
ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

RESOLUTION

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

THE MOTION ON BEING PUT WAS CARRIED.

ORD215/10

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

RESOLUTION

There were no declarations to be noted.

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

ORD216/10

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

RESOLUTION

Mrs Fiona Woods addressed the Council in relation to Item ORD 01.

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

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

ORD217/10

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 September 2010.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 September 2010, copies of which have been circulated, be confirmed and adopted.

RESOLUTION

Moved Councillor Dewbery, Seconded Councillor Anderson that the Minutes of the Ordinary Council Meeting held 28 September 2010, copies of which have been circulated, be confirmed and adopted.

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

ORD218/10

ORDINARY COUNCIL

ORD01

43 LOT TORRENS TITLE SUBDIVISION, CONSTRUCTION OF NEW ROADS, 1 RESIDUE RESIDENTIAL LOT AND 1 RESIDUE LOT FOR A DRAINAGE RESERVE, 2A (LOT 2992 DP 1121800) GREENFIELD CRESCENT, ELDERSLIE

FROM:	Director Development and Health
FILE NO:	Binder: Development Applications 2007
DA NO:	305/2007
OWNER:	AV Jennings
APPLICANT:	J Wyndham Prince
ZONING:	R1 General Residential
APPLICABLE PLANNING INSTRUMENT:	Camden LEP 117 (now repealed) Camden LEP 2010 (gazetted 3 September 2010)

PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a Development Application (DA) for a 43 lot torrens title subdivision at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie. The application is referred to Council in accordance with its delegations, as three (3) submissions were received objecting to the proposal. These objections were unable to be resolved by way of development consent conditions. Also, the proposed development does not fully comply with some of the controls under Part G, Chapter 4 (Elderslie Release Area) of Camden Development Control Plan (DCP) 2006.

SUMMARY OF RECOMMENDATION

It is recommended that DA 440/2009 for a 43 lot torrens title subdivision at 2A Greenfield Crescent, Elderslie (Lot 2992 DP 1121800) be approved, subject to draft conditions of the development consent provided at the end of the report.

BACKGROUND

This Development Application was originally lodged with Council on 17 April 2007 for 36 residential lots, construction of new roads and 1 residue lot for a drainage reserve.

An assessment of the original application identified that the proposed height of the acoustic wall along the Camden Bypass would obstruct the view corridors from Spring Farm which are protected under Camden Local Environmental Plan (LEP) 117 and 121.

At the meeting of 22 April 2008, Council resolved to modify the street network adjacent to the Camden Bypass, resulting in no lots directly backing on to the Camden Bypass.

This modification removed the requirement to erect a high noise wall, and instead allowed the construction of a row of housing along this service road with the facades providing noise attenuation and private open space being located at the rear.

In response, the application was amended in May 2008 to significantly reduce the height of the acoustic barrier by including a retained earth mound, relocation of the proposed road directly adjacent to the Camden Bypass providing separation between the Bypass and the proposed lots, and requiring acoustic treatment of future dwellings fronting the proposed road.

It should be noted that the relocation of the road required a redesign of the subdivision, amending the development proposal to include 22 residential lots, 3 superlots and the 1 residue lot for a drainage reserve.

Council issued a draft consent in early 2009, however the applicant notified Council of its intention to modify the subdivision layout, suspending progress of the application. Amended plans were lodged in March 2010 resulting in a revised total number of lots to 43 and two residual lots, including one residential lot which would be subject to a separate DA.

Another set of amended plans were lodged in September 2010, reflecting changes to the design and configuration of the drainage reserve.

The application has now been assessed by Council officers in accordance with the Environmental Planning and Assessment Act, 1979 and is now able to be referred to Council for determination.

THE SITE

The site is irregular in shape and falls towards the Camden Bypass. It has no structures and has vegetation cover, including overgrown grass. The proposed subdivision will include the extension of three roads that currently terminate by way of temporary turning heads. Those roads are Longley Avenue, Mitten Street and Kerrigan Crescent.

The site is bounded to the south by Camden Bypass, to the north by a recently established residential subdivision complete with the construction of dwellings, and further subdivisions to the east and west. **A locality plan is provided at the end of this report.**

THE PROPOSAL

The proposal is for a 43 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve. It is identified as Stage 10A of 'The Ridges' estate. No dwellings have been proposed, however indicative building envelopes have been provided for all lots.

The proposed subdivision demonstrates a higher density to that provided for within DCP 2006, and objections have been received. Accordingly the application is referred to Council for determination. **Plans of the proposal are provided at the end of this report.**

NOTIFICATION

The application was initially advertised between 13 and 27 September 2007, with no submissions received.

Upon receipt of the amended plans in March 2010, the application was renotified between 28 April and 12 May 2010. Four submissions, including a petition, were received. The petition was reported to Council at the meeting of 8 June 2010 as per the Code of Meeting Practice (Policy 5.8). **Copies of the submissions are provided with the Business Paper supporting documents.**

PLANNING CONTROLS

- Camden LEP 117 (now repealed)
- Camden LEP 2010 (gazetted on 3 September 2010)
- Camden DCP 2006

ASSESSMENT

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979. The following comments are made with respect to the critical aspects of the application.

(a) (i) the provisions of any environmental planning instrument

Camden LEP 2010

Camden LEP 2010 was gazetted on 3 September 2010. Given that this DA was lodged before 2 September 2010, LEP 2010 can be considered, however pursuant to Clause 1.8A, this application must be determined as if LEP 2010 had been exhibited but had not commenced. Therefore it must be assessed under the LEP that was in place before the gazettal of Camden LEP 2010, which was LEP 117.

The land is zoned R1 General Residential. The proposed development complies with the objectives, and subdivision of land is deemed to be a permissible use with consent.

The minimum lot size specified in the land use map is 450m², and it while it is noted that all lots are less than 450m², Camden DCP 2006 currently permits lot sizes under 450m².

Clause 4.6 will permit for exceptions to this development standard, however this is not required, as for the purpose of determining this application, LEP 2010 is only a draft environmental planning instrument.

Camden LEP 117 (now repealed)

This LEP was in place before the gazettal date of 3 September 2010, and the relevant Clauses contained within must be addressed.

The relevant clauses of this plan include:

Clause 3 – Statement of desired future character: The proposed development complies with this statement, in particular with the urban village consisting of a variety of housing forms.

Clause 4 – Aims and objectives: The development satisfactorily addresses the objectives of the LEP as it demonstrates achievement of the desired future character of the locality, addresses the community's housing needs, and demonstrates a promotion of ecologically sustainable practices.

Clause 11 – Zone objectives and development control table: The land is zoned Residential 2(d) and subdivision is permissible in the prevailing zone. The proposal complies with the relevant objectives of the zone.

Clause 16 – Development within mine subsidence district: Concurrence from the Mine Subsidence Board has been received by Council.

(a) (ii) any draft environmental planning instrument

LEP 2010 has been discussed earlier in this report. There are no other draft environmental planning policies that apply to this proposal.

(a) (iii) any development control plan

Camden DCP 2006 – Part G, Chapter 4: Elderslie Release Area

The proposed development has been assessed against the relevant controls in the Elderslie Release Area section of DCP 2006. The development does not comply with the proposed residential density in Figure 33 of DCP 2006 and this is discussed further below.

Notwithstanding the above, it is considered to satisfy the other relevant controls that relate to this proposed subdivision.

Clause 2.3 – Clear Urban Structure. Proposed roads within the subdivision contain a defined pedestrian cycle path (off road) as specified in Figure 7. Conditions of development consent would be placed on any approval that is issued to ensure the construction of the path in order to allow an uninterrupted network in that section of the Elderslie Release Area.

Clause 3.1 – Subdivision. The depth of the proposed lots are between 30-32m, which exceeds the minimum of 30m and is therefore considered acceptable.

The proposed subdivision falls under Area 3 in Figure 33 of DCP 2006 (Residential Opportunities – Density), with the residential typologies intending to have 15–18m wide lots with a size of 450–540m². 41 of the 43 proposed lots have a size less than 450m², and all but 3 lots are less than 15m in width. This increases the intended density within this precinct. Narrower lots have been proposed for proposed Lots 1012-1015, 1026-1029, and 1039-1042, where the widths are 9.6m.

At the meeting of 22 April 2008, Council resolved to modify the street network adjacent to the Camden Bypass, where Longley Avenue and Greenfield Crescent were shifted to in effect be service type roads, with no lots directly backing on to the Camden Bypass.

This modification removed the requirement to erect a high noise wall and instead construct a row of housing along this service road, with the facades providing noise attenuation and private open space being located at the rear. Whilst this application is for subdivision only, the applicant has provided building envelopes for duplex style development on each lot.

This reduces the gap between each dwelling, and provides an acoustic barrier for lots further to the north. While future dwellings will be subject to a separate development application, it is recommended that Council supports this departure from the typology given that the future dwellings are required to achieve the required acoustic attenuation.

The remaining lots that do not comply with the Figure 33 requirements have widths at the street frontage ranging between 11.4m and 15.5m. Notwithstanding this non-compliance, these lots achieve another fundamental control which is that they are able to contain a 9m x 15m building envelope, and still be able to achieve the minimum 900mm setback along both side boundaries of the lot.

The applicant has put forward a justification seeking a departure from the residential typology. It is argued that it satisfies the objectives of Section 3.1.1 (Lot Size and Orientation), by providing a mixture and range of lot sizes to suit a variety of dwelling types. The smaller lots will achieve acoustic requirements for the Camden Bypass, will optimise solar access, provide street addresses to each dwelling, achieve the minimum lot yield and comply with the principles set out in the DCP.

The mixture of lot widths, ranging from 288.59m² to 474.4m², will have a varied built form which will result in a streetscape which has variety. Furthermore, the proposed subdivision is located within two precincts nominated in Figure 10 of the DCP as special places, being a local park to the east and the Elderslie Pedestrian Bridge Gateway to the west.

The performance criteria calls for a higher density to take greater advantage of the open space, views and the like. All of the lots will provide good solar access, with it being possible to have living areas on a northerly aspect. The building envelopes that have been nominated on the plans demonstrate compliance with side setbacks, have the ability to have one principle living area to have a northerly aspect and provide the minimum required private open space.

The average lot size in this proposed subdivision is 369m², which is below the average of 525m² set for Area 3. However a yield of 1,142 dwellings is nominated for this area. Therefore the figure of 525m² is not a control that sets a minimum area for all lots. Rather, it provides for flexibility in the size of lots that can be developed. Larger lots may be required where it is dictated by topography and also distance from amenities such as the village centre and parks. Smaller lot sizes are required to ensure that a variety of lot size is available and that the minimum number of 1142 dwellings is

achievable.

(a) (iv) any planning agreements

There are no planning agreements that apply to this proposal.

(b) the likely impacts of the development

Environmental

Environmental issues pertaining to contamination, salinity and acoustics were assessed as part of this application. Contamination and salinity assessments were undertaken to determine the suitability of the land for residential development, and were considered acceptable by Council officers.

An acoustic study was undertaken, with the recommendations to relocate the road that runs parallel to the Camden Bypass and the construction of dwellings facing that road to act as a noise barrier for dwellings further away from the Camden Bypass. This recommendation has been adopted.

Social impacts

The proposed development would contribute to diversity through provision of a variety of housing stock, subject to separate DAs. It also offers the opportunity to contribute to neighbourhood development.

Economic impacts

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

(c) the suitability of the site for the development

The site is capable of accommodating the proposal without an adverse impact upon the amenity of the immediate neighbourhood and is suitable for the proposed development.

(d) any submissions made

A total of four submissions were received, with all objecting to the proposal.

The issues raised in the submissions are addressed below:

- The proposal deviates from the original vision, as it does not enhance and respect the natural environment.

Officer comment: This was quoted from promotional literature issued to prospective buyers of The Ridges Estate when previous stages were available for sale. Whilst there has been modification to the lot numbers, it is not considered this places negative impacts on the natural environment.

