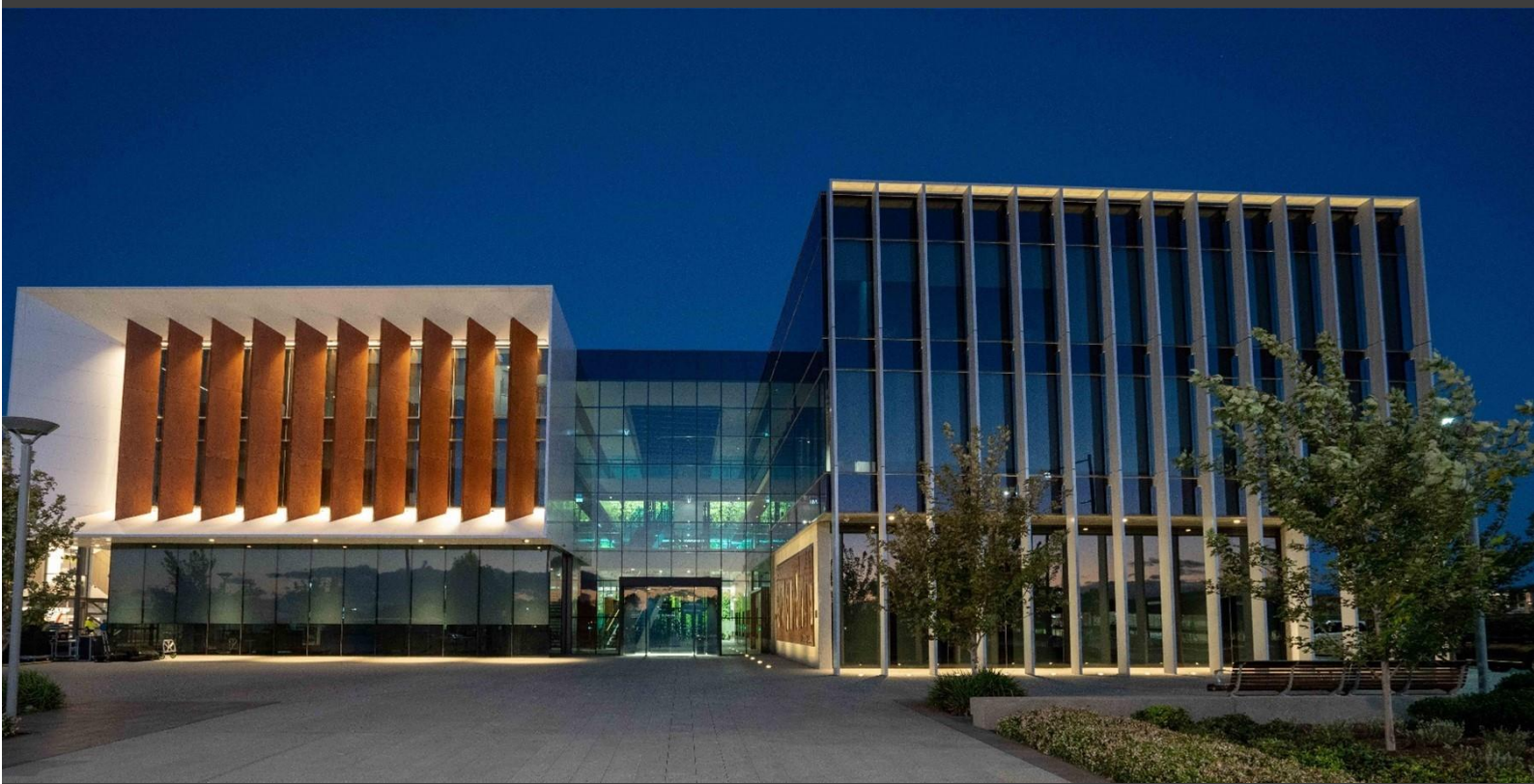


Business Paper

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

11 July 2023

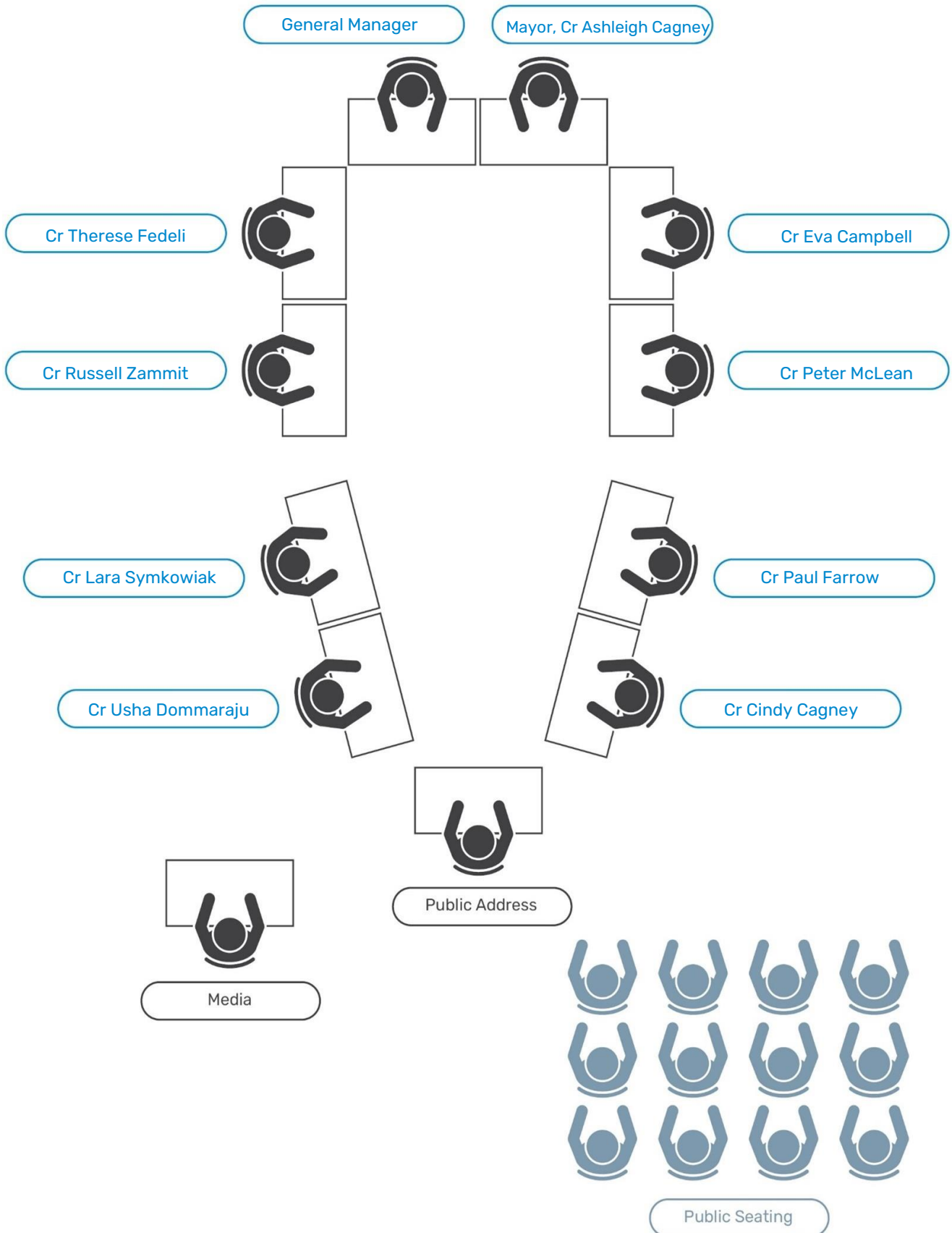


The public can also view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage - <http://webcast.camden.nsw.gov.au/video.php>

camden
council

COMMON ABBREVIATIONS

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DCP	Development Control Plan
DPE	Department of Planning & Environment
TfNSW	Transport for NSW
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Greater Cities Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
NCC	National Construction Code
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
S10.7 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
S603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
S73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement



OATH AND AFFIRMATION FOR COUNCILLORS

In accordance with section 233A of the *Local Government Act 1993*, all elected Councillors must take an oath of office or make an affirmation of office at or before the first meeting of the Council.

The oath or affirmation may be taken or made before the General Manager, an Australian legal practitioner or a Justice of the Peace.

A Councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of the office in accordance with the Act is not entitled to attend a meeting as a Councillor, until the Councillor has taken the oath or made the affirmation.

OATH

"I [*name of councillor*] swear that I will undertake the duties of the office of Councillor in the best interests of the people of the Camden Local Government Area and the Camden Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment".

AFFIRMATION

"I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Camden Local Government Area and the Camden Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment".

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SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that this meeting is being held on the Traditional Lands and Waterways of the Dharawal people and also recognise surrounding Dharug, and Gundungurra people and pay our respect to Elders past, present, and those emerging.

SUBJECT: WEBCASTING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being live streamed and recorded by Council staff for minute taking and webcasting purposes. The recording will also be made publicly available on Council's website.

No other webcasting or recording by a video camera, still camera or any other electronic device capable of webcasting or recording speech, moving images or still images is permitted without the prior approval of Council. Council has not authorised any other webcasting or recording of this meeting.

I remind those that are participating in this meeting that your image and what you say will be broadcast live to the public and will also be recorded so please be mindful of your actions and comments. You should avoid making statements that might defame or offend, or that release any personal information about another individual without their consent. Council accepts no liability for any damage that may result from your actions and comments.

Under Council's Code of Meeting Practice, individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting.

SUBJECT: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves of absence be granted.

SUBJECT: APPROVAL TO ATTEND BY AUDIO-VISUAL LINK

Requests by Councillors to attend and participate in Council meetings by audio-visual link.

A decision whether to approve a request must be made by a resolution of Council. A resolution must state:

- The meetings the resolution applies to, and
- The reason why the Councillor is being permitted to attend the meetings by audio-visual link (unless the ground is illness, disability, or caring responsibilities).

RECOMMENDED

That the requests to attend and participate by audio-visual link be granted for the meetings as determined by Council and for the reasons noted.

SUBJECT: DECLARATION OF INTEREST

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 4.28-5.19).

Councillors, and where applicable, all other persons, must be familiar with the conflicts of interest provisions contained in the Code of Conduct.

This item of business provides an opportunity for Councillors to declare and manage any conflicts of interest that they may have in matters being considered at this meeting of Council.

RECOMMENDED

That the declarations be noted.

SUBJECT: PUBLIC ADDRESSES

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

The Public Address session will be conducted in accordance with the Public Address Guidelines.

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

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

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

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

Only the audio recording of the public address speakers will be heard on Council's webcast. Visual images of the speaker will not be captured as part of that webcast.

RECOMMENDED

That the public addresses be noted.

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Local Traffic Committee Meeting held on 6 June 2023 and the Ordinary Council Meeting held 20 June 2023

RECOMMENDED

That the Minutes of the Local Traffic Committee Meeting held on 6 June 2023 and the Ordinary Council Meeting held 20 June 2023, copies of which have been circulated, be confirmed and adopted.

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).

ORD01

SUBJECT: COBBITTY ROAD, COBBITTY - ORAN PARK DCP AMENDMENT (PRE PUBLIC EXHIBITION)
FROM: Director Planning & Environment
EDMS #: 23/120465

ORD01

PROPERTY ADDRESS Lots 1 to 6 DP 1276275, 499, 501, 585, 589, 591 & 593 Cobbitty Road, Cobbitty

PROPONENT Urbis Pty Ltd

OWNER Mirvac Homes Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft amendment to the Oran Park Development Control Plan (draft DCP) for land fronting Cobbitty Road, Cobbitty.

