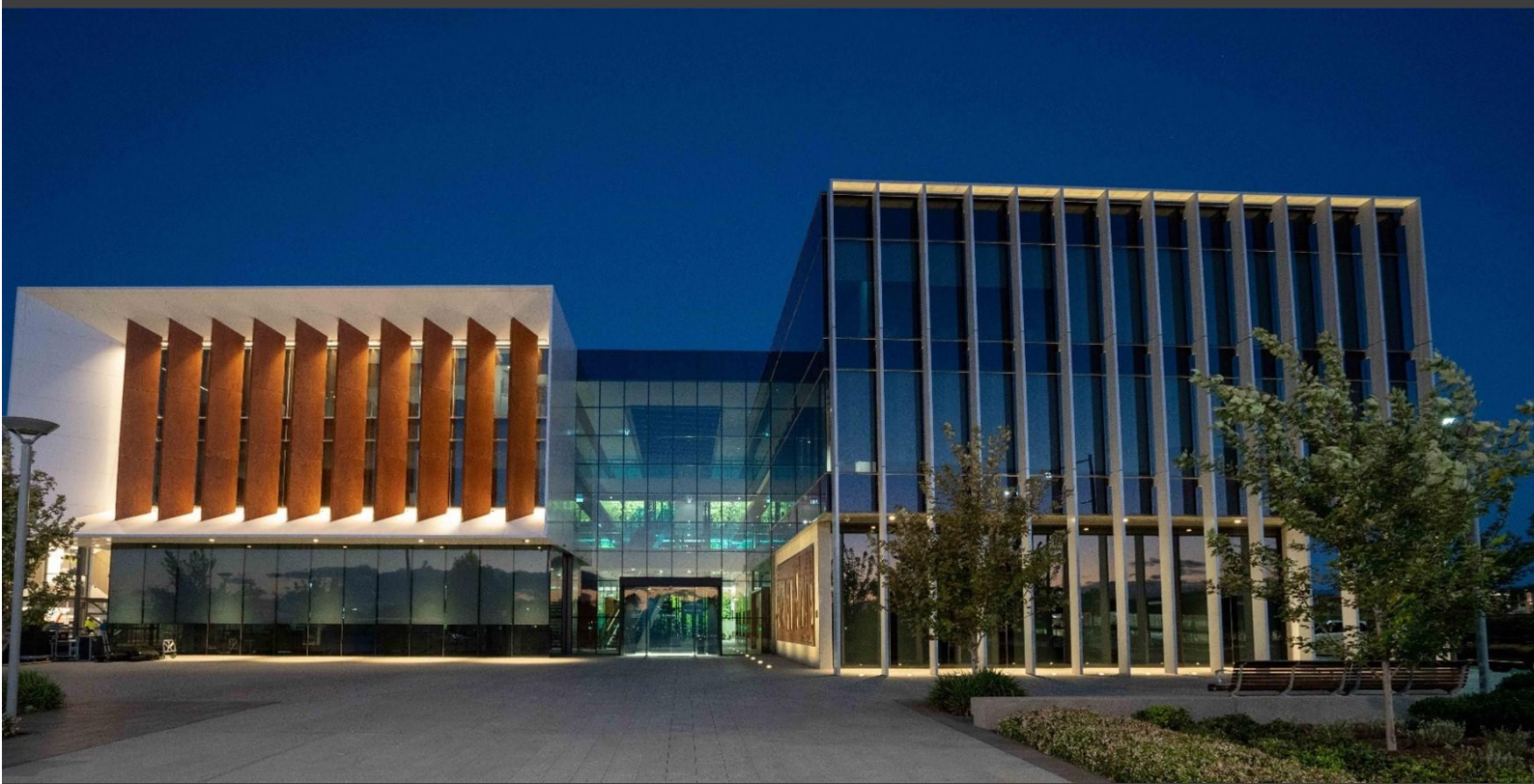


# Business Paper

Ordinary Council Meeting

Camden Council  
Administration Centre  
70 Central Avenue  
Oran Park

13 February 2024

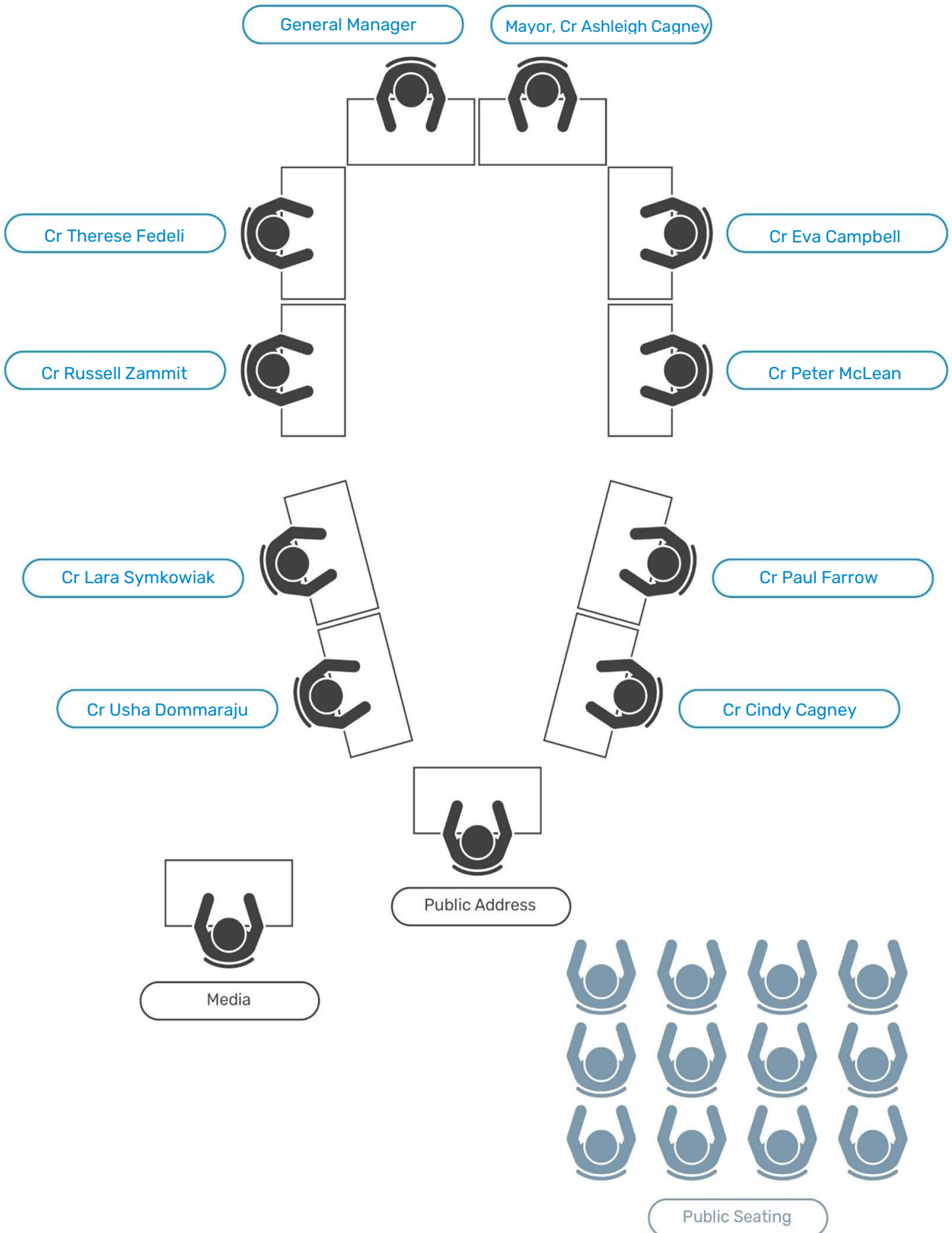


The public can also view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage - <http://webcast.camden.nsw.gov.au/video.php>

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## 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**

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## 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**

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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**

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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**

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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**

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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**

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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**

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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 12 December 2023 and the Ordinary Council Meeting held 12 December 2023.

**RECOMMENDED**

**That the Minutes of the Local Traffic Committee Meeting held 12 December 2023 and the Ordinary Council Meeting held 12 December 2023, copies of which have been circulated, be confirmed and adopted.**

**SUBJECT: MAYORAL MINUTE**

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Consideration of Mayoral Minute (if any).

**ORD01****ORD01**

**SUBJECT: DRAFT SUBMISSION - WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT - ENVIRONMENTAL IMPACT STATEMENT**

**FROM:** Director Planning and Environment

**EDMS #:** 24/8257

**PREVIOUS ITEMS:** ORD01 - Western Sydney International (Nancy-Bird Walton) Airport - Airspace and Flight Path Design - Ordinary Council - 08 Aug 2023

---

### PURPOSE OF REPORT

The purpose of this report is to advise Council of the Australian Government's public exhibition of its 'Draft Environmental Impact Statement' (Draft EIS) for the 'Airspace and Flight Path Design' for the Western Sydney International (Nancy-Bird Walton) Airport and for Council to consider a submission in response to the Draft EIS.

### BACKGROUND

The Australian Government's proposed Western Sydney International (Nancy-Bird Walton) Airport (WSI) project has the potential to transform the Western Parkland City, including the Camden Local Government Area (LGA), bringing with it a range of facilities, services, employment and other opportunities for the community. As an integral item of infrastructure in Western Sydney, WSI is intended to facilitate economic growth and provide an additional connection to global markets/destinations.

The development of an international airport in the Western Parkland City will also have adverse implications for the environment and residents, including the Camden LGA community. Council has made multiple representations to the Australian Government over a period of 25+ years, raising concerns on behalf of the Camden LGA community as to the potential adverse impacts of a second major airport within the Sydney Basin.

In April 2014, the Australian Government announced that Badgerys Creek (located in the Liverpool LGA) would be the location of the new Western Sydney International (Nancy-Bird Walton) Airport (WSI). In October 2015, the Australian Government released a draft Airport Plan and draft Environmental Impact Statement (EIS), which included assessments on anticipated noise impacts, air quality, transport, heritage, water quality, ecology, local and regional economy, and social impacts resulting from the proposed WSI project. Council's endorsed submission on the draft Airport Plan and EIS was lodged with the Australian Government in December 2015.