The vegetation that is currently on the site has been approved to be removed by way of a previous development consent (DA429/2007, approved 13 March 2008). Other sections of The Ridges estate have been retained for open space, such as the public park on Irvine Street.

- Loss of property values

Officer comment: The Environmental Planning and Assessment Act, 1979 does not provide for the assessment of impact on property values. As a result the proposed development and loss of property values is not a consideration when assessing the merits of a DA.

- The lot sizes are too small, and will result in an increased density

Officer comment: Whilst it is acknowledged that the lot sizes are smaller than the minimum control as specified in the Camden DCP 2006 and will therefore result in a greater density, the proposal is still considered to achieve the relevant objectives of the DCP.

In addition, the higher density is also required to achieve a more desirable outcome in terms of providing acoustic attenuation from the Camden Bypass.

- It does not allow an attractive streetscape

Officer comment: Future development of the proposed lots will be by a single developer. Given the proposed development, there is no reason to consider attractive streetscapes will not be achievable or incompatible with other parts of the Elderslie Release Area.

- Increase in traffic due to additional lots and narrower streets

Officer comment: The width of the streets are similar to that in already established sections of the Elderslie Release Area, and complies with the relevant specifications set by Council for road design. Given that the subdivision will ultimately contain standard residential dwellings on torrens title blocks, with no higher densities in the form of medium density residential development, it will result in traffic levels that are consistent with the other already established residential estates in the Elderslie Release Area.

- Two storey dwellings will result in overshadowing, loss of privacy, etc.

Officer comment: This application is for subdivision only, with dwellings to be constructed at a later date and subject to separate DAs. It is important to note that two story dwellings are provided for with the relevant LEP. The impacts of each dwelling in terms of privacy and overshadowing will be assessed in accordance with the relevant DCP controls as part of the assessment of each dwelling DA.

- Objections to any proposed public housing

Officer comment: Council is unaware of any proposals for public housing in this

area. Any recommendation by officers cannot be a function of who the future owners of any dwellings may be.

- On street parking issues

Officer comment: Each future dwelling DA will need to provide for a minimum of two off street parking spaces, as per the requirements in the Camden DCP 2006. This will minimise the issues that arise from on street parking, however the proposed width of the streets would still allow for on street parking that will not result in the obstruction of vehicles using the roads.

- Where will children play?

Officer comment: Each dwelling will be required to provide private open space in accordance with Camden DCP 2006 Part G Chapter 4. There is also a large public park about 200m away on Irvine Street.

(e) the public interest

It is considered in that the public interest will be served positively by the proposed subdivision, as it is consistent with LEP 117 and DCP 2006 and will allow the orderly development of the site.

CONCLUSION

Council has received an application for the construction of a 43 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie. The proposal is permissible under the prevailing zones in the now repealed Camden LEP 117 and also in the recently gazetted Camden LEP 2010.

This application has been referred to Council because of submissions received as well as noted non compliances with DCP 2006. These non compliances relate to the proposed residential density being inconsistent with Figure 33 relating to residential opportunities, and proposed lots 1012-1015, 1026-1029 and 1039-1042 unable to achieve a minimum 9m x 15m rectangle. These variations have been considered by officers and are considered to be acceptable.

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

DRAFT CONDITIONS OF CONSENT

1.0 - General Requirements

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

- Elderslie Stage 10A, Plan of Subdivision, v3, dated 9/9/10

- Elderslie Stage 10A, Building Envelopes Lot Locality Plan, v3, dated 9/9/10

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

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

- (2) **Residential Lot Threshold** - Council has identified the current road capacity in Elderslie is 627 residential lots. Once this threshold is reached it will be necessary to provide alternate road access. This will require the provision of a signal controlled intersection at the Camden Bypass and construction of the associated connecting road linking Lodges Road to the Camden Bypass. In this regard the Principal Certifying Authority will not release any linen plan of subdivision until the required roadworks are complete and operational.
- (3) **Design and Construction Standards** - All proposed civil and structural engineering work associated with the development must be designed and constructed strictly in accordance with:
 - (a) Camden Council's current Engineering Specifications, and
 - (b) the recommendations of the Salinity Management Plan, if applicable

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

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

Notwithstanding the above, the following plant/infrastructure:

- (i) Electrical pad-mounted substations, and
- (ii) Sewer Access Chambers and mains

shall not be located within any proposed:

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

(c) drainage reserve,

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

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

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

(5) Sewer Access Chambers and Mains -

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

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

(7) Water Quality -

● **Phase 1**

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

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

b) Camden Council's current Engineering Design Specification,

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

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

The design must be:

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

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

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

- a) in accordance with the approved plans, and
- b) to the requirements of the Principal Certifying Authority.

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

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

● **Phase 2**

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

The water quality component must have the following:

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

6. Modified “Construction” On-site Detention/Sediment Control Basin and Water Quality Facility, Operation & Maintenance Manual - Prior to the completion of the modified “construction” on-site detention/sediment

control basin and water quality facility, an Operation & Maintenance Manual must be submitted to the Principal Certifying Authority for approval.

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

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

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

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

must be lodged with Camden Council.

The bond:

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

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

The design must be:

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

- b) endorsed by a practicing engineer with National Professional Engineering Registration and with a General Area of Practice in Civil Engineering.
- c) submitted to the Certifying Authority for **inclusion in any application for a Construction Certificate.**

The Design and Construction of the basin must incorporate:

- a) Appropriate “pool type” safety fencing with gate for vehicular access, in accordance with BCA standards and to the satisfaction of the Principal Certifying Authority. Such fencing must incorporate the use of non removable screws.
- b) Appropriate Flood Warning signage.
- c) A reinforced concrete access ramp conforming to the following specifications:
 - Minimum 3.6m wide
 - 200mm thick
 - F82 mesh
 - 32MPa Concrete
 - 50mm Clean Fill Sand Bedding
 - Parking/turning pad at the base
 - Layback in the adjacent kerb if required
 - Grades & turning manoeuvres in accordance with AS 2890.2 for Heavy Rigid Vehicles

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

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

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

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

- a) in accordance with the approved plans,

- b) to the requirements of Camden Council,
- c) when Occupation Certificates for dwellings associated with 70-80% of the lots have been issued.

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

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

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

- a. **vegetation management**
- b. **removal of noxious weeds**
- c. **replacement of filter medium**
- d. **water quality:**

- **Sampling-** water quality sampling should be undertaken for all relevant Water quality parameters contained within the approved "Water Cycle Master Plan". Samples are to be taken from the inlet point of the "on-site detention / sediment Control Basin" and the outlet point of the "Water Quality Facility".
- **Frequency-** The frequency of sampling for each facility must include quarterly sampling for a minimum period of 12 months. Where prolonged drought conditions exist and water is unavailable for testing on a quarterly basis then a minimum of 4 samples must be taken (within a 12 month period) when water is available with a minimum of 2 months between sampling periods.
- **Methodology** for attainment of the required water quality discharge parameters.
- e. **Discussion of sampling results.** A comparison of results with respect to the level of compliance with water quality targets/ criteria will be required and include recommendations for corrective action where non-compliance is determined.

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

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

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

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

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

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

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

15. Works as Executed Plan - A works-as-executed plan is to be prepared and submitted to Camden Council **prior to the issue of the Subdivision Certificate** in accordance with the requirements of Council’s current Engineering Construction Specification, certified by both:

- i) a surveyor registered with the Institute of Surveyors confirming that the completed facility is wholly contained within the proposed lot.

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

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

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

It should be noted that a bond processing administration fee is applicable and

that such a fee aligns with Councils current Fees and Charges.

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

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

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

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

- i) Where any retaining wall adjoins a public road reserve the footings of that wall are to be piered to a level that ensures the integrity of the wall is maintained when and if the road reserve is excavated.
- ii) Subsoil Discharge Strategy – All subsoil drainage pipes must be connected to a disposal system/facility that ensures such pipes are maintained in a continual discharged state and are serviceable. It should be noted that discharge of such pipes to any RTA drainage system requires prior approval by the RTA.
- iii) Construction Materials – The retaining wall must be constructed with proprietary/manufactured masonry products. No organic materials will be permitted.
- iv) Design Loads – The design of the retaining wall must consider all anticipated live and dead loadings for activities associated with both subdivision construction work, the public road, residential use and the proposed water quality and detention basin.
- v) Wind Loads – The design of the retaining wall must consider all anticipated wind loadings for any fencing or noise attenuation measure attached to the wall.
- vi) The retaining wall and associated supporting structure shall be located outside of the Camden Bypass Road Reserve.
- vii) Where the retaining wall adjoins public and/or community land the exposed sections of the retaining wall are to be treated with an anti-graffiti coating.
- viii) Design details of the wall, including structural certification, must be forwarded to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.

2.0 - Construction Certificate Requirements

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

Construction Certificate.

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

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

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

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

The application shall:

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

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

- (i) included with this application, and
 - (ii) have prior approval from the Roads Authority, Camden Council.
- (3) **Road Design Criteria** - Dimensions and pavement design details for proposed roads must align with the following:

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

(Measurements are in metres)

The pavement design/report shall be prepared by a person with experience in the geotechnical aspects of earthworks and endorsed by a practicing engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics.

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

- (4) **Sight Distances** – In relation to vertical and horizontal alignment, widening, benching, landscape, and associated aspects, the applicant, via a suitably qualified designer, is to verify and assure that approach stopping and intersection stopping sight distance requirements have been met in respect to the Australian Standards and the Austroads/RTA Guidelines. The appropriate design speed is to be chosen for the design of sight distance allowances in road and intersection design.
- (5) **Public Risk Insurance Policy - Prior to the issue of any Construction Certificate**, the owner/contractor is to lodge with Camden Council a Certificate of Currency for a Public Risk Insurance Policy. The policy is to relate to the use, occupation of and works within Council's road reserve for all activities associated with this proposed subdivision. The certificate must provide the following details:
 - i) confirmation that such a policy provides a minimum public liability cover of \$10 million.
 - ii) currency period for the policy.
 - iii) the land to which the policy relates, and

iv) the details of the person/company to whom the policy has been issued

The Certificate of Currency must remain current for the duration of all construction activities and until the Plan of Subdivision has been registered by Department of Lands - Land and Property Information.

(6) **Soil Erosion And Sediment Control Plans** - Erosion and sediment control plan/s must be:

- i) prepared by persons with experience in civil engineering design,
- ii) designed in accordance with Camden Council's Development Control Plan 2006 and included in the Environmental Site Management Plan (ESMP), and
- iii) endorsed by a practicing engineer with National Professional Engineering Registration and associated General Area of Practice in Civil engineering.