The report recommends Council endorse the draft DCP for public exhibition. The draft DCP and supporting documents are provided as **attachments** to this report.

BACKGROUND

In August 2022, a request to amend the Oran Park DCP was submitted to Council by the proponent, Urbis Pty Ltd, on behalf of the landowner Mirvac Homes Pty Ltd.

Locality

The site is located on the western edge of the South West Growth Area (SWGA), and includes a total area of 78 hectares and frontage to Cobbitty Road. The Metropolitan Rural Area (MRA) lies to the west of the site. The surrounding area includes a mix of land uses including:

- Denbigh estate, a State listed heritage item, to the north of the site; and
- Macarthur Anglican School, located to the east.

The site is located approximately 2.5 kilometres west of Oran Park Town Centre and 1.5 kilometres east of Cobbitty Village. A locality map is provided in **Figure 1**.

ORD01

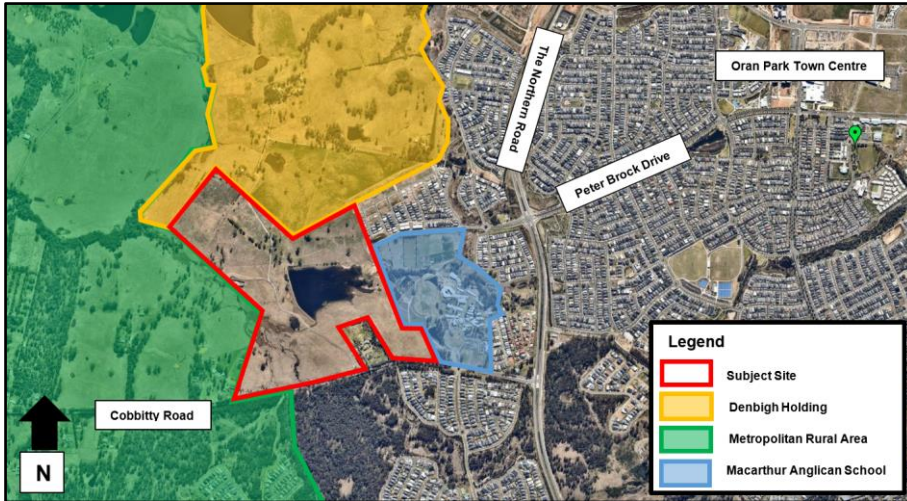


Figure 1: Locality map (source: NearMap)

Development Assessment History

The site has recently been subdivided (DA/2021/300/1) into six super lots to facilitate its staged development (as shown in **Figure 2**). Several Development Applications have been approved or are currently under assessment. The development history is provided as an **attachment** to this report.

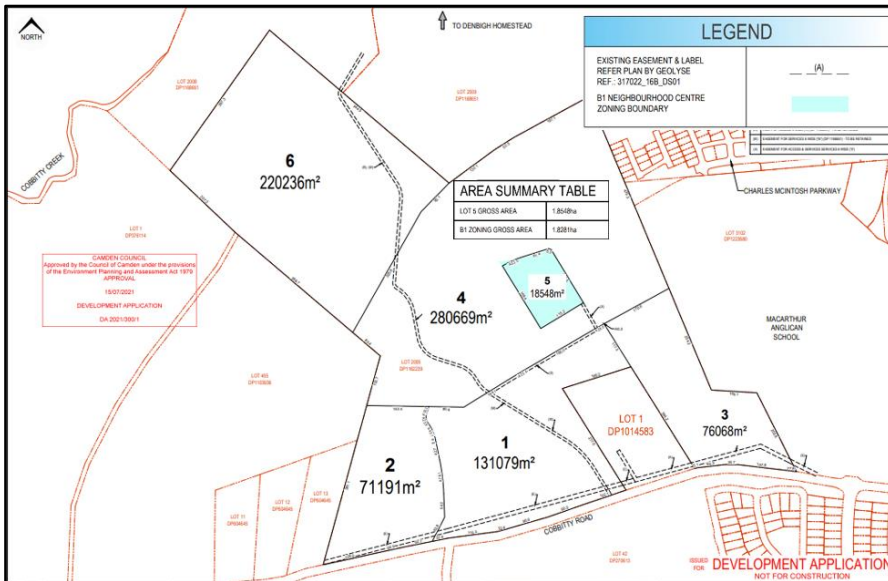


Figure 2: Approved subdivision plan to create six super lots (DA/2021/300/1)

Councillors were briefed on the draft DCP on 23 May and 27 June 2023.

MAIN REPORT

The request to amend the Oran Park DCP seeks to:

- Amend the Oran Park Indicative Layout Plan (ILP) by:
 - Introducing the Hassall Driveway heritage boulevard;
 - Removing the linear open space park in the north-west part of the site and redistributing the open space into two parks in the north-west and south-east of the site;
 - Refining the riparian corridor and passive open space network;
 - Designating land originally identified for the expansion of Macarthur Anglican School for urban development; and
 - Amending the location and size of the proposed primary school.
- Incorporate controls to address the transition between the development, Cobbitty Road and the MRA;
- Remove the maximum height limit of the earth mound in the Denbigh transition area;
- Introduce a number of changes to the water cycle management and functioning of the site.

The proposed DCP amendment (provided as an **attachment**) will allow approximately 903 residential lots, a local neighbourhood centre, a primary school, and riparian and open space embellishments.

Zoning and Oran Park Indicative Layout Plan

The site is zoned part R1 General Residential, part C2 Environmental Conservation, part C4 Environmental Living and part B1 Neighbourhood Centre under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021. The zoning is provided in **Figure 3**. No changes to the zoning are proposed.

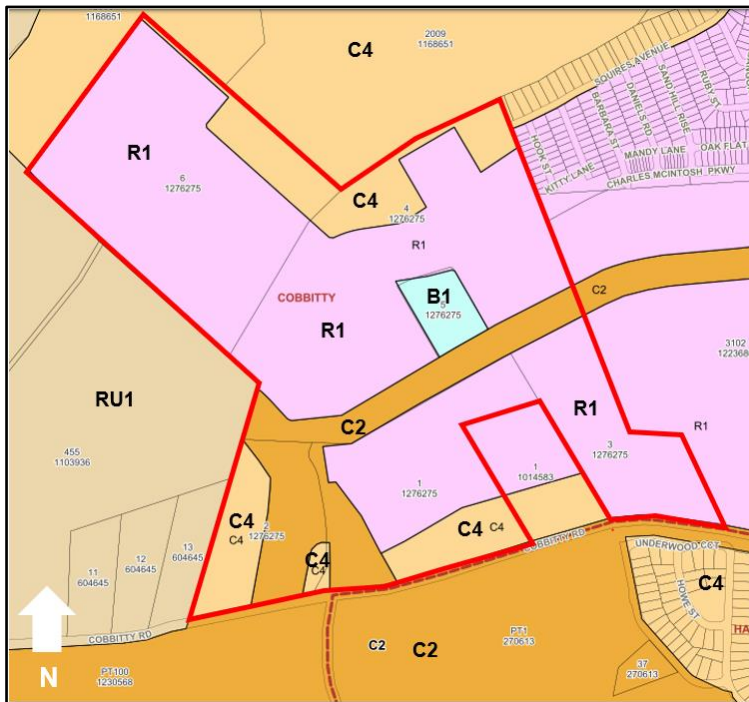


Figure 3: Zoning extract of the subject site and surrounding lands

ORD01

Current Oran Park ILP

The current Oran Park ILP (**Figure 4**) identifies a range of infrastructure and facilities to be provided on the site including a primary school, expansion of Macarthur Anglican School, a neighbourhood centre, open space and riparian corridors.

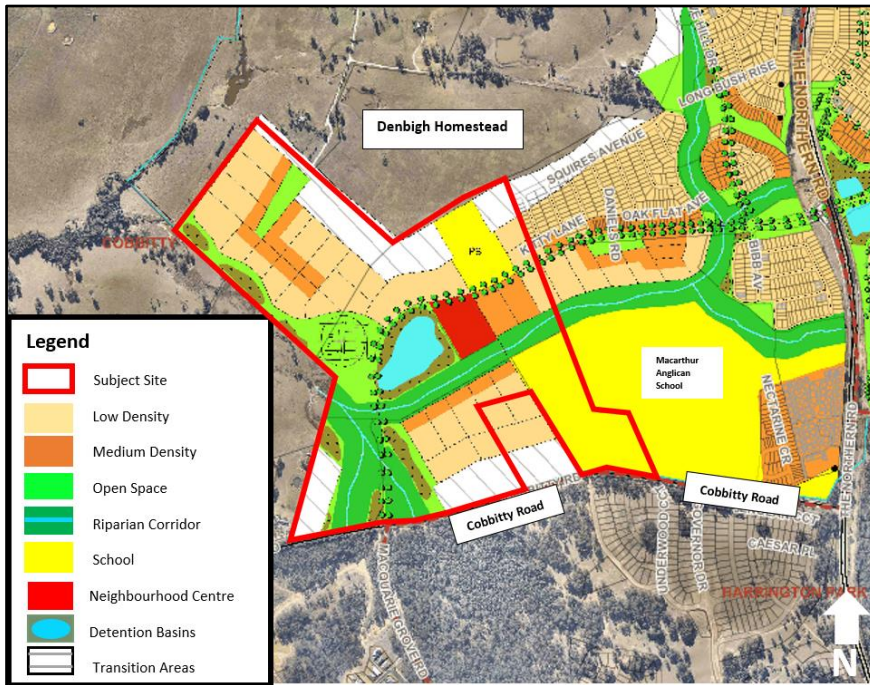


Figure 4: Existing Oran Park ILP

Proposed Amendments to Oran Park ILP

The proposal seeks a number of changes to the Oran Park ILP, illustrated in **Figure 5**.

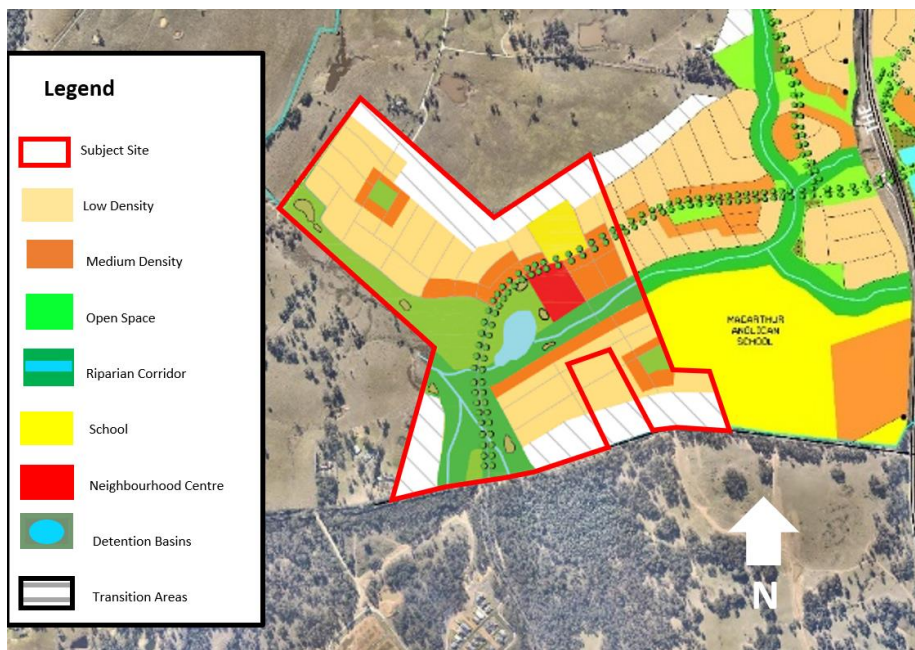


Figure 5: Proposed amendments to Oran Park ILP

Land identified for expansion of Macarthur Anglican School (MAS)

Under the current ILP, the south-eastern portion of the site is identified for the future expansion to the Macarthur Anglican School (MAS). MAS has advised the proponent that the school does not require this land. This advice is provided as a **supporting document**.

