



Camden Council

Business Paper

Ordinary Council Meeting
28 February 2017

Camden Council
Administration Centre
70 Central Avenue
Oran Park



COMMON ABBREVIATIONS

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

General Manager
Ron Moore Mayor
Lara Symkowiak

Director Customer and Corporate Services
David Reynolds

Director Planning and Environmental Services
Nicole Magurren

Manager Governance and Corporate
Services
Charles Weber

Director Community Infrastructure
Vince Capaldi

SEATING DIAGRAM

Camden Council Meeting

Councillor
Rob Mills

Councillor
Ashleigh Cagney

Councillor
Theresa Fedeli

Councillor
Eva Campbell

Councillor
Peter Sidgreaves

Councillor
Paul Farrow

Councillor
Michael Morrison

Councillor
Cindy Cagney

Public Address

Public Seating

Media



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)

ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

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

ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

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

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 14 February 2017

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 14 February 2017, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

SUBJECT: POST EXHIBITION REPORT - DRAFT ORAN PARK DCP - PART A AMENDMENT

FROM: Director Customer & Corporate Services

TRIM #: 17/47595

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcome of the public exhibition of the Oran Park Part A DCP Amendment (draft DCP) and to recommend the draft DCP be adopted with minor post-exhibition amendments.

A summary of the proposed changes is provided as an **attachment to this report** and the draft DCP is included **under separate cover**.

BACKGROUND

Resolution of Council

At its meeting on 12 July, 2016, Council considered a report on the draft DCP which is provided as an **attachment to this report** and resolved to:

- i. endorse the draft Oran Park DCP and proceed to exhibition for a period of 28 days in accordance with the provisions of the *Environmental Planning Assessment Act 1979* and Regulations;
- ii. consult further with the Department of Education regarding the relocation of the school site during the public exhibition period;
- iii. forward a copy of the draft Oran Park DCP to the Department of Planning and Environment in accordance with delegations issued to Council dated 19 January, 2015; and
- iv. if no unresolved submissions are received:
grant delegation to the General Manager to adopt the proposed changes to the Oran Park DCP 2007 in accordance with the delegations dated 19 January, 2015 and publicly notify the adoption of the DCP in accordance with the provisions of the Act and Regulations; or
- v. if unresolved submissions are received:
require a further report outlining the result of the public exhibition of the draft Oran Park DCP for Council's consideration.

Summary of Draft DCP Amendment

The proposed amendments were initiated by Greenfields Development Corporation (GDC), developers of the Oran Park Precinct.

The proposed amendments are the result of a strategic urban design review undertaken for the undeveloped northern and eastern portions of the Oran Park Precinct. This review considered the existing development approved by Council and identified opportunities to refine the ILP to deliver an improved outcome for the precinct.

The draft DCP includes the following amendments to the Oran Park DCP 2007:

- a. review of the Road Hierarchy in the northeastern portion of the Precinct, including minor changes to the alignment of Dick Johnson and Oran Park Drive;
- b. review of local road layouts north of the Town Centre to respond to design considerations;
- c. review of Transit Boulevard cross-section to be consistent with Camden Growth Centres DCP;
- d. review of school site and indicative child care centre locations within the Oran Park Precinct; and
- e. relocation of planned medium density areas around the Oran Park Town Centre.

The draft DCP was placed on public exhibition from 19 July 2016 to 16 August 2016. Council received a total of six submissions, including two public submissions and four state agency submissions.

There have been some minor post-exhibition changes to the draft DCP as a result of submissions received by Council, which are discussed in the following sections of this report.

MAIN REPORT

The draft DCP was exhibited for a period of 28 days in accordance with the *Environmental Planning and Assessment Regulation 2000*.

In total, Council received a total of six submissions, including two public submission and four submissions from the following state agencies:

- Department of Planning and Environment;
- Transport for NSW;
- Roads and Maritime Services; and
- Department of Education.

One of the public submissions which objected to the proposed changes was formally withdrawn after a series of meetings with the proponent and Council officers to resolve the issue.

Copies of all submissions are provided as **supporting documents to this report**.



Public Submissions

Submission No. 1

Issue	Officer Response
<p>This submission requests changes to the child care centre controls to align with proposed Figure 21 – Indicative Location of Education, Civic and Community Facilities, including:</p> <ul style="list-style-type: none"> (a) removal of existing control of maximum 40 children (Table 24 of Section 7.8.2 of DCP); (b) amendment of single storey control for children’s rooms (Table 24 of Section 7.8.2 of DCP) to be consistent with the child care centre controls in Camden DCP; and (c) inclusion of an advisory note to be placed under existing controls 2 and 3 to acknowledge the child care centre locations proposed in Figure 21. 	<p>The proposed changes to the child care centre controls will achieve the objective of consolidating the number of proposed child care centres within the Oran Park Precinct as per the exhibited draft DCP.</p> <p>In relation to point (a) of the submission, the previous Council report identified that when the DCP was originally drafted, child care centres were designed to cater for an average of 40-50 places per centre. However, larger centres are now being delivered by child care providers.</p> <p>The Camden DCP child care centre controls (which were updated in 2015) do not place a cap on the number of children. For consistency with the Camden DCP, it is considered appropriate to remove the cap on the maximum number of children.</p> <p>In relation to point (c), it is agreed that child care centres are permissible in the R1 zone, meaning that other child care centre locations could be identified outside of the indicative locations in Figure 21 of the DCP.</p> <p>Controls 2 and 3 of Section 7.8.2 of the DCP (page 145 of Attachment 3) include appropriate site selection and locational criteria for child care centres (i.e. land free of constraints, close to schools, proximity to transport routes, etc.).</p> <p>The intention of including an advisory note for Controls 2 and 3 is to acknowledge that sites identified in Figure 21 are considered to be appropriate sites for child care centres. On this basis, Council officers support the inclusion of an advisory note as follows:</p> <p style="text-align: center;"><i>Note: Controls (2) and (3) are only required to be considered for proposed sites which have not been identified in Figure 21 – Education, Civic and Community Facilities as indicative locations for child care</i></p>

	<p><i>centres.</i></p> <p>In relation to point (b), removing the single storey control for children’s rooms has merit and would be consistent with the comparative controls in the Camden DCP. However, this amendment would require re-exhibition given the additional impacts from what was exhibited to adjoining land owners.</p>
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Action Required

It is proposed for the amendments to be made to the draft DCP as per points (a) and (c) above. Changes to the single storey limit for children’s rooms as per point (b) will be considered in a wider review of DCP child care centre controls in a future DCP amendment later this year, given the potential community impact (i.e. upon adjoining landowners) as a result of the proposed changes.

Submission No. 2

Issue	Officer Response
<p>This submission raised concern that the proposed realignment of Dick Johnson Drive as shown in the Indicative Layout Plan (ILP) would have an impact on the future development potential of their land, including the portion within the Catherine Fields Growth Centre Precinct (which has not yet been rezoned).</p>	<p>Council officers met with both the proponent and the submitter to resolve the concerns raised in their submission.</p> <p>The ILP has been amended as a result by shortening the arrow showing the indicative location of the road through the landowner’s property as shown in Figures 1 and 2 on the following page. The exact location of the road will be determined during the rezoning of the adjacent Catherine Fields Growth Centre Precinct in future.</p>

Action Required

The ILP has been amended as per the diagram below and this submission has been withdrawn.



Figure 1: Excerpt from Exhibited ILP



Figure 2: Excerpt from Revised ILP



State Agency Responses

Submission No. 3 Department of Planning and Environment

Agency Comments	Officer Response
<p>The Department of Planning and Environment (DPE) raised no objection to the draft DCP, but requested that further consultation occur with Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) regarding the proposed changes to the Transit Boulevard cross-sections to be consistent with the Growth Centres DCP.</p>	<p>The draft DCP was forwarded to TfNSW and RMS for comment as per the recommendation of DPE. The responses from TfNSW and RMS are discussed below.</p>

Actioned Required

No further action required.