Such plans shall detail the following:

- iv) existing and final contours
- v) the location of all earthworks including roads, areas of cut and fill and re-grading
- vi) location of impervious areas other than roads
- vii) location and design criteria of erosion and sediment control structures
- viii) location and description of existing vegetation
- ix) site access (to be minimised)
- x) proposed vegetated buffer strips
- xi) catchment area boundaries
- xii) location of critical areas (vegetated buffer strips, drainage lines, water bodies, unstable slopes, flood plains and seasonally wet areas)
- xiii) location of topsoil or other stockpiles
- xiv) signposting
- xv) diversion of uncontaminated upper catchment around areas to be disturbed
- xvi) proposed techniques for re-grassing or otherwise permanently stabilising all disturbed ground
- xvii) procedures for maintenance of erosion and sediment controls
- xviii) details for staging of works
- xix) details and procedures for dust control.
- xx) location of the Stabilised Access Point (SAP)

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

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

- (i) be prepared by a designer accredited by a scheme approved by relevant Public Utility Service Authorities,

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

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

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

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

The bond will be refunded when:

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

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

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

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

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

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

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

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

- (11) **Location of Drainage Pits** – Where drainage kerb inlet pits are proposed adjacent to any lot such pits must be located within 2 metres of either side of the prolongation of any proposed side/ common boundary of the lot. The location of such structures must be clearly delineated in any drainage infrastructure plan submitted to the Certifying Authority for inclusion in any application for a Construction Certificate.
- (12) **Environmental Site Management Plan** - An Environmental Site Management Plan must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate. The plan must be prepared by a suitably qualified person in accordance with AS/NZ ISO 14000 – 2005 and must address, but not be limited to, the following issues:
- (a) all matters associated with Council's Erosion and Sediment Control Policy,
 - (b) all matters associated with Occupational Health and Safety,
 - (c) all matters associated with Traffic Management/Control,
 - (d) all other environmental matters associated with the site works such as noise control, dust suppression and the like.
- (13) **Traffic Management Plan** – A construction traffic management plan relating to all public places must be included in the submitted Environmental Site Management Plan (ESMP) associated with this development consent. The purpose of such is to ensure public safety and minimise/control potential adverse impacts on existing pedestrian and vehicular traffic systems. Plans detailing such matters must: -
- (i) be prepared in accordance with the most current edition of AS1742.3, and
 - (ii) indicate, but not be limited to, all disposal and delivery routes, the location of the Stabilised Access Point/s (SAP) and any vehicular diversionary thoroughfares associated with the construction.
 - (iii) be submitted to and approved by the Roads Authority, Camden Council **prior to the issue of any Construction Certificate**. In that regard, a Public Road Activity (Other) application must be submitted to Camden Council.
- Public Road Activity application forms are available from Council's Customer Service Counter or from Council's internet site <http://www.camden.nsw.gov.au/>
- (14) **Provision of Kerb Outlets** – Where proposed lots grade to an existing/proposed public road, fabricated kerb outlets shall be formed into the concrete table drain adjacent to those lots.

Such kerb outlets shall be:

- (i) located within two (2) metres downstream of the prolongation of the lot corner with the lowest reduced level. Where such a location coincides with a stormwater drainage pit, connection to that pit shall be provided in lieu of the kerb outlet,
 - (ii) constructed in accordance with Camden Council's current Engineering Specification/s,
 - (iii) indicated in any design plan submitted to the Certifying Authority for the purposes of obtaining a Construction Certificate, and
 - (iv) to the requirements of the Principal Certifying Authority.
- (15) **Common Drainage Lines** – Common drainage lines must be constructed to service all lots that do not grade naturally to the road drainage system located adjacent to any proposed lot. The drainage lines shall be designed for the 5% AEP, with a minimum pipe diameter of 150mm. The maximum number of lots to be served by any such common drainage line must not exceed (8) eight. Where necessary, and prior to the issue of any Subdivision Certificate, the Principal Certifying Authority may require drainage works, not necessarily shown in the approved drawings, to be constructed to protect proposed lots and existing land downstream from flooding as a result of any overland flow.

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

- (16) **Drainage Pit Inserts** - Each grated stormwater drainage pit constructed within the proposed subdivision shall be provided with a pollutant filter insert (Enviropod or similar). Details of the inserts and the mechanism/process for installing such inserts must be incorporated into the drainage infrastructure plan/s and must be submitted to the Certifying Authority for approval and inclusion in any application for a Construction Certificate.
- (17) **Long Service Levy** - **Prior to the issue of any Construction Certificate**, documentary evidence must be submitted to the Certifying Authority verifying that the Long Service Levy has been paid.
- (18) **Turning Facilities** – All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc., shall be designed in accordance with Camden Council's Engineering Design Specification, and more specifically with the Heavy Rigid Vehicle (HRV) swept turning path referred to in that document.
- (19) **Salinity Management Plan** - All roads, buildings, services, parks etc within the subdivision shall be designed and constructed in accordance with the *“Salinity Management Plan. Lot 6 DP 242250, Lot 100 DP 851222 and Part Lot 101 DP 851222, Irvine Street Elderslie, NSW”* Ref: JE05277A-r3, dated July 2006 prepared by GeoEnviro Consultancy Pty Ltd. Compliance with the plan must be demonstrated with any application for a Construction Certificate.

- (20) **Stormwater Discharge** – The developer shall ensure that the post-development stormwater discharge from the site into the RTA corridor does not exceed the pre-development discharge. Design plans and hydraulic calculations which demonstrate this shall be submitted to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.
- (21) **RTA Drainage System** – Should there be any changes proposed to the RTA's existing stormwater drainage system, detailed design plans and hydraulic calculations are to be submitted to the RTA for approval. A copy of such approval must be forwarded to the Consent Authority prior to the issue of the Construction Certificate.
- (22) **Detention & Water Quality Basin** – The developer shall liaise with the Dam Safety Committee to obtain the Committee's requirements. Such requirements shall be incorporated into the design of the basin and the associated retaining wall.

3.0 - Prior To Works Commencing

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

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

The validation report and sampling location plan must be prepared:

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

The sampling for salinity of fill volumes less than 6000m³ must provide for 3 sampling locations; fill volumes exceeding 6000m³, require one sampling location

for each additional 2000m³. A minimum of 1 sample from each sampling location must be provided for assessment.

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

Classification of Fill Material	No. of Samples per Volume	Volume of fill (m³)
Virgin excavated Natural material	1 (see note 1)	1000

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

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

- i. delivery date and time,
- ii. truck registration number
- iii. quantity of fill
- iv. origin and type of fill

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

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

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

The sign must be:

- (i) located within the site,
- (ii) clearly visible and legible from the carriageway of any adjacent public road,
- (iii) a minimum size of 300mm x 400mm,

- (iv) erected prior to the commencement of any work, and
- (v) maintained throughout the duration of the construction works.

Note:

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

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

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

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

- (i) “WARNING - UP TO \$1,500 **penalty**” being in upper case text 120mm high and red in colour,
- (ii) all other text being in lower case 60mm high and black in colour, and
- (iii) text in (i) and (ii) above being on white background surrounded by a red border.

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

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

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

4.0 - During Construction

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

- (1) **Site Management –** To safeguard the local amenity, reduce noise nuisance and to

prevent environmental pollution during the construction period, the following practices are to be implemented:

- The delivery of material shall only be carried out between the hours of 7 am - 6pm Monday to Friday and between 8am - 5pm on Saturdays.
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off the site.
 - All construction activities shall be confined to the curtilage of the site. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner.
 - Construction waste must not be burnt or buried on site, nor should any wind-blown matter be permitted to leave the site. All waste must be disposed of at an approved Waste Disposal Depot.
 - A waste control container shall be located within the development site.
- (2) **Hours Of Work** – The hours for all construction and demolition work are restricted to between:
- (a) 7am and 6pm Monday to Friday (inclusive);
 - (b) 7am to 4pm Saturday (if construction noise is inaudible to adjoining residential properties), otherwise 8am to 4pm;
 - (c) work on Sunday and Public Holidays is prohibited.
- (3) **Vehicles Leaving the Site** - The contractor / demolisher / construction supervisor **MUST** ensure that:
- i. all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - ii. the wheels of vehicles leaving the site:
 - a) do not track soil and other waste material onto any public road adjoining the site.
 - b) fully traverse the Stabilised Access Point.
- (4) **Dust Control** - Potential dust sources on-site must be minimised through the maintenance of vegetation cover and the use of water sprays to suppress dust from exposed areas during periods of dry and/or windy weather.
- (5) **Access From Public Places** - Construction access from public places (reserves, parks, walkways and the like) other than roads shall not occur without the prior consent of Camden Council. Bonds or legal agreements may be required to protect Council's assets if access from these places is approved.
- (6) **Buried Building Waste Material** – If building waste materials are encountered on the land then such waste materials must be assessed and classified in accordance with the Environmental Guidelines Assessment, Classification and Management of Non-liquid Waste, NSW EPA, 1997. Where these waste materials are required to be disposed of to a licensed waste facility suitable to each classification, copies of waste tipping dockets are to be retained by the applicant as proof of disposal.

- (7) **Compaction (Lots)** – All proposed lots subject to filling shall be compacted to 95% standard compaction and tested in accordance with Camden Council's current Engineering Specification and the current edition of AS1289.

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

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

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

- (8) **Compaction (Roads)** - All filling on roadways must be compacted at 100% standard compaction and tested in accordance with Camden Council's current Engineering Specification and the most current edition of AS1289.

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

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

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

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

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

- (10) **Unexpected findings Contingency** - Upon the identification of additional contamination or hazardous materials at any stage of the earthworks process all works in the vicinity of the findings shall cease and the affected area must be made secure from access by personnel. A qualified environmental consultant must assess the extent of the contamination / hazard in accordance with the NSW DEC Guidelines. The assessment results together with a suitable management plan must be provided to the Consent Authority (Camden Council) for written approval prior to the removal or treatment of such findings contamination / hazardous

materials. If remediation is required, a Remediation Action Plan (RAP) with an application for consent must be lodged with the Consent Authority in accordance with Council's Management of Contaminated Lands Policy.

5.0 - Subdivision Certificate

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

- (1) Pursuant to **Contributions Plan No 8** amended in September 1997, a contribution must be paid to Council of \$8 per additional lot or dwelling, total \$352, for **Secondary Roundabout R6 (Richardson Road/Lodges Road)**.

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

- (2) Pursuant to **Contributions Plan No 20** adopted in October 1996, a contribution must be paid to Council of \$26 per additional lot or dwelling, total \$1,144, for **Fire and Other Emergency Facilities and Equipment**.

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

- (3) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$8,307 per square metre, total \$365,508 for **Community Facilities**.

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

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

- (4) Pursuant to **Camden Contributions Plan** amended July 2004, a contribution must be paid to Council of \$369 per additional lot or dwelling, total \$16,236 for **s.94 Administration and Management**.

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

- (5) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be made to Council of 112.84m² per additional lot or dwelling, total 4,964.96m², for **s.94 Open Space Land Acquisition** and 3.68m² per additional lot or dwelling, total 161.92m², for **s.94 Community Land Acquisition**.

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

Alternatively, a contribution must be paid to Council of \$15,209 per additional lot or dwelling, total \$669,196.

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

- (6) Pursuant to **Camden Contributions Plan** amended in July 2004, a contribution must be paid to Council of \$31,070 per additional lot or dwelling, total \$1,367,080, for **Drainage, Roadworks, Traffic Facilities, Open Space Embellishment, Newcomers Programme and Masterplan**.

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

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

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

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

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

(iii) Camden Council, must confirm the satisfactory completion of such work, in writing, prior to any release/ fund of the bond.

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

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

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

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision **or** when Occupation Certificates for dwellings associated with 70-80% of the lots created by a subdivision adjoining such road have been issued.

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

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

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

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

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

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

The work is to be completed within 5 years from the registration of the Subdivision Certificate/Plan of Subdivision **or** when Occupation Certificates for dwellings associated with 70-80% of the lots created by the subdivision, directly adjacent to the footway where the subject construction is proposed, have been issued.

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

Note 1: In accordance with Council's current Schedule of Fees and Charges an

administration fee for processing of bonds in the form of cash/cheque or bank guarantees is applicable.

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

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

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

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

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

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

- i) a certificate pursuant to s73 of the *Sydney Water Act 1994*,

Application for such a certificate must be made through an authorised Water Servicing Co-Ordinator,
- ii) a Notification of Arrangements from Integral Energy,
- iii) written advice from an approved telecommunications service provider (Telstra, Optus etc) stating that satisfactory arrangements have been made for the provision of underground telephone plant within the subdivision site.

(14) **Value of Works – Prior to issue of the Subdivision Certificate** the applicant must submit an itemised value of civil works for the inclusion in Council's Asset Management System. The applicant can obtain a valuation sheet from Council upon request.