In September 2018, WSA Co. (an Australian Government owned company) commenced construction on Stage 1 of WSI, comprised of a single runway and passenger terminal, with its completion scheduled by the end of 2026. A second, parallel runway is expected to be required by 2055. While WSA Co. is tasked with development of WSI, they are not responsible for developing the flight paths, which is the remit of the Australian Government's Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA).



## ORD01

In June 2023, the Australian Government released its preliminary flight path design for single runway operation of WSI. In response, at its meeting of 8 August 2023, Council resolved to write to the Australian Government to raise issues identified as having an impact on the Camden LGA community resulting from the proposed future flight paths for WSI.

In October 2023, the Australian Government released its Draft EIS for the 'Airspace and Flight Path Design' for the Western Sydney International (Nancy-Bird Walton) Airport; a document that totals in excess of 4,000 pages.

A Councillor briefing on the Draft EIS was provided by representatives of the Australian Government on 28 November 2023, with a further briefing provided by Council officers on 30 January 2024 regarding Council's proposed submission in response to the Draft EIS.

The closing date for submissions on the Draft EIS was 31 January 2024. Council officers requested an extension in writing to the closing date, to enable Council to formally endorse a submission prior to lodgement. However, return correspondence received from the Australian Government declined this request, noting their willingness to accept a draft submission by the due date, prior to formal endorsement by Council. Consequently, a Council officer level submission was lodged with the Australian Government in response to the Draft EIS on 31 January 2024.

In addition to Council's submission, officers also contributed to The Parks submission in response to the Draft EIS, lodged on behalf of Sydney's Parkland Councils.

Following is an overview of the key issues identified in the Draft EIS for the existing and future Camden LGA community, based on the recently released preliminary flight paths for the 24-hour operational WSI.

### MAIN REPORT

The Draft EIS is comprised of multiple parts, including 14 separate technical papers. A submission in response to the Draft EIS is prepared for consideration by Council, a copy of which is **attached** to this report. Council's draft submission is structured to respond to the themes in the Draft EIS, and identifies a range of key issues that impact the Camden LGA, summarised as follows.

#### **Aircraft Noise**

Stage 1 of WSI is currently under construction and will comprise a single runway on its opening in 2026. The single runway is orientated on a north-east/south-west configuration, identified as Runway 05 and Runway 23, respectively. The orientation of the Stage 1 runway is key to its mode of operation and has shaped the preliminary flight path design of WSI.

Prevailing wind conditions will influence which runway direction is used, either during the day or night. For aircraft movements during the day (i.e. 5.30am-11.00pm), when Runway 05 is used, all aircraft will arrive from the south-west and depart to the north-east. When Runway 23 is used during the day, all aircraft will arrive from the north-east and depart to the south-west as shown in **Figure 1**.

WSI Day/Evening (5.30am to 11pm) runway modes of operation



Figure 1: Proposed day/evening runway modes of operation (Source: Draft EIS: Part B – The Project (Sept 2023) p7-13)

During the night (after 11.00pm), in addition to the runway 05 and runway 23 configuration, head-to-head ‘Reciprocal Runway Operations’ (RRO) are proposed for WSI’s operation, with aircraft landing on runway 05 from the south-west, and departing on runway 23 to the south-west, as shown in **Figure 2**.