Submission No. 4 Transport for NSW

Agency Comments	Officer Response
<p>The response from TfNSW included requirements for the transit boulevard cross section to ensure that both travel lanes are bus capable wherever possible (i.e. both lanes have a minimum travel lane width of 3.5 metres).</p> <p>TfNSW also requested that any further amendments to the Oran Park Town Centre be referred to TfNSW for review and comment, given that TfNSW are continuing to plan for the proposed extension of the South West Rail Link through Oran Park.</p>	<p>The primary reason for the change to the transit boulevard cross-section was to ensure consistency of road reserve widths with the transit boulevard cross section for the Growth Centres DCP to ensure an appropriate future connection to the adjoining Catherine Fields Growth Centre Precinct (which has yet to be rezoned).</p> <p>The transit boulevard cross-section in the draft DCP (consistent with the Growth Centres DCP) included a 6.5m travel lane and a 3m inside (median) travel lane. However, the TfNSW submission recommends dual 3.5m bus capable travel lanes be provided wherever possible. It is noted that the TfNSW response is inconsistent with the existing controls for travel lane widths in the Growth Centres DCP.</p> <p>Council officers consider a more appropriate solution involves adopting the travel lane widths for the constructed section of Dick Johnson Drive, which has existing travel lane widths of 3.5m for the kerbside lane and 3.2m for the median lane.</p> <p>This configuration satisfactorily accommodates buses that need to move from the kerbside lane across into the median lane to then turn right at signals.</p>

	<p>The proposed change to the median travel lane is also able to be accommodated within the same road reserve width (29.4m) as per the Growth Centres DCP.</p> <p>Council will also ensure that any further amendments incorporating the Oran Park Town Centre are referred to TfNSW for comment.</p>
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Action Required

Table 2 – Transit Boulevard (Typical Minimum Cross Section) and Figure 6 – Indicative Layout of a Transit Boulevard of Section 3.1 of the draft DCP will be amended to reflect the above.

Submission No. 5 Roads and Maritime Services

Agency Comments	Officer Response
<p>The response from RMS requested that the DCP require the provision of an off-road 2.5 metre share path if an on-road cycle lane is not included in the design of the transit boulevard road. RMS also indicated specific major intersection design requirements that need to be taken into account for the design of the transit boulevard road.</p>	<p>The RMS response regarding the combined pedestrian and cycle share path is noted, and an advisory note will be added under Table 2 of the draft DCP. There are no major intersections for the remaining transit boulevard road (i.e. Dick Johnson Drive) to be constructed within the Oran Park Precinct.</p>

Action Required

An advisory note will be included under Table 2 of Section 3.1 of the draft DCP requiring a 2.5m share path if an off-road shared pedestrian and cycle path is required in the future (i.e. in lieu of a dedicated on-road cycle lane).

Submission No. 6 Department of Education

Agency Comments	Officer Response
<p>The response from the Department of Education indicated that they support the relocation of the proposed K-12 public school further north in the Oran Park Precinct (as shown in the exhibited ILP).</p>	<p>The previous Council resolution required further consultation with the Department of Education during the public exhibition period. No further issues were raised in the Department of Education’s response.</p>

Actioned Required

No further action required.

Post Exhibition Changes in response to submissions

This amendment includes post-exhibition changes in response to the submissions received by Council during the public exhibition period which include:

- Minor changes to the Indicative Layout Plan to revise the indicative arrow of the future connection of Dick Johnson Drive on the eastern section of the Oran Park Precinct;
- Minor changes to the travel lanes for the transit boulevard cross section as per comments from TfNSW and RMS; and
- Minor changes to child care centre controls to better align with exhibited changes to *Figure 21 – Indicative Location of Education, Civic and Community Facilities* of the DCP.

Indicative Layout Plan

The ILP has been amended to address concerns raised in a submission regarding the realignment of Dick Johnson Drive to the east of the Oran Park Precinct. The amendment involves shortening the arrow so that it does not pass through the adjoining landowner's as shown circled in red in **Figures 1 and 2 in this report**. The exact location of the road will be determined during the rezoning of the adjacent Catherine Fields Growth Centre Precinct in future.

Transit Boulevard Cross Sections

The proposed minor changes to the transit boulevard cross sections include an increase in the median travel lane from 3m to 3.2m, which is consistent with the constructed portion of Dick Johnson Drive.

It is also proposed to include an advisory note that will require the construction of a 2.5m off-road pedestrian and cycle share path should a dedicated cycle lane not be provided in the future.

These changes affect Table 2 and the corresponding Figure 6 of the draft DCP as shown in **Attachment 2 to this report**.

Child Care Centre Controls

It is proposed to amend the following controls in *Section 7.8.2 – Child Care Centres* of the DCP as follows:

- Table 24 (Controls for child care centres) - Removal of maximum capacity for the number of children per child care centre; and
- Insertion of the following advisory note to correspond with existing controls 2 and 3:

Note: Controls (2) and (3) are only required to be considered for proposed sites which have not been identified in Figure 21 – Education, Civic and Community Facilities as indicative locations for child care centres.

Next Steps

If Council resolves to endorse the draft DCP, it will be formally adopted under delegation and will come into force following notification of the amendment in the local newspaper.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Six submissions were received by Council in response to the public during and post-exhibition in regards to the proposed changes to Part A of the Oran Park DCP 2007.

Minor post-exhibition changes have been made to the draft DCP to address issues raised in the submissions received by Council.

The proposed post-exhibition changes to the draft DCP are minor in nature and do not adversely affect any current or prospective landowners. Therefore it is not proposed to re-exhibit the draft DCP.

It is recommended that Council adopt the draft DCP.

RECOMMENDED

That Council:

- i. endorse the draft Oran Park DCP 2007 (as amended);**
- ii. forward the amendment to the Oran Park DCP 2007 to the Department of Planning and Environment in accordance with the amended delegations issued to Council on 19 January, 2015 from the Secretary of the Department of Planning and Environment and request that the DCP amendment be made;**
- iii. grant delegation to the General Manager to adopt the proposed changes to the Oran Park DCP 2007 in accordance with Delegations dated 19 January, 2015 from Secretary of the Department of Planning and Environment;**
- iv. publicly notify the adoption of the DCP in accordance with the provisions of the Act and Regulations; and**
- v. advise submitters of the outcome of this report.**

ATTACHMENTS

1. Council report 12 July 2016 Attachment 1
2. Summary of Changes Attachment - Oran Park DCP 2007 Part A Amendment - Post Exhibition Version - February 2017
3. Submissions combined OP DCP Amendment (2) - *Supporting Document*



ORDINARY COUNCIL

ORD02

SUBJECT: DRAFT CAMDEN GROWTH AREAS SECTION 94 CONTRIBUTIONS PLAN

FROM: Director Planning & Environmental Services

TRIM #: 17/26041

PREVIOUS ITEMS: ORD06 - Draft Camden Growth Areas Section 94 Contributions Plan - Ordinary Council - 22 Nov 2016 6.00pm

PURPOSE OF REPORT

The purpose of this report is to advise Council on the outcome of the public exhibition of the Draft Camden Growth Areas Section 94 Contributions Plan (the Draft CP), and recommend that the Draft CP be adopted. A copy of the Draft CP **is included as Attachment 1 to this report.**

BACKGROUND

The Draft CP applies to the Leppington and Leppington North precincts in the South West Priority Growth Area (SWPGA).