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

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

1. Lot numbers:

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

2. Street names:

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

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

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

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

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

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

- i) indicate the classification of soil type generally found within the subdivision,
- ii) provide a lot classification for each lot within the subdivision,
- iii) be prepared:
 - a) by a person with experience in geotechnical aspects of earthworks,
 - b) in accordance with the requirements of the current editions of AS 2870 "Residential Slabs and Footings" and AS 3798 "Guidelines on Earthworks for Commercial and Residential Development",

- iv) be endorsed by a practicing engineer with National Professional Engineering Registration and a Specific Area of Practice in Subdivisional Geotechnics.
- (19) **Vehicular Access Denial for Specific Lots** – The Principal Certifying Authority must confirm the “access denied” location of any proposed lot affected by drainage pits, service fixtures or the like, adjacent a proposed/existing public road. Such information must be reflected in an appropriate restriction-as-to-user pursuant to s.88B of the *Conveyancing Act 1919* and included in any application for a Subdivision Certificate.
- (20) **Fill Plan** – A Fill plan must be submitted to the Principal Certifying Authority (PCA) **prior to the issue of any Subdivision Certificate**. The plan must:
- i) show lot boundaries,
 - ii) show road/drainage/public reserves,
 - iii) show street names,
 - iv) show final fill contours and boundaries,
 - v) show depth of filling in maximum 0.5m increments, and
 - vi) be prepared electronically in Portable Document Format (.pdf) at 150 dpi with a maximum individual file size not exceeding 2 Megabytes and submitted both on compact disc and an A1 paper plan.
- (21) **Works as Executed Plan** – A Works as Executed plan shall be submitted to the Principal Certifying Authority (PCA) **prior to the issue of any Subdivision Certificate**. The plan shall:
- (a) be prepared in accordance with the requirements of Camden Council’s current Engineering Specification,
 - (b) include Flood Line Identification requirements,
 - (c) be endorsed by a registered Land Surveyor,
 - (d) be submitted to the Principal Certifying Authority (PCA) for approval, and
 - (e) be submitted electronically in Portable Document Format (.pdf) at 150 dpi with a maximum individual file size not exceeding 2 Megabytes and submitted both on compact disk and an A1 paper plan.
- (22) **Surveyors Report - Prior to the issue of any Subdivision Certificate** certification prepared by a registered surveyor stating that: -
- i) all drainage lines and associated structures have been laid within their respective easements,

- ii) that no services or accessways encroach upon any proposed boundary other than as provided for by easements as created by the final Plan of Subdivision.

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

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

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

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

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

- (i) in accordance with the requirements of the Principal Certifying Authority (PCA) and the Roads Authority, Camden Council, and

- (ii) **prior to the issue of any Subdivision Certificate**.

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

- i) indicate 1% AEP contour/s watercourses
- ii) indicate public reserves,
- iii) indicate drainage reserves, the extent of which is determined by the 1% AEP, and
- iv) align with the approved works-as-executed plan.

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

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

- (a) Easement for services.
- (b) Easement to drain water.
- (c) Easement for on-site detention.
- (d) Restriction as to user indicating that any detention basin/water quality facility on privately owned land must be maintained at all times to a level sufficient to ensure efficient operation of the basin, and that the Consent Authority (ie Camden Council) must have the right to enter upon the burdened lot with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency) to:
 - (i) view the state of repair of the basin;
 - (ii) to execute any work required to remedy a breach of the terms of this covenant if the proprietor has not within fourteen (14) days of the date of receipt by the proprietor of written notice from the Council, requiring remedy of a breach of the terms of this covenant, taken steps to remedy the breach and without prejudice to the Council's other remedies the Council may recover as a liquidated debt the cost of such remedial work from the proprietor forthwith upon demand.
 - (iii) Restriction as to user indicating that the on-site detention basin must not be altered, or removed in part, or structures erected thereon without the prior consent of Council.
- (e) Restriction as to user over any filled lots which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
- (f) Restriction as to user over each proposed residential lot indicating that no combustion heaters or wood burning fireplaces are permitted in any proposed dwelling on the lots.
- (g) Restriction as to user over each proposed residential lot stipulating that all waste and recycling bins shall be kept behind the building line, not visible from the road.
- (h) Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.
- (i) Restriction as to user over each proposed residential lot stipulating that all dwellings, landscaping & associated works must be constructed/provided in accordance with the *"Salinity Management Plan. Lot 6 DP 242250, Lot 100 DP 851222 and Part Lot 101 DP 851222, Irvine Street Elderslie, NSW"* Ref: JE05277A-r3, dated July 2006 prepared by GeoEnviro Consultancy Pty Ltd. Compliance with the plan must be demonstrated for each residential development application.

(29) **Show Easements on the Plan of Subdivision** - The developer must acknowledge all existing easements on the final plan of subdivision.

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

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

END OF CONDITIONS

RECOMMENDED

That Development Application 305/2007 for a 43 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie be approved, subject to the draft conditions of development consent shown above.

ATTACHMENTS

1. Location plan
2. Development plan and building envelope plan
3. Submissions (sup doc)

  
Location Plan Lot 2992 DP1121800 Elderslie.pdf building envelope plan.PDF development plan.pdf


Submissions DA305-2007.pdf

RESOLUTION

MOTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that consideration of Development Application 305/2007 for a 43 lot torrens title subdivision, construction of new roads, 1 residue residential lot and 1 residue lot for a drainage reserve at 2A (Lot 2992 DP 1121800) Greenfield Crescent, Elderslie be deferred pending further discussions between the Developer and Council officers.

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

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

No Councillor voted against the Motion).

ORD219/10

ORDINARY COUNCIL

ORD02

SUBJECT: PLANNING PROPOSAL FOR MINOR AMENDMENTS TO
CAMDEN LEP 2010
FROM: Director Governance
FILE NO: LEP Template

PURPOSE OF REPORT

The purpose of this report is to provide Council with an update regarding the planning proposal incorporating minor amendments to Camden LEP 2010 (LEP 2010), and to seek Council's endorsement to forward the planning proposal to the Department of Planning (DoP) for the plan to be made.

BACKGROUND

The purpose of the planning proposal is to make minor housekeeping amendments to LEP 2010 which was gazetted on 3 September 2010. The planning proposal will amend LEP 2010 by inserting planning controls that were inadvertently omitted whilst converting the previous Camden LEPs into the LEP template format. The insertion of these controls is consistent with the 'status quo' philosophy adopted during the preparation of LEP 2010 and will ensure that the LEP is robust.

The planning proposal was initially reported to council on 22 June 2010 where Council resolved to submit the planning proposal to the DoP for Gateway Determination, and subject to a favourable response, proceed directly to gazettal.

The Gateway Determination subsequently required a 14 day public exhibition period. The matter has been brought back to Council before forwarding to the DoP.

MAIN REPORT

Gateway Determination

On 25 August 2010 the DoP advised that the planning proposal may proceed to public exhibition, as required by the Gateway Determination provided that the dwelling yield clauses for the Camden Lakeside, Spring Farm and Elderslie Urban Release Areas were removed. The DoP suggested that the dwelling yield clauses should instead remain in the DCP. Council officers concurred with this recommendation and the dwelling yield requirements will be retained in the draft Camden DCP currently being prepared. The planning proposal has been amended accordingly and now includes the following matters:

Camden Lakeside Urban Release Area - to amend the LEP 2010 Lot Size Map to reflect the existing minimum lot sizes for the Camden Lakeside development. A map

showing the subject land is **provided as Attachment 1A**. The proposed amendment to the minimum lot size map for Camden Lakeside is **provided as Attachment 1B**.

Manooka Valley Urban Release Area – to amend the Lot Size Map to reflect the current minimum lot sizes for the Manooka Valley Urban Release Area. A map showing the subject land is **provided as Attachment 2A**. The proposed amendment to the minimum lot size map for Manooka Valley is **provided as Attachment 2B**.

B2 Zone at Mount Annan – to amend LEP 2010 to permit multi dwelling housing on three lots at Mount Annan. Multi dwelling housing was a permissible use in the previous LEP however it was inadvertently omitted from LEP 2010. A map showing the subject land is **provided as Attachment 3**.

Heritage Item “Hilsyde” – 56 Hilder Street Elderslie – to amend the Heritage map by reducing the heritage curtilage of the heritage item to reflect the current subdivision layout for which development consent has been issued. A map showing the subject land is **provided as Attachment 4A**. The proposed amendment to the heritage map is **provided as Attachment 4B**.

The amended planning proposal document provides additional detail regarding each of the proposed amendments and is **provided as Attachment 5**.

Community consultation

The report to Council on 22 June 2010 advised that community consultation would not be required as the planning proposal is minor in nature and reflects the current planning controls that had previously been exhibited. However, during the Gateway Determination process, the DoP advised that the planning proposal would need to be exhibited for 14 days.

Public exhibition of the planning proposal and supporting documents occurred from 8 September to 21 September 2010 and no submissions were received.

CONCLUSION

The planning proposal has been amended and exhibited in accordance with the requirements of the DoP’s Gateway Determination and no submissions were received. The planning proposal may now be forwarded to the DoP for the plan to be made.

RECOMMENDED

That Council:

- i. adopt the revised planning proposal**
- ii. forward the planning proposal to the DoP for the plan to be made, and**
- iii. retain the dwelling yield controls in the DCP**

ATTACHMENTS

Attachment 1A & 1B - Camden Lakeside
Attachment 2A & 2 B - Manooka Valley

Attachment 3 - Mt Annan
Attachment 4A & 4B - Hilyside
Attachment 5 - Planning Proposal Minor Amendments to LEP 2010

 Attachment 5 - Planning Proposal Minor Amendments.pdf  Attachment 4A & 4B.pdf  Attachment 3 - Mt Annan.pdf
 Attachment 1A & 1B Camden Lakeside.pdf  Attachment 2A & 2B Manooka Valley.pdf

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that Council:

- i. adopt the revised planning proposal;
- ii. forward the planning proposal to the DoP for the plan to be made, and
- iii. retain the dwelling yield controls in the DCP.

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

ORD220/10

ORDINARY COUNCIL

ORD03

SUBJECT: PROPOSAL TO ACCEPT THE DEDICATION OF RIPARIAN
CORRIDOR LAND AT GREGORY HILLS
FROM: Director Governance
FILE NO: Turner Road Precinct

PURPOSE OF REPORT

Council has received a proposal from Dart West Developments Pty Ltd to dedicate 2.45 hectares of riparian corridor land, located within the Turner Road Precinct, to Council free of cost in accordance with Council's Dedication of Riparian Corridors Policy adopted on 8 December 2009.

BACKGROUND

Riparian corridors perform an important community and environmental function. Typically, such land has been in public ownership, which has been vital to achieve good environmental and community outcomes and effective maintenance programs. Historically, Council has been able to acquire this land through development contributions. However, when the Oran Park and Turner Road Precincts Section 94 Contribution Plan was being prepared, Council was directed by the State Government not to acquire this land through development levies. As a result, Council adopted the Dedication of Riparian Corridors Policy to address circumstances where Council would accept the dedication of this land if a developer were willing to offer the land to Council free of cost. A copy of this Policy is provided in **Attachment 1 to this report**.

A proposal has been received from Dart West Developments Pty Ltd to dedicate riparian corridor land with an area of 2.45 hectares to Council free of cost in accordance with Council's policy. The land is located adjacent to Stage 1 of the Gregory Hills development, part of the Turner Road Precinct. A map showing the location of the land proposed to be dedicated is provided in **Attachment 2 to this report**.

MAIN REPORT

Riparian corridors traversing urban release areas have always been considered appropriate as public land given the importance of the community benefits they deliver in terms of water quality treatment, fauna habitat, threatened species protection and additional passive open space and recreation opportunities.

Council worked with the Department of Planning to prepare the Indicative Layout Plan (masterplan) for the Oran Park and Turner Road precincts within the South West Growth Corridor. The planning for these areas initially provided for the public ownership of the riparian corridor land to secure good environmental outcomes and community benefits.