WSI Night (11pm to 5.30am) runway modes of operation



\*RRO is suitable only at night (11pm to 5.30am) when air traffic demand levels and weather conditions permit.

Figure 2: Proposed night runway modes of operation (Source: Draft EIS: Part B – The Project (Sept 2023) p7-13)

The proposed RRO flight paths will have considerable adverse impact on the Camden LGA community. Subject to suitable weather conditions, between the hours of 11.00pm and 5.30am, aircraft would both take off and land from the south-west, with the departure flight path impacting the full length of the western edge of the Camden LGA as shown in **Figure 3**.

ORD01

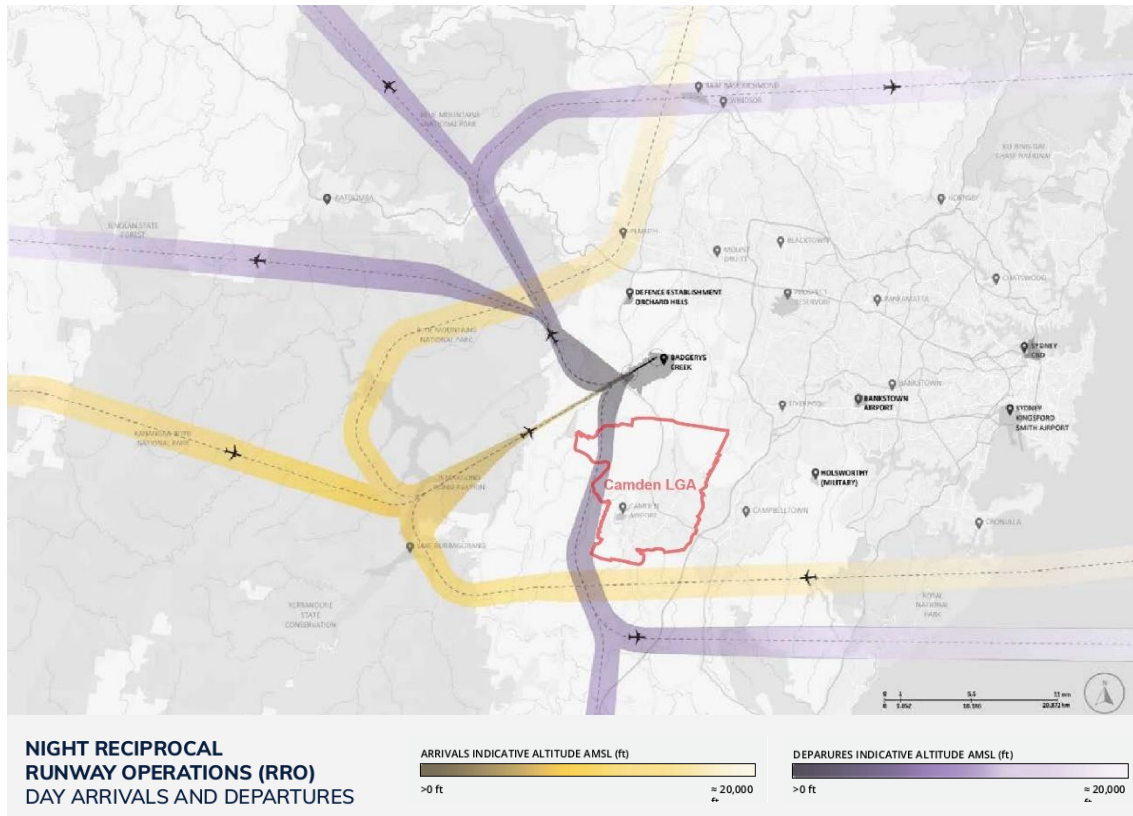


Figure 3: Night RRO Arrivals and Departures (Source: Draft EIS: Part B – The Project (Sept 2023) p7-21)

In response to these issues the following points regarding Aircraft Noise are noted in Council’s submission to the Draft EIS, recommending that the Australian Government:

- Acknowledge in the Draft EIS that upwards of 100,000 additional residents in the Camden LGA, in the areas adjacent to the proposed WSI RRO, are impacted during its night time operation;
- Ensure that the RRO option complies with the World Health Organisation’s night time aircraft noise level of 40dB, rather than the Draft EIS projected 60-70dB;
- Review the WSI flight path design in developing the following airspace management strategies for minimising aircraft noise impacts on the Camden LGA:
  - Overflight avoidance;
  - Overflight dispersion; and
  - Overflight mitigation procedures;
- Review the entire Sydney Basin airspace design, inclusive of options for the 24-hour operation of Sydney Kingsford-Smith Airport (KSA), to ensure equitable management of aircraft movements for all residents in the Greater Sydney Region; and

- Ensure the scope of the Noise Insulation and Property Acquisition Policy (NIPA) is expanded to include those land owners in the Camden LGA that are directly impacted by aircraft noise from the future operation of WSI e.g. in the N70 contour areas.

The issue of regional equity is of particular concern for this matter, as Aircraft Noise impacts arising from WSI's proposed 24-hour operations will be far greater in the South-West Sydney communities that surround WSI than the Eastern Sydney communities that surround KSA, which limits aircraft noise impacts by prohibiting night-time aircraft movements. A more balanced and equitable approach to controlling Aircraft Noise impacts across the entire Sydney region is required.

### Air Quality

Air pollution is an environmental risk to human health, catalysing the burden of disease from stroke, heart disease, lung cancer, and both chronic and acute respiratory diseases, including asthma. The following recommendations are noted in Council's submission, that the Australian Government:

- Review the *Draft EIS: Technical Paper 2 – Air Quality* for WSI to ensure it adheres to the World Health Organisation's (WHO's) 2021 Global Air Quality Guidelines, that it includes the stipulation of an ongoing requirement for the Australian Government to monitor air quality, and reflect air quality analysis that the RRO runway option is likely to have the most adverse impact on the Camden LGA community;
- Review the Draft EIS to include a comprehensive mitigation management strategy for air quality, and that this imperative is reflected via the ongoing monitoring of aircraft emissions on the part of the Australian Government;
- Conduct risk estimates for multiple periods up to the capacity year 2055 (e.g. 2033, 2038, 2045, 2050), that they are done so separately for each pollutant, and that the Draft EIS is updated to reflect this analysis;
- Update the Draft EIS to reflect actual data from sensitive receptors located in the Camden LGA, along with further analysis including community feedback on health concerns and describe how this feedback was considered and addressed in the assessment, in developing an Air Quality Management Framework/Plan for the Camden LGA, South-Western Sydney and Western Sydney;
- Update the Draft EIS to establish parameters on the extent of acceptable Air Quality resulting from the operation of WSI, and limit WSI's operation subject to the maintenance of those acceptable Air Quality parameters;
- Actively promote transparency in its public consultation on the WSI Draft EIS, by making available all background studies on issues such as Air Quality, as well as the other components that form part of the overall environmental impact assessment; and
- Accurately map the 'local study area' and 'regional study area' for Air Quality in the Draft EIS, and conduct a review of 'Technical Paper 2 - Air Quality' to correct all anomalies.