Once adopted, the Draft CP will enable Council to levy contributions on development within the Leppington and Leppington North precincts. These contributions will enable the delivery of essential infrastructure including:

- Major local road infrastructure such as sub arterial roads, collector roads, creek crossings and the necessary land to build them;
- Drainage infrastructure including detention basins, parts of riparian corridors used to convey stormwater, and new drainage channels and the necessary land to build them;
- Open space and recreation facilities such as sports fields, sports courts, playgrounds, walking trails and bike paths; and
- The land for community facilities such as cultural centres and multi-purpose community centres.

Resolution of Council

At its meeting of 22 November, 2016, Council considered the Draft CP and resolved to:

- i. endorse the draft Camden Growth Areas Contributions Plan for the purpose of public exhibition;
- ii. publicly exhibit the draft Camden Growth Areas Contributions Plan for a period of eight weeks;
- iii. endorse the following steps if no submissions are received and/or no significant changes are made to the exhibited Plan:
 - a. the draft Camden Growth Areas Contributions Plan be adopted;
 - b. the Plan be forwarded to IPART for review;

- c. a further report be provided to Council if changes are required to the CP arising from IPART’s review, and
 - d. Council write to the Department of Planning and Environment seeking LIGS funding;
- iv. endorse the following steps if any unresolved submissions are received and/or significant changes are made to the exhibited Plan:
- a. a report be prepared which outlines the outcomes of the exhibition period and/or the details the changes made to the draft Camden Growth Areas Contributions Plan;
 - b. if the draft Camden Growth Areas Contributions is adopted:
 - i) the Plan be forwarded to IPART for review;
 - ii) a further report be provided to Council if changes are required to the CP arising from IPART’s review; and
 - iii) Council write to the Department of Planning and Environment seeking LIGS funding; and
- v. require a future report to Council outlining funding options for the ‘non-essential infrastructure’ identified in the Plan.

MAIN REPORT

The Draft CP was exhibited for a period of eight weeks from 6 December, 2016 to 31 January, 2017.

Council received a total of three public submissions during the exhibition period. Copies of all submissions are provided as **supporting documents** to this report.

The key matters raised in the submissions are considered below.

Submission No. 1

Issue	Officer Response
<p>This submission requests a review of the zoning and future land acquisition which applies to the submitter’s site, to enable the development of the site for residential purposes instead of future public purposes.</p>	<p>The land to which this submission relates is located within Stage 2 of the Leppington Precinct, which is yet to be rezoned for urban development by the Department of Planning and Environment (DPE).</p> <p>A number of studies were conducted during the planning of the Leppington Precinct which identified all essential infrastructure required to service the entire precinct including roads, drainage, open space and recreation facilities and land for community facilities. The exact location of this infrastructure was reflected in the Indicative Layout Plan (ILP) which was adopted when Stage 1 of the Leppington precinct was rezoned in November 2015.</p> <p>The infrastructure within the Precinct is located to take advantage of the existing topography and environmental constraints, with much of the drainage infrastructure and passive open space being identified within creek corridors and at the lowest point of water catchments. It is not practical or feasible to relocate drainage infrastructure in</p>



	<p>this instance, as it would affect the functionality of the stormwater catchments and the ILP.</p> <p>Notwithstanding the above, the purpose of the Draft CP is to implement a development contributions mechanism which is consistent with the precinct planning work already undertaken for the Leppington and Leppington North precincts. The Draft CP is not an opportunity to review and amend the zoning and land uses within the precinct.</p>
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Action Required

No changes are proposed to the draft CP arising from this submission.

Submission No. 2

Issue	Officer Response
<p>There are some instances within the Leppington Precinct where the location of future local roads bisect two property boundaries, thereby burdening each lot with the construction of half the road as future development occurs.</p> <p>The submission requests that the Draft CP be amended to include half-road construction (land and works) in instances where half the local road is located on land identified for public open space and schools, as it is unlikely that the future development of these sites will involve the construction of the remaining half of the road.</p>	<p>A review of the exhibited Draft CP has confirmed that a 200m section of half-road which fronts future public open space and school land was inadvertently omitted from the Draft CP.</p> <p>The Draft CP has been amended to include this section of half-road, which results in an additional transport infrastructure cost of \$719,000 for works and land acquisition.</p> <p>The inclusion of this half-road increases the 'per hectare of Net Developable Area (NDA)' contribution for transport infrastructure from \$245,124 per hectare to \$246,735 per hectare. This increase of \$1,611 per hectare of NDA is minor in the context of the overall contributions levied upon development in Leppington.</p> <p>The amendment ensures that funding for half-road construction fronting future open space and identified schools sites in the ILP is consistent throughout the Draft CP, and is sufficiently minor that re-exhibition is not required.</p>

Action Required

It is proposed that the Draft CP be amended to include the section of half-road, as discussed above.

Submission No. 3

Issue	Officer Response
<p>The submission refers to the location of drainage infrastructure and the impact this will have on the developable area of a site, while allowing other sites to be developed through the provision of this infrastructure.</p> <p>The submission requests that landowners be compensated where their land provides infrastructure which other developers will benefit from.</p>	<p>Land reserved for a future public purpose is identified for acquisition under the Growth Centres SEPP and is reflected in the Draft CP. The Draft CP includes land acquisition costs based upon the current market value of englobo land in various categories (eg. developable land, flood prone land) and this rate is adjusted annually to ensure the Draft CP collects sufficient contributions for future land acquisition.</p> <p>The acquisition of land is undertaken in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> (the Act) and when land is to be acquired, an agreed value is negotiated between the landowner and acquisition authority which is informed by independent valuations undertaken by both parties.</p> <p>This value is determined with regard to the market value of the land at the date of acquisition, being the amount that would have been paid for the land had it not been identified for a public purpose.</p> <p>The Draft CP (and the land valuations which inform it) is unable to consider the role that land may have in facilitating development elsewhere within the precinct by accommodating essential infrastructure. Land valuations are based upon the englobo land values.</p>

Action Required

No changes are recommended to the Draft CP arising from this submission.

Next Steps

The State Government caps the maximum development contributions that a Council can collect for residential development in Greenfield areas at \$30,000 per dwelling or lot. Given the Draft CP identifies that the actual cost of providing all of the required infrastructure will exceed the \$30,000 contribution, Council must request that the Independent Pricing and Regulatory Tribunal (IPART) review and approve the Draft CP.

If the IPART review concludes that Council cannot fund all of the essential infrastructure required by the Precinct under the \$30,000 cap, Council can apply for 'gapfunding' for the difference between the maximum contribution that Council can charge developers (\$30,000 per lot) and what it will actually cost Council to deliver the infrastructure under the Draft CP. The 'gap funding' is approved and delivered by the State Government under the Local Infrastructure Growth Scheme (LIGS).



Should Council endorse the recommendation, the following steps will occur:

1. Council will adopt the Draft CP.
2. The adopted CP will be forwarded directly to IPART for review.
3. A further report will be provided to Council if changes are required to the CP arising from IPART's review.
4. Council will prepare an application to the Department of Planning and Environment (DPE) to seek gap funding under the LIGS.

FINANCIAL IMPLICATIONS

The Draft CP provides a mechanism for Council to levy development contributions to fund the provision of essential infrastructure for the Leppington and Leppington North precincts.

If the Draft CP is not adopted, development contributions for the Leppington precinct will continue to be levied under the existing Camden Contribution Plan 2011 which levies at a lower rate than contained in the Draft CP. This would result in a significant funding shortfall for the essential infrastructure proposed for the Leppington precinct.

CONCLUSION

The Draft CP was exhibited for eight weeks and three submissions were received. These submissions have been considered and a minor amendment has been undertaken to incorporate a section of half-road that was inadvertently omitted from the exhibited Draft CP.