In an effort to improve housing affordability, the Minister for Planning issued a Direction on 2 January 2008 applying to all new contributions plans for land within the Growth Centre that limited the infrastructure and land acquisition that could be levied for in contributions plans. Specifically this Direction prevented Council from levying for the acquisition of riparian corridor land.

Council complied with the Direction by removing the acquisition of riparian corridor land from the Oran Park and Turner Road Precincts Section 94 Contribution Plan. As a result, Council no longer had a funding source for the purchase of the riparian corridor land. Planning solutions were developed to enable the private ownership of the riparian corridor, which unfortunately would result in poor environmental outcomes and reduced opportunity for community benefit. To address this, Council adopted a policy on the Dedication of Riparian Corridor Land. This policy enables Council to consider accepting ownership of this land provided certain criteria were addressed, including that the land must be dedicated free of cost.

Dart West Developments have made an offer to Council to dedicate an area of 2.45 hectares of riparian corridor land to Council. Dart West have provided a submission addressing the requirements of Council's policy. This is shown in **Attachment 3 to this report**. Following is a summary of the submission:

- The land is proposed to be dedicated to Council free of cost. Dart West accepts that there will be no 'Section 94 credits' or compensation for the land.
- Dart West have prepared a Vegetation Management Plan (VMP) for the subject land. The VMP details a 5 year maintenance and establishment set of guidelines following on from the successful practical completion of the restoration works.

The restoration works have been approved (on 29 July 2010) as part of DA 468/2010.

Dart West will complete the restoration, maintenance and establishment works at their own cost.

At the completion of the 5 year maintenance and establishment period, Council would accept the ongoing maintenance and responsibility, providing the site restoration works have been successfully completed and established and the site was at a standard acceptable to Council.

NOTE: Dart West are proposing to invest approximately \$300,000 in restoring and maintaining the corridor land in the first 5 years. The land will transfer to Council at a time when restoration works are complete and maintenance programs are stabilising. Council's ongoing maintenance of the land is estimated at \$11,200 per annum.

- The design of the corridor is consistent with the requirements of the Waterfront Land Strategy, and strikes a balance between environmental restoration objectives and minimisation of future maintenance costs.
- The land offered for dedication is part of a staged development approach and is

adjacent to development which has been designed to include perimeter roads, which will provide high levels of passive surveillance.

NOTE: Given the staged approach to development and land dedication, which is encouraged in Council's policy, it is likely that there will be subsequent offers from Dart West Developments (and others) to dedicate riparian corridor land free of cost over time.

- The dedication of the land will provide, or has the potential to provide, community benefits including:
 - Improved water quality;
 - Additional open space;
 - Habitat for flora and fauna;
 - Recreation opportunities;
 - Retention of view corridors;
 - Promotion of community health; and
 - Environmental education.

The proposal to dedicate the riparian corridor land has been considered by Council's internal Development Contributions Management Committee and is supported.

As required by Council's policy, it will be necessary for Council and Dart West Developments to enter into a Voluntary Planning Agreement as this is the appropriate mechanism for agreeing to accept the dedication of the riparian corridor land. Dart West Developments is seeking 'in principle' support from Council for the proposed land dedication in order to progress Voluntary Planning Agreement negotiations.

If Council is willing to accept the dedication of the riparian corridor land, a draft Voluntary Planning Agreement will be prepared. A report will be submitted for Council's consideration regarding the draft agreement and seeking a resolution to place the draft agreement on public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Act* and Regulations. A further report would be submitted to Council at the conclusion of the exhibition period to allow for consideration of any submissions received.

CONCLUSION

Dart West Developments are offering to dedicate 2.45 hectares of land to Council free of cost. This is land that Council identified through the planning process as being desirable to be in public ownership in order to deliver good environmental outcomes and enable the corridor to provide benefits to the whole community.

The inability to use development levies to fund riparian land acquisition has meant that Council is unable to purchase the land. The offer from Dart West Developments to provide this land free of cost to Council is therefore seen as an opportunity for Council to secure a significant community benefit at no capital cost.

Without Council acceptance of the offer to dedicate the land, water quality and the environmental outcomes for the riparian corridor will be severely comprised. It would also result in a significant loss of potential community benefits in the form of access to additional open space, recreation opportunities, promotion of community health and

environmental education.

It is recommended that Council provides 'in principle' support for the dedication of the riparian corridor land, with a draft Voluntary Planning Agreement to be prepared as the mechanism for effecting the land dedication.

RECOMMENDED

That Council:

- i. provides 'in principle' support for dedication of riparian corridor land to Council free of cost as outlined in the submission from Dart West Developments Pty Ltd dated June 2010; and**
- ii. enters into Voluntary Planning Agreement negotiations with Dart West Developments Pty Ltd in relation to the dedication of the riparian corridor land.**

ATTACHMENTS

Attachment 1 - Riparian Land Dedication Policy

Attachment 2 - Plan showing dedicated land

Attachment 3 - Submission



Riparian Land_Attach 3_Submission from Dart West.pdf



Riparian Land_Attach 1_Riparian Land Dedication Policy.doc



Riparian Land_Attach 2_Plan showing land to be dedicated.pdf

RESOLUTION

Moved Councillor Anderson, Seconded Councillor Cagney that Council:

- i. provides 'in principle' support for dedication of riparian corridor land to Council free of cost as outlined in the submission from Dart West Developments Pty Ltd dated June 2010; and**
- ii. enters into Voluntary Planning Agreement negotiations with Dart West Developments Pty Ltd in relation to the dedication of the riparian corridor land.**

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

ORD221/10

ORDINARY COUNCIL

ORD04

SUBJECT: RESULT AGAINST BUDGET FOR YEAR ENDING 30 JUNE 2010
FROM: Director Governance
FILE NO:

PURPOSE OF REPORT

The purpose of this report is to inform Council of the budget result for the year ending 30 June 2010 in accordance with Part 9, Division 3, Clause 203 of the Local Government (General) Regulation 2005.

SUMMARY OF BUDGET REVIEW

Council was advised at its meeting 24 August 2010 of the interim year-end budget result for the 2009/10 financial year. The purpose of the report was to ensure Council's legislative compliance with the Local Government Act, and was not representative of final budget result for 2009/10.

With the Financial Reports as at 30 June 2010 almost complete, a formal review of the budget has now been finalised.

As at 31 March 2010 Council adopted a budget surplus of \$24,231. A review of the 2009/10 budget as at 30 June 2010 has identified an increase in the budget surplus for the 2009/10 financial year of \$1,946,667.

Taking into consideration the adopted March surplus of \$24,231, the final budget result as at 30 June 2010 provides for an accumulated budget surplus of \$1,970,898.

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

CHIEF FINANCIAL OFFICER'S COMMENTS

The budget surplus is partly due to the Federal Government's forward funding of the first quarter of the 2010/11 Financial Assistance Grant, an increase in development income as a result of improving market conditions and a deliberate effort by management to restrain expenditure.

With the gradual improvement in economic conditions Council is beginning to realise additional revenue through growth. This will provide Council with an opportunity to address staff shortages in areas where there is a clear impact on current service levels to the community or Council's ability to meet its statutory obligations. Council's long-term resource planning has identified a number of positions required over the next 10 years if Council is to keep pace with the rapid growth of the LGA.

Council's infrastructure renewal backlog is still a critical priority, including the general

fund shortfall of almost \$2.9 million for the upgrade of Lodges Road. The shortfall is a result of Council's Special Rate Variation being restricted to 3 years. The improving financial position will also allow for the next stage of planning for a new administration building, which is critical if we are to service the needs of 200,000 new residents.

The recommendation for the allocation of the surplus will in part address both issues.

ALLOCATION OF THE 2009/10 BUDGET SURPLUS

It is recommended that the surplus be allocated as follows:

Allocation of 2009/10 Budget Surplus		
Available Budget Surplus		\$1,970,898
Less: Financial Assistance Grant Advance	\$538,169	
Budget Surplus Available for Allocation		\$1,432,729
Transfer to Reserve - 2010/11 Budget (Project Based Staff)	\$250,000	
Transfer to Reserve - Capital Works Reserve	\$1,182,729	
Total - Transfer to Reserve		\$1,432,729
Budget Surplus Balance After Allocation		\$0

Financial Assistance Grant Advance \$538,169

The Federal Government has brought forward the first quarterly payment of the 2010/11 local government financial assistance grant to the 2009/10 financial year. This amount is required to be restricted to the working funds reserve to fund the 2010/11 budget where it is already committed.

Project based staffing \$250,000

It is recommended that \$250,000 be transferred to the working funds reserve to provide a short term solution to staff shortages. The allocation of funds would be at the General Manager's discretion to be used for project based staffing. This would alleviate some of the pressure being experienced where growth is having a direct impact on service levels to the community or the ability of staff to complete short term projects. Any funds not utilised as at 30 June 2011 will go back into the budget for re-distribution.

Capital Works Reserve \$1,182,729

It is recommended that the balance of the 2009/10 budget surplus be transferred to the Capital Works Reserve. The reserve will provide a funding source for the next stage of planning for a new administration building and assist in funding the upgrade of Lodges Road.

Further information and explanation of the increase in the budget surplus is detailed below:

NOTE 1 – MAJOR VARIATIONS TO BUDGET

Variations between the adoption of the March Review of the 2009/10 Budget and the final budget result for 2009/10 led to a increase in the budget surplus of \$1,965,167. A list of the variations (greater than \$10,000) is provided in the following table. Brief explanations follow the table.

YEAR END BUDGET RESULT MAJOR VARIATIONS TO BUDGET	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: Increase in income is an increase in working funds	
Shortfall in income is a decrease in working funds	
1. Financial Assistance Grant Advance Payment Increase	\$538,169
2. Development Fees & Charges Income Increase	\$240,930
3. Land Valuation Objections - Rate Income Shortfall	(\$149,326)
4. Corporate & Development Legal Income Increase	\$50,877
5. General Fund Interest on Investments Increase	\$23,814
6. Asset Management Private Works & Restorations Increase	\$17,018
7. Dog Registration DLG Rebate Increase	\$15,632
8. Section 603 Certificate Income Increase	\$12,268
9. Easement Access Compensation Income Increase	\$11,000
10. Community Facilities Hire Income Increase	\$10,259
Variations under \$10,000 - Various Increases	\$44,869
Sub Total - Income Adjustments	\$815,510
EXPENDITURE ADJUSTMENTS	
Note: Increase in expenditure is a decrease in working funds	
Savings in expenditure is an increase in working funds	
11. Corporate Salaries Staff Vacancy Provision Savings	\$273,653
12. Parks & Gardens Planned Maintenance & Services Savings	\$103,890
13. Road Maintenance & Repairs Savings	\$101,424
14. Corporate Professional Development Savings	\$94,944
15. Parks Regional Roads Contract Mowing Savings	\$73,803
16. Fleet Management Vehicle Expenses Savings	\$49,438
17. Rural Fire Services Operational Expenditure Increase	(\$47,366)
18. Corporate Superannuation Expense Savings	\$45,903
19. Corporate & Development Legal Expenditure Savings	\$45,581
20. Streetscape Furniture Maintenance & Repairs Savings	\$36,325
21. Public Libraries Operational Result Savings	\$32,771
22. Strategic Planning Camden Local Plan Savings	\$30,600
23. Office Equipment Leasing & Consumables Savings	\$29,862
24. Management Executive Operational Expenses Savings	\$29,682
25. Corporate Salaries Overtime & Higher Grade Payments Savings	\$26,241

YEAR END BUDGET RESULT MAJOR VARIATIONS TO BUDGET (Continued)	Budget Impact Increase / (Decrease)
26. Information Technology Licence Payments Savings	\$25,289
27. Tourism Services Visitors Guide Brochure Savings	\$21,340
28. Development Operational Expenditure Savings	\$19,945
29. Camden Swimming Pool Operational Expenses Increase	(\$19,818)
30. Development Microfilming Expenses Savings	\$19,664
31. Corporate Telecommunication Expense Savings	\$19,494
32. Corporate Administration Expenses Savings	\$17,233
33. Camden Civic Centre Trading Result Increase	(\$16,768)
34. Mount Annan Leisure Centre Operational Expenses Savings	(\$16,083)
35. Noxious Weeds Operational Expenditure Savings	\$13,933
36. Animal Management Pound Expenses Savings	\$13,816
37. Road Safety Program Operational Expenditure Savings	\$13,362
38. Councillors Program Consolidated Ward Funds Savings	\$13,131
39. Corporate Advertising Expenditure Savings	\$11,884
40. Rates Notice Printing Savings	\$11,874
41. Tourism Action Plan Savings	\$11,674
42. Strategic Planning Operational Expenditure Savings	\$11,288
Variations under \$10,000 - Various Savings	\$51,648
Sub Total - Expenditure Adjustments	\$1,149,657
TOTAL - MAJOR VARIATIONS TO BUDGET	\$1,965,167

1. Financial Assistance Grant Advance Payment - Increase in Income of \$538,169

The Federal Government has brought forward the first quarterly payment of the 2010/11 local government financial assistance grant to the 2009/10 financial year. This means that Council's financial assistance grant revenues in 2009/10 has one additional payment than projected, and 2010/11 revenues will be one payment short. This amount is required to be restricted to the working funds reserve to fund the 2010/11 budget where it is already committed.

