



**CAMDEN COUNCIL
PLANNING PROPOSAL**

Amendment No. 21 – Gledswood Hills (190 Raby Road)

May 2016

Amendment 21 – Gledswood Hills (190 Raby Road)

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Executive Summary

The site is located on the eastern boundary of the Camden Local Government Area (LGA) and adjacent to the Campbelltown Scenic Hills and the South West Priority Growth Area. Immediately to the west of the site is the Water NSW Water Supply Canal and to the north is the East Side Release Area.

The site is a long narrow, irregular shaped site that extends along the western side of a north-south ridgeline. It is approximately 40 hectares and 200-300m wide by 1,700m long. The site is predominately paddocks and occasionally used for grazing purposes. The land is typically open grasslands and scattered eucalypts, and is dominated by a large underground Jemena gas line and overhead TransGrid transmission line easements.

The site is Zoned RU2 Rural Landscape under the Camden Local Environmental Plan 2010 (Camden LEP 2010). The Planning Proposal seeks to rezone the site to R2 Low Density Residential and R5 Large Lot Residential. The Planning Proposal also seeks to amend the minimum lot size from 40 hectares to range of minimum lot sizes, including 375m², 4,000m² and 20,000m².

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1.0 Introduction

The site is currently zoned RU2 Rural Landscape under the Camden LEP 2010. This Planning Proposal seeks commencement of the statutory process to rezone the site to a range of zones, including R2 Low Density Residential and R5 Large Lot Residential. It also seeks to amend the minimum lot size from 40 hectares to range of minimum lot sizes, including 375m², 700m², 4,000m² and 20,000m².

It is envisioned that the development will provide a range of residential lots suitable for detached dwelling houses of one and two storeys in height and would complement urban development on nearby sites and in the South West Priority Growth Area.

At its meeting of 25 June 2013, Council considered a report on a Planning Proposal to rezone the subject site to R1 General Residential for a minimum lot size of 450m², R2 Low Density Residential for lots ranging from 700m² - 1800m² and R5 Large Lot Residential for a minimum lot size of 2000m².

The Gateway Determination was issued from the Department of Planning and Environment on 19 August 2013 (see **Appendix 3**). In accordance with the Gateway Determination, Council was required to complete a number of specialist studies. The findings of the studies are detailed later in this report.

Note: as a result of specialist studies and consultation with Public Agencies the Planning Proposal differs from that sent for Gateway Determination in the following way:

- Removal of proposed R1 General Residential – as this could deliver a higher density and built form outcomes than is suitable for the site;
- A change to the minimum lot sizes:
 - From 450m² to 375² – to allow for a greater diversity in lot and housing products and ensure greater flexibility across most of the site.
 - From 2,000m² for the northern area of the site to 4,000m² and 20000m² – to provide greater conservation outcomes for an area of bushland to be included in residential lots.

2.0 Site Description and Context

2.1 Overview

This section describes the location of the site, existing development on the land, the current planning framework, and the relationship of the area to the draft South West Subregional Strategy.

2.2 Site Locality

The area that is the subject of this Planning Proposal is shown in Figure 1.

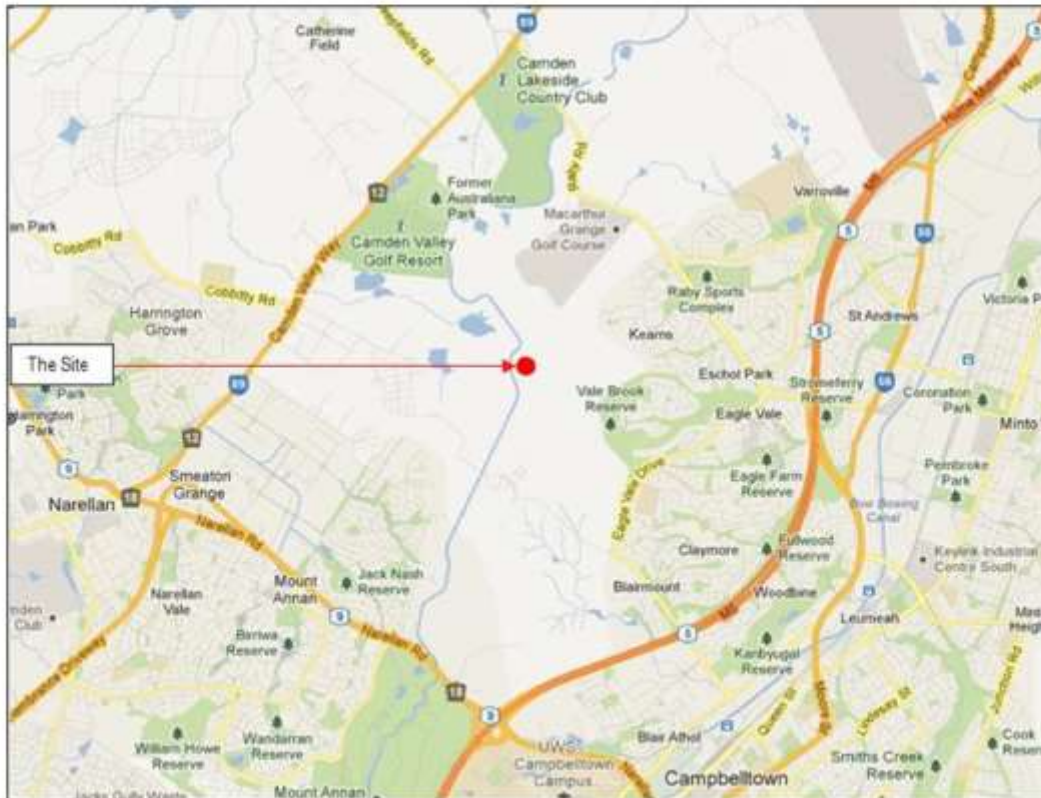


Figure 1: Location of the Subject Site (Source: Google Maps)

The site is located on the eastern boundary of the Camden Local Government Area (LGA) and adjacent to the Campbelltown Scenic Hills and the South West Priority Growth Area. Immediately to the west of the site is the Water NSW Water Supply Canal and to the north is the East Side Release Area. The site also has frontage to the extension of Gregory Hills Drive and will benefit from access from a new intersection approved to relocate the main entrance of St Gregorys College.

2.3 Site Context

2.3.1 Outline

The context of the site is currently predominantly rural and semi-rural in character. However, given the site is located immediately adjacent to the South West Priority Growth Areas (refer to Figure 2

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below), the character of the area is undergoing significant change as a large proportion of the surrounding land has been or is in the process of being rezoned for future urban development.

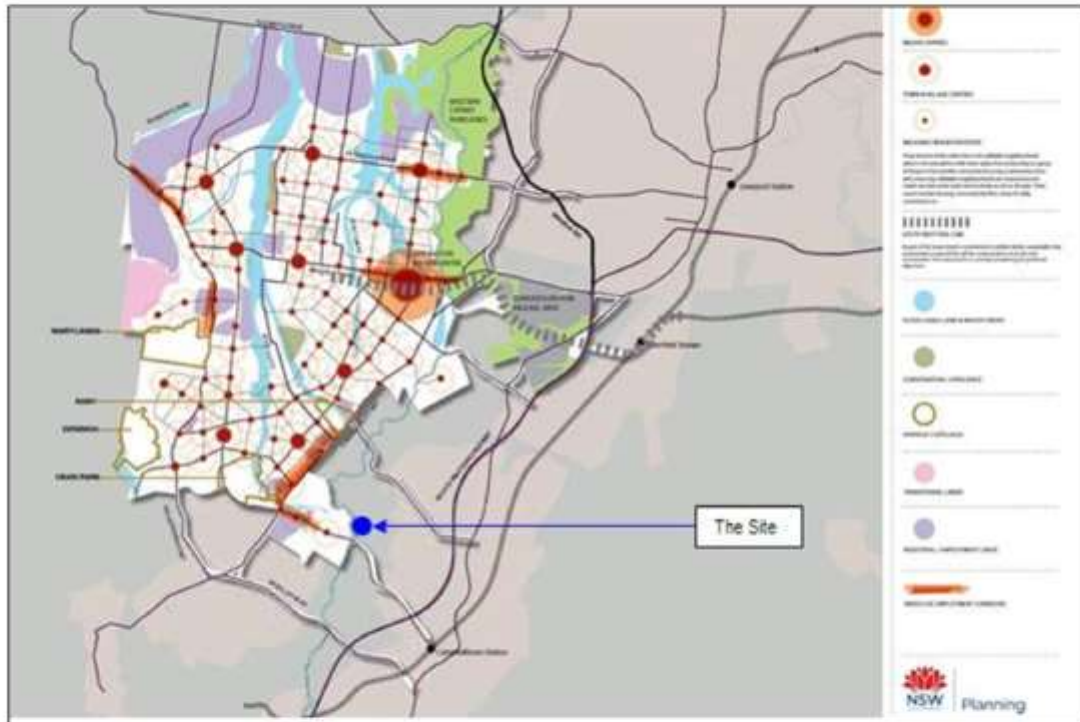


Figure 2: South West Growth Centres Structure Plan (Source: Metropolitan Strategy – A City of Cities)

The surrounding development will be predominantly residential housing with neighbourhood commercial centres and some business generating/employment land, schools, recreation and community facilities.

The changing nature of the landscape around the site is demonstrated in Figure 3 which identifies the key surrounding sites which are detailed as follows.

2.3.2 Turner Road Precinct South West Priority Growth Area

The Turner Road precinct was rezoned in December 2007 and was one of the first Precincts released within the South West Priority Growth Area. The Precinct has an area of approximately 536 hectares and will accommodate approximately 4000 dwellings, 96 hectares of employment land, a town centre and open space and recreational facilities.

The Precinct comprises three main parts, the Dart West/Marist Brother joint venture release area known as Gregory Hills, which is located immediately to the west of the site across the Water NSW Water Supply Channel, an employment lands area at the junction of Gregory Hills Drive and Camden Valley Way, and thirdly the Hermitage release area being developed by Sekisui House.

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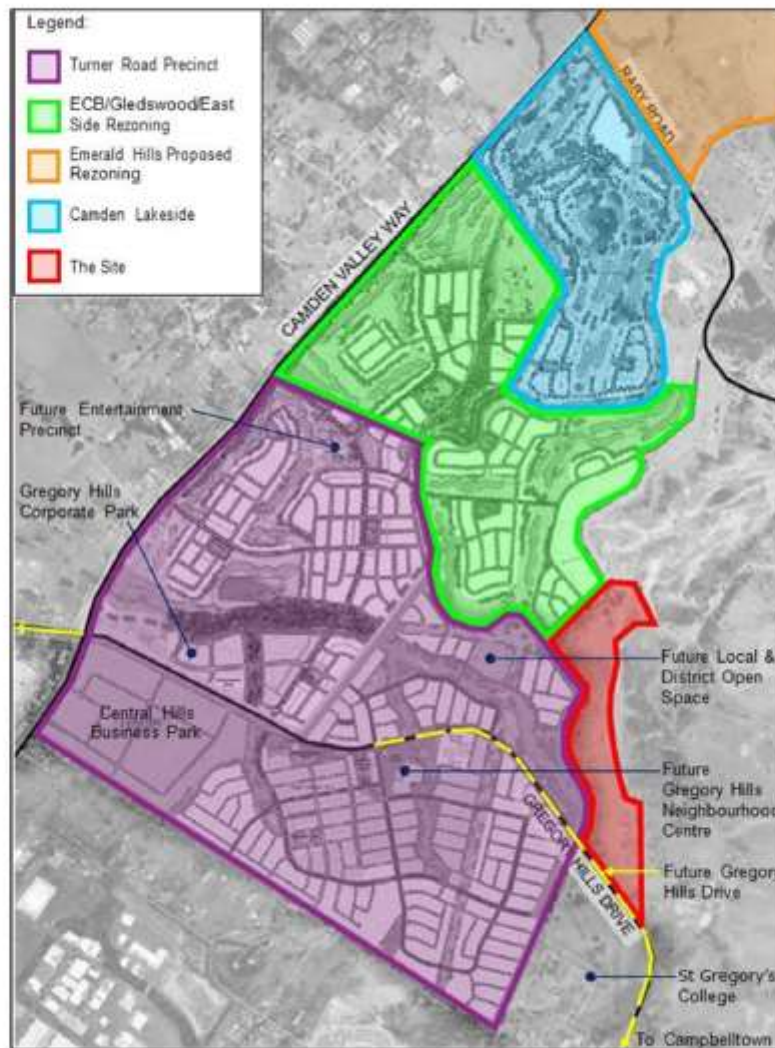


Figure 3: Site Context (Source: Gregory Hills and the Hermitage Masterplans)

The Gregory Hills estate is located closest to the site with the future neighbourhood centre located approximately 800m to 1km from the site. The Gregory Hills estate also includes the provision of district sporting facilities which are earmarked for construction approximately 250m from the site on the western side of the Water NSW Water Supply Channel.

The development of the Turner Road Precinct has delivered the construction of significant pieces of infrastructure to the area, including the South Creek Sewer Pump Station and associated rising mains, the first half of the Gregory Hills Drive (formerly Badgally Road) arterial road which will eventually provide a connection through to Campbelltown and the delivery of large scale employment land subdivision.

The Gregory Hills Drive connection through to Campbelltown will deliver road access to the southern boundary of the site and will be a public transport corridor.

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2.3.3 El Caballo Blanco/Gledswood/East Side Rezoning

The El Caballo Blanco/Gledswood/ East Side rezoning is located to the north and north-west of the site and is a precinct of approximately 160 hectares of former tourist park, rural and rural residential holdings. This precinct has been rezoned to accommodate approximately 860 dwellings, a golf course, and restoration of the State Heritage listed Gledswood House.

This precinct will provide public road access close to the northern boundary of the site and opportunities for future connection through the site.

2.3.4 Camden Lakeside

Immediately to the north of the El Caballo Blanco and Gledswood site is the existing Camden Lakeside Golf Course site, located on the southern corner of Raby Road and Camden Valley Way. This site is identified as an urban release area under the Camden LEP 2010 that was rezoned in 2006 to accommodate approximately 380 dwellings around the golf course as part of a golf course estate development.

2.3.5 Emerald Hills

Located on the northern corner of Raby Road and Camden Valley Way, opposite the Camden Lakeside site, is a site known as Emerald Hills, 1100-1150 Camden Valley Way, Leppington.

The Emerald Hills estate has an area of approximately 151 hectares and was rezoned in 2014 to deliver approximately 1,200 dwellings.

2.3.6 Gregory Hills Education Precinct

The Gregory Hills Education Precinct is located immediately to the south of the site and comprises the Gregory Hills College and boarding accommodation. Construction has commenced to relocate the main access to the college to Gregory Hills Drive and the relocation of sporting fields.

2.4 The Site

The land that is the subject of the Planning Proposal is located within the Camden Council LGA. The land is owned by Mr Steven Chambers and comprises one (1) allotment of land that has a real property description of Lot 4 in DP 260703 and is commonly known as No.190 Raby Road, Gledswood Hills.

The land was purchased shortly after the original subdivision in 1980 and has a Building Approval 838/1980 for a two storey residence in the south-east corner of the site. This dwelling was started but not completed.

The site is a long, narrow, irregular shaped site that extends along a north-south ridgeline on the western side of the Camden/Campbelltown LGA boundary. The site has an area of approximately 40 hectares and is approximately 200-300m wide by 1,700m long on the western slopes of the ridgeline. Figure 4 shows an aerial view of the site.

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The site has an undulating terrain that has a predominately westerly aspect overlooking and draining towards the Water NSW Water Supply Channel and the upper reaches of the South Creek catchment. There are three (3) small farm dams on the site.

The land is used for grazing purposes and comprises fenced paddocks covered with pasture grasses with a scattering of remnant eucalypts of Cumberland Plain Woodland. The only development on the site is the foundations of a dwelling house in the south-east corner of the site, commenced in 1981 as part of a consent (BANo. 838/80) for a dwelling house.

Part of the site is traversed by two key pieces of infrastructure, a series of Jemena gas easements with a combined width of 50m that run the length of the site in a north-south direction, and a 60m wide TransGrid easement for overhead power lines, including two stanchions across the northern end of the site. There are no other structures on the site.

Whilst the site currently has a rural character, it is evident from the context described in Section 2.3 the site is located within an area undergoing significant change with urban release area developments and rezoning essentially surrounding the site on two sides, to the west and north.

The proximity of the site to utilities, services and public transport will be enhanced with the construction of the extension of Gregory Hills Drive along the southern boundary of the site. This will provide connection to the Gregory Hills development and Campbelltown LGA, for public transport and pedestrian and cycleway connections. The site also provides the opportunity for further improved public access between Raby Road through the East Side development and Gregory Hills Drive.



Figure 4: Aerial view of the subject site (outlined in red) (Source: <http://imagery.maps.nsw.gov.au/>)

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3.0 Statutory Framework

3.1 Zoning

The site is currently zoned RU2 Rural Landscape under the provisions of the Camden LEP2010 (refer to Figure 5).

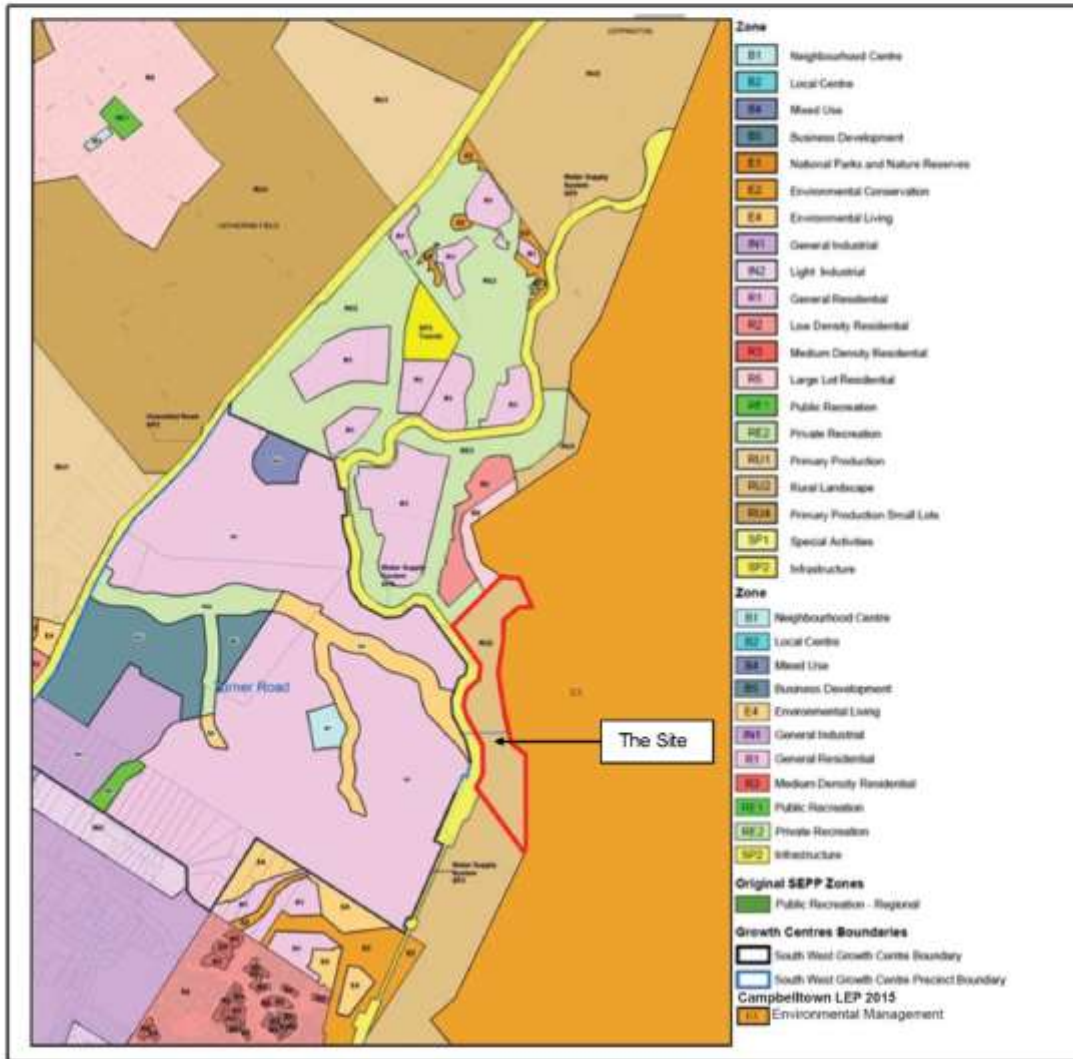


Figure 5: Zoning Extract from Camden LEP 2010, Campbelltown LEP 2015 and the SEPP (Sydney Growth Centres) 2006

The zoning map in Figure 5 demonstrates that the site is currently zoned RU2 Rural Landscape and is adjacent to land zoned residential to the west and the north. The eastern boundary of the site is adjacent to the Campbelltown LGA Scenic Hills land that is zoned E3 Environmental Management.

Prior to the gazettal of the Turner Road Precinct under the SEPP (Sydney Growth Centres) 2006, this area was zoned 7(d) Environmental Protection (Scenic Hills) which stretched westward to

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Camden Valley Way. A considerable proportion of the 7(d) Environmental Protection zone within the Camden LGA has since been eroded by the SEPP and subsequent and proposed rezonings.

3.2 Other Controls

A minimum lot size of 40 hectares applies to the site.

No building height restrictions currently apply to the site.

4.0 The Planning Proposal

4.1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to enable the redevelopment of the land at Lot 4 in DP 260703 (190 Raby Road, Gledswood Hills) for a range of low density urban development.

An Indicative Layout Plan/Masterplan for the site has been prepared following the completion of the specialist studies (see Figure 6).

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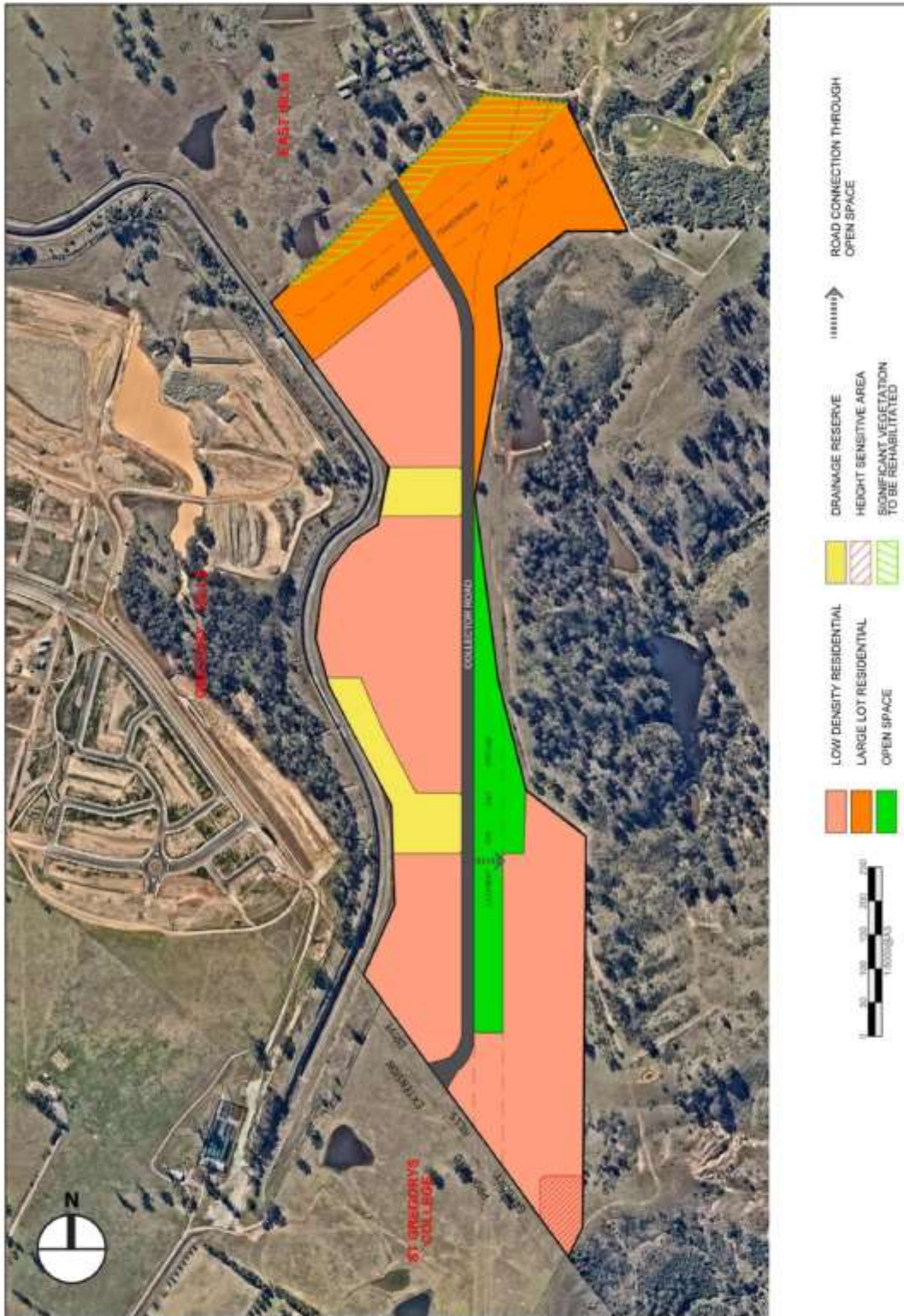


Figure 6: Indicative Layout Plan

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The objectives of the Proposal are to:

- Protect the scenic and landscape character of the area, particularly when viewed from public land, in particular from viewpoints in the Cambelltown LGA;
- Achieve staged, orderly development having regard to the site's opportunities and constraints that integrates neighbouring sites;
- Plan a residential development that is sympathetic and complementary to the scenic qualities of the Gledswood Hills Lands, with any built environments largely "subservient" to such landscape;
- Create a desirable place for all ages and a wide range of household types;
- Optimise the use of infrastructure; and
- Provide choice of housing.

The intended outcome of the Planning Proposal is to rezone the site to permit a range of residential lots.

It is intended that the Planning Proposal would form part of an amendment to the Camden LEP 2010.

4.2 Explanation of Provisions

The amendments proposed to Camden LEP 2010 will facilitate the redevelopment of the site for urban residential purposes. The proposed zoning controls would allow for low density residential on most of the site and large lot residential on the northern lots. The larger lots are in an area where a Transgrid easement and a vegetation corridor are located.

Building height controls would restrict development to a maximum of two storeys. Lot size controls will reduce the density on the higher parts of the site to maximise tree retention and landscaping and provide a transition to the adjoining Environmental Conservation zone.

The proposed controls include the following:

- Amend the Land Zoning Map to show part of the site as R2 Low Density Residential and part of the site as R5 Large Lot Residential;
- Impose a Building Height of 9.5m on the height of Buildings Map over the site;
- Amend the Lot Size Map to show minimum lot sizes of 375m² and 700m² over the proposed R2 Low Density Residential portion, and minimum lot sizes of 4,000m² and 20,000m² over the proposed R5 Large Lot Residential portion of the site; and
- Amend the Urban Release Area Maps to include this site. This will trigger the application of Clause 6.1 *Arrangements for designated State public infrastructure* of Camden LEP 2010.

There are no other provisions that are required to be amended.

The proposed amendments to the Camden LEP 2010 are also supported by a site specific DCP section which will provide a Locality Statement and an Indicative Layout Plan and site

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specific controls. A copy of the draft amendments to Camden DCP 2011 is provided as Appendix 5 to this Planning Proposal.

4.3 Justification

This section addresses the need for the rezoning, identifies the background studies undertaken, details why the Planning Proposal is the best approach, and identifies what the community benefits will be.

4.3.1 Section A – Need for the Planning Proposal

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

The Planning Proposal itself has not been the result of a specific strategic study or report. However, it is noted that a significant number of technical studies were prepared for both the Turner Road Precinct and the El Caballo Blanco/Gledswood/East Side rezoning. The results of these studies have been used to inform the Planning Proposal.

A range of specialist studies have been undertaken to support the rezoning of the site. Summaries of these are outlined below.

Landscape and Visual Analysis

A comprehensive Landscape and Visual Analysis report (dated November 2015) was prepared by Distinctive Living Design. This report builds on, and consolidates, the findings and recommendations of two previous landscape and visual analysis reports as follows (The comprehensive report is provided as **Attachment 1**):

- Landscape and Visual Analysis prepared by James Mather Delaney Design (**JMDD**) dated February 2013. This report was initially submitted in support of the Planning Proposal to obtain Gateway approval. The report detailed the existing site conditions and considered the visual impact of development of the site from 14 prominent viewpoints. Seven of the viewpoints were located on the Camden side of the Scenic Hills with the other seven looking west from the Campbelltown LGA.

The report concluded that the site was suitable for residential development without any significant visual impact from the Campbelltown LGA. Given the significant extent of development on adjoining land (Gregory Hills, the Crest and Marist Bros redevelopment), the report concluded that development of the site would be consistent with the changing nature of land uses on the Camden LGA side of the Scenic Hills.

- Visual Landscape Assessment Peer Review prepared by Musecape (Chris Betteridge) dated July 2015. This peer review was prepared to ensure the findings of the initial JMDD Landscape and Visual Analysis were sound. The report confirmed the limited visual impact that development of the site will have on viewpoints from the Campbelltown LGA.

The report did however, recommend an additional 9 viewpoints be investigated to ensure there will be no visual impact from the development of the site. Six of these viewpoints were within the Campbelltown LGA. Despite the need to investigate the

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additional 6 viewpoints in the Campbelltown LGA, this report anticipated that the future development of the site "will either have no visual impact on views from the additional viewing points, its impact will be attenuated by distance or adjoining development or its impact can be mitigated".

To ensure appropriate mitigation measures are put in place, the report made a series of recommendations regarding development controls that should be included within the Development Control Plan to ensure any potential impacts are appropriately managed. In particular, the report confirmed that a building height of 9.5 metres over the site was appropriate.

In light of the recommendation to investigate the additional 9 viewpoints, Distinctive Living Design were engaged to prepare a consolidated report that brought together the previous investigation by JMDD and recommendations of the peer review by Musecape. Analysis of the additional 6 viewpoints in the Campbelltown LGA confirmed there would be no significant visual impact from development of the site. The report adopts the recommendations for appropriate development controls to mitigate any visual impacts as specified in the Musecape report.

Additional ground-truthed topographic survey was also conducted from the Hardy Street Reserve in the Campbelltown LGA. This survey identified that there may be potential for development in a small area at the southern end of the site to be visible from the Hardy Street Reserve. Once setbacks from the eastern property boundary (due to fire trail access, asset protection zones and building footprint) are taken into account, a line of site RL of 142.5 was identified. Based on an assumed building FL of 135.0 at this point, a 2 storey dwelling above 7.5 metres high may be visible from this location. Given building FLs will be determined during the detailed engineering and subdivision design, appropriate development controls have been recommended to ensure there will be no visual impact from development in this southern area.

Flora and Fauna

A detailed Flora and Fauna Assessment (dated November 2015) of the site was prepared by Lesryk Environmental. The report is provided as **Attachment 2**. Following a Council and State records and comprehensive field survey, one ecological community and nine species, listed under the *Environment Protection and Biodiversity Conservation Act 1999* and for the *Threatened Species Conservation Act 1995* were recorded within the site or had the potential to occur on the site. These species include:

- Cumberland Plain Woodland (**CPW**)
- Grey-headed Flying Fox
- Eastern Falsistrelle
- Greater Broad-nosed Bat
- Little Bentwing Bat
- Eastern Bentwing Bat
- Cattle Egret
- Cumberland Plain Land Snail
- Large-footed Myotis

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- East-coast Freetail bat

Development of the site will result in the removal of approximately 7.35 hectares of CPW. In order to mitigate the impact of development on known flora and fauna in the area, the report recommended that a stand of existing Cumberland Plain Woodland along the northern boundary of the site should be retained and managed in the future. This area is to be retained in private ownership and in large lots through the use of the R5 Large Lot Residential zone. It is important to note that a road link through the site from Gregory Hills Drive to the adjoining development to the north is needed to improve public transport and access in the area. This road link will result in this vegetation being contained within 2 large lots between 2.4 and 2.8 hectares in size.

The report also identified two areas suitable for revegetation. Both of these areas are proposed to be dedicated to Council as part of the necessary open space and drainage network. These areas will be required to be revegetated prior to their dedication to Council.

Given the potential for these species to occur, an Assessment of Significance concluded that the development of the site would not have an “*adverse impact on any ecological communities, threatened species, or populations, of state or national conservation significance*”. The report also concluded that a referral to the Federal Minister for the Environment or Species Impact Statement would not be required.

During the preparation of the Indicative Layout Plan and land use plans, the report was referred to the Office of Environment and Heritage for comment (OEH). OEH requested that the stand of vegetation at the north of the site be retained in single ownership and raised concern that the use of the R5 Large Lot Residential zone may compromise the long term viability of the CPW. OEH suggested that the CPW should be:

- Bought into public ownership and zoned E2 Environmental Conservation;
- Included in a single lot with a minimum size of 4 hectares; and
- Actively managed to protect and restore the CPW

A site visit and assessment by Council’s Officers determined that the vegetation is highly fragmented and not part of a high value vegetation corridor. Furthermore, due to the need to provide a through road link to the adjoining land to the north, retention of the vegetation in a single lot is not viable. Given the circumstance, the use of the R5 zone in conjunction with a minimum subdivision lot size of 2 hectares is considered to be appropriate to ensure the vegetation is retained on site in sizeable land holdings. Controls will also be included within the Development Control Plan to require the revegetation and ongoing maintenance of the CPW in future development applications.

Traffic and Transport

A Traffic Impact Assessment (TIA) was prepared by TRAFFIX in July 2015 to review the traffic impacts of the development. The report is provided as **Attachment 3**.

The site is in close proximity to a number of roads that have been upgraded, currently being upgraded, or that are planned to be upgraded. These include:

- Camden Valley Way – completed.

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- Gregory Hills Drive - extension of the existing road which will abut the southern end of the site and will provide the main access to the site via a new intersection.
- Construction of the new east-west collector road within 'East Side' land which will also connect south into the subject site through to Gregory Hills Drive.
- Road widening and realignment of Raby Road.

Traffic generation for the low density residential areas was calculated based on the RMS Technical Direction 04a (August 2013). This Technical Direction provided the following recommended traffic generation rates relating to low density residential development:

- 0.99 peak hourly trips per unit during the AM peak
- 0.95 peak hourly trips per unit during the PM peak
- 10.7 daily vehicle trips per dwelling

Based on the above, the future residential development at the site is anticipated to generate up to 257 vehicles/hr during the AM peak period and 247 vehicles/hr during the PM peak period.

As the trip generation exceeds 200 vehicles per hour at the intersection of the site and Gregory Hills Drive, the RMS 'warrants' for a signalised intersection are satisfied. The results of the SIDRA modelling for this signalised intersection identify that access to Gregory Hills Drive will operate with acceptable delays and Level of Service in the future. Based on this, the report identifies that the traffic impacts associated with the future development of the site can be accommodated by the surrounding road network, and are generally consistent with the road network already planned within the locality.

Signals at the intersection of the future connection to Raby Road will also be required due to the high passing traffic volumes within Raby Road. This northern connection to the development precinct will be important in the medium to long term to provide potential bus connections servicing the locality. The design of this intersection however, along Raby Road, is being developed separately in conjunction with RMS as part of a separate subdivision application over a site to the north.

The internal road layout and road designs were also reviewed as part of the TIA. The road designs proposed are outlined below and satisfy the recommended width outlined in the Australian Model Code for Residential Development (AMCORD):

Classification	Road Reserve Width (m)	Carriageway Width (m)
Collector Road	18.3	12
Local Street (typical)	15.0	8.0
Local Street (Absolute minimum)	14.0	7.0

The road designs and internal layout were considered appropriate and were supported within the TIA. Individual dwellings will be required to provide parking in accordance with the relevant DCP controls as part of future applications.

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To ensure the northern collector road connection (bridge over the existing riparian corridor) is delivered, the proponent has entered into a commercial arrangement with adjoining landowner (Mirvac) to tie in to their proposed development layout.

Aboriginal Archaeological and Cultural Heritage

A review of Aboriginal Archaeology and Cultural Heritage was undertaken by Dominic Steele Consulting Archaeology in December 2015. This assessment was prepared in partnership with the Cubbitch Barta Native Title Claimants Aboriginal Corporation and the Tharawal Local Aboriginal Land Council to identify potential Aboriginal archaeological and cultural heritage constraints and mitigate impacts as a result of the development. The report is provided as **Attachment 4**.

Surveys of the site revealed ten separate archaeological find locations comprising one or more artefact. Each of these finds were located on the ridge-top flats and slopes, generally in the northern half of the property, either within or adjacent to the gas pipeline easement running north-south along the eastern property boundary. The finds show a trend for a low density distribution of fifteen artefacts (fourteen flaked and one ground stone artefact) or manuports of mainly red and yellow/grey silcrete but with some mudstone items that are distributed along a distance of about 650 metres.

The archaeological potential of the ridgeline in general is considered to be moderate while the potential Aboriginal archaeological sensitivity of the landforms comprising lower and/or steeply sloping topography on the property leading away from the eastern ridge is considered limited. The report notes that while the southern ridge has been disturbed by a gas pipeline and associated vehicle track, it is likely that intact artefacts bearing subsurface deposits that are buried by the present colluvial (gravel lag) and disturbed ground profiles are retained.

The report identifies that further archaeological testing is warranted on the ridgeline and within an additional area of Potential Archaeological Deposit prior to future development. However, no objection to the proposed rezoning of the site has been identified on Aboriginal archaeological grounds.

Acoustic Assessment

PKA Acoustic Consulting prepared an Acoustic Report dated May 2015. The report is provided as **Attachment 5**. This report investigated the potential traffic noise levels likely to be experienced within the future residential lots from both Gregory Hills Drive and the north-south Collector Road.

The report identifies that the internal north-south Collector Road is not anticipated to present any significant noise impacts but that traffic noise from Gregory Hills Drive is anticipated to impact a number of proposed residential lots. To mitigate this, the report recommends:

- An appropriate acoustic barrier along part of the frontage to Gregory Hills Drive, east of the Collector Road.
- The provision of upgraded glazing and alternative ventilation to bedrooms of dwellings overlooking Gregory Hills Drive.

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- The lot located at the intersection will require an 'L' shaped building façade design to allow for outdoor noise levels to be in compliance.

Following the implementation of the recommendations outlined, the internal and external noise levels specified in the DCP are identified to be achieved at all lots. A small number of lots closest to Gregory Hills Drive will have some areas of yard marginally above the external noise criteria (less than 3dBA).

Bushfire Report

Australian Bushfire Protection Planners (ABPP) undertook an assessment of the bushfire constraints related to the subject in February 2014. The report is provided as **Attachment 6**. The report identifies that part of the site is identified on the Camden Council Bushfire Prone Land Map as containing Category 2 Bushfire Prone Vegetation along with the buffer zone to the bushfire prone vegetation mapped as being located on land to the east of the site.

The existing vegetation on site is anticipated to be removed/modified as a result of the future residential subdivision with the exception of vegetation to be retained located along the north-western boundary. The report identifies the bushfire prone vegetation as being located on land to the east of the site being comprised of grassy woodland and on the headwater to South Creek, to the west of the southern portion of the site.

The report includes various recommendations to ensure the proposed residential subdivision of the site is suitable. These include:

- The provision of an Asset Protection Zone (APZ) along the south-eastern boundary. This APZ varies in width of between 21m and 33m.
- Provision of vehicular access to the future residential estate designed to comply with the performance standards of Chapter 4 of *Planning for Bushfire Protection 2006*.
- Incorporation of a perimeter fire trail along the eastern side of the lots located along the southern portion of the site.
- Requirement for future dwellings to be constructed in accordance with Australian Standard A.S. 3959-2009 – '*Construction of Buildings in Bushfire Prone Areas*'. Based on the APZ to the retained bushfire prone vegetation, the maximum level of construction for future dwellings will be BAL 29 specifications.
- A reticulated water supply be extended from the existing Sydney Water supply main and hydrants be provided within the new estates in accordance with Australian Standard 2419.1-2005.
- The road layout has been reviewed and determined suitable for the safe relocation of residents in the case where the Emergency Services deem it necessary to evacuate those residents located within the influences of a potential bushfire attack.
- A Section 88B restriction under the Conveyancing Act 1919 be placed on title of the burdened lots to ensure the ongoing management of the nominated APZ and other fire protection measures.

Geotechnical Assessment

A Geotechnical Assessment was prepared for the subject site by Douglas Partners in February 2014. The report is provided as **Attachment 7**. The assessment comprised a review of background information, the excavation of 11 test pits, laboratory testing of

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selected samples, engineering analysis and report and the preparation of the Geotechnical Assessment report outlining the findings.

The results of the testing identify that the natural clays are of high plasticity with moderate to high shrink-swell potential which would be triggered as a result of changes in soil moisture content. General development considerations will require the classification of residential lots to comply with the requirements of Australian Standard 2870 – 2011.

Erosion hazard within the activity area would be within usually accepted limits which could be managed by good engineering and land management practices. The site has the potential for some slope instability along the moderately and steeply sloping hillsides on the southern and northern side of the prominent gully intersecting the north-eastern corner of the site. This instability is considered a minor to moderate constraint which can be addressed as part of the future development works.

Further geotechnical investigations will be required as part of the detailed bulk earthwork and subdivision DA stages.

Open Space and Community Facilities

GLN Planning undertook an analysis of open space and community facilities, dated November 2015, to review the demand generated for social infrastructure as a result of the additional population anticipated by the rezoning. The report is provided as **Attachment 8**.

The review relied on the benchmark standards used to calculate the provisions of open space and community facility infrastructure in line with the rates outlined within Camden Contributions Plan 2011 (Camden CP 2011). Due to the location of the site adjacent to the South West Priority Growth Area, there are various levels of existing and planned social infrastructure which will provide a variety of services within the area.

The proposed development is identified to result in minor additional demands on existing and planned social infrastructure. These demands will be able to be met through the following methods:

- Utilising capacity in existing facilities (for example in health and education facilities)
- Utilising the capacity of planned facilities (for example, in public schools)
- The private sector providing facilities to meet the demands (for example, in child care, schools)
- The development providing local parks and district passive open space areas and connections as part of the development.
- The development making a contribution towards the provision of district active recreation facilities, community and library facilities identified in Camden CP 2011.

The report identifies the following arrangements to meet the demand of the expected site population:

1. At least 3,224m² of centrally located, unencumbered land on the development site embellished and dedicated as local passive open space. Embellishments to include a playground.
An area of 4,750m² has been set-aside in the masterplan for this purpose

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2. Shared pathway/cycleway on the eastern side of the Collector road linking Gregory Hills Drive to the 'East Side' land.
3. Provision for district passive open space in the form of a linear open space area utilising the Jemena gas easement containing pedestrian and cycle links.
An area of 2.68ha has been set aside in the masterplan for this purpose. Note: this provision is additional to the district open space and is not to be included in the monetary contribution.
4. A monetary contribution towards the provision of active open space and recreation, community and library facilities in the surrounding area as specified in Camden CP 2011.

Salinity Report

Douglas Partners prepared a Salinity Assessment for the subject site dated February 2014. The report is provided as **Attachment 9**. The scope of works included the excavation of 10 test pits to depths measuring between 2m and 3m, laboratory testing of salinity and related properties and reporting on the results. The aim of the report was to review the salinity of the site materials to determine the potential for the site materials to adversely impact the development and to provide strategies for managing the salinity during development.

Following testing, the subject site was identified as being slightly saline with isolated areas of moderate salinity. The report notes that the materials are in general, mildly aggressive to concrete and mildly aggressive to steel with shallow soils being sodic.

A Salinity Management Plan (SMP) was prepared and included as part of the report. The SMP provides strategies and recommendations to manage the impacts of any future development. The key strategies include:

- Capping the upper surface of the sodic soils with a more permeable material to prevent ponding, reduce capillary rise and reduce the potential for erosion (primary management method).
- Where possible, place excavated material in fill areas with similar salinity characteristics.
- Maintain vegetation where possible in sodic soil or plant new salt tolerant species. The addition of organic matter, gypsum and lime can also be considered where appropriate.
- Avoid water collecting in low lying areas, in depressions or behind fill.
- Any pavements shall be designed to be well drained of surface water with no excessive concentrations or runoff or ponding.
- Surface drains shall generally be provided along the top of batter slopes to reduce the potential for concentrated flows of water down slopes which may cause scouring.
- Salt tolerant grasses and trees should be considered for landscaping, to reduce soil erosion and to maintain the existing evapo-transpiration and groundwater levels.

Further additional strategies and recommendations related to the installation of services and house construction were provided within the SMP. These strategies are more detailed and are designed to complement good building practices recommended within the Building Code of Australia.

Amendment 21 – Gledswood Hills (190 Raby Road)Stormwater and Flooding Report

Stefani Group prepared a Stormwater Management and Flood Assessment Report over the subject site dated April 2015. The report is provided as **Attachment 10**. The report provides a strategic approach to the management of stormwater flows associated with, and external to, the proposed residential subdivision at the subject site.

The aim of this analysis is to limit the impacts of the development on stormwater quantity and quality that can influence the downstream ecology. To achieve this objective, the report identifies a series of water sensitive urban design measures (WSUD) to be implemented along with the construction of stormwater detention basins to limit peak flows discharging from the development downstream for all storm events up to and including the 100 year ARI storm event.

The site is split into three separate catchments. Catchment A contains the large lot residential properties at the northern end of the site. Catchment B and C include the low density residential lots across the remaining site area. Stormwater runoff from each catchment drains to South Creek through individual drainage Water NSW Water Canal crossings provided for each catchment. Within Catchment B and C, a combination of stormwater basin and stormwater quality treatment measures are proposed. Due to the large lot size within Catchment A, individual on-site detention and bio-retention systems will be provided on lot. The WSUD measures proposed include rainwater tanks, gross pollutant traps and bio-retention systems to satisfy the respective stormwater management targets for nutrient, sediment and gross pollutants.

An analysis of the stormwater quality impacts using the MUSIC model identifies that the proposed stormwater quality management strategy has achieved its objective to limit post-development pollutant export levels to being equal or better than the stormwater quality pollution removal targets as required by Camden Council. It is anticipated that the development would implement the Stormwater Management Plan, dated April 2015 (2 sheets), as part of the future development of the site.

Preliminary Site Investigation (Contamination)

A Preliminary Site Investigation (PSI) was undertaken by Douglas Partners in February 2014. The report is provided as **Attachment 11**. The scope of works included a site walkover, review of site history to evaluate potential areas of concern, laboratory analysis of surface water, sediment and soil sampling and preparation of the PSI outlining the results.

Based on the site history and site walkover, the site was considered to have low to moderate potential for contamination with 13 areas of environmental concern identified (AEC). These related to:

- Illegal dumping in the north-eastern end of the site
- Hydrocarbon spills over part of the site from its use as a motocross circuit
- Filling of an unknown origin to construct dam embankment walls and roads within the site
- Soil stockpiles of unknown origin with potential for asbestos-containing material

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The report identified that the site can be rendered suitable for the proposed residential subdivision subject to further investigation of the identified AEC, and possible remediation as required.

Amendment 21 – Gledswood Hills (190 Raby Road)Summary of Specialist Studies

The Planning Proposal process is the most appropriate means to apply controls to the parcel of land that will be isolated from rural land on three sides. The Planning Proposal process would deliver revised planning controls for the site while also responding to the broader strategic issues of the Plan for Growing Sydney and the South West Subregion Draft Subregional Strategy.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is considered the best option as it will allow the redevelopment of the site in a manner that is compatible with the surrounding residential land uses and also takes into consideration the site constraints. The Planning Proposal is considered to be the best method of achieving renewal of landuse at the site which is sympathetic with adjoining lands.

4.3.2 Section B – Relationship to Strategic Framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?

Plan for Growing Sydney

A Plan for Growing Sydney was released by the NSW Government in December 2014. This new document supersedes the draft Metropolitan Plan for Sydney 2036 – A Plan for Sydney's Future which was released in December 2010.

The Sydney metropolitan area will face increasing pressure over the next twenty years with the projected increase in population of 1.6 million people, requiring 664,000 more dwellings and 689,000 more jobs by 2031. These pressures require careful and integrated land use and infrastructure planning and mechanisms for delivery. A Plan for Growing Sydney is the NSW Government's response to these pressures. The plan provides a strategy for accommodating Sydney's future population growth over the next 20 years and a framework for delivering investment and jobs growth, particularly for the Western Sydney region.

The proposed rezoning is appropriate in the context of the location. The locality is undergoing a significant transformation as rural uses are replaced by urban development. Large scale urban development is planned, and has commenced, in the nearby South West Priority Area. This is supported with significant infrastructure upgrades including the Camden Valley Way upgrade, the construction of Gregory Hills Drive and the construction of the new south west rail link to the future Leppington Strategic Centre and Leppington Railway Station.

Draft South West Subregional Strategy

The Metropolitan Strategy divides into sub-regions and the Department of Planning and Environment has maintained the subregional strategies in draft form. The subject site is located within the South West Subregion.

The Subregional Strategies are designed to assist Councils with the preparation of their LEPs. The Draft Subregional Strategy was released for exhibition in December 2007 and is still in draft.

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The key directions and targets identified in the South West Subregion Draft Subregional Strategy of relevance to the precinct include:

SWC1.3.1 – South West Councils to plan for sufficient zoned land to accommodate their government area housing targets through their Principal LEPs

The Draft Subregional Strategy identifies an additional 10,274 dwellings between 2004 and 2031, comprising 1,584 additional infill dwellings and 8,690 greenfield dwellings (excluding the South West Priority Growth Area). The rezoning of the site could contribute to the achievement of these dwelling targets without the loss of existing dwelling stock.

SW C2.1.1–South West councils to ensure the location of new dwellings improves the subregions performance against the target for the State Plan Priority E5

The action requires that South West councils ensure that 80% of new housing is located within 30 minutes by public transport of a Strategic Centre. The site will achieve this being in proximity to the future public transport corridor along the southern boundary of the site which will provide access to the Major Centre of Campbelltown, which is designated as a Strategic Centre under the Strategy and is approximately 4kms to the south-east of the site.

SW C2.3.4 – South West councils to provide for an appropriate range of residential zonings to cater for changing housing needs.

The proposal seeks rezoning to part R2 Low Density Residential and part R5 Large Lot Residential zones and which would facilitate changing housing needs on the site consistent with these directions under the South West Subregion Draft Subregional Strategy.

Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Council adopted "Camden 2040 – A Strategic Plan for Camden" in 2010. Camden 2040 was prepared as a strategic response to the large scale urban and population growth that has been planned for the area under the State Government's Metropolitan Strategy. It emphasises that with growth will bring new opportunities and facilities that have not previously been available, but needs to be managed actively and effectively in order to deliver quality places and lifestyles for the people of the Camden area, as well as protecting and enhancing the important history and character of the area that is so highly valued.

The rezoning of the site as proposed will provide additional housing opportunities in a location that in the future will have good access to neighbourhood centre and public transport to town and strategic centres and is consistent with Sustainable Criteria for new urban development. It will protect the visual ridgeline that characterises the eastern boundary and would not conflict with the Strategic Plan.

Is the Planning Proposal consistent with applicable State Environmental Policies?

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at **Appendix 1** to this report.

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The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal would not conflict with any of these Policies.

Is the Planning Proposal consistent with applicable Ministerial Directions (S117 Directions)?

The s117 directions applicable to the Planning Proposal have been addressed at **Appendix 2** of this report

Direction 1.2 seeks to protect the agricultural production value of rural land. The Planning Proposal proposes to rezone a RU2 Rural Landscape zone to a mix of residential, low density residential and large lot residential zones, which is inconsistent with this direction.

- Notwithstanding this, the proposal is considered acceptable for the following reasons:
- The site is effectively isolated on three sides by urban development, which limits the agricultural production value of the site.
- The site is one of only three small rural sites located within Camden LGA between Leppington in the north and the future Gregory Hills Drive to the south.
- The site is only suitable for limited agricultural use i.e. cattle grazing, but is relatively small by agricultural standards and is not viable as productive rural land. The site is used occasionally for agistment purposes.
- The site is immediately adjacent to the Turner Road Precinct of the South West Priority Growth Area and the El Caballo Blanco/Gledswood/East Hills lands site which is the subject of a separate rezoning. Both of these sites were previously zoned rural land and were rezoned to allow urban residential development.

4.3.3 Section C – Environmental, Social and Economic Impact

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 site is used for grazing purposes and is largely pasture grasses, but does contain a number of remnant Eucalypts of Cumberland Plain Woodland that are identified on Council's Ecological Significant Lands Map under the Council's Natural Assets Policy as either local or core habitat or local support for core.

A comprehensive Flora and Fauna Assessment was undertaken for the site. This Assessment identified one area of Cumberland Plain Woodland vegetation in the northern portion of the site that should be retained and managed in the future. The Assessment also identified two areas suitable for revegetation. These areas will be managed as private land and public land dedicated to Council.

The Assessment of Significance concluded that the development of the site would not have "an adverse impact on any ecological communities, threatened species, or populations, of state or national conservation significance" and would not require referral to the Federal Minister for the Environment or Species Impact Statement. The Flora and Fauna Assessment has been provided as Attachment 2 to this report.

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

The site is not flood prone.

The Bushfire Assessment was undertaken and identified that part of the site is identified on the Camden Council Bushfire Prone Map as containing Category 2 Bushfire Prone Vegetation, along with the buffer zone to the bushfire prone vegetation mapped as being located on land to the east of the site. A number of recommendations are provided in the Assessment (the Bushfire Assessment is provided as Attachment 6 to this report). The Indicative Layout Plan in the Development Control Plan developed for this site has incorporated a number of the recommendations. Further recommendations will be complied with as Australian Standards and an 88B restriction.

A Preliminary Site Investigation (Contamination) was undertaken and identified the site as having low to moderate potential for contamination with 13 areas of environmental concern identified (AEC). The report identified that the site can be rendered suitable for the proposed residential subdivision subject to further investigation of the identified AEC, and possible remediation as required.

How has the planning proposal adequately addressed any social and economic effects?

Social Effects

The Planning Proposal will provide an opportunity for the redevelopment of the site for land uses and activities in keeping with the surrounding locality. The Proposal would allow the redevelopment of the site to accommodate approximately 260 residential dwelling allotments.

The proposed increase in residential density for the land and subsequent increased residential population will place additional demand on social services and open space. However the immediate locality will be well serviced with open space opportunities, especially given the proximity to the district open space facilities to be constructed within the Gregory Hills Precinct immediately to the west of the site on the opposite side of the Water NSW Water Supply Canal. The potential for additional dwellings is not significant and is unlikely to place unreasonable burden on community facilities earmarked to be constructed in the surrounding urban release areas, which could be augmented through Council's normal collection of section 94 Contribution. However, rather than section 94, the developer is entering into a Voluntary Planning Agreement (VPA) with Council in order to deliver open space, facilities and a financial contribution for offsite facilities.

The provision of greater housing choice and diversity is considered a benefit to the community, particularly one which is in relatively close proximity to major employment lands.

Economic Effects

The rezoning to allow for a combination of low density residential and large lot residential development at the site will result in positive economic effects. The Planning Proposal will potentially result in short and medium term employment opportunities related to construction activities that can be expected with the residential development upon rezoning.

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Additionally, the rezoning will provide increased housing supply and diversity in a location with good access to nearby major employment centres. Although incremental, the economic impacts of having a stable and diverse housing supply in close proximity to employment hubs are considered positive.

The above sections of this Planning Proposal demonstrate that the proposed rezoning accords with the relevant strategic planning framework and is likely to result in a net community benefit.

4.3.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The site is located adjacent to the future alignment of Gregory Hills Drive which will deliver all relevant utilities and access to public transport infrastructure to the southern boundary of the site. The rezoning and subsequent redevelopment of the site would be based upon sound principles for infill development utilising and supporting existing community investment in infrastructure and services.

The Planning Proposal has the potential to utilise and support the facilities due to be delivered in the neighbouring release areas, and the Planning Proposal would not place unacceptable demands on existing public infrastructure.

Any additional community infrastructure generated by the redevelopment of the site would be covered by a Voluntary Planning Agreement to be entered into by the developer and Council.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Gateway Determination required a number of Public Authorities to be consulted prior to Public Consultation. The following table outlines their responses:

Public Authority	Comment
Department of Education and Communities	No objection. The Amendment to the LEP should capture the Planning Proposal site as an "Urban Release Area". The Planning Proposal will ensure the LEP map for Urban Release Area will include this site.
Sydney Catchment Authority (SCA)	No objection. Further discussion with SCA is required at the construction stage.
Office of Environment and Heritage (Environment)	Require further discussions with OEH (Environment) regarding ownership of land in the northern portion of the site that has a stand of Cumberland Plain Woodland vegetation.
Office of Environment and Heritage (Heritage)	No objection. Must ensure that generally either a public road or open space adjoin the Sydney Upper Canal. This is required under the Draft site specific development controls.
NSW Department of Trade and Investment – Mineral Resources and Energy	Outstanding objection. See Appendix 4 to this report.
Fire and Rescue NSW	No objection.
NSW Rural Fire Service	No objection.
Roads and Maritime Services	No objection. Further consultation required at DA stage.

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Transport for NSW	No objection. Require connection to Raby Road via a Collector Road to the East Side Lands to the north of the site. This connection is being provided. The proponent is requested to consult with RMS/TNSW and DPE to agree on a mechanism to contribute towards the provision of state infrastructure.
Endeavour Energy	No objection. The arrangements for supply of electricity to the proposed development should be determined with Endeavour Energy by the developer.
Trangrid	No objection. Further consultation with Transgrid is required prior to the DA stage.
Jemena	No objection. Further consultation with Jemena is required prior to the DA stage.
Sydney Water	No objection. The developer is required to construct an extension from the wastewater system located at Gregory Hills.

These Public Authorities, in addition to the adjoining Councils, will be further consulted during the Public Consultation period.

4.5 Mapping

The following maps will need to be amended:

- Land Zoning Maps – LZN_016 and LZN_017
- Height of Building Maps – HOB_016 and HOB_017
- Minimum Lot Size Maps – LSZ_016 and LSZ_017
- Urban Release Area Maps – URA_016 and URA_017

4.6 Community Consultation

The Planning Proposal and associated draft DCP amendments and the draft Voluntary Planning Agreement will be publicly exhibited for a period of 28 days in accordance with the Gateway Determination. A notification will be placed in the local newspaper and the exhibition material available at:

- Camden Council Administration Centre (Hard Copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Council website for the length of the exhibition period (Electronic Copy).

During the exhibition period, a letter notifying land owners in the vicinity of the subject site will be sent to advise of the proposal. At the conclusion of the exhibition period, a report will be submitted back to Council detailing any unresolved submissions.

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4.7 Project Timeline

Gateway Determination original timeframe and current timeframe:	19 February 2015 26 December 2016
Completion of Studies (final update)	December 2015
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	Pre exhibition June 2014 to August 2015
Commencement and completion dates for public exhibition period	July 2016
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	August – September 2016
Timeframe for the consideration of a proposal post exhibition	TBA
Date of submission to the department to finalise the LEP	TBA
Anticipated date RPA will make the plan (if delegated)	TBA
Anticipated date RPA will forward to the department for notification	TBA

5.0 Conclusions and Recommendations

This Planning Proposal for Lot 4, 190 Raby Road, Gledswood Hills seeks to rezone the site to allow a mix of low density residential development.

The site is located immediately adjacent to the South West Priority Growth Area Turner Road Precinct and immediately to the south of land the subject of the El Caballo Blanco/Gledswood/EastSide rezoning.

In this respect, the character and landscape of this locality is undergoing a significant transformation. The redevelopment of the Turner Road precinct has commenced with large scale residential subdivision and dwelling construction commencing within the Gregory Hills and the Hermitage residential estates to the south- west and west of the site respectively. The release and development of the Turner Road precinct (and other associated release areas) is delivering significant benefits and opportunities to this part of Camden, with the construction of key infrastructure, creation of residential communities, new retail and commercial centres, employment generating centres, provision of education, recreation and community facilities and the provision of public transport.

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In this context, the current RU2 Rural Landscape zone is out of character with the surrounding landuse and will result in a relatively isolated rural lot adjacent to two urban release areas and separated by a four lane arterial road to the south. In the near future the site will be in close proximity to future public transport opportunities, employment opportunities, access to recreation facilities, education services and social and retail services associated with the neighbouring release areas.

A rezoning of the site to facilitate low density residential uses has the potential to utilise the land in an appropriate manner that could integrate with the surrounding release areas. With the delivery of the extension to Gregory Hills Drive, the site will be well serviced and accessible to all necessary services and infrastructure to support its redevelopment for residential purposes. It also has the potential to deliver improved site permeability and road connectivity with a link road between Gregory Hills Drive and the East Side link road through to Raby Road).

Based on the issues addressed in this Planning Proposal, it is proposed to prepare a Draft LEP to amend the Camden LEP 2010 in the following way:

- Amend the Land Zoning Maps to show the subject site as R2 General Residential and R5 Large Lot Residential;
- Amend the Lot Size Maps to show minimum lot sizes of 375m² and 700m² for the R2 Low Density Residential zone on the site, and minimum lot sizes of 4,000m² and 20,000m² for the R5 Large Lot Residential zone on the site;
- Amend the Building Height Maps to show a height of 9.5m across the site;
- Amend the Urban Release Area Maps to show the site as an Urban Release Area.

6.0 Appendices

Appendix 1: Consistency against State Environmental Planning Policies

Appendix 2: S117 Directions

Appendix 3: Gateway Determination

Appendix 4: NSW Department of Trade and Investment – Mineral Resources and Energy

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Appendix 1: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	Yes	This SEPP does not apply to the Camden LEP 2010.
15. Rural Land-sharing Communities	N/A	
19. Bushland in Urban Areas	Yes	<p>A detailed Flora and Fauna Assessment of the site (dated November 2015) was prepared by Lesryk Environment.</p> <p>This Assessment identified one area of Cumberland Plain Woodland vegetation in the northern portion of the site that should be retained and managed in the future. The Assessment also identified two areas suitable for revegetation. These areas will be managed as private land and public land dedicated to Council.</p> <p>The Assessment of Significance concluded that the development of the site would not have "an adverse impact on any ecological communities, threatened species, or populations, of state or national conservation significance" and would not require referral to the Federal Minister for the Environment or Species Impact Statement.</p>
21. Caravan Parks	N/A	
26. Littoral Rainforests	N/A	
29. Western Sydney Recreation Area	N/A	
30. Intensive Agriculture	N/A	The provisions of this SEPP relate to cattle feed lot proposals
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	This SEPP only applies to urban land.
33. Hazardous and Offensive Development	N/A	
36. Manufactured Home Estates	N/A	
44. Koala Habitat Protection	N/A	The SEPP does not apply to Camden LGA.

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50. Canal Estate Development	N/A	
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	This SEPP relates to the construction of artificial bodies
55. Remediation of Land	Yes	<p>A Preliminary Site Investigation was undertaken by Douglas Partners in February 2014.</p> <p>The Investigation identified the site as having low to moderate potential for contamination with 13 areas of environmental concern identified (AEC). The report identified that the site can be rendered suitable for the proposed residential subdivision subject to further investigation of the identified AEC, and possible remediation as required.</p> <p>Further detailed investigations will occur to satisfy SEPP 55 at the Development Application stage.</p>
59. Central Western Sydney Economic and Employment Area	N/A	
64. Design Quality of Residential Flat Development	N/A	
70. Affordable Housing (Revised Schemes)	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal and would need to comply with these provisions.
SEPP (Major Development)	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Infrastructure) 2007	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to

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		future development.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	Camden LGA has areas which are impacted by mining however the subject site is not located within one of these areas. The site is within the AGL Northern Expansion Proposal which has now been put on hold.
SEPP (Temporary Structures and Places of Public Entertainment) 2007	Yes	This SEPP is unlikely to apply to the forms of development that will become permissible under the Planning Proposal
SEPP (Exempt and Complying Development Codes) 2008	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Rural Lands) 2008	N/A	This SEPP does not apply to the Camden LGA.
SEPP (Western Sydney Parklands) 2009	N/A	
SEPP (Affordable Rental Housing) 2009	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SREP20 Hawkesbury-Nepean River	Yes	The SREP requires consideration be given to the impact of future land use in Hawkesbury-Nepean River catchment in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, and urban and rural residential development. The Planning Proposal is unlikely to alter or impact adversely upon the water quality and quantity, environmentally sensitive areas and flora and fauna within the Hawkesbury-Nepean River catchment.

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Appendix 2 : S117 Directions

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones		
1.2 Rural Zones	No	<p>Inconsistent</p> <p>The Planning Proposal proposes to rezone RU2 Rural Landscape to a R2 Low Density Residential and R5 Large Lot Residential zones, which is inconsistent with this direction.</p> <p>Notwithstanding this, the proposal is considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> • The site is immediately adjacent to the Turner Road Precinct of the South West Priority Growth Area and the El Cabillo Blanco/Gledswood/East Side lands site which is the subject of a separate rezoning. Both of these sites were historically rural zoned land and have been rezoned to allow urban residential development. • The site is effectively isolated on three sides by urban development. • The site is one of the only three small rural sites located within Camden LGA between Leppington in the north and the future Gregory Hills Drive to the south. • The site is only suitable for intensive agricultural use ie cattle grazing, but is relatively small by intensive agricultural standards. The site is used occasionally for agistment purposes. • The site is of sufficient size to accommodate a cattle feed lot, however given the sensitivities of the site in terms of proximity to future neighbouring residential development and being located within the head waters of the South Creek Catchment of the Hawkesbury Nepean River system, is not considered appropriate.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	<p>Post-Gateway, Council referred the Planning Proposal to the Department of Industry, Skills and Regional Development, previously known as the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS, a.k.a. NSW Trade and Investment).</p> <p>A submission was received in August 2014 from its Mineral Resources Branch (now NSW Resources &</p>

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Energy).

The submission objected to the proposal, outlining the importance of the site for future coal and coal seam gas exploration.

Correspondence has been received from Department of Planning and Environment stating that Council has satisfied the intention of the S117 direction and it is not necessary for Council to take further action in this regard.

As this is a State policy matter, the DPE has advised they will continue to seek further views of the Department of Industry.

The Department of Industry will be consulted with again during the public exhibition period.

1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	This Direction does not apply to the Camden LGA.
2.0 Environment and Heritage		
2.1 Environment Protection Zones	Yes	<p>The Planning Proposal does not propose the removal of or introduction of any Environmental Protection zones.</p> <p>A comprehensive Flora and Fauna Assessment was undertaken for the site. This Assessment identified one area of Cumberland Plain Woodland vegetation in the northern portion of the site that should be retained and managed in the future. The Assessment also identified two areas suitable for revegetation. These areas will be managed as private land and public land dedicated to Council that will be zoned R5 and R2 land respectively.</p> <p>The Assessment of Significance concluded that the development of the site would not have "an adverse impact on any ecological communities, threatened species, or populations, of state or national conservation significance" and would not require referral to the Federal Minister for the Environment or Species Impact Statement. The report is provided as Attachment 2.</p>
2.2 Coastal Protection	N/A	

Amendment 21 – Gledswood Hills (190 Raby Road)

2.3 Heritage Conservation	Yes	Dominic Steel Consulting Archaeology (DSCA) prepared an Aboriginal Archaeological and Cultural Heritage Assessment, dated December 2015. The report is provided as Attachment 4.
---------------------------	-----	--

Ten separate archaeological find locations comprising one or more artefact were identified. Each of these finds were located on the ridge-top flats and slopes, generally in the northern half of the property, either within or adjacent to the gas pipeline easement.

The report identifies that further archaeological testing is warranted on the ridgeline and within an additional area of Potential Archaeological Deposit prior to future development. However no objection to the proposed rezoning of the site has been identified on Aboriginal archaeological grounds.

The NSW Sydney Water Canal is adjacent to the western boundary of the site. A perimeter road or open space will front this boundary. There will be no impact from the development on this item.

2.4 Recreation Vehicle Areas	N/A
------------------------------	-----

3.0 Housing, Infrastructure and Urban Development

3.1 Residential Zones	Yes	The proposed R2 and R5 zones would permit residential development on the land commensurate with the zoning and development of immediately adjacent land.
-----------------------	-----	--

Detailed technical studies have been prepared which support the Planning Proposal.

The site is considered to be consistent with the Direction as the rezoning would:

- Encourage and facilitate housing to satisfy future needs.
- Would make efficient use of proposed transport infrastructure and utility services
- The provision of infill residential development on what will be a serviced and located site.

3.2 Caravan Parks and Manufactured Home Estates	N/A
--	-----

Amendment 21 – Gledswood Hills (190 Raby Road)

3.3 Home Occupations	Yes	The zones proposed in the Planning Proposal will permit home occupations to be carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport Ministerial Direction	Yes	The Planning Proposal is considered to be consistent with this Direction through: <ul style="list-style-type: none"> • The Proposal will provide housing in a location that will be well serviced by public transport along the future Gregory Hills Drive arterial road; • The provision of housing in a location that is 800m to 1km from a proposed neighbourhood centre, that will contain retail, commercial, community and educational facilities; • The future Gregory Hills Drive will also provide pedestrian and cycleway connections to the proposed neighbourhood centre and the B5 Business Development , employment generating lands to the west; • The proposal will facilitate pedestrian and cycleway connections through the site to the East Side lands to the north; • Providing an opportunity for residential development that improves opportunities for travel by means other than by car; and • Supports the efficient and viable operation of public transport services.
3.5 Development Near Licensed Aerodromes	Yes	The Planning Proposal does not propose to introduce buildings of a height that would impact upon navigation to any airport.
3.6 Shooting Ranges	N/A	
4.0 Hazard and Risk		
4.1 Acid Sulphate Soils	N/A	
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	Yes	The Planning Proposal will be consistent with the Ministerial Direction. The site is not identified as Flood Prone Land or within a potential flood planning area
4.4 Planning for Bushfire Protection	Yes	A Bushfire Assessment was undertaken and identified that part of the site is identified on the Camden Council Bushfire Prone Map as containing Category 2 Bushfire Prone Vegetation, along with the buffer zone to the bushfire prone vegetation mapped as being located on land to the east of the

Amendment 21 – Gledswood Hills (190 Raby Road)

site.

A number of recommendations are provided in the Assessment (the Bushfire Assessment is provided as Attachment 6 to this report). The Indicative Layout Plan in the Development Control Plan developed for this site has incorporated a number of the recommendations. Further recommendations will be complied with through the application of Australian Standards and an 88B restriction on the relevant lots.

5.0 Regional Planning			
5.1	Implementation of Regional Strategies	N/A	
5.2	Sydney Drinking Water Catchments	N/A	
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A	
5.8	Second Sydney Airport: Badgerys Creek	N/A	
6.0 Local Plan Making			
6.1	Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2	Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.3	Site Specific Provisions	Yes	The Planning Proposal is consistent with this Ministerial Direction.
7.0 Metropolitan Plan Making			
7.1	Implementation of A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with the relevant actions from the strategy
7.2	Implementation of Greater Macarthur Land Release Investigation	N/A	This Direction does not apply to the Camden LGA.

Amendment 21 – Gledswood Hills (190 Raby Road)

Appendix 3: Gateway Determination (TRIM: 16/143894 and 16/143904)



Mr Ron Moore
General Manager
Camden Council
37 John Street
CAMDEN NSW 2570

Our ref: PP_2013_CAMDE_014_00
Your ref: Amendment 21 Gledswood Hills

Dear Mr Moore,

Planning Proposal to amend Camden Local Environmental Plan 2010

I am writing in response to your Council's letter dated 2 July, 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at 190 Raby Road, Gledswood Hills, from Rural Landscape to a range of residential zones.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. You will note a condition has been attached to the determination for Council to review the proposed height control in view of the nature of the site and its location. Should you wish to discuss this condition, please contact the regional office.

I have also agreed the planning proposal's inconsistency with section 117 Direction 1.2 Rural Zones is of minor significance. No further approval is required in relation to this Direction. However, Council may need to obtain the Director General's agreement to satisfy the requirements of other s117 Directions. If this is the case, Council is to ensure this occurs prior to the plan being made.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. Council is reminded that it must not use its delegation where there is an unresolved agency objection to the proposal. In this instance, Council is to contact the regional office of the department to seek assistance in resolving this matter so that the plan may proceed under delegation.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary

Sydney Region West Level 5, 10 Valentine Avenue, Parramatta NSW 2150
GPO Box 39 Sydney NSW 2001 www.planning.nsw.gov.au

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Counsel's Office at least 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tai Ta of the regional office of the Department on 02 9860 1567.

Yours sincerely,

 19/8/2013

Rachel Cumming
Acting Regional Director
Sydney West Region
Planning Operations and Regional Delivery

Attachment 1



Gateway Determination

Planning Proposal (Department Ref: PP_2013_CAMDE_014_00): to rezone land at 190 Raby Road, Gledswood Hills (Lot4 DP260703) from RU2 Rural Landscape to a range of residential zones.

I, the acting Regional Director, Sydney Region West Team at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to Camden Local Environmental Plan 2010 to rezone land at 190 Raby Road, Gledswood Hills from RU2 Rural Landscape to R1 General Residential, R2 Low Density residential and R5 Large Lot Residential, should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal as follows:
 - (a) amend labels on diagrams from 'The' to 'The site' where applicable;
 - (b) under 1.0 Introduction, clarify the words 'as a standalone matter';
 - (c) update the advice given about the El Caballo Blanco/Gledswood/East Side rezoning (p.13 – 2.3.3);
 - (d) remove the word 'draft' from the cover of the proposal; and
 - (e) include a project timeline, consistent with section 2.6 Part 6 of the A Guide to Preparing Planning Proposals.
2. Further, prior to public exhibition, Council is to:
 - (a) indicate within the planning proposal that clause 6.1 of Camden LEP 2010 will apply to the proposal, and
 - (b) review the proposed imposition of a single height control for the site and consider a mix of height controls to protect the scenic nature of the land and/or clearly indicate in the planning proposal the proposed means to be employed to control housing form, location and height in this regard, particularly to protect views from the east of the site.
3. Council is to investigate the need for the provision of State contributions in terms of Planning Circular PS 08-017 (23 December 2008).
4. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - contamination and salinity
 - Aboriginal archaeology and significance
 - Ecological assessment
 - Traffic/road access and public transport provision.

Camden PP_2013_CAMDE_014_00 13/11636



Once the above information has been obtained and consultation has been undertaken with public authorities, and prior to undertaking public exhibition, Council is to review its consideration of s117 Directions: 1.3 Mining, Petroleum Production and Extractive Industries, 2.1 Environmental Protection zones, 3.4 Integrating Land Use and Transport, and 4.4 Planning for Bushfire Protection.

5. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Proposal (SEPP) 55 – Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate the site is suitable for rezoning for the proposed zones. This report is to be included as part of the public exhibition material.
6. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
7. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Education and Communities
 - Sydney Catchment Authority
 - Office of Environment and Heritage (Environment)
 - Office of Environment and Heritage (Heritage)
 - NSW Department of Trade and Investment – Mineral Resources and Energy
 - Fire and Rescue NSW
 - NSW Rural Fire Service
 - Roads and Maritime Services
 - Transport for NSW
 - Integral Energy
 - Transgrid;
 - Jemena
 - Sydney Water
 - Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Camden PP_2013_CAMDE_014_00 13/11636



8. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
9. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Dated 19th day of August 2013.

RJCumming

**Rachel Cumming
Acting Regional Director
Sydney Region West
Planning Operations and Regional Delivery
Department of Planning and Infrastructure**

**Delegate of the Minister for Planning
and Infrastructure**



Camden PP_2013_CAMDE_014_00 13/11636

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Camden Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_CAMDE_014_00	Planning proposal to rezone land at 190 Raby Road, Gledswood Hills, from RU2 Rural Landscape to a range of residential zones R1 General Residential, R2 Low Density Residential and R5 Large Lot Residential.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 19th August 2013

A handwritten signature in black ink that reads 'RJ Cumming'.

Rachel Cumming
 Acting Regional Director
 Sydney West Regional Team
 Department of Planning and Infrastructure

Camden PP_2013_CAMDE_014_00 13/11636

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_CAMDE_014_00
Date Sent to Department under s56	02/7/2013
Date considered at LEP Review Panel	Not applicable
Gateway determination date	19/8/2013

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

Amendment 21 – Gledswood Hills (190 Raby Road)

Appendix 4: NSW Trade and Investment Submission (TRIM: 16/143920)



28 July 2014

The General Manager
Camden Council
PO BOX 183
Camden NSW 2570

(ATTN: Mary-Anne Madden)

Your Reference: Council Reference SC963
Our Reference (TRIM): OUT14/22197

EMAILED: mary-anne.madden@camden.nsw.gov.au

To Whom It May Concern

Re: Camden LEP Amendment 21 – Gledswood Hills

Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Trade & Investment (DTIRIS) – Mineral Resources Branch (MRB).

Coal Resources

The proposal area is covered by the large coal authorisation A6, held by DTIRIS. Significant unallocated coal resources occur within Authorisation 6. The location is highly prospective for both high quality coking coal and also coal seam gas resources.

Petroleum Resources

The proposal area overlies the petroleum production lease PPL5, held by AGL Upstream Investments Pty Limited (Camden Gas Project). The Raby Rd subject site lies within the Camden Northern Expansion Project area, which is currently on hold with Planning & Environment.

MRB have previously had strong concerns regarding the adjacent Raby Rd and Macarthur Grange proposed development areas during the 'Review Of Potential Housing Opportunities' process for Planning & Infrastructure (2012). Considerable future residential development in this region is already manifest in adjacent locations including the South West Growth Centre (see Fig 1), Turner Road, Camden Lakeside and El Caballo Blanco/Gledswood/East Side. The currently undeveloped areas straddling the Camden and Campbelltown LGAs, between the South West Growth Centre and the Hume Motorway, are critically important in allowing for future coal and coal seam gas exploration.

NSW Department of Trade and Investment, Regional Infrastructure and Services
RESOURCES & ENERGY DIVISION
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4931 6666 Fax: 02 4931 6726
ABN 51 734 124 190
www.dtiris.nsw.gov.au

Recommendation

MRB does not support the proposed rezoning of Raby Road, Gledswood Hills.

Geoscience Information Services

MRB has a range of online data available on line through the following website address:

<http://www.resources.nsw.gov.au/titles/online-services>

This site hosts a range of data to enable research into exploration, land use and general geoscience topics. Additionally, the location of exploration and mining titles in NSW may be accessed by the general public using the following online utilities:

1. **MinView** allows on-line interactive display and query of exploration tenement information and geoscience data. It allows spatial selection, display and download of geological coverages, mineral deposits and mine locations, geophysical survey boundaries, drillhole locations, historical and current exploration title boundaries and other spatial datasets of New South Wales. This online service is available at:
<http://www.resources.nsw.gov.au/geological/online-services/minview>
2. **NSW Titles** enables the public to access and view frequently updated titles mapping information across NSW. This online service is available at:
<http://nswtitles.minerals.nsw.gov.au/nswtitles/>

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the MRB Land Use team at landuse.minerals@trade.nsw.gov.au

Yours sincerely



Cressida Gilmore
Team Leader Land Use

Figure 1: Rezoning Proposal Location



Amendment 21 – Gledswood Hills (190 Raby Road)

7.0 Attachments (Specialist Studies)

Attachment 1: Landscape and Visual Analysis (TRIM: 15/343449)

Attachment 2: Flora and Fauna Assessment (TRIM: 15/343438)

Attachment 3: Traffic and Transport Assessment (TRIM: report 15/343493, appendices 15/343496)

Attachment 4: Aboriginal Archaeological and Cultural Heritage Assessment (TRIM: 15/343425)

Attachment 5: Acoustic Assessment (TRIM: 15/343426)

Attachment 6: Bushfire Assessment (TRIM: 15/343433)

Attachment 7: Geotechnical Assessment (TRIM: 15/343442)

Attachment 8: Open Space and Community Facilities (TRIM: 15/343452)

Attachment 9: Salinity Report (TRIM: 15/343464)

Attachment 10: Stormwater and Flooding Report (TRIM: 15/343487)

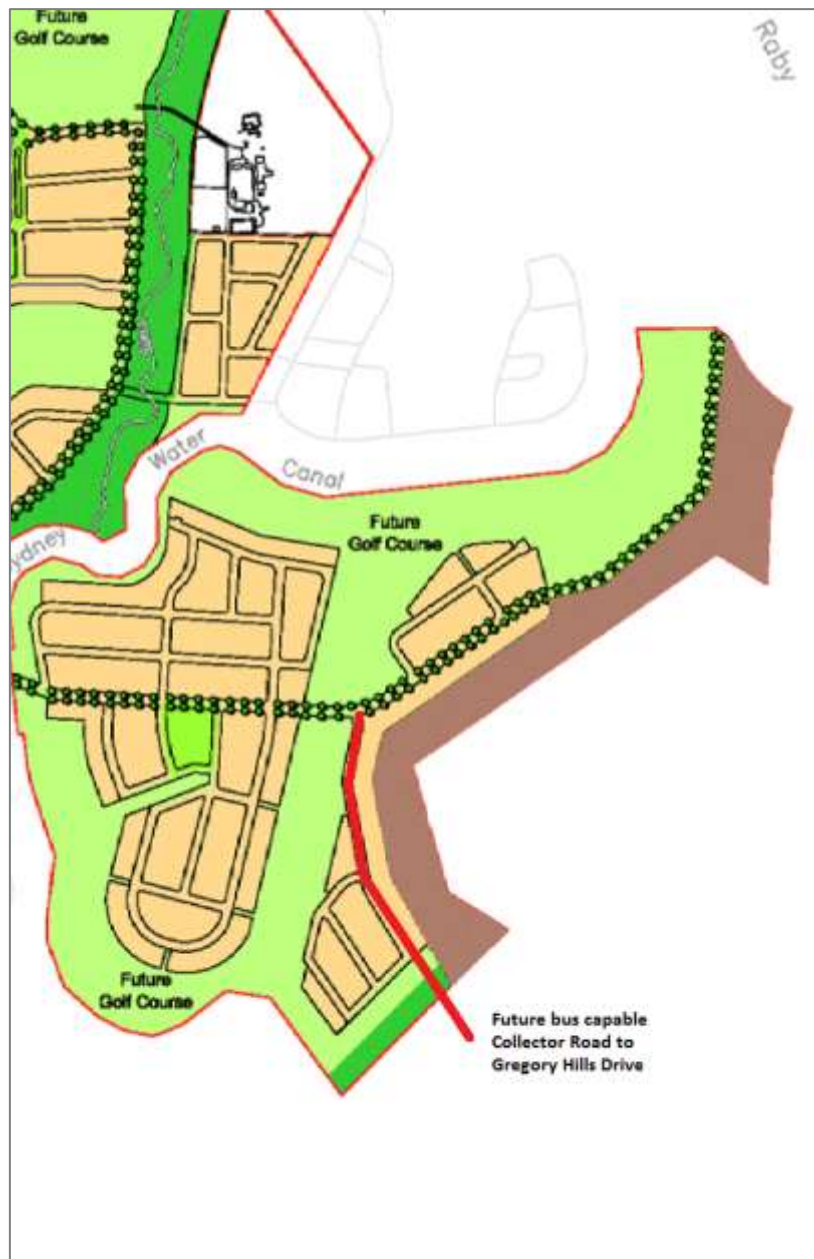
Attachment 11: Preliminary Site Investigation (Contamination) (TRIM: 15/343458)

CAMDEN DCP 2011

Insert Part C12 of Camden DCP 2011

Amend Figure C69 ECB/Gledswood ILP

Insert Comment - The existing local road identified on Figure C69 in red is to be upgraded to be a bus capable collector road. This road upgrade work is to undertaken by the developer of land to the south (190 Raby Road, Gledswood Hills).



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Insert into Part C as C14 – 190 Raby Road, Gledswood Hills

Exhibition Version 2016

Attachment 2

Insert the following in 'C5 Subdivision in Urban Release Areas' chapter

- Insert 'C14 190 Raby Road, Gledswood Hills' into C5 Subdivision in Urban Areas in the list of locality specific objectives and controls section (page C19);
- Insert 'C14' into C5.4 Public Transport Network Control 1 (page C26);

Locality Specific Controls – 190 Raby Road, Gledswood Hills

Locality Statement

The Subject Site is located on the eastern boundary of the Camden LGA, adjacent to the Campbelltown LGA Scenic Hills land and the South West Priority Growth Area. Immediately to the west of the site is the Water NSW Water Supply Canal and to the north is the East Side Release Area.

Access to the development will be provided via Gregory Hills Drive at its southern boundary. A new collector road will run through the development to provide a connection between Gregory Hills Drive at the south and the Gledswood release area to the north. This will provide an improved public transport link.

The gas pipeline easements will be integrated within the development through their embellishment and utilisation as a linear open space area that will provide a range of pedestrian, cycleway and passive recreation uses. The pedestrian path/cycleway will provide good connections to the surrounding urban areas. This linear open space will be complemented by two drainage areas. An area adjoining the easement area will also be embellished as a park and playground.

Housing on the site will benefit from the natural setting and retention of select areas of native vegetation that will be restored. It will also provide a transition of larger lots between the Scenic Hills ridgeline to well established and newly developing release areas to the west and north.

In order to protect the scenic landscape visible from the Camden LGA, additional controls to establish appropriate building height and material selection have been specified for land located to the east of the collector road shown on the Indicative Layout Plan (ILP).

Indicative Layout Plan

The Indicative Layout Plan (ILP) is shown in **Figure 1** and establishes a framework for the urban form and defines the critical components of the site. These include land use, drainage areas, vegetation conservation areas, access points and collector road, easements and open space, and restriction on heights area.

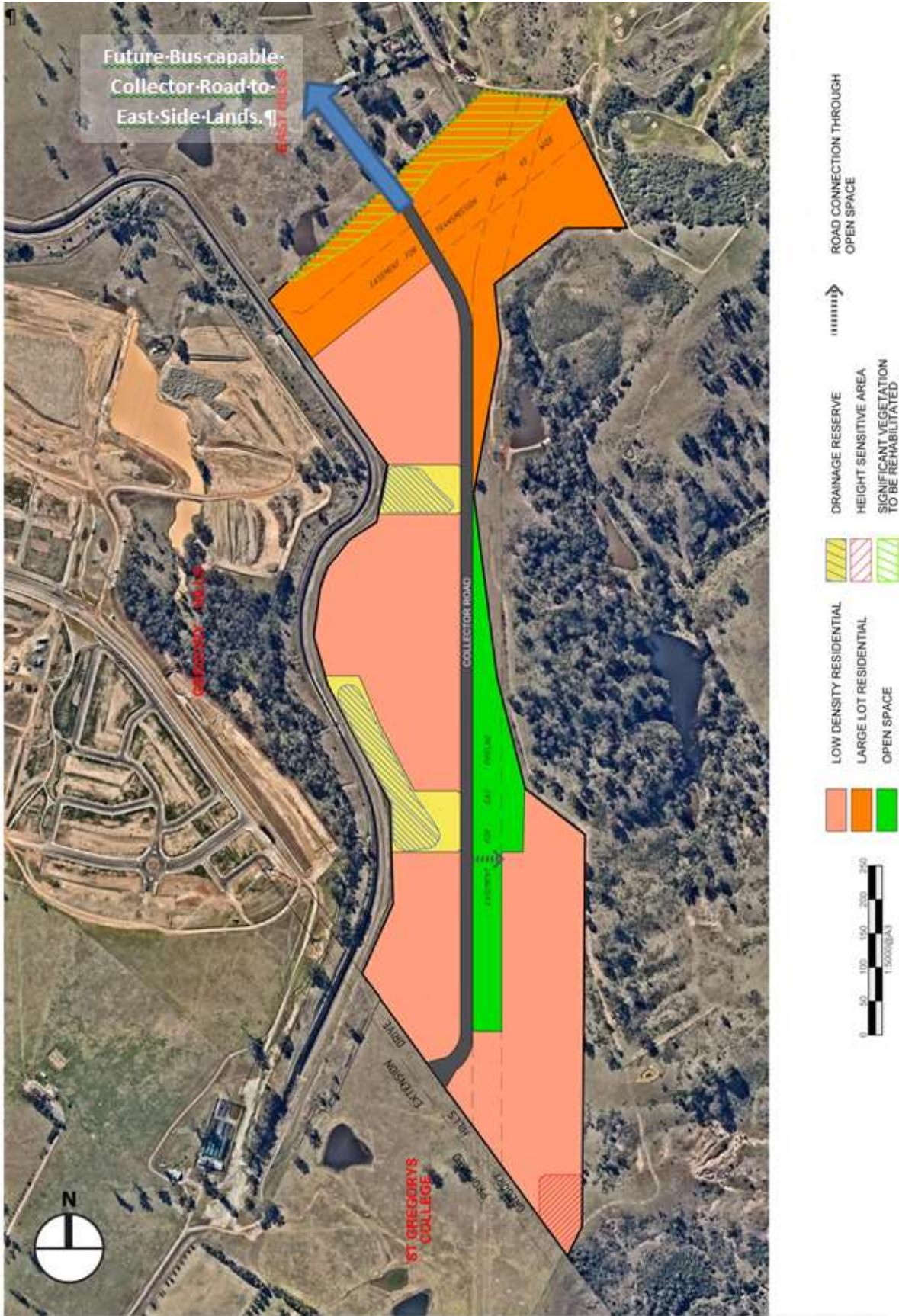


Figure 1: Indicative Layout Plan

Street, Pedestrian and Cycle Network

In addition to general controls in the DCP, the following objectives and controls for the road and pedestrian network apply to 190 Raby Road, Gledswood Hills.

Objectives

1. To establish a legible and well connected street network that promotes pedestrian and cyclist movement and convenient vehicular movement.
2. To provide a safe and convenient public transport, pedestrian and cycleway network with strong links to Gregory Hills Drive and the Gregory Hills and Gledswood release areas.

Controls

1. Subdivision of the 190 Raby Road Gledswood Hills release area will deliver a key collector road in accordance with the ILP.
2. The collector road is to be designed to accommodate future north/south bus movements through the release area.
3. Prior to approval of the road construction (Construction Certificate) and riparian crossing (in accordance with the Voluntary Planning Agreement) between the subject land and the Gledswood release area land, the Developer for 190 Raby Road Gledswood Hills must ensure the upgrade of the existing local road (within the Gledswood release area) to a collector road so as to provide a bus capable road link from Gregory Hills Drive to Raby Road.
4. A north/south pedestrian and cycleway path is to be provided through the site and be a minimum width of 2.5m. The path shall generally follow the alignment of the collector road and linear open space.
5. Residential lots are to be separated from the Upper Canal through the use of a perimeter local road.

Parks and Open Space

In addition to general controls in the DCP, the following objectives and controls for the parks and open space apply to Gledswood Hills.

Objectives

1. Provide usable open space in conjunction with the gas easement.

Controls

1. Parks and open space shall be delivered in accordance with the ILP.
2. The gas easement should be utilised to provide a linear open space area.

Retention of remnant vegetation in the R5 Large Lot Residential zone

Objectives

1. To ensure remnant vegetation identified on land zoned R5 Large Lot Residential is rehabilitated.

2. To ensure that the remnant vegetation remains in private ownership and is appropriately managed to improve and maintain its function and quality.

Controls

1. Land zoned R5 Large Lot Residential that contains remnant Cumberland Plain Woodland, as identified in the ILP, is to have a minimum lot size of 20,000m² to ensure the vegetation is not further fragmented and appropriate management and rehabilitation of the vegetation is provided.
2. A Vegetation Management Plan (**VMP**) is to be submitted with the first DA for lands zoned R5.
 - a) The VMP is to specify the necessary rehabilitation works, revegetation works and ongoing maintenance.
 - b) Areas of remnant vegetation are to be fenced off and protected when earthworks and civil works are being carried out in proximity.
 - c) A Covenant **MUST** be registered on the title of the lots requiring compliance with the VMP.
 - d) Rehabilitation works and revegetation works as per the VMP must be completed prior to release of the Subdivision Certificate for the relevant lots.

Scenic Amenity Protection

Objectives

1. To protect the landscape and visual character of the Scenic Hills.
2. To ensure the height of new dwellings are appropriate and do not have an adverse impact on the Scenic Hills.
3. Minimise opportunity for light spill from infrastructure in the public domain.

Controls

These controls apply to land east of the collector road

1. Development on land to the east of the collector road must not encroach above the 141 RL. Lots must have a restriction placed on title requiring compliance with RL 141, consistent with the requirements of the Landscape and Visual Assessment, prepared by Distinctive Consulting, November 2015.
2. Street lighting provided to public roads is to incorporate a shroud, hood or other appropriate design treatment to minimise light spill.

Insert the following in 'D2 Residential Development' chapter

- Insert '190 Raby Road, Gledswood Hills' into D2.3 Site Specific Controls for Residential Accommodation Background section (page D52).

- Insert 'D2.3.12 190 Raby Road, Gledswood Hills' into D2.3 Site Specific Controls for Residential Accommodation;

Objectives

1. To protect the landscape and visual character of the Scenic Hills.

Controls

These controls apply to land east of the collector road

1. Dwellings backing onto the ridgeline of the Scenic Hills are to have a 20 metre rear building setback.
2. Where dwellings back onto the ridgeline of the Scenic Hills, materials and colours for dwellings, utility and ancillary structures shall adopt darker, recessive toned colours such as browns, dark greens, dark greys and charcoal. Both wall and roof cladding are to be constructed of non-reflective materials.
3. For land zoned R5 Large Lot Residential, a minimum front building setback of 15 metres is to be provided. Where lots have frontage to two roads, the secondary street setback shall be a minimum of 5 metres.
4. For land zoned R5 Large Lot Residential, a minimum side and rear building setback of 5 metres is to be provided.

Relationship to other Plans

190 Raby Road, Gledswood Hills indicative layout plan is based on the following technical and environmental studies:

- Distinctive, November 2015, Landscape and Visual Assessment;
- Lesryk, November 2015, Flora and Fauna Assessment;
- Traffix, July 2015, Traffic Impact Assessment;
- Dominic Steel Consulting Archaeology, December 2015, Preliminary Aboriginal & Cultural Heritage Assessment;
- PKA Acoustic Consulting, May 2015, Acoustic Assessment;
- ABPP, March 2015, Bushfire Constraints Assessment;
- Douglas Partners, February 2014, Geotechnical Assessment;
- GLN Planning, November 2015, Open Space and Community Facilities Assessment;
- Douglas Partners, February 2014, Salinity Assessment;
- Stefani Group, April 2015, Stormwater Management and Flood Assessment;

ORD03

Attachment 2

- Douglas Partners, February 2014, Preliminary Site Investigation.



Deed

190 Raby Road, Gledswood

Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

Camden Council

Steven Chambers

Date:

© Lindsay Taylor Lawyers

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Liability limited by a scheme approved under Professional Standards Legislation

190 Raby Road, Gledswood Planning Agreement
Camden Council
Steven Chambers

190 Raby Road, Gledswood Planning Agreement

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Camden Council
Steven Chambers

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Camden Council
Steven Chambers

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Summary Sheet

Council:

Name: Camden Council
Address: 37 John Street, CAMDEN, NSW 2570
Telephone: (02) 4654 7777
Facsimile: (02) 4654 7829
Email: mail@camden.nsw.gov.au
Representative: Mr Ron Moore – General Manager

Developer:

Name: Steven Chambers
Address: 136 Victoria Road, North Parramatta, NSW 2150
Telephone: 9630 7377
Facsimile: 9630 6344

Land:

See definition of *Land* in clause 1.1.

Development:

See definition of *Development* in clause 1.1.

Development Contributions:

See Clause 9 and Schedule 1.

Application of s94, s94A and s94EF of the Act:

See clause 8.

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Security:

See Part 4.

Registration:

See clause 30.

Restriction on dealings:

See clause 31.

Dispute Resolution:

See Part 3.

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Under s93F of the *Environmental Planning and Assessment Act 1979*

Parties

Camden Council ABN 31 117 341 764 of 37 John Street, Camden, NSW 2570
(Council)

and

Steven Chambers of 136 Victoria Road, North Parramatta, NSW 2150
(Developer)

Background

- A The Developer owns the Land.
- B The Developer has sought the preparation of the Planning Proposal for the purposes of the LEP Amendment to facilitate the Development.
- C The Parties enter into this Deed in connection with the LEP Amendment and the carrying out of the Development.

Operative provisions

Part 1 - Preliminary

1 Interpretation

- 1.1 In this Deed the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Approval includes approval, consent, licence, permission or the like.

Authority means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.

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Bank Guarantee means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by:

- (a) one of the following trading banks:
 - (i) Australia and New Zealand Banking Group Limited,
 - (ii) Commonwealth Bank of Australia,
 - (iii) Macquarie Bank Limited,
 - (iv) National Australia Bank Limited,
 - (iv) St George Bank Limited,
 - (v) Westpac Banking Corporation, or
- (b) any other financial institution approved by the Council in its absolute discretion.

Camden CP 2011 means the *Camden Contributions Plan 2011*.

Catchment A means the part of the Land shown as 'Catchment A' on the Catchment Plan.

Catchment B means the part of the Land shown as 'Catchment B' on the Catchment Plan.

Catchment C means the part of the Land shown as 'Catchment C' on the Catchment Plan.

Catchment Plan means the sheet or sheets in Schedule 3.

Claim includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action.

Construction Certificate has the same meaning as in the Act.

Contribution Item means an item of Development Contribution specified in Column 1 of the table in Schedule 1.

Contribution Value in relation to a Contribution Item, means the \$ amount specified in Column 6 of the table in Schedule 1 corresponding to that Contribution Item indexed in the same manner as the Camden CP 2011.

Cost means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

CPI means the Consumer Price Index (All Groups - Sydney) published by the Australian Bureau of Statistics.

Deed means this Deed and includes any schedules, annexures and appendices to this Deed.

Defect means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a Work or any part of a Work.

Defects Liability Period means the period of 1 year commencing on the day immediately after a Work is completed for the purposes of this Deed.

Development means any development, within the meaning of the Act, on the Land that is made permissible by the taking effect of the LEP Amendment and includes the subdivision of the Land into approximately 260 Final Lots.

Development Application has the same meaning as in the Act.

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Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards a public purpose, but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party's obligations under this Deed for the purposes of s93F(3)(g) of the Act.

Dispute means a dispute or difference between the Parties under or in relation to this Deed.

Dual Occupancy has the same meaning as in the Standard Instrument – Principal Local Environmental Plan.

Equipment means any equipment, apparatus, vehicle or other equipment or thing to be used by or on behalf of the Developer in connection with the performance of its obligations under this Deed.

Final Lot means a lot created in the Development for separate residential occupation and disposition or a lot of a kind or created for a purpose that is otherwise agreed by the Parties, not being a lot created by a subdivision of the Land:

- (a) that is to be dedicated or otherwise transferred to the Council, or
- (b) on which is situated a dwelling-house that was in existence on the date of this Deed.

GST has the same meaning as in the GST Law.

GST Law has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Just Terms Act means the *Land Acquisition (Just Terms Compensation) Act 1991*.

Land means Lot 4 in DP 260703 otherwise known as 190 Raby Road, Gledswood.

LEP means the *Camden Local Environmental Plan 2010*.

LEP Amendment means an amendment to the LEP as described in the Planning Proposal.

LG Act means the *Local Government Act 1993*.

Map means the sheet or sheets in Schedule 2.

Maintain, in relation to a Work, means keep in a good state of repair and working order, and includes repair of any damage to the Work.

Maintenance Period for a Work means the period of years specified in column 8 of Schedule 1 in respect of that item of Work.

Party means a party to this Deed.

Permitted Encumbrances means the following registered encumbrances on the Land:

- P720206
- 2375527
- 6178069

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Plan of Management means a plan of management within the meaning of s36 of the LG Act.

Planning Proposal means the planning proposal, within the meaning of s55 of the Act, prepared by the Council proposing an amendment to the LEP to rezone the Land to partly R2 Low Density Residential and partly R5 Large Lot Development.

Principal Certifying Authority has the same meaning as in the Act.

Rectification Notice means a notice in writing:

- (a) identifying the nature and extent of a Defect,
- (b) specifying the works or actions that are required to Rectify the Defect,
- (c) specifying the date by which or the period within which the Defect is to be rectified.

Rectify means rectify, remedy or correct.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Secondary Dwelling has the same meaning as in the Standard Instrument – Principal Local Environmental Plan.

Security means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council.

Stage means a stage of the Development approved by a Development Consent or otherwise approved in writing by the Council for the purposes of this Deed.

Subdivision Certificate has the same meaning as in the Act.

Vegetation Management Plan means a plan that contains provisions relating to the establishment and maintenance of land.

Work means the physical result of any building, engineering or construction work in, on, over or under land.

Works Value in relation to a Contribution Item, means the \$ amount specified in Column 5 of the table in Schedule 1 corresponding to that Contribution Item and indexed in the same manner as the Camden CP 2011.

- 1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:
- 1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.
 - 1.2.2 A reference in this Deed to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
 - 1.2.3 If the day on which any act, matter or thing is to be done under this Deed is not a business day, the act, matter or thing must be done on the next business day.
 - 1.2.4 A reference in this Deed to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.

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- 1.2.5 A reference in this Deed to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
- 1.2.6 A reference in this Deed to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.7 A reference in this Deed to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- 1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.
- 1.2.9 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.12 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.13 A reference to this Deed includes the agreement recorded in this Deed.
- 1.2.14 A reference to a Party to this Deed includes a reference to the servants, agents and contractors of the Party, the Party's successors and assigns.
- 1.2.15 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.16 Any schedules, appendices and attachments form part of this Deed.
- 1.2.17 Notes appearing in this Deed are operative provisions of this Deed.

2 Status of this Deed

- 2.1 This Deed is a planning agreement within the meaning of s93F(1) of the Act.

3 Commencement

- 3.1 This Deed takes effect on the date when all Parties have executed this Deed.
- 3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

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4 Application of this Deed

- 4.1 This Deed applies to the LEP Amendment, the Land and the Development.

5 Warranties

- 5.1 The Parties warrant to each other that they:
- 5.1.1 have full capacity to enter into this Deed, and
 - 5.1.2 are able to fully comply with their obligations under this Deed.

6 Further agreements

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

7 Surrender of right of appeal, etc.

- 7.1 The Developer is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Deed, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Deed.

8 Application of s94, s94A and s94EF of the Act to the Development

- 8.1 This Deed excludes the application of s94 of the Act to the first 260 Final Lots created in the Development, other than in respect development for one or more Dual Occupancies or Secondary Dwellings.
- 8.2 This Deed excludes the application of s94A of the Act to the Development.
- 8.3 This Deed does not exclude the application of s94EF of the Act to the Development.
- 8.4 Development Contributions made under this Deed are not to be taken into consideration when determining a development contribution under s94 of the Act in relation to the Development, and the Council is not required to refund or reimburse the Developer for the value of any Development Contribution or part thereof made pursuant to this Deed, despite the provisions of the Camden CP 2011.

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Part 2 – Development Contributions

9 Provision of Development Contributions

- 9.1 The Developer is to make Development Contributions to the Council in accordance with Schedule 1, any other provision of this Deed relating to the making of Development Contributions and otherwise to the satisfaction of the Council.
- 9.2 Any Contribution Value specified in this Deed in relation to a Development Contribution comprising the dedication of land or the carrying out of a Work does not serve to define the extent of the Developer's obligation to make the Development Contribution.
- 9.3 The Council is to apply each Development Contribution made by the Developer under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.
- 9.4 Despite clause 9.3, the Council may apply a Development Contribution made under this Deed towards a public purpose other than the public purpose specified in this Deed if the Council reasonably considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.
- 9.5 A monetary Development Contribution specified in Schedule 1 is to be indexed from the date of this Deed to the date of payment in accordance with quarterly movements in the CPI.

10 Payment of monetary Development Contributions

- 10.1 A monetary Development Contribution is made for the purposes of this Deed when the Council receives the full amount of the contribution payable under this Deed in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.

11 Dedication of land

- 11.1 A Development Contribution comprising the dedication of land is made for the purposes of this Deed when:
- 11.1.1 a deposited plan is registered in the register of plans held with the Registrar-General that dedicates land as a public road (including a temporary public road) under the *Roads Act 1993* or creates a public reserve or drainage reserve under the *Local Government Act 1993*, or
- 11.1.2 the Council is given:
- (a) an instrument in registrable form under the *Real Property Act 1900* duly executed by the Developer as transferor that is effective to transfer the title to the land to the Council when executed by the Council as transferee and registered,
 - (b) the written consent to the registration of the transfer of any person whose consent is required to that registration, and

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- (c) a written undertaking from any person holding the certificate of title to the production of the certificate of title for the purposes of registration of the transfer.
- 11.2 The Developer is to do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- 11.3 The Developer is to ensure that land dedicated to the Council under this Deed is free of all encumbrances and affectations (whether registered or unregistered and including without limitation any charge or liability for rates, taxes and charges) other than the Permitted Encumbrances and otherwise as agreed in writing by the Council.
- 11.4 If, having used all reasonable endeavours, the Developer cannot ensure that land to be dedicated to the Council under this Deed is free from all encumbrances and affectations, the Developer may request that Council agree to accept the land subject to those encumbrances and affectations, but the Council may withhold its agreement in its absolute discretion.
- 11.5 Despite any other provision of this Deed, if the Developer is required to dedicate land to the Council on which the Developer is also required to carry out a Work under this Deed, the Developer is to comply with clause 11.1.2 not later than 7 days after the Work is completed for the purposes of this Deed.

12 Approval of Design of Work

- 12.1 Council must approve the design and specifications for each Work unless otherwise agreed in writing by the Council in relation to any particular Work.
- 12.2 Prior to commencing design of a Work, the Developer must request that the Council provide the Developer with its requirements for the location (generally in accordance with the Map), design, materials and specifications for the provision of the Work.
- 12.3 When requesting Council's requirements under clause 12.2 the Developer may provide a proposal, including preliminary concept designs to assist Council in preparing its requirements.
- 12.4 Once the Developer receives the Council's requirements for the Work under clause 12.2, the Developer is to provide the initial design for the Work to Council for the Council's approval.
- 12.5 The initial design for the Work is to include or be accompanied by such information as is required for the making of a Development Application for the Work including:
 - 12.5.1 a draft Plan of Management for the land on which the Work is to be located on its dedication to the Council, if that land will be classified as community land within the meaning of the LG Act; and
 - 12.5.2 a draft Vegetation Management Plan for the land on which the Work is to be located, if the Council has advised the Developer that a Vegetation Management Plan is required,
 - 12.5.3 a detailed maintenance regime for the Work, and detailed costings, prepared by a suitably qualified person, for the carrying out of the maintenance regime.

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- 12.6 The Council is to advise the Developer in writing whether it approves of the initial design of the Work within 2 months of receiving the initial design from the Developer.
- 12.7 The Developer will make any change to the initial design for the Work required by the Council.
- 12.8 The Developer is not to lodge any Development Application for a Work unless the Council has first approved the initial design for the Work and provided its written certification that the Development Application is consistent with the approved initial design of the Work.
- 12.9 The Council is to provide the written certification referred to in clause 12.8 within 14 days of being provided with a copy of the proposed Development Application by the Developer, unless the Council forms the view that the proposed Development Application is not consistent with the approved initial design of the Work.
- 12.10 A Development Application for Work is to be accompanied by the written certification referred to in clause 12.9 when lodged with the Council, as the consent authority.
- 12.11 The Developer is to bear all costs associated with obtaining the Council's approval to the initial design of a Work in Schedule 1 of this Deed under this clause.
- 12.12 Following Development Consent being issued for a Work, the Developer shall work with Council in the preparation of the detailed design for it and submit the detailed design to the Council for its approval.
- 12.13 The Developer is not to lodge any application for a Construction Certificate for a Work, with any Principal Certifying Authority, unless the Council has first approved the detailed design for the Work, and provided its written certification that the application for a Construction Certificate is consistent with the approved detailed design of the Work.
- 12.14 The Council is to provide the written certification referred to in Clause 12.13 within 14 days of being provided with a copy of the application for a Construction Certificate by the Developer, unless the Council forms the view that the application is not consistent with the approved detailed design of the Work.
- 12.15 Council's written certification outlined in clause 12.14 shall specify any particular milestones of construction of a Work and if so, the Developer is to provide the Council with a minimum of 24 hours' notice prior to commencing a particular milestone and allow the Council access to the relevant land to inspect the Work.
- 12.16 An application for a Construction Certificate for a Work is to be accompanied by the written certification referred to in clause 12.14 when lodged with the Council, as the consent authority.
- 12.17 For the avoidance of doubt, nothing in the clause shall be construed as fettering the Council's discretion, as consent authority, in determining any Development Application for the Work.

13 Carrying out of Work

- 13.1 Without limiting any other provision of this Deed, any Work that is required to be carried out by the Developer under this Deed is to be carried out in

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accordance with a design or specification specified or approved by the Council, any relevant Approval and any other applicable law.

- 13.2 The Developer, at its own cost, is to comply with any reasonable direction given to it by the Council to prepare or modify a design or specification relating to a Work that the Developer is required to carry out under this Deed.

14 Variation to Work

- 14.1 The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied by agreement in writing between the Parties, acting reasonably, without the necessity for an amendment to this Deed
- 14.2 Without limiting clause 14.1, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.
- 14.3 The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause 14.2.
- 14.4 The Council, acting reasonably, may from time to time give a written direction to the Developer requiring it to vary the design or specification of a Work before the Work is carried out in a specified manner and submit the variation to the Council for approval.
- 14.5 The Developer is to comply promptly with a direction referred to in clause 14.4 at its own cost.

15 Deferral of Work

- 15.1 Notwithstanding any other provision of this Deed, if the Developer forms the view at any time, that it is unable to make a Development Contribution comprising a Work by the time specified in column 4 of Schedule 1, then:
- 15.1.1 the Developer must provide written notice to the Council to that effect;
- 15.1.2 the Developer must provide the Council with Security in an amount being 100% of the value of the uncompleted part of the Work (calculated with reference to and not exceeding the Works Value before the date on which the application for the relevant Subdivision Certificate is made;
- 15.1.3 the Developer must provide to Council, for Council's approval, a revised completion date for the Work;
- 15.1.4 Council can approve, or not approve a revised completion date in its discretion, and if the Council does not approve the Developer's revised completion date for the Work, the Council and Developer must negotiate in good faith and agree upon a revised completion date for the Work; and
- 15.1.5 the time for completion of the Work under this Deed will be taken to be the revised completion date approved by the Council under clause 15.1.4.

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- 15.2 If the Developer complies with clause 15.1, then it will not be considered to be in breach of this Deed as a result of a failure to complete a Work by the time for completion of the Work specified in column 4 of Schedule 1.
- 15.3 If the Work is not completed by the revised date for completion of the Work agreed under clause 15.1.4, then the Council may call on the Security to meet any of its reasonable costs incurred under this Deed in respect of the failure to complete the Work by the revised date for completion.
- 15.4 The Council is to release and return the Security or any unused part of it to the Developer within 14 days of completion of the obligation to which the Security relates.
- 15.5 The Developer may at any time provide the Council with a replacement Security.
- 15.6 On receipt of a replacement Security, the Council is to release and return the Security that has been replaced to the Developer.
- 15.7 If the Council calls up the Security or any portion of it, it may, by written notice to the Developer, require the Developer to provide a further or replacement Security to ensure that the amount of Security held by the Council equals the amount it is entitled to hold under this Deed.
- 15.8 The Developer is to ensure that the Security held by the Council at all times equals 100% of the value of the uncompleted part of the Work (calculated with reference to the Works Value).

16 Access to land by Developer

- 16.1 The Council is to permit the Developer, upon receiving reasonable prior notice from the Developer, to enter any Council owned or controlled land in order to enable the Developer to properly perform its obligations under this Deed.
- 16.2 Nothing in this Deed creates or gives the Developer any estate or interest in any part of the land referred to in clause 16.1.

17 Access to land by Council

- 17.1 The Council may enter any land on which Work is being carried out by the Developer under this Deed in order to inspect, examine or test the Work, or to remedy any breach by the Developer of its obligations under this Deed relating to the Work.
- 17.2 The Council is to give the Developer prior reasonable notice before it enters land under clause 17.1.

18 Council's obligations relating to Work

- 18.1 The Council is not to unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Deed, and is to use its reasonable endeavours to ensure third parties unrelated to the Developer do not unreasonably delay, hinder or otherwise interfere with the performance of those obligations.

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19 Protection of people, property & utilities

- 19.1 The Developer is to ensure to the fullest extent reasonably practicable in relation to the performance of its obligations under this Deed that:
- 19.1.1 all necessary measures are taken to protect people and property,
 - 19.1.2 unnecessary interference with the passage of people and vehicles is avoided, and
 - 19.1.3 nuisances and unreasonable noise and disturbances are prevented.
- 19.2 Without limiting clause 19.1, the Developer is not to obstruct, interfere with, impair or damage any public road, public footpath, public cycleway or other public thoroughfare, or any pipe, conduit, drain, watercourse or other public utility or service on any land except as authorised in writing by the Council or any relevant Authority.

20 Repair of damage

- 20.1 Subject to clause 21.7, the Developer is to Maintain any Work required to be carried out by the Developer under this Deed until the Work is completed for the purposes of this Deed or such later time as agreed between the Parties.
- 20.2 The Developer is to carry out its obligation under clause 20.1 at its own cost and to the satisfaction of the Council.

21 Completion of Work

- 21.1 The Developer is to give the Council written notice of the date on which it will complete Work required to be carried out under this Deed.
- 21.2 The Council is to inspect the Work the subject of the notice referred to in clause 21.1 within 14 days of the date specified in the notice for completion of the Work.
- 21.3 Work required to be carried out by the Developer under this Deed is completed for the purposes of this Deed when the Council, acting reasonably, gives a written notice to the Developer to that effect.
- 21.4 If the Council is the owner of the land on which Work the subject of a notice referred to in clause 21.3 is issued, the Council assumes responsibility for the Work upon the issuing of the notice, but if it is not the owner at that time, it assumes that responsibility when it later becomes the owner.
- 21.5 Before the Council gives the Developer a notice referred to in clause 21.3, it may give the Developer a written direction to complete, rectify or repair any specified part of the Work to the reasonable satisfaction of the Council.
- 21.6 The Developer, at its own cost, is to promptly comply with a direction referred to in clause 21.5.
- 21.7 The Developer will Maintain any Item for which a Maintenance Period is specified, during the Maintenance Period.

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22 Rectification of defects

- 22.1 The Council may give the Developer a Rectification Notice during the Defects Liability Period.
- 22.2 The Developer, at its own cost, is to comply with a Rectification Notice according to its terms and to the reasonable satisfaction of the Council.
- 22.3 The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause 22.1

23 Works-As-Executed-Plan

- 23.1 No later than 60 days after Work is completed for the purposes of this Deed, the Developer is to submit to the Council a full works-as-executed-plan in respect of the Work.
- 23.2 The Developer, being the copyright owner in the plan referred to in clause 23.1, gives the Council a non-exclusive licence to use the copyright in the plans for the purposes of this Deed.

24 Removal of Equipment

- 24.1 When Work on any Council owned or controlled land is completed for the purposes of this Deed, the Developer, without delay, is to:
 - 24.1.1 remove any Equipment from Land and make good any damage or disturbance to the land as a result of that removal, and
 - 24.1.2 leave the land in a neat and tidy state, clean and free of rubbish.

Part 3 – Dispute Resolution

25 Dispute resolution – expert determination

- 25.1 This clause applies to a Dispute between any of the Parties to this Deed concerning a matter arising in connection with this Deed that can be determined by an appropriately qualified expert if:
 - 25.1.1 the Parties to the Dispute agree that it can be so determined, or
 - 25.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.
- 25.2 A Dispute to which this clause applies is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 25.3 If a notice is given under clause 25.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.

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- 25.4 If the Dispute is not resolved within a further 28 days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 25.5 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 25.6 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 25.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

26 Dispute Resolution - mediation

- 26.1 This clause applies to any Dispute arising in connection with this Deed other than a Dispute to which clause 25 applies.
- 26.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 26.3 If a notice is given under clause 26.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 26.4 If the Dispute is not resolved within a further 28 days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 26.5 If the Dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 26.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 26.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 4 - Enforcement

27 Acquisition of land required to be dedicated

- 27.1 If the Developer does not dedicate land required to be dedicated under this Deed at the time at which it is required to be dedicated, the Developer consents to the Council compulsorily acquiring the land for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedure under the Just Terms Act.
- 27.2 The Council is to only acquire land pursuant to clause 27.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Developer to dedicate the land required to be dedicated under this Deed.

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- 27.3 Clause 27.1 constitutes an agreement for the purposes of s30 of the Just Terms Act.
- 27.4 If, as a result of the acquisition referred to in clause 27.1, the Council is required to pay compensation to any person other than the Developer, the Developer is to reimburse the Council that amount, upon a written request being made by the Council.
- 27.5 The Developer indemnifies and keeps indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land concerned except if, and to the extent that, the Claim arises because of the Council's negligence or default.
- 27.6 The Developer is to promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 27, including without limitation:
- 27.6.1 signing any documents or forms,
- 27.6.2 giving land owner's consent for lodgement of any Development Application,
- 27.6.3 producing certificates of title to the Registrar-General under the *Real Property Act 1900*, and
- 27.6.4 paying the Council's costs arising under this clause 27.

28 Breach of obligations

- 28.1 If the Council reasonably considers that the Developer is in breach of any obligation under this Deed, it may give a written notice to the Developer:
- 28.1.1 specifying the nature and extent of the breach,
- 28.1.2 requiring the Developer to:
- (a) rectify the breach if it reasonably considers it is capable of rectification, or
- (b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification,
- 28.1.3 specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.
- 28.2 If the Developer fails to fully comply with a notice referred to in clause 28.1, the Council may, without further notice to the Developer, remedy the Developer's breach, including by carrying out any Work under this Deed, and may enter, occupy and use any land owned or controlled by the Developer and any Equipment on such land for that purpose.
- 28.3 Any costs incurred by the Council in remedying a breach in accordance with clause 28.2 may be recovered by the Council as a debt due in a court of competent jurisdiction
- 28.4 For the purpose of clause 28.3, the Council's costs of remedying a breach the subject of a notice given under clause 28.1 include, but are not limited to:
- 28.4.1 the costs of the Council's servants, agents and contractors reasonably incurred for that purpose,

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- 28.4.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and
- 28.4.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.
- 28.5 Nothing in this clause 28 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Deed by the Developer, including but not limited to seeking relief in an appropriate court.

29 Enforcement in a court of competent jurisdiction

- 29.1 Without limiting any other provision of this Deed, the Parties may enforce this Deed in any court of competent jurisdiction.
- 29.2 For the avoidance of doubt, nothing in this Deed prevents:
 - 29.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates, or
 - 29.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

Part 5 – Registration & Restriction on Dealings

30 Registration of this Deed

- 30.1 The Parties agree to register this Deed for the purposes of s93H(1) of the Act.
- 30.2 Not later than 10 days after the commencement of this Deed, the Developer is to deliver to the Council in registrable form:
 - 30.2.1 an instrument requesting registration of this Deed on the title to the Land duly executed by the Developer, and
 - 30.2.2 copies of the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.
- 30.3 Within a reasonable time of receiving the instrument referred to in clause 30.2.1, the Council is to execute the instrument and deliver it to the Developer to be registered.
- 30.4 Within 7 days of receiving the instrument referred to in clause 30.2.1 from the Council, the Developer is to lodge the instrument with the Land and Property Information for registration, and is to provide written evidence that it has done so by that date.
- 30.5 The Developer is to do such other things as are reasonably necessary to enable registration of this Deed to occur.
- 30.6 The Developer is to deliver to the Council, written evidence that this Deed has been registered on the title to the Land within 7 days of receiving confirmation of registration from the Land and Property Information.

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- 30.7 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:
- 30.7.1 in so far as the part of the Land concerned is a Final Lot,
- 30.7.2 in relation to any other part of the Land, once the Developer has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.

31 Restriction on dealings

- 31.1 The Developer is not to:
- 31.1.1 sell or transfer the Land or any part, other than a Final Lot, or
- 31.1.2 assign the Developer's rights or obligations under this Deed, or novate this Deed,
- to any person unless:
- 31.1.3 the Developer has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred or the Developer's rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms reasonably satisfactory to the Council, and
- 31.1.4 the Council has given written notice to the Developer stating that it reasonably considers that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this Deed, and
- 31.1.5 the Developer is not in breach of this Deed, and
- 31.1.6 the Council otherwise consents to the transfer, assignment or novation, such consent not to be unreasonably withheld.
- 31.2 Clause 31.1 does not apply in relation to any sale or transfer of the Land if this Deed is registered on the title to the Land at the time of the sale.

Part 6 – Indemnities & Insurance

32 Risk

- 32.1 The Developer performs this Deed at its own risk and its own cost.

33 Release

- 33.1 The Developer releases the Council from any Claim it may have against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

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34 Indemnity

- 34.1 The Developer indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

35 Insurance

- 35.1 The Developer is to take out and keep current to the satisfaction of the Council the following insurances in relation to Work required to be carried out by the Developer under this Deed up until the Work is taken to have been completed in accordance with this Deed:
- 35.1.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,
 - 35.1.2 public liability insurance for at least \$20,000,000.00 for a single occurrence, which covers the Council, the Developer and any subcontractor of the Developer, for liability to any third party,
 - 35.1.3 workers compensation insurance as required by law, and
 - 35.1.4 any other insurance required by law.
- 35.2 If the Developer fails to comply with clause 35.1, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to the Council and may be recovered by the Council as it deems appropriate including by recovery as a debt due in a court of competent jurisdiction.
- 35.3 The Developer is not to commence to carry out any Work unless it has first provided to the Council satisfactory written evidence of all of the insurances specified in clause 35.1.

Part 7 – Other Provisions

36 Annual report by Developer

- 36.1 The Developer is to provide to the Council by not later than each anniversary of the date on which this Deed is entered into a report detailing the performance of its obligations under this Deed.
- 36.2 The report referred is to be in such a form and to address such matters as required by the Council from time to time.

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37 Review of Deed

- 37.1 The Parties agree to review this Deed annually, and otherwise if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.
- 37.2 For the purposes of clause 37.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.
- 37.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 37.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.
- 37.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.
- 37.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 37.1 (but not 37.4) is not a Dispute for the purposes of this Deed and is not a breach of this Deed.

38 Notices

- 38.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:
- 38.1.1 delivered or posted to that Party at its address set out in the Summary Sheet,
- 38.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or
- 38.1.3 emailed to that Party at its email address set out in the Summary Sheet.
- 38.2 If a Party gives the other Party 3 business days notice of a change of its address, fax number or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted, faxed or emailed to the latest address or fax number.
- 38.3 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 38.3.1 delivered, when it is left at the relevant address,
- 38.3.2 sent by post, 2 business days after it is posted,
- 38.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or
- 38.3.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 38.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of

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the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

39 Approvals and Consent

- 39.1 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party's absolute discretion and subject to any conditions determined by the Party.
- 39.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

40 Costs

- 40.1 Subject to clause 40.2, the Developer is to pay to the Council the Council's costs not exceeding \$10,000.00 of preparing, negotiating, executing and stamping this Deed, and any document related to this Deed within 7 days of a written demand by the Council for such payment.
- 40.2 The Developer is to pay to the Council the Council's costs incurred for one or more of the purposes listed in clause 40.1, in excess of \$10,000.00 but only after the Parties agree in writing that such costs have been reasonably incurred.
- 40.3 The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Deed within 7 days of a written demand by the Council for such payment.

41 Entire Deed

- 41.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.
- 41.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

42 Further Acts

- 42.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

43 Governing Law and Jurisdiction

- 43.1 This Deed is governed by the law of New South Wales.
- 43.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.

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43.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

44 Joint and Individual Liability and Benefits

44.1 Except as otherwise set out in this Deed:

44.1.1 any agreement, covenant, representation or warranty under this Deed by 2 or more persons binds them jointly and each of them individually, and

44.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

45 No Fetter

45.1 Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

46 Illegality

46.1 If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

47 Severability

47.1 If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

47.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Deed, but the rest of this Deed is not affected.

48 Amendment

48.1 No amendment of this Deed will be of any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25D of the Regulation.

49 Waiver

49.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.

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- 49.2 A waiver by a Party is only effective if it is in writing.
- 49.3 A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

50 GST

- 50.1 In this clause:

Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.

GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

GST Law has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

- 50.2 Subject to clause 50.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 50.3 Clause 50.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.
- 50.4 No additional amount shall be payable by the Council under clause 50.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 50.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 50.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 50.5.2 that any amounts payable by the Parties in accordance with clause 50.2 (as limited by clause 50.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 50.6 No payment of any amount pursuant to this clause 50, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly

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agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient,

- 50.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 50.8 This clause continues to apply after expiration or termination of this Deed.

51 Explanatory Note

- 51.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 51.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Deed.

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Schedule 1

(Clause 9)

Development Contributions

The table appears on the following page

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Camden Council
Steven Chambers

Column 1 Item/ Contribution	Column 2 Public Purpose	Column 3 Manner & Extent	Column 4 Timing	Column 5 Works Value	Column 6 Contribution Value	Column 7 Item ID	Column 8 Maintenance Period
A. Carrying out of Work and Dedication of Land							
1. Local Open Space – OS1	Passive recreation	Dedication to Council of one local park of 0.475ha in the location marked as 'OS1' on the Map containing the following components: <ul style="list-style-type: none"> • playground; • paths; • seating; and • landscaping Or as agreed by Council.	Dedication of land and completion of Work prior to the issuing of the Subdivision Certificate that creates the 150 th Final Lot in the Development	Land: \$688,750 Works: \$571,128	Land \$688,750 Works \$571,128	OS1	1 year
2. Local open space – OS2	Passive recreation	Dedication to the Council of one local park of 2.68ha in the location marked as 'OS2' on the Map containing the following components: <ul style="list-style-type: none"> • kick about space area • paths • seating; and • landscaping Or as agreed by Council	Dedication of land and completion of Work prior to the issuing of the Subdivision Certificate that creates the 250 th Final Lot in the Development	Land: \$2,653,200 Works: \$1,147,427	Land \$0 Works: \$0	OS2	5 years

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3. Vehicular creek crossing	Roads and traffic management	Construction of a vehicular crossing over the creek at the location marked as 'CC' on the Map on the northern boundary of the Land	Completion of Work prior to the issuing of the Subdivision Certificate that creates the 250 th Final Lot in the Development	Works: \$1,277,716	Works: \$0	CC	1 year
4. Collector Road Half Width Construction – OS2 Frontage	Roads and traffic management	Construction and dedication of half width collector road reserve (total 12m carriageway width) approximately 800m long in the location marked 'CR1' on the Map	In conjunction with adjoining or opposite residential development.	Land: \$696,000 Works: \$608,023	Land: \$696,000 Works: \$608,023	CR1	1 year
5. Collector Road Half Width Construction – B1 Frontage	Roads and traffic management	Construction and dedication of half width collector road reserve (total 12m carriageway width) approximately 95m long in the location marked 'CR2' on the Map	In conjunction with adjoining or opposite residential development.	Land: \$82,650 Works: \$72,203	Land: \$82,650 Works: \$72,203	CR2	1 year
6. Collector Road Half Width Construction – B2 Frontage	Roads and traffic management	Construction and dedication of half width collector road reserve (total 12m carriageway width) approximately 80m long in the location marked 'CR3' on the Map	In conjunction with adjoining or opposite residential development.	Land: \$69,600 Works: \$60,803	Land: \$69,600 Works: \$60,803	CR3	1 Year

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7. Shared pedestrian pathway and cycleway	Roads and traffic management	Construction and dedication of a concrete shared pedestrian pathway and cycleway 1.500m in length and 2.5m wide with an alignment and in the location marked as 'SPC' on the Map	Dedication of land and completion of Work prior to the issuing of the Subdivision Certificate that creates the 250 th Final Lot in the Development	Works: \$440,103	Works: \$440,103	SPC	1 year
8. Water management – B1	Stormwater drainage	Dedication to the Council free of cost of 1.7ha of land for stormwater drainage in the location marked as 'B1' on the Map	Prior to the issuing of a Subdivision Certificate that creates the first Final Lot in Catchment C	Land: \$1,683,000	Land: \$1,683,000	B1	1 year
		Construction of a stormwater basin in the location marked as 'B1' on the Map with a storage volume of 7,127m ³ and a bio-retention area of 4,686m ²		Works: \$2,094,446			
9. Water management – B2	Stormwater drainage	Dedication to the Council free of cost of 0.82ha of land for stormwater drainage in the location marked as 'B2' on the Map	Prior to the issuing of a Subdivision Certificate that creates the first Final Lot in either Catchment A or Catchment B, whichever is first	Land: \$811,800	Land: \$811,800	B2	1 year
		Construction of a stormwater basin in the location marked as 'B2' on the Map with a storage volume of 3,619m ³ and a bio-retention area of 2,599m ²		Works: \$1,063,533			

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B. Monetary Contributions						
10. Monetary contributions	See description of public purposes in Column 3	Developer to pay to the Council \$5,387.00 per Final Lot in the Development to be applied towards the following public purposes:	Prior to the issuing of the Subdivision Certificate that creates each Final Lot	N/A	\$5,387.00 per Final Lot distributed as below:	N/A
						\$4,166
						\$799
						\$391
						\$31

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Schedule 2

(Clause 1.1)

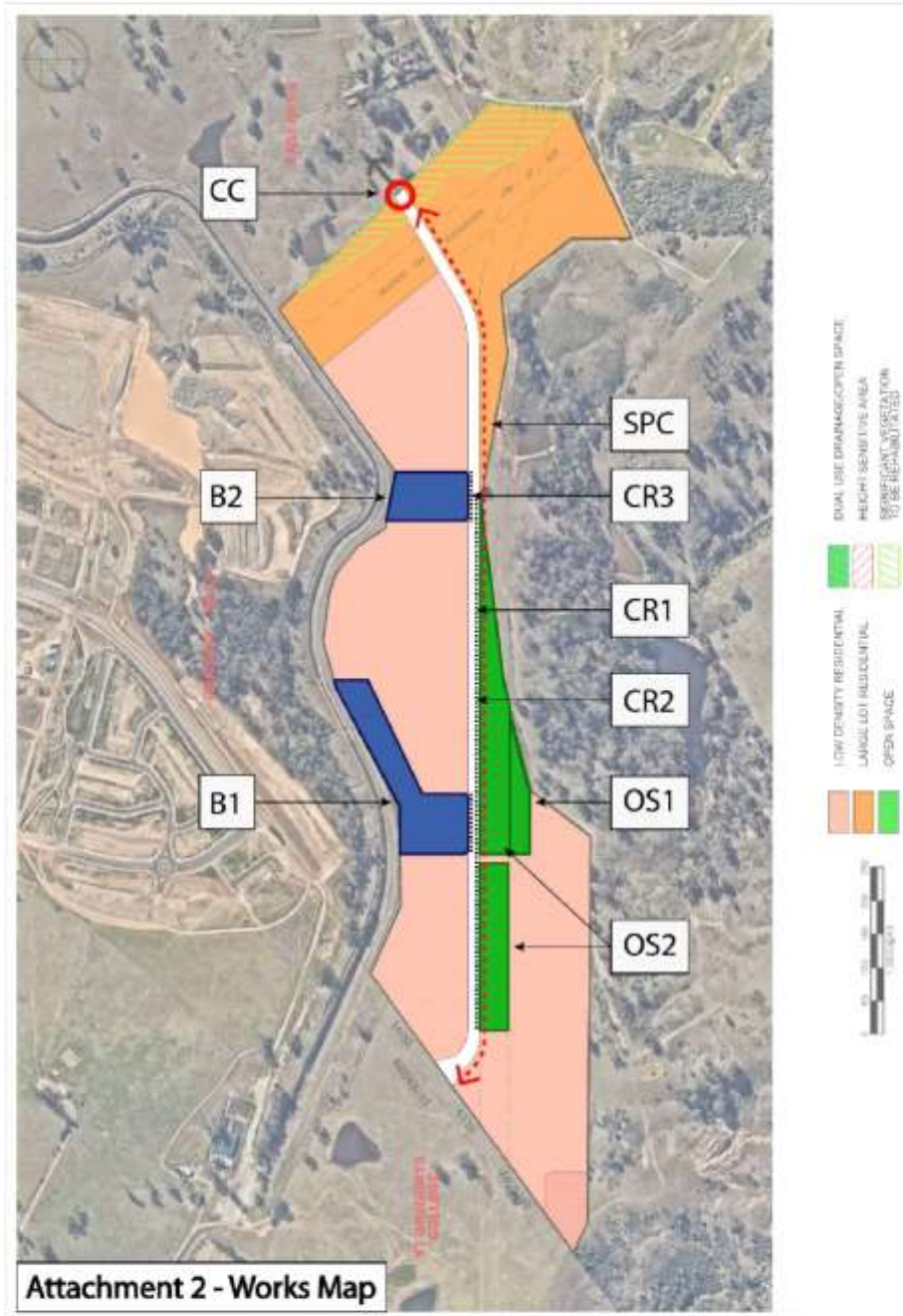
Map

The Map appears on the following page

190 Raby Road, Gledswood Planning Agreement
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ORD03

Attachment 3



190 Raby Road, Gledswood Planning Agreement
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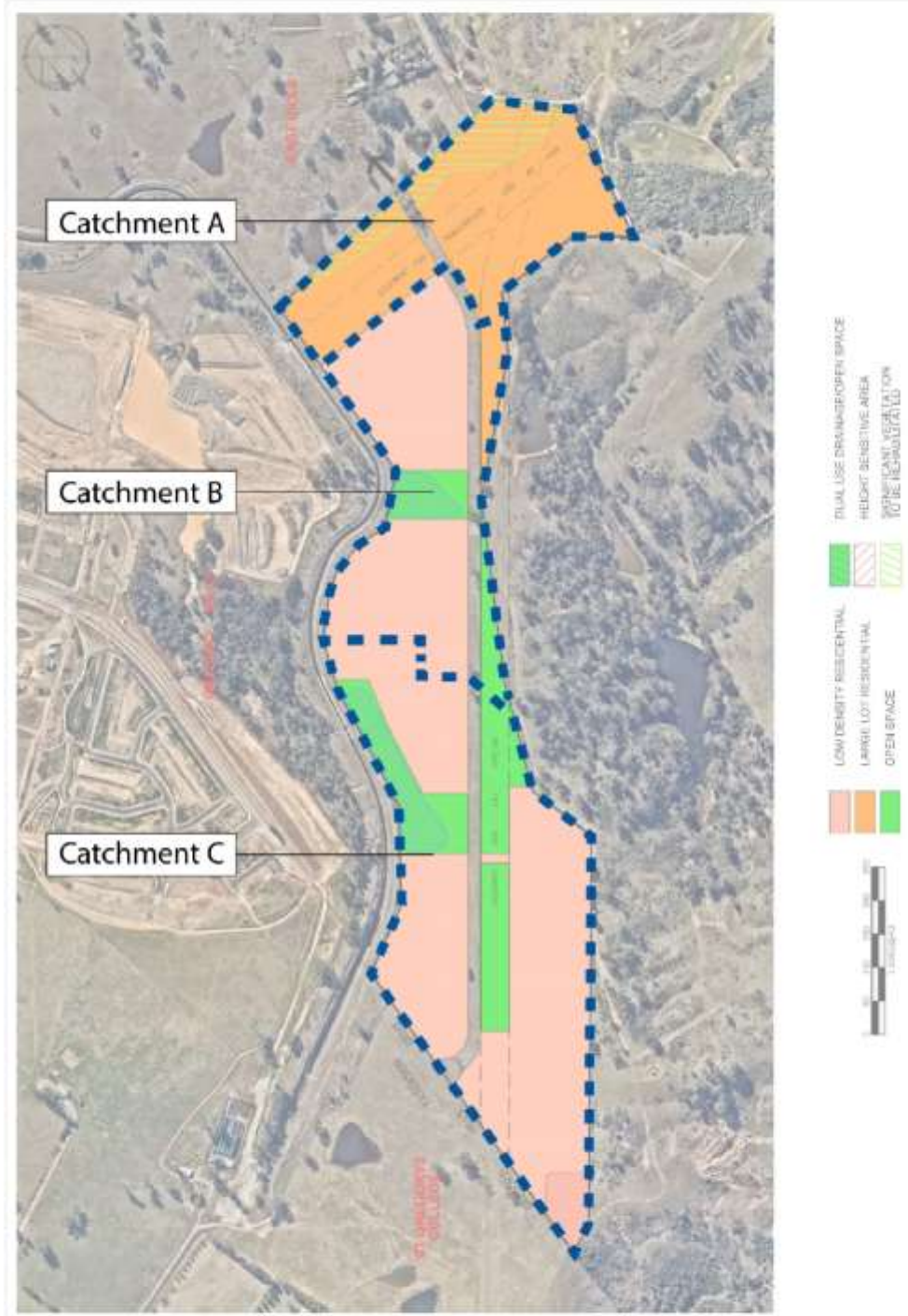
Schedule 3

(Clause 1.1)

Catchment Plan

The Catchment Plan appears on the following page

**190 Raby Road, Gledswood Planning Agreement
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ORD03

**190 Raby Road, Gledswood Planning Agreement
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Execution

Executed as a Deed

Dated:

Executed on behalf of the Council

General Manager

Witness

Mayor

Witness

Executed by the Developer

Steven Chambers

Witness

Name of witness

190 Raby Road, Gledswood Planning Agreement
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Appendix

(Clause 51)

Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Draft Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979* ('Act')

Parties

Camden Council ABN 31 117 341 764 of 37 John Street, Camden, NSW 2570 (**Council**)

Steven Chambers of 136 Victoria Road, North Parramatta, NSW 2150 (**Developer**)

Description of the Land to which the Draft Planning Agreement Applies

Land means Lot 4 in DP 260703 otherwise known as 190 Raby Road, Gledswood

Description of LEP Amendment and Proposed Development

This Draft Planning Agreement is in connection with a proposed amendment to the *Camden Local Environmental Plan 2010* to rezone the Land to partly R2 Low Density Residential and partly R5 Large Lot Development

This Draft Planning Agreement is in connection with any development, within the meaning of the Act, on the Land that is made permissible by the taking effect of the LEP Amendment, as defined in the Draft Planning Agreement, and includes the subdivision of the Land into approximately 260 Final Lots.

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Summary of Objectives, Nature and Effect of the Draft Planning Agreement

Objectives of Draft Planning Agreement

The Draft Planning Agreement requires the Developer to provide Development Contributions to the Council in connection with the LEP Amendment and the carrying out of the Development.

The object of the Draft Planning Agreement is to facilitate the provision of monetary contributions, the carrying out of works and the dedication of land by the Developer to the Council.

Nature of Draft Planning Agreement

The Draft Planning Agreement is a planning agreement under s93F of the *Environmental Planning and Assessment Act 1979 (Act)*. The Draft Planning Agreement is a voluntary agreement under which Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) are made by the Developer for various public purposes (as defined in s93F(3) of the Act).

Effect of the Draft Planning Agreement

The Draft Planning Agreement:

- relates to the LEP Amendment and the carrying out by the Developer of Development on the Land
- does not exclude the application of s94 and s94A of the Act to the Development,
- does not exclude the application of s94EF of the Act to the Development,
- requires the carrying out work, dedication of land and payment of monetary contributions,
- is to be registered on the title to the Land,
- imposes restrictions on the Developer transferring the Land or part of the Land or assigning an interest under the agreement,
- provides two dispute resolution methods for a Dispute under the agreement, being expert determination and mediation,
- provides that the agreement is governed by the law of New South Wales, and
- provides that the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* applies to the agreement.

Assessment of the Merits of the Draft Planning Agreement

The Planning Purposes Served by the Draft Planning Agreement

The Draft Planning Agreement:

- promotes and co-ordinates of the orderly and economic use and development of the Land to which the agreement applies,

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- provides and co-ordinates community services and facilities in connection with the Development, and
- provides increased opportunity for public involvement and participation in environmental planning and assessment of the Development.

How the Draft Planning Agreement Promotes the Public Interest

The draft Planning Agreement promotes the public interest by promoting the objects of the Act as set out in s5(a)(ii), (iv), (v) and 5(c) of the Act.

For Planning Authorities:

Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities

N/A

Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils – How the Draft Planning Agreement Promotes the Elements of the Council's Charter

The Draft Planning Agreement promotes the elements of the Council's charter under s8(1) of the *Local Government Act 1993*:

- *To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.*
- *To promote and to provide and plan for the needs of children.*
- *To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.*

These elements of the Council's Charter are promoted through the provision or improvement of various public facilities the need for which is created by the Development, including local parks, a crossing, a pedestrian pathway and cycleway network and stormwater management infrastructure, the dedication of land, and the payment of monetary contributions to the Council.

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All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority’s Capital Works Program

[Drafting Note: To be Completed]

All Planning Authorities – Whether the Draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

This Draft Planning Agreement contains requirements that must be complied with before subdivision certificates are issued in respect of Development.



CODE OF MEETING PRACTICE

5.8

**Note: inserted amendments are shown in red and deletions are shown in the right hand column/balloons.*

CODE OF MEETING PRACTICE

DIVISION: *CUSTOMER AND CORPORATE SERVICES*

BRANCH: *CUSTOMER SERVICE & GOVERNANCE*

CATEGORY: *1*

PREAMBLE / BACKGROUND:

This Code of Meeting Practice has the following objectives:

1. to ensure that all members of Council and its Committees are conducted in an orderly, consistent and effective manner;
2. to ensure that all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
3. to ensure that all Councillors have an equal opportunity to participate in the meeting to the fullest extent possible, with respect being accorded to the expression of differing views;
4. to ensure that all Councillors fully understand their rights and obligations as participants in meetings of Council;
5. to ensure that proceedings are transparent and understandable to all persons participating in and observing meetings of Council and its Committees;
6. to ensure that members of the public are aware of the values and behaviours that must be upheld in meetings of Council.

This Code shall be interpreted in a manner which is consistent with the *Local Government Act 1993*, the *Local Government General Regulation 2005* and the Objectives of this Code. The Code includes relevant references to sections of the *Local Government Act* and Regulations, as well as supplementary provisions adopted by Council.

Before adopting a Code of Meeting Practice, Council must prepare a draft code. Council must give public notice of the draft code after it is prepared. The period of public exhibition must not be less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to Council. Council must publicly exhibit the draft code in accordance with its notice.

After considering all submissions received by it concerning the draft code, Council may decide:

- i. to amend those provisions of its draft code that supplement the regulations made for the purposes of section 360; or
- ii. to adopt the draft code as its code of meeting practice.

If Council decides to amend its draft code, it may publicly exhibit the amended draft, or, if the Council is of the opinion that the amendments are not substantial, it may

Deleted: The Code of Meeting Practice sets out the manner in which meetings of the Council are to be convened and conducted. Meeting procedures contribute to good public decision making and increases Council's transparency and accountability to the Camden community. The Code incorporates the requirements of the *Local Government Act 1993* (as amended) (Chapter 12, Part 2, Division 1), the *Local Government (General) Regulation 2005* and Council policies with respect to meeting procedure. The Code should also be read in conjunction with the *Meetings Practice Note* (Practice Note No 16) issued by the Office of Local Government in August 2009. This Code has been structured to assist the user to easily understand what is required in the conduct of meetings. The various Clauses contained in the Code have been cross referenced in brackets to the relevant Section of the Act, Regulation or Council Policy for clarity. The Code will be adopted following an exhibition period and will be reviewed on the date listed below. In adopting the Code, Council seeks to ensure all Councillors, staff and community members participating in Council Meetings of any form, act with good intentions and behave to the standard of conduct expected by the community at large.

adopt the amended draft code without public exhibition as its Code of Meeting Practice (Section 362 of the *Local Government Act*).

Council authorises the General Manager to reissue the Code without public exhibition to incorporate any amendments to relevant Acts, Regulations or formal advice received from the NSW Office of Local Government.

The various clauses contained in the Code have been cross referenced in brackets to the relevant section of the Act, Regulation or supplementary policy provision of Council, where applicable.

This Code will be regularly reviewed in accordance with the requirements for public exhibition and consultation, Council will endeavour to review the Code every 2 years.

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1.0 PRELIMINARY

1.1 DEFINITIONS

In this Code:

- Amendment:** in relation to an original motion, means a motion moving an amendment to that motion.
- Chairperson:**
- a. in relation to a meeting of Council—means the person presiding at the meeting as provided by section 369 of the Act, and
 - b. in relation to a meeting of a Committee — means the person presiding at the meeting as provided by clause 5.9.
- Committee:** means a committee established under clause 5.2 of the Act, or Council when it has resolved itself into a committee of the whole.
- Cf:** refers to the relevant clause in the *Local Government (General) Regulation 2006*, as amended.
- Clause:** refers to a clause in this Code, unless otherwise specified.
- Closed Council:** is a meeting of Council or a Committee from which the media and public has been excluded by a resolution carried in accordance with section 10A of the Act.
- Councillor:** means a person elected or appointed to civic office and includes a Mayor.
- Council Chamber:** shall mean that area comprising the formal meeting floor and its meaning may be expanded in the following circumstances:
- a. For a Councillor expelled in accordance with this Code from a meeting, the Council Chamber shall mean that area comprising the formal meeting floor, the public gallery area, and the Civic Centre Foyer area when those areas are open to the public for use during the conduct of any Council or Committee meeting.
 - b. For another person expelled in accordance with this Code from a meeting, the Council Chamber shall mean that area comprising the formal meeting floor, the public gallery area, and Civic Centre Foyer area when those areas are open to the public for use during the conduct of any Council or Committee meeting.
 - c. For the purpose of Council undertaking business in Closed Council to consider matters of a confidential nature, Council Chamber shall include at the Chair's discretion, the room or any area used for those considerations.

Personally Present:	being within an area comprising the formal meeting floor of the Council Chamber
Policy:	refers to adopted Council Policy.
Quorum:	means a majority of members who are not suspended and are personally present (Section 368)
Regulation:	refers to the Local Government (General) Regulation 2005, as amended.
Section:	refers to the relevant section in the Act, unless otherwise specified.
The Act:	refers to the Local Government Act 1993, as amended.

2.0 CONVENING OF, AND ATTENDANCE AT, COUNCIL MEETING

2.1 NOTICE OF MEETING (Cl 232)

- 2.1.1 This clause prescribes the manner in which the requirements outlined in section 9(1) of the Act, are to be complied with.
- 2.1.2 A notice of a meeting of Council or of a Committee must be published in a newspaper circulating in the area before the meeting takes place.
- 2.1.3 The notice must specify the time and place of the meeting. Generally Council meets on the second and fourth Tuesday of each month at 6.00pm in Council's Civic Centre. This may vary for particular meetings if Council so resolves.
- 2.1.4 Notice of more than one meeting may be given in the same notice.
- 2.1.5 At least 3 calendar days before a Council or Committee meeting, Council's General Manager must send each Councillor a notice of the time, place and business on the agenda at the meeting.
- 2.1.6 The notice and business proposed for the meeting may be given to Councillors in electronic form.
- 2.1.7 If a notice of a meeting has been given, it must be held or at least opened. (Clause 4.2.8 of OLG Practice Note 16)
- 2.1.8 Council is required to meet at least 10 times each year, each time in a different month. (Section 365)

Deleted: This clause does not apply to an extraordinary meeting of a Council or committee.

2.1.9 The day of issue and the day of the meeting are not to be counted as days of notice. (Section 36 of the Interpretation Act 1987)

2.2 QUORUM (C/ 233)

2.2.1 A meeting of Council must be adjourned if a quorum is not present:

- within half an hour after the time designated for the holding of the meeting, or
- at any time during the meeting.

2.2.2 In either case, the meeting must be adjourned to a time, date and place fixed:

- by the chairperson; or
- in his or her absence — by the majority of the Councillors present; or
- failing that, by the General Manager.

2.2.3 The General Manager must record in Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of Council, together with the names of the Councillors present.

2.2.4 If Council is unable to form a quorum due to pecuniary interests, the Councillors affected may apply to the Minister to allow them to participate in the discussion and vote on that matter. (Section 458)

2.3 MINISTER TO CONVENE MEETINGS IN CERTAIN CASES (C/ 234)

2.3.1 Whenever an area is constituted or reconstituted, the Minister is required:

- to convene the first meeting of Council; and
- to nominate the business to be transacted at the meeting; and
- to give the Councillors notice of the meeting.

2.3.2 If there is no quorum at that meeting, the Minister may convene meetings in the same manner until a quorum is present.

2.3.3 Council must transact the business nominated by the Minister for a meeting convened under this clause.

2.4 PRESENCE AT COUNCIL MEETINGS (C/ 235)

2.4.1 A Councillor cannot participate in a meeting of Council unless personally present at the meeting.

2.4.2 The General Manager is entitled to attend, but not vote at, a meeting of Council or a meeting of a Committee of which all the members are Councillors. (Section 367(1))

2.4.3 The General Manager is entitled to attend a meeting of any other Committee and may, if a member of the Committee, exercise a vote. (Section 376(2))

Deleted: 'WHAT HAPPENS WHEN A ... IS NOT PRESENT'

- 2.4.4 The General Manager may be excluded from a meeting of Council or a Committee while Council or the Committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager. (Section 376(3))
- 2.4.5 Everyone is entitled to attend a meeting of Council and those of its Committees of which all the members are Councillors, and Council must ensure that all meetings of Council and of such Committees are open to the public. However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of Council or of such a Committee if expelled from the meeting by a resolution of the meeting, or by the person presiding at the meeting if Council has, by resolution, authorised the person presiding to exercise the power of expulsion. (Section 10)

2.5 LEAVE OF ABSENCE

- 2.5.2 A Councillor who intends to attend a Council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least 2 days' notice of his or her intention to attend. (CI 235A(2))
- 2.5.3 A resolution passed by Council or a Committee to accept an apology tendered by a Councillor for non-attendance at the meeting shall be deemed to be a grant of leave of absence to the Councillor for that meeting.
- 2.5.4 The civic office of a Councillor becomes vacant if the Councillor is absent from 3 consecutive Ordinary meetings of Council without:
- a. prior leave of Council; or
 - b. leave granted by Council at any of the meetings concerned. (Section 234(1))
- 2.5.5 A Councillor who seeks leave of absence from 3 consecutive Ordinary meetings of Council should forward any application for leave of absence to the General Manager in writing either by email, facsimile or letter by no later than 5.00pm on the Monday preceding the first Ordinary meeting from which the Councillor intends to be absent, and include the meeting dates on which the Councillor intends to be absent. (CI 235A(1))
- 2.5.6 A Councillor applying for a leave of absence from a meeting of Council does not need to make the application in person and Council may grant such leave in the absence of that Councillor. (Section 234(2))
- 2.5.7 If a Councillor attends a Council meeting (whether or not an Ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards any future council meeting. (Section 234(3)-(4))

Deleted: A Councillor's application for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent

2.6 EXTRAORDINARY MEETINGS

- 2.6.1 Council may resolve to hold additional meetings as considered necessary. Additional meetings of Council convened by resolution of Council are subject to 3 days' notice and must also be advertised in accordance with this Code.
- 2.6.2 If the Mayor receives a request in writing signed by at least 2 Councillors (one of whom may be the Mayor), the Mayor must call an extraordinary meeting of Council to be held as soon as practicable but in any event within 14 days after receipt of the request.
- 2.6.3 Notice of less than 3 days may be given of an extraordinary meeting called in an emergency. (*Sections 366 & 367(2)*)

3.0 PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS

3.1 COUNCILLOR TO BE ELECTED TO PRESIDE AT CERTAIN MEETINGS

(C/ 236)

In the absence of the Mayor, the Deputy Mayor shall be the deputy chairperson of a Council or Committee Meeting. (*Council Policy*)

- 3.1.1 If no chairperson or deputy chairperson is present at a meeting of Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.¹
- 3.1.2 The election must be conducted:
- a. by the General Manager or, in his or her absence, an employee of Council designated by the General Manager to conduct the election; or
 - b. if neither of them is present at the meeting or there is no General Manager or designated employee — by the person who called the meeting or a person acting on his or her behalf.
- 3.1.3 If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 3.1.4 For the purposes of clause 3.1.3, the person conducting the election must:
- a. arrange for the names of the candidates who have equal numbers of votes to be written on similar slips; and
 - b. then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 3.1.5 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

3.2 CHAIRPERSON TO HAVE PRECEDENCE

(C/ 237)

- 3.2.1 When the chairperson rises during a meeting of Council:
- a. any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and
 - b. every Councillor present must be silent to enable the chairperson to be heard without interruption.

¹ Note: Section 369(2) provides for a Councillor to be elected to chair a meeting of Council when the Mayor and Deputy Mayor are absent.

3.3 CHAIRPERSON'S DUTY WITH RESPECT TO MOTIONS (CI 238)

- 3.3.1 It is the duty of the chairperson at a meeting of Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 3.3.2 The chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.
- 3.3.3 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.
- 3.3.4 The chairperson must ensure that a division is called for all decisions so that the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision are identified in the Minutes.

3.4 ORDER OF BUSINESS (CI 239)

- 3.4.1 The general Order of Business at a meeting of Council, (other than an extraordinary meeting) shall be:
- Prayer;
 - Acknowledgment of Country;
 - Apologies;
 - Declaration of Interest;
 - Public Addresses;
 - Confirmation of Minutes;
 - Mayoral Minute;
 - Agenda Reports;
 - Motions of Rescission;
 - Notice of Motion;
 - Closed Council;
 - Diary.
- 3.4.2 The Order of Business fixed under clause 3.4.1 may be altered if a motion to that effect is passed. Such a motion can be moved without notice.
- 3.4.3 Despite clause 3.16, only the mover of a motion referred to in clause 3.4.2 may speak to the motion before it is put.

3.5 AGENDA AND BUSINESS PAPERS FOR COUNCIL MEETINGS (CI 240)

- 3.5.1 The General Manager must ensure that the agenda for a meeting of Council states:
- a. all matters to be dealt with arising out of the proceedings of former meetings of Council; and
 - b. if the Mayor is the chairperson—any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting; and
 - c. subject to clause 3.5.2, any business of which due notice has been given.
- 3.5.2 The General Manager must not include in the agenda for a meeting of Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business

would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of Council.

- 3.5.3 The General Manager must cause the agenda for a meeting of Council or a Committee of Council to be prepared as soon as practicable before the meeting. *(CI 240)*
- 3.5.4 The General Manager must ensure that the details of any item of business to which section 9(2A) of the Act applies are included in a business paper for the meeting concerned.
- 3.5.5 Nothing in this clause limits the powers of the chairperson under clause 3.9. (Mayoral Minutes).
- 3.5.6 Business papers that have been included in the agenda of the meeting that have been sent to Councillors cannot be removed prior to the meeting. If it is proposed that the item of business not be dealt with at the meeting, Council must resolve to:
- defer the business at the meeting; or
 - not consider the matter.

3.6 PUBLIC ADDRESSES AT COUNCIL MEETINGS

(Policy)

- 3.6.1 The public address session at a Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.
- 3.6.2 The public address session at a Council meeting will be conducted in accordance with the Public Address Guidelines which are included in Appendix C to this Code.
- 3.6.3 A list of applicants speaking at the public address segment of the Council meeting, together with any information supplied by applicants, will be made available to Councillors at the meeting.

3.7 GIVING NOTICE OF BUSINESS & NOTICE OF MOTION

(CI 241)

- 3.7.1 Council must not transact business at a meeting of Council:
- unless a Councillor has given notice of the business in writing (Notice of Motion) no less than 7 days prior to the meeting date; and
 - unless notice of the business has been sent to the Councillors in accordance with section 367 – the Notice of Meeting/Business Paper is to be delivered to Councillors 3 days before each Meeting.
- 3.7.2 Clause 3.7.1 does not apply to the consideration of business at a meeting if the business:
- is already before, or directly relates to a matter that is already before, Council; or
 - is the election of a chairperson to preside at the meeting as provided by clause 3.1.1; or
 - is a matter or topic put to the meeting by the chairperson in accordance with clause 3.9; or
 - is a motion for the adoption of recommendations of a Committee of Council.

Deleted: segment (incorporating Public Question Time) in the

Deleted: agenda, or on any matter within the Local Government area which falls within Council jurisdiction

Deleted: 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. 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.

- 3.7.3 Despite clause 3.7.1, business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- a. a motion is passed to have the business transacted at the meeting; and
 - b. the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice.

- 3.7.4 Despite clause 3.16, only the mover of a motion referred to in clause 3.7.3 can speak to the motion before it is put.

3.8 AGENDA FOR EXTRAORDINARY MEETINGS *(Cl 242)*

- 3.8.1 The General Manager must ensure that the agenda for an extraordinary meeting of Council deals only with the matters stated in the notice of the meeting.

- 3.8.2 Despite clause 3.8.1, business may be transacted at an extraordinary meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- a. a motion is passed to have the business transacted at the meeting; and
 - b. the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.

- 3.8.3 Despite clause 3.16, only the mover of a motion referred to in clause 3.8.2 can speak to the motion before it is put.

3.9 OFFICIAL MINUTES (MAYORAL MINUTE) *(Cl 243)*

- 3.9.1 If the Mayor is the chairperson at a meeting of Council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of Council or of which Council has official knowledge.
- 3.9.2 Such a minute, when put to the meeting, takes precedence over all business on Council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.
- 3.9.3 A recommendation made in a minute of the chairperson (being the Mayor) or in a report made by a Council employee is, so far as adopted by Council, a resolution of Council.
- 3.9.4 In accordance with clause 3.9.1, a Councillor may, by way of information, have included in any Mayoral Minute, an item of general interest to be drawn to the attention of Council.

3.10 REPORT OF A DEPARTMENTAL REPRESENTATIVE TO BE TABLED AT COUNCIL MEETING

(CI 244)

- 3.10.1 When a report of a Departmental representative has been presented to a meeting of Council in accordance with section 433 of the Act, Council must ensure that the report:
- a. is laid on the table at that meeting; and
 - b. is subsequently available for the information of Councillors and members of the public at all reasonable times

3.11 NOTICE OF MOTION — ABSENCE OF MOVER AND GENERAL REQUIREMENTS

(CI 245)

- 3.11.1 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of Council:
- a. any other Councillor may move the motion at the meeting; or
 - b. the chairperson may defer the motion until the next meeting of Council at which the motion can be considered.
- 3.11.2 Notices of motion are to be in writing and are to be delivered, posted, emailed or faxed to the General Manager so that they are received by the General Manager no less than 7 days prior to the meeting date.
- 3.11.3 If the notice of motion to be moved is in relation to donations, a Councillor may move for donations up to a maximum of \$500. Any donations above that amount should be subject to a report to a future meeting of Council on the matter.
- 3.11.4 For the avoidance of doubt, the Mayor may also lodge a notice of motion in accordance with these provisions.

3.12 MOTIONS TO BE SECONDED

(CI 246)

- 3.12.1 A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 3.9.2 and 3.16.5.

3.13 HOW SUBSEQUENT AMENDMENTS MAY BE MOVED

(CI 247)

- 3.13.1 If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before Council at any one time.
- 3.13.2 An amendment is a proposition to alter a motion that is being considered at a meeting.
- An amendment must relate solely to the subject matter of the motion and not to something else. The chairperson shall reject an amendment if the proposed amendment:
- a. is a direct negative, or contradiction, of the motion or has that effect; or
 - b. is beyond the scope of the motion; or
 - c. does not relate to the motion; or
 - d. is irrelevant; or

- e. appears designed to prevent the meeting coming to a decision on the matter; or
- f. is inconsistent with a resolution passed earlier at the meeting; or
- g. is of such nature that the original motion loses its identity.

An amendment must be moved and seconded.

Each amendment is separately considered and voted on.

- 3.13.3 It is permissible during the debate on an amendment for a further amendment to be foreshadowed. However, any such foreshadowed amendment shall not be moved and debated until the amendment is dealt with first.
- 3.13.4 The seconder of a motion or of an amendment may reserve the right to speak later in the debate.
- 3.13.5 To ensure the accuracy of decisions, Councillors should hand a copy of any lengthy motions or amendments in writing to the chairperson and minute taker.

3.14 MOTIONS OF DISSENT

(C/ 248)

- 3.14.1 A Councillor can, without notice, move to dissent from the ruling of the chairperson on a point of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 3.14.2 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 3.14.3 Despite clause 3.1.6, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

3.15 QUESTIONS MAY BE PUT TO COUNCILLORS AND COUNCIL EMPLOYEES

(C/ 249)

- 3.15.1 A Councillor:
 - a. may, through the chairperson, put a question to another Councillor; and
 - b. may, through the General Manager, put a question to a Council employee.
- 3.15.2 However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.
- 3.15.3 The Councillor must put every such question directly, succinctly and without argument. Questions shall not call for action to be taken nor be used for political expedience (i.e. questions without notice). Each Councillor is

permitted a maximum of 1 minute per item to put questions or a series of related questions.

- 3.15.4 The chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause.

3.16 LIMITATION AS TO NUMBER OF SPEECHES (CI 250)

- 3.16.1 A Councillor who, during a debate at a meeting of Council, moves an original motion has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.
- 3.16.2 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 3.16.3 A Councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than 5 minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 3.16.4 Despite clauses 3.16.1 and 3.16.2, a Councillor may move that a motion or an amendment be now put:
- a. if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it; or
 - b. if at least 2 Councillors have spoken in favour of the motion or amendment and at least 2 Councillors have spoken against it.
- 3.16.5 The chairperson must immediately put to the vote, without debate, a motion moved under clause 3.16.4. A seconder is not required for such a motion.
- 3.16.6 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under clause 3.16.1.
- 3.16.7 If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 3.16.8 Councillors must not interrupt another Councillor during debate unless they have a point of order.

3.17 VOTING AT COUNCIL MEETINGS (CI 251)

- 3.17.1 A Councillor who is present at a meeting of Council, is entitled to one vote. *(section 370)* Any Councillor who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 3.17.2 If a Councillor has voted against a motion put at Council meeting, the General Manager must ensure that the Councillor's dissenting vote is recorded in Council's minutes. *(Policy)*

- 3.17.3 When a decision is put to a Council or Committee meeting, including meetings closed to the public, ~~a division shall take place immediately~~ and the General Manager shall record in the minutes of the meeting, the names of the Councillors who voted for and against the decision *(Policy and section 375A (planning decisions))*.
- 3.17.4 The chairperson of a Council or Committee meeting in the event of an equality of votes, shall have a casting vote, as well as an original vote *(Section 370)*.
- 3.17.5 Voting at a Council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.
- 3.17.6 A decision supported by a majority of the votes at a meeting of Council at which a quorum is present is a decision of Council. *(Section 371)*²

3.18 RESCINDING OR ALTERING RESOLUTIONS *(Cl 372)* (See Appendix for Pro Forma "Notice of Motion of Rescission")

- 3.18.1 A resolution passed by Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with this Code
- 3.18.2 If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.
- 3.18.3 If a motion has been negated by Council, a motion having the same effect, must not be considered unless notice of it has been duly given in accordance with this Code.
- 3.18.4 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negated by Council, must be signed by 3 Councillors, if less than 3 months has elapsed since the resolution was passed, or the motion was negated, as the case may be. Such notice of motion to alter or rescind must be received by the General Manager within 2 working days following the meeting of Council at which the resolution was carried.
- 3.18.5 If a motion to alter or rescind a resolution has been negated, or if a motion which has the same effect as a previously negated motion, is negated, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.
- 3.18.6 A motion to which this section applies may be moved on the report of a Committee of Council and any such report must be recorded in the minutes.

² Note: Part 11 of the Regulation provides that Council is to resolve whether an election by the Councillors for Mayor or Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting. Ballot has its normal meaning of secret ballot. *(Section 394 and Clause 3 of Schedule 7 of the Regulation)*

Deleted: planning

Deleted: The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division.

Deleted: When a division on a motion is demanded on a matter other than a planning decision (See clause 3 above), the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Council's minutes.

- 3.18.7 The provisions of this clause 3.18 concerning negatived motions do not apply to motions of adjournment.

3.19 REPRESENTATIONS BY MEMBERS OF THE PUBLIC — CLOSURE OF PART OF MEETING (CI 252)

- 3.19.1 A representation at a Council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a 4 minute period immediately after the motion to close the part of the meeting is moved and seconded.
- 3.19.2 Any member of the public may make representations about the closure of part of a meeting on the following basis:
- a. in writing to the General Manager prior to the commencement of the meeting; or
 - b. verbally when requested by the chairperson to indicate whether anyone would like to make representations about the closure of part of the meeting.

3.20 CLOSING A MEETING

- 3.20.1 All meetings of Council will be held in public session, unless Council resolves that certain business should be conducted in closed session, with the press and public excluded.
- 3.20.2 Council may only conduct its business in closed session where the matter to be discussed meets the requirements of the Act.
- 3.20.3 If a part of a meeting of Council or a Committee is closed to the public in accordance with the Act, a person must not, without the authority of Council or the Committee, disclose (otherwise than to Council or a Councillor of Council) information with respect to the discussion at, or the business of, the meeting unless authorised to do so by section 664.
- 3.20.4 A person must not, without the authority of Council or the Committee, disclose (otherwise than to Council or a Councillor of Council) information with respect to a discussion at a Councillor briefing.

3.21 WHICH PARTS OF A MEETING CAN BE CLOSED (CI 10A)

- 3.21.1 Council, or a Committee of which all the members are Councillors, may close to the public so much of its meeting as comprises:
- a. the discussion of any of the matters listed in clause 3.21.2; or
 - b. the receipt or discussion of any of the information so listed.
- 3.21.2 The matters and information are the following:
- a. personnel matters concerning particular individuals other than Councillors;
 - b. the personal hardship of any resident or ratepayer; or
 - c. information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
 - d. commercial information of a confidential nature that would, if disclosed:
 - i. prejudice the commercial position of the person who

- supplied it;
- ii. confer a commercial advantage on a competitor of the Council;
- iii. reveal a trade secret;
- e. information that would, if disclosed, prejudice the maintenance of law;
- f. matters affecting the security of Council, Councillors, Council staff or Council property;
- g. advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- h. information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- i. alleged contraventions of any Code of Conduct requirements under section 440.

3.22 FURTHER LIMITATIONS RELATING TO CLOSURE OF PARTS OF MEETINGS TO THE PUBLIC *(Cl 10B)*

- 3.22.1 A meeting is not to remain closed during the discussion of anything referred to in section 10A:
- a. except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
 - b. if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret, or unless Council or the Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest. *(Section 10B(1))*
- 3.22.2 A meeting is not to be closed during the receipt and consideration of information or advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege unless the advice concerns legal matters that:
- a. are substantial issues relating to a matter in which Council or the Committee concerned is involved; and
 - b. are clearly identified in the advice; and
 - c. are fully discussed in that advice. *(Section 10B (2))*
- 3.22.3 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- a. a person may misinterpret or misunderstand the discussion; or
 - b. the discussion of the matter may
 - i. cause embarrassment to Council or the Committee concerned, or to Councillors or to employees of Council; or
 - ii. cause a loss of confidence in Council or the Committee concerned. *(Section 10B (4))*
- 3.22.4 In deciding whether part of a meeting is to be closed to the public, Council or the Committee concerned must have regard to any relevant guidelines issued by the Office of Local Government.

3.23 NOTICE OF LIKELIHOOD OF CLOSURE NOT REQUIRED IN URGENT CASES

(Cl 10C)

- 3.23.1 Part of a meeting of Council, or of a Committee of which all members are Councillors, may be closed to the public while Council or the Committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:
- a. it becomes apparent during the discussion of a particular matter that the matter is a matter referred to section 10A, and
 - b. Council or the Committee, after considering any representations made by the public, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter); and
 - ii. should take place in a part of the meeting that is closed to the public. *(Section 10C)*

3.24 GROUNDS FOR CLOSING PART OF A MEETING TO BE SPECIFIED

(Cl 10D)

- 3.24.1 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. *(Section 10D (1))*
- 3.24.2 The grounds must specify the following:
- a. the relevant provisions of section 10A;
 - b. the matter that is to be discussed during the closed part of the meeting; and
 - c. the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personnel hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest. *(Section 10D (2))*

3.25 RESOLUTIONS PASSED AT CLOSED MEETINGS TO BE MADE PUBLIC

(Cl 253)

- 3.25.1 If Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

3.26 MATTERS TO BE INCLUDED IN MINUTES OF COUNCIL MEETING

(Cl 254)

- 3.26.1 The General Manager must ensure that the following matters are recorded in Council's minutes:
- a. details of each motion moved at a Council meeting and of any amendments moved to it;
 - b. the names of the mover and seconder of the motion or amendment;
 - c. whether the motion or amendment is passed or lost.³

³ Note: Section 375(1) requires Council to ensure that full and accurate minutes are kept of the proceedings of a meeting of Council (other provisions of this Code and of the Act require particular matters to be recorded in a

3.27 DISCLOSURE OF INTERESTS (PECUNIARY INTERESTS/CONFLICTS OF INTEREST)

(Section 451)

- 3.27.1 A Councillor who has a pecuniary interest or conflict of interest in any matter with which Council is concerned and who is present at a meeting of Council or a Committee at which the matter is being considered must disclose the interest and the nature of the interest to the meeting as soon as practicable.
- 3.27.2 Where a pecuniary interest has been declared by a Councillor in a matter at a Council or Committee meeting, that Councillor must leave the meeting, be out of sight of the meeting and not participate in discussion or voting on the matter.
- 3.27.3 Where a non-pecuniary interest has been declared by a Councillor in a matter at a Council or Committee meeting and that non-pecuniary interest is considered by the Councillor to be significant, the Councillor must leave the meeting, be out of sight of the meeting and not participate in discussion or voting on the matter.
- 3.27.4 Where a non-pecuniary conflict of interest has been declared by a Councillor in a matter at a Council or Committee meeting and that non-pecuniary interest is considered by the Councillor to be less than significant and not requiring further action, the Councillor should provide an explanation of why he/she believes the conflict requires no further action in the circumstances. The Councillor is therefore not required to leave the meeting and may participate in discussion and voting on the item.

3.28 WHAT IS A PECUNIARY INTEREST

(Section 442)

- 3.28.1 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

3.29 INTERESTS THAT DO NOT REQUIRE DISCLOSURE

(Section 442)

- 3.29.1 A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448.

3.30 WHO HAS A PECUNIARY INTEREST?

- 3.30.1 For the purposes of this Code and the Act, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
- a. the person, or
 - b. the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
 - c. a company or other body of which the person, or a nominee, partner or employer of the person, is a member. *(Section 443)*
- 3.30.2 However, a person is not taken to have a pecuniary interest in a matter as referred to in this clause if the person did not know and could not reasonably

Council's minutes). This Section also requires the General Manager to record which Councillors vote for and against each planning decision of Council and to make this information publicly available. *(See clause 3.17)*

be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest. (Section 457)

3.31 REPORTABLE POLITICAL DONATIONS

3.31.1 Matters before council involving political or campaign donors may give rise to a non-pecuniary conflict of interest. Where a Councillor has received or knowingly benefitted from a reportable political donation made by a major political donor in the previous four years, where the major political donor has a matter before council, then the Councillor must declare a non-pecuniary conflict of interest, disclose the nature of the interest, and absent themselves from consideration of the matter. For these purposes:

- a. a "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*;
- b. "major political donor" is a "major political donor" for the purposes of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.

3.31.2 Political donations below \$1,000, or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them. If a Councillor has received or knowingly benefitted from a reportable political donation, that Councillor is not prevented from participating in a decision to delegate council's decision-making role to council staff through the general manager or appointing another person or body to make the decision in accordance with the law.

3.32 PROCEDURAL MOTION

3.32.1 Procedural motions are moved with one of a number of objectives as follows:

- a. to affect the way in which proceedings are conducted;
- b. to bring about an immediate vote to achieve a prompt decision on an issue;
- c. to postpone or defer a decision for the time being.

Examples of procedural motions under the Act and Regulations are shown on the following table:

MOTION	MOVED WITHOUT NOTICE	REQUIRES SECONDER	SPEAKERS/ DEBATE PERMITTED	RIGHT OF REPLY
Change the order of business	Yes	Yes	Mover of motion only	No
Business without notice (matter of urgency)	Yes	Yes	Mover of motion only	No
Dissent from chairperson's ruling on Point of Order	Yes	Yes	Only mover and chairperson may speak	No

MOTION	MOVED WITHOUT NOTICE	REQUIRES SECONDER	SPEAKERS/ DEBATE PERMITTED	RIGHT OF REPLY
Adjournment of meeting	Yes	Yes	No debate permitted	No
Limitation to number of speakers (matter to be put)	Yes – after at least 2 speakers have spoken in favour of motion or amendment and at least 2 against motion or amendment.	No	No debate permitted. Question may be put immediately.	No
Deferment of a matter	Yes	Yes	Yes	Yes

3.32.2 A procedural motion, once moved and seconded where required, shall take precedence over all other questions before the Chair.

4.0 KEEPING ORDER AT MEETINGS

4.1 QUESTIONS OF ORDER

(C/ 255)

- 4.1.1 The chairperson, without the intervention of any other Councillor, may call any Councillor or any other person present to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 4.1.2 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 4.1.3 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of Council.
- 4.1.4 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

4.2 ACTS OF DISORDER

(C/ 256)

- 4.2.1 A Councillor commits an act of disorder if the Councillor, at a meeting of Council or a Committee:
 - a. contravenes the Act or any regulation in force under the Act; or
 - b. assaults or threatens to assault another Councillor or person present at the meeting; or
 - c. moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of Council or a Committee, or addresses or attempts to address Council or the Committee on such a motion, amendment or matter; or
 - d. insults or makes personal reflections on or imputes improper motives to any other Councillor; or
 - e. says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring Council or the Committee into contempt;
- 4.2.2 The chairperson may require a Councillor:
 - a. to apologise without reservation for an act of disorder referred to in clause 4.2.1 a. or b.; or
 - b. to withdraw a motion or an amendment referred to in clause 4.2.1 c. and, where appropriate, to apologise without reservation; or
 - c. to retract and apologise without reservation for an act of disorder referred to in clause 4.2.1 d. or e.
- 4.2.3 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of Council for having failed to comply with a requirement under clause 4.2.2. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.
- 4.2.4 Councillors, in the course of debate, shall not introduce material that is irrelevant to the item under discussion. If a Councillor is called to order for introducing irrelevant material, he or she shall immediately cease speaking to that irrelevant material.

4.3 HOW DISORDER AT A MEETING MAY BE DEALT WITH *(Cl 257)*

- 4.3.1 If disorder occurs at a meeting of Council, the chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. Council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.
- 4.3.2 A member of the public may, as provided by section 10(2)(a) or (b), be expelled from a meeting of Council for engaging in or having engaged in disorderly conduct at the meeting.

4.4 POWER TO REMOVE PERSONS FROM MEETING AFTER EXPULSION *(Cl 258)*

- 4.4.1 If a Councillor or a member of the public fails to leave the place where a meeting of Council is being held:
- immediately after Council has passed a resolution expelling the Councillor or member from the meeting, or
 - where Council has authorised the person presiding at the meeting to exercise the power of expulsion—immediately after being directed by the person presiding to leave the meeting,
 - a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place.

4.5 DEFAMATORY STATEMENT AT A COUNCIL MEETING

- 4.5.1 Councillors acting within their official capacity at meetings of Council or Council Committees may be protected from defamation claims by the defence of 'qualified privilege' but only to enable them to speak freely and publicly in undertaking their duties in council meetings.⁴

4.6 BEHAVIOUR OF MEMBERS OF THE PUBLIC ATTENDING A COUNCIL MEETING

- 4.6.1 All Councillors, staff and community members participating in Council meetings must act with good intentions and behave to the standard of conduct expected by the community. *(Office of Local Government, Practice Note 16)*

⁴The NSW Ombudsman publication *Better Service and Communication for Councils*, available at www.ombo.nsw.gov.au, provides information about defamation and it states: "A statement may be defamatory of a person if it is likely to cause an ordinary reasonable member of the community to think less of a person or to shun or avoid the person". Councillors, staff and members of the public can seek legal compensation apology etc. if they are defamed however qualified privilege needs to be treated with great caution. It only covers statements made at a Council or Committee meeting when you are carrying out your duties and on business relevant to the Council. Statements also need to be made with good intentions, not malice. Statement made outside a Council or Committee meeting will not be protected by qualified privilege, but may be protected under the *Defamation Act 1974 (NSW)*.

- 4.6.2 Members of the public must act in a way that is in keeping with Council's duty under the *Work Health and Safety Act (2011) No.10* (as amended), to provide, as far as reasonably practicable, a safe place of work for its staff and a safe environment for other persons present during the Council meeting. This includes not placing Councillors, other members of the public or visitors at risk.
- 4.6.3 Members of the public attending meetings of Council are required to observe the following:
- a. addressing the chairperson courteously by their official title of "Mr Mayor", "Madam Mayor", "Mr Chairperson" or "Madam Chairperson" as appropriate, and not addressing other Councillors or staff directly unless requested to do so;
 - b. allowing all speakers to speak without interruption, heckling or comment;
 - c. avoiding threatening, aggressive, insulting or demeaning statements or actions, and defamatory statements;
 - d. leaving and entering the Council Chamber quietly and without disturbing others, and minimising unnecessary noise while in the Council Chamber;
 - e. complying with reasonable instructions from the chairperson or staff;
 - f. not engaging in behaviour that is bullying, harassing or discriminatory in nature;
 - g. generally behaving in a courteous and respectful manner to all attendees at meetings of Council including Councillors, staff and members of the public.
- 4.6.4 The chairperson may in their discretion determine, or seek the advice of Councillors on whether to determine, that a contravention of the requirements of clause 4.6.2 constitutes disorderly conduct.

5.0 COUNCIL COMMITTEES

5.1 COMMITTEE OF THE WHOLE

(CI 259)

- 5.1.1 Council may resolve itself into a Committee to consider any matter before Council (Section 373).
- 5.1.2 All the provisions of this Code relating to meetings of Council, so far as they are applicable, extend to and govern the proceedings of Council when in Committee of the whole, except the provision limiting the number and duration of speeches.
- 5.1.3 The General Manager or, in the absence of the General Manager, an employee of Council designated by the General Manager is responsible for reporting to Council proceedings in Committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported.
- 5.1.4 Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in Council's minutes. However, Council is not taken to have adopted the report until a motion for adoption has been made and passed.

5.2 COUNCIL MAY ESTABLISH COMMITTEES

(CI 260)

- 5.2.1 A Council may, by resolution, establish such Committees as it considers necessary.
- 5.2.2 A Committee is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by Council.
- 5.2.3 The quorum for a meeting of a Committee is to be:
- a. such number of members as Council decides; or
 - b. if Council has not decided a number — a majority of the members of the Committee.

5.3 FUNCTIONS OF COMMITTEES

(CI 261)

- 5.3.1 Council must specify the functions of each of its Committees when the Committee is established, but may from time to time amend those functions.

5.4 NOTICE OF COMMITTEE MEETINGS TO BE GIVEN

(CI 262)

- 5.4.1 The General Manager of Council must send to each Councillor, at least 3 days before each meeting of the Committee, a notice specifying:
- a. the time and place at which and the date on which the meeting is to be held; and
 - b. the business proposed to be transacted at the meeting.
- 5.4.2 However, notice of less than 3 days may be given of a Committee meeting called in an emergency.

5.5 NON-MEMBERS ENTITLED TO ATTEND COMMITTEE MEETINGS*(CI 263)*

- 5.5.1 A Councillor who is not a member of a Committee is entitled to attend, and to speak at, a meeting of the Committee.
- 5.5.2 However, the Councillor is not entitled:
- to give notice of business for inclusion in the agenda for the meeting, or
 - to move or second a motion at the meeting, or
 - to vote at the meeting.

5.6 REPRESENTATIONS BY MEMBERS OF THE PUBLIC—CLOSURE OF PART OF MEETING*(CI 264)*

- 5.6.1A representation at a Committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a 4 minute period immediately after the motion to close the part of the meeting is moved and seconded.
- 5.6.2 Any member of the public may make representations about the closure of part of a meeting on the following basis:
- in writing to the General Manager prior to the commencement of the meeting; or
 - verbally when requested by the chairperson to indicate whether anyone would like to make representations about the closure of part of the meeting.

5.7 PROCEDURE IN COMMITTEES*(CI 265)*

- 5.7.1 Subject to clause 5.7.3, each Committee may regulate its own procedure.
- 5.7.2 Without limiting clause 5.7.1, a Committee may decide that, whenever the voting on a motion put to a meeting of the Committee is equal, the chairperson of the Committee is to have a casting vote as well as an original vote.
- 5.7.3 Voting at a Committee meeting is to be by open means (such as on the voices or by show of hands).

5.8 COMMITTEES TO KEEP MINUTES*(CI 266)*

- 5.8.1 Each Committee must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a Committee must ensure that the following matters are recorded in the Committee's minutes:
- details of each motion moved at a meeting and of any amendments moved to it;
 - the names of the mover and seconder of the motion or amendment;
 - whether the motion or amendment is passed or lost.
- 5.8.2 As soon as the minutes of an earlier meeting of a Committee have been confirmed at a later meeting of the Committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.
- 5.8.3 In relation to planning decisions in Committee, refer to clause 3.17.3 for the recording of voting.

5.9 CHAIRPERSON AND DEPUTY CHAIRPERSON OF COMMITTEES*(Cl 267)*

- 5.9.1 The chairperson of each Committee must be:
- a. the Mayor; or
 - b. if the Mayor does not wish to be the chairperson of a Committee — a member of the Committee elected by Council; or
 - c. if Council does not elect such a member — a member of the Committee elected by the Committee.
- 5.9.2 Council may elect a member of a Committee of Council as deputy chairperson of the Committee. If Council does not elect a deputy chairperson of such a Committee, the Committee may elect a deputy chairperson.
- 5.9.3 If neither the chairperson nor the deputy chairperson of a Committee of Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting chairperson of the Committee.
- 5.9.4 The chairperson is to preside at a meeting of a Committee. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

5.10 ABSENCE FROM COMMITTEE MEETINGS*(Cl 268)*

- 5.10.1 A member (other than the Mayor) ceases to be a member of a Committee if the member:
- a. has been absent from 3 consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences, or
 - b. has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.⁵
- 5.10.2 Subclause 5.10.1 does not apply in respect of a Committee that consists of all of the members of Council.

5.11 REPORTS OF COMMITTEES*(Cl 269)*

- 5.11.1 If in a report of a Committee distinct recommendations are made, the decision of Council may be made separately on each recommendation.
- 5.11.2 The recommendations of a Committee are, so far as adopted by Council, resolutions of Council.
- 5.11.3 If a Committee passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must:
- a. make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and
 - b. report the resolution or recommendation to the next meeting of Council.

⁵ Note: The expression 'year' means the period beginning 1 July and ending the following 30 June. See the Dictionary to the Act.

5.12 DISORDER IN COMMITTEE MEETINGS*(CI 270)*

- 5.12.1 The provisions of the Act and of this Code relating to the maintenance of order in Council meetings apply to meetings of Committees of Council in the same way as they apply to meetings of Council.

5.13 CERTAIN PERSONS MAY BE EXPELLED FROM COUNCIL COMMITTEE MEETINGS*(CI 271)*

- 5.13.1 If a meeting or part of a meeting of a Committee is closed to the public in accordance with section 10A, any person who is not a Councillor may be expelled from the meeting as provided by section 10(2)(a) or (b).
- 5.13.2 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by Council, a Committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

6.0 MISCELLANEOUS

6.1 INSPECTION OF THE MINUTES OF A COUNCIL OR COMMITTEE

(CI 272)

- 6.1.1 An inspection of the minutes of Council or a Committee is to be carried out under the supervision of the General Manager or an employee of Council designated by the General Manager to supervise inspections of those minutes.
- 6.1.2 The General Manager must ensure that the minutes of Council and any minutes of a Committee are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

6.2 RECORDING OF MEETING OF COUNCIL OR COMMITTEE BY MEMBERS OF THE PUBLIC PROHIBITED WITHOUT PERMISSION

(CI 273)

Deleted: TAPE

- 6.2.1 A person may use a recorder to record the proceedings of a meeting of Council or a Committee only with the authority of Council or the Committee.
- 6.2.2 A person may, as provided by section 10(2)(a) or (b), be expelled from a meeting of Council or a Committee for using or having used a recorder in contravention of this clause.
- 6.2.3 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.
- 6.2.4 In this clause, **recorder** includes a video camera, **still camera** and any electronic device capable of recording speech, **moving images or still images**. In this clause, **recording** means making a temporary or permanent record in any medium, or engaging in or facilitating internet or local streaming of, or otherwise capturing, speech or images.

6.3 RECORDING OF MEETING OF COUNCIL OR COMMITTEE BY COUNCIL STAFF FOR ADMINISTRATIVE PURPOSES

Council Meetings are recorded in accordance with the following principles:

- 6.3.1 Recordings of meetings are only used for verifying the accuracy of minutes;
- 6.3.2 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 *Privacy and Personal Information Protection Act 1988* or where Council is compelled to do so by court order, warrant or subpoena or by any other law.
- 6.3.3 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*.

- 6.3.4 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 Privacy and Personal Information Protection Act 1988)

6.4 RECEIPT OF PETITIONS

- 6.4.1 A petition will only be valid if the General Manager is satisfied that the following have been complied with:
- The petition contains a written statement requesting Council to do something or to refrain from doing something.
 - The petition contains a covering letter addressed to the General Manager containing a clear and concise statement identifying the subject matter of the petition along with the number of signatories contained and the full name, address, phone number and signature of the principal petitioner.
 - Each person who signed the petition has included their full name, address, signature and date of signature.
- 6.4.2 A person may not sign a petition on behalf of anyone else, except in cases of incapacity or sickness. Upon receiving a valid or invalid petition, the General Manager will advise all Councillors of its receipt including the subject matter and the number of signatures.
- 6.4.3 On receipt of a valid petition, a report will be submitted to the next available meeting of Council. The report is to note the nature of the petition and number of signatories. The Chairperson must not permit discussion or debate on the petition with the petition being noted for further consideration in conjunction of the subject matter.
- 6.4.5 Councillors will be made aware of additional signatures to already reported petitions if they are received.
- 6.4.6 A submission is not a petition. A submission is a comment on an issue or a proposal that Council is considering or has on public exhibition. Submissions are usually requested from interested parties such as neighbours. Submissions do not have a minimum signature requirement and are considered as part of the planning process.

Deleted: On receipt of a petition, a report noting the receipt of the petition shall be submitted to the next available Council Meeting. The report is to note the nature of the petition and number of signatories.

6.5 CONDUCT OF COUNCILLOR BRIEFINGS

- 6.5.1 Council may hold regular briefings in accordance with its adopted meeting timetable. Councillor briefings are informal gatherings or briefing sessions and may involve Councillors, Council staff and invited participants. Such briefings shall be chaired by the General Manager or another senior Council officer and should not be used for detailed or advanced discussions where agreement is reached. In conducting such briefings, Council is cognisant of its obligations and responsibilities in terms of open decision making and transparency of process.

Deleted: 'WORKSHOPS' from title. References in this clause have been changed from 'workshops' to 'briefings'.

• •
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RELEVANT LEGISLATIVE INSTRUMENTS:	Local Government Act 1993 (Chapter 12, Part 2, Division1); Local Government (General) Regulation 2005; Meetings Practice Note (Practice Note No 16) issued by the Office of Local Government in August 2009.
RELATED POLICIES, PLANS AND PROCEDURES:	Code of Conduct (5.3)
RESPONSIBLE DIRECTOR:	Director Customer & Corporate Services
APPROVALS:	Council
ATTACHMENTS:	Notice of Motion of Recession Notice of Motion Public Address Session Guidelines
NEXT REVIEWDATE:	March 2018
RECORD KEEPINGNOTES:	All records relating to the policy are to be recorded in TRIM in accordance with Council's Records Management Policy

HISTORY:

Issue	Approved by	Changes made	Date	TRIM Number
1	Council	Adopted ORD 002/01	22 January 2001	486.01
2	Council	Minor amendments ORD271/08;	28 October 2008	DM349051
3	Council	Minor amendments ORD158/10	27 July 2010	DM350542
4	Council	Minor amendments ORD37/12	14 February 2012	13/17377



**APPENDIX A
NOTICE OF MOTION OF RESCISSION**

(S 3.18)

We, the undersigned Councillors, hereby give notice of our intention to move that the Council resolution relating to Item No. _____ of Council Meeting of the

(date of meeting): _____

(title of report): _____

BE RESCINDED.

(Minute No. _____) (extract of Resolution)

Should the above Motion of Rescission be carried, it is our intention to move the following further motion:

.....

(signature)

.....

(signature)

.....

(signature)

Date received by Council



**APPENDIX B
NOTICE OF MOTION**

(Clause 3.7)

I, Councillor hereby give
(name)

notice of my intention to move the following at the Council meeting of

.....
(date)

.....
.....
.....
.....
.....
.....
.....

.....
(signature)

.....
(date)

Date received by Council:

APPENDIX C PUBLIC ADDRESS SESSION GUIDELINES

Persons wishing to participate in the Public Address Session, must complete the required form by no later than 5.00pm on the working day prior to the day of the meeting, (see attached "Public Address – Application Form")

Council's policy guidelines in relation to the Public Address Session at Council Meetings are as follows:

- i. Residents of the Camden Council area and ratepayers (or a representative nominated on behalf of a resident or ratepayer) are permitted to make submissions to Council subject to these guidelines. Applications must be in respect of current meeting agenda items.
- ii. The General Manager or the Director Customer & Corporate Services may amend the required form from time to time.
- iii. All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.
- iv. Council may by resolution extend the time provided to any one speaker by up to 2 minutes on only one occasion.
- v. Speakers are limited to one topic per Public Address Session. Only 7 speakers can be heard at any meeting. A limitation of 1 speaker for and 1 speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed 7 at any given meeting.
- vi. Speakers must:
 - a. restrict their statements and comments to the subject of debate and topic of the address;
 - b. must only speak in relation to the subject stated on their application;
 - c. only speak on matters listed on the agenda/business paper for the Council meeting date stated on their application.
- vii. Speakers must not debate any issue with Councillors and staff and neither the Mayor nor Councillors will answer questions during the Public Address Sessions.
- viii. The chairperson is able to ask questions of the speaker on a point of clarification at any time.
- ix. 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. Questions should not:
 - (a) seek legal opinion to be provided by Council;
 - (b) contain any names of persons unless they are necessary;
 - (c) contain argument, inferences, or imputation;
 - (d) refer to confidential matters that have or will be discussed by Council in closed session, or refer to any confidential matter as identified in section 10A (2) of the Act.
- x. Speakers at the Public Address Session may be stopped by a point of order ruling from the Mayor/Chairperson for any breach of the Public Address Session Guidelines.
- xi. Speakers should exercise particular care to comply with the Code of Meeting Practice.
- xii. Speakers must refrain from making personal criticisms and revealing the identity of staff members.
- xiii. Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments. The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

An Officer of Council will be available any working day to assist intending participants in completion of the forms (excluding the day of the meeting).

PUBLIC ADDRESS SESSION APPLICATION FORM

Note: Applications must be received by Council's Governance Team by 5.00pm on the last working day prior to the Council meeting.

In submitting this application, I understand and agree to abide by the conditions of the Public Address Session in Council's Code of Meeting Practice.

Council Meeting Date _____ Name of Applicant _____
Telephone: _____ Address: _____
Email: _____
Name of Speaker & Organisation (if applicable): _____
Business Paper Agenda Item No _____ Subject _____

I am for the recommendation in the report, OR
I am against the recommendation in the report.

If I am permitted to speak at a Council meeting, I acknowledge that:

1. my name will be recorded in the minutes of the meeting;
2. Council meetings are recorded for minute taking purposes and I consent to my public address being recorded as part of the Council meeting;
3. I have read the Code of Meeting Practice, Public Address Session Guidelines and agree to abide by the Code and the Guidelines;
4. I agree to comply with all directions of the chairperson regarding my address to Council and shall withdraw from the Council Chamber upon his/her direction;
5. I shall restrict my statements and comments to the subject of debate and topic of my address;
6. I shall be personally liable for my behaviour and all statements made by me in the course of my address to Council;
7. I shall refrain from revealing the name of any Council staff members and any personal criticisms of staff when addressing Council.

This form can be lodged –

1. Via email to publicaddress@camden.nsw.gov.au; or
2. Online at www.camden.nsw.gov.au; or
3. Dropped off at the Customer Service Desk, Ground Floor, 37 John Street, Camden; or
4. Posted to PO Box 183, Camden NSW 2570.

If posting, you need to allow sufficient time for your application to be received by Council, before the close off time of 5.00pm on the working day prior to the Council meeting.

Signature of Applicant _____
Signature not required when emailing document

Privacy Notification:

The personal information that Council is collecting from you on this application form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ("the Act"). The intended recipients of the personal information are officers within Council and any person wishing to inspect the application in accordance with the Local Government Act 1993. The supply of the information by you is not voluntary and if you cannot provide or do not wish to provide the information sought, Council will be unable to process your application. You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act. Council is to be regarded as the agency that holds the information. Enquiries concerning this matter can be addressed to Council by telephoning 4654 7790.

OFFICE USE ONLY

Does the application relate to a report before Council?	
Has the application form been correctly completed?	

Approved: Yes No _____

Applicant advised by: Phone Email In person Time/Date: _____ Officer: _____

From: "Cooley, Joanna" <JOANNA.COOLEY@det.nsw.edu.au>
Date: 25 May 2016 at 2:37:26 PM AEST
To: "Ron.moore@camden.nsw.gov.au" <Ron.moore@camden.nsw.gov.au>
Subject: Coghill Street Development

Dear Mr Moore

On behalf of Narellan Public School, I would like to express support for Council's funding of the development of Coghill Street (beside our school grounds), to include the widening of travel lanes, additional parking and a footpath.

Kind Regards

Joanna Cooley
Assistant Principal
Narellan Public School
joanna.cooley@det.nsw.edu.au
Ph. 46461223
Fax 46471551

This message is intended for the addressee named and may contain
privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.

ORD06

Camden Falcons Football Club Incorporated

PO Box 731

CAMDEN NSW 2570

www.camdenfalcons.com

Fax 02 46552274

Mob. 0409 844 270

Email cfsc@bigpond.net.au

ABN 30 809 949 669

President
Paul EllisSecretary
Margret Bell 46558149
mabell1@bigpond.comCamden Council,
PO Box 183,
CAMDEN 2570

Attention - General Manager, Ron Moore

Dear Mr. Moore,

On behalf of Camden Falcons I would like to support the Exhibition proposal for Community Projects relating to 'Improving Lighting levels - 6 new poles @ Belgenny Reserve.

We have been seeking Grants to upgrade these facilities for quite some time, and the \$150,000 you have budgeted would assist us and the families using the facilities.

As a volunteer organisation the support of Camden Council is much appreciated.

Regards

A handwritten signature in black ink that reads 'Margret Bell'.

Margret Bell
Secretary
25 May, 2016

Attachment 1



Secretary:
Mr David Baird
c/- 16 Hillier Close
CAMDEN PARK NSW 2570
Tel: 02 4655 2453 (h)
02 4626 5077 (w)

Received IMU
20 JUN 2016
Camden Council

The General Manager
Camden Council
PO Box 183
CAMDEN NSW 2570

15 June 2016

Dear Sir,

Our attention has been drawn to Council's draft 2016/17 Priority Community Projects document that has been placed on exhibition.

We note that within that document the amount of \$20,000.00 has been allocated for the provision of tables and shelters at Cuthill Reserve in the 2016/2017 year.

We write to support the allocation of these funds for this purpose.

We appreciate the co-operative way that officers of Council have worked with our President, Terry Small to understand the needs of the users of Cuthill Reserve in agreeing to the provision of the tables and shelters and in allocating funds for this purpose.

Our Club wishes to thank Council for its commitment in this regard.

Yours faithfully,
COBBITTY PARK CRICKET CLUB

Per: 
David Baird
Secretary

ORD07

Attachment 1



Monthly Report

Camden Council

May 2016

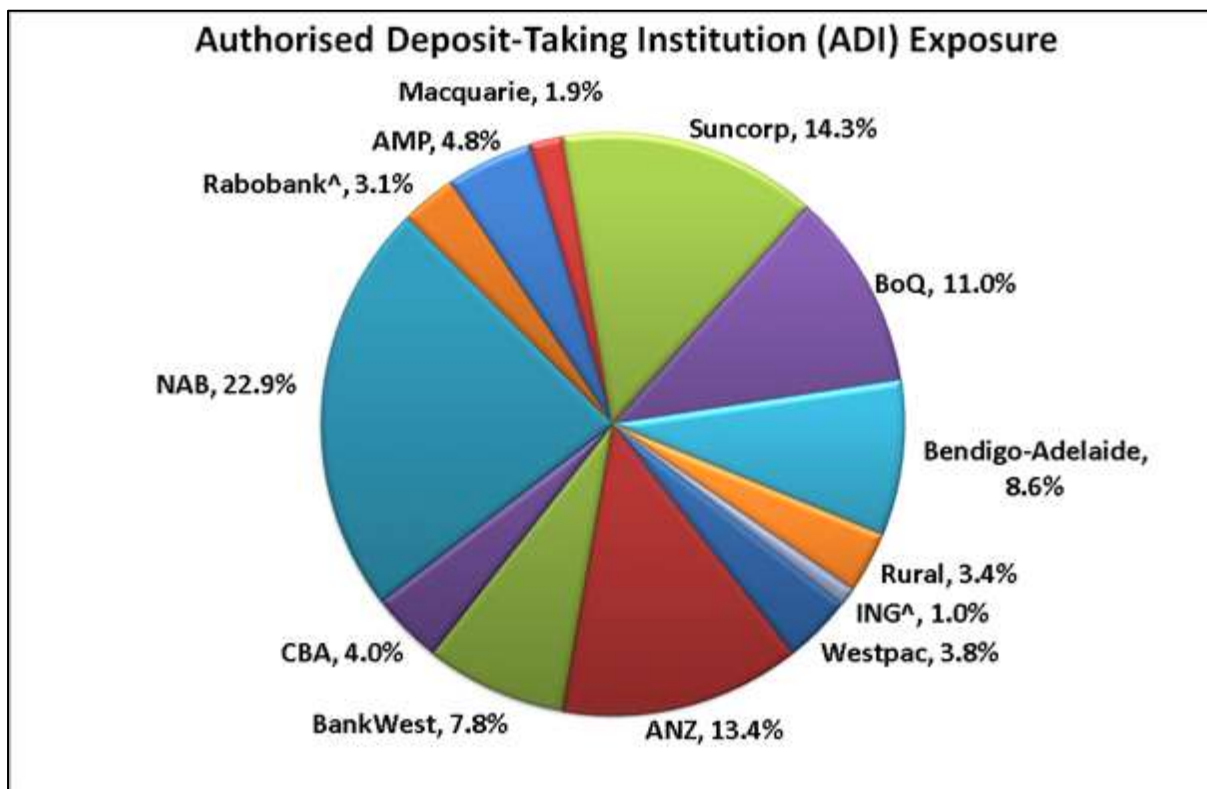
Investment Exposure

Council's investment portfolio is mainly directed to the higher rated ADIs. Council will continue to diversify the investment portfolio across the higher rated ADIs (A1 or higher).

ADI	Exposure \$M	Rating	Policy Limit	Actual	Capacity
Westpac	\$4.00M	A1+	25.0%	3.8%	\$22.15M
ANZ	\$14.00M	A1+	25.0%	13.4%	\$12.15M
BankWest	\$8.20M	A1+	25.0%	7.8%	\$17.95M
CBA	\$4.20M	A1+	25.0%	4.0%	\$21.95M
NAB	\$24.00M	A1+	25.0%	22.9%	\$2.15M
Rabobank^	\$3.20M	A1	5.0%	3.1%	\$2.03M
AMP	\$5.00M	A1	15.0%	4.8%	\$10.69M
Macquarie	\$2.00M	A1	15.0%	1.9%	\$13.69M
Suncorp	\$15.00M	A1	15.0%	14.3%	\$0.69M
BoQ	\$11.50M	A1	15.0%	11.0%	\$4.19M
Bendigo-Adelaide	\$9.00M	A1	15.0%	8.6%	\$6.69M
Rural	\$3.50M	A1	15.0%	3.4%	\$12.13M
ING^	\$1.00M	A2	5.0%	1.0%	\$4.23M
Total	\$104.60M			100.0%	

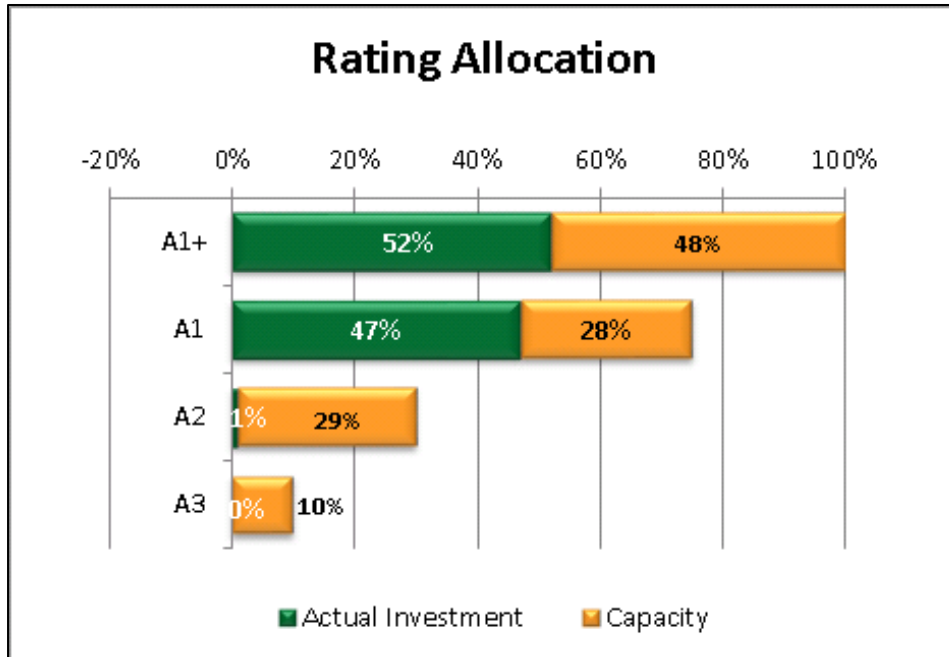
[^]Foreign subsidiary banks are limited to 5% of the total investment portfolio as per Council's investment policy.

The investment portfolio is predominately directed to the higher rated entities led by NAB, Suncorp and ANZ.



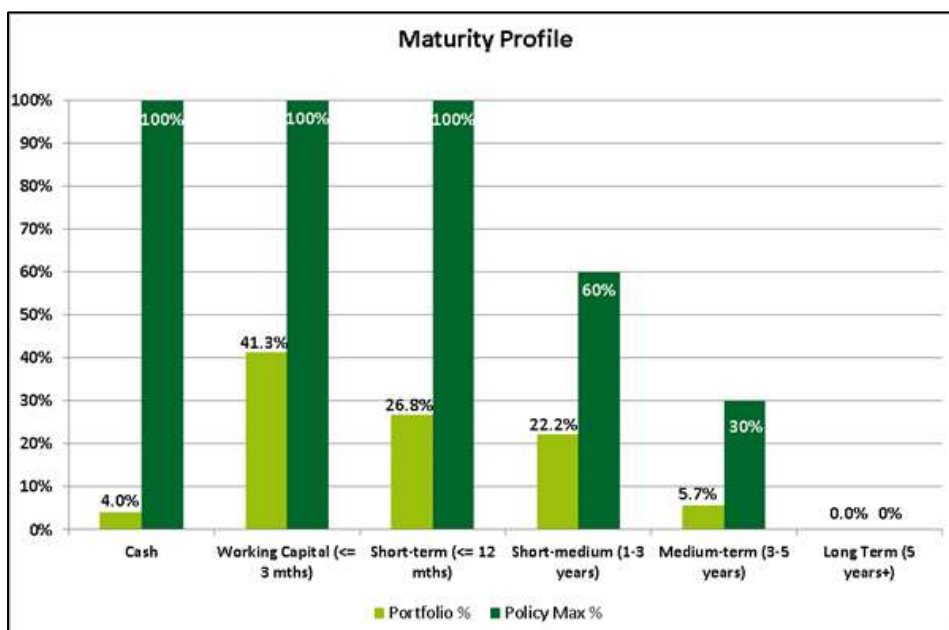
Credit Quality

A1+ (the domestic majors) and A1 (the higher rated regionals) rated ADIs are the largest share of Council's investments. There is still capacity to invest across the entire credit spectrum.



Term to Maturity

The portfolio remains adequately liquid with approximately 4.0% of investments at-call and another 41.3% of assets maturing within 3 months. There is still high capacity to invest in terms greater than 1 year. In consultation with its investment advisors, Council has strategically diversified its investments across various maturities up to 5 years over recent years.



In the historic low interest rate environment, as existing deposits mature, they will generally be reinvested at much lower rates than preceding years. Maintaining current average interest rates will become increasingly difficult with the RBA's latest rate cut in May, down to a record low 1.75%. The futures market continues to factor in another rate cut by the beginning of 2017, potentially taking it to 1.50%.

2015-16 Budget

Source of Funds Invested	
Section 94 Developer Contributions	\$50,842,800
Restricted Grant Income	\$822,756
Externally Restricted Reserves	\$9,530,337
Internally Restricted Reserves	\$33,273,286
General Fund	\$10,130,821
Total Funds Invested	\$104,600,000
Council's investment portfolio has increased by \$5,770,000 since the April reporting period. The increase primarily relates to receipts for S94 Contributions for the May period.	

INTEREST RECEIVED DURING 2015/16 FINANCIAL YEAR					
	May	Cumulative	Original Budget	*Revised Budget	Projected Interest
General Fund	\$111,762	\$1,304,378	\$1,000,400	\$1,420,000	\$1,420,000
Restricted	\$175,182	\$1,729,240	\$951,200	\$1,840,000	\$1,840,000
Total	\$286,944	\$3,033,618	\$1,951,600	\$3,260,000	\$3,260,000

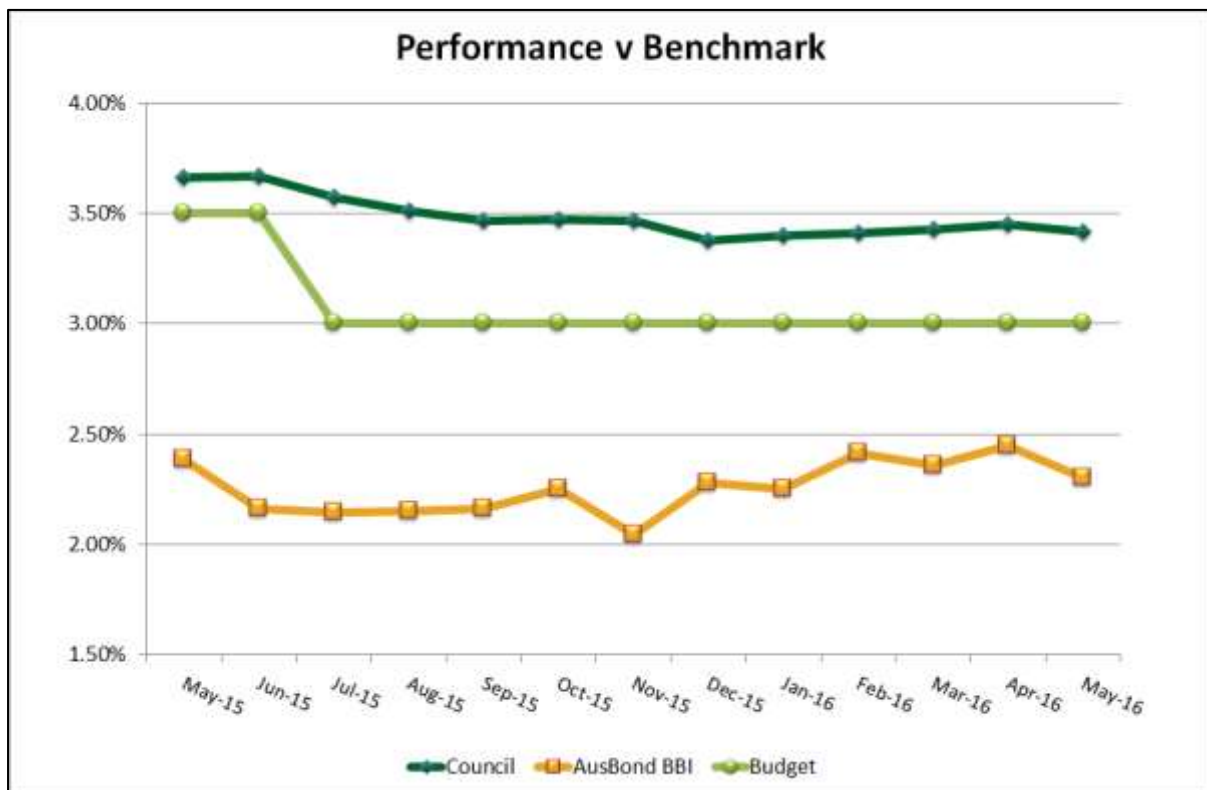
*The Revised Budget is reviewed on a quarterly basis as part of the Budget Process

Interest Summary

The portfolio's interest summary as at 31 May 2016 is as follows:

NUMBER OF INVESTMENTS	70
AVERAGE DAYS TO MATURITY	335
AVERAGE PERCENTAGE	3.45% p.a.
WEIGHTED PORTFOLIO RETURN	3.42% p.a.
CBA CALL ACCOUNT *	1.45% p.a.
HIGHEST RATE	5.10% p.a.
LOWEST RATE	2.80% p.a.
BUDGET RATE	3.00% p.a.
AVERAGE BBSW (30 Day)	1.85% p.a.
AVERAGE BBSW (90 Day)	1.99% p.a.
AVERAGE BBSW (180 Day)	2.12% p.a.
OFFICIAL CASH RATE	1.75% p.a.
AUSBOND BANK BILL INDEX	2.30% p.a.

*Note: CBA call account is not included in the investment performance calculations

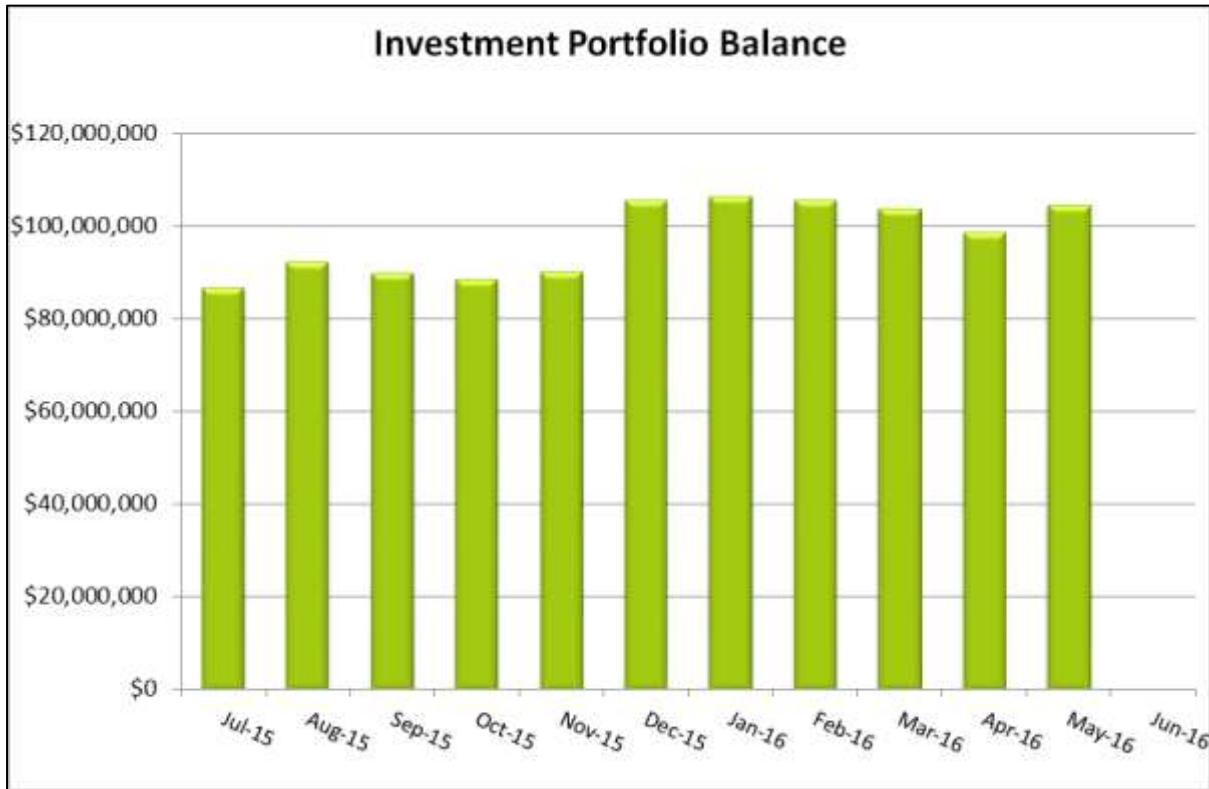


The portfolio's outperformance over the benchmark (AusBond Bank Bill Index) continues to be attributed to the longer-dated deposits in the portfolio. Deposits invested close to or above 4% will contribute strongly to outperformance over coming financial years. As existing deposits mature, performance will generally fall as deposits will be reinvested at much lower prevailing rates compared to previous years. Future budgets may be adjusted to reflect a longer period of low interest rates.

Appendix A – List of Investments

Camden Council Investment Portfolio as at 31 May 2016								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/05/2016
BOQ	TD	\$2,500,000.00	5.00%	4/11/2013	1/11/2018	1823	884	\$71,917.81
BOQ	TD	\$1,500,000.00	4.50%	7/11/2013	2/11/2016	1091	155	\$38,280.82
BOQ	TD	\$1,000,000.00	5.10%	25/11/2013	22/11/2018	1823	905	\$26,408.22
ING Bank	TD	\$1,000,000.00	4.63%	28/11/2013	23/11/2017	1456	541	\$24,228.22
BOQ	TD	\$1,000,000.00	4.85%	28/11/2013	23/11/2017	1456	541	\$25,379.45
BOQ	TD	\$1,000,000.00	4.50%	28/11/2013	24/11/2016	1092	177	\$23,424.66
BOQ	TD	\$1,000,000.00	4.65%	27/02/2014	22/02/2018	1456	632	\$12,102.74
Rabobank	TD	\$1,000,000.00	5.00%	28/02/2014	28/02/2019	1826	1003	\$21,876.71
Rabobank	TD	\$1,200,000.00	5.00%	3/03/2014	6/03/2019	1829	1009	\$14,794.52
Westpac	TD	\$1,500,000.00	4.55%	15/05/2014	15/05/2019	1826	1079	\$3,178.77
Westpac	TD	\$1,500,000.00	4.55%	21/05/2014	22/05/2019	1827	1086	\$2,056.85
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.05%	22/05/2014	24/05/2017	1098	358	\$1,664.38
Bendigo Adelaide Bank	TD	\$1,000,000.00	4.05%	27/05/2014	31/05/2017	1100	365	\$554.79
Bendigo Adelaide Bank	TD	\$2,000,000.00	4.05%	30/05/2014	31/05/2017	1097	365	\$81,665.75
NAB	TD	\$2,000,000.00	4.00%	5/06/2014	7/06/2017	1098	372	\$79,342.47
Macquarie Bank	TD	\$1,000,000.00	4.00%	1/08/2014	31/07/2017	1095	426	\$33,424.66
BOQ	TD	\$1,000,000.00	4.15%	5/08/2014	1/08/2018	1457	792	\$34,223.29
Rabobank	TD	\$1,000,000.00	4.10%	27/11/2014	27/11/2019	1826	1275	\$21,005.48
Bendigo Adelaide Bank	TD	\$1,500,000.00	4.25%	28/11/2014	4/12/2019	1832	1282	\$32,486.30
NAB	TD	\$1,500,000.00	4.00%	16/12/2014	11/12/2019	1821	1289	\$27,616.44
Macquarie Bank	TD	\$1,000,000.00	3.85%	19/12/2014	19/12/2019	1826	1297	\$17,404.11
Rural Bank	TD	\$2,000,000.00	3.70%	9/01/2015	9/01/2018	1096	580	\$29,194.52
Rural Bank	TD	\$1,500,000.00	3.70%	14/01/2015	15/01/2018	1097	594	\$21,135.62
Westpac	TD	\$1,000,000.00	3.90%	2/02/2015	2/02/2020	1826	1342	\$12,821.92
NAB	TD	\$1,000,000.00	3.15%	27/02/2015	1/03/2017	733	274	\$7,939.73
Bendigo Adelaide Bank	TD	\$1,000,000.00	3.00%	14/10/2015	18/10/2017	735	505	\$18,986.38
ANZ	TD	\$2,000,000.00	2.80%	4/11/2015	8/02/2017	462	253	\$32,219.10
Bendigo Adelaide Bank	TD	\$2,000,000.00	3.00%	20/11/2015	22/11/2017	733	540	\$31,890.41
BOQ	TD	\$1,000,000.00	3.05%	25/11/2015	29/11/2017	735	547	\$15,793.15
AMP	TD	\$1,000,000.00	2.85%	9/12/2015	7/12/2016	364	190	\$13,664.38
Suncorp Metway	TD	\$1,200,000.00	3.10%	11/12/2015	29/06/2016	201	29	\$17,631.78
Suncorp Metway	TD	\$1,300,000.00	3.02%	11/12/2015	27/07/2016	229	57	\$18,608.16
Suncorp Metway	TD	\$1,500,000.00	3.05%	11/12/2015	24/08/2016	257	85	\$21,684.25
Bankwest	TD	\$2,000,000.00	3.00%	13/01/2016	1/06/2016	140	1	\$23,013.70
NAB	TD	\$1,500,000.00	3.00%	3/02/2016	8/06/2016	126	8	\$14,671.23
BOQ	TD	\$1,500,000.00	3.10%	3/02/2016	3/08/2016	182	64	\$15,160.27
NAB	TD	\$1,500,000.00	3.00%	9/02/2016	15/06/2016	127	15	\$13,931.51
NAB	TD	\$1,500,000.00	3.00%	9/02/2016	22/06/2016	134	22	\$13,931.51
Bankwest	TD	\$1,700,000.00	2.95%	10/02/2016	22/06/2016	133	22	\$15,388.49
Bankwest	TD	\$1,000,000.00	2.95%	17/02/2016	22/06/2016	126	22	\$8,486.30
NAB	TD	\$1,500,000.00	3.00%	24/02/2016	15/06/2016	112	15	\$12,882.19
AMP	TD	\$1,000,000.00	3.00%	2/03/2016	31/08/2016	182	92	\$7,479.45
NAB	TD	\$1,000,000.00	3.00%	2/03/2016	29/06/2016	119	29	\$7,479.45
Suncorp Metway	TD	\$1,500,000.00	3.05%	2/03/2016	24/08/2016	175	85	\$11,406.16
Suncorp Metway	TD	\$2,000,000.00	2.96%	2/03/2016	6/07/2016	126	36	\$14,759.45
ANZ	TD	\$3,000,000.00	3.05%	9/03/2016	29/06/2016	112	29	\$21,057.53
ANZ	TD	\$1,500,000.00	3.00%	22/03/2016	29/06/2016	99	29	\$8,753.42
ANZ	TD	\$1,000,000.00	3.00%	30/03/2016	13/07/2016	105	43	\$5,178.08
Suncorp Metway	TD	\$1,000,000.00	3.00%	30/03/2016	13/07/2016	105	43	\$5,178.08
Bankwest	TD	\$1,500,000.00	3.00%	30/03/2016	20/07/2016	112	50	\$7,767.12

Camden Council Investment Portfolio as at 31 May 2016								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 31/05/2016
ANZ	TD	\$2,000,000.00	3.00%	6/04/2016	27/07/2016	112	57	\$9,205.48
ANZ	TD	\$2,000,000.00	3.01%	8/04/2016	3/08/2016	117	64	\$8,906.30
ANZ	TD	\$1,500,000.00	3.01%	8/04/2016	10/08/2016	124	71	\$6,679.73
ANZ	TD	\$1,000,000.00	2.96%	13/04/2016	6/07/2016	84	36	\$3,973.70
Suncorp Metway	TD	\$1,500,000.00	2.95%	13/04/2016	13/07/2016	91	43	\$5,940.41
NAB	TD	\$1,500,000.00	3.08%	20/04/2016	17/08/2016	119	78	\$5,316.16
Bankwest	TD	\$2,000,000.00	3.00%	27/04/2016	10/08/2016	105	71	\$5,753.42
NAB	TD	\$3,000,000.00	3.00%	4/05/2016	3/08/2016	91	64	\$6,904.11
AMP	TD	\$1,000,000.00	3.00%	11/05/2016	9/11/2016	182	162	\$1,726.03
Suncorp Metway	TD	\$1,500,000.00	3.00%	10/05/2016	2/11/2016	176	155	\$2,712.33
NAB	TD	\$1,000,000.00	2.95%	11/05/2016	7/09/2016	119	99	\$1,697.26
NAB	TD	\$1,500,000.00	2.92%	16/05/2016	7/09/2016	114	99	\$1,920.00
NAB	TD	\$2,000,000.00	2.93%	16/05/2016	14/09/2016	121	106	\$2,568.77
AMP	TD	\$2,000,000.00	3.00%	18/05/2016	16/11/2016	182	169	\$2,301.37
Suncorp Metway	TD	\$1,000,000.00	2.89%	25/05/2016	14/09/2016	112	106	\$554.25
NAB	TD	\$1,500,000.00	2.92%	25/05/2016	21/09/2016	119	113	\$940.00
Suncorp Metway	TD	\$1,500,000.00	2.95%	31/05/2016	28/09/2016	120	120	\$121.23
Suncorp Metway	TD	\$1,000,000.00	2.95%	31/05/2016	5/10/2016	127	127	\$80.82
NAB	TD	\$500,000.00	2.91%	31/05/2016	5/10/2016	127	127	\$39.86
NAB	TD	\$1,500,000.00	2.91%	31/05/2016	12/10/2016	134	134	\$119.59
# TD Investments	70	\$100,400,000.00	3.42%					\$1,090,690.60
CBA	Call Account	\$4,200,000.00	1.45%					
		\$104,600,000.00						



Appendix B – Ratings Definitions

Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general credit worthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment
- Nature and provisions of the obligation
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights
- The issue rating definitions are expressed in terms of default risk.

S&P Short-Term Obligation Ratings are:

- **A-1:** This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
- **A-2:** A short-term obligation rated A-2 is somewhat more susceptible to the adverse changes in circumstances and economic conditions than obligations in higher rating categories. However the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
- **A-3:** A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

S&P Long-Term Obligations Ratings are:

- **AAA:** An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- **AA:** An obligation/obligor rated AA differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.
- **A:** An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligors in higher rated categories. However the obligor's capacity to meet its financial commitment on the obligation is strong.
- **BBB:** A short-term obligation rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
- **Unrated:** Financial Institutions do not necessarily require a credit rating from the various ratings agencies such as Standard & Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all authorised Deposit Taking Institutions (Banks, Building societies and Credit Unions).
- **Plus (+) or Minus(-):** The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories

Fitch and Moody's have similar classifications.

camden council

Six Month Progress Report
July to December 2015

2013/14 – 2016/17 Delivery Program
2015/16 Operational Plan

Transforming Community Vision into Action

camden council

Six Month Progress Report – July to December 2015 John Street, Camden PO Box 103, Camden 2370 P: 02 4654 7777 F: 02 4654 7829
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Executive Summary

In June 2015 Council adopted the 2015/2016 Operational Plan (Budget). The Operational Plan is a sub-set of the four-year Delivery Program (2013/14 to 2016/17), and spells out individual activities that will be undertaken in a financial year.

The diagram showcases the inter-relationship between objectives under Community Strategic Plan ie Camden 2040, and the strategies that form the basis of the Delivery Program.

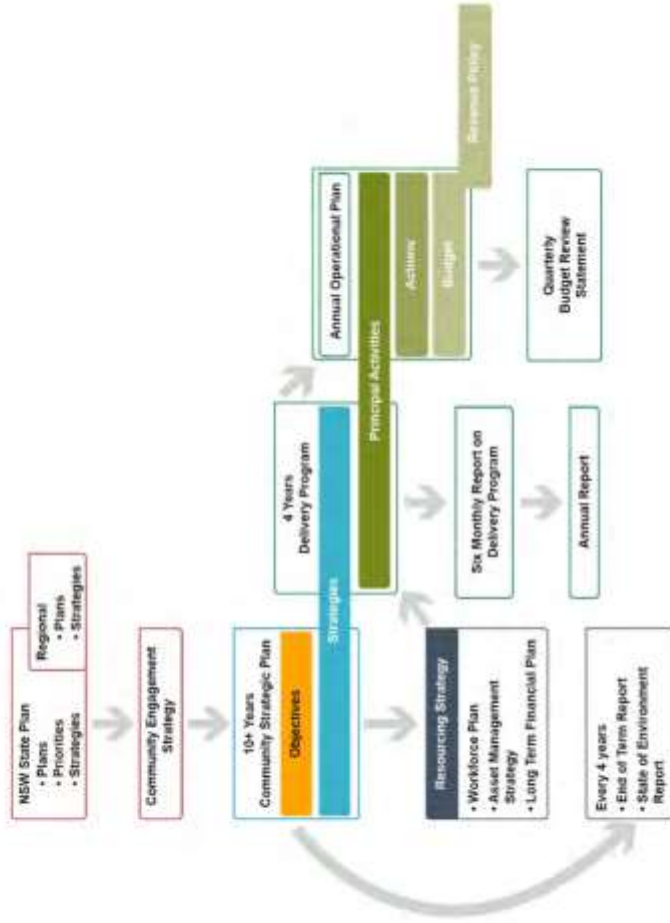
In accordance with the Integrated Planning and Reporting (IPR) framework, this report has been prepared detailing the progress on the Delivery Program against Camden 2040 ie Community Strategic Plan.

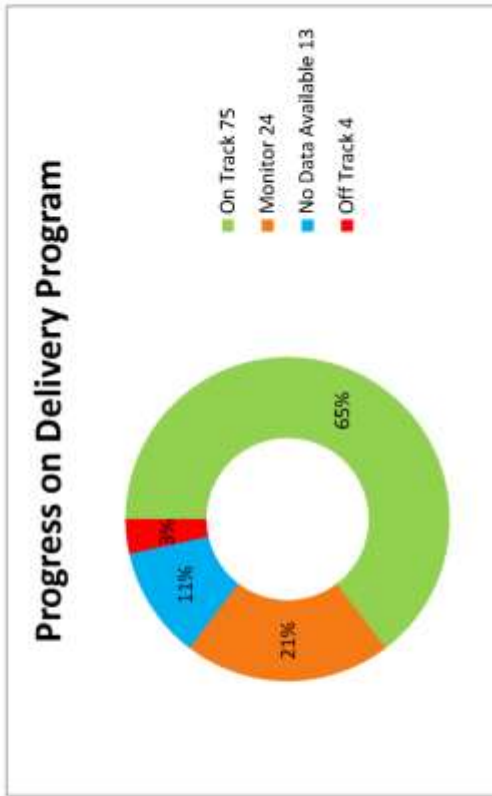
Council has introduced a new software system that provides a strong focus on performance tracking and transparency in reporting the progress on the Delivery Program. The system has assisted in creating a robust process that includes industry standard benchmarks and targets, and baselines acquired through internal business intelligence.

This is the first six monthly progress report generated using this system. The format of the report is different from what has been previously reported but the reporting indicators have predominately remained unchanged.

This report adheres with the IPR statutory reporting requirements and includes:

- Progress on the Delivery Program Indicators by Key Directions (previously the six month report was reported by Local Services)
- Delivery Program Outcomes that supports the objectives as stated in Camden 2040.





It is important to note that there is no change to the Delivery Program Indicators in measuring the progress, expect a few minor simplifications made to 11 Indicators to support the functionality of the system without altering the adopted indicator. The list of these Indicators is included in this report.

The diagram provides a snapshot on the Delivery Program's progress against the set target.

The table below provides a summary on number of indicators reported under each Key Direction and by rating scale.

No.	Key Directions	No. of Indicators	No. of Indicators reported by rating scale			
			On-Track	Monitor	Off Track	No Data Available
1	Actively Managing Camden Growth	8	5	3	0	0
2	Healthy Urban and Natural Environments	32	23	3	3	3
3	A Prosperous Economy	9	6	3	0	0
4	Effective and Sustainable Transport	12	4	4	0	4
5	An Enriched and Connected Community	24	15	5	0	4
6	Strong Local Leadership	31	22	6	1	2
	TOTAL	116	75	24	4	13

In summary, this is the third year of the Delivery Program and Council is positively moving towards achieving the objectives as per Camden 2040, with 85% of indicators are either 'on-track' or 'monitor'. Information on each Indicator and Outcomes under each Key Direction is included in this report - The Details.

Performance Management Methodology

The Delivery Program progress is measured against the set target with a rating scale – On-Track, Monitor, Off-Track and No Data Available. It is important to note that each Delivery Program Indicator has:

- A data 'unit' is either a percentage, number, kilometre, kilolitre or dollar value
- The data is the 'actual' result for the reporting period
- The data (actual) is measured against the set target. The target is either an industry standard benchmark, legislative requirement or an average determined as a baseline acquired through internal business intelligence
- The measure is calculated either as 'less is better' or 'more is better'.

Also to note that an acceptable corporate variance outside the target is considered as reasonable to acknowledge the external forces which may impact on corporate performances. The external forces could be social and cultural trends, demographics, government directions and policy, etc.

The corporate variance differentiates Council's performance measurement from the statistical measurement. Application of corporate or statistical variance warrants monitoring that supports systematic development for continuous improvement and innovation.

Please note: Corporate Variance or Statistical Variance is not applicable to benchmark determined by the legislative requirement eg 40 days for DA approval process, and where applicable N/A (not applicable) is noted throughout the report under Variance.

The Indicators are rated

Rating Scale	Description
On-Track	When the data (actual) is either equal, less or greater than the target and is considered as target met.
Monitor	a) Statistical Variance (margin of error) of +ve/-ve4.40% (±4.40%) - this applies to data (actual) related to indicators where the data source is telephone survey. The statistical variance is determined by an independent provider as a standard statistical margin of error. b) Corporate Variance of +ve/-ve10% (±10%) - this applies to the set 'target' determined by Council either by industry benchmarks or baseline acquired by internal data sources. A ±10% corporate variance is considered to be achievable, feasible and realistic for performance improvement in areas that can be influenced and improved.
Off-Track	When the data (actual) is either below or above the 'corporate/statistical variance range', and is considered as target not met
No Data Available	When the data (actual) is not available from internal and/or external sources in the reporting period.



Background

Council commenced implementing a new reporting system in October 2015 to provide a strong focus on performance tracking and transparency. The new system assisted in removing duplications and/or simplifying 11 Indicators without altering the adopted Indicators and in creating a sound process to measure Delivery Program's performance against industry standard benchmarks and targets, and baselines acquired through internal data sources. Through this process there are in total 116 Indicators.

The 11 Indicators that have been simplified or made obsolete (duplication of Indicator) in order to provide a meaningful data and outcomes against the objectives as stated in Camden 2040. These Indicators are reported in this reporting period. These Indicators are listed along with simplified and/or obsolete Indicators to provide accountability and transparency. It also demonstrates proactive actions in improving the existing Indicators without altering them.

Original Indicators	Simplified and/or Obsolete	Indicators
Incidents of Illegal Dumping	Simplified	Incidents of Illegal Dumping – Ranger Observed Incidents of Illegal Dumping – Resident Advised
Incidents of dog attacks, nuisance and stray dogs	Simplified	Incidents of Dog Attacks Incidents of Nuisance Dogs Incidents of Stray Dogs
Number of non-complying premises are decreasing (food and skin penetration)	Simplified	Number of non-complying premises are decreasing – Food Handling Number of non-complying premises are decreasing – Skin Penetration
Households are not consuming more water	Simplified	Households are not consuming more water - Dwellings Households are not consuming more water - Units Street trees are proactively managed within budget - Identified works completed within service standards
Street trees are proactively managed within budget	Simplified	Street trees are proactively managed within budget - Inspections undertaken within service standards
New cycleways continue to be constructed Identified projects are completed as planned	Simplified	Sustainable transport options continue to be delivered - Construction of shared pathways / bike paths and footpaths

Original Indicators	Simplified and/or Obsolete	Indicators
The number of recorded road accidents (fatal and non-fatal) per 1,000 population reduces	Obsolete	This Indicator has not changed, however, in the adopted 2013/14 – 2016/17 Delivery Program, it appears twice.
Identified projects are completed as planned	Simplified	Identified projects are completed as planned – Cycleways, Roads, Kerbing and Footpaths. This previously was reported as individual Indicators, they are now combined to reflect Councils adopted program of works.
More people participate in active recreation using Council facilities	Simplified	More people participate in active recreation using Council facilities - Seasonal Attendance at Aquatic Facilities: Camden Memorial Pool More people participate in active recreation using Council facilities - Seasonal Attendance at Aquatic Facilities: Mount Annan Leisure Centre
The value of event sponsorship stays the same or increases	Simplified	The value of event sponsorship stays the same or increases – Incoming The number of event sponsorship stays the same or increases – Outgoing



Highlights

Council's performance shows that 75 Indicators are 'On-Track' and listed below are some of the activities and achievements for this reporting period, July to December 2015.

- Council continues to issue construction certificates in a timely fashion, at an average of 10.90 days.
- Council continues to undertake development assessments in a timely fashion, at an average of 32.54 days.
- Council continues to deliver infrastructure in new release areas through Voluntary Planning Agreements and works In-Kind Agreements with the developers.
- The average household (dwellings) in the Camden LGA consumed 213kl of water, which is lower than the Sydney average of 230kl.
- Council continues to actively manage bushland including Kings Bush Reserve, Ron Dine Reserve, Hayter Reserve, Sickles Creek Reserve, Parrotts Farm, Spring Farm Bushland Corridor, Gundungurra Reserve (South) and Rotary Cowpasture Reserve.
- 345 volunteers contributed a total of 789 hours undertaking planting and regeneration activities at Kings Bush Reserve, Sickles Creek Reserve, Hayter Reserve, Ron Dine Reserve, Rotary-Cowpasture Reserve and Camden Bicentennial Equestrian Park.
- Council continues to divert a substantial amount of waste from landfill. This reporting period the waste diversion was 70% which is exceeding the Environmental Protection Authority (EPA) waste diversion target of 66%.
- The number of jobs in the Camden LGA has steadily increased with the goods related sector accounted for 47.6% of employment in Camden LGA, followed by household services (34.6%) and business services (13.3%).
- Utilisation of the regional tourism website has increased by 8.66%. The website received 212,140 views compared to 195,000 in the previous reporting period.
- The tourism page on Council's website increased by 4.9%. The website received 17,781 views compared to 16,950 in the previous reporting period.
- Council has hosted a wide range of events and activities catering for young people, women, seniors, children and diverse communities.
- Council's library programs have been well attended with some large increases in visits and additional children's programs.



- More people are participating in active recreation using Council facilities:
 - Camden Memorial Pool attendance in this reporting period was 29,308, an increase from 28,691 in the same reporting period for 2014
 - Mount Annan Leisure Centre in this reporting period was 178,174, an increase from 168,907 in the same reporting period for 2014
- Civic Centre is well utilised and October to December is the busiest time for the Centre.
- Council's Family Day Care service has been selected as one of six schemes nationally to assist researchers in identifying what makes 'High Quality' in Family Day Care.
- Council is one of seven Metropolitan Sydney Councils to be declared as 'fit' under the NSW Local Government Reform.



Responding to our results

Council is closely monitoring the four indicators with 'Off-Track'.

Key Directions	Indicators – Off-Track	Comments
Healthy Urban and Natural Environments	Number of non-complying premises are decreasing - Food Preparation	To assist in increasing skills and knowledge and compliance levels, Council has commenced a 6 monthly food safety newsletter and booked a series of free food hygiene training sessions for local food businesses. Routine inspections of food premises continue and compliance levels fluctuate based on individual premises and operators.
	Street trees are proactively managed within budget - Identified works completed within service standards	It is expected that this program would be identified as off track due to a change in scheduling. Council's Street tree planting now occurs during the winter months of the year to ensure the longevity of the trees and to enable programming of predominately green and growing works to occur during the warmer months of the year.
	Street trees are proactively managed within budget - Inspection undertaken within service standards	During the reporting period 540 customer request were received. The volume of customer requests are greatly impacted by storms that occur throughout the year. Customer requests were taking 8-12 weeks to action over this period. The customer service process for public tree management has been reviewed and new systems have been put in place, which has significantly improved the time frames for addressing customer requests, in some cases down to 3-4 weeks. These changes will be reflected in the next reporting period.
Strong Local Leadership	Financial Health Check Indicator – Buildings and Infrastructure Renewals Ratio	The June 2015 data indicates 13.85%, but this indicator is expected to increase in the 2016 financial reporting period. Council has put in place a number of renewal programs, a declining ratio is more a result of increasing depreciation expense through growth in the asset base than a lack of programs to address the issue. It is difficult to justify a ratio of more than 100% when there is a high proportion of new assets which do not require renewal.





The Details



Key Direction 1 – Actively Managing Camden’s Growth



Oran Park Development

What is Actively Managing Camden’s Growth?






Effectively managing growth determined under the State Government’s Metropolitan Strategy will be the most important issue and focus for Council and its various partners in the coming three decades.

The community of the Camden area does not want to lose the character of this area that they so highly value - its rural setting, country town feel, and the lifestyle associated with these. Achieving a balance between large population increases and keeping the valued characteristics of Camden as it is now will be an ongoing challenge over the coming decades.




However with growth will come significant new opportunities in terms of infrastructure, services, employment, housing choice, and economic benefits. The community is concerned to see public transport, roads, infrastructure, parks and recreational facilities, and the effective management of development as priorities as the area undergoes this growth.



Key Direction 1 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Construction certificates are provided in a timely fashion	Days	28.00	10.90	N/A	 GREEN
<i>10.90 day average. This is an excellent result and represents a further improvement from the last reporting period. The result can be attributed to process improvement and certification staff who are highly committed to meeting customer expectations.</i>					
Development assessments are completed in a timely fashion	Days	40.00	32.54	N/A	 GREEN
<i>A very good average development assessment timeframes have been maintained during the 6 month period. The average is well within target.</i>					
Significant Camden sites are under active protection/management	%	85.00	90.00	10.00%	 GREEN
<i>Council continues to work on the Camden Town Centre Vision, and is currently in the process of developing the Urban Design component of the Vision.</i>					
The Community is satisfied with Council's role in Development Control	%	61.00	60.30 ±4.40%	10.00%	 AMBER
<i>Council continues to work within Development Control requirements.</i>					
The Community is satisfied with Council's role in Heritage Protection	%	68.00	63.60 ±4.40%	10.00%	 AMBER
<i>Council continues to provide heritage advice on matters of European and aboriginal heritage, and to provide community information on grant funding to local heritage items.</i>					



INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied with Council's role in Urban and Rural Planning <i>Council continues to play a key role in the preparation of urban planning frameworks and precinct plans for new development areas, and revision of planning documentation for existing areas.</i>	%	58.00	57.40 ±4.40%	10.00%	 AMBER
Monitor and maintain the Council's planning instruments <i>Council continues to undertake amendments to key planning documents as necessary to ensure the ongoing relevance of these documents. Over this period Council have completed 3 Planning proposals and 4 DCP amendments.</i>	%	100.00	100.00	10.00%	 GREEN
Timely delivery of infrastructure included in developer agreements <i>Council continues to monitor and enforce the implementation of Voluntary Planning Agreements to ensure the delivery of infrastructure for new residents. Council currently has 6 Works In-Kind Agreements completed to ensure delivery of works.</i>	%	100.00	100.00	10.00%	 GREEN

Key Direction 1 – Delivery Program Outcomes July to December 2015

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that are delivered supports the longer term objectives of the Camden community. These objectives are:

1. Camden has the best of both worlds
2. People can access what they need
3. There are housing choices

To support the community vision, below is a summary of some of the actions Council has undertaken:

- Council has worked with the Office of Environment and Heritage to preserve our valuable heritage. Oran Park House has been listed on the State Heritage register. Now known as Catherine Park House, it is the centrepiece of the soon to be developed Catherine Park Estate and is located between Harrington Park, Oran Park and Catherine Field. Part of a 2,000 acre land grant awarded by Governor Lachlan Macquarie to William Douglas Campbell in 1815, Oran Park House represents the colonial development of the Cowpastures district in the early to mid-19th century. Restoration of Oran Park House, the silo, Coach House, carriage loop and surrounding gardens are soon to commence.
- Council has introduced new processes and procedures to improve efficiency and customer service for development applications to support getting families into their new homes faster. Despite the pressures that development and population growth places on it, Council determined 1,058 DAs and approved \$513 million worth of development, ranking the 9th highest LGA in the State for the value of development. In the Commercial/Retail/Office category, Camden has one of the best rankings in the growth centres for average gross DA determination. Camden being 81 days, The Hills also averaged 81 days, Campbelltown 98 days, Blacktown 114 days and Liverpool 125 days.



Oran Park House



- Council manages Camden LGA's growth by controlling existing and new development in a dynamic and strategic manner that meets the current and future needs of the community and the State Government requirements. The following snapshot shows some of the current works underway in the Strategic Planning space in this reporting period:
 - Development Control Plan (DCP) Amendments - 4 completed - 10 in progress
 - Local Environmental Plan (LEP) or State Environmental Planning Policy (SEPP) Amendments - 3 completed, 13 in progress
 - Voluntary Planning Agreements (VPA) 2 completed, 4 in progress
 - Works in Kind Agreements (WIKA) - 5 completed, 8 in progress
 - Precinct Planning Process in progress – 1
 - Contributions Plan amendment – 1 completed, 1 in progress

- Council acknowledges and ensures that residents have access to the many services within the community. Council proactively works with the State Government and Federal Government to ensure that the community needs align with the State and Federal Government's Infrastructure Plans. In July 2015, Council submitted feedback to the Transport for NSW in response to the South West Rail Link Extension Public Transport Corridor Preservation report. This particular project has the potential to, in part; transform the Camden Local Government Area, bringing with it a range of facilities, services and employment.



Key Direction 2 – Healthy Urban and Natural Environments

What are Healthy Urban and Natural Environments?

Camden's natural and built environments are the "setting" for all aspects of life and are essential for sustaining the health, well-being and the prosperity of people who live here.

The natural environment encompasses all living and non-living things, occurring both naturally and as a result of human activities. It includes the natural assets and resources such as air, water, fuel and biodiversity, the interactions and processes between these resources and both positive and negative impacts from human existence.






The built or urban environment is the human-made surroundings that provide the physical setting for human activity and enables private, economic and community life to function effectively and healthily.







Macarthur Park













Key Direction 2 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Companion animals are appropriately identified	%	50.00	61.94	10.00%	 GREEN
<i>155 dogs impounded with 96 microchipped</i>					
Illegal Dumping - Incidents of illegal dumping ranger observed	Number	35.00	17.00	10.00%	 GREEN
<i>Council undertakes a number of educational initiatives around illegal dumping. Council officers proactively and reactively address instances of illegal dumping and take compliance action against identified offenders.</i>					
Illegal Dumping - Incidents of illegal dumping resident advised	Number	35.00	24.00	10.00%	 GREEN
<i>Council undertakes a number of educational initiatives around illegal dumping. Council officers proactively and reactively address instances of illegal dumping and take compliance action against identified offenders.</i>					
Incidents of Dog Attacks	Per 1000 Population	1.00	0.65	10.00%	 GREEN
<i>Council received 50 dog attack customer requests. Council investigated all alleged attacks with 16 proven and reported to the Office of Local Government.</i>					
Incidents of Nuisance Dogs	Per 1000 Population	2.00	0.22	10.00%	 GREEN
<i>Council received and investigated 17 customer requests of nuisance dogs. From this 11 nuisance dog orders were issued.</i>					







INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Incidents of Stray Dogs	Per 1000 Population	2.00	1.65	10.00%	 GREEN
<i>Council continues to implement an extensive companion animal education program including educational displays at Paws in the Park and similar events. Additionally Council Rangers investigate incidents of roaming dogs and take compliance action where offences under the Companion Animals Act have occurred.</i>					
Incidents of overgrown land (private)	Per 1000 Population	2.00	1.00	10.00%	 GREEN
<i>Council officers continue to investigate complaints in relation to overgrown land (private). Compliance action under the Local Government Act is taken where offences are identified.</i>					
Maintenance cycles are completed to approved service levels	%	100.00	100.00	10.00%	 GREEN
<i>Maintenance cycles were completed in line with budgets, resourcing and approved works programs. Changed service levels yet to be further defined and costed.</i>					
Number of non-complying premises are decreasing - Food Preparation	Number	5.00	12.00	10.00%	 RED
<i>To assist in increasing skills and knowledge and compliance levels, Council has commenced a 6 monthly food safety newsletter and booked a series of free food hygiene training sessions for local food businesses. Routine inspections of food premises continue and compliance levels fluctuate based on individual premises and operators.</i>					







INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Number of non-complying premises are decreasing - Skin Penetration	Number	5.00	0.00	10.00%	 GREEN
<i>Council has no report on non-compliance.</i>					
Onsite sewage management systems are operating satisfactorily	Number	95.00	130.00	10.00%	 GREEN
<i>Council officers continue to inspect on-site sewage management systems and issue approvals to operate and install. Compliance action is taken where failing systems are identified.</i>					
The Community is generating less waste	Number	200.00	208.00	10.00%	 AMBER
<i>This figure is calculated on projected population figures and may fluctuate slightly between reporting periods.</i>					
The Community is satisfied with Council's role in Public Health	%	75.00	75.60 ±4.40%	10.00%	 GREEN
<i>Council has a comprehensive public health program in place including reactive and proactive inspections of public pools, cooling towers and food premises. Additionally council offers a number of educational initiatives to raise awareness and knowledge.</i>					
The Community is satisfied with Council's role in Regulating the Use of Public Areas	%	70.00	70.70 ±4.40%	10.00%	 GREEN
<i>Council Rangers regulate the use of public areas across the LGA. This includes proactive parking patrols, proactive signage and heavy vehicle parking patrols and proactive community education in relation to Companion Animals. Council reactively responds to companion animal offences, illegal dumping and other matters.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied with Council's role in Enforcement of Legislation and Policies	%	65.00	63.90 ±4.40%	10.00%	 AMBER
<i>Council continues to undertake proactive and reactive compliance activities. This compliance role is balanced by educational initiatives and policy such as the recently published Compliance and Enforcement Policy.</i>					
The Community is satisfied with Council's role in Environmental Activities	%	66.00	65.90 ±4.40%	10.00%	 AMBER
<i>Council provides a number of environmental education activities targeted at pre-schools, school students and the general community. Council will continue to seek grant funding to enhance current activities.</i>					
The Community is satisfied with Council's role in Parks and Playgrounds	%	70.00	71.40 ±4.40%	10.00%	 GREEN
<i>Council continues to provide a high level amenities and safe places to play, socialise and exercise.</i>					
The Community is satisfied with Council's role in Protection of the Natural Environment	%	69.00	69.40 ±4.40%	10.00%	 GREEN
<i>Council continues to protect natural environment by assessing development applications, managing natural areas and waterways, and enforcing fire protection zones.</i>					
The Community is satisfied with Council's role in the Appearance of Public Areas	%	70.00	71.90 ±4.40%	10.00%	 GREEN
<i>Council continues to proactively manage roadside landscape, graffiti and vandalism, and litter and rubbish collection.</i>					



INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied with Council's role in Waste Services	%	86.00	86.60 ±4.40%	10.00%	 GREEN
<i>Council continues to offer an internal 3 bin waste service as well as kerb side collection and a commercial bin service. This service is complemented by an extensive waste education program.</i>					
Households are not consuming more water – Dwellings	kL	230	213	10.00%	 GREEN
<i>Information obtained from Sydney Water shows that the average household in the Camden LGA consumed 213kL in 2014/15 which is lower than the Sydney average of 230kL.</i>					
Households are not consuming more water – Units	kL	160	134	10.00%	 GREEN
<i>Information obtained from Sydney Water shows that the average unit in the Camden LGA consumed 134kL in 2014/15 which is lower than the Sydney average of 160kL.</i>					
The community is becoming more educated about sustainability	%	50.00	67.00	10.00%	 GREEN
<i>Council continued to educate the community about sustainability through initiatives such as the Macarthur Nature Photography Competition, Threatened Species Art Competition, Seeds of Sustainability (Pre-School Program) and a Love Your Leftovers presentation/display and Refillable Drink Bottle Giveaway at the Taste Festival. Over 2,000 people were engaged in environmental education initiatives.</i>					
Council utilises natural resources more efficiently – Water Consumption	kL	117770	106000	10.00%	 GREEN
<i>During 2014/2015, Council facilities and services consumed 106,365kL which is a decrease from 2013/2014 (125,683kL)</i>					
Bushland under active management - Hectares of natural area in Council ownership	%	12.05	15.05	10.00%	 GREEN
<i>Council continue to actively manage bushland including Kings Bush Reserve, Ron Dine Reserve, Hoyter Reserve, Sickles Creek Reserve, Parrotts Farm, Spring Farm Bushland Corridor, Gundungurra Reserve (South) and Rotary Cowpasture Reserve.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Bushland under Active Management - Number of volunteer bushcare hours	Days	43.00	64.00	10.00%	 GREEN
<i>354 volunteers contributed a total of 789 hours undertaking planting and regeneration activities at Kings Bush Reserve, Sickles Creek Reserve, Hayter Reserve, Ron Dine Reserve, Rotary-Cowpasture Reserve and Camden Bicentennial Equestrian Park.</i>					
Street trees are proactively managed within budget - Identified works completed within service standards	%	60.00	50.00	10.00%	 RED
<i>It is expected that this program would be identified as off track due to a change in scheduling. Council's Street tree planting now occurs during the winter months of the year to ensure the longevity of the trees and to enable programming of predominately green and growing works to occur during the warmer months of the year.</i>					
Street trees are proactively managed within budget - Inspections undertaken within service standards	%	75.00	50.00	10.00%	 RED
<i>During the reporting period 540 customer requests were received. The volume of customer requests are greatly impacted by storms that occur throughout the year. Customer requests were taking 8-12 weeks to action over this period. The customer service process for public tree management has been reviewed and new systems have been put in place, which has significantly improved the time frames for addressing customer requests, in some cases down to 3-4 weeks. These changes will be reflected in the next reporting period.</i>					
Waste diverted from landfill	%	66.00	70.00	10.00%	 GREEN
<i>Council continues to exceed Environment Protection Authority (EPA) waste diversion targets.</i>					



Key Direction 2 – Delivery Program Outcomes July to December 2015



New plantings at the Corner of Camden Valley Way and Narellan Road

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that we deliver supports the longer term objectives of the Camden residents. These objectives are:

1. The water is clean
2. People breathe clean air
3. Bushland is protected
4. You can hear the sounds of nature
5. Nothing is wasted
6. There is community pride
7. There are places to play
8. People are healthy

To support the community vision, below is a brief on some of the actions Council has undertaken:

- **Town Beautification** – Residents having pride in an area in which promotes a sense of community. Camden residents and visitors now enjoy new improved plantings at key locations around our LGA. High impact plantings and embellishments at specific roundabouts and corner locations took place in Camden, Elderslie, Narellan, Mount Annan, Harrington Park, Catherine Field and Currans Hill. Council invested \$153,000 for this project.

- EnviroMentors – Educating people about the importance of natural resource preservation is fundamental to long term environmental sustainability. Council, in conjunction with 'Keep Australia Beautiful' delivered two modules of its EnviroMentors program to local primary schools. A total of 707 Kindergarten to Year 6 students participated in the 'Catchment Action' and 'Drip, Drop, Splash!' modules in seven schools over seven days, raising awareness of catchment health and water conservation related solutions. EnviroMentors is funded through Council's Stormwater Education and Awareness Program.
- Council works with the local community, schools, businesses and state government agencies towards environmentally sustainable practices in energy and water use and waste management. To promote and encourage environmentally sustainable practices, Council facilitate a variety of programs, such as:
 - **Save Power Kits:** Save Power Kits are available to borrow for free from Camden or Narellan Library. The Save Power Kit includes information on what uses the most power in the homes, and provides ideas and some easy steps to take in order to save money, power and reduce impact on the environment.
 - **Love Food, Hate Waste:** Love Food Hate Waste aims to raise awareness about the impact of food waste in NSW and provides ideas on how to reduce waste of 'good' food. Love Food Hate Waste is managed by the Environment Protection Authority (EPA) partnering with corporate, government and not-for-profit organisations committed to reducing food waste in NSW. Council is a registered partner to the Love Food Hate Waste Program.
 - **Fridge Buyback:** Inefficient second fridges and freezers are one of the home's biggest energy guzzlers, consuming up to three times the energy of new fridges. Running a second fridge adds an average of \$300 a year to your power bills and results in greenhouse gases being released into the atmosphere. Old upright freezers use almost as much power as an old fridge. Fridge Buyback is a residential energy savings program that actually pays to reduce the power bills and help save the environment by giving up the old second fridge or upright freezer. The appliances are professionally degassed and the metals recycled.
 - **MobileMuster:** MobileMuster is the Australian mobile phone industry's official product stewardship program. It's a free mobile phone recycling program that accepts all brands and types of mobile phones, plus their batteries, chargers and accessories. Over 90% of the materials used in a mobile are recyclable and can be reused, avoiding future greenhouse gas emissions, saving energy, protecting our environment and conserving scarce natural resources.
 - **Seeds of Sustainability:** a wide range of community education activities were conducted to raise awareness about environmental sustainability. The success of this program, along with other activities such as worm farming, has resulted in a 70% diversion rate from landfill. This diversion rate is an excellent outcome and is well against achieving the EPA State Government Target of 75% by 2020/21.
- Council is currently working on the delivery of the Narellan Sports Hub. Upon completion of the initial engineering assessment of the Masterplan, the scope of Stage 1 will be confirmed. Architects have been appointed to design the new clubrooms and amenities building.



Key Direction 3 – A Prosperous Economy

What is a Prosperous Economy?

Prosperity means that people have enough – that they are satisfied with their standard of living and have a balance between their financial and social wellbeing. Financial wellbeing relies on access to education, employment, housing, and a strong and diverse local economy.

A strong local economy for Camden is characterised by vibrant town and commercial centres, thriving local businesses, stable and diverse employment opportunities, skilled local residents, infrastructure that supports economic growth, and a thriving tourist/visitor market.

The development of a strong local economy is essentially about developing an environment that supports a diversity of business and industry to invest, establish, grow and be sustainable over time.






The economic development and prosperity of Camden is linked with the broader South West region and much of the focus for the Camden area into the future will continue to be working with relevant partners, through the Macarthur Regional Organisation of Councils, on the development of a strong regional economy.







Narellan Town Centre



Key Direction 3 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Gross regional product will increase	%	4.00	4.28	10.00%	 GREEN
<i>The result shows steady growth of the local economy. Council will continue to develop economic development activities to support future growth.</i>					
The Community is satisfied with Council's role in Economic Development	%	67.00	66.60 ±4.40%	10.00%	 AMBER
<i>The community will see additional results of Council's activity in this area in the following year.</i>					
The number of jobs in the Camden Local Government Area increases	Number	23,295	25,590	10.00%	 GREEN
<i>Jobs have steadily increased in the area, showing much stronger growth than the NSW average. In 2015, the Goods related sector accounted for 47.6% of employment in Camden LGA, followed by household services (34.6%) and business services (13.3%).</i>					
The Community is satisfied with Council's role in the Management of Significant Places	%	66.00	65.50 ±4.40%	10.00%	 AMBER
<i>Council continues to work on the Camden Town Centre Vision, and is in the process of developing the Urban Design component of the Vision. Planning work on the Narellan area has also commenced.</i>					
The Community is actively engaged in the planning for places	%	100.00	100.00	10.00%	 GREEN
<i>Council officers have undertaken 10 public exhibitions for planning related proposals in the last six months.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
<p>The Community is satisfied with Council's role in Tourism</p> <p><i>Council continues to work with Macarthur Regional Organisation of Councils, local businesses and regional tourism operators in promoting and increasing tourism and visitors in the Camden LGA.</i></p>	%	67.00	66.20 ±4.40%	10.00%	 AMBER
<p>Tourists are satisfied with the Macarthur Region visitor experience</p> <p><i>Camden Visitor Information Centre continues to receive positive feedback verbally and through the visitors guest list that is filled out. Camden Tourism Operators and local business also continue to express their satisfaction with the support provided by Council.</i></p>	%	80.00	80.00	10.00%	 GREEN
<p>Utilisation of the regional tourism website is increasing</p> <p><i>Page Views on www.macarthur.com.au increased by 8.79%. The website received 212,140 views compared to 195,000 in the previous period. Page Views on www.visitcamden.com.au (Tourism page of Camden Council's Website) increased by 4.9%. The website received 17,781 views compared to 16,950 the previous period.</i></p>	Number	50,000	229,921	10.00%	 GREEN
<p>Visitors to the Tourism Information Centre are increasing</p> <p><i>Camden Visitor Information Centre received 1,396 visits, 144 phone calls and 78 emails in this period. This is an overall decrease of 2.5%. The changing trends of Visitor researching for trips means that visitors tend to research online and prior to their trips rather than utilizing a Visitor Information Centre. Some still prefer to utilize the visitor centre once arriving to get assistance with directions, hard copies of information and face to face contact with staff.</i></p>	Number	1,600	1,618	10.00%	 GREEN

Key Direction 3 – Delivery Program Outcomes July to December 2015

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that we deliver supports the longer term objectives of the Camden residents. These objectives are:

1. The local economy is growing
2. There are a variety of local jobs available
3. There is a commitment to learning
4. People can access what they need

To support the community vision, below are the highlights on some of the actions Council has undertaken:

- Council responded to an expression of interest to hold the prestigious NSW Open Golf Championship qualifying events. Council are proud to announce that Camden Golf Club has been selected to hold these events over the next 3 years. Hosting these events will not only lead to an increase in visitor spending for the region, it also represents a fantastic opportunity for us to showcase Camden's unique and beautiful attractions and demonstrates Council's support of the local tourism industry.
- Council is working towards the establishment of the Camden Region Economic Taskforce. This major initiative will see Council drive the development of strategies to increase the types of employment in the area, providing more opportunities for residents to work closer to home. By working with our local business community, the Camden Region Economic Taskforce will bring together key local business leaders and experts to support local business and help ensure a vibrant and flourishing local economy.
- Local libraries are well placed to spear-head the promotion of learning, and economy and cultural development.



2015 Cultural Transitions Digital Projection – Narellan Library

- Council and Western Sydney University (WSU) signed a Memorandum of Understanding (MOU) for the potential establishment of a WSU Launch Pad: Smart Business Centre. The Centre will give students, businesses, industry bodies and employees access to a range of business and education resources. Operating in partnership with government, business and the community, the Centre will develop initiatives to build on education, innovation and economic growth in the Macarthur region and help secure more employment opportunities for residents.
- Council hosted the Camden Festival in September 2015. The festival had such events as 'Picnic in the Park', 'Kids Fun Day' and the ever popular 'Taste, Food, Wine and Music Festival'.
- Council has prepared a draft Destination Management Plan. This plan will provide Council with direction to work with local businesses and key stakeholders to pursue existing tourism opportunities, create new tourism opportunities and be a guide for planning and increasing Camden LGA as a visitor destination.
- Small Business Friendly Councils Program: Council prepared the quarterly report to the Office of the NSW Small Business Commissioner (OSBC) on Small Business Friendly Council (SBFC) Program initiatives. Initiatives completed during this period include:
 - Small Biz Bus in Camden and OSBC walk around Camden Town Centre occurred in August, where approximately 150 businesses were visited by OSBC staff and Council officers.
 - Implementation and promotion of Camden Council's Business Month Program in September where a range of events (4) and workshops (8) were supported and promoted via Council's database and local media. Free workshops were provided by NSW Industrial Relations, Greater Sydney Digital Enterprise Program/NSW Business Chamber, Oran Park Smart Work Hub businesses, ID (the population experts) and the South West Sydney Business Enterprise Centre. The Small Biz Bus was at Mt Annan Shopping Centre and the WorkCover bus was at Masters at Gregory Hills.
 - Respond to business enquiries and referrals.
 - Attendance at business events, MACROC events and the Greater Narellan Chamber of Commerce meetings.



Key Direction 4 – Effective and Sustainable Transport

What is Effective and Sustainable Transport?

Effective transport underpins all aspects of an accessible and functioning place.

Transport impacts on the health of the natural environment and the health and wellbeing of people able to connect with their community and services. It impacts on the effectiveness and amenity of the urban environment and on the viability and growth of the local and regional economy.

An accessible Camden means that people are able to travel easily within their own local area and are effectively connected to the wider Macarthur and metropolitan regions.






Effective and sustainable transport for Camden would include affordable, convenient and integrated public transport that is a viable choice over private vehicles; infrastructure that enables and encourages healthy forms of transport such as walking and cycling; safe and uncongested roads; and support structures that enable public and private transport systems to operate effectively, including interchanges, traffic management and parking.






Camden Valley Way



Key Direction 4 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Outstanding Traffic Committee recommendations are being met	%	90.00	100.00	10.00%	 GREEN
<i>Council continues to implement Traffic Committee recommendations within agreed timeframes</i>					
Identified projects are completed as planned – Cycleways, Roads, Kerbing and Footpaths	%	90.00	90.00	10.00%	 GREEN
<i>Projects are being implemented within the overall timeframe of June 2016.</i>					
Successful completion of Black Spot Funded projects	%	100.00	100.00	10.00%	 GREEN
<i>Projects are being implemented within the overall timeframe of June 2016.</i>					
Sustainable transport options continue to be delivered - Construction of shared pathways / bike paths and footpaths	\$	300,000	300,000	10.00%	 GREEN
<i>Projects in planning or constructed to agreed program of works.</i>					
The Community is satisfied with Council's role in Construction and Maintenance of Local Roads, Footpaths and Kerbing	%	60.00	58.10 ±4.40%	10.00%	 AMBER
<i>Council continues to construct and maintain road networks, pathways and cycleways in a timely fashion.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied in Council's role in Road Safety	%	68.00	66.10 ±4.40%	10.00%	 AMBER
<i>This indicator will tend to overlap with State Road responsibilities. A number of blackspot projects have been completed, while road safety education programs continue to be delivered.</i>					
The Community is satisfied with Council's role in Local Traffic Management	%	59.00	57.30 ±4.40%	10.00%	 AMBER
<i>This indicator tends to overlap with State Road responsibilities, with accelerating growth also impacting on local congestion conditions. A number of blackspot projects and local pedestrian improvement have been completed or planned, while local traffic and parking changes are continually undertaken through the Local Traffic Committee. Works are commenced or planned for upgrades of major arterial roads by State and Federal Governments.</i>					
The Community is satisfied with Council's role in Transport Options	%	59.00	58.40 ±4.40%	10.00%	 AMBER
<i>Footpath and cycle projects have been in progress since the beginning of 15/16, with additional projects being delivered through the Pedestrian Access and Mobility Plan (PAMP). Bus services are in continual review as growth occurs, while advocacy has occurred to support the extension of the South West Rail Line to Narellan and beyond to the Main South Line.</i>					



Key Direction 4 – Delivery Program Outcomes July to December 2015

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that we deliver supports the longer term objectives of the Camden residents. These objectives are:

1. Roads are High Quality, Free-Flowing and Safe
2. We leave the car at home
3. People Breathe Clean Air

To support the community vision, below is a snapshot on some of the actions Council has undertaken:

- Council is working proactively with all levels of government to ensure the best outcomes for our community. Council has received \$2.3 million in funding for a number of road projects in Camden under the first round of the Australian Government funded Local Roads Package for Western Sydney. This funding is part of the \$3.6 billion Western Sydney Infrastructure Plan. Projects in Camden that have been identified for funding include:
 - Argyle Street/Camden Valley Way Corridor Upgrade (Stage 2) for development of a route strategy for Camden Valley Way between Camden and Narellan - \$150,000;
 - Argyle Street/Camden Valley Way Corridor Upgrade (Macarthur Road intersection) for a funding contribution for design of the intersection - \$50,000;
 - Argyle Street/Camden Valley Way Corridor upgrade (Stage 1) for traffic and related road improvements within Camden Town Centre - \$2.1million.



Pedestrian crossing on Stenhouse Drive, Mount Annan to receive an upgrade

- Council is working towards improving road safety across the Camden LGA. Council has secured \$295,000 from the State and Federal Governments for a range of high priority projects to improve road safety and increase active transport within the Camden LGA.

- Council proactively supports and promotes the benefits of using alternate modes of transport, such as walking, running and cycling. Council's programs and plans that support these outcomes are the Pedestrian Access and Mobility Plan (PAMP), the Cycling Advisory Group and the Camden Bike Plan (currently under development). Council's main objective is to increase participation in cycling in the Camden LGA by working with other agencies to ensure that cycling is a viable and practical transport option that delivers environmental, health, cost and social benefits.
- Council facilitates many road safety programs to ensure that the community remains educated and safe. Road safety programs delivered in the reporting period include:
 - Drink drive prevention and slow down / speed education and awareness program: Council continues to work with Camden Highway Patrol to reinforce local operations to reduce speed and drink driving including an advertising campaign over 3 weeks in November 2015, two traffic offender programs operate monthly /bimonthly with Council support. New mobile drug testing campaign material will be distributed by Council once RMS approval is secured.
 - School Safety Program rolled out at Currans Hill Public School in August 2015. Facility changes were completed at Mount Annan Public School in October 2015. Educational signage was installed at Camden Public School in October 2015. Kindergarten Road Safety presentations were held at seven primary schools in November and December. Continued education and enforcement is being supported by Camden Police. Council is developing information packages to be delivered to all schools for the start of the new school year.
 - Drive to Stay Alive Program held at all four participating high schools. Debrief with presenters held in November 2015 with some fine tuning identified to the program for 2016. 2 out of 4 schools have booked for 2016.
 - Black Spot Management: Two funding submissions made for 2016/17 for Burragorang Road / Cawdor Road Intersection Upgrade and Deepfields Road Shoulder Works. For 2015/16 projects, works completed for Allenby Road Shoulder Works and design and consultation in progress for Elizabeth Street / Mitchell Street Roundabout.



Key Direction 5 – An Enriched and Connected Community

What is an Enriched and Connected Community?

An enriched and connected community involves arts and culture, community safety, healthy lifestyles and community health, enrichment through learning and information, and recreation and leisure to build social capital and cohesion.

These are all elements that lead to a community with high levels of wellbeing. This is usually characterised by connection, networks and support within the community; participation and ownership; equity and access; and democratic governance. Equity and access means that all people are able to access the variety of opportunities within a community, both social and economic, regardless of background, ability or circumstance.






Community wellbeing describes the state of satisfaction, contentment and fulfilment of needs experienced within a particular group of people.








Taste, Food, Wine and Music Festival













Key Direction 5 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Council delivers programs catering for identified target groups	Number	14.00	15.00	10.00%	 GREEN
<i>A range of programs and activities targeting young people, women, seniors, children and diverse communities were held during the reporting period.</i>					
Council's Community Halls are utilised	%	15	19.22	10.00%	 GREEN
<i>The average weekly occupancy rate varies and during this reporting the occupancy rate has a slight increase from the January – June 2015 period which was 18.42%.</i>					
Council's library facilities and programs are well-attended	Number	160,000	287,871	10.00%	 GREEN
<i>Library programs have been well attended with some large increases in visits and additional children's programs have commenced.</i>					
Library membership is high amongst residents	%	37.00	74.00	10.00%	 GREEN
<i>74% membership</i>					
More people participate in active recreation using Council facilities Camden Memorial Pool	Number	28,000	29,308	10.00%	 GREEN
<i>The total complex attendances for Camden Memorial Pool for this reporting was 29,308. This is an increase from 28,691 in the same reporting period for 2014.</i>					



INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
More people participate in active recreation using Council facilities - Mount Annan Leisure Centre	Number	168,907	178,174	10.00%	 GREEN
<i>The total complex attendances for Mt. Annan Leisure Centre for this reporting period was 178,174. This is an increase from 168,907 in the same reporting period for 2014.</i>					
More people participate in active recreation using Council facilities - Seasonal Bookings of Sportsfields	Number	120.00	123.00	10.00%	 GREEN
<i>The total number of sportsground bookings including seasonal hirers, schools and casual hire for this reporting period was 123 which is above the set target.</i>					
More opportunities for participating in community cultural events	Number	5.00	24.00	10.00%	 GREEN
<i>Events this period included Narellan Rhythms Festival</i>					
The Camden Civic Centre is enjoyed by the community as a venue for a range of events - ratio of returning clients to new clients	%	80.00	93.00	10.00%	 GREEN
<i>The Oct- Dec period is the busiest time for the centre.</i>					
The Camden Civic Centre is enjoyed by the community as a venue for a range of events - Average number of non-Council events	Number	50.00	71.26	10.00%	 GREEN
<i>An exceptionally busy end of year period.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied with Council's role in Community and Cultural Development and Planning	%	68.00	66.30 ±4.40%	10.00%	 AMBER
<i>Council continues to facilitate community connection that promotes a sense of belongingness through a broad range of events and activities.</i>					
The Community is satisfied with Council's role in Community Events	%	75.00	74.40 ±4.40%	10.00%	 AMBER
<i>Council continues to facilitate and hold a range of community events that are open to the whole community.</i>					
The Community is satisfied with Council's role in Community Safety	%	69.00	69.40 ±4.40%	10.00%	 GREEN
<i>Council continues to respond to issues being raised by the community within available resources. Several proactive programs are also in place such as a graffiti education program through schools.</i>					
The Community is satisfied with Council's role in providing Community Support Facilities and Services	%	72.00	71.60 ±4.40%	10.00%	 AMBER
<i>Urban development places pressure on existing community support facilities and services. Council continues to plan for additional community support facilities and services for the increasing population through the strategic planning process.</i>					
The Community is satisfied with Council's role in providing Library Services	%	82.00	80.70 ±4.40%	10.00%	 AMBER
<i>Council continues to provide services to the community, encourages lifelong learning and promotes a safe and welcoming place to meet.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The Community is satisfied with Council's role in Recreation Services	%	73.00	71.40 ±4.40%	10.00%	 AMBER
<i>Urban development places pressure on existing recreation facilities. Council continues to plan for additional recreation facilities for the increasing population through the strategic planning process as well as maintaining and upgrading of existing facilities.</i>					
The value of event sponsorship stays the same or increases – Incoming	\$	6,000	6,000	10.00%	 GREEN
<i>Camden Festival had new sponsorship from West Leagues Club for 2015. Many sponsor's for the Camden Festival are in-kind, which enable the events to be held to a high standard and keeps costs down.</i>					
The number of event sponsorship stays the same or increases - Outgoing	Number	10.00	12.00	10.00%	 GREEN
<i>For this reporting period a total of 12 applications were received with 8 recommended for both monetary and in-kind support and 4 recommended for in-kind support only. Two requests were not recommended as they did not meet the criteria/guidelines.</i>					
Camden families have access to quality Family Day Care services – Utilisation Rate	Number	160.00	179.00	10.00%	 GREEN
<i>Despite the loss of operational funding the service has recovered</i>					
Camden families have access to quality Family Day Care services - Accreditation is maintained	%	100.00	100.00	10.00%	 GREEN
<i>Selected as one of six schemes nationally to assist researchers identify what makes High Quality in Family Day Care</i>					

Key Direction 5 – Delivery Program Outcomes July to December 2015

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that we deliver supports the longer term objectives of the Camden residents. These objectives are:

1. People feel they belong
2. There is community pride
3. People feel safe
4. People are healthy

To support the community vision, below is a summary on some of the actions Council has undertaken:

- Council works in partnership with young people and community organisations to support them in the delivery of a range of youth-led activities, events and projects. Council has received the award for the Best Youth Week Program in the State out of 152 councils at the NSW Local Government Awards for the second consecutive year. The Camden Youth Outreach Program delivered activities to the community to promote being connected for our younger residents. Some activities included Barefoot Lawn Bowls, Youth Fitness Camp and Skateboarding clinics.
- Council in partnership with Macarthur Astronomical Society (MAS) launched the lending telescope collection. The aim of the Telescope lending collection is to provide people with the opportunity to learn more about astronomy and science in the local area. The program provides hands on experience of using a telescope, and access to the knowledge and experience of MAS.



Youth Outreach Program – Skateboarding Clinic 2015



- Effectively providing opportunities for social cohesion requires Council to build lasting relationships with key government and non-government organisations. With a commitment to community safety, Council continues to partner with Camden Local Area Command. Council officers participated at the Local Government Crime Prevention Network, NSW Police Crime Prevention Workshop, Camden Wollondilly Domestic Violence Committee and Community Safety Precinct Meetings to counter the increase in incidents of Domestic Violence. Both Local, State and Federal Government has made a commitment to reduce domestic violence.
- Council provides a wide range of opportunities for the community to interact and participate at a civic level. Council has undertaken the annual Garden Competition, Christmas lights competition; promotion of Light Up Camden and Narellan Town Centre, Seniors Christmas Lunch, NAIDOC Celebrations and the Narellan Rhythms Festival. A real highlight was the projection of historical images onto the Narellan library throughout this festival period. Also, a wide range of performances by culturally diverse groups and individuals were the centrepiece of this event. This festival provided the platform for Council to make new connections with the emerging Chinese Society of Macarthur and the Indian community.
- Additional funding of \$900,000 has been allocated to expand the scope of an exciting new outdoor youth space project to support the health and recreation services in a growing area. Young people can get set for an even bigger and better new youth space with additional funding bringing the total value of this project to \$1.67 million. Council's 2013 Recreation Demand Study identified adventure playgrounds for older children as one of the top ten priorities. Birriwa Reserve was selected as the location for a new youth space for older children due to its high youth demographic, visibility and close location to other recreation facilities and food outlets.



Birriwa Reserve Outdoor Youth Space – Indicative Image Only

Key Direction 6 – Strong Local Leadership

What is Strong Local Leadership?

Strong local leadership means that the Camden area has strong organisations and individuals representing its interests, who are responsive to this community, and who are working together to achieve the community's vision for the future. This will be the key vehicle for achieving the outcomes expressed by the Camden community in this plan.

Strong local leadership will be needed from all levels of government, as well as the private sector, non-government organisations, business and industry groups, and community organisations. Developing leaders within our community will place the Camden area in good stead for the years to come.

Camden Council, as the level of government in closest contact with the local community, has a particular role in the planning, advocacy and delivery of good outcomes on behalf of the Camden community. This role is important, as Camden faces massive urban and population growth, particularly in advocating for the delivery of major infrastructure provision, and in balancing the needs and desires of the current population with the pressures of growth.





Importantly, strong local leadership can influence the way that government engages with and responds to the local community in decisions, plans and services that impacts on this local area.








Camden Youth Council – Future Leaders









Key Direction 6 - Delivery Program Indicators

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
All Council meetings are arranged and conducted in accordance with Council's Code of Meeting Practice	Number	0.00	0.00	N/A	 GREEN
No breaches of the Code of Meeting Practice occurred.					
Council addresses areas of poor performance in its Delivery Program	%	100.00	100.00	N/A	 GREEN
Council actively monitors performance indicators within the delivery program that are red or trending towards red. These indicators may be addressed by additional funding, program initiatives or form part of Councils Business Improvement Program.					
Council engages with a demographic diversity of residents that is consistent with the community's demographic composition	%	100.00	100.00	N/A	 GREEN
Community Engagement Policy adopted by Council. Strategies developed for major engagement activities, which incorporates demographics.					
Disaster Plan remains current and accessible	%	100.00	100.00	N/A	 GREEN
NSW Disaster plan is current and accessible to Local Emergency Management Committee					






INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Local emergency management committee is familiar with emergency facilities and emergency procedures - Evaluation completed	%	100.00	100.00	10.00%	 GREEN
<i>The Local Emergency Management Committee (LEMC) is familiar with emergency plans and evacuation procedures. A full review of the Local Emergency Management plans is being undertaken with the LEMC based on templates provided the NSW Emergency Management requirements. 34 Consequence management guides have been prepared for review and adoption by the committee.</i>					
Local emergency management committee is familiar with emergency facilities and emergency procedures - Exercises conducted	Number	1.00	1.00	10.00%	 GREEN
<i>Emergency Management exercise conducted within review of local planning processes</i>					
Council reports its performance to the community	%	100.00	100.00	N/A	 GREEN
<i>Council presented the January to June 2015 report to the Council meeting in October 2015.</i>					
The Community is satisfied with Council's role in Community Engagement	%	61.00	54.50 ±4.40%	10.00%	 AMBER
<i>Council continues to enhance and develop its community engagement strategies.</i>					
Community is satisfied The with Council's role in Stewardship of Community Resources	%	63.00	59.80 ±4.40%	10.00%	 AMBER
<i>Council continues to enhance and develop strategies that involve the community to raise awareness of community resources and assets.</i>					







INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
The community is satisfied with Council's role in Strong Local Democracy	%	60.00	53.00 ±4.40%	10.00%	 AMBER
<i>Council continues to promote and develop strategies to build strong local democracy.</i>					
The Community is satisfied with Council's role in the Management of Emergency Events	%	74.00	73.10 ±4.40%	10.00%	 AMBER
<i>Council's role in emergency events is to liaise and provide support to local response agencies by convening Local Emergency meetings and ensuring the local emergency management plans are current for the agencies to respond in line with their procedures and policies. Council provides further assistance to Local agencies when requested with traffic management and signage to warn public of hazards.</i>					
The Community is satisfied with the Council's role in providing Community Information	%	70.00	69.10 ±4.40%	10.00%	 AMBER
<i>Council continues to ensure that information is available through a range of means to keep the community well informed about local events, issues and opportunities.</i>					
The promotion of Council services, programs and local information is delivered effectively to the community	%	100.00	100.00	10.00%	 GREEN
<i>Council's website had 498,739 page views during this reporting period. Council has also undertaken various promotional activities such as media releases, quarterly newsletters, Banner Ads, Letterbox drops and weekly newspaper advertisements to ensure information is shared with the community.</i>					
Camden Council is regarded as a good place to work	%	70.00	70.00	10.00%	 GREEN
<i>Staff feedback has been positive and we continue to work with staff to build on this feedback.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Council's workforce is appropriately skilled, safe and stable - Access to training and development	%	80.00	80.00	10.00%	 GREEN
<i>Staff attend training as part of annual corporate training program. Staff access external training and conferences that were job specific to update skills.</i>					
Proportion of staff accessing education assistance as proportion of full time employees (FTE's)	%	4.00	4.23	10.00%	 GREEN
<i>19 Staff utilised education assistance in this reporting period and in previous reporting period (January to June 2015) there were 20 FTE utilised the education assistance. Based on 449 FTE.</i>					
Lost time as a proportion of full time employees – Injury Frequency Rate	%	19.00	12.97	N/A	 GREEN
<i>Continue to be under the benchmark for local government due to the implementation of Workhealth Safety system.</i>					
Staff Turnover	%	8.10	7.29	N/A	 GREEN
<i>Staff turnover remains lower than the Local Government average benchmark of 8.10%.</i>					
Staff display Council's Corporate Core Values in their work	%	80.00	80.00	10.00%	 GREEN
<i>Council continues to monitor that staff display Corporate core values in their work.</i>					
Information systems are reliable and technical support to users is provided promptly – System Downtime	%	2.00	0.01	10.00%	 GREEN
<i>System infrastructure is being maintained to include all manufacturer and industry updates. The majority of downtime is scheduled out of hours. Currently very reliable with almost zero average downtime.</i>					



INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Technical support incident closure rate	%	80.00	81.28	10.00%	 GREEN
<i>Given the increased volume of change with systems and staff and the increase in helpdesk requests this creates, the helpdesk team are maintaining very good closure rates.</i>					
Council's finances are managed prudently – Unqualified Audit Report	%	100.00	100.00	N/A	 GREEN
<i>Council received an unqualified audit report in October 2015. This was for the reporting period July 2014 – June 2015.</i>					
Council's finances are healthy – Financial Health Check Indicator – Unrestricted Current Ratio	Number	1.50	4.07	N/A	 GREEN
<i>The benchmark for this ratio is better than 1.50:1. The ratio is well above benchmark at 4.07:1 which indicates that for every \$1 of liability council has \$4.07 of assets to pay for that liability. This indicates that the Council is in a very strong liquidity position.</i>					
Financial Health Check Indicator – Debt Service Cover Ratio	Number	2.00	3.66	N/A	 GREEN
<i>The benchmark for this ratio is better than 2x. This ratio is well above the benchmark at 3.66x. It is expected that this ratio will be better than the required benchmark in future years.</i>					
Financial Health Check Indicator – Rates and Annual Charges Outstanding Percentage	Number	5.00	4.06	N/A	 GREEN
<i>The benchmark for this ratio is less than 5%. The ratio is better than the benchmark at 4.06% and better than previous year of 4.16% and has continuously improved from 2012/13 reported figure of 6.10%.</i>					

INDICATORS	UNIT	TARGET	ACTUAL	VARIANCE %	RESULT
Financial Health Check Indicator – Buildings and Infrastructure Renewals Ratio	%	100.00	13.85	N/A	 RED
<i>The June 2015 data indicates 13.85%, but this indicator is expected to increase in the 2016 financial reporting period. Council has put in place a number of renewal programs, a declining ratio is more a result of increasing depreciation expense through growth in the asset base than a lack of programs to address the issue. It is difficult to justify a ratio of more than 100% when there is a high proportion of new assets which do not require renewal.</i>					
Council's resources are well-protected through careful risk management processes - Property Claims	Number	8.00	0.00	10.00%	 GREEN
<i>No property claims were received.</i>					
Council's resources are well-protected through careful risk management processes - Liability Claims	Number	35.00	33.00	10.00%	 GREEN
<i>Liability claims decreased slightly (33 down from 34).</i>					
Council's resources are well-protected through careful risk management processes - Motor Vehicle Claims	Number	28.00	30.00	10.00%	 AMBER
<i>There has been an increase in motor vehicle claims (30 up from 27). This indicator does not take into account the increase in staff numbers. Training opportunities will be implemented to mitigate potential risks. Council will continue to monitor this indicator.</i>					

Key Direction 6 – Delivery Program Outcomes July to December 2015

Transforming the community vision into action means that Council takes an active role in ensuring the services and programs that we deliver supports the longer term objectives of the Camden residents. These objectives are:

1. People have a say in the future
2. It is well governed

To support the community vision, below is the summary of some of the actions Council has undertaken:

- Council has successfully developed and initiated a strategic and collaborative relationship with various agencies across State and Federal Government, community and the private sector. These agencies include the National Growth Area Alliance, Developers' and Builders' Forum, Regional Special Interest Groups, MACROC, Westpool, Business Alliance, Small Business Friendly Program and neighbouring Councils. For Camden Council, cooperative and purposeful alliances are critical for a fast growing population which supports and enhances the investment in the area to address the community and stakeholders' needs and expectations.
- Camden Youth Council plays an important role in assisting Camden Council to develop initiatives and projects for young people living in the Camden Local Government Area. The Camden Youth Council is for young people aged 15 to 25 years who are interested in discussing issues, expressing views and contributing to the development of the local Camden community. The Camden Youth Council is a fantastic opportunity for young people to become involved and ensure that young people of Camden have a voice. This includes providing young people with an opportunity to have their say, be heard and get involved in local youth project, initiatives and events.
- In response to the growth in technology use and enabling the community to interact more freely, Council released the first version of the 'Ourcamden' app. By using the app, residents can now connect with Council anywhere, anytime. Take a photo and report issues such as potholes or footpath trip hazards on the spot, find out what's happening in the community, book an inspection, see positions vacant and contact us with the swipe of a finger. Key features of the app include:
 - Report an issue
 - Discover What's On
 - Waste collection information and services
 - Contact Council or make an enquiry



- The Independent Pricing and Regulatory Tribunal (IPART) identified Camden Council as being one of only 7 out of 36 Sydney Metropolitan Councils to be 'Fit for the Future'. Camden Council has a strong strategic scale and capacity, financial stability which is supported by an adaptive, innovative and contemporary working aptitude. This will allow Council to continue to govern effectively and meet the needs of its community into the future.
- Council's Director of Planning and Environmental Services was the winner of Ministers' Award for Women in Local Government Senior Staff Member – Metropolitan Council 2015. Council has also successfully instigated initiatives to develop strong professional relationships internally and with external industry members, including implementing a bi-yearly Developer and Home Builder Forums.



CAMDEN COUNCIL – CIP

FIT	
2016	Population 2011 108,100 (2021) 102,300
Byrthday Metro	Nucleus FSR
\$64.9m	TCap assessment
	Nucleus Outlook
	No change or continue as a strong JD with Liverpool, Penrith, Murrumbidgee, Campbelltown and Wollongong (shared area)
	LCap options (preference in bold)

Assessment Summary	
State and context	Benefits
Forecast criteria	Benefits overall
• Sustainability	Sustained
• Infrastructure and service managers	Sustained
• Efficiency	Sustained

Fit for the Future – FIT

- The council assesses the scale and capacity criterion.
- The council utilises the financial rating system. It utilises the sustainability, infrastructure and service management and efficiency criteria.
- The council utilises the criterion for sustainability based on its existing performance ratio being close to the benchmark and our assessment that its performance is adversely affected by its high growth.

Scale and capacity – utilities

- The council proposes a consultant with the LGA's combined option to stand alone.
- Given the LGA's, combined option, the council was not required to demonstrate how it met each of the elements of scale and capacity.
- However, the council meets some of the elements. In particular, it has a robust revenue base and access to undertake new functions and major projects.
- Our analysis has not identified evidence for a better alternative to the council's proposal to stand alone.

Sustainability – utilities

- The council's forecast performance against the financial ratio indicators by 2019-20 is not strong, however we consider they are within acceptable range given its prospective high population growth of 17.5% from 2011 to 2031, compared to a Sydney average of 2.5%.
- Camden is the largest growing council in NSW based on the IPART forecasts, with population growth of 17.5% from 2011 to 2031, compared to a Sydney average of 2.5%.
- The council has forecast it will be below the benchmark for its existing performance ratio, own source revenue ratio and the building and infrastructure asset renewal ratio by 2019-20. However, our analysis suggests the failure to meet these benchmarks is not a result of any underlying weakness in Camden's financial performance. Rather, Camden's infrastructure and services to new areas before additional rate income and other revenues can be realised for that growth. The council has forecast its operating performance ratio will increase over the period to 2019-20 to be close to the benchmark. Over the long term, as Camden's growth ratio matures to more normal levels, it would be likely to meet the operating performance benchmark based on current data.

Infrastructure and service management – utilities

- The council assesses the criterion for infrastructure and service management based on a low infrastructure backlog ratio and a debt service ratio that meets the benchmark by 2019-20.

Efficiency – utilities

- The council utilises the criterion for efficiency based on a forecast decline in real rates per capita to 2019-20.
- Camden's operating expenditure per capita is significantly lower than other councils and is forecast to fall to \$84 by 2019-20. The council meets this because most of its expenditure is on capital.

Other relevant factors	
Social and community context	Camden rates its population is one of the fastest growing areas in NSW and it faces challenges in managing new developments and providing the associated infrastructure to meet its forecast growth.
Community consultation	No details of community consultation were included in the proposal.
Water and/or sewer	The council does not have a water/sewer business.
Submissions	There were no submissions received in relation to Camden's proposal.

IPART's assessment of Camden Council 2015



References

1. Camden 2040
2. Delivery Program 2013/2014 to 2016/2017 including 2015/2016 Budget and Annual Operational Plan
3. Quarterly Budget Review Statement – Ending September 2015
4. Quarterly Budget Review Statement – Ending December 2015
5. 2014/2015 Annual Report