The draft Growth Areas CP identifies the scope of works and land dedication required to provide essential infrastructure for the future residents of the Leppington and Leppington North Growth Area precincts.

If adopted, the Growth Areas CP will enable Council to collect development contributions up to the \$30,000 cap to fund the provision of essential infrastructure to support the development of the Leppington and Leppington North precincts.

Council may then seek approval of the Growth Areas CP by IPART so that LIGS funding can be obtained from the State Government, ensuring that the full cost of essential infrastructure can be met.

It is recommended that Council adopt the Draft Section 94 Plan so that Council is able to levy development contributions under Development Applications in accordance with the Plan, and pursue IPART approval and LIGS funding.

RECOMMENDED

That Council:

- i. adopt the Camden Growth Areas Section 94 Contributions Plan;**
- ii. notify the public of Council's decision to adopt the Camden Growth Areas Section 94 Contributions Plan in a local newspaper within 28 days in accordance with Clause 31 of the *Environmental Planning and Assessment Regulation 2000*;**

-
- iii. **send a copy of the adopted Plan to the Department of Planning & Environment;**
 - iv. **forward the Camden Growth Areas Section 94 Contributions Plan to IPART for review and endorsement;**
 - v. **require a further report be provided to Council if changes are required to the CP arising from IPART's review; and**
 - vi. **notify the submitters of the outcome of this report.**

ATTACHMENTS

1. Draft Camden Growth Areas Contributions Plan - Post Exhibition Version
2. Section 94 Submissions combined - *Supporting Document*



ORDINARY COUNCIL

ORD03

SUBJECT: MACARIA ART GALLERY PROPOSED CORPORATE STRUCTURE
FROM: Director Customer & Corporate Services
TRIM #: 17/21979

PURPOSE OF REPORT

This report provides an update on the progress of the legal structure for the proposed art gallery at Macaria, 37 John Street, Camden and asks Council to endorse the proposed structure.

BACKGROUND

Council last considered the proposed art gallery arrangements for Macaria at its Ordinary meeting of 26 July, 2016, when it resolved that Council:

- i. resolve to use Macaria as an Art Gallery space through the selection of Option B with associated actions as set out in the attachment to this report to be known as the Alan Baker Art Gallery;
- ii. allocate \$500,000 from the Capital Works Reserve to fund option B*;
- iii. approve the addition of a staffing resource (curator/gallery development officer) with funding to be included in Council's annual budget;
- iv. receive a further report outlining necessary work and any structural issues requiring attention concerning the running of the Alan Baker Art Gallery; and
- v. write to thank participants involved in the consultant's report preparation process.

*Option B proposed that the ground floor of Macaria be opened for use as a gallery and for public access, while the upper floors remain available for ancillary uses (e.g. possible art classes). It focuses exclusively on presenting the works of Alan Baker with some limited option for display of curated objects.

Council has made commitments to ongoing staffing and running of the gallery on a day-to-day basis.

Negotiations have been ongoing with the donors of the Alan Baker collection (the Collection) concerning the legal structure under which the Collection is to be held and managed after it is donated by the donors.

Council is now requested to endorse the establishment of the proposed corporate structure.

A Councillor briefing was held on this matter on 14 February, 2016.

MAIN REPORT

The legal structure proposed is set out in a diagram (**attached to this report**) and includes the following:

Trust

A trust is proposed to be established that sets out the terms on which the collection is held and managed. The trustee of the trust will be a corporation (see below). The detailed terms of the trust will be negotiated with the donors.

The proposed trust includes a 'founder'. This is a symbolic function to establish the trust and can be an individual or another entity eg a corporation. The founder does not receive a benefit from the trust. The donors have proposed one of the donors, Mr Max Tegel, as the founder.

It is intended that the trust, when established, will apply to the Australian Tax Office for Deductible Gift Recipient status and to the Australian Charities and Not-for-profits Commission (ACNC) for charitable status, to facilitate dealing with donations of the Collection and any future donations.

The donors will donate the Collection to the trust.

Corporation

A company limited by guarantee is proposed to be established as the trustee of the trust. The board of the company will comprise representatives of Council, including Councillors, representatives of each of the donors' families and potentially other community representatives. Council is to be the only member of the corporation. As the only member, Council is the only entity (apart from a director) that can request a general meeting of the corporation and that can vote at general meetings. As the member, Council has limited financial liability for the corporation.

The corporation, of which Council is the only member, is to enter into a lease of Macaria with Council.

As the corporation is a separate entity, it will be at arm's length from Council.

Application to the Minister

The corporation will require Ministerial approval under s 358 of the *Local Government Act 1993* (the Act). More details will be provided in a further report should the structure be adopted.

Interim loan arrangements for the Collection

As the establishment of the legal structure will take some months, the donors have agreed to provide the Collection to Council on loan in the interim.

FINANCIAL IMPLICATIONS

Council will incur costs in the setup and maintenance of the trust, trustee corporation and lease. Ongoing costs of maintaining the legal structure are expected to be minimal. Costs are either currently accounted for or are part of the upcoming budget.

CONCLUSION

A legal structure including a trust, trustee corporation and lease is proposed for endorsement by Council. In the interim, the donors have agreed to lend the Collection to Council.

RECOMMENDED

That Council:

- i. note this report and endorse the proposed legal structure for the Macaria art gallery; and**
- ii. receive a further report concerning the final documentation for the proposed legal structure.**

ATTACHMENTS

1. Macaria Art Gallery Proposed Corporate Structure

ORDINARY COUNCIL

ORD04

SUBJECT: PROPOSED ROAD NAMING - ORAN PARK
FROM: Director Customer & Corporate Services
TRIM #: 16/317981

PURPOSE OF REPORT

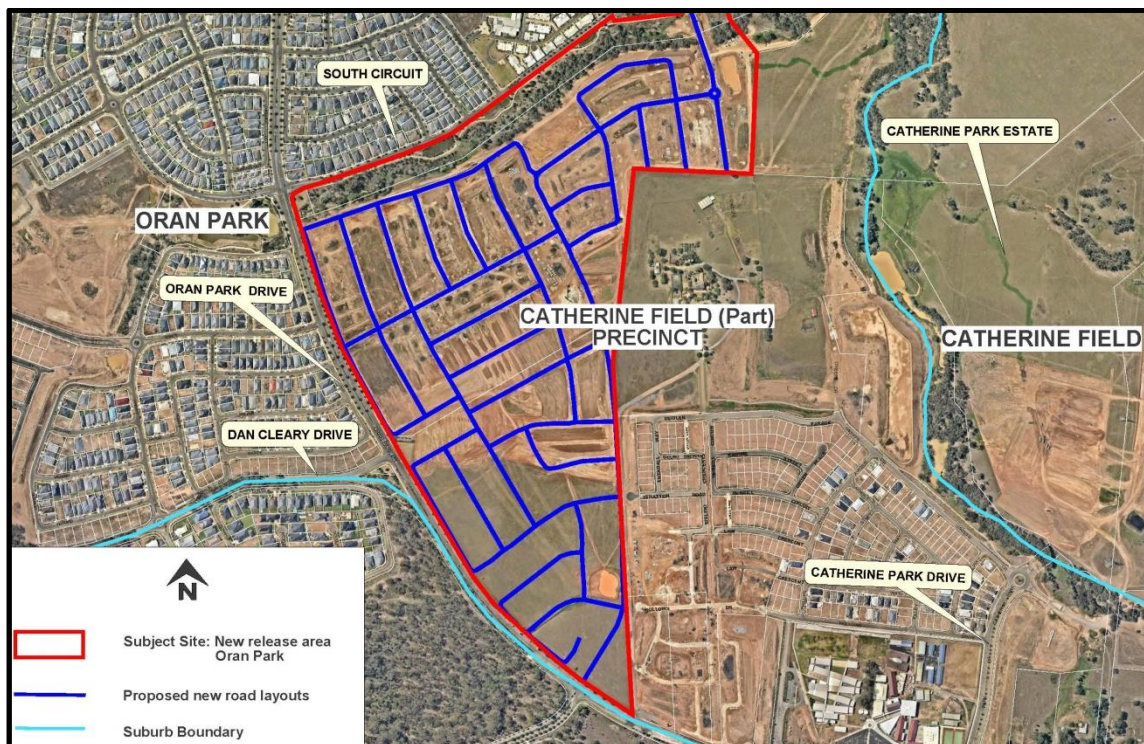
The purpose of this report is to seek Council's endorsement for a list of proposed road names to be assigned to new roads in the Catherine Fields Part Precinct release area within the suburb of Oran Park.