2. Development Fees & Charges Income - Increase in Income of \$240,930

Development income continues to exceed budget expectations. Council has again received a number of Development Applications of high value this quarter which reflects the high development activity in the release areas of Spring Farm, Elderslie, Oran Park and Turner Road. Individual dwelling application numbers remain above expectations due to the first home owners scheme and the greater availability and hence affordability of ready-to-build residential lots in Camden. The income received

from development activity is difficult to budget for as the level of income is determined by market conditions.

3. Land Valuation Objections (Rate Income) - Decrease in Income of \$149,326

Council has been advised by the Valuer General that as a result of successful land valuation objections some land values within the LGA have decreased. This will result in a rate income reduction for 2009/10 of \$149,326. Although this is a reduction in income in 2009/10, under the Local Government Act Council is allowed to recover the shortfall the following year by spreading the shortfall over the entire LGA. The valuing of land is the responsibility of the Valuer General, Council has no input into this process.

4. Corporate & Development Legal Income - Increase in Income of \$50,877

This increase in income relates primarily to the reimbursement of costs associated with legal action Council has taken in this financial year and previous financial years. Additional income was also received to reimburse Council for arranging legal documents such as access agreements for public authorities.

5. General Fund Interest on Investments - Increase in Income of \$23,814

The fourth quarter performance of Council's investment portfolio is above budget expectations. The 2009/10 March Budget Review projected an average weighted return for the fourth quarter of 5.50%. Council has been able to achieve more competitive rates with an actual weighted average return for this period of 5.55%. Council's return on its investment portfolio has also improved as a result of a higher pool of funds available for investment, which is due to delays in some major capital works projects as outlined within the 2009/10 expenditure revotes list presented to Council on the 24 August 2010.

6. Asset Management Private Works & Restorations - Increase in Income of \$17,018

Council regularly undertakes restorations works on behalf of other public authorities. These works have resulted in a net return to Council of \$17,018.

7. Dog Registration DLG Rebate - Increase in Income of \$15,632

Additional income has been recognised through the commission Council receives from the Division of Local Government for dog registrations. This budget target is dependent on the number of registrations processed by Council and can fluctuate from year to year.

8. Section 603 Certificate Income - Increase in Income of \$12,268

Income from processing Section 603 Certificate applications continues to exceed budget expectations. The increase in Section 603 certificate income represents the influx of applications generated by the first home owners grant scheme, and continued development activity in new release areas within the LGA.

9. Easement Access Compensation Income - Increase in Income of \$11,000

During the 2009/10 financial year, Integral Energy has requested access to a number

of easements in the Mount Annan and Harrington Park areas for the placement of substations. This additional income represents compensation to Council for access to these easements.

10. Community Facilities Hire Income - Increase in Income of \$10,259

Income from the hire of Community facilities is above budget expectations. This is primarily due to the higher than expected casual hire of facilities for private and community functions. Income from casual hire is difficult to project and can fluctuate from year to year.

11. Corporate Salaries Staff Vacancy Provision - Decrease in Expense of \$273,653

The saving is a result of vacancies within Council's staff establishment. As a result of the austerity measures taken to limit expenditure during the 2009/10 financial year, a rigorous review of all vacant positions was undertaken before the replacement was approved by the General Manager.

12. Parks & Gardens Planned Maintenance & Services - Decrease in Expense of \$103,890

Savings within the parks maintenance & services budget are a direct result of the delays in commencing a range of maintenance programs in the first quarter of 2009/10. There was uncertainty at the beginning of this financial year regarding the expenditure cuts which would be required to fund the 2009/10 budget deficit. As a consequence of this, some works did not commence until the second quarter of the year making it difficult to complete the program by the 30 June 2010.

13. Road Maintenance & Repairs - Decrease in Expense of \$101,424

Savings primarily relate to the inclusion of Lodges Road in the 2009/10 Road Reconstruction Program. A number of general maintenance works were not completed due to the reallocation of resources to complete the works. Savings have also been identified as a result of wet weather which impacted on Council's ability to complete a range of preventative maintenance works.

14. Corporate Professional Development - Decrease in Expense of \$94,944

Council's training and professional development allocation is intended to fund a range of programs to provide staff with the required skills and knowledge appropriate for the organisation's levels of activity. As a result of the austerity measures taken to limit expenditure during the 2009/10 financial year, it was decided that this program would be reduced until Council's financial position improves.

15. Parks Regional Roads Contract Mowing - Decrease in Expense of \$73,803

Council was able to meet its regional road verge mowing contract requirements using lower than expected labour resources. Additional revenue has been realised through variations to the existing contract, where new works have been included in the agreement at the request of the RTA.

16. Fleet Management Vehicle Expenses - Decrease in Expense of \$49,438

A reduction in corporate vehicle expenses has been achieved predominantly through staff vacancies and the ongoing conversion of the fleet to 4 cylinder vehicles.

17. Rural Fire Services Operational Expenditure - Increase in Expense of \$47,366

Council's rural fire services program is funded by an operating subsidy from the State Government. As a result of increased vehicle operating costs and building utility costs, expenditure for 2009/10 exceeds the operating subsidy received.

18. Corporate Superannuation Expense - Decrease in Expense of \$45,903

Reduction in superannuation costs is in line with positions vacant within Council's staff structure. This variation reflects a 2.10% reduction in Council's superannuation budget.

19. Corporate & Development Legal Expenditure - Decrease in Expense of \$45,581

Legal expenditure is extremely difficult to predict and largely depends on the number of matters Council requires specialist advice on during the year. Council has not required the same level of legal advice as in previous years.

20. Streetscape Furniture Maintenance & Repairs - Decrease in Expense of \$36,325

No additional purchases or major repairs were required during the 2009/10 financial year resulting in a savings to this program.

21. Public Libraries Operational Result - Decrease in Expense of \$32,771

Savings have been achieved in a range of programs and services offered by the Camden and Narellan Libraries. All expenditures relating to these programs have been carefully considered given Council's current financial position. Additional revenues relate to higher than expected income from fines, reservations and miscellaneous income.

22. Strategic Planning Camden Local Plan - Decrease in Expense of \$30,600

Council has been able to secure grant funds from the Department of Planning as an alternative source of funding for this project. This allocation is no longer required to complete this project.

23. Office Equipment Leasing & Consumables - Decrease in Expense of \$29,862

Service charges are calculated on a consumption basis, and as such are difficult to project. The saving reflects a reduction in the use of office equipment when compared to previous years.

24. Management Executive Expenses - Decrease in Expense of \$29,682

An annual allocation is provided to each of Council Directorates to fund unexpected works, staffing shortfalls and specialised training and professional development. This program has been restricted as a result of the austerity measures taken to limit expenditure during the 2009/10 financial year.

25. Corporate Overtime & Higher Grade Payments - Decrease in Expense of \$26,241

Savings in overtime and higher grade payments were realised during 2009/10, a direct result of austerity measures undertaken by management to limit expenditure during the 2009/10 financial year.

26. Information Technology Licence Payments - Decrease in Expense of \$25,289

The saving represents a reduction in the number of licence payments required for Council's core systems during 2009/10.

27. Tourism Services Visitors Guide Brochure - Decrease in Expense of \$21,340

A visitors guide was not required during 2009/10, returning a saving to the budget of \$21,340.

28. Development Operational Expenditure - Decrease in Expense of \$19,945

As a result of the austerity measures under taken to limit expenditure during the 2009/10 financial year, discretionary expenditure within Council's development branch was restricted, resulting in a saving of \$19,945.

29. Camden Pool Operational Expenses - Increase in Expense of \$19,818

Please refer to the detailed analysis provided at the end of this section.

30. Development Microfilming Expenses - Decrease in Expense of \$19,664

This budget allocation provides for the conversion of development application documentation to electronic files for storage in Council's electronic document management system. This process has not required the total budget allocation projected for 2009/10.

31. Corporate Telecommunication Expense - Decrease in Expense of \$19,494

A review of Council's current budget allocation for land lines and mobile phone usage has resulted in savings of \$19,494. This is in part due to better pricing negotiated with Council's telecommunications provider.

32. Corporate Administration Expenses - Decrease in Expense of \$17,233

Expenditure in corporate administration includes items such as records storage, minor equipment and corporate stationery requirements. Savings are primarily a result of the austerity measures taken to limit expenditure during the 2009/10 financial year.

33. Camden Civic Centre Trading Result - Increase in Expense of \$16,768

Civic Centre income estimates during the fourth quarter of 2009/10 continue to reflect the downturn in function hire and "catered" functions which was experienced during the first three-quarters of 2009/10. The reductions in income were partially offset by a reduction in function staff costs, building maintenance and general function expenditure.

34. Mount Annan Leisure Centre Operational Expenses - Increase in Expense of \$16,083

Please refer to the detailed analysis provided at the end of this section.

35. Noxious Weeds Operational Expenditure - Decrease in Expense of \$13,933

Expenditure in the noxious weeds program is below budget expectations as a result of staff vacancies, and measures taken to limit non-essential works to improve Council's financial position.

36. Animal Management Pound Expenses - Decrease in Expense of \$13,816

Council's animal pound costs are largely reactive to impounding incidents. This saving is a result of a less than expected number of impounding incidents occurring during the 2009/10 financial year.

37. Road Safety Operational Expenditure - Decrease in Expense of \$13,362

A range of programs within the Road Safety function were completed using grant funding.

38. Councillors Consolidated Ward Funds - Decrease in Expense of \$13,131

Council's original budget allocation for the 2009/10 financial year was \$30,000. Savings were returned to the allocation as a result of a less than expected cost in lighting the RSL Cenotaph of \$2,631, resulting in a total budget available of \$32,631. As at the March Review, Council had committed / spent \$5,500. During the fourth quarter of 2009/10 Council has subsequently allocated \$14,000, resulting in an overall savings to the budget of \$13,131.

39. Corporate Advertising Expenditure - Decrease in Expense of \$11,884

As a result of the austerity measures taken to limit expenditure during the 2009/10 financial year, corporate advertising expenditure has been restricted until Council financial position improves.

40. Rates Notice Printing - Decrease in Expense of \$11,874

A significant budget saving has been achieved by changing Council's supplier for rate notice printing.

41. Tourism Action Plan - Decrease in Expense of \$11,674

Savings within the tourism action plan is a result of cost sharing arrangements with neighbouring Councils for regional tourism initiatives.

42. Strategic Planning Operational Expenditure - Decrease in Expense of \$11,288

As a result of the austerity measures taken to limit expenditure during the 2009/10 financial year, funding of strategic planning programs have been restricted until Council's financial position improves.

