new land valuations received from the Valuer General, Council would need to re-adopt the ad-valorem (rate in the dollar). The new land valuations pertained to large subdivisions which were received after the adoption of the budget. This has led to a significant increase in the number and value of properties included within the notional yield. Subsequently, Council's revenue estimates have been revised upwards to reflect this increase.

3. Mount Annan Leisure Centre – Increase in Income of \$181,981

Council was recently informed of the improved financial performance of the Mount Annan Leisure Centre as part of the 2010/11 Year End Budget Result. The improved financial performance is anticipated to continue in the 2011/12 financial year, and as a result Council has recently entered into an agreed budget surplus position with the YMCA (Centre Manager) of \$181,981. The 2011/12 original budget estimated a balanced budget position.

4. Financial Assistance Grant – Increase in Income of \$84,769

Please refer to the detailed analysis provided at the end of this section.

5. Australian Defence Force Reserve - Increase in Income of \$52,213

Council has 1 staff member currently on deployment to East Timor. The Employer Support Payment Scheme (ESPS) provides financial assistance to employers for the release of employees for Australian Defence Force Reserve service. There is no restriction on the way in which Council may use the funds.

6. Gundungurra Reserve Access Compensation – Increase in Income of \$47,524

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

7. Street Lighting Expenditure – Increase in Expense of \$160,000

Street lighting charges have increased due to continued network expansion above original budget projections. This has led to additional projected expenditure for street lighting maintenance, and an increase in the consumption of electricity. Electricity costs are also above budget expectations as a result of a 14% increase in the network access charge passed onto Council from its electricity supplier. Network charges are separate to the fixed supply agreement which Council negotiated in December 2009 and are beyond the control of the supplier.

8. Fairwater Drive Pedestrian Crossing – Increase in Expense of \$61,100

In adopting the 2011/12 Delivery Program, Council approved improvements to the pedestrian crossing on Fairwater Drive, Harrington Park, near the Harrington Park Community Centre and shopping centre car park. The improvements include the lighting of the pedestrian crossing and surrounding area, as the lighting which currently exists is inadequate and does not meet current standards.

As this work is considered “Contestable Work” because it relates to a new traffic facility (the crossing), Council is required to seek competing quotes for the lighting design and installation. To meet the current standards for both pedestrians and vehicle traffic, upgrading the lighting between the roundabouts at Harrington Parkway and Lakeview Circuit (150 metre length) is required. This will also assist in providing additional lighting near the Community Centre and car park, which have attracted a number of complaints where people are behaving inappropriately at nights.

9. Camden Memorial Pool Operations – Increase in Expense of \$59,300

The Camden Memorial Swimming Pool has recently reopened for the 2011/12 summer season. The 2011/12 original budget included a projected trading deficit of \$110,000. Council has recently formalised the operating contract with the YMCA and has established a revised deficit budget position of \$169,300. The revised deficit is a more realistic target based on similar outdoor pool operating models. As reported to Council at its meeting 9 August 2011, \$10,000 of this increase relates to pool heating.

10. Principal & Interest Loan Repayments – Decrease in Expense of \$121,300

The 2011/12 loan repayment schedule estimates include the first year instalment for the additional loan borrowings approved as part of the 2011/12 budget (\$717,000). In deferring the approval of this loan until June 2012, Council will recognise a saving of \$110,000 in this year’s budget. Savings are also a result of Council securing a lower than expected interest rate on its loan borrowings of \$1.6 million in 2010/11.

11. Insurance Premium Renewals – Decrease in Expense of \$56,103

Savings in insurance premiums primarily relate to a reduction in Council's public liability, property and motor vehicle insurance premiums compared to the adopted budget. Council's original budget estimates for 2011/12 projected a 7.00% increase in insurance premiums due to a number of recent natural disasters, such as the Queensland floods.

12. Corporate Superannuation – Decrease in Expense of \$33,406

The decrease in superannuation expenses relates primarily to the retirement or resignation of employees in the Defined Benefits Scheme. A number of positions in Council's staffing structure have become vacant where they were previously held by Defined Benefits Scheme members. Those positions have been filled by employees who are covered under the Superannuation Guarantee Scheme, resulting in significant savings to Council.

13. Corporate Salaries – Decrease in Expense of \$31,805

A number of minor adjustments have been required to salary estimates resulting in a saving to the budget. The savings are primarily a result of new staff employed at the entry level salary which is lower than the previous position holder.

14. Fleet Management Vehicles – Decrease in Expense of \$23,013

An ongoing review of vehicle requirements within Council's staffing structure has led to a reduction in the number of vehicles within Council's fleet.

NOTE 2 - FINANCIAL ASSISTANCE GRANT INCOME

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

Council recently received notice from the Local Government Grants Commission advising the financial assistance grant allocation for 2011/12. The entitlement to Council consists of two components:

- 1) General Purpose Component - \$1,578,387
- 2) Local Roads Component - \$862,482

A comparison of the Financial Assistance Grants paid to Council over the past five (5) years (including the 2011/12 grant) is outlined in the following table:

	General Purpose	Local Roads	Total Grant	Increase / (Decrease)
2007/08	\$1,375,166	\$598,762	\$1,973,928	-
2008/09	\$1,409,482	\$638,087	\$2,047,569	\$73,641
2009/10	\$1,362,835	\$670,618	\$2,033,453	(\$14,116)
2010/11	\$1,460,580	\$772,564	\$2,233,144	\$199,691
2011/12	\$1,578,387	\$862,482	\$2,440,869	\$207,725

The 2011/12 allocation is a considerable improvement on previous years, with the total allocation an increase of 9.30% when compared to its total allocation for the 2010/11 financial year.

In framing the 2011/12 Budget, Council estimated it would receive \$2,356,100 in total Financial Assistance Grants (5.50% increase on the 2010/11 allocation). As a result of the higher than expected increase, the 2011/12 estimate needs to be revised upwards to \$2,440,869, representing a budget increase of \$84,769.

NOTE 3 – COUNCIL AUTHORISED VARIATIONS

Council has authorised ten (10) budget variations since the adoption of the 2011/12 Original Budget.

COUNCIL APPROVED VARIATIONS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Camden Seniors Program Committee Annual Subsidy Increase Council Resolution 144/11 - 28/06/2011	\$1,400	\$1,400	\$0
2011/12 RTA Blackspot Program Funding Council Resolution 148/11 - 12/07/2011	\$690,000	\$690,000	\$0
Springs Road Upgrade to Urban Standard Council Resolution 150/11 - 12/07/2011	\$1,496,207	\$1,496,207	\$0
Senior Citizens Building Curtain Cleaning Councillor Consolidated Ward Funds Council Resolution 158/11 - 12/07/2011	\$4,100 (\$4,100)	\$0	\$0
Belgenny Reserve Gross Pollutant Trap Council Resolution 179/11 - 09/08/2011	\$180,000	\$180,000	\$0
2011/12 RTA REPAIR Program Funding Council Resolution 210/11 - 13/09/2011	\$140,000	\$140,000	\$0
2011/12 RTA Cycleway & Traffic Facilities Program Funding Council Resolution 210/11 - 13/09/2011	\$72,000	\$72,000	\$0
2011/12 RTA Block Grant Funding (adjustment) Council Resolution 210/11 - 13/09/2011	\$1,000	\$1,000	\$0
Camden Town Farm Trade Training Centre Council Resolution 231/11 - 27/09/2011	\$200,000	\$200,000	\$0
2011/12 Financial Assistance Grant Grant Prepayment - Transfer from Reserve Council Resolution 243/11 - 11/10/2011	\$0	(\$573,650) \$573,650	\$0
TOTAL - COUNCIL APPROVED VARIATIONS	\$2,780,607	\$2,780,607	\$0

NOTE 4 – CONTRA ADJUSTMENTS



This section deals with all offsetting adjustments between income and expenditure or a transfer of funds between allocations. These adjustments have NO impact on Council's projected budget result as both movements of income and expenditure are of equal value.

During the period 1 July 2011 to 30 September 2011, a number of contra adjustments have taken place amounting to a total of \$1,572,280 (an increase in both income and expenditure). For a detailed list of these adjustments, **please refer to attachment 2 provided in the business paper.**

NOTE 5 – EXPENDITURE REVOTES

To assist Council in framing a realistic and accurate 2012/13 Budget, Managers and Directors are encouraged to identify any programmed works/projects that will not commence or be completed by 30 June 2012. There were no revotes submitted by Managers and Directors at the September Review.

NOTE 6 – 2011/12 LIST OF UNFUNDED WORKS AND SERVICES

In adopting the 2011/12 Delivery Program and Budget, Council endorsed the List of Unfunded Works and Services. This list identifies works or services that Council is unable to fund or commence at this point in time. Items are added or deleted from the list via Council reports or by Council officers as a result of Councillor or community feedback.

There were no adjustments to the List of Unfunded Works and Services during the period 1 July 2011 to 30 September 2011. For a copy of the current Unfunded List of Works and Services, **please refer to the supporting documents provided as part of the business paper.**

NOTE 7 – COUNCILLOR CONSOLIDATED WARD FUNDS

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

It should be noted that the balance of Consolidated Ward Funds is over and above the projected budget surplus of \$874,300 as advised in this report.