As it is not required by MAS, the amended ILP provides for this area to be developed for urban uses, including residential lots and open space. The zoning is currently R1 General Residential and therefore no amendment to the zoning is required.

Removal of the Hassall Driveway Linear Open Space Park and reinterpretation as a Heritage Boulevard

The current ILP includes a linear open space along the north-western portion of the site, designed to reflect the original alignment of the Hassall Driveway that provided access to the Denbigh estate. The proposal includes an amended design, supported by a Heritage Impact Study. It seeks to reinterpret this linear open space as a tree lined boulevard (20 metres in width). The amended design is illustrated in **Figures 6 and 7**.

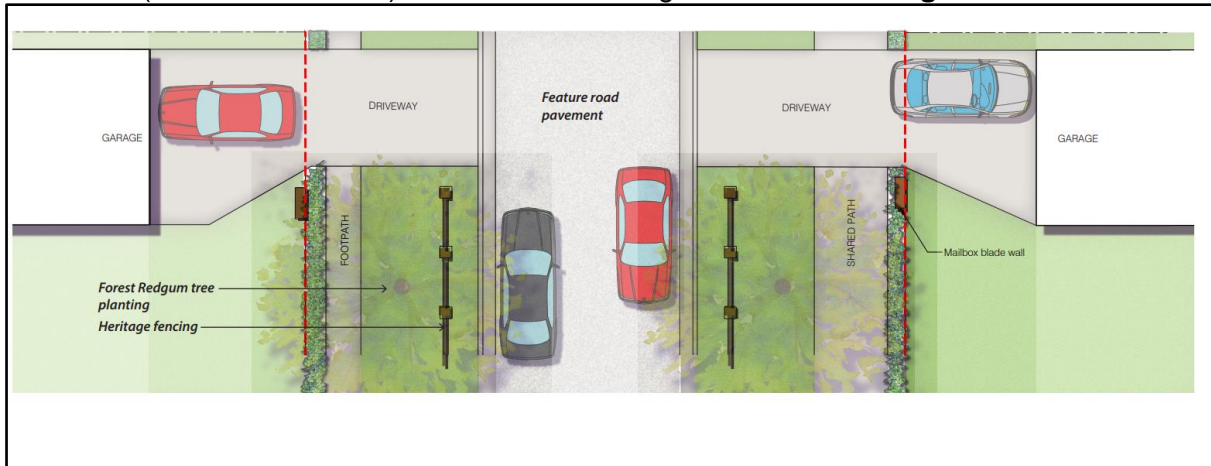


Figure 6: Reinterpretation of the Former Hassall Driveway

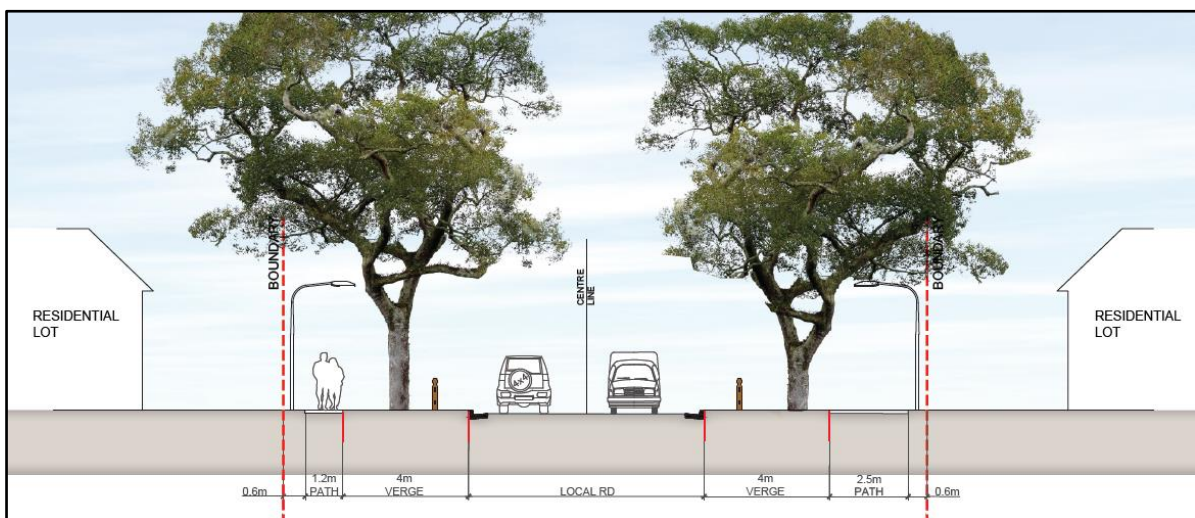


Figure 7: Hassall Driveway cross section

Amendments to Maximum Height of Indicative Earth Mound

The Heritage Impact Study found that the earth mound proposed to mitigate the visual impacts to and from Denbigh estate should be increased in height. The assessment of the Study and the impacts of the proposed amendments have been considered and are provided as an **attachment** to this report.

Amendments to the riparian corridor and open space network

The amended ILP includes changes to the proposed riparian corridor and passive open space network to reflect the updated layout and improved connections within the site.

The amendments are supported by a Landscape Masterplan and Integrated Water Management Plan. The revised passive open space network has been designed to integrate with the riparian corridor.

The indicative open space concept plan is provided in **Figure 8**. A network of paths is provided to integrate the open space areas within the residential development. The revised design also addresses flooding and water quality and provides for the effective management of stormwater.



Figure 8: Indicative open space concept plan (Source: Paterson Design Studio)

In summary, the amended open space design incorporates:

- A minor reduction in passive open space adjacent to riparian corridors, proposed to be offset by accessible and useable spaces within the riparian corridor;
- Two 5,000 square metres (minimum) parks, rather than one larger park (1 hectare); and
- An active frontage to the proposed lake with seating and pathways.

Updates to the indicative movement network

Minor changes are proposed to the indicative movement network as described below and illustrated in **Figure 9**.

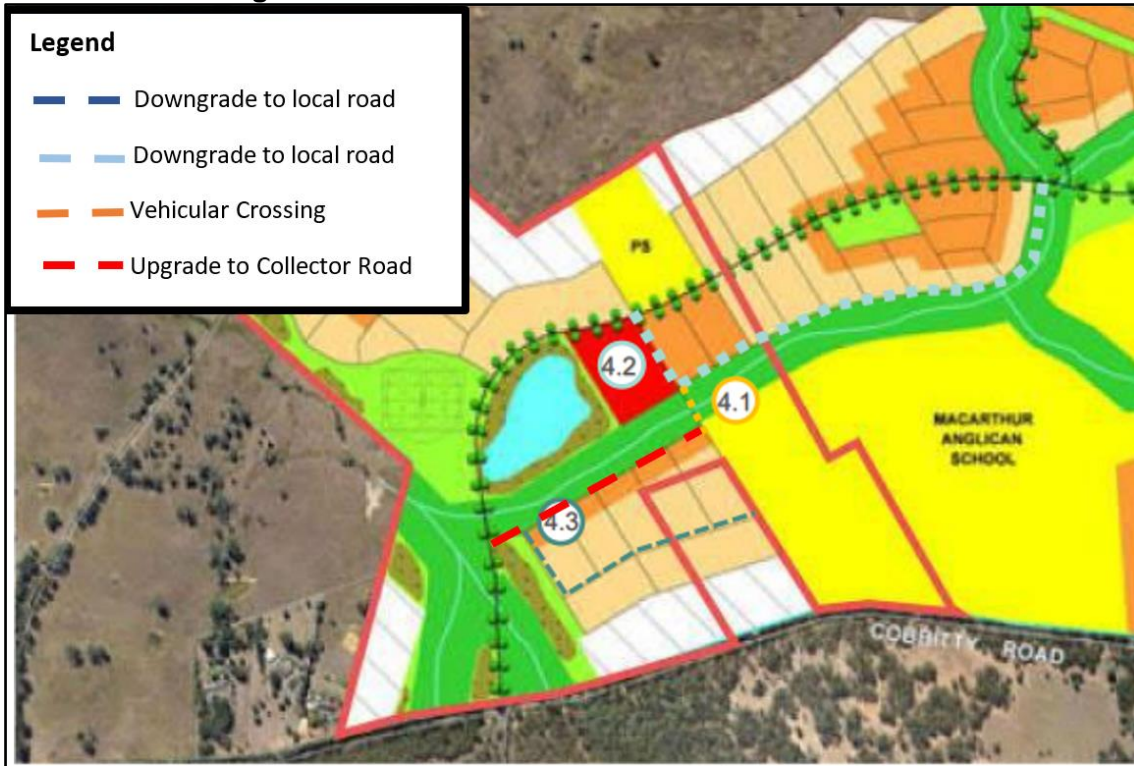


Figure 9: Proposed changes to the indicative movement network

In summary, the changes to the indicative movement network are as follows:

- The road adjacent to the future local centre (shown as dotted light blue in **Figure 9**) is currently a collector road. The proposal seeks to amend this road to a local road. Supported by a Traffic Impact Statement, this road is not expected to collect high volumes of traffic.
- The revised collector road (shown as dotted red in **Figure 9**) is a direct east-west connection. The revised collector road avoids the collector road passing through a separately owned property (which is not part of the subject site). This allows the collector road to be delivered by the developer and will provide access to the south-eastern portion of the site.

Refinement of the location and size of the public primary school

The amended ILP includes a reduction in the size and revised location of the primary school. Under the current ILP, the future primary school is 3.5 hectares and is located on northern boundary of the site.

The proposal seeks to reduce the school size to 2 hectares, consistent with the Department of Education’s *Design Framework: Site Selection and Development, January 2023*. Schools Infrastructure NSW (SINSW) has provided in-principle support to the reduction in the size of the future primary school. SINSW’s in-principle support is provided as a **supporting document**.

Updates to the Oran Park DCP

The amended Oran Park ILP requires updates to the Oran Park DCP. The draft amended Oran Park DCP is provided as a **supporting document** and includes changes to:

- Section 3.1 – Street Network Plan;
- Section 3.2 – Pedestrian and Cycle Network;
- Section 4.1 – Public Parks and Landscape Strategy;
- Section 5.4 – Denbigh Transition Area;
- Section 5.5 – The Northern Road and Cobbitty Road Interface;
- Part B – B3 – Denbigh Transition Area; and
- Part B – B7 – Southern Neighbourhood Centre.

A summary table of the changes and Council officers' assessment is provided as an **attachment** to this report.

Specialist Studies

The request to amend the Oran Park DCP is accompanied by specialist studies, which are provided as **attachments** to this report, including:

- Open Space Analysis, prepared by Urbis;
- Integrated Water Management Plan, prepared by Orion Consulting;
- Heritage Impact Study, prepared by Design 5 Architects;
- Traffic Impact Assessment, prepared by SCT Consulting, June 2022; and,
- Visual Impact Analysis prepared by Urbis, September 2022.

The findings of the studies and Council officers' assessment is provided as an **attachment** to this report.

Key Issues

Future Primary School

In the current ILP, the primary school site is 3.5 hectares and is located on the northern boundary. The proposal seeks to reduce the size to 2 hectares which is consistent with the Department of Education's *School Site Selection and Development, October 2020*.

Officer Comment

The reduction in the size of the primary school is consistent with the Department of Education's Guidelines and SINSW has provided its in-principle support. Furthermore, the reduced 2 hectares school size is consistent with SINSW advice provided to Council for other precincts being planned across the area.