BACKGROUND

Greenfields Development Company (NSW) has submitted a list of proposed road names to be used in the land it is developing within the Catherine Fields Part Precinct. The Precinct is located between Oran Park Drive and Camden Valley Way, being adjacent to the Oran Park and Turner Road Growth Centre Precincts.

The Catherine Fields Part Precinct was rezoned for urban development on 20 December, 2013 and the approved Indicative Layout Plan (ILP) provides for approximately 3,200 homes and 10,000 residents.

AERIAL PHOTO



MAIN REPORT



Greenfields Development Company (NSW) has submitted a list of proposed road names to be used in the land they are developing within the Catherine Fields Part Precinct. The Precinct is located between Oran Park Drive and Camden Valley Way, being adjacent to the Oran Park and Turner Road Growth Centre Precincts.

This report seeks Council's endorsement for the proposed road naming.

The proposed road names listed below are consistent with Council's Road Naming Policy and the Geographical Names Board (GNB) guidelines.

A copy of the Road Naming Policy is provided as an attachment to this report.

The Camden Historical Society has reviewed the proposed road names and is supportive of the selection.

Proposed Road Name	Reason and background for Naming	Source of Naming
Allen Road	John Butler Allen (Trooper) - Birth: 1891 Bringelly NSW, Australia Death: 8 October 1915 (age 24) Army Field Hospital, Liverpool, NSW, Australia Memorial: Rossmore Cemetery Rossmore, NSW	<p>Provided by Greenfields Development Company on behalf of the land owner.</p> <p><i>World War One commenced on 4th August 1914 and finished in a ceasefire on 11th November 1918, the AIF (Australian Imperial Force) was disbanded on 31st March 1921. From a population of only a few thousand, Greenfields Development Company found four hundred and ninety three men and women with links to the Camden district who volunteered for active service.</i></p> <p><i>These proposed names honour those volunteers.</i></p>
Banfield Avenue	Leonard John Banfield (Captain) Birth: 26 July 1875 Cobbitty NSW, Australia Death: 22 August 1915 (age 40) Gallipoli Turkey, killed in action Memorial: Lone Pine Memorial, Turkey	
Burrough Drive	William Burrough (Private 5454) Birth: 1895 Yerranderie, NSW, Australia Death: 2 October 1918 (age 23) France, killed in action Memorial: Bellicourt British France	
Chesham Avenue	Hilton John Chesham Birth: 1891 St Marys, NSW, Australia Death: 14 May 1918 (age 27) Corbie, France, killed in action Cemetery: Heilly Station Memorial: Mericourt-L'Abbe, France Soldiers' Memorial Macarthur Park Camden	

Proposed Road Name	Reason and background for Naming	Source of Naming
Ditzell Way	<p>Fred Ditzell - Birth: 6 December 1890 Camden, NSW, Australia. Death: 12 October 1917 (age 26) Passchendaele, Belgium, killed in action. Memorial: Tyne Cot Cemetery, Passchendaele, Belgium.</p>	<p>Provided by Greenfields Development Company on behalf of the land owner.</p> <p><i>World War One commenced on 4th August 1914 and finished in a ceasefire on 11th November 1918, the AIF (Australian Imperial Force) was disbanded on 31st March 1921. From a population of only a few thousand, Greenfields Development Company found four hundred and ninety three men and women with links to the Camden district who volunteered for active service.</i></p> <p><i>These proposed names honour those volunteers.</i></p>
Dugay Crescent	<p>William Robert Dugay Birth: 1880 Basingstoke, Hampshire, England Death: 26 August 1915 (age 35) No 1 General Hospital, Cairo Memorial: Cairo War Memorial Cemetery, Egypt</p>	
Dunstan Drive	<p>John Francis Dunstan Birth: 1896 Camden, NSW, Australia. Death: 10 February 1918 (age 22) Belgium, killed in action Memorial: The Ypres (Menin Gate) Memorial, Belgium.</p>	
Eade Avenue	<p>Henry Arthur Eade Birth: 10 Jun 1881 Greenwich, London, England. Death: 5 April 1918 (age 36) Rouen, France. Memorial: St. Sever Cemetery, Rouen, France.</p>	
Gale Circuit	<p>Bert Gale (Private 5490) Birth: About 1891 Crudine Creek near Sofala, NSW, Australia. Death: 23 September 1917 (age 26) Belgium, killed in action Memorial: The Ypres (Menin Gate) Memorial, Belgium Soldiers' Memorial Macarthur Park Camden.</p>	
Genner Street	<p>Arthur James Genner (Private) Birth: 1896 Goulburn, NSW, Australia. Death: 25 September 1917 (age 21) Westhoek, Belgium, killed in action. Memorial: Bedford House Cemetery, Zillebeke, Belgium.</p>	



Proposed Road Name	Reason and background for Naming	Source of Naming
Ledwell Way	William Charles Ledwell (Private) Birth: August 1896 Eurongilly, NSW, Australia. Death: 2 April 1917 (age 20) Bullecourt, France, killed in action. Memorial: Villers-Bretonneux Memorial, France.	<p>Provided by Greenfields Development Company on behalf of the land owner.</p> <p><i>World War One commenced on 4th August 1914 and finished in a ceasefire on 11th November 1918, the AIF (Australian Imperial Force) was disbanded on 31st March 1921. From a population of only a few thousand, Greenfields Development Company found four hundred and ninety three men and women with links to the Camden district who volunteered for active service.</i></p> <p><i>These proposed names honour those volunteers.</i></p>
Lillywhite Circuit	Henry Charles Lillywhite Birth: 1878 Paddington, London, England. Death: 29 December 1916 (age 38) France. Cemetery: Bernafay Wood British Cemetery: Montauban, France Soldiers' Memorial Macarthur Park Camden.	
Livesey Drive	William Calbraith Livesey Birth: 1892 Higher Walton, Lancashire, England. Death: 29 April 1918 (age 26) France, killed in action Memorial: Caestre Military Cemetery, France. Soldiers' Memorial Macarthur Park Camden.	
Loveday Avenue	Ross Loveday - Birth: October 1899 Camden, NSW, Australia. Death: 22 February 1917 (age 17) Military Hospital, Devonport, England. Cemetery: Efford Cemetery, Plymouth, Devonshire, England.	
McEvoy Drive	Arthur Peter McEvoy Birth: 1873 The Oaks, NSW, Australia. Death: 16-18 November 1916 The Somme, France, killed in action. Cemetery: 26 Villers Bretonneux, France.	
McKervey Lane	Reginald Patrick Sarsfield McKervey - Birth: 23 September 1896 Stuart Town, NSW, Australia. Death: 21 July 1917 (age 20)	