CONSOLIDATED WARD FUNDS	
TOTAL FUNDS AVAILABLE	\$30,000
PROJECTS FUNDED IN 2011/12	
Senior Citizens Building Curtain Cleaning Council Resolution 158/11 - 12/07/2011	\$4,100
Macarthur BMX Club - Fee Waiver Council Resolution 205/11 - 13/09/2011	\$839
TOTAL PROJECTS FUNDED IN 2011/12	\$4,939

BALANCE OF CONSOLIDATED WARD FUNDS 30 SEPTEMBER 2011	\$25,061
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SUMMARY OF SEPTEMBER REVIEW ADJUSTMENTS

The following table is a summary of budget adjustments up to 30 September 2011.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2010/11 Carried Forward Working Funds Balance			\$1,000,000
2011/12 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
Total Available Working Funds 01/07/2011			\$0
2011/12 September Review Adjustments			
NOTE 1: Proposed Variations	\$14,869	\$889,169	\$874,300
NOTE 2: Authorised Variations	\$2,780,607	\$2,780,607	\$0
NOTE 3: Contra Adjustments	\$1,572,280	\$1,572,280	\$0
NOTE 4: Revotes (Budget Carry-Overs)	\$0	\$0	\$0
Total - September Review Adjustments	\$4,367,756	\$5,242,056	\$874,300
TOTAL AVAILABLE WORKING FUNDS			\$874,300

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulations 2005*:

It is my opinion that the Quarterly Budget Review Result for Camden Council for the period ending 30 September 2011 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.

CONCLUSION

The September Quarterly Budget Review surplus is predominately a result of the increased development activity in the Camden LGA and additional rate income through supplementary rates.

This report recommends that the surplus be transferred to the Working Funds Reserve to be considered for allocation to service improvements once the outcome of the Community Survey is workshopped with Council. Using feedback from this survey supports the concept of Integrated Planning and Reporting which Council adopted for the first time in 2011/12.

Council also needs to consider the financing required to build a new administration building. A new administration building is critical to ensuring Council can service the growth expected over the next 20-30 years.

RECOMMENDED

That Council:

- i. approve the necessary budget adjustments as identified in the categories of 'Proposed Variations', 'Contra Variations' and 'Expenditure Revotes' of this report.**
- ii. transfer \$874,300 to the working funds reserve pending the consideration of the results of the Community Survey.**

ATTACHMENTS

1. Quarterly Budget Review Statement
2. Budget Review Variations
3. List of Unfunded Works and Services - *Supporting Document*

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Attachment 1



Camden Council

Quarterly Budget Review Statement

For the period ending 30 September 2011

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Camden Council
Income & Expenses Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Income & Expenses Review

	Original Budget 2011/12	Changes Other than by a QBRS	Revised Budget 2011/12	Variations for this Sep Qtr	Notes	Projected Year End Result
Operating Income						
Effectively Managing Camden's Growth	9,077,500	-	9,077,500	467,629	1	9,545,129
Healthy Urban and Natural Environments	16,207,500	131,500	16,339,000	171,540	2	16,510,540
A Prosperous Economy	7,000	-	7,000	6	6	7,006
Effective and Sustainable Transport	7,477,700	846,028	8,323,728	(8,617)		8,315,111
An Enriched and Enhanced Community	5,799,300	200,000	5,999,300	154,320	3	6,153,620
Strong Local Leadership	36,265,200	(573,650)	35,691,550	310,780	4	36,002,330
	<u>74,834,200</u>	<u>603,878</u>	<u>75,438,078</u>	<u>1,095,658</u>		<u>76,533,736</u>
Operating Expenses						
Effectively Managing Camden's Growth	6,955,900	-	6,955,900	442,469	5	7,398,369
Healthy Urban and Natural Environments	17,225,900	91,143	17,317,043	(18,773)	6	17,298,270
A Prosperous Economy	449,100	-	449,100	(110,753)	7	338,347
Effective and Sustainable Transport	13,692,100	21,000	13,713,100	290,268	8	14,003,368
An Enriched and Enhanced Community	9,437,800	109,381	9,547,181	56,071	9	9,603,252
Strong Local Leadership	14,357,500	25,620	14,383,120	226,267	10	14,609,387
	<u>62,118,300</u>	<u>247,144</u>	<u>62,365,444</u>	<u>885,549</u>		<u>63,250,993</u>
Net Operating Surplus / (Deficit)	<u>12,715,900</u>	<u>356,734</u>	<u>13,072,634</u>	<u>210,109</u>		<u>13,282,743</u>
Add:						
Non Cash Funded Depreciation	14,726,400	-	14,726,400	-		14,726,400
Funds from the Sale of Assets	668,400	-	668,400	(136,332)		532,068
Loan Borrowings	2,317,000	-	2,317,000	-		2,317,000
Transfer from Restricted Assets	13,429,200	12,165,788	25,594,988	1,176,363		26,771,351
	<u>31,141,000</u>	<u>12,165,788</u>	<u>43,306,788</u>	<u>1,040,031</u>		<u>44,346,819</u>
Less:						
Capital Purchases / Asset Acquisitions	34,534,700	12,522,522	47,057,222	(195,345)		46,861,877
Borrowing Expenses (Principal)	1,786,600	-	1,786,600	(42,200)		1,744,400
Transfer to Restricted Assets	7,535,600	-	7,535,600	613,385		8,148,985
	<u>43,856,900</u>	<u>12,522,522</u>	<u>56,379,422</u>	<u>375,840</u>		<u>56,755,262</u>
Net Budget Position Surplus / (Deficit)	<u>-</u>	<u>-</u>	<u>-</u>	<u>874,300</u>		<u>874,300</u>

This statement forms part of the Quarterly Budget Review Statement for the quarter ended 30/09/2011 and should be read in conjunction with the rest of the report. Page 1

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Attachment 1

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Attachment 1

Camden Council
Income & Expenses Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
1	467,629	<p>Effectively Managing Camden's Growth - Increase in Income</p> <p>This adjustment relates primarily to an increase in development application fees and charges due to higher than expected development activity (\$300K), additional Section 94 interest on investments due to the delays in a number of capital works projects (\$100K), the Recoupment of costs relating to rezoning studies from developers(\$95K), and an adjustment to the subsidy received from the Department of Planning for the Austral North Leppington rezoning process which was prepaid in 2010/11 (\$30K).</p>
2	171,540	<p>Healthy Urban and Natural Environments - Increase in Income</p> <p>This adjustment relates primarily to an increase in waste management annual charges due to service growth calculations being above budget expectations (\$45K), an increase in on-site management annual licence fees (\$10K) and the transfer of grant funds from the Camden Netball club to undertake lighting works at the Kirkham Reserve netball courts (\$115K).</p>
3	154,320	<p>An Enriched and Enhanced Community - Increase in Income</p> <p>This adjustment relates primarily to additional revenue projections at the Camden Memorial Pool in line with the agreed budget position (\$36K), an increase in revenue projections at the Mount Annan Leisure Centre (\$110K), and an increase in funding for a range of operational programs (\$8K).</p>
4	310,780	<p>Strong Local Leadership - Increase in Income</p> <p>Adjustments to income relate to additional investment income for the Department of Planning Infrastructure Loan (\$250K), an increase in rate income due to supplementary rates received in late June 2011 (\$248K), additional financial assistance grant income (\$85K), access compensation for the use of Gundungurra Reserve (\$47K), and employer assistance for the release of employees for Australian Defence Force Reserve Service (\$52K). A number of minor adjustments have also been required which have increased revenue forecasts (\$35K). A reduction in income has also been included as a result of the deletion of the Rural Fire Services plant purchase from the budget, which is no longer required to be recorded in Council's budget (\$406K).</p>
5	442,469	<p>Effectively Managing Camden's Growth - Increase in Expenses</p> <p>This increase relates primarily to the inclusion into the budget of the Department of Planning's Accelerated Assessment Program (\$265K), the continuation of a number of rezoning studies on behalf of developers (\$95K) and the transfer of an additional position within Council's staffing structure from the key direction "A Prosperous Economy" (\$84K).</p>
6	(18,773)	<p>Healthy Urban and Natural Environments - Decrease in Expenses</p> <p>This reduction relates to savings in the waste management community education program (\$30K) and savings in staff salaries due to a number of vacancies which have been used to fund Council's vacancy provision target (\$39K). An adjustment is also required due to an increase in waste staffing requirements to meet service expansion as a result of urban development (\$51K).</p>
7	(110,753)	<p>A Prosperous Economy - Decrease in Expenses</p> <p>This reduction relates to the transfer of an additional position within Council's staffing structure to the key direction "Effectively Managing Camden's Growth" (\$84K). Delays in the recruitment process for this new position has also led to savings which have been used to fund Council's vacancy provision target (\$26K).</p>

Camden Council
Income & Expenses Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
8	290,268	<p>Effective & Sustainable Transport - Increase in Expenses</p> <p>This increase relates primarily to the transfer of capital renewal allocations for footpaths and kerb and gutter to maintenance allocations (\$205K) and an increase in street lighting expenditure due to continued urban development (\$160K). There is also a reduction in road maintenance allocations which have been used to fund a pedestrian refuge at Southdown Rd (\$15K) and Cawdor Road improvements (\$61K).</p>
9	56,071	<p>An Enriched and Enhanced Community - Increase in Expenses</p> <p>This increase in expense relates to additional expenditure at the Camden Memorial Pool in line with the agreed budget position (\$95K), a reduction in projected expenditure at the Mount Annan Leisure Centre (\$72K), the restriction of funds for the Camden Town Farm Community Garden for use in 2012/13 (\$25K) and an increase in a range of operational programs (\$8K).</p>
10	226,267	<p>Strong Local Leadership - Increase in Expenses</p> <p>Major budget variations include an increase in expenditure for the planning of Council's central administration building (\$95K), a reduction in Council's vacancy provision target as a result of vacant positions (\$222K), an increase in staff professional development training funded by government subsidies (\$37K), and the purchase of support credits from Council's software provider which can be used for software upgrades and implementation (\$27K). Savings have been realised in Council's insurance premiums (\$52K), interest on loans (\$79K) and a decrease in a range of corporate expenditure items (\$24K).</p>