## Greenhouse Gas Emissions

Council is committed to facilitating action on sustainability initiatives in our local area and working with the Camden LGA community, and other important local stakeholders, to protect and enhance our natural environment, as reflected in our *'Sustainability Strategy 2020 - 2024'*. However, Council's local leadership is at risk from WSI's future operation, with the following points noted in Council's submission to the Draft EIS, recommending that the Australian Government:

- Amend the Draft EIS to include the statutory requirement of the appropriate Australian Government agency and/or airport operator to manage greenhouse gas emissions mitigation and monitoring systems, for future operation of WSI;
- Direct WSA Co to prepare the proposed WSI 'Operational Sustainability Strategy' and 'Operational Sustainability Plan', and in doing so, that WSA Co engages all stakeholders in their preparation. Further, these strategies and plans must include enforceable targets to reduce greenhouse gas emissions, and ensure that WSI's ongoing operation is contingent on meeting those reduced targets;
- Make the necessary statutory arrangements to ensure that medium and long-haul flight services are predominantly operated to/from Sydney Kingsford-Smith Airport (KSA), to actively mitigate the adverse impacts from greenhouse gas emissions to the Western Parkland City; and
- Conduct a thorough analysis of the quantifiable impacts of greenhouse gas emissions resulting from operation of WSI, and implement a meaningful mitigation strategy to safeguard the health and wellbeing for the Camden LGA community.

## Hazard and Risk

WSI's 24-hour operation will put the Camden LGA community at risk. While the Draft EIS has attempted to quantify some of the foreseeable hazards, more work is required in managing risk mitigation, as well as greater transparency and community education in explaining the hazards and risks associated with large commercial aircraft operating where people live. The following points are noted in Council's submission to the Draft EIS, recommending that the Australian Government:

- Update the Draft EIS to include an accurate representation that appropriately quantifies and reflects the identified potential risk to human life resulting from the operation of WSI;
- Update the Draft EIS to include actual examples (either domestic or international) where fuel dumping has occurred over land, supported by analysis of the associated resulting impacts on environmental issues such as air quality, water quality, biodiversity etc as well as on human health, and the mitigation measures utilised to manage this hazard and risk;
- Review and update the Bureau of Meteorology's 2015 *'Western Sydney Airport Usability Report'*, and in turn update the Draft EIS, to ascertain what impact combustion of jet fuel releases will have on fog climatology over the Camden LGA or at the WSI site, for the safe management and operation of WSI; and



- Analyse the risk as to the number of occurrences from ice falling to ground from aircraft, particularly from those operating in airspace that may catalyse such events, and update the Draft EIS to quantify the likely number of events where ice could fall from aircraft over areas of the Western Parkland City.

### **Wildlife Strike Risk**

The future location of a second major airport in the Sydney Basin was confirmed by the Australian Government in 2014. Yet, to date, meaningful analysis of existing wildlife movements in the area and the potential for impacts resulting from the operation of a major airport have not been completed. The subsequent inquiries made regarding Wildlife Strike Risk via the Draft EIS fall short of what is needed for both conservation management and public safety considerations; therefore, the following action is required on the part of the Australian Government:

- Conduct a comprehensive high-level wildlife movement study and wildlife strike risk mitigation strategy for inclusion in the Draft EIS;
- Convene the 'WSI Wildlife Hazard Management Committee' (WHMC), and that its membership includes a representative from Camden Council, as well as the National Parks and Wildlife Service (NPWS);
- Update the Draft EIS to comprehensively address the inherent risks associated with increased wildlife activity in the Western Parkland City, and that this is managed relative to the safe operation of WSI airspace over the Camden LGA; and
- Further quantify the potential for Wildlife Strike Risk, through incremental, sustained and combined analysis of the projected risks.

### **Land Use and Planning**

While Council has adhered to the statutory land use planning controls required to enable the future operation of WSI, there are gaps in the Draft EIS regarding land use planning, the following of which require further action by the Australian Government:

- Review and update the Draft EIS to reflect the extent of adverse noise impacts in existing and future residential areas in the Camden LGA beyond the average of ANEF/ANEC contours; and
- Review and update the Draft EIS to ensure that its assessment of impacts for land use planning reflect the future WSI dual runway option.

### **Landscape and Visual Amenity**

The projected impacts on Landscape and Visual Amenity in the Camden LGA resulting from the future WSI operation is a key risk for our community. As noted in the Camden *'Community Strategic Plan 2036'*, the Camden LGA community places a high value on our natural environment and where we live and work.

In responding to the vision of our community for a future Camden LGA, the following action is required by the Australian Government in contributing toward the preservation of our local landscape and visual amenity:

## ORD01

- Review the Draft EIS to articulate/define the meaning of landscape character and visual amenity impact assessment ratings e.g. high, moderate, low, negligible; and for the area described as 'LCZ10' (in the Rossmore/Leppington area), evaluate the sensitivity and magnitude of change for landscape character and visual amenity for the Reciprocal Runway Operations (RRO) of WSI;
- Update the Draft EIS to include pictorial (silhouette) representations of the night-time visual impacts on the Camden LGA from aircraft movements, and the inclusion of a proper assessment of the night-time visual impacts, resulting from the RRO of WSI;
- Review the Draft EIS to include the South West Rail Link (SWRL) Extension in the list of projects contributing toward cumulative impacts, and quantify how in conjunction with WSI it will adversely impact the landscape and visual amenity in part of the Camden LGA community i.e. LCZ10; and
- Review the Draft EIS to ensure the assessment of the LCZ10 zone includes an 'objective' assessment of the visual impacts resulting from RRO of WSI, with a quantifiable measurement of any change to the character of this area.

### Biodiversity

As noted in the Camden *'Community Strategic Plan 2036'*, the vision for environmental conservation in the Camden LGA is:

*"Our natural environment and waterways are protected, well maintained and enhanced for community enjoyment."*

In leading the protection of the Camden LGA natural environment and waterways, Council developed its *'Biodiversity Strategy 2023'* which includes actions to protect, enhance and manage biodiversity values.