Proposed Road Name	Reason and background for Naming	Source of Naming
	Belgium, killed in action. Cemetery: Ypres (Menin Gate) Cemetery: Belgium.	
McLaurin Circuit	Archibald McGibbon McLaurin Birth: 21 Aug 1867 Curnalla Station, Deniliquin, NSW, Australia. Death: 23 November 1918 (age 51) 74th Casualty Clearing Station, Palestine. Cemetery: Beirut British War Cemetery, Syria. Camden Grammar School Roll of Honour.	<p>Provided by Greenfields Development Company on behalf of the land owner.</p> <p><i>World War One commenced on 4th August 1914 and finished in a ceasefire on 11th November 1918, the AIF (Australian Imperial Force) was disbanded on 31st March 1921. From a population of only a few thousand, Greenfields Development Company found four hundred and ninety three men and women with links to the Camden district who volunteered for active service.</i></p> <p><i>These proposed names honour those volunteers.</i></p>
Peckham Road	William James Peckham Birth: About 1894 Barton, New Milton, Hampshire, England. Death: 7 April 1918 (age 24) Villers Bretonneux, France, killed in action Cemetery: Villers Bretonneux, France. Cemetery: Soldiers' Memorial Macarthur Park Camden. Cemetery: St Paul's Anglican Church, Cobbitty, NSW.	
Peverell Way	Eustace Clavil Peverell Birth: 1893 Randwick, Sydney, NSW, Australia. Death: 12 December 1917 (age 24) 10th Australian Field Ambulance, Neuve-Eglise, Belgium. Cemetery: Westhof Farm Cemetery, Neuve-Eglise, Belgium. Soldiers' Memorial Macarthur Park Camden.	
Richmond Drive	Allan Curry Palmer Richmond - Birth: 1896 'Haddon' Bringelly, NSW, Australia. Death: 5 April 1917 (age 21) Bapaume, France, killed in action. Cemetery: Villers-Bretonneux Cemetery: France.	
Rodwell Avenue	William George Rodwell Birth: 1894 Lucknow, NSW, Australia. Death: 28 September 1917	



Proposed Road Name	Reason and background for Naming	Source of Naming
	(age 23) France, killed in action Cemetery: Ypres Menin Gate Memorial, Belgium.	<p>Provided by Greenfields Development Company on behalf of the land owner.</p> <p><i>World War One commenced on 4th August 1914 and finished in a ceasefire on 11th November 1918, the AIF (Australian Imperial Force) was disbanded on 31st March 1921. From a population of only a few thousand, Greenfields Development Company found four hundred and ninety three men and women with links to the Camden district who volunteered for active service.</i></p> <p><i>These proposed names honour those volunteers.</i></p>
Rowan Drive	David Rowan - Birth: 1894 Bathurst, NSW, Australia. Death: 7-12 August 1915 Gallipoli, Turkey, killed in action. Cemetery: Lone Pine Memorial, Gallipoli, Turkey.	
Ryder Avenue	Arthur Henry Ryder - Birth: 14 October 1885 Balmoral, NSW, Australia. Death: 1 June 1918 (age 32) France, killed in action Cemetery: Franvillers Communal Cemetery Extension, France.	
Stevens Drive	Harold Lancelot Stevens Birth: 26 March 1897 The Oaks, NSW, Australia. Death: 23 August 1918 (age 21) Proyart, France, killed in action Cemetery: Heath Cemetery, Harbonnieres, France. Wollondilly Heritage Centre, The Oaks.	
Stonham Street	Cyrill John Stonham - Birth: 11 November 1898 Narellan, NSW, Australia. Death: 12 February 1919 (age 20) Died of illness in Royal Herbert Hospital, Woolwich, England. Cemetery: Brookwood Military Cemetery, Surrey, England.	
Stratton Lane	Bruce Stratton – Birth: 19 May 1897 Cawdor, NSW, Australia. Death: 28 September 1917 (age 20) 12th General Hospital, Rouen, France. Cemetery: St Sever Cemetery Extension, Rouen, France. Soldiers' Memorial Macarthur Park Camden, Mount Hunter Memorial.	

Proposed Road Name	Reason and background for Naming	Source of Naming
Toovey Street	Frederick George Toovey Birth: 16 July 1894 Burraborang, NSW, Australia. Death: 14 November 1916 (age 22) Battle of the Somme, France. killed in action. Cemetery: Villers Bretonneux, France.	
Beryl Way	Gemstones & Precious Metals	Provided by Greenfields Development Company on behalf of the land owner. <i>Gemstones & Precious Metals</i>
Bismuth Avenue		
Bronze Way		
Gold Way		
Sterling Drive		
Albina Circuit	NSW Lake	Provided by Greenfields Development Company on behalf of the land owner. <i>Names related to New South Wales's Rivers and Lakes</i>
Clarence Road	NSW River	
Glenbrook Drive	NSW Lake	
Hawkesbury Drive	NSW River	
Burgmann Street	Mike Burgmann, died at Bathurst 1986, raced at Oran Park	Provided by Greenfields Development Company on behalf of the land owner. <i>Names associated with Oran Park Raceway car racing events</i>
Coleman Road	Stan Coleman, died at Oran Park 1972, motor cycle rider	
Heffernan Street	Ray Heffernan, car racer died at Oran Park 20 November, 1966 race crash.	
Lance Avenue	Lance J. Ruting, (1942 - 1997) famous motor racing photographer died in 1997; famous for sponsoring Peter Brock; and for being Oran Park Raceway's official photographer.	
Grandstand Loop	Old Oran Park race track	

The process, should Council endorse the names for public exhibition, is:

1. The approved names are published in the NSW Government Gazette and in local newspapers for public comment.
2. If any submissions are received during the 28 day public exhibition period, a further report to Council will follow outlining the submission/s.



-
3. If no submissions have been received, proceed with the naming process which includes informing Australia Post, the Registrar General, the Surveyor General and the RMS of the new road names.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed road names have been assessed by Council staff in accordance with the Council Road Naming Policy and have had preliminary endorsement from the GNB.

Subject to Council endorsement, a 28 day exhibition period will commence and, subject to no submissions being received, proceed with the road naming process.

RECOMMENDED

That Council:

- i. **place on public exhibition the list of proposed road names within the suburb of Oran Park, for a period of 28 days, and a report be brought back to Council following the receipt of any submissions; and**
- ii. **if no submissions are received, adopt the list of road names within the suburb of Oran Park effective from the day after the close of the exhibition period; and**
- iii. **advise Greenfields Development Company of Council's decision.**

ATTACHMENTS

1. Road Naming Policy



ORDINARY COUNCIL

ORD05

SUBJECT: DECEMBER REVIEW OF THE 2016/17 OPERATIONAL PLAN (BUDGET)

FROM: Director Customer & Corporate Services

TRIM #: 17/30857

PURPOSE OF REPORT

This report presents the December Quarterly Operational Plan (budget) Review for the 2016/17 financial year in accordance with Part 9, Division 3, Clause 203 of the *Local Government (General) Regulation 2005*.

Its purpose is to inform Council of the necessary changes to the 2016/17 Operational Plan since the adoption of the 2013/14 - 2016/17 Revised Delivery Program and Operational Plan, and to consider other changes put forward for determination.

SUMMARY OF BUDGET POSITION

In adopting the 2016/17 Operational Plan, Council approved a balanced budget position. Budget adjustments identified at the December Review represent a projected budget surplus for the 2016/17 financial year of \$727,714.

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

The improvement in the projected surplus is predominantly a result of higher than expected development activity, additional rates and charges income and additional income received from the sale of land for easement purposes.

ALLOCATION OF THE 2016/17 BUDGET SURPLUS

It is recommended that the projected surplus of \$727,714 be allocated as follows.