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Attachment 1

Camden Council
Capital Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011

Capital Expenditure Review

	Original Budget 2011/12	Changes Other than by a Q8RS	Revised Budget 2011/12	Variations for this Sep Qtr	Notes	Projected Year End Result
Capital Expenditure						
New Assets (Council Delivery)						
Transport & Road Infrastructure	7,837,000	9,502,751	17,339,751	318,040	1	17,657,791
Community Facilities	392,000	653,051	1,045,051	94,166	2	1,139,217
Parks & Recreation	413,500	703,097	1,116,597	-		1,116,597
Plant & Equipment	375,000	-	375,000	-		375,000
Other	174,700	-	174,700	-		174,700
New Assets (Works In Kind)						
Transport & Road Infrastructure	6,634,200	-	6,634,200	-		6,634,200
Community Facilities	-	-	-	-		-
Parks & Recreation	4,340,000	-	4,340,000	-		4,340,000
Stormwater & Drainage Improvements	4,554,000	-	4,554,000	-		4,554,000
Asset Renewal (Replacement)						
Transport & Road Infrastructure	3,396,500	1,274,955	4,671,455	(88,845)	3	4,582,610
Community Facilities	82,300	143,110	225,410	20,660	4	246,070
Parks & Recreation	90,600	83,500	174,100	-		174,100
Stormwater & Drainage Improvements	77,100	-	77,100	-		77,100
Council Properties	31,700	73,275	104,975	70,043	5	175,018
Plant & Equipment	2,422,800	-	2,422,800	(582,909)	6	1,839,891
Information Technology Upgrades	431,000	81,429	512,429	(27,500)	7	484,929
Other	182,300	-	182,300	(4,500)		177,800
Other Capital Expenditure						
Loan Repayments (Principal)	1,786,600	-	1,786,600	(42,200)	8	1,744,400
Transfer to Restricted Assets	3,100,000	-	3,100,000	-		3,100,000
Other Expenditure	-	7,354	7,354	5,500		12,854
Total Capital Expenditure	36,321,300	12,522,522	48,843,822	(237,545)		48,606,277
Capital Funding						
Rates & Untied Income	2,868,100	32,200	2,900,300	(149,460)	9	2,750,840
External Grant Income	959,600	1,141,528	2,101,128	(423,217)	10	1,677,911
Reserves:						
External Restrictions	9,095,000	10,439,479	19,534,479	328,348	11	19,862,827
Internal Restrictions	1,735,000	874,315	2,609,315	20,950	12	2,630,265
S94 Works In Kind Income (Non Cash)	15,528,200	-	15,528,200	-		15,528,200
New Loans	2,317,000	-	2,317,000	-		2,317,000
Receipts from Sale of Assets						
Plant & Equipment	668,400	-	668,400	(136,332)	13	532,068
Land & Buildings	-	-	-	-		-
Other Funding	3,150,000	35,000	3,185,000	122,166	14	3,307,166
Total Capital Funding	36,321,300	12,522,522	48,843,822	(237,545)		48,606,277
Net Capital Funding	-	-	-	-		-

Camden Council
Capital Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
1	318,040	Transport & Road Infrastructure (New Assets) - Increase in Expenses Under the funding conditions of the interest free loan agreement for the upgrade of Lodges Road and Hilder Street, Council must allocate interest income generated from the investment of the funds towards the cost of the project (\$250K). Funds are also required for design of the Elderslie Link Road (\$68K).
2	94,166	Community Facilities (New Assets) - Increase in Expenses This increase relates to the stage two lighting improvements at Kirkham Reserve netball courts on behalf of the Camden Netball Club (\$115K), an increase in funding for Wandarrah Reserve landscaping through a contribution from the Mount Annan Mustangs Soccer Club (\$7K) and a reduction in the funds required for improvements to Council's leash free areas (\$28K).
3	(88,845)	Transport & Road Infrastructure (Asset Renewal) - Decrease in Expenses Significant savings were achieved in the reconstruction of Templeton Road (\$43K), McCrae Drive (\$40K) and Charker Reserve Carpark (\$20K). Savings are primarily a result of effective management of project design, material efficiencies and reconstruction work. These savings are proposed to be offset against additional expenditure incurred in replacing road drainage infrastructure at Elizabeth Macarthur Avenue (\$47K), and undertaking additional works at the Camden Valley Way & Kirkham Lane Intersection (\$62K). There is also additional expenditure required for the construction of a pedestrian refuge at Southdown Rd and Cawdor Road Improvements (\$79K). These items are funded from road maintenance allocations.
4	20,660	Community Facilities (Asset Renewal) - Increase in Expenses This increase in expenditure relates primarily to essential fire safety systems repairs which are required at the Mount Annan Leisure Centre (\$13K) and the replacement of the windows at the Catherine Fields Community Centre (\$8K). These works are funded from internal reserves.
5	70,043	Council Properties (Asset Renewal) - Increase in Expenses Building works are required in the Family Day Care administration offices to ensure Council complies with childrens services standards (\$41K). Sufficient funding is available within the Family Day Care Reserve. Additional funds have also been allocated towards building rectification works at Rheinbergers Cottage, which is funded from the Community Infrastructure Renewal Program (\$29K).
6	(582,909)	Plant & Equipment (Asset Renewal) - Decrease in Expenses Council was previously required to record the purchase and disposal of Rural Fire Service (RFS) plant within its accounts for insurance purposes. From 1 July 2011 all RFS plant will be insured under a State Government scheme. As a result of this change, Council is no longer required to record RFS vehicle changes within its accounts. This has led to a reduction of projected plant purchases (\$604K). A range of adjustments have been required to Council's plant replacement program resulting in an increase in expense (\$22K).
7	(27,500)	Information Technology Upgrades - Decrease in Expenses Council has purchased support credits through its software provider which can be used in the implementation of software upgrades and systems implementation. These support credits are treated as operational expenditure.

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Attachment 1

Camden Council
Capital Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
8	(42,200)	<p>Loan Repayments (Principal) - Decrease in Expenses</p> <p>In adopting the 2011/12 budget, Council approved an increase in loan borrowing of \$717k. In deferring the approval of this loan until June 2012, Council can recognise a total saving in loan repayments of \$110K, of which \$42K is the principal repayment component.</p>
9	(149,460)	<p>Rates & Untied Funding - Decrease in Income</p> <p>This decrease in income relates primarily to savings in principal loan repayments (\$42K), the transfer of support credits for software upgrades from Council's software provider to operating expenditure (\$27K), and adjustments made to road infrastructure asset renewal (\$80K) which have been transferred to operating expenditure.</p>
10	(423,217)	<p>External Grant Income - Decrease in Income</p> <p>Council was previously required to record the purchase and disposal of Rural Fire Service (RFS) plant within its accounts for insurance purposes. From 1 July 2011 all RFS plant will be insured under a State Government scheme. As a result of this change, Council is no longer required to record RFS vehicle changes within its accounts. This has led to a reduction in the capital subsidy provided from the State Government (\$406K). An adjustment is also required to the Roads to Recovery grant allocation due to the prepayment of income in 2010/11 (\$17K).</p>
11	328,348	<p>Externally Restricted Reserves - Increase in Transfer from Reserve</p> <p>This increase is primarily a result of additional funding for the upgrade of Lodges Road and Hilder St (\$250K) in accordance with the funding agreement, and an increase in funding for the design of the Elderslie Link Road (\$68K). A range of minor adjustments to grant funded programs have also been required as part of this review (\$10K).</p>
12	20,950	<p>Internally Restricted Reserve - Increase in Transfer from Reserve</p> <p>This increase is primarily a result of funding which is required for the building works at the Family Day Care administration offices (\$41K), fire safety system repairs at the Mount Annan Leisure Centre (\$13K) and rectification works at Rheinbergers Cottage (\$29K). An adjustment is also required to transfer funds back to the Major Plant Replacement Reserve due to the timing of the sale of a plant item replaced in 2010/11 (\$62K).</p>
13	(136,332)	<p>Sale of Assets - Decrease in Income</p> <p>Council was previously required to record the purchase and disposal of Rural Fire Service (RFS) plant within its accounts for insurance purposes. From 1 July 2011 all RFS plant will be insured under a State Government scheme. As a result of this change, Council is no longer to record RFS vehicle changes within its Budget. This has led to a reduction of projected asset sales (\$198K). There is also an adjustment required due to the timing of the sale of a plant item replaced in 2010/11 (\$62K).</p>
14	122,166	<p>Other Capital Funding - Increase in Income</p> <p>The increase in other capital funding relates to the stage two lighting improvements at Kirkham Reserve netball courts on behalf of the Camden Netball Club (\$115K), an increase in funding for Wandarrah Reserve Landscaping through a contribution from the Mount Annan Mustangs Soccer Club (\$7K).</p>

Camden Council
Cash & Investments Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Projected Year End Cash Position ending 30 June 2012
Cash & Investments Review