In assessing the amended ILP, Council officers met with SINSW officers to discuss the reduced school size and the timing for the delivery of schools. According to SINSW, a 2 hectares site satisfies the State Government's requirements and is sufficient to accommodate a primary school, whilst a 3.5 hectares site is more expensive, adding cost and potentially delaying the delivery of the school.

Council officers will continue to liaise with SINSW officers and the proponent to discuss the school site, its size and timing for its delivery (Councillors will be kept updated on these discussions).

Provision of Open Space

The amended ILP aims to create a connected community, supported by an integrated open space network. The proposed open space network provides areas for a variety of recreation activities, with connections to the wider riparian corridor of Cobbitty Creek.

The open space provision supports Council's vision for an integrated green and blue grid across the LGA. As noted in Council's Spaces and Places Strategy, the expected provision of open space required by Council is 2.83 hectares of open space per 1,000 residents.

The amended ILP is expected to accommodate approximately 903 dwellings and a population of up to 3,000 people, generating the need for 8.48 hectares in open space. The amended ILP satisfies this benchmark and provides 9.0 hectares of open space.

In summary, the amended the open space network incorporates:

- A minor reduction of passive open spaces adjacent to riparian corridors, proposed to be offset by accessible and useable spaces within the riparian corridor;
- Two 5,000m² parks, rather than one larger (1 hectare) park; and,
- An active frontage to the proposed lake with seating and pathways.

Officer Comment

The removal of the linear park (as part of reinterpreting the Former Hassall Driveway) is supported by Council officers on the basis that the open space is redistributed within the site. In the amended ILP, two parks are proposed - in the north-west and south-east portion of the site (as seen in **Figure 5**). The redistributed open space is considered satisfactory and allows future residents to reside within 400 metres of a park.

The review of the broader open space network supports an integrated design which considers the wider riparian and passive open space network. Council officers are supportive of the integrated approach proposed by the proponent.

Flooding and Watercycle Management

A proportion of the site is within the 1 in 100 year flood level. An Integrated Water Management Plan (IWMP) has been prepared to support the proposed amendments to the Oran Park DCP. The IWMP concludes that the flood affectation in the post development scenario will be reduced and contained to within the riparian corridor and supporting open space areas.

Officer comment

Council's engineers and a Nepean River Catchment Consultant have reviewed the IWMP. The Consultant's peer review is provided as an **attachment** to this report.

The assessments concluded that the modelling is fit for purpose, the residential areas are not subject to overland flow, and flood velocity differences demonstrate compliance with Council's Floodplain Risk and Management Study for the 5, 20 and 100-year flood events. In response to these comments, Council officers have identified recommendations which will be addressed at the more detailed development application stage.

Interface with Cobbitty Road and Metropolitan Rural Area

The proposed DCP amendment includes controls to address the interface with Cobbitty Road and the Metropolitan Rural Area (MRA). **Figure 10** shows where specific controls and cross-sections are proposed to protect the rural character of the surrounding area.



Figure 10: Interface with Cobbitty Road and Metropolitan Rural Area

The proposed ILP seeks to extend the existing Cobbitty Road interface transition area to the land that is currently identified for expansion of the Macarthur Anglican School (as shown in blue outline on **Figure 10**). The Visual Impact Assessment supporting the proposal recommends a minimum 7 metres landscaped buffer be provided beyond the Cobbitty Road reserve.

The proposed DCP amendments also include updates to the objectives and controls to manage the interface with the MRA, including cross-sections for the north-west and south-west boundaries to ensure a transition and buffer area between the development and adjoining rural lands (**Figures 11 and 12**). Views to and from the MRA are proposed to be protected through landscaped buffers that adjoin the MRA at the western boundary of the site.

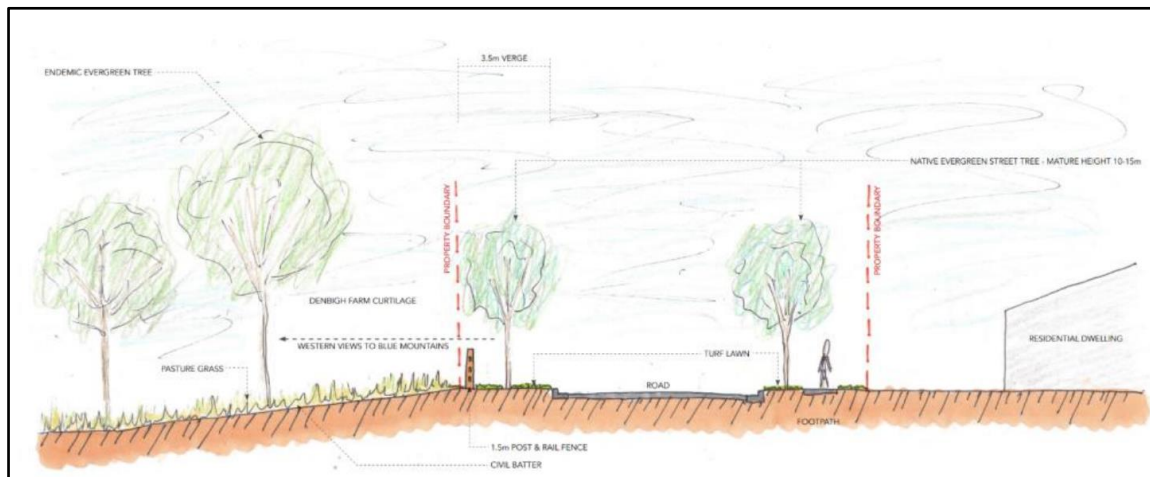


Figure 11: North-west boundary landscape section

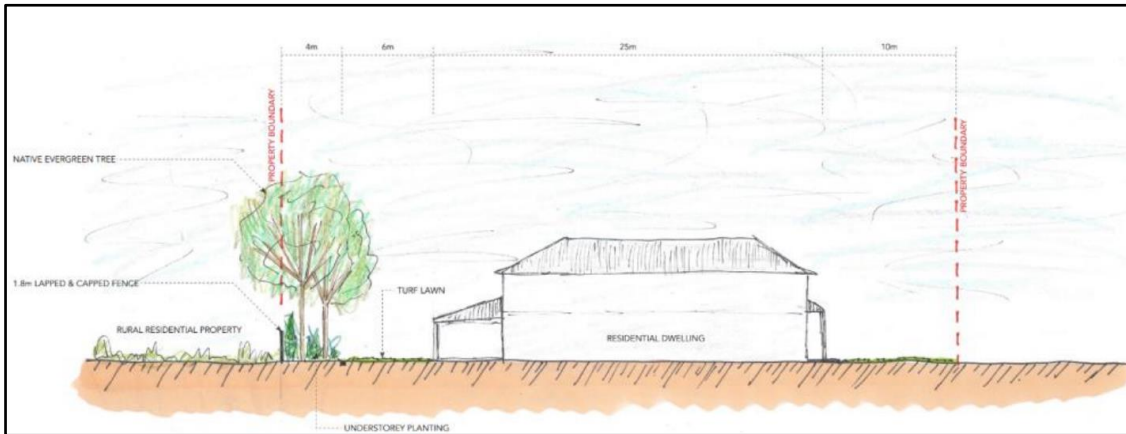


Figure 12: South-west boundary landscape section

Officer Comment

The extension of the transition area allows residential development with larger lots (minimum 1,000 square metres) to reflect the rural character of Cobbitty Road. The proposed landscaped buffers will provide a transition between the development and the Cobbitty Road and MRA. As seen in **Figures 11** and **12**, both the northwest and southwest buffer zones will be landscaped.

Consultation with State Agencies

The DCP amendment was referred to the following State agencies for initial comment:

- Schools Infrastructure NSW;
- NSW Rural Fire Service;
- Heritage NSW; and
- The Natural Resource Access Regulator.

As detailed above, Council officers will continue to consult with SINSW regarding the size and location of the proposed primary school.

The remaining State agencies raised no objection to the amended DCP proceeding to public exhibition. Further consultation with agencies will occur during the public exhibition.

Draft Voluntary Planning Agreement (VPA)

The amended ILP includes infrastructure such as open space, drainage, and traffic and transport facilities to be delivered as part of the development. It is expected that the developer will deliver these items via a Voluntary Planning Agreement (VPA) with Council.

Should the proposal be supported, negotiations on any draft VPA will progress (including a future Councillor briefing).

Assessment Against Key Strategic Documents

The draft Oran Park DCP has been assessed against key strategic documents including the following:

- Greater Sydney Region Plan;
- Western City District Plan;
- Camden Community Strategic Plan;
- Camden Local Strategic Planning Statement;
- Camden Local Housing Strategy;
- Camden Spaces and Places Strategy; and,
- Camden Green and Blue Grid Vision.

An assessment against these key strategic documents is provided as an **attachment** to this report.

It is considered the amended DCP demonstrates strategic planning and site-specific merit to proceed to public exhibition as the amendments:

- provide an integrated design outcome for the site and surrounding area;
- provide housing and employment opportunities for the Camden LGA;
- are consistent with key strategic documents;
- avoid unacceptable environmental impacts and provide social and economic benefits;
- are consistent with the vision and objectives of the Oran Park DCP; and
- result in a refined ILP that facilitates future development consistent with the site and surrounding locality.

Next Steps

Subject to Council endorsement, Council officers will notify the Department of Planning and Environment (DPE) of the exhibition of the draft amendments to the Oran Park DCP.

The draft DCP will be placed on public exhibition for a minimum of 28 days in accordance with the Camden Community Participation Plan 2021. A further report to Council will be prepared outlining the outcomes of the exhibition period.

Recommended Community Participation Methods

Subject to Council endorsement, it is recommended the following engagement methods be used for the public exhibition of the draft amendments to the Oran Park DCP and ILP:

- Notification letters to landowners of surrounding properties;
- Site signage at the frontage of the site at Cobbitty Road and at the north-eastern boundary at Squires Avenue; and,
- Social media posts, directing the community to Council's website for further information on the proposal.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council as a result of the draft amendments to the Oran Park DCP.

CONCLUSION

The proposal seeks to amend the Oran Park DCP and represents a sound development outcome that fulfils the vision to develop the Oran Park Precinct into a high-quality master planned community in the Western Parkland City.

Council officers have assessed the draft amendments to the Oran Park DCP and consider that it demonstrates sufficient planning merit to proceed to public exhibition, as outlined in this report.