Budget surplus allocation		
Budget Surplus Available for Allocation		\$727,714
Capital Works Reserve - Transfer to Reserve	\$727,714	
Total - Allocation of Budget Surplus		\$727,714
Budget Surplus Balance After Allocation		\$0



CURRENT RESERVE BALANCES

Capital Works Reserve

The Capital Works Reserve is predominantly used to fund capital works or to match grant funding as part of a capital grant funding agreement. The balance of the Capital Works Reserve is as follows:

Capital Works Reserve	
Reserve Balance as at 30 June 2016	\$4,020,713
Add: Funds Transferred – Oran Park Admin Building Construction Savings	\$2,600,000
Add: Year End Budget Surplus Transfer	\$830,743
Add: September Quarterly Review Transfer	\$1,017,060
Add: Proposed December Quarterly Review Transfer	\$727,714
Proposed Balance of Reserve	\$9,196,230
Committed Funds Held in Reserve	
Less: 2016/17 Revoted projects	(\$1,098,121)
Less: Projects approved in 2015/16 for the 2016/17 Budget	(\$2,931,300)
Less: Macaria Building Works (Art Gallery) Council Resolution - 164/16 - 26/7/16	(\$500,000)
Less: Installation of demountable kennel and cattery buildings and exercise yard at Campbelltown Council's Animal Care Facility. Council Resolution - 188/16 - 9/9/16	(\$250,000)
Less: Miss Llewella Davies pioneers walkway – Council Resolution – 22/11/16	(\$191,300)
Total Allocated	(\$4,970,721)
Uncommitted Balance – Capital Works Reserve	\$4,225,509

It should be noted that the balance of this reserve will form part of the funding package discussed with Council upon considering the 2017/18 Operational Plan and four year Delivery Program.

Asset Renewal Reserve

Council approved the creation of the Asset Renewal Reserve as part of adopting the 2013/14 – 2016/17 Delivery Program. The balance of the Asset Renewal Reserve is as follows:

Asset Renewal Reserve	
Reserve Balance as at 30 June 2016	\$2,514,301
Add: Year End Budget Surplus Transfer	\$453,956
Add: September Quarterly Review Transfer	\$500,000
Proposed Reserve Balance	\$3,468,257
Committed Funds Held in Reserve	
Less: 2016/17 Revoted projects	(\$549,757)
Less: 2016/2017 Budget allocations (i.e. Funding towards Priority Community Projects) Council Resolution - 138/16 - 28/06/16	(\$1,918,500)
Total Allocated	(\$2,468,257)
Projected Reserve Balance	\$1,000,000

Funds from this reserve are primarily used for the replacement and/or maintenance of existing assets. The balance of this reserve will form part of the funding package discussed with Council upon considering the 2017/18 Operational Plan and four year Delivery Program.

Internal Borrowings

The use of internal reserves allows Council to build up funds over time for the future or to protect Council against large budget movements in any one year due to unforeseen circumstances. Council has the ability to borrow from internal reserves to fund more immediate priorities, paying the amount back the following year or in future budget periods. Council also has the option of not paying back the reserve/s if it deems appropriate. Using internal reserves as a funding mechanism assists with cash flow and as the funds are not borrowed externally from a financial institution, Council does not have to pay interest on the funds it borrows from itself.

Internal borrowings were used to part-fund the construction of the new central administration building. To date, \$1.7 million has been repaid leaving a balance of \$1.3 million to be repaid from future quarterly reviews. There is no immediate need for Council to repay this balance.

Reserve	Internally Borrowed	Already Repaid	Balance	Notes
Capital Works Reserve	\$800,000	(\$800,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015
Asset Renewal Reserve	\$900,000	(\$900,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015 and 279/15 27/10/15
Plant Replacement Reserve	\$600,000	\$0	\$600,000	To be repaid at a future Quarterly Review
Commercial Waste Reserve	\$700,000	\$0	\$700,000	To be repaid at a future Quarterly Review
Total	\$3,000,000	(\$1,700,000)	\$1,300,000	



MAIN REPORT- DECEMBER REVIEW OF THE 2016/17 BUDGET

Further information and explanation of the increase in the projected budget surplus for 2016/17 is detailed below:

PROPOSED VARIATIONS TO BUDGET

Below are the proposed variations between the adoption of the 2016/17 Budget and the December Review for 2016/17 which have led to a projected budget surplus of \$727,714.

December review of the 2016/17 budget proposed variations	Budget Impact Increase / (Decrease)
Income adjustments	
Note: Increase in income is an increase to the budget	
Shortfall in income is a decrease to the budget	
1. Development Fees & Charges Income Increase	\$416,000
2. Rates & Charges Income Increase	\$400,000
3. Sale of Land (easements) Income Increase	\$334,580
4. WHS Systems Rebate Increase	\$178,471
5. Library Subsidy Increase	\$16,071
Variations under \$15,000 - Various Income Increases	\$2,000
Sub Total - Income Adjustments	\$1,347,122
Expenditure adjustments	
Note: Increase in expenditure is a decrease to the budget	
Saving in expenditure is an increase to the budget	
6. MALC Asset Renewal Expense Increase	(\$350,000)
7. Street Lighting Expense Decrease	\$100,000
8. Corporate Salaries Expense Increase	(\$84,900)
9. Civic Centre Utilisation Study Expense Increase	(\$75,000)
10. BEP Arena Expense Increase	(\$85,000)
11. BEP RSL Memorial Walkway Expense Increase	(\$50,000)
12. Catherine Field Reserve Lighting Upgrade Expense Increase	(\$22,000)
Variations under \$15,000 - Various Expense Increases	(\$39,300)
Sub Total - Expenditure Adjustments	(\$606,200)
Less: Council Approved Variations	(\$13,208)
TOTAL - proposed variations to budget	\$727,714

1. **Development Fees & Charges Income – Increase in Income of \$416,000**

Development income has exceeded budget expectations for the second quarter of 2016/17. Council has received a number of Development Applications of high value this quarter predominantly a result of development activity in the Leppington release area. The level of income received from development activity is primarily dependent on the receipt of applications from developers and, as

such, is difficult to project given the unprecedented growth Council is experiencing.

- 2. Corporate Management Rates Income – Increase in Income of \$400,000**

Supplementary rate income is received upon the re-zoning or subdivision of land. It is additional rate income to the amount levied at the beginning of the financial year. The increase in rate income realised during the second quarter of 2016/17 is primarily due to new lots created through subdivisions in the Spring Farm, Oran Park and Gregory Hills land release areas.
- 3. Sale of Land (easements) Income – Increase in Income of \$334,580**

Council has received easement income for the acquisition of a number of parcels of land required by the RMS. This income is difficult to estimate and can vary substantially from one year to the next.
- 4. WHS Systems Rebate – Increase in Income of \$178,471**

The rebate is payable to members as an incentive for meeting KPIs relating to performance, self-audit and the renewal of membership in order to qualify for the payment of the rebate.
- 5. Library Subsidy – Increase in Income of \$16,071**

This subsidy is additional income received not known at the time of adopting the 2016/17 budget.
- 6. Mount Annan Leisure Centre Asset Renewal – Expense Increase of \$350,000**

An assessment of the aquatics area of the Mount Annan Leisure Centre (MALC) was undertaken and it was determined that a number of items within this area would also require refurbishment in order to ensure continuity and aesthetics across the entire centre. Works to be undertaken to bring the existing MALC facility up to the standard of the new extension include but are not limited to: repair of pool expansion joints in three pools, upgrade of aquatic change areas including staff amenities, re-tile and replace bench in the steam room, replace existing CCTV cameras, new signage to match new areas, upgrade gardens and landscaping, re-sealing and line mark carpark. The works are planned for completion in September 2017 to align with the rest of the upgrade works.
- 7. Street Lighting Charges – Expense Decrease of \$100,000**

Street lighting charges are lower than anticipated due to lower than expected unit rates being charged for street lighting charges. This decrease is predominantly due to the removal of the carbon tax from the user charge.
- 8. Corporate Salaries – Expense Increase of \$84,900**

Due to continued growth and the need to meet an ever increasing service demand, funding is required for the employment of additional staff. The staff will be deployed in the Customer Service area and the temporary appointment of asset management staff to process increasing volumes of subdivision assets and other facilities.
- 9. Civic Centre Utilisation Study – Expense Increase of \$75,000**

This money is to fast track the investigation of initiatives to increase utilisation of the Camden Civic Centre as set out in the Camden Town Centre Vision. It is expected that a report will be presented to Council in the first quarter of the 2017/18 financial year. Council resolution - 263/16 - 22/11/16.