	Original Budget 2011/12	Changes Other than by a QBRs	Revised Budget 2011/12	Variations for this Sep Qtr	Notes	Projected Year End Balance
Externally Restricted						
Section 94 Developer Contributions	18,546,400	291,906	18,838,306	62,776	1	18,901,082
Infrastructure Loan (Lodges Road)	-	-	-	-	-	-
Domestic Waste Management	3,714,233	(236,984)	3,477,249	17,600	3	3,494,849
Specific Purpose Grants	16,099	48,308	64,407	(20,730)	3	43,677
Stormwater Management Levy	309,031	(115,316)	193,715	3,020	-	196,735
Development Acceleration Fund	162,100	391,983	554,083	(253,860)	4	300,223
Other Restricted Contributions	148,754	3,140	151,894	(48,815)	5	103,079
Total Externally Restricted	22,896,617	383,037	23,279,654	(240,009)		23,039,645
Internally Restricted						
Employee Leave Entitlements	2,055,988	(23,924)	2,032,064	(216,306)	6	1,815,758
Expenditure Revotes	-	-	-	-	-	-
Stormwater Works (General Fund)	167,228	172,929	340,157	-	-	340,157
Capital Works Reserve	797,535	(25,769)	771,766	-	-	771,766
Infrastructure Loan - Repayment Fund	2,821,100	-	2,821,100	-	-	2,821,100
Central Administration Building	2,059,200	1,000,000	3,059,200	(95,000)	7	2,964,200
Camden Town Centre Improvements	1,181,000	-	1,181,000	-	-	1,181,000
Water Savings Action Plan	18,600	(4,603)	13,997	19,200	8	33,197
Cemetery Improvements	299,969	12,072	312,041	-	-	312,041
Section 355 Management Committees	186,770	(50,159)	136,611	-	-	136,611
Camden Carparking	120,578	-	120,578	-	-	120,578
Risk Management	242,599	-	242,599	-	-	242,599
Working Funds Surplus	6,697	1,303,069	1,309,766	-	-	1,309,766
Major Plant Replacement	358,741	172,015	530,756	61,668	9	592,424
Commercial Waste Management	923,191	7,477	930,668	(900)	-	929,768
Council Elections	224,400	-	224,400	-	-	224,400
Community Infrastructure Renewal Program	91,900	29,043	120,943	(29,043)	10	91,900
Narellan Artycafe	38,900	(237)	38,663	-	-	38,663
Swimming Pool Repairs	-	40,060	40,060	(12,575)	-	27,485
Family Day Care Reserve	130,832	2,136	132,968	(41,170)	11	91,798
Community Facilities Reserve	8,843	-	8,843	(8,843)	-	-
Public Appeals Reserve	35,974	-	35,974	-	-	35,974
Engineering Deposits	361,626	(190,736)	170,890	-	-	170,890
Total Internally Restricted	12,131,671	2,443,373	14,575,044	(322,969)		14,252,075
Unrestricted (i.e. available after the above Restrictions)	7,528,558	(2,826,410)	4,702,148	1,634,612	-	6,336,760
Total Cash & Investments	42,556,846	-	42,556,846	1,071,634		43,628,480

Cash & Investments Statement

Investments have been invested in accordance with Council's Investment Policy.

The Cash at Bank amount for this period has been reconciled to Council's physical Bank Statements. The date of completion of this bank reconciliation is 30/09/11.

Notes:

1. The uncommitted balance of the Capital Works Reserve is \$476,600
2. The uncommitted balance of the Central Administration Building Reserve is \$2,964,200
3. The uncommitted balance of the Working Funds Reserve is \$1,309,766

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Attachment 1

Camden Council
Cash and Investments Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011

Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
1	62,776	Section 94 Developer Contributions Reserve - Net Increase in Transfer to Reserve The balance of Council's Section 94 Reserve has increased as a result of additional interest on investments due to the delays in a number of capital works projects (\$100K), and a reduction in the funds required for improvements to Council's leash free areas (\$28K). Funds were also transferred into the budget for the design of the Elderslie Link Road (\$68K).
2	17,600	Domestic Waste Management Reserve - Net Increase in Transfer to Reserve Service growth calculations for waste management services are above budget expectations for 2011/12. After allowing for additional staffing expenditure, the surplus revenue is restricted to reserve to be used at future quarterly reviews to fund any additional disposal costs or operational expense which are a direct result of continued service growth.
3	(20,730)	Specific Purpose Grants Reserve - Net Increase in Transfer from Reserve Adjustments to the Grants Reserve include the restriction of funds for the Camden Town Farm Community Garden to be used in 2011/12 (\$26K) and the transfer into the budget of funds held for the Narellan Multicultural Festival and Roads to Recovery Program which were prepaid in 2010/11 (\$27K). A number of minor adjustments to budget allocations were also required at this review.
4	(253,860)	Development Acceleration Fund (DOP) - Increase in Transfer from Reserve This program is funded through the Department of Planning's pilot program "Development Assessment Acceleration Fund". Funds received in 2010/11 are now required to be transferred into the budget to employ additional staff to expedite development assessment and to review a number of Council's development policies and practices.
5	(48,815)	Other Restricted Contributions - Increase in Transfer from Reserve The decrease in this reserve relates to an adjustment required for the prepayment of income from the Department of Planning for the Austral North Leppington rezoning process (\$30K). Funding held in reserve for the Camden Town Farm (\$10K) has also been transferred into the budget for payment to the Management Committee.
6	(216,306)	Employee Leave Entitlements Reserve - Net Increase in Transfer from Reserve Payments made to employees on resignation or retirement are funded from Council's ELE Reserve. Payments made during the first quarter of 2011/12 total \$222K. Leave entitlements are also transferable between Council's. Transfers to other Council's are funded from the Reserve, and payments received are restricted to the Reserve. The net effect of these transfers is \$6K.
7	(95,000)	Central Administration Building Reserve - Net Increase in Transfer from Reserve Council officers have commenced investigation into the location and construction of a new central administration building. Funds are required to engage specialist surveying, property and financial advice.
8	19,200	Water Savings Action Plan Reserve - Increase in Transfer to Reserve Council at its meeting 24 May 2011 established the Water Savings Action Plan Reserve. The current 2011/12 allocation is to be transferred to reserve until sufficient funds have accumulated to undertake major works identified within the plan.
9	61,668	Major Plant Replacement Reserve - Net Increase in Transfer to Reserve Due to the timing of replacement, the sale of a vehicle replaced in accordance with Council's plant replacement program in 2010/11 did not take place until the first quarter of 2011/12. This adjustment represents the allocation of the proceeds from the sale of this plant item to the plant replacement reserve.

This statement forms part of the Quarterly Budget Review Statement for the quarter ended 30/09/2011 and should be read in conjunction with the rest of the report. Page 6

Camden Council
Cash and Investments Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Recommended changes to revised budget

Budget Variations being recommended include the following material items (Greater than \$15,000):

Notes	Movement	Description
10	(29,043)	<p>Community Infrastructure Renewal Program Reserve - Net Increase in Transfer from Reserve The Community Infrastructure Renewal Program included an allocation of \$50k towards improvements to Rheinbergers Cottage. Savings from works undertaken at the Camden Civic Center (Air-Conditioning) and Harrington Park Community Centre (Carpet Replacement) are to be allocated towards the anticipated increase in the cost of works required at Rheinbergers Cottage.</p>
11	(41,170)	<p>Family Day Care Reserve - Increase in Transfer from Reserve Building works are required in the Family Day Care administration offices to ensure Council complies with childrens services standards. Sufficient funding is available within the Family Day Care Operational Reserve.</p>

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Attachment 1

ORD13

Camden Council
Contracts Budget Review Statement

Quarterly Budget Review Statement
for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
Contracts Budget Review

Contractor	Contract Detail & Purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
Lamond Contracting	Hilder Street - Streetscaping & Concrete Paving	134,086	Jul 2011	4 Months	Y
Southwell Group Pty Ltd	Belgenny Reserve - Irrigation & Field Renovation	233,901	Sep 2011	2 Months	Y
Transelect	Springs Road - Reinstatement of High Volt & Transmission Power Lines	2,177,055	Oct 2011	4 Months	Y

Notes:

1. Contracts listed are those entered into through a tender process during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
2. Contracts for employment are not included in this list.

Attachment 1

Camden Council
Consultancy & Legal Expenses Statement

Quarterly Budget Review Statement
 for the period 01/07/11 to 30/09/11

Budget review for the quarter ended 30 September 2011
 Consultancy & Legal Expenses Overview

Expense	YTD Expense	Budgeted (Y/N)
Consultancies	123,976	Y
Legal Fees	66,932	Y

Definition of a consultant:

- A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management.
- Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

- Council has engaged consultants to prepare a number of rezoning studies and plans relating to land in the South West Growth Centre. These studies are at the cost of the developer and have no impact on Council's budget position. Expenditure relating to these studies has been included in the expenditure total shown above.

This statement forms part of the Quarterly Budget Review Statement for the quarter ended 30/09/2011 and should be read in conjunction with the rest of the report. Page 11

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Attachment 1

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Attachment 2

Summary of Budget Review Variations Greater Than \$15,000
September Review of the 2011/12 Budget

Change In Vote			Description	Comments
Expense \$	Income \$	Totals \$		
<p>Note: INCOME - Increases are shown as positive figures. Reductions are shown as negative figures EXPENDITURE - Increases are shown as positive figures. Reductions are shown as negative figures</p>				
<p>1) Proposed Budget Variations Proposed variations to the 2011/12 Budget based on income received and expenditure payments to date are as follows:</p>				
-	300,000	300,000	Development - Fees & Charges Income	Development income exceeds budget expectations in the first quarter of 2011/12. Council has received a number of Development Applications of high value this quarter which reflects the high development activity in the release areas of Spring Farm, Elderslie, Oran Park and Turner Road. The income received from development activity is anticipated to be similar to that received for the 2011/12 financial year and as such the adjustment reflects an increase to similar revenue estimates.
-	248,500	248,500	Rate Income - Supplementary Rates Income	Council was informed at its meeting 28 June 2011 that as a result of new land valuations received from the Valuer General, Council would need to re-adopt the ad-valorem (rate in the dollar). The new land valuations pertained to large subdivisions which were received after the adoption of the budget. This has led to a significant increase in the number and value of properties included within the notional yield. Subsequently, Council's revenue estimates have been revised upwards to reflect this increase.
(71,645)	110,336	181,981	Mount Annan Leisure Centre Operations*	Council was informed of the improved financial performance of the Mount Annan Leisure Centre as part of the 2010/11 Year End Budget Result. The improved financial performance is anticipated to continue in the 2011/12 financial year, and as a result Council has recently entered into an agreed budget surplus position with the YMCA (centre manager) of \$181,981. The 2011/12 original budget estimated a balanced budget position.
160,000	-	(160,000)	Street Lighting - Maintenance & Electricity Supply	Street lighting charges have increased due to continued network expansion above original budget projections. This has led to additional projected expenditure for street lighting maintenance, and an increase in the consumption of electricity. Electricity costs are also above budget expectations as a result of a 14% increase in the network access charge passed onto Council from its electricity supplier. Network charges are separate to the fixed supply agreement which Council negotiated in December 2009.
(121,300)	-	121,300	Corporate Management - Principal & Interest Loan Repayments	The 2011/12 loan repayment schedule estimates include the first year instalment for the additional loan borrowings approved as part of the 2011/12 budget (\$717,000). In deferring the approval of this loan until June 2012, Council will recognise a saving of \$110,000 in this year's budget. Savings are also a result of Council securing a lower than expected interest rate on its loan borrowings of \$1.6 million in 2010/11.
-	84,769	84,769	Corporate Management - Financial Assistance Grant Income	Please refer to the detailed analysis provided in the main Council Report.
61,100	-	(61,100)	Traffic Improvements - Fairwater Drive Pedestrian Crossing	In adopting the 2011/12 Delivery Program, Council approved improvements to the pedestrian crossing on Fairwater Drive Harrington Park. Following a detailed design process, the cost of this project has increased, the increase will ensure that current lighting standards are met for pedestrian and road safety.
95,700	36,400	(59,300)	Camden Memorial Swimming Pool Operations*	The Camden Memorial Swimming Pool has recently reopened for the 2011/12 summer season. The 2011/12 original budget included a projected trading deficit of \$110,000. Council has recently formalised the operating contract with the YMCA and has established a revised deficit budget position of \$169,300. The revised deficit is a more realistic target based on similar outdoor pool operating models. As reported to Council at its meeting 9 August 2011, \$10,000 of this increase relates to pool heating.

Summary of Budget Review Variations Greater Than \$15,000

September Review of the 2011/12 Budget

Expense \$	Change In Vote		Description	Comments
	Income \$	Totals \$		
Note: INCOME - Increases are shown as positive figures. Reductions are shown as negative figures EXPENDITURE - Increases are shown as positive figures. Reductions are shown as negative figures				
(56,103)	-	56,103	Risk Management - Insurance Premium Renewals	Savings in insurance premiums primarily relate to a reduction in Council's public liability, property and motor vehicle insurance premiums compared to the adopted budget. Council's original budget estimates for 2011/12 projected a 7.00% increase in insurance premiums due to a number of recent natural disasters, such as the Queensland Floods.
-	52,213	52,213	Australian Defence Force Reserves - Employer Support Payment Scheme	The Employer Support Payment Scheme (ESPS) provides financial assistance to employers for the release of employees for Australian Defence Force Reserve service. There are no restrictions on the way in which Council can use the money.
-	47,524	47,524	Gundungurra Reserve Access Compensation Income	Council has entered into an access and compensation agreement for the extraction of gas on Gundungurra Reserve. The additional income represents the licence fee payable to Council in accordance with the agreement.
(33,406)	-	33,406	Corporate Salaries - Superannuation Expense	The decrease in superannuation expenses relates primarily to the retirement or resignation of employees in the Defined Benefits Scheme. A number of positions in Council's staffing structure have become vacant, where they were previously held by Defined Benefits Scheme members. Those positions have been filled by employees who are covered under the Superannuation Guarantee Scheme, resulting in significant savings to Council.
(31,805)	-	31,805	Corporate Salaries - Salary Adjustments	A number of minor adjustments have been required to salary estimates resulting in a saving to the budget. The savings are primarily a result of new staff employed at the entry level salary which is lower than the previous position holder.
(29,800)	(6,787)	23,013	Fleet Management - Vehicle Expenses*	An ongoing review of vehicle requirements within Council's staffing structure has led to a reduction in the number of vehicles within Council's fleet.
42,128	16,214	(25,914)	Variations under \$15,000	
14,869	889,169	874,300	Surplus / (Deficit) - Proposed Budget Variations September 2011/12 Review	
14,869	889,169	874,300	Surplus / (Deficit) - Net Impact of Variations 2011/12	

* It should be noted where net increases or reductions have been shown within the main Council Report the income and expenditure column will not reconcile, as the two are separated within this attachment.

2) Council Approved Budget Variations

Since adopting the 2011/12 Budget, Council has authorised the following changes to the budget:

1,400	-	-	Camden Seniors Program Committee Annual Subsidy Increase	Authorised Council Resolution 144/11 - 28/06/2011
-	1,400		2010/11 Budget Surplus - Transfer from Reserve	
315,000	-	-	Werombi Road Shoulder Treatments	Authorised Council Resolution 148/11 - 12/07/2011
210,000	-	-	Currans Hill Drive Traffic Facilities	
165,000	-	-	Welling Drive Traffic Facilities	
-	690,000		RTA Blackspot Program - Grant Income	
4,100	-	-	Camden Senior Citizens Building - Curtain Cleaning	Authorised Council Resolution 158/11 - 12/07/2011
(4,100)	-	-	Councillor Consolidated Discretionary Funds	
1,496,207	-	-	Springs Road Upgrade to Urban Standard	Authorised Council Resolution 150/11 - 12/07/2011
-	1,496,207		Section 94 Reserve - Transfer from Reserve	
180,000	-	-	Belgenny Reserve - Gross Pollutant Trap	Authorised Council Resolution 179/11 - 09/08/2011
-	180,000		Stormwater Levy - Transfer from Reserve	
140,000	-	-	Cowpasture Bridge Rehabilitation Works	Authorised Council Resolution 210/11 - 13/09/2011
-	70,000		RTA REPAIR Program - Grant Income	
-	70,000		2010/11 Budget Surplus - Transfer from Reserve	

ORD13

Attachment 2

Summary of Budget Review Variations Greater Than \$15,000
September Review of the 2011/12 Budget

Expense \$	Change In Vote		Description	Comments
	Income \$	Totals \$		
Note: INCOME - Increases are shown as positive figures. Reductions are shown as negative figures				
EXPENDITURE - Increases are shown as positive figures. Reductions are shown as negative figures				
55,000	-		Springs Road Cycleway	Authorised Council Resolution 210/11 - 13/09/2011
7,000	-		Hilder Street Pedestrian Crossing	
5,000	-		Lodges Road Pedestrian Refuge	
5,000	-		Cobbitty Road Pedestrian Refuge	
-	72,000		RTA Cycleway & Facilities Program - Grant Income	
1,000	-		Regional Roads Maintenance	Authorised Council Resolution 210/11 - 13/09/2011
-	1,000		RTA Block Grant Program - Grant Income	
200,000	-		Camden Town Farm - Trade Training Centre	Authorised Council Resolution 231/11 - 27/09/2011
-	200,000		Department of Education & Communities - Grant Income	
-	(573,650)		Financial Assistance Grant Revenue	Authorised Council Resolution 243/11 - 11/10/2011
-	573,650		Working Funds Reserve - Transfer from Reserve	
2,780,607	2,780,607		Surplus / (Deficit) - Authorised Variations September 2011/12 Budget Review	
2,780,607	2,780,607		Surplus / (Deficit) - Council Approved Variations 2011/12	
3) Contra Adjustments				
Contra adjustments that have a NIL impact on Council's Budget:				
350,000	-		Development Assessment Fund - Program Reviews	Council recently secured \$2 million from the NSW Department of Planning as part of the pilot program "Development Assessment Acceleration Fund". The program is to be used to employ additional staff for the purpose of expediting development approvals, and to also undertake a number of reviews of Council's development policies and practices. Unspent income is restricted to reserve in accordance with the funding agreement.
(84,753)	-		Development Assessment Fund - Staffing Expenses	
130,163	395,410		Development Assessment Fund - Reserve Transfers	
250,000	-		Lodges Road & Hilder Street Upgrade	Under the funding conditions of the Interest Free Loan Agreement for the upgrade of Lodges Road and Hilder Street, Council must restrict any interest income generated from the investment of the funds for the purpose of the project. This adjustment reflects the allocation of projected interest towards the cost of reconstruction Lodges Road and Hilder Street.
-	250,000		DOP Lodges Road Loan - Transfer from Reserve	
-	222,343		Corporate Management - ELE Reserve Funding	This increase reflects payments made to employees on resignation and retirement. Payments made to employees on retirement and resignation are funded from Council's ELE Reserve. Leave payments primarily reflect the cost of staff who are currently on maternity or extended leave. Council also administers payments made to employees entitled to the Federal Government's paid parental leave scheme.
153,773	-		Corporate Salaries - Termination Payments	
104,602	-		Corporate Salaries - Maternity / Leave Payments	
-	36,032		Federal Government - PPL Scheme Income	
(222,100)	-		Corporate Management - Staff Vacancy Provision	Savings primarily reflects vacancies within Council's staffing structure. Savings from vacant positions are used to fund Council's vacancy provision target and costs associated with backfilling vacant positions.
222,100	-		Corporate Salaries & Overheads	
115,000	-		Kirkham Reserve Netball Courts Stage 2 Lighting	The Camden Netball Club has secured funding under the NSW Community Builders Grant Program towards further lighting improvements at Kirkham Reserve. Council has undertaken the works on behalf of the Netball Club.
-	115,000		Camden Netball Club - Contribution to Works	
-	100,000		Section 94 Contributions - Interest on Investments	Revenue projections for Section 94 interest on investments are above budget expectations. Delays in a number of significant capital works projects have led to a higher than anticipated balance of fund available for investment. Additional income is restricted to reserve for the purpose of funding future infrastructure costs.
100,000	-		S94 Developer Contributions - Transfer to Reserve	
95,000	-		Central Administration Building - Investigation & Planning	Council officers have commenced investigation into the location and construction of a new central administration building. Funds are required to engage specialist surveying, property and financial advice.
-	95,000		Administration Building Reserve - Transfer from Reserve	

Summary of Budget Review Variations Greater Than \$15,000
September Review of the 2011/12 Budget

Expense \$	Change In Vote		Description	Comments
	Income \$	Totals \$		
Note: INCOME - Increases are shown as positive figures. Reductions are shown as negative figures EXPENDITURE - Increases are shown as positive figures. Reductions are shown as negative figures				
94,790	-	-	Planning Studies - Rezoning Studies	Continuation of pre development application planning studies for various rezonings on behalf of development consortiums.
-	94,790	-	Developer Contributions - Planning Studies	
68,040	-	-	Transport Systems - Elderslie Link Road Design	Payment is required for ongoing design work for the Elderslie Link Road. Works are to be funded from Section 94 Developer Contributions.
-	68,040	-	Section 94 Reserve - Transfer from Reserve	
61,712	-	-	Road Improvements - Camden Valley Way / Kirkham Ln	Significant savings were achieved in the reconstruction of Templeton Road, McCrae Drive and Charker Reserve Carpark. Savings are primarily a result of effective management of project design, material efficiencies and reconstruction work. These savings are proposed to be offset against additional expenditure incurred in replacing road drainage infrastructure at Elizabeth Macarthur Avenue, and undertaking additional works at the Camden Valley Way & Kirkham Lane Intersection.
46,875	-	-	Road Reconstruction - Elizabeth Macarthur Avenue	
(42,573)	-	-	Road Reconstruction - Templeton Road	
(39,975)	-	-	Road Reconstruction - McCrae Drive	
(20,000)	-	-	Carpark Extensions - Charker Reserve	
(6,039)	-	-	Road Maintenance & Repairs - Reactive Maintenance	
-	61,668	-	Plant Replacement Program - Sales Income	
-	(61,668)	-	Plant Reserve - Transfer from Reserve	
-	45,000	-	Domestic Waste - Fees & Charges Income	Service growth calculations for waste management services are above budget expectations for 2011/12. This is primarily due to housing development within the Spring Farm and Elderslie Release Areas. The increase in income is offset against additional staffing costs required to meet service expectations, and minor operational expenditure increases. The remaining funds are to be transferred to the Waste Management Operational Reserve, to be used at future quarterly reviews to fund any additional disposal costs or operational expenses which are a direct result of continued service growth.
-	(200)	-	Domestic Waste - Other Operational Income	
51,800	-	-	Domestic Waste - Salaries & Wages	
(30,000)	-	-	Domestic Waste - Community Education	
5,000	-	-	Domestic Waste - Other Operational Expenses	
18,000	-	-	Domestic Waste - Transfer to Reserve	
41,000	-	-	Family Day Care - Building Improvements	
-	41,000	-	Family Day Care Reserve - Transfer from Reserve	
35,000	-	-	Park Improvements - Belgenny Reserve Irrigation	Contribution toward the completion of irrigation works in accordance with the Federal Government's Regional Community Local Infrastructure (Round 3) funding agreement.
-	35,000	-	Camden Falcons Soccer Club - Contribution to Works	
30,035	36,072	-	ELE Payments - Transfer to/from Other Councils	Allocations are required to reflect the leave entitlements owed to staff which are transferable between Council's upon commencement & resignation. Income received is restricted to Council's ELE Reserve and transfers to other Council's are funded from the ELE Reserve.
6,037	-	-	ELE Reserve - Transfer to Reserve	
29,043	-	-	Council Properties - Rheinbergers Cottage	The Community Infrastructure Renewal Program included an allocation of \$50,000 towards improvement to Rheinbergers Cottage. Savings from works undertaken at the Camden Civic Centre (Air-Conditioning) and Harrington Park Community Centre (Carpet Replacement) are to be used to be allocated towards the anticipated increase in the cost of works required at Rheinbergers Cottage.
-	29,043	-	Infrastructure Renewal Reserve - Transfer from Reserve	
(28,000)	-	-	Park Improvements - Leash Free Areas	Funds are to be used towards park improvements at River Road Reserve, Elderslie. These works are to be included as part of the Metropolitan Greenspace Program "Nepean River Trail - Link to Camden".
-	(28,000)	-	Section 94 Reserve - Transfer from Reserve	
(27,578)	-	-	Camden Town Farm - Community Garden Project	Council receives funding under the NSW Community Builders grant program for a number of programs and works at the Camden Town Farm Community Garden. Funds are to be restricted for the purpose of continuing the program until December 2012.
27,578	-	-	Grant Reserve - Transfer to Reserve	

ORD13

Attachment 2

Summary of Budget Review Variations Greater Than \$15,000
September Review of the 2011/12 Budget

Change In Vote			Description	Comments
Expense \$	Income \$	Totals \$		
Note: INCOME - Increases are shown as positive figures. Reductions are shown as negative figures EXPENDITURE - Increases are shown as positive figures. Reductions are shown as negative figures				
17,250	-		Corporate Training - Professional Development Program	Council has recently introduced a tiered leadership program as part of its ongoing commitment to staff professional development. Funding has been secured from the Department of Education to subsidise the cost of the frontline management stream of this program. These funds will be also be used to partially offset the cost of continuing the WELL (Workplace Language and Literacy) Program.
20,500	-		Corporate Training - Writing & Literacy Program	
-	27,500		Department of Education (State) - Grant Income	
-	10,250		Department of Education (Federal) - Grant Income	
(19,200)	-		Council Properties - Water Savings Action Plan	Council at its meeting 24 May 2011 established the Water Savings Action Plan Reserve. The current 2011/12 allocation is to be transferred to reserve until sufficient funds have accumulated to undertake major works identified within the Plan.
19,200	-		Water Savings Reserve - Transfer to Reserve	
1,572,280	1,572,280	-	September 2011/12 Contra Adjustments	
1,572,280	1,572,280	-	Total Contra Variations 2011/12	
4) Revotes for the 2011/12 Year to be included in the 2012/13 Budget				
Budget adjustments which have are proposed to be carried forward into the 2012/13 Budget:				
-	-	-	Total Revotes Identified for September Period	
-	-	-	Total Revotes Identified 2011/12	

Reconciliation to 'September Review of the 2011/12'

2010/11 Carried Forward Working Funds Balance	1,000,000	
2011/12 Adopted Budget Surplus	-	
Available Working Funds 01/07/11	1,000,000	
Less:		
Minimum Desired Level	(1,000,000)	
Total Funds Available	-	Total Available Working Funds as at 01/07/2011
September Review	874,300	Significant Budget Variations
	-	Council Approved Variations
	-	Budget Contra Variations
	-	Budget Revotes (Carry-Overs)
	874,300	Sub Total - September Review Variations
	874,300	Total Available Working Funds as at 30/09/2011



ORDINARY COUNCIL

ORD14

ORD14

SUBJECT: INVESTMENT MONIES
FROM: Manager Corporate Services
BINDER: Investment Monies

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 October 2011 is provided.

MAIN REPORT

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

The weighted average return on all investments was 5.85% p.a. for the month of October 2011.

The Principal Accounting Officer is the Manager Corporate Services.

RECOMMENDED

That Council:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act, Regulations, and Council's Investment Policy.***
- ii. The list of investments for October 2011 be noted.**
- iii. The weighted average interest rate return of 5.85% p.a. for the month of October 2011 be noted.**

ATTACHMENTS

1. Investment Summary October

ORD14

Attachment 1

CAMDEN COUNCIL

Investments as at: 31st October 2011

INSTITUTION (Long term / short term credit ratings)	TYPE	IBD NO.	TERM	MATURITY DATE	INTEREST RATE (p.a.)	PORTFOLIO %	INVESTMENT AMOUNT
WESTPAC	TD	2448	164	22-Dec-11	6.03%		1,000,000
AA / A-1+	TD	2451	204	9-Feb-12	6.06%		2,500,000
	TD	2452	204	16-Feb-12	6.16%		1,000,000
	TD	2453	140	21-Dec-11	6.11%		1,000,000
	TD	2454	204	23-Feb-12	6.26%		1,000,000
	TD	2458	154	24-Jan-12	5.90%		2,500,000
	TD	2469	90	13-Jan-12	5.79%		2,500,000
						20%	<u>11,500,000</u>
CITIBANK	TD	2463	63	9-Nov-11	5.72%		3,000,000
A+ / A-1						5%	<u>3,000,000</u>
BANK WEST	TD	2470	182	19-Apr-12	5.75%		1,000,000
AA / A-1+	TD	2456	91	16-Nov-11	5.90%		2,000,000
	TD	2460	90	29-Nov-11	5.90%		3,000,000
						10%	<u>6,000,000</u>
NAB	TD	2443	183	22-Dec-11	6.18%		2,000,000
AA / A-1+	TD	2445	195	12-Jan-12	6.14%		1,500,000
	TD	2447	198	19-Jan-12	6.15%		1,400,000
	TD	2449	199	26-Jan-12	6.17%		1,500,000
	TD	2450	198	2-Feb-12	6.14%		2,000,000
	TD	2465	86	15-Dec-11	5.93%		2,500,000
						19%	<u>10,900,000</u>
ING DIRECT	TD	2442	156	24-Nov-11	6.00%		1,500,000
A+ / A-1	TD	2440	176	1-Dec-11	6.21%		2,000,000
	TD	2464	120	12-Jan-12	5.96%		2,000,000
	TD	2466	126	31-Jan-12	6.00%		2,400,000
	TD	2467	119	1-Feb-12	5.90%		1,500,000
	TD	2468	125	8-Feb-12	5.90%		1,500,000
						19%	<u>10,900,000</u>
SUNCORP METWAY	TD	2431	125	15-Nov-11	6.26%		1,500,000
A+ / A-1	TD	2438	149	3-Nov-11	6.10%		2,000,000
	TD	2439	183	8-Dec-11	6.21%		2,000,000
	TD	2441	148	10-Nov-11	6.07%		1,000,000
	TD	2471	183	26-Apr-12	5.79%		1,000,000
						13%	<u>7,500,000</u>
ST GEORGE	TD	2444	188	5-Jan-12	6.13%		1,600,000
AA / A-1+	TD	2446	167	15-Dec-11	6.00%		1,500,000
	TD	2459	93	30-Nov-11	5.86%		1,000,000
	TD	2462	93	7-Dec-11	5.80%		1,000,000
	TD	2461	91	1-Dec-11	5.81%		2,000,000
						12%	<u>7,100,000</u>
CBA	CALL			Call	5.25%	2%	1,449,000
AA / A-1+							
TOTAL INVESTMENTS HELD						100%	<u>58,349,000</u>

CAMDEN COUNCIL

Investments as at: 31st October 2011

SOURCE OF FUNDS INVESTED	
SEC 94 DEVELOPER CONTRIBUTIONS	23,770,000
RESTRICTED GRANT INCOME	652,000
EXTERNALLY RESTRICTED RESERVES	14,071,000
INTERNALLY RESTRICTED RESERVES	15,847,000
GENERAL FUND	4,009,000
TOTAL	58,349,000

Council's investment portfolio has decreased by \$913,000 since the September reporting period. The decrease primarily relates to payments for capital works and operational expenses. Council's annual financial reports have now been audited and the year end budget result was presented to Council on the 11 October 2011. The increase in Internally Restricted Reserves primarily represents Council's resolution to restrict \$1 million to the Central Administration Reserve and \$1.3 million to the Working Funds Reserve.

NUMBER OF INVESTMENTS	33
AVERAGE DAYS HELD	148
AVERAGE PERCENTAGE	6.01% p.a.
WEIGHTED PORTFOLIO RETURN	5.85% p.a.
CBA CALL ACCOUNT *	5.25% p.a.
HIGHEST RATE	6.26% p.a.
LOWEST RATE	5.72% p.a.
BUDGET RATE	6.30% p.a.
AVERAGE BBSW (30 Day)	4.79% p.a.
AVERAGE BBSW (90 Day)	4.71% p.a.
AVERAGE BBSW (120 Day)	4.70% p.a.

*Note: CBA call account is not included in the investment performance calculations

TD - Term Deposit - This is a secure investment with a fixed interest rate for the term of the investment.

BB - Bank Bills - This is a negotiable security that is sold at a discount to face value with the full face value paid on maturity.

NCD/CTD - Negotiable/Transferable Certificate of Deposit - Very similar to Bank Bills but often have a higher minimum investment and can have longer maturity dates.

CRI - Committed Rolling Investment - For terms of 1-3 years. The interest rate is set at a margin above the bank bill swap rate for the term of the investment. The investment rolls monthly or quarterly and the BBSW is reset at roll date.

FRN - Floating Rate Note - Generally have 5-10 year terms but are tradable securities that can be bought & sold at prevailing market rates. The interest rate is set at a margin above the bank bill swap rate. Interest coupon is paid quarterly and the rate is reset on coupon date.

BBSW - Bank bill swap rate

LONG-TERM AND SHORT-TERM CREDIT RATINGS AS ISSUED BY STANDARD & POOR'S

A credit rating is a current opinion of an obligor's overall financial capacity (its creditworthiness) to pay its financial obligations.

Long-Term Issuer Credit Ratings

AAA - An obligor rated 'AAA' has an extremely strong capacity to meet its financial commitments. 'AAA' is the highest issuer credit rating assigned.

AA - An obligor rated 'AA' has very strong capacity to meet its financial commitments. It differs from the highest-rated obligors only to a small degree.

A - An obligor rated 'A' has a strong capacity to meet its financial commitments but is somewhat more susceptible to the adverse effects of changes in circumstance and economic conditions than obligors in higher rated categories.

BBB - An obligor rated 'BBB' has adequate capacity to meet its financial commitments. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitments.

Short-Term Issuer Credit Ratings

A-1 - An obligor rated 'A-1' has strong capacity to meet its financial commitments. It is rated in the highest category.

A-2 - An obligor rated 'A-2' has satisfactory capacity to meet its financial commitments. However, it is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligors in the highest rating category.

Plus (+) or Minus (-)

Both long-term and short-term ratings may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the rating categories.



ORD15

ORDINARY COUNCIL

ORD15

SUBJECT: TENDER T010/2012 FOR STREETSCAPING AND CONCRETE PAVING CONSTRUCTION IN ELDESLIE AND SPRING FARM

FROM: Director Works & Services

BINDER: Council Properties/Capital Works

PURPOSE OF REPORT

To provide details of the tenders received for Contract T010/2012, being Streetscaping and Concrete Paving Construction in Elderslie and Spring Farm, and to recommend that Council accept the tender submitted by Devcon Civil Pty Ltd and Lamond Contracting Pty Ltd.

BACKGROUND

The intention of this Tender was to appoint suitably experienced contractors to carry out both the concrete paving and landscaping works associated with current and future road projects in the Elderslie and Springs Farm release areas. This work will be separated from the main road construction contracts to achieve consistent high quality streetscape finishes, improved cost effectiveness, enable flexibility to stage the works with adjacent development, and to better manage maintenance of completed soft landscape works.

Rates provided in the Tender will allow the successful contractors to be engaged for individual contracts as, and when, required.

• **Scope of Works**

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• Works under this contract include:

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- construction of the concrete footpaths, cycleways, pram ramps, driveway crossings and laybacks, in accordance with the plans and specifications;
- preparation of turfing and planting areas;
- supply and installation of plant stock and trees including edging, composting, fertilising, mulching and staking;
- supply and laying of turf; and
- 26 week maintenance periods for all planting and turfing as completed.

Anticipated Schedule of Works

- *Hilder Street – Eastern side length 1050metres, Western side 350metres*
- *Lodges Road – Road Length 1600metres*
- *Springs Road – Road Length 1350metres*
- *Link Road – Road Length 550metres*

These contracts are not intended to be restricted to the Elderslie and Spring Farm areas. They will also enable Council to undertake streetscaping works in other areas as, and when, required at the tendered rates.

Contract Term

The contract term will be two (2) years from acceptance of the Tender. This term may be extended by a further one (1) year by mutual agreement between the Contractor/s and Council.

MAIN REPORT

The Tender for the Streetscaping and Concrete Paving Construction in Elderslie and Spring Farm was advertised in the local press, Sydney Morning Herald and NSW e-tendering website. Tenders opened on 20 September 2011 and closed on 12 October 2011. There has been a good level of interest in the project, with 13 submissions received.

Tenders were asked to provide a schedule of rates for various streetscaping works.

Tender Submissions

Tenders were received from the following companies:

<u>Name of Tender</u>	<u>Location</u>
1) Allv Civil	Bankstown
2) Awada Civil Pty Ltd	South Hurstville
3) Brefni Excavation and Earthmoving	The Oaks
4) Builtform Constructions Pty Ltd	Baulkham Hills
5) CPE Landscaping	Mt Hunter
6) Danste Concreting and Excavation	Horsley Park
7) Devcon Civil	Blacktown
8) Jeankon Pty Ltd	Dural
9) Lamond Contracting Pty Ltd	Wilton
10) Maintenance Infrastructure Services	Smithfield
11) Metro Resources Group	Revesby
12) Sam the Paving Man Pty Ltd	Surry Hills
13) Synergy Civil and Constructions Pty Ltd	Condell Park

Tender Evaluation

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

A Tender Evaluation Panel was established and the submissions were assessed on price and non-price factors as agreed by the Evaluation Panel. Price was given a weighting of 70% and non-price factors a weighting of 30%.

Non-price factors considered for this project were:

- capacity and experience in undertaking similar large scale projects involving both concreting and landscaping elements; and
- client references for similar projects.

To enable a quantitative assessment of the rates provided, estimated quantities for the scope of works were developed to enable an estimated lump sum comparison.

A summary of the Tender Evaluation is contained in the supporting documents.

The lowest tender is an experienced concrete pathway contractor but did not demonstrate any experience or expertise in past projects involving landscaping elements. They were also unable to demonstrate experience in project management, coordinating various trades and managing site issues such as traffic control.

Lamond Contracting Pty Ltd and Devcon Civil Pty Ltd provided the second and third lowest estimated lump sum total. However when non-price factors are considered, their submissions scored the equal highest overall ranking.

In assessing the tenders submitted by Lamond Contracting Pty Ltd and Devcon Civil Pty Ltd, the following non-price factors set them above the other tenders:

- both contractors have satisfied all requirements of Council's Tender documentation and provided a high quality submission;
- both contractors have demonstrated extensive experience and a proven track record in delivering projects of a similar scale and nature;
- Lamond Contracting Pty Ltd has successfully completed a number of streetscaping projects for Council and have the ability to combine the concreting and landscaping requirements of the works;
- Devcon Civil Pty Ltd have extensive civil, concreting and project management experience. The majority of their soft landscape works, such as planting and turfing, will be carried out by their nominated subcontractor who has extensive experience in this work; and
- past clients were contacted and gave positive feedback on their performance.

The Panel members agreed that the tenders submitted by Lamond Contracting Pty Ltd and Devcon Civil Pty represented the best value to Council.

Accepting the tenders of two contractors provides Council with greater flexibility and ensures that resources will be available when works are required to be undertaken. It is intended to engage each of the two contractors for individual contracts based on the tendered rates for various components of works as, and when, required, with a view to achieving best value for Council.

Project Budget

The proposed funding for streetscaping works in the Springs Farm and Elderslie release areas is generally provided by S94 developer contributions. Budget allocations for these works will be developed in line with Council's contributions plans and the annual budget process.

Relevant Legislation

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

CONCLUSION

Lamond Contracting Pty Ltd and Devcon Civil Pty Ltd have both provided conforming tenders. The tender assessment concludes that the offers by both Lamond Contracting Pty Ltd and Devcon Civil Pty Ltd represent best value for money and both companies has a proven track record of performance on projects of a similar nature.

Contracting both companies will provide Council with greater flexibility and ensures that resources are available as, and when, required.

RECOMMENDED

That Council:

- i. **accept the tendered rates provided by Lamond Contracting Pty Ltd and Devcon Civil Pty Ltd for future streetscaping works as, and when, required; and**
- ii. **authority be granted for the relevant documentation to be completed under the Seal of Council.**

ATTACHMENTS

1. [Tender Evaluation Spreadsheet - *Supporting Document*](#)



ORD16

ORDINARY COUNCIL

ORD16

SUBJECT: TENDER 102/2012 FOR DESIGN OF NARELLAN COMMUNITY HALL REDEVELOPMENT

FROM: Director Works & Services

BINDER: Council Properties/Narellan Community Hall/Narellan Community Hall Redevelopment Design

PURPOSE OF REPORT

To provide details of the tenders received for Contract 102/2012, being the design of the Narellan Community Hall Redevelopment, and to recommend that Council accept the tender submitted by Suters Architects Pty Ltd.

BACKGROUND

Council resolved on 23 August 2011 to redevelop the Narellan Community Hall as the location for a new community facility with a focus on services for children and families. Concept designs have been presented to Council that show that the existing site can accommodate the new services required and that the proposal can be constructed within the funds allocated in the Draft Contributions Plan.

In order to progress the project, tenders for review of the concept plans, preparation of detailed designs and provision of support services during construction have been sought from suitably qualified design consultants.

MAIN REPORT

Invitation to Tender

The tender for design of Narellan Community Hall Redevelopment was advertised in the local press, Sydney Morning Herald and NSW e-tendering website. Tenders opened on the 6 September 2011 and closed on 30 September 2011. There has been a high level of interest to the project with 31 submissions received.

Tenders were asked to provide a lump sum for the proposed design works.

Tender Submissions

Tenders were received from the following companies:

<u>Name of Tender</u>	<u>Location</u>
1) 8 Squared Architecture	West Ryde
2) Aibee Architects	Thornleigh
3) Buzacott Architects	Surrey Hills
4) Caldis Cook Group Pty Ltd	Chippendale
5) Christiansen O'Brien Pty Ltd	Crows Nest
6) Collins Caddaye Architects	Forrest ACT
7) De Angelis Taylor & Associates	Liverpool
8) FORM Architects (Aust) Pty Ltd	Parramatta
9) Fulton Trotter and Partners Architects	Bondi Junction

10) Genton Pty Ltd	Randwick
11) Gordon + Valich Pty Ltd	Surry Hills
12) i2c Design & Management Pty Ltd	Glebe
13) Ideas Architects	Leumeah
14) JDH Architects Pty Ltd	Ultimo
15) McNeil Architects Pty Ltd	Port Macquarie
16) Mode Design Corporation Pty Ltd	Surry Hills
17) Nordon Jago Architects Pty Ltd	Annandale
18) Graphite Architects	North Sydney
19) Quattro Architecture	Brookvale
20) Quinn O'Hanlon Architects Pty Ltd	Lane Cove
21) Red Blue Architects	Surry Hills
22) Reid Campbell (NSW) Pty Ltd	North Sydney
23) Robert Peck YFHK Pty Ltd - Peckvonhartel	Sydney
24) Robot Architects	Bellevue Hill
25) SJB Architects (NSW) Pty Ltd	Surry Hills
26) Smith & Tzannes	Zetland
27) Suters Architects Pty Ltd	Pymont
28) Team 2 Design	Crows Nest
29) Tilment Pty Ltd– Architects Edmiston Jones	Wollongong
30) TompkinsMDA Architects Pty Ltd	Sydney
31) Welsh + Major Architects	Chippendale

Tender Evaluation

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

A Tender Evaluation Panel was established and the submissions were assessed on price and non-price factors as agreed by the Evaluation Panel. Price was given a weighting of 65% and non-price factors a weighting of 35%.

Non-price factors considered for this project were:

- Technical capacity and experience of design team
- Conformity and presentation of tender
- Client references for similar projects

Given this project is proposing alterations and additions to an existing building it is important that the right design team be selected to minimise Council's risk during the construction phase of the project. To assist in determining the best value submission, the tender documentation requested a detailed breakdown of prices from all sub-consultants at each stage of the project. This has enabled Council officers to consider the resources allocated by each sub-consultant at each stage of the design as well as in the construction period.

Prices have been received ranging from \$86,470 to \$211,015.

Suters Architects Pty Ltd has not provided the lowest tender price. However when non-price factors are considered, its submission has scored with the highest overall ranking. In assessing the tender the following non-price factors set it above tenders with lower prices:

- Suters have satisfied all requirements of Council's tender documentation and provided a high quality submission.
- The cost allowances made for each design discipline at each stage of the project was considered to be appropriately distributed.
- Based on the distribution of costs above, Council officers have a high level of confidence that appropriate resources and attention will be directed to the project as required. This also demonstrates a good appreciation and understanding of the proposed works.
- The tender has extensive experience and a proven track record in delivering projects of a similar scale and nature.
- Past clients were contacted and gave positive feedback on the tender's performance.

A summary of the tender evaluation is contained in the supporting documents.

The Panel members all agreed that the tender by Suters Architects Pty Ltd represented the best value to Council.

Project Budget

The current Capital Works Programme budget allocations for this project are:

2011/12	\$ 448,250
2012/13	<u>\$1,066,700</u>
Total	\$1,514,950

The proposed funding allocation for this centre in the revised Draft Contributions Plan is \$1.8M. The budget allocation for this project will be reviewed in line with the draft Contributions Plan allowance in the 2012/13 budget process.

Relevant Legislation

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

Critical Dates / Time Frames

Completion of the detailed design and approvals by April 2012 will allow a construction tender through May/June 2012 with a Construction Contract awarded in July 2012.

CONCLUSION

Suters Architects Pty Ltd has provided a conforming tender. The tender assessment concludes that the offer by Suters Architects Pty Ltd represents best value for money and the company has a proven track record of performance on projects of a similar nature.

RECOMMENDED

That:

- Council accept the design tender provided by Suters Architects Pty Ltd for the lump sum value of \$103,960 (GST exclusive); and**



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- ii. authority be granted for the relevant documentation to be completed under the Seal of Council.

ATTACHMENTS

1. Tender Evaluation - *Supporting Document*

ORD16



ORD17

ORDINARY COUNCIL

ORD17

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - TRAFFIC COMMITTEE
FROM: Cr Funnell
BINDER: Traffic Committee

“I Councillor David Funnell hereby give notice of my intention to move the following at the Council Meeting of 22 November 2011:”

That a report be brought back to Council outlining:

1. The functions and role of the Traffic Committee;
2. Council’s requirement to accept recommendations from the Traffic Committee; and
3. The role of each of the four voting delegates of the Traffic Committee

RECOMMENDED

That a report be brought back to Council outlining:

1. **The functions and role of the Traffic Committee;**
2. **Council’s requirement to accept recommendations from the Traffic Committee; and**
3. **The role of each of the four voting delegates of the Traffic Committee.**