MOUNT ANNAN LEISURE CENTRE & CAMDEN MEMORIAL POOL

Mount Annan Leisure Centre Operations

Council adopted an operating deficit of \$75,400 for the Mount Annan Leisure Centre for 2009/10. An adjustment was made at the September Review as a result of an anticipated increase in electricity costs which increased the deficit by \$50,000. Minor adjustments have also been made during the financial year of \$700. These adjustments revised the projected operating deficit to \$126,100. The actual "operating" deficit for the centre was \$27,855, a decrease in the projected deficit of \$98,245.

The improved position is a result of strong growth in health club memberships, aquatic education and recreational swimming. Health club memberships increased from 1,644 to 2,358 (a 43% increase), whilst learn to swim enrolments at the end of term two had increased from 897 to 1,132 (a 26% increase). Total visitations increased from 230,791 in 2008/09 to 294,204 in 2009/10 (a 27% increase). Operational expenses were well contained within budget, and are within industry benchmarks for comparable facilities.

In accordance with the risk/reward sharing provisions within the operating contract for the Leisure Centre, Council is required to share 50% of any financial improvement against the agreed budget position. Council is required to pay the contractor \$44,828. The payment to the YMCA is not exactly 50% of Council's actual budget result of \$98,245 as some adjustments to Council's budget do not form part of the agreed budget position with the YMCA.

Mount Annan Leisure Heat Pump Replacement

A dilapidation report required as part of the contract between Council and the YMCA was completed in September 2009. The report indicated that the heat pumps for the leisure pools and 25 meter pool were in working order, however it highlighted that there was a limited life expectancy of the leisure pool heat pumps.

In February 2010 one of the heat pumps failed and another was leaking. This resulted in heating for the leisure pool being at 50% capacity. It was determined that the most

cost effective solution was to replace the system. The cost of replacing the system was \$69,500 with an estimated life cycle of 10-15 years with the correct maintenance program. The warranty on the new heat pumps is 3 years. The old system lasted 10 years.

With the improved operating position of the Mount Annan Leisure Centre the capital cost to replace the heating system was off-set against the budget savings (\$53,417) realised during 2009/10, this resulted in a final operating deficit of \$16,083.

When you consider that the Mount Annan Leisure centre's operating expenditure is over \$2.6 million the 2009/10 result is pleasing.

Camden Memorial Pool

Council adopted an "operating" deficit of \$128,700 for the Camden Memorial Pool for 2009/10. Minor adjustments during the year reduced this deficit to \$128,600. The actual operating deficit for the pool during 2009/10 was \$148,418, an increase in the projected deficit of 19,818.

This is still an improvement on the operating deficit from the 2008/09 financial year of \$155,259, and comparing this with the operating deficit for 2007/08 of \$218,681 is an improvement again.

Mount Annan Leisure Centre & Camden Memorial Pool Income Statement

Swimming Pool Result	Mount Annan Leisure Centre	Camden Memorial Pool
Total Operational Income	\$2,609,833	\$83,247
Total Operational Expenses	\$2,637,688	\$231,665
Surplus / (Deficit)	(\$27,855)	(\$148,418)
Adjustments		
Risk / Reward Provision	\$44,828	\$0
Heat Pump Replacement	\$69,500	\$0
Surplus / (Deficit) After Adjustments	(\$142,183)	(\$148,418)
Projected Budget Deficit	(\$126,100)	(\$128,600)
Variance to Budget - Surplus / (Deficit)	(\$16,083)	(\$19,818)

NOTE 2 – AUTHORISED VARIATIONS

Council has authorised two (2) budget variations since the adoption of the March Review of 2009/10 Budget.

COUNCIL AUTHORISED VARIATIONS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Federal Government Infrastructure Grant (Rd 2)	\$265,000	\$265,000	\$0
Council Minute ORD 68/10 - 13/04/2010			
Garden Gates Estate - Tree Replanting	\$18,500	\$0	(\$18,500)
Council Minute ORD 91/10 - 11/05/2010			
TOTAL COUNCIL AUTHORISED VARIATIONS	\$283,500	\$265,000	(\$18,500)

NOTE 3 – CONTRA ADJUSTMENTS

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

During the period 1 April 2010 to 30 June 2010, a number of contra adjustments have taken place amounting to a total of \$1,077,058 (a decrease in both income and expenditure). For a detailed list of these adjustments, please refer to the **supporting documents in the business paper**.

NOTE 4 – EXPENDITURE REVOTES

Council at its meeting 24 August 2010 resolved to revote a list of expenditure items from the 2009/10 budget to the 2010/11 budget. For information purposes only a summary of the approved expenditure revotes is shown in the following table:

EXPENDITURE REVOTES (SOURCE OF FUNDS)	Revotes Approved to March 2010	Revotes Approved at Year End	Actual Year-end Revote
Section 94 Contributions	\$505,000	\$699,787	\$1,204,787
Grants	\$1,189,000	\$1,369,517	\$2,558,517
Internal Reserves / Trust Amounts	\$312,000	\$351,314	\$663,314
General Revenue (i.e. Council Funds)	\$0	\$478,805	\$478,805
Other Sources	\$70,000	\$391,500	\$461,500
TOTAL EXPENDITURE REVOTES	\$2,076,000	\$3,290,923	\$5,366,923

NOTE 5 – BUDGET DISCRETIONARY LIST

As part of the adoption of the 2009/10 Management Plan, Council endorsed the Budget Discretionary List. The Discretionary List identifies works or services that Council is unable to fund or commence at this point in time. Items are added or deleted from the list via Council reports or by Council officers as a result of Councillor or community feedback.

There were no adjustments made to the Discretionary List during the 4th quarter of 2009/10. A copy of the 2009/10 Discretionary List has been included as a **supporting document in the business paper**.

NOTE 6 – COUNCILLOR CONSOLIDATED WARD FUNDS

The following table is provided to inform Councillors of the final budget result of consolidated ward funds, and where funds have been spent in this financial year.

It should be noted that the balance of consolidated ward funds was not re-voted to the 2010/11 budget and is recognised as a budget variation in note 1.

CONSOLIDATED WARD FUNDS		
2009/10 Budget Allocation	\$30,000	
Addback: Savings from lighting RSL Cenotaph	\$2,631	
Total Funds Available 2009/10		\$32,631
Projects Funded in 2009/10		
Skate Park Seating at Kirkham Park	\$1,000	
Council Minute ORD 246/09 - 13/10/2009.		
Camden RSL Youth Hall Polish Scrubber	\$1,500	
Council Minute ORD 291/09 - 24/11/2009.		
Light Up Camden Donation	\$3,000	
Council Minute ORD 53/10 - 23/03/10		
Macarthur Pre-School - Carpark Construction	\$10,500	
Council Minute ORD 119/10 - 08/06/2010		
Contribution to Goulburn-Citi Cycle Classic	\$1,500	
Council Minute ORD 119/10 - 08/06/2010		
Contribution to Camden Mens Shed	\$2,000	
Council Minute ORD 119/10 - 08/06/2010		
Total Projects Funded 2009/10		\$19,500
Balance of Councillor Ward Funds 30 June 2010		\$13,131
Budget Savings Recognised at June 2009/10 Review		(\$13,131)
Balance of Ward Fund Available as at 30 June 2010		\$0

SUMMARY OF YEAR END RESULTS AGAINST BUDGET

The following table is a summary of budget adjustments as at 30 June 2010.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2008/09 Carried Forward Working Funds Balance			\$1,000,000
2009/10 Adopted Budget Surplus			\$258,800
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
LESS: 2009/10 Budget Surplus - Transfer to Reserve (To fund the 2010/11 Budget Deficit)			(\$258,800)
Available Working Funds 01/07/2009			\$0
2009/10 Quarterly Review Adjustments	\$16,640,606	\$16,664,837	\$24,231
Total Available Working Funds as at 31/03/2010			\$24,231
2009/10 June Review Adjustments			
NOTE 1: Major Variations	(\$826,418)	\$1,138,749	\$1,965,167
NOTE 2: Authorised Variations	\$283,500	\$265,000	(\$18,500)
NOTE 3: Contra Adjustments	(\$1,077,058)	(\$1,077,058)	\$0
NOTE 4: Revotes	(\$3,290,923)	(\$3,290,923)	\$0
Total June Review Adjustments			\$1,946,667
TOTAL AVAILABLE WORKING FUNDS			\$1,970,898

CONCLUSION

This report recommends that:

- the first quarterly payment of the financial assistance grant (\$538,169) be restricted to fund the 2010/11 budget,
- \$250,000 be transferred to the Working Fund Reserve to fund project based staff shortages,
- the balance of the 2009/10 budget surplus (\$1,182,729) be transferred to the Capital Works Reserve to assist funding the upgrade of Lodges Road and the next stage of planning for a new administration building.

Council still has a significant infrastructure renewal backlog to be addressed as part of its long-term planning. The first 3 years of this backlog has been addressed through a Special Rate Variation, however a longer term funding solution will need to be found

after this period.

Council's capacity (staffing) to meet current service levels is being closely monitored. A more detailed report will be provided to Council as part of the 2010/11 September Quarterly Budget Review.

It should be noted that the uncommitted balance of the Capital Works Reserve is \$965,400. The balance of the reserve will increase to \$2,148,129 upon authorisation by Council to transfer the remaining balance of the 2009/10 budget result to the Capital Works Reserve. The balance of the reserve does not include the sale of the Narellan Car Park or proposed sale of the pocket park at Somerset Ave, Narellan.

RECOMMENDED

That Council:

- (i) endorse the budget variations contained within this report.**
- (ii) authorise the following reserve movements, as identified in the table below:**

Allocation of 2009/10 Budget Surplus		
Available Budget Surplus		\$1,970,898
Less: Financial Assistance Grant Advance	\$538,169	
Budget Surplus Available for Allocation		\$1,432,729
Transfer to Reserve - 2010/11 Budget (Project Based Staff)	\$250,000	
Transfer to Reserve - Capital Works Reserve	\$1,182,729	
Total - Transfer to Reserve		\$1,432,729
Budget Surplus Balance After Allocation		\$0

- (iii) authorise payment to the YMCA of \$44,828 in accordance with the risk/reward sharing provisions within the operating contract for the Mount Annan Leisure Centre.**

ATTACHMENTS



June Budget Result Appendix.pdf



June Discretionary List.pdf

RESOLUTION

Moved Councillor Symkowiak, Seconded Councillor Funnell that Council:

- i. endorse the budget variations contained within this report.

ii. authorise the following reserve movements, as identified in the table below:

Allocation of 2009/10 Budget Surplus		
Available Budget Surplus		\$1,970,898
Less: Financial Assistance Grant Advance	\$538,169	
Budget Surplus Available for Allocation		\$1,432,729
Transfer to Reserve - 2010/11 Budget (Project Based Staff)	\$250,000	
Transfer to Reserve - Capital Works Reserve	\$1,182,729	
Total - Transfer to Reserve		\$1,432,729
Budget Surplus Balance After Allocation		\$0

iii. authorise payment to the YMCA of \$44,828 in accordance with the risk/reward sharing provisions within the operating contract for the Mount Annan Leisure Centre.

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

ORD222/10

ORDINARY COUNCIL

ORD05

SUBJECT: PECUNIARY INTEREST ORDINARY RETURNS - 1 JULY 2009 TO 30 JUNE 2010 AND PRIMARY RETURNS AS AT 30 SEPTEMBER 2010
FROM: Director Governance
FILE NO: Pecuniary Interest

Under Section 450A of the Local Government Act 1993, completed Pecuniary Interest Ordinary and Primary Returns are required to be tabled at the first meeting of Council held after the lodgment date, 30 September 2010.

All Councillors and staff required to fill out the Pecuniary Interest Ordinary and Primary Returns have complied. The completed Ordinary Returns for the period 1 July 2009 to 30 June 2010 and completed Primary Returns as at 30 September 2010 are tabled and available to view.

RECOMMENDED

That the information be noted.

RESOLUTION

Moved Councillor Dewbery, Seconded Councillor Funnell that the information be noted.

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

ORD223/10

ACTIONS

CRMS number , Finalised 14/10/2010 9:14:09 AM

Action: Finalised,

Completed

, no action required.

[Link to CRMS document](#)

[CRMS: 12452340 13/10/2010, 11:29:27 AM](#)

ORDINARY COUNCIL

ORD06

SUBJECT: REQUEST TO TRANSFER GRANT FUNDING FROM
CAMDEN TOWN FARM COMMUNITY GARDEN
ASSOCIATION TO CAMDEN COUNCIL

FROM: Director Works and Services

FILE NO: Community Planning and Development / Committees /
Community Management Committees

PURPOSE OF REPORT

This report seeks Council's approval to request Communities NSW to transfer grant funding from Camden Town Farm Community Garden Association to Camden Council. This follows a request from the Community Gardens Association and endorsement by the Camden Town Farm Committee.

BACKGROUND

The Camden Town Farm Community Garden Association Inc. is an independent incorporated community organisation which was established last year. It has linkages with the Town Farm and was established with the purpose of creating a community garden space at the Town Farm.

The Community Garden Association was successful in the NSW Community Builders most recent funding round and will receive \$90,777 over the next two years to undertake the project at the Town Farm (a total of \$181,554).

The Community Garden Association raised concerns about their ability to implement the project they have received funding for, and at their meeting of 16 September 2010 resolved to request NSW Communities to transfer the grant to Council and to request Council to implement the project. Copies of letters sent by the Community Garden Association to Community Services Dept and Camden Council are **attached to this report**. The decision follows negotiations and discussions with both the Town Farm and the Community Garden Association.

MAIN REPORT

The project aims to:

- Plan, build and operate community gardens on Camden Town Farm with direct community involvement, particularly of young and older people with disabilities, at all stages.
- Provide ongoing formal and informal recreational, social, therapeutic, educational and research opportunities and programs for priority groups and the wider community.
- This to be undertaken by employment of a part time community project officer (CPO), contract works and services and volunteers.

The planned program of works is very ambitious and will rely heavily on current volunteers as the employment component of the grant only allows for 15 hours a week for a project officer, with a significant amount for capital (\$42,000 year 1 and \$35,000 year 2). There will be a significant time commitment required for management and support for this employee, although there is an on cost component within the grant to assist to offset these costs.

It is unfortunate that the Association finds itself unable to implement the project it has developed. Preliminary discussions with NSW Communities indicate a willingness to transfer the grant to Council upon receipt of a formal request from Council to do so.

Should Council decide not to request the transfer of this grant the Community Garden Association would have to reconsider their decision. They could request a deferral or delay or advise that the grant be forfeited, which would mean that the funds would be reallocated to another project on the waiting list which would almost certainly be outside the Camden LGA.

CONCLUSION

The Camden Town Farm Community Garden Association have requested assistance as they do not feel they are able to implement the project they have developed and have been granted funding for. Their request for Council to request transfer of the grant is also supported by the Town Farm Committee. The project has not been factored into any Council priorities or workplans, however the funding will be lost if the project is not implemented.

RECOMMENDED

That:

- i. Council formally request NSW Communities transfer the Camden Town Farm Community Development Gardens 9056410 Project to Camden Council; and**
- ii. should the request be agreed to, Council accept the grant, adjust the budget to reflect this and execute the funding agreement.**

ATTACHMENTS



Community Services Letter.JPG Camden Council Letter.JPG

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that:

- i. Council formally request NSW Communities transfer the Camden Town Farm Community Development Gardens 9056410 Project to Camden Council; and**
- ii. should the request be agreed to, Council accept the grant, adjust the budget to reflect this and execute the funding agreement.**

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

ORD224/10

ORDINARY COUNCIL

ORD07

SUBJECT: COMMUNITY OFFICE SPACE LICENCE AGREEMENTS
FROM: Director Works and Services
FILE NO: Council Properties/Leases/Council Property Leasing/Office Space

PURPOSE OF REPORT

This report seeks Council's approval for two new licence agreements with community organisations for use of Council's office facilities within Currans Hill Community Centre and Narellan Community Hall.

BACKGROUND

Council provides office space to not-for-profit community groups at subsidised rates in recognition of the valuable contribution that they make to the local community. The 2010/2011 Fees and Charges are applicable to the current licence agreements and are subject to change each Fees and Charges review.

MAIN REPORT

Licence Agreements

Community Links Wollondilly is a not-for-profit community organisation that assists families with a range of social issues. Community Links Wollondilly vacated office at Currans Hill Community Centre in August 2010 to utilise a larger commercial space in Smeaton Grange.

Sylvanvale Foundation is a not-for-profit community organisation that assists families and individuals who have disabilities. They have a current licence Agreement for an office at Narellan Community Hall which expires in March 2011. They wish to relocate to the Currans Hill Community Centre Office on 13 October and vacate the Narellan Community Hall office by the 18 October 2010. They will continue to provide the same community service from the Currans Hill Community Hall Office. The organisation has requested the new licence agreement for Currans Hill Community Hall Office to 1 March 2012. A copy of their letter is **attached to this report**.

Camden Community Connections is a not-for-profit community organisation providing various support services to Families with the Camden LGA. They currently use office number 1 at Narellan Library and the small meeting room within Narellan Community Hall with both licences due to expire in March 2011. They now wish to utilise the office within Narellan Community Hall starting on 1 November 2010, which that has been vacated by Sylvanvale Foundation for Youth Outreach services. Camden Community Connections has requested a new licence agreement for the office at Narellan Community Hall until 1 March 2011. This will be in line with other similar agreements

renewal dates.

CONCLUSION

All groups provide a valuable contribution to the local community. The local community will benefit with these organisations accommodated and operating within local community facilities. There will be no financial impact on our anticipated income.

RECOMMENDED

That Council:

- i. offer a new licence agreement with Sylvanvale Foundation for an office in Currans Hill Community Centre office for 18 months at the rate prevailing in Council's fees and charges schedule, taking the licence to March 2012.**
- ii. offer a new licence agreement with Camden Community Connections for use of the office at Narellan Community Centre at the rate prevailing in Council's fees and charges schedule, taking the licence to March 2011.**

ATTACHMENTS



Sylvanvale letter.pdf

RESOLUTION

Moved Councillor Anderoson, Seconded Councillor Cagney that Council:

- i. offer a new licence agreement with Sylvanvale Foundation for an office in Currans Hill Community Centre office for 18 months at the rate prevailing in Council's fees and charges schedule, taking the licence to March 2012.
- ii. offer a new licence agreement with Camden Community Connections for use of the office at Narellan Community Centre at the rate prevailing in Council's fees and charges schedule, taking the licence to March 2011.

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

ORD225/10

ORDINARY COUNCIL

ORD08

SUBJECT: TENDER 2010/02 - FOR CONSTRUCTION OF SPRINGS ROAD AND NEW BRIDGE, SPRING FARM
FROM: Director Works and Services
FILE NO: Capital Works/Council Properties/Lowering of Springs Road/Construction of Springs Road and Precast Concrete Bridge over Springs Creek

PURPOSE OF REPORT

To provide details of the tenders received for contract 2010/02: being the construction of Springs Road and Precast Concrete Bridge Over Springs Creek, and to recommend that Council accept the tender submitted by TJ & RF FORDHAM PTY LTD (TRN).

BACKGROUND

Springs Road is within the Elderslie Sand Extraction Area which has undergone significant lowering of the landform levels directly adjacent to Springs Road.

This area has been rezoned for residential development known as the Spring Farm Release Area. The levels of Springs Road are currently up to 7m above the final residential design levels and therefore Springs Road needs to be lowered to align with these new areas. In September 2003 Council adopted the new vertical alignment levels for Springs Road.

The scope of works includes new construction of approximately 1385m of flexible road pavement, drainage, two roundabouts, a 36m precast concrete bridge and 200m bioretention swale. The extent of the works is between Richardson Road and Ettlesdale Road.

The western end of Springs Road (between Ettlesdale Road and Springs Creek) is being constructed to rural standard, but making drainage provisions for future kerb and guttering when development of areas adjacent proceeds. This section of road will have overhead power.

The eastern end of Springs Road (between Springs Creek and Richardson Road) is being constructed to an urban standard on the basis that development of adjacent areas at this end is more advanced. Developers have agreed to pay the difference between the cost of overhead and underground power in this section of the road.

Sand extraction works are currently underway as well as the temporary relocation of power. The road and bridge works are dependant on completion of these works.

MAIN REPORT

Invitation to Tender

The tender for the works was advertised in the local press and Sydney Morning Herald. Tenders opened on 7 September and closed on 28 September 2010. During the Tender period, seventeen copies of the tender documents were issued.

Tenderers were asked to provide a lump sum price for the proposed works.

Tender Submissions

Tenders were received from the following companies:

No.	Name of Tenderer	Location
1	TJ & RF FORDHAM PTY LTD (TRN)	CAMDEN
2	Antoun Civil Engineering (Aust) Pty Ltd	GUILDFORD
3	BMD Constructions Pty Ltd	HOME BUSH BAY
4	ABC Civil Pty Ltd	CHIPPING NORTON
5	Roadworx Civil Pty Ltd	UNANDERRA

A summary of tender pricing is contained in the supporting documents.

Tender Evaluation

The aim of the tender evaluation process is to assess the capability of tenderers to perform the required works and to provide the best value and quality services to Council and to recommend the preferred tenderer.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given weighting of 70% and non-price factors a weighting of 30%.

Non-price factors considered for the project were:

- Standard of submission;
- Capacity and experience and,
- Program and Construction Methodology

TRN has provided the most competitive tender as well as meeting all requirements of Council's tender documentation. TRN have successfully completed numerous Council contracts and have the capability and experience for this project.

Project Budget

The lowering of Springs Road and associated work is funded from Section 94 Developer Contributions.

\$5,915,503 is currently allocated to the lowering of Springs Road in the 2010/11 Capital Works Program.

\$1,250,000 is currently allowed for the temporary relocation of power.

\$200,000 is currently allowed for other project commitments.

\$4,665,503 is the available project funds remaining.

Based on the above, there is sufficient funds available to undertake the road and bridge works.

Reinstatement of power is the only major component of the project still to be contracted. The funds remaining after contracting of the road and bridge works, will be carried forward to the 2011/12 Capital Works Program as part funding for the reinstatement of power. The balance of funds required for the reinstatement of power will be requested following completion of the design and tendering of these works.

Relevant Legislation

The tender has been concluded in accordance with the Local Government Act 1993, the Local Government Regulations (2005) and Camden Council's Purchasing and Procurement Policy.

Critical Dates / Time Frames

Should Council resolve to accept this tender, the successful contractor will place an order for the precast bridge components.

CONCLUSION

TRN has provided a conforming tender which also falls within Council's budget. The tender assessment concludes that the offer represents good value for money and the company has a proven track record of performance on projects of a similar nature.

RECOMMENDED

That:

- i. Council accept the tender provided by TJ & RF FORDHAM PTY LTD for the lump sum value of \$3,476,339.75 exclusive of GST; and
- ii. authority be granted for the relevant documentation to be completed under the seal of Council.

ATTACHMENTS

SUPPORTING DOCUMENT



Road and Bridge Tender Information.pdf

RESOLUTION

Moved Councillor Anderson, Seconded Councillor Cagney that:

- i. Council accept the tender provided by TJ & RF FORDHAM PTY LTD for the lump sum value of \$3,476,339.75 exclusive of GST; and
- ii. authority be granted for the relevant documentation to be completed under the seal

of Council.

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

THE MEETING CLOSED AT 7.16PM.

ORD226/10