RECOMMENDED

That Council:

- i. endorse the draft amendments to the Oran Park Development Control Plan;**
- ii. exhibit the draft amendments to the Oran Park Development Control Plan;**
- iii. notify the Department of Planning and Environment of the exhibition of the Oran Park Development Control Plan in accordance with the amended delegations issued by the Secretary of the Department of Planning and Environment on 19 January 2015; and**
- iv. at the conclusion of the public exhibition period, consider a further report that outlines the results of the public exhibition.**

ATTACHMENTS

1. Mirvac Cobbitty - DCP Amendment Request Summary Document
2. Mirvac Cobbitty DCP Amendment - Appendix B - Open Space Analysis
3. Mirvac Cobbitty DCP Amendment - Appendix C - Integrated Water Management Plan - Under separate cover
4. Mirvac Cobbitty DCP Amendment - Independent Peer Review of Integrated Water Management Plan
5. Mirvac Cobbitty DCP Amendment - Appendix D - Heritage Impact Study
6. Mirvac Cobbitty DCP Amendment - Appendix E - Traffic Impact Statement
7. Mirvac Cobbitty DCP Amendment - Appendix F - Denbigh Homestead Indicative Earth Mound Plans - *Supporting Document*
8. Mirvac Cobbitty DCP Amendment - Appendix G - Macarthur Anglican College letter - *Supporting Document*
9. Mirvac Cobbitty DCP Amendment - Appendix H - Visual Assessment Report
10. Mirvac Cobbitty DCP Amendment - Appendix I - School Infrastructure NSW Letter - *Supporting Document*
11. Mirvac Cobbitty DCP Amendment - Appendix J - Draft Oran Park DCP (with track changes) - Under separate cover
12. Mirvac Cobbitty DCP Amendment - Relevant Development History
13. Mirvac Cobbitty DCP Amendment - Assessment of Specialist Studies
14. Mirvac Cobbitty DCP Amendment - Assessment against Key Strategic Documents

ORD02

SUBJECT: MATER DEI / WIVENHOE AMENDED PLANNING PROPOSAL (PRE PUBLIC EXHIBITION)
FROM: Director Planning & Environment
EDMS #: 23/322432
PREVIOUS ITEMS: ORD01 - Mater Dei / Wivenhoe Planning Proposal - Ordinary Council - 08 Nov 2022

PROPERTY ADDRESS Part Lot 100 DP1230568, 229 Macquarie Grove Road, Cobbitty, Part Lot 394 DP 1184159, A Lee Street and A McKellar Street, Cobbitty

PROPONENT Graham Pascoe – Pascoe Planning Solutions

OWNER Sisters of the Good Samaritan

PURPOSE OF REPORT

The purpose of this report is to advise Council of an amended Planning Proposal (amended proposal) for land at 229 Macquarie Grove Road, A Lee Street and A McKellar Street, Cobbitty.

It is recommended that Council endorse the amended proposal for resubmission to the Department of Planning and Environment (DPE) for Gateway Determination.

The amended proposal, including associated maps and amendments to the draft Development Control Plan (DCP), are provided as **attachments** to this report.

BACKGROUND

At its meeting on 8 November 2022, Council resolved to endorse a Planning Proposal for the subject land for submission to DPE for Gateway Determination.

The proposal seeks to amend the Camden LEP 2010 by rezoning parts of the site and varying the minimum lot sizes to facilitate the separation of the various uses on the site.

As noted in the previous report, the Sisters of the Good Samaritan (Sisters) intend to leave the site, with the Mater Dei school to be managed by Good Samaritan Schools. The Sisters are planning for the future ownership and management of the various uses on the site, including the conservation land.

For some time, the Sisters have been in negotiations with Council and National Parks and Wildlife Service (NPWS) regarding land across the site. At its meeting on 11 October 2022, Council resolved to enter a deed of agreement with the Sisters to transfer some land surrounding the Kirkham Rise residential development to Council. Prior to this (in 2021), Council resolved to enter a deed with the Sisters to transfer some open space and drainage land.

On 11 May 2023, the DPE advised Council that the Planning Proposal is not supported in its current form. The DPE's key concern relates to potential land acquisition obligations for the State Government for the land proposed to be rezoned SP2 Educational Establishment.

The DPE also requested Council:

- Address the acquisition provisions for the proposed open space and drainage land; and
- Correct a boundary error between the conservation land and the rural residue precinct to reflect the boundary shown in the biodiversity stewardship agreement for that part of the site.

The DPE requested the proposal be amended to address these concerns.

Councillors were briefed on the amended Planning Proposal on 27 June 2023.

MAIN REPORT

The DPE's key concern relates to the proposed application of the SP2 Educational Establishment zone for the education precinct, as it may trigger a future land acquisition obligation under the *Land Acquisition (Just Terms Compensation) Act 1991*.

As a result, an amended proposal has been prepared, in consultation with the proponent and the Sisters.

Amended Planning Proposal

The current draft zoning plan and amended draft zoning plan are shown in **Figures 1 and 2**.

The amended proposal replaces the proposed SP2 Educational Establishment zone with RU2 Rural Landscape zone. The existing land uses are consistent with the objectives of the RU2 Rural Landscape zone, including to permit non-agricultural uses that are compatible with the environmental and conservation values of the land. Schools and related land uses are a permissible use in the RU2 Rural Landscape zone.

It is noted that a '*dwelling house*' is a permissible use in the RU2 Rural Landscape zone and accordingly the amended proposal will provide a dwelling entitlement for the school site/precinct (although this is not the stated aim of the Planning Proposal). Given the unique circumstances of the site, the RU2 Rural Landscape zone is considered the most appropriate zone (in lieu of the SP2 Educational Establishment zone).

ORD02

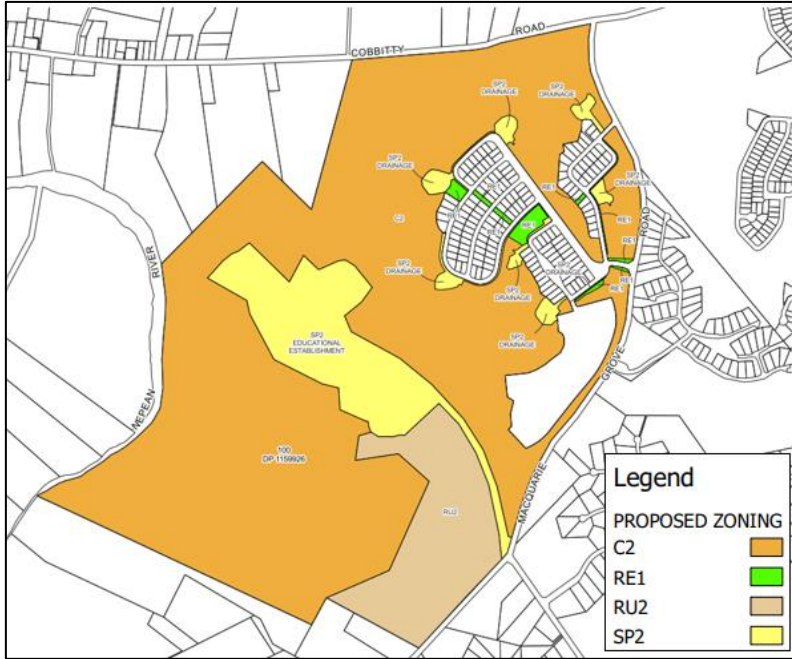


Figure 1: Current Council endorsed draft zoning map

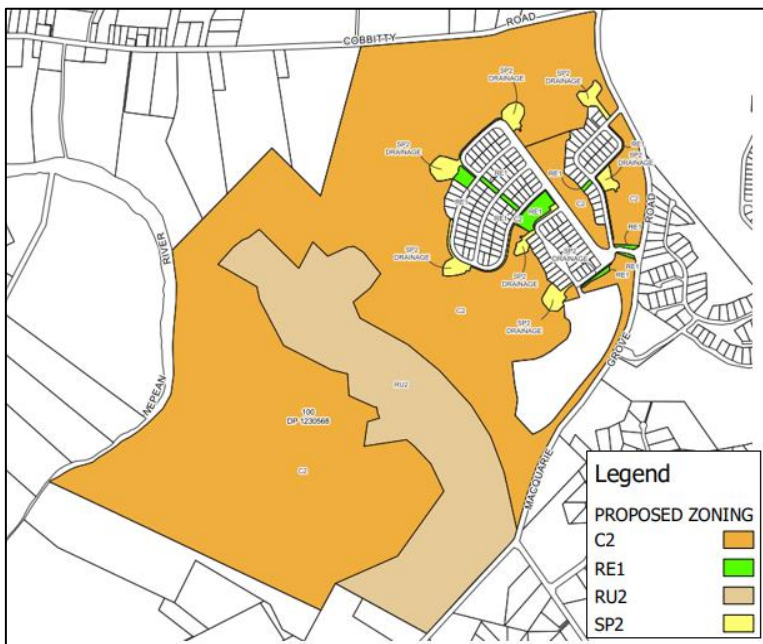


Figure 2: Amended draft zoning map

Open Space and Drainage Land

The DPE has advised that the application of the SP2 Drainage and RE1 Public Recreation zones should include a land acquisition authority and corresponding Land Reservation Acquisition (LRA) map. The amended proposal identifies Council as the land acquisition authority for the relevant open space and drainage land.

As noted above, the open space and drainage land is subject to a deed for its transfer to Council. The proposal has been amended to identify two additional pieces of linear open space that are also subject to the deed.

Zone Boundary Adjustment

The amended proposal includes an adjustment to the zone boundary of the C2 Environmental Conservation and RU2 Rural Landscape zones. The adjustment is a result of the location of fencing on the site and occurred when the site was surveyed for the Planning Proposal. The correct boundary forms part of the Biodiversity Stewardship Agreement (BSA) for the site and the Planning Proposal has been amended to be consistent with the BSA.



Figure 3: Amended Zone boundary

The amended proposal does not change the proposed minimum lot sizes. **Table 1** provides a comparison between the previous and amended Planning Proposal.

LEP Provision	Previous Planning Proposal	Amended Planning Proposal
Lot Size Map	20ha 2ha	No change
Land Zoning Map	SP2 Educational Establishment C2 Environmental Conservation RU2 Rural Landscape (rural residue precinct) SP2 Drainage RE1 Public Recreation	RU2 Rural Landscape No change No change No change
Land Reservation Acquisition Map	Nil	Proposed SP2 Drainage and RE1 Public Recreation zoned land
Clause 5.1 Relevant Acquisition Authority	Nil	Note Camden Council as the acquisition authority for SP2 Drainage zoned land (RE1 zoned land is already identified in this clause)

Table 1: Comparison between original and amended Planning Proposal

Notification

The amended Planning Proposal is substantially the same as the original proposal with no additional impact on neighbouring land. As a result, the amended Planning Proposal has not been notified.

If a favourable Gateway Determination is received from the DPE, the amended Planning Proposal will be placed on formal public exhibition.

Specialist Studies

The specialist studies submitted with the original proposal will need updating to reflect the amended proposal. The studies will be updated prior to public exhibition (subject to a favourable Gateway).

Draft Development Control Plan (DCP)

The draft DCP has been updated to reflect the adjustment to the C2 Environmental Conservation and RU2 Rural Landscape zone boundary. All other DCP provisions remain relevant for the amended proposal. Subject to the proposal proceeding, the draft DCP will be revised to reference updated specialist studies, prior to public exhibition. The amended draft DCP is provided as an **attachment** to this report.

Assessment against Key Strategic Documents

The amended Planning Proposal has been assessed against key strategic documents, including the Greater Sydney Region Plan, Western City District Plan, Local Strategic Planning Statement and Community Strategic Plan and is generally consistent. A detailed assessment is provided as an **attachment** to this report.

Assessment of Planning Merit

It is considered that the amended Planning Proposal has sufficient planning merit to proceed to Gateway Determination for the following reasons:

- The removal of the R5 Large Lot Residential zone from the site is consistent with the rural character and heritage qualities of the site (discussed in the previous Council report);
- The proposed RU2 Rural Landscape zone will protect the rural and scenic qualities of the land, allow schools and associated development to occur and remove the potential for land acquisition issues for the State Government;
- The proposal secures Environmental Conservation zoned land for the Camden LGA;
- The proposal allows the continuation of the schools, which provide needed education services to local children and their families;
- The proposal has minimal impact on the existing area as the proposal does not seek to change or increase the uses on the site;
- The proposal is not inconsistent with Council's strategic plans and policies; and
- The proposal rezones land previously agreed to be transferred to Council.

Next Steps

Subject to Council endorsement, the Planning Proposal will be resubmitted to the DPE for a Gateway Determination.

Subject to a favourable Gateway Determination, the amended Planning Proposal will be placed on public exhibition concurrently with the draft DCP. If unresolved submissions are received during the public exhibition, a further report to Council will be prepared. If no unresolved submissions are received, the amended Planning Proposal will be submitted to the DPE for finalisation.