The Draft EIS has no regard to Council's *'Biodiversity Strategy 2023'* i.e. it makes no reference to its initiatives, actions or vision. It is recommended that the Australian Government be provided with a copy of Council's Biodiversity Strategy, along with the following recommendations regarding biodiversity impacts resulting from WSI:

- Re-visit the Draft EIS for WSI, and uphold its responsibility to protect Australia's unique animals, plants, habitats and place, in quantifying and implementing offsets to the adverse impacts on biodiversity resulting from the WSI project;
- Re-visit the commitments to protect vulnerable species identified in the 2015 Draft EIS to ensure their implementation, and commit to conducting a thorough long-term baseline study of movement and foraging ecology of Flying-Foxes in proximity to WSI;
- Update the Draft EIS to include a report detailing a robust and rigorous monitoring program for all relevant issues including, but not limited to, candidate species, 'Matters of National Environmental Significance' (MNES) and 'Species Impact Assessment' (SIA) against agreed thresholds (with a safety buffer), evaluation, reporting and the full scope of adaptive management strategies; and



- Review the Draft EIS and identify mitigation measures that respond to the potential for cumulative impacts on Biodiversity resulting from the operation of WSI.

### Heritage

Heritage is an important part of the character of the Camden LGA, including a diverse range of items, places, and precincts of both Aboriginal and Non-Aboriginal heritage significance. Heritage significance includes all the values that make these items, places or precincts special and in need of preservation. The Draft EIS does not adequately assess the heritage impacts associated with WSI. More work is needed in this regard, including the following updates to the Draft EIS:

- Review and amend the Draft EIS to quantify impact mitigation for all places of Aboriginal heritage and cultural significance in the Camden LGA, resulting from the future operation of WSI; and
- Conduct a wholesale review of the Non-Aboriginal Heritage section of the Draft EIS, to ensure that all heritage listed sites in the Camden LGA are assessed and necessary mitigation measures resulting from the future operation of the WSI flight paths are implemented.

### Social

Development of the WSI project is likely to impact the social fabric of the Western Parkland City, including the Camden LGA community. The extent of the social impacts, either positive or negative, will take time to emerge. It is therefore critical that the Australian Government has due regard to the following social issues:

- Consult with residents in the Camden LGA on the social impacts resulting from the WSI, and update the Draft EIS to reflect a more appropriate sample set of consultation from across the broader Western Parkland City in conducting a comprehensive social impact assessment of WSI;
- Expand the Draft EIS (i.e. conducted by DITRDCA, not WSA Co.) to quantify all of the social impact issues on the Camden LGA community resulting from WSI, and that DITRDCA (not WSA Co.) facilitate consultation with the Camden LGA community in developing an action plan that fully responds to each of the social impact issues identified;
- Review the Draft EIS and '*Technical Paper 10 - Social*', and that DITRDCA (i.e. not WSA Co) facilitates this review in collaboration with the Department of Social Services and NSW Health, in looking after the health and wellbeing of the Camden LGA community, by mitigating adverse health impacts resulting from the operation of WSI; and
- Acknowledge that the WSI project will result in a loss of residential amenity in the Camden LGA from the RRO option, and that this is reflected and addressed in the Draft EIS.

## Economic

The economic implications associated with WSI are well documented and were generally assessed in the 2016 EIS for the WSI Airport Plan – Stage 1. However, the current Draft EIS falls short in quantifying any adverse economic impacts resulting from the proposed flight path design for the operation of WSI, particularly as how it relates to land value. In this regard, the Australian Government must consider the following:

- Review the Draft EIS in analysing growth rates for properties affected by WSI being on par with other non-affected areas in Sydney. Whilst this may be the case with respect to growth rates, there is likely to be different actual sale value starting points i.e. lower land values in noise affected areas than non-affected areas consistent with the findings of other literature cited by the Draft EIS.

## Human Health

Further to the points noted previously regarding the social impacts on the Camden LGA community from WSI, there is evidence in the Draft EIS for the potential of adverse impacts to human health resulting from its operation. The Australian Government have a duty of care to Camden LGA residents in responding to the following recommendations for human health regarding the operation of WSI:

- Review and update the Draft EIS to quantify and reflect the significance of the impacts to the Camden LGA community resulting from WSI, particularly the cumulative adverse impacts to human health;
- Ensure that the Draft EIS appropriately reflects a warning as to the possible hazards to human health for residents in the Camden LGA and broader Western Parkland City resulting from poor air quality generated by operation of WSI;
- Review the Draft EIS to include a qualitative analysis and discussion of impacts/risks/effects on vulnerable/sensitive groups and on health inequality/equity issues to the Camden LGA community resulting from the future operation of WSI; and
- Update the Draft EIS to include the evidence (data) that supports the claims made regarding impacts on sleep disturbance (e.g. table 6.3 on page 103 of '*Draft EIS: Technical Paper 12 – Human Health*') and that sleep disturbance impact evaluation is expanded to other areas in the Camden LGA in addition to Cobbitty and Rossmore i.e. other impacted suburbs along the RRO flightpath (as depicted in **Figure 3**).

## Facilitated Changes

It is acknowledged that while operation of WSI will have 'flow-on effects' for other airports in the Sydney Basin, it is important that these impacts are fully quantified and reflected in the Draft EIS. To this end, the following further action is required by the Australian Government:

- Update the Draft EIS to include a 'plain English' explanation of the impacts that operation of WSI will have on small aircraft flights to/from Camden Airport, and whether these impacts will result in an increase in light aircraft noise adversely impacting Camden LGA residents;

- Determine the extent of increased noise impacts, pollution, the duration and operating timing for aircraft arrival movements to Bankstown Airport, and update the Draft EIS to quantify these impacts on the Camden LGA and any needed mitigation assessment required; and
- Review and update the Draft EIS to ensure the 'Facilitated Changes' analysis includes all potential impacts from aircraft movements associated with licensed civil and military airports, as well as all 'unlicensed' airports e.g. The Oaks, Wedderburn etc. in operating proximity to WSI.

### **Cumulative Impacts**

As part of the preparation of the Draft EIS for WSI, there is an opportunity for the Australian Government to prepare an updated EIS for the operation of KSA. To ensure an integrated operational approach between WSI and KSA, including the option to remove the 11.00pm to 5.30am curfew from KSA, the Australian Government should have regard to the following recommendation:

- Review the Draft EIS, along with preparation of an updated EIS for KSA, to transparently quantify the cumulative impacts from operation of both airports on the Camden LGA and broader Western Parkland City.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council associated with this report.

### **CONCLUSION**

The Australian Government's release of the 'Draft Environmental Impact Statement' for the Western Sydney International (Nancy-Bird Walton) Airport discloses the shortcomings in its planning for mitigation of adverse impacts on the Camden LGA community resulting from future operation of the Airport.

As WSI represents a 'once in a generation' project that will in part shape the future of the Western Parkland City (including the Camden LGA), it is necessary to ensure that there is a robust mitigation package and measures developed to address any identified adverse impacts from its future operation. It is important that the Australian Government appropriately addresses these issues in reviewing and updating the Draft EIS for the operational development of WSI.

ORD01

**RECOMMENDED**

That Council:

- i. **endorse the submission attached to this report, in response to the Australian Government's 'Draft Environmental Impact Statement' for the Airspace and Flight Path Design of the Western Sydney International (Nancy-Bird Walton) Airport;**
- ii. **lodge a supplementary copy of Council's formally endorsed submission with the Australian Government in response to the public exhibition of the 'Draft Environmental Impact Statement' for the Airspace and Flight Path Design of the Western Sydney International (Nancy-Bird Walton) Airport;**
- iii. **continue to engage with the Australian Government on the issues identified in the 'Draft Environmental Impact Statement' as adversely impacting the Camden LGA, resulting from the future operation of the Western Sydney International (Nancy-Bird Walton) Airport;**
- iv. **forward a copy of Council's formally endorsed submission to The Hon. Dr. Mike Freelander MP, Federal Member for Macarthur, and The Hon. Angus Taylor MP, Federal Member for Hume; and**
- v. **forward a copy of Council's formally endorsed submission to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington, and Mrs Tanya Davies MP, Member for Badgerys Creek.**

**ATTACHMENTS**

1. Draft Camden Council Submission (January 2024) - Draft EIS for the Western Sydney International (Nancy-Bird Walton) Airport

**ORD02****ORD02**

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW FLOODPLAIN MANAGEMENT PROGRAM - ADDENDUM TO NEPEAN RIVER FLOODPLAIN RISK MANAGEMENT PLAN TO SUPPORT EMERGENCY MANAGEMENT PLANNING**

**FROM:** Director Growth and Finance

**EDMS #:** 23/675130

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of grant funding to complete an Addendum to Nepean River Flood Risk Management Study and Plan to provide support for emergency management planning. This funding offer is from the State Floodplain Management Program managed by the Environment and Heritage Group of the Department of Planning and Environment (Grant Number: 2023/FMP/0041).

### BACKGROUND

This Grant provides the Council an opportunity to prepare an Addendum to the Nepean River Flood Risk Management Study and Plan 2022 to provide support for emergency management planning within the Nepean River Catchment. The main objectives of the Addendum are to:

- Assess and understand the flood behaviour and emergency management risks in the entire catchment considering existing, ongoing and future potential development;
- Provide essential information to the NSW State Emergency Service (SES) to enable the effective preparation and to deal with flood emergency response and to update the Camden Local Flood Plan;
- Provide community awareness and preparedness related to flood response and emergency management; and
- Reduce the impacts of existing and future flooding and flood liability on communities and to reduce private and public losses resulting from full range of flooding, mainstream flooding, and overland flow.

Council applied for the NSW Floodplain Management Grant Program 2023, managed by Environment and Heritage Group of the Department of Planning & Environment, to prepare an Addendum to Nepean River Flood Risk Management Study and Plan.

### MAIN REPORT

The Nepean River Catchment is vulnerable to flooding and, as many structural mitigation options reviewed in the Nepean River Nepean River Flood Risk Management Study and Plan 2022 were not feasible, emergency management and evacuation is the critical focus. This addendum will lead to improvements in community awareness and understanding of flooding impacts within the catchment area for different flood events.

**ORD02**

The Nepean River Flood Risk Management Study and Plan has identified increase in flood risks associated with climate change risks. As rapid urban development continues, pressure for site-specific flood response plans have been prepared to support development proposals. These site-specific flood response plans have been prepared in isolation to SES emergency management plans. The current SES Local Flood Plan 2016, for the Nepean River catchment is based on the Upper Nepean Floodplain Management Study 2001 that was prepared based on the 1995 Flood Study and a previous version of the Floodplain Development Manual. This addendum to the Nepean River Flood Risk Management Study and Plan 2022 will support emergency management planning and support the SES to update Local Flood Plans appropriately.

A Flood Warning System for the Regional Nepean River mainstream flooding is currently in place. Community awareness of this system is low and could be improved. There is also no Flood Warning System for the tributary system. These areas are prone to flooding that occurs with shorter response time and ‘flash flooding’. Emergency management plans are required to be prepared for the communities in these tributary catchments to supplement those existing for the regional Nepean River catchment.

The final project output is the Addendum to Nepean River Flood Risk Management Study and Plan to support emergency management planning and update the Camden Local Flood Plan. The project is required to be completed by 1 October 2026.

The grant funding is offered with a 2:1 (State to Council) ratio match funding requirement for Council. The funding is detailed below.

Maximum Grant Funding Amount	\$ 126,668 (excl. GST)	Ratio 66.67%
Council Match Funding	\$ 63,334 (excl. GST)	Ratio 33.33%
<b>TOTAL</b>	<b>\$ 190,002 (excl. GST)</b>	

Note: This work does not commit Council to any costs other than those detailed in this report.

**FINANCIAL IMPLICATIONS**

It is recommended that the matched funding of \$63,334 (excl. GST) be allocated from the Storm Water Levy Reserve. The resultant total funding of \$190,002 (excl. GST) is to be added to the budget at the next quarterly review.

**CONCLUSION**

Camden Council has been offered funding to complete an Addendum to Nepean River Flood Risk Management Study and Plan to support emergency management planning. The outcomes of this study will achieve emergency management objectives in collaboration with the SES during future floods. It will also reduce flood liability on communities and reduce flood damages to private and public properties, make informed decisions on managing flood risk, and reduce flood risk to both existing and future development.

It is recommended that Council accept the grant funding in the sum of \$126,668.

**RECOMMENDED****That Council:**

- i. accept the grant funding of \$126,668 (excl. GST) from Floodplain Management Program, managed by Environment and Heritage Group of the Department of Planning and Environment, and allocate the funds at the next quarterly review, including match funding of \$63,334 (excl. GST) to be allocated from the Capital Works Reserve;**
- ii. write to the Environment and Heritage Group, thanking them for the grant funding and the Floodplain Management Program; and**
- iii. write to The Hon. Penny Sharpe MP, Minister for Environment and Heritage, thanking her for the grant.**

**ORD02**



ORD03

ORD03

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW GOVERNMENT SENIORS FESTIVAL GRANTS PROGRAM - SENIORS TALENT TIME 2024**

**FROM:** Director Sport, Community and Activation

**EDMS #:** 24/6254

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application of \$3,500 (excl. GST) through the NSW Government's Seniors Festival Grants Program, and to seek Council's endorsement to accept the funding.

### BACKGROUND

The Seniors Festival Grants Program is part of the NSW Government's commitment to provide seed funding to councils to run local Seniors Festival programs and activities that provide opportunities for people over 60 to remain active, healthy, engaged and contributing to their local communities.

Council's annual Seniors Festival increases opportunities for local seniors to participate in recreational and social initiatives and events. The funds provided under this category will enable Council to develop and deliver the Seniors Talent Time project. This new project will be delivered as part of Council's annual Seniors Festival program.

### MAIN REPORT

The NSW Government has advised Council that it was successful in its application for \$3,500 (excl. GST) to deliver the Seniors Talent Time project through the NSW Government's Seniors Festival Grants Program.

The Seniors Talent Time project will be delivered in partnership with local seniors, community groups, aged care services and local businesses. The project will offer a variety of avenues for seniors to participate, such as:

- Showcasing Seniors' talents through a creative works displays;
- An open microphone Seniors' Talent Quest;
- A services and seniors' social groups expo, aimed at providing information about what is on offer to support and connect older people in the Camden Local Government Area (LGA); and
- Facilitated workshops and activities.

The event aims to:

- Promote positive attitudes and behaviours to ageing;
- Celebrate respect, inclusion and social participation of all seniors across the Camden LGA;
- Provide and equip seniors with knowledge and skill development; and
- Celebrate ageing through showcasing talents and creative abilities.

### FINANCIAL IMPLICATIONS

Council has been successful in its application for \$3,500 (excl. GST). In addition, Council has allocated \$2,500 to the project from within existing budgets.

The grant will support the hire of equipment, photography and the development of materials and resources.

### CONCLUSION

Council has been successful in its application for \$3,500 (excl. GST) to deliver the Seniors Talent Time project through the NSW Government Seniors Festival Grants Program.

### RECOMMENDED

**That Council:**

- i. accept the grant funding of \$3,500 (excl. GST) from the NSW Government's Seniors Festival Grants Program for inclusion in the 2023/24 budget to deliver the Seniors Talent Time Project;**
- ii. write to The Hon. Jodie Harrison, MP, Minister for Seniors, thanking the NSW Government for the grant; and**
- iii. write to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington, and Mrs Tanya Davies MP, Member for Badgerys Creek, thanking them for their support.**

ORD04

ORD04

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW GOVERNMENT YOUTH WEEK GRANTS PROGRAM 2024**

**FROM:** Director Sport, Community and Activation

**EDMS #:** 24/10361

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the receipt of a subsidy for the amount of \$4,924 (excl. GST) through the NSW Government's Youth Week Grants Program, and to seek Council's endorsement to accept the funding.

### BACKGROUND

NSW Youth Week will be held between 11 – 21 April 2024. Youth Week is an annual opportunity for young people, aged 12-24, to express their ideas and views, act on issues that affect their lives and create and enjoy activities and events.

Each year Council receives NSW Government funding to deliver a program of local activities for Camden Youth Week in partnership with local youth-based service providers.

The 2023 Camden Youth Week program won the Best Local Youth Week Program at the NSW Local Government Awards.

### MAIN REPORT

The NSW Government has advised Council that it was allocated a subsidy of \$4,924 (excl. GST) to fund the 2024 Camden Youth Week Program. Council annually receives this subsidy, and it must be matched in full by Council.

The Youth Week Program is aligned to the Camden Youth Strategy and will consist of a diverse range of programs and activities that are aimed at encouraging young people to cultivate a sense of belonging, while connecting with their community and each other.

The Camden Youth Week Program will be delivered in partnership with local young people, community groups, youth services and local businesses. A variety of activities will be delivered by Council staff and the Camden Youth Reference Group, including:

- Camden Shorts;
- Julia Reserve Youth Fest;
- A variety of Career Workshops held by the Camden Library Services; and
- The Camden Youth Multicultural Festival.

In addition to these Council-led initiatives, community groups, youth services and local businesses will partner with Council via an Expression of Interest process to deliver additional Youth Week activities in Camden.

### **FINANCIAL IMPLICATIONS**

Council will receive the Youth Week Grant Program subsidy of \$4,924 (excl. GST) and will provide matching funding from within the existing budget allocations for youth programs.

### **CONCLUSION**

Council has been allocated a subsidy of \$4,924 (excl. GST) to deliver the 2024 Camden Youth Week Program through the NSW Government's Youth Week Grants Program.

### **RECOMMENDED**

#### **That Council:**

- i. accept the Youth Week grant subsidy of \$4,924 (excl. GST) from the NSW Government's Youth Week Grants Program for inclusion in the 2023/24 budget to deliver the 2024 Camden Youth Week Program;**
- ii. write to The Hon. Rose Jackson, MLC, Minister for Youth, thanking the NSW Government for the grant; and**
- iii. write to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington, and Mrs Tanya Davies MP, Member for Badgerys Creek, thanking them for their support.**

ORD05

ORD05

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - FEMALE FRIENDLY COMMUNITY SPORT FACILITIES AND LIGHTING UPGRADES GRANT PROGRAM**

**FROM:** Director Sport, Community and Activation

**EDMS #:** 24/33396

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application for \$500,000 (excl. GST) made by the Camden Rams Rugby League Football Club (RLFC) from the NSW Government's Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program and to seek Council's endorsement to accept the funding.

### BACKGROUND

The Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program is administered by the NSW Office of Sport and supports the improvement of sporting facilities and sporting infrastructure across NSW.

The grant program aims to improve sporting facilities and is specifically aimed at increasing female friendly facilities to support and increase participation opportunities.

### MAIN REPORT

The NSW Office of Sport has advised Camden Rams RLFC that it has been successful in securing \$500,000 (excl. GST) under the NSW Government's Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program.

The funding will support Council to project manage the addition of female friendly accessible change rooms and supporting accessible amenities for the existing Rugby League facilities at the upper field at Kirkham Park on behalf of the Camden Rams RLFC.

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

### FINANCIAL IMPLICATIONS

Camden Rams RLFC has been successful in its application for a \$500,000 (excl. GST) grant. Camden Rams RLFC will contribute an additional \$125,000 to the project, with a total project budget of \$625,000 (excl. GST).

This project, together with the new amenities planned for the lower fields, will bring the total amount invested into Kirkham Park to \$3,374,000 (excl. GST).

## CONCLUSION

The Camden Rams RLFC has been successful with its grant application for \$500,000 (excl. GST) of grant funding under the NSW Government's Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program. The funding, including a contribution of \$125,000 from the Camden Rams RLFC, will support Council in delivering the addition of female friendly accessible change rooms and supporting accessible amenities for the existing Rugby League facilities at the upper field at Kirkham Park.

## RECOMMENDED

### **That Council:**

- i. endorse the grant funding of \$500,000 (excl. GST) through the NSW Government's Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program for the construction of female friendly accessible change rooms and supporting amenities for Rugby League facilities at Kirkham Oval, and allocate the funding in the 2023/24 budget;**
- ii. endorse the contribution of \$125,000 (excl. GST) from the Camden Rams Rugby League Football Club for the construction of female friendly accessible change rooms and supporting amenities for Rugby League facilities at Kirkham Oval, and allocate the funding in the 2023/24 budget;**
- iii. write to The Hon. Stephen Kamper MP, Minister for Sport, thanking the NSW Government for the grant; and**
- iv. write to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington, and Mrs Tanya Davies MP, Member for Badgerys Creek, thanking them for their support.**

**SUBJECT: DELEGATIONS TO THE MAYOR - CHRISTMAS/NEW YEAR RECESS PERIOD**  
**FROM:** Director Customer and Corporate Strategy  
**EDMS #:** 24/29560  
**PREVIOUS ITEMS:** ORD10 - Delegations to the Mayor - Christmas/New Year Recess Period - Ordinary Council - 12 Dec 2023

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### PURPOSE OF REPORT

This report informs Council about the exercise of delegated authority by the Mayor over the Christmas/New Year recess period.

### BACKGROUND

Council was in recess from 13 December 2023 until 13 February 2024 (the recess period). In order for urgent decisions to be attended to during the recess period, Council resolved to delegate to the Mayor and Deputy Mayor (in the absence of the Mayor) the authority to make decisions on urgent matters during the recess period, as provided for under sections 226 and 377 of the *Local Government Act 1993*.

Council also resolved to receive a report to the Ordinary Meeting of 13 February 2024, if this delegated authority is exercised.

### MAIN REPORT

During the recess period, the Mayor exercised the delegated authority on two occasions on 20 December 2023 to accept funding, as detailed below. The use of the Mayor's delegated authority was necessary as the due dates for accepting the funding were within the recess period.

#### School Crossings

The Mayor used the delegated authority to accept, on behalf of Council, \$1,500,000 (excl. GST) in funding from Transport for NSW which was facilitated by a NSW Government election commitment.

The funding will support the enhancement of crossings at Spring Farm Public School and Camden South Public School, including the design and installation of three raised zebra (wombat) crossings and an additional children's crossing.

The funding is to be included in the 2023/24 budget.

#### Little Sandy Bridge Repair and Resilience Provision

The Mayor used the delegated authority to accept, on behalf of Council, \$2,496,331 (excl. GST) in grant funding from the Community Assets Program administered by the Department of Regional NSW and co-funded by the Australian and NSW Governments.

The grant funding will support the Little Sandy Bridge Repair and Resilience Provision. This will deliver the design and construction of the project, including the repair and betterment of path access on Little Sandy Bridge and enhancement of embankments to resist future flood events.

The funding is to be included in the 2023/2024 and 2024/25 budgets.

### FINANCIAL IMPLICATIONS

Council has been successful in obtaining two grants of funding which relate to school crossing improvements at Spring Farm Public School and Camden South Public School, and also the rectification works required at Little Sandy Bridge.

The acceptance of these funding grants has no impact on Council's budget position as they do not require any matched funding contribution.

### CONCLUSION

The exercise of the delegated authority by the Mayor enabled Council to accept the following two funding opportunities during the recess period:

- \$1,500,000 (excl. GST) in funding from Transport for NSW which was facilitated by a NSW Government election commitment.
- \$2,496,331 (excl. GST) in grant funding from the Community Assets Program administered by the Department of Regional NSW.

### RECOMMENDED

**That Council note the use of delegated authority by the Mayor as outlined in this report.**



**SUBJECT: DECEMBER REVIEW OF THE 2023/24 BUDGET**  
**FROM:** Director Growth and Finance  
**EDMS #:** 23/658344

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**PURPOSE OF REPORT**

This report presents the December Quarterly Budget Review for the 2023/24 financial year in accordance with Part 9, Division 3, Section 203 of the *Local Government (General) Regulation 2021*.

Its purpose is to inform Council of the necessary changes to the 2023/24 Budget for the reporting period ending 31 December 2023 and to consider other changes put forward for determination.

**BACKGROUND**

In adopting the 2023/24 Budget, Council approved a balanced budget position. Budget adjustments identified at the December 2023 Quarterly Review represents a projected budget surplus of \$24,500 for the 2023/24 financial year.

A Councillor briefing was held on 30 January 2024 to discuss this report.

**MAIN REPORT**

**PROPOSED ALLOCATION OF THE 2023/24 PROJECTED BUDGET SURPLUS**

It is recommended that the projected budget surplus of \$24,500 be allocated as follows:

Proposed Budget Surplus Allocation		
<b>Budget Surplus Available for Allocation</b>		<b>\$24,500</b>
<b>Less: Transfer to Capital Works Reserve</b>	\$24,500	
<b>Total - Allocation of Budget Surplus</b>		<b>\$24,500</b>
<b>Proposed Budget Position</b>		<b>Balanced</b>

**CURRENT RESERVE BALANCES**

**Capital Works Reserve**

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

<b>Capital Works Reserve</b>	
<b>Reserve Balance – 30 June 2023</b>	<b>\$2,357,849</b>
Add: Proposed December 2023 Budget Review Transfer	\$24,500
<b>Proposed Balance of Reserve</b>	<b>\$2,382,349</b>
<b>Committed Funds Held in Reserve</b>	
Less: 2022/23 Revoted projects	(\$696,548)
Less: 2023/24 Camden Memorial Pool Funding	(\$330,000)
Less: 2023/24 Nepean River Corridor Study	(\$175,000)
Less: 2023/24 Community Infrastructure Renewal Program	(\$500,000)
Less: 2023/24 Flood Recovery & Resilience Program (ORD 176/23)	(\$46,250)
<b>Total Committed Funds</b>	<b>(\$1,747,798)</b>
<b>Uncommitted Balance – Capital Works Reserve</b>	<b>\$634,551</b>

Asset Renewal Reserve

The Asset Renewal Reserve is primarily used for the replacement and/or maintenance of existing assets. It assists in maintaining Council’s asset base in a good condition. The balance of the Asset Renewal Reserve is as follows:

<b>Asset Renewal Reserve</b>	
<b>Reserve Balance – 30 June 2023</b>	<b>\$564,848</b>
Add: Transfers to Reserve (Loan Interest Savings) 2023/24	\$74,900
<b>Available Balance of Reserve</b>	<b>\$639,748</b>
<b>Committed Funds Held in Reserve</b>	
Less: 2022/23 Revoted projects	(\$89,973)
Less: 2023/24 Community Infrastructure Renewal Program	(\$500,000)
<b>Total Committed Funds</b>	<b>(\$589,973)</b>
<b>Uncommitted Balance – Asset Renewal Reserve</b>	<b>\$49,775</b>

Working Funds Reserve

The Working Funds Reserve is primarily used as a holding reserve for unallocated funds or for transferring committed funding from one budget year to the next. The balance of