10. **BEP Committee Arena Renewal – Expense Increase of \$85,000**

Additional funding required for the main Arena based on quotations obtained by the BEP committee for arena and water connections. The main Arena projects are the highest priority for the BEP committee as this arena attracts a number of high profile equestrian events to the area. If the Main Arena is not upgraded, Camden could lose these events to other Local Government areas. The BEP committee have committed \$150K towards this project and Council has already allocated \$115K as part of adopting the 2016/17 Operation Plan (Budget). These works are to commence in May/June this year to avoid conflict with coming events.

11. **BEP Committee RSL Memorial Walkway – Expense Increase of \$50,000**

The walkway is a high profile path that represents the distance of the beach to the escarpment at Gallipoli. The walkway starts at the Bicentennial Equestrian Park and follows through the park for an approximate distance of 2.2 kilometres. 700m of this path has deteriorated and requires maintenance via the installation of wooden borders and the reinstatement of the main path area with road base. The works are proposed to start in March.

12. **Catherine Field Reserve Lighting upgrade – Expense Increase of \$22,000**

This increase is to cover a \$10K shortfall in the Mets Baseball funding for this project plus an additional \$12K for costs associated with the lighting upgrade.

COUNCIL AUTHORISED VARIATIONS

Council has authorised four budget variations since the adoption of the 2016/17 Budget. A list of these approved variations is provided in the following table:

Council approved variations	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Miss Llewella Davies Pioneers Walkway Council Resolution - 262/16 – 22/11/2016	\$578,300	\$578,300	\$0
Community Sponsorship Allocation Increase Council Resolution - 285/16 – 13/12/2016	\$13,208	\$0	(\$13,208)
Housing Acceleration Fund – Ingleburn Road and Richard Road, Leppington Council Resolution - 286/16 – 13/12/2016	\$2,600,000	\$2,600,000	\$0
Australian Men’s Shed Association, National Development Program Grant Council Resolution - 287/16 – 13/12/2016	\$6,000	\$6,000	\$0
TOTAL - Council approved variations	\$3,197,508	\$3,184,300	(\$13,208)

CONTRA ADJUSTMENTS

This section deals with all offsetting adjustments between income and expenditure or a transfer of funds between allocations. These adjustments have no impact on Council's projected budget result as both movements of income and expenditure are of equal value.

During the period 1 October, 2016 to 31 December, 2016, a number of contra adjustments have taken place amounting to a total of \$589,000. A detailed list of the adjustments is an **attachment to this report**.

It should be noted that in order to adequately plan, scope and design projects delivered as part of a Section 94 plan, it is proposed to employ an additional three temporary design staff for three years. Funding for these positions is identified in the current Contributions Plan for Leppington North and in the draft Leppington Contributions Plan. This budget adjustment is a contra entry as the expenditure is funded from Council's Section 94 reserve and therefore has no impact on Council's budget position.

COUNCILLOR CONSOLIDATED WARD FUNDS

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

Consolidated ward funds	\$
2016/17 Budget Allocation	\$30,000
2015/16 Ward Funds Revote	\$57,100
TOTAL funds available	\$87,100
Projects funded in 2016/17	
Less: Concrete works surrounding the amenities building at Jack Nash Reserve Currans Hill (ORD 12/7/16)	(\$40,000)
Less: Construction of a permanent BBQ structure on site for Harrington park United Football Club (ORD 12/7/16)	(\$15,000)
TOTAL projects funded in 2016/17	(\$55,000)
Balance of consolidated ward funds	\$32,100

It should be noted that the balance of Consolidated Ward Funds is over and above the projected budget surplus of \$727,714 as advised in this report.



SUMMARY OF DECEMBER REVIEW ADJUSTMENTS

The following table is a summary of budget adjustments up to 31 December, 2016.

Summary of budget adjustments	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2015/16 Carry-Forward Working Funds			\$1,000,000
2016/17 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
TOTAL Available Working Funds 01/07/2016			\$0
2016/17 September Review Adjustments	\$3,239,460	3,239,460	\$0
2016/17 December Review Adjustments			
NOTE 1: Proposed Variations	\$606,200	\$1,347,122	\$740,922
NOTE 2: Authorised Variations	\$3,197,508	\$3,184,300	(\$13,208)
NOTE 3: Contra Adjustments	\$589,000	\$589,000	\$0
TOTAL - December Review Adjustments	\$4,392,708	\$5,120,422	\$727,714
TOTAL available working funds (uncommitted cash)			\$727,714

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulation 2005*:

It is my opinion that the Quarterly Budget Review Result for Camden Council for the period ending 31 December, 2016 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.

ON-TIME PAYMENT POLICY REPORTING

At the end of each quarter Council is required to report on compliance with its adopted on-time payment policy. This policy requires Council to pay interest where an invoice received from small business (turnover less than \$2 million p.a.) has been held by Council for more than 30 days and the interest payable is more than \$20.

Council processes approximately 11,000 invoices each year. As at the 31 December, 2016, Council had processed six invoices from registered small businesses for the quarter. Five of these invoices became overdue during the reporting period. All invoices have now been paid and no interest was payable on them.

CONCLUSION

The December Budget Review surplus of \$727,714 is a pleasing result. Council has continued to benefit from increased income through development, additional rates and additional income received for easements.

If endorsed by Council the surplus will allow further funds to be transferred to reserve providing Council with additional scope to fund services or projects that could not be considered as part of the 2016/17 Operational Plan (Budget) process or as part of the 2017/18 Operational Plan (Budget) process.

RECOMMENDED

That Council:

- i. approve the necessary budget adjustments as identified in the categories of 'Proposed Variations', and 'Contra Variations' of this report; and**
- ii. approve the transfer of the projected surplus for 2016/17 of \$727,714 as follows:**

Budget surplus allocation		
Budget Surplus Available for Allocation		\$727,714
Capital Works Reserve - Transfer to Reserve	\$727,714	
TOTAL - Allocation of Budget Surplus		\$727,714
Budget Surplus Balance After Allocation		\$0

ATTACHMENTS

1. 2016-17 December Review - Budget Appendix
2. 2016-17 December Review - QBRs Statement



ORDINARY COUNCIL

ORD06

SUBJECT: INVESTMENT MONIES - JANUARY 2017
FROM: Director Customer & Corporate Services
TRIM #: 17/33378

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2005*, a list of investments held by Council as at 31 January, 2017 is provided.

MAIN REPORT

The weighted average return on all investments was 3.25% p.a. for the month of January 2017. The industry benchmark for this period was 1.86% (Ausbond Bank Bill Index).

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

The Responsible Accounting Officer is the Manager Finance & Corporate Planning.

Council's Investment Report is provided as an **attachment to this report**.

RECOMMENDED

That Council:

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act, Regulations, and Council's Investment Policy*;**
- ii. note the list of investments for January 2017 and;**
- iii. note the weighted average interest rate return of 3.25% p.a. for the month of January 2017.**

ATTACHMENTS

1. Investment Report - January 2017