Recommended Community Participation Methods

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, it is recommended that the below community engagement methods be undertaken during public exhibition:

- Notification letters to landowners and adjacent properties;
- Signage to be provided at the site advising that the proposal is on exhibition; and
- Social media posts directing the community to Council's Your Voice website for further information on the proposal.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The amended Planning Proposal seeks to replace the proposed SP2 Educational Establishment zone with a RU2 Rural Landscape zone, identify land on the Land Reservation Acquisition map and note Council as the acquisition authority under Camden LEP 2010.

The amended Planning Proposal will facilitate a separation of current land uses and apply land use zones that are in keeping with the current uses.

The amended Planning Proposal demonstrates strategic and site-specific planning merit and therefore is recommended to proceed to Gateway Determination.

RECOMMENDED

That Council:

- i. endorse the amended draft Planning Proposal for land at 229 Macquarie Grove Road Cobbitty (Part Lot 100 DP1230568), A Lee Street and A McKellar Street, Cobbitty (Part Lot 394 DP 1184159) to be submitted to the Department of Planning and Environment for Gateway Determination;**
- ii. endorse the amended draft Camden Development Control Plan 2019 for the purposes of public exhibition;**
- iii. subject to no unresolved submissions being received, forward the amended Planning Proposal to the Department of Planning and Environment for the plan to be made; or**
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- v. should the amended Planning Proposal not receive a Gateway Approval, notify the proponent that the Planning Proposal will not proceed.**

ATTACHMENTS

1. Mater Dei/Wivenhoe - Amended Planning Proposal prepared for Council Report (with tracked changes)
2. Mater Dei/Wivenhoe Amended Planning Proposal Maps
3. Mater Dei/Wivenhoe Planning Proposal - Assessment against Strategies, SEPPs and Ministerial Directions
4. Mater Dei/Wivenhoe Planning Proposal - Advice from DPE and Gateway Determination
5. Mater Dei/Wivenhoe Revised Draft DCP

ORD03**ORD03**

SUBJECT: ACCEPTANCE OF GRANT FUNDING FOR MULTISPORT COMMUNITY FACILITY FUND - RON DINE RESERVE
FROM: Director Sport, Community and Activation
EDMS #: 23/248729

PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application for \$1,000,000 (excl. GST) to the Camden Tigers Football Club from the NSW Government's Office of Sport Multisport Community Facility Fund and to seek Council's endorsement to accept the funding.

BACKGROUND

The Multisport Community Facility Fund is administered by the NSW Office of Sport and supports the improvement of sporting facilities and sporting infrastructure across NSW.

The Fund aims to improve sporting facilities, support infrastructure and increase participation opportunities.

Council is also contributing an additional \$250,000 (excl. GST) to the project with these funds already allocated through an existing project in the Community Support Package Stage 3.

MAIN REPORT

The NSW Office of Sport has advised Camden Tigers Football Club that it has been successful in securing \$1,000,000 (excl. GST) under the NSW Government's Multisport Community Facility Fund.

The funding will support Council in undertaking field, irrigation and drainage improvement works which are required to upgrade the main field to hybrid turf. In addition, the funding will be used for the design of female friendly change rooms for a future stage of development at Ron Dine Reserve.

As Council is delivering this project, Council must accept the funding from the NSW Government on behalf of the Camden Tigers.

FINANCIAL IMPLICATIONS

Camden Tigers has been successful in its application for a \$1,000,000 (excl. GST) grant. Council is also contributing an additional \$250,000 (excl. GST) to the project, with funding already allocated within Council's existing Community Support Package Stage 3.

CONCLUSION

The Camden Tigers Football Club has been successful with their grant application for \$1,000,000 (excl. GST) of grant funding under the NSW Government's Multisport Community Facility Fund.

The funding will be used to undertake field improvements, irrigation and drainage works, upgrading the main field surface to hybrid turf and the design of female friendly change rooms for a future stage of development at Ron Dine Reserve.

RECOMMENDED

That Council:

- i. accept the grant funding of \$1,000,000 (excl. GST) through the NSW Government's Multisport Community Facility Fund for field, irrigation and drainage improvement works, including upgrading of the main field surface to hybrid turf and the design of female friendly change rooms at Ron Dine Reserve, and allocate the funding in the 2023/24 Budget;**
- ii. write to The Hon. Stephen Kamper MP, Minister for Sport, thanking him for the grant; and**
- iii. write to Mrs Sally Quinnell MP, Member for Camden, thanking the NSW Government for their support.**

ORD04**ORD04**

SUBJECT: ACCEPTANCE OF GRANT FUNDING - ESSENTIAL COMMUNITY SPORTS FACILITY PROGRAM

FROM: Director Sport, Community and Activation

EDMS #: 23/320149

PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application for \$403,000 (excl. GST) from the NSW Government's Office of Sport's Essential Community Sports Assets Program and to seek Council's endorsement to accept the funding.

BACKGROUND

The Essential Community Sports Assets Program administered by the NSW Office of Sport supports the improvement of essential community sports facilities and infrastructure across NSW.

The Fund aims to improve sports facilities, support infrastructure, and increase participation opportunities.

MAIN REPORT

The NSW Office of Sport has advised Council that it has been successful in securing \$403,000 (excl. GST) under the NSW Government's Essential Community Sports Assets Program. As part of the funding guidelines, Council is required to match the funding.

The funding will support Council in undertaking additional building and facility improvement works to enhance accessibility, provide more storage and improve the operational areas at the Camden Tennis Centre. These works will complement the recently completed flood recovery works at the facility.

FINANCIAL IMPLICATIONS

Council has been successful in its application for a \$403,000 (excl. GST) grant. Council is required to match the funding with the matching funding being allocated as part of the Flood Recovery Program for Camden Tennis. which has contributed \$503,000 to the total project costs. The total funding available for works is \$903,000 (excl. GST) including the grant.

CONCLUSION

Council has been successful in its grant application for \$403,000 (excl. GST) for grant funding under the NSW Government's Essential Community Sports Assets Program. Council is required to accept the funding for inclusion in the 2023/24 budget.

ORD04

RECOMMENDED

That Council:

- i. **accept the grant funding of \$403,000 (excl. GST) through the NSW Government's Essential Community Sports Assets Program for additional building or facility improvement works to enhance the facilities at Camden Tennis Centre and that the funds be included in the 2023/24 Budget; and**
- ii. **write to The Hon. Stephen Kamper MP, Minister for Sport, thanking him for the grant; and**
- iii. **write to Mrs Sally Quinnell MP, Member for Camden, thanking the NSW Government for their support.**

ORD05

SUBJECT: TENDER T003/2023 - PRINCIPAL CONTRACTOR FOR CONSTRUCTION OF BYRON ROAD (SOUTH)

FROM: Director Community Assets

EDMS #: 23/336903

ORD05

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T003/2023 – Principal Contractor for Construction of Byron Road (South) and recommend that Council accept the tender submitted by Menai Civil Contractors Pty Ltd.

BACKGROUND

The scope of the works will include:

1. Upgrade of Byron Road between Ingleburn Road and Heath Road from a rural standard to an urban standard two-lane road;
2. On-road parking lane on both sides;
3. Upgrade of the existing Heath Road and Byron Road T-intersection to a three-leg roundabout;
4. Pedestrian and cycle path network;
5. Streetscaping;
6. Stormwater drainage upgrade;
7. Utilities relocation and adjustment; and
8. Review of Environmental Factors.

This project will also deliver works associated with the upgrade of Heath Road and Scalabrini Creek East (Drainage and Open Space) project, funded from the Accelerated Infrastructure Fund (AIF Round 2), and Leppington Oval, funded from the WestInvest Program. These works include:

1. Upgrade of 200 metres of Heath Road pavement, kerb and gutter and drainage line;
2. Installation of box culverts associated with the Scalabrini East project; and
3. Installation of an electrical substation and electrical works for Leppington Oval.

Due to the size and complexity of this project, an Expression of Interest (EOI) was completed and six companies were selected to tender for the works. The selected contractors demonstrated that they have the proven capability, capacity and experience in delivering projects of similar size and complexity. Council completed the EOI for the Principal Contractor of Byron Road (South) in April 2023.

MAIN REPORT

Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and Council's Procurement Policy and Guidelines.

Contract Term

The term of this contract will be for a period of 48 weeks. The project is expected to commence in July 2023.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation from existing capital works budgets to proceed with the proposed works in accordance with the terms and conditions of this tender.

Council has received funding from Round 2 of the Accelerated Infrastructure Fund (AIF)

Program to supplement Section 7.11 Developer Contributions for the design and upgrade of Byron Road between Ingleburn Road and Heath Road.

Some adjustments to the project budget will be required to draw additional funds from Heath Road Upgrade, Scalabrini East and Leppington Oval projects to allow for the cost of the works associated with those projects and to allow for additional service relocation and a contingency.

Tenderers were required to provide alternative lump sum pricing with the provision for a full road closure for works between Messenger Road and Heath Road as a cost and time savings option. A financial review of the information available demonstrates the company's ability to service the requirements of the tender.

Work, Health & Safety Requirements

The selected tender meets all WHS requirements as required for this contract.

Certificates of Currency

The selected tender provides all current insurances as required for this contract.

Advertising of Tenders

A selective tender for Principal Contractor for Construction of Byron Road (South) was issued to six preferred contractors. The tender was open for a period of 36 days until the closing date of 31 May 2023 and was available to these companies through the e-tendering website: www.tenders.nsw.gov.au.

Tenders Received

Council received five *on time* tender responses from the following organisations.

Tender	Suburb
Ferrycarrig Construction Pty Ltd	Chullora, NSW
Fulton Hogan Industries Pty Ltd	Kembla Grange, NSW
Mack Civil Pty Ltd	Peakhurst, NSW
Menai Civil Contractors Pty Ltd	Smeaton Grange, NSW
Vaughan Civil Pty Ltd	Bondi Junction, NSW

Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel, in accordance with Council's Procurement Procedures and Guidelines. The evaluation criteria were prepared and weighted on 29 May 2023. Following the close of the tender period, each tender was evaluated by the members of the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix on the following criteria:

- Price;
- Project Team Experience and Commitments;
- Project Approach / Methodology;
- Project Schedule;
- Local Supplier within LGA;
- Work Health and Safety; and
- Conformance to the conditions.

A summary of the tender assessment is provided as a **supporting document**. Please note this information is commercial-in-confidence.

Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.

CONCLUSION

It is recommended that Council accept the tender from Menai Civil Contractors Pty Ltd in the sum of \$9,890,871.29 (excl. GST). This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in similar sized complex road and intersection upgrade projects, and demonstrated value for money.

RECOMMENDED

That Council accept the tender provided by Menai Civil Contractors Pty Ltd as per the terms and conditions of T003/2023 Principal Contractor for Construction of Byron Road (South) for the lump sum of \$9,890,871.29 (excl. GST) in accordance with Council's adopted budget.

ATTACHMENTS

1. T003/2023 - Principal Contractor for Construction of Byron Road (South) - *Supporting Document*

SUBJECT: TENDER T004/2023 - PRINCIPAL CONTRACTOR FOR RON DINE RESERVE SPORTS FIELD RECONSTRUCTION WORKS

FROM: Director Community Assets

EDMS #: 23/329782

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T004/2023 – Principal Contractor for Ron Dine Reserve Sports Field Reconstruction Works and recommend that Council accept the tender submitted by Elite Turf Projects Pty Ltd.

BACKGROUND

Ron Dine Reserve is located within the south ward of the Camden Local Government Area (LGA) and lies within the 1% Annual Exceedance Probability (AEP) flood zone. The site is home to the Camden Tigers Football Club which has a long-term lease for use of the facility for its football operations.

Council allocated \$250,000 in the 2022/23 Community Support Package to upgrade the Ron Dine Reserve Irrigation system.

In 2022, Camden Tigers were successful in obtaining \$1,000,000 in grant funding from the NSW Government to undertake sports field improvements to the Ron Dine facility and develop a design of future changerooms at the site. Council has recently entered into a tripartite funding agreement to deliver the works under this grant for the Camden Tigers Football Club.

Following a condition assessment of the main playing surface and in consultation with the Camden Tigers, Council has tendered to complete the following works:

- New irrigation system with ability to be removed during flood events;
- New Irrigation to Field 1 and 2;
- Surface and profile improvements to the playing surface of field 1 ('Tigers Stadium') including hybrid synthetic grass to high wear zones; and

DRAINAGE IMPROVEMENT TO THE MAIN FIELD INCLUDING SUBSOIL AND STORMWATER MANAGEMENT MAIN REPORT

Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and Council's Procurement Policy and Guidelines.

Contract Term

Following a request from the Camden Tigers to minimise the impact of the works on their winter season, Council agreed to delay the works until September 2023, with works proposed to be completed prior to following football season commencing in April 2024.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation from existing operational budgets to proceed with the proposed works in accordance with the terms and conditions of this tender.

A financial review of the information available demonstrates the company’s ability to service the requirements of the tender.

Work, Health & Safety Requirements

The selected tender meets all WHS requirements as required for this contract.

Certificates of Currency

The selected tender provides all current insurances as required for this contract.

Advertising of Tenders

A tender for T004-2023 – Principal Contractor for Ron Dine Reserve Sports Field Reconstruction Works was called on 16 May 2023, and publicly advertised on Council’s website and e-tendering platform. The tender was open for a period of 22 days until the closing date of 7 June 2023 and was available through the e-tendering website: www.tenders.nsw.gov.au.

Tenders Received

Council received eight on time tender responses from the following organisations.

Tenderer	Suburb
Construction NSW Pty Ltd	Kings Langley, NSW
GJ’s Landscapes Pty Ltd T/as Eco Irrigation	Gladesville, NSW
Elite Turf Projects Pty Ltd	Jamisontown, NSW
J Holdings Group Pty Limited T/as J Group Corporation Pty Ltd	Penrith, NSW
Lamond Contracting Pty Ltd	Wilton, NSW
Neverstop Water Group	Cromer, NSW
Romba Pty Ltd	Emu Heights, NSW
The Green Horticultural Group Pty Limited	Annangrove, NSW

All eight tenders were conforming.

Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel, in accordance with Council's Procurement Procedures and Guidelines. The evaluation criteria were prepared and weighted on 10 May 2023. Following the close of the tender period, each tender was evaluated by the members of the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix on the following criteria:

- Price;
- Local Supplier within LGA;
- Methodology and understanding of the project;
- Project Team including subcontractors and specialists;
- Project Program;
- Relevant Experience;
- Workplace health and safety; and
- Conformance to the conditions.

A summary of the tender assessment is provided as a **supporting document**. Please note this information is commercial-in-confidence.

Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.

CONCLUSION

It is recommended that Council accept the tender from Elite Turf Projects Pty Ltd. This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in sports turf construction, the installation of commercial irrigation systems, and demonstrated value for money.

RECOMMENDATION

That Council accept the tender provided by Elite Turf Projects Pty Ltd as per the terms and conditions of T004/2023 Principal Contractor for Ron Dine Reserve Sports Field Reconstruction Works for the lump sum of \$939,061.50 (excl. GST) in accordance with Council's adopted budget.

ATTACHMENTS

1. T004/2023 - Principal Contractor for Ron Dine Reserve Sports Field Reconstruction Works - *Supporting Document*

ORD07**ORD07**

SUBJECT: PUBLIC EXHIBITION - DRAFT URBAN FOREST STRATEGY 2023
FROM: Director Community Assets
EDMS #: 23/328514

PURPOSE OF REPORT

The purpose of the report is to seek Council's endorsement to rescind the Tree Management Policy and to place the draft Camden Urban Forest Strategy 2023 on public exhibition for a period of 28 days commencing in July 2023.

BACKGROUND

Camden's urban forest is the trees and greening (and the ecosystems, soil and water that support them) that exist across the urban area, in spaces that are planned, designed and managed.

The urban forest is an important element that transforms the amenity and aesthetics of the area, while providing environmental, cultural and economic benefits to the community including shading and cooling helping to mitigate the Urban Heat Island Effect, increasing biodiversity, creating a sense of place and social cohesion, improving health and wellbeing and contributing to the economies of urban places by increasing property values.

In February 2015, Council adopted the Tree Management Policy to assist various stakeholders in making informed decisions regarding tree selection and management throughout the Local Government Area (both private and public land). The Tree Management Policy was reviewed in November 2019 and is again now due for review.

In 2022, Council was successful in its application for \$50,000 (excl. GST) under the NSW Government's Greener Neighbourhoods Program to prepare an Urban Forest Strategy 2023 (Strategy) to provide a vision, and a pathway to recognise the importance of the urban forest in Camden and identify actions to protect, enhance and support the urban forest to achieve tree canopy targets.

Councillors were briefed on the Tree Management Policy and Camden Urban Forest Strategy 2023 on 20 June 2023.

MAIN REPORT

In 2019, a Premier's priority was announced to increase the tree canopy and green cover across Greater Sydney by planting one million trees by 2022. The NSW Government committed to achieving 40% urban tree canopy cover for Greater Sydney by 2036. Council's Sustainability Strategy 2020-2024 set a target to achieve a 25% increase in canopy cover by 2024.

Council has invested significant time and resourcing into urban tree and canopy management planting over 27,000 trees since 2021, to work towards the 2024 canopy target. These plantings will improve the amenity of our community facilities, streetscapes, parks and reserves, and reduce urban heat impacts as the canopy continues to mature.

Tree Management Policy

In February 2015, Council adopted the Tree Management Policy (P1.0012.2) to assist various stakeholders in making informed decisions regarding tree selection and management throughout the Local Government Area (both private and public land). The policy was reviewed and updated in November 2019 to reflect changes in legislation and the organisational structure.

A review of the Policy (**Attachment 1**) has been undertaken and it is considered that with the development of the Strategy, the policy is no longer required. It is recommended that the Tree Management Policy be rescinded upon adoption of the Urban Forest Strategy 2023.

Urban Forest Strategy 2023

In February 2022, the Department of Planning and Environment invited local councils across Greater Sydney to apply for grants to support strategic urban forest planning under the Greener Neighbourhoods Program. Council was successful in its application for \$50,000 (excl GST) to prepare the Camden Urban Forest Strategy 2023 (**Attachment 2**).

The Strategy was developed based on available data and information, including data from the NSW Government. In addition, Council conducted a community survey in the Council 'Your Voice' page from January to March 2023 seeking feedback on the urban forest to guide the development of the Strategy. Overall, the community views on the urban forest across all contributions were positive and insights from the feedback include:

- The community strongly agree with the various values and benefits of trees.
- The community strongly agree that there should be more urban forest (86%) and it needs to be protected (74%).
- The community agree that they need to be engaged in urban forest management in their neighbourhood (50%).
- Close to half the respondents do not feel their streets are shady.
- Incentives to plant trees and information and advice are needed to encourage people to plant trees in their property.
- The community is unsure if the urban forest is well management and maintained (32%).

To significantly increase Camden's tree canopy towards the NSW Government target and build widespread community support for the urban forest, the Strategy provides a strategic framework (Figure 1) including a long-term vision to 2050 in the knowledge that it will take time to achieve the outcomes desired. The desired six outcomes will mean Camden has achieved its vision for a thriving urban forest and five strategic objectives to guide activity by Council and their partners around urban forest management, its protection, enhancement and growth. Actions identified under each strategic objective for delivery will be targeted for implementation as either short (0-2 years) or medium (3-5 years) term or ongoing.

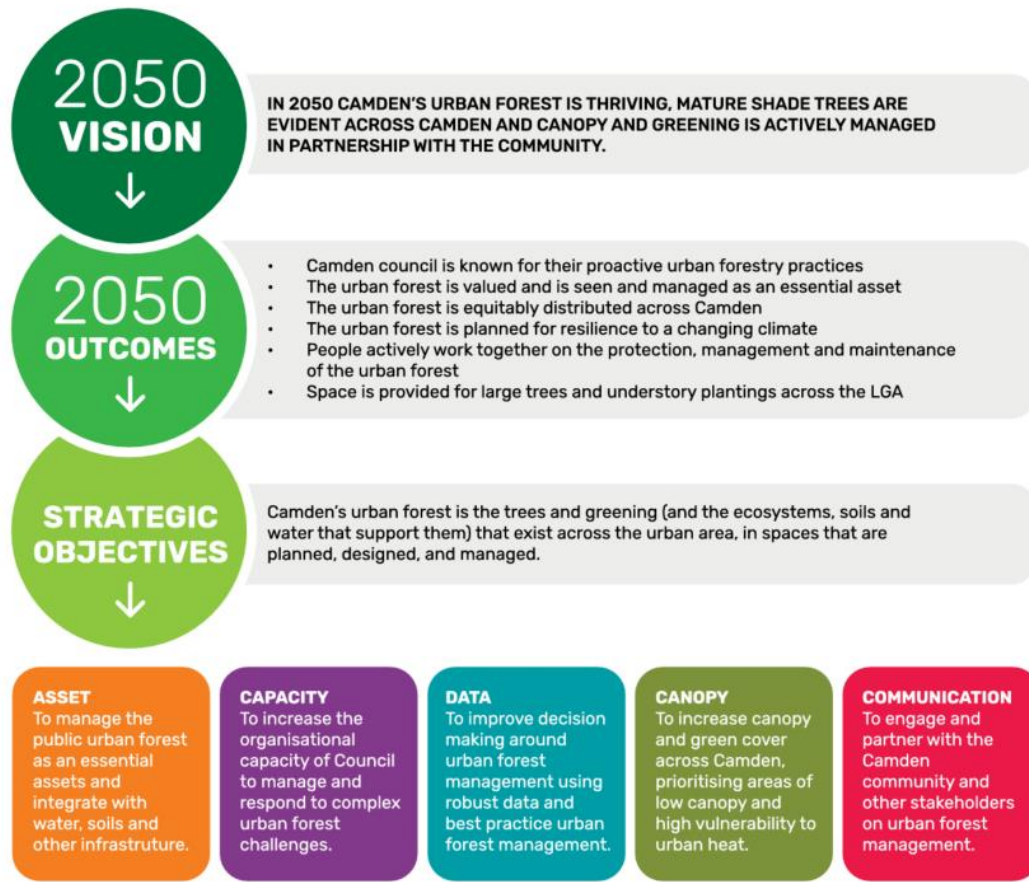


Figure 1: Urban Forest Strategic Framework

Together with the work progressing on the Greener Places, Healthier Waterways: A Vision for the Camden Green and Blue Grid 2023, the Urban Forest Strategy 2023 will support the realisation of a range of interconnected community goals and objectives within the Connecting Camden Community Strategic Plan 2022-2036, Local Strategic Planning Statement 2020, Sustainability Strategy 2020-24, and Biodiversity Strategy 2023.

FINANCIAL IMPLICATIONS

The funding for the implementation of the actions within the draft Strategy will be sourced from current and future budgets as well as from suitable grant funding and partnerships.

CONCLUSION

Council has prepared the draft Urban Forest Strategy 2023 to provide a strategic framework around urban forest management, its protection, enhancement, and growth as we work towards achieving the NSW Government's tree canopy target. In developing the strategy, a review of the Tree Management Policy has been undertaken and it is considered that the policy is no longer required. It is recommended that the Tree Management Policy be rescinded upon the adoption of the Urban Forest Strategy 2023.

ORD07

RECOMMENDED

That Council:

- i. **endorse the Urban Forest Strategy 2023 to be placed on public exhibition for a period of 28 days commencing in July 2023;**
- ii. **if no unresolved submissions are received during the public exhibition period, adopt the Urban Forest Strategy 2023 effective from the day after the close of the exhibition period;**
- iii. **if any unresolved submissions are received during the public exhibition, receive a further report to consider the submissions; and**
- iv. **upon adoption of the Urban Forest Strategy 2023, rescind the Tree Management Policy.**

ATTACHMENTS

1. Tree Management Policy
2. Draft Urban Forest Strategy 2023

ORD08

ORD08

SUBJECT: INVESTMENT MONIES - MAY 2023
FROM: Director Customer & Corporate Strategy
EDMS #: 23/332810

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2021*, a list of investments held by Council as at 31 May 2023 is provided.

MAIN REPORT

The weighted average return on all investments was 4.09% p.a. for the month of May 2023. The industry benchmark for this period was 3.53% (Ausbond Bank Bill Index).

The official cash rate as determined by the Reserve Bank of Australia (RBA) as at 31 May 2023 was 3.85%. On 7 June 2023, the Board of the RBA increased the official cash rate to 4.10%.

The Responsible Accounting Officer (the Chief Financial Officer) has certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

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

RECOMMENDED

That Council:

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for May 2023; and**
- iii. note the weighted average interest rate return of 4.09% p.a. for the month of May 2023.**

ATTACHMENTS

1. Investment Summary Report - May 2023

SUBJECT: AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE AND INTERNAL AUDIT CHARTER - REVISED

FROM: General Manager

EDMS #: 23/249169

PURPOSE OF REPORT

The purpose of this report is to recommend that Council adopt the revised Audit, Risk and Improvement Committee (ARIC) Terms of Reference and the revised Internal Audit Charter.

BACKGROUND

Council endorsed the implementation of a Business Assurance and Risk Management framework in June 2014. This framework included the establishment of a Business Assurance and Risk Committee (renamed Audit, Risk and Improvement Committee).

The objective of the Audit, Risk and Improvement Committee is to provide independent assistance to Camden Council by monitoring, reviewing and providing advice about Camden Council on governance processes, risk management and control frameworks, and external accountability obligations.

Council resolved to adopt the Committee's current Audit, Risk and Improvement Committee Charter and Internal Audit Charter on 8 June 2021.

On 19 December 2022, the Office of Local Government (OLG) issued a circular providing approved draft Guidelines, Model ARIC Terms of Reference and a Model Internal Audit Charter. The associated amendments required to be made to the *Local Government (General) Regulation 2021* (Regulation) have not yet been finalised however the Guidelines were issued in draft form to allow councils to prepare for implementation. The Guidelines and Models are to be implemented by 1 July 2024.

The OLG circular includes Model ARIC Terms of Reference that set out the Committee's objectives, authority, composition and tenure, roles and responsibilities, and reporting and administrative arrangements. Councils must adopt ARIC Terms of Reference that are consistent with the Model Terms of Reference approved by the Departmental Chief Executive and can include additional provisions that are not inconsistent with the approved Model.

The circular also includes a Model Internal Audit Charter to guide how internal audit will be undertaken by the Council. Councils must adopt a charter that is consistent with the Model Charter and can include additional provisions that are not inconsistent with the Model.

Councillors were briefed on 27 June 2023 on the proposed changes to the Audit, Risk and Improvement Committee Terms of Reference and the Internal Audit Charter.

MAIN REPORT

The ARIC and Internal Audit Charters have been reviewed in line with the Models issued by OLG. The ARIC reviewed the revised ARIC Terms of Reference and the revised Internal Audit Charter at its 17 May 2023 meeting. Following this, a number of amendments were made, at the ARIC's request, and the Committee endorsed the ARIC Terms of Reference and Internal Audit Charters out of session for reporting to Council for adoption.

Revised Audit, Risk and Improvement Committee Terms of Reference

A review of the current Charter has been undertaken considering the Guidelines and ARIC Model Terms of Reference. The changes made are consistent with the Model Terms of Reference and to align with best practice where they relate to Council.

Although significant changes have been made to the Terms of Reference in relation to wording and structure, Council was well advanced with its current Charter largely consistent in requirements with the Model.

The majority of clauses in the Model Terms of Reference have been included however some changes have not yet been added and will be considered on next review once the Regulations are finalised.

The main changes that reflect new or amended requirements relate to:

- Addition of eligibility and independence criteria for independent members and inclusion of independent members to provide an annual written declaration that they meet the independence requirements;
- The development of a four-year ARIC strategic work plan, which covers all matters listed in Section 428A of the *Local Government Act 1993*, and must be reviewed annually;
- The inclusion of a four-year strategic assessment report to be provided to Council;
- Additional reporting requirements generally and greater consultation with the governing body of Council;
- A provision to cancel/postpone a meeting where a natural event/disaster means it is unsafe to conduct a meeting;
- Formal signing of confirmed ARIC minutes by the Chair; and
- Enhancements to the roles and responsibilities outlined in Schedule 1, noting that the suggested items from the Model have been largely included with some amendments.

The following inclusions in the Model Terms of Reference will be considered for inclusion after the Regulations are finalised as part of the next review of the ARIC Terms of Reference:

- Councillor membership; and
- Eligibility criteria for Councillor members.

Due to the number of changes to the format and wording in the new ARIC terms of reference, the provision of a 'tracked changes' version demonstrating the changes was not practical.

A copy of the revised ARIC Terms of Reference is provided at **Attachment 1**. Content in 'red' font represents items that are not in the Model Terms of Reference and have been amended/included as an improvement or where items are not being considered until the next review, for example, additional items transferred from Council's current Charter or provisions not yet changed (eg Councillor membership). A copy of the current ARIC Charter is included at **Attachment 2** and a copy of the Model Terms of Reference can be accessed using this [link](#).

Revised Internal Audit Charter

A review of the current Internal Audit Charter has been undertaken considering the Guidelines and Model Internal Audit Charter. The changes made are largely consistent with the Model Charter and to align with best practice where they relate to Council.

The main changes relate to:

- Inclusion of Schedule 1, which lists the areas ARIC is responsible for monitoring under Section 428A of the *Local Government Act 1993* and includes internal audit's role in relation to those areas. Some of these areas were included in the current Charter however not to the same extent. Some changes have been made to the suggestions in the Model Charter to provide clarity over internal audit's role and allow a risk-based program of internal audits to be developed.
- The internal audit methodology section has been removed however noting that elements of this are covered in the Model and noting that there is inclusion of the statement that all internal audit activities are to comply with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors. It should also be noted that Council has an Internal Audit Manual and Quality Assurance and Improvement Program, which covers these requirements.

Due to the number of changes to the format and wording in the new Internal Audit Charter, the provision of a 'tracked changes' version demonstrating the changes was not practical. A copy of the revised Internal Audit Charter is provided at **Attachment 3**. Content in 'red' font represents items that are not in the Model Charter and have been either amended/added for example from Council's current Charter. A copy of the current Internal Audit Charter is included at **Attachment 4** and a copy of the Model Charter can be accessed using this [link](#).

FINANCIAL IMPLICATIONS

This report has no financial implications.

CONCLUSION

The Audit, Risk and Improvement Committee and internal audit function are critical components of a robust governance framework. The revised Audit, Risk and Improvement Committee Terms of Reference and Internal Audit Charter proposed are in accordance with the Office of Local Government's Guidelines and best practice.

RECOMMENDED

That Council:

- i. adopt the revised Audit, Risk and Improvement Committee Terms of Reference; and**
- ii. adopt the revised Internal Audit Charter.**

ATTACHMENTS

1. Revised Audit Risk and Improvement Committee Terms of Reference
2. Current Audit Risk and Improvement Committee Charter
3. Revised Internal Audit Charter
4. Current Internal Audit Charter

ORD09

SUBJECT: MINUTES TO THE 22 FEBRUARY 2023 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

FROM: General Manager

EDMS #: 23/298313

PURPOSE OF REPORT

The purpose of this report is to provide Council with the minutes of the 22 February 2023 Audit, Risk and Improvement Committee meeting.

BACKGROUND

Council endorsed the implementation of a Business Assurance and Risk Management framework in June 2014. This framework included the establishment of a Business Assurance and Risk Committee (renamed Audit, Risk and Improvement Committee).

Council resolved to adopt the Committee's current Audit, Risk and Improvement Committee Charter on 8 June 2021. The Charter includes a requirement to report draft minutes to Councillors via the Councillor Update, and to subsequently report the final minutes to Council for noting after they have been approved at the next Audit, Risk and Improvement Committee meeting.

MAIN REPORT

The Audit, Risk and Improvement Committee met on 22 February 2023. The agenda discussed at the meeting included:

- Section 7.11 Local Infrastructure Contributions Internal Audit;
- Tree Inspections and Maintenance Internal Audit;
- Enterprise Risk Management;
- External Audit Update;
- Update on Council's response to the NSW Modern Slavery Act 2018;
- Update on the review of Council's Delegations of Authority;
- Governance Information Report to 31 December 2022;
- Work, Health and Safety Update;
- Quality Assurance and Improvement Program;
- Internal Audit annual survey results;
- Balanced scorecard/KPI report;
- Audit, Risk and Improvement Committee and Internal Audit Annual Report;
- Audit Recommendations Implementation Status Update;
- Internal Audit Plan Status Update; and
- Update on Reports from Authoritative Bodies.

The draft minutes of the 22 February 2023 Audit, Risk and Improvement Committee meeting were circulated to Councillors as part of the Weekly Councillor Update on 24 March 2023 and subsequently approved at the 17 May 2023 Committee meeting. The approved minutes are provided as an **attachment** to this report.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

The Audit, Risk and Improvement Committee plays an important role in supporting the governance framework of Council. Reporting the minutes from Committee meetings keeps Council informed of the outcomes from those meetings and they are submitted for information.

RECOMMENDED

That Council note the minutes of the 22 February 2023 Audit, Risk and Improvement Committee meeting.

ATTACHMENTS

1. Minutes to the 22 February 2023 Audit, Risk and Improvement Committee Meeting

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: General Manager
EDMS #: 23/345536

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*, the following business:

1. Acquisition of Land – Grasmere; and
2. Acquisition of Land – Elderslie

is, in the opinion of the General Manager, of a kind referred to in Section 10A(2) of the Act, being:

- Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)); and
- Commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i))

and should be dealt with in a part of the meeting closed to the media and public.

Before a part of the meeting is closed, members of the public may make representations as to whether that part of the meeting should be closed. Representations can only be made in writing to the General Manager prior to the commencement of the meeting or a fixed period immediately after the motion is moved and seconded. That period is limited to four minutes under Council's Code of Meeting Practice.

The meeting will only be closed during discussion of the matters directly the subject of the report and no other matters will be discussed in the closed part.

Members of the public will be readmitted to the meeting immediately after the closed part has ended and, if Council passes a resolution during the closed part, the Chairperson will make the resolution public as soon as practicable after the closed part has ended.

RECOMMENDED

That Council:

- i. **hear any objection or submission by a member of the public, limited to a period of four minutes, concerning the closure of the meeting; and**
- ii. **close the meeting to the media and public to discuss reports dealing with commercial matters in accordance with the provisions of Sections 10A(2)(c) and 10A(2)(d)(i) of the *Local Government Act 1993*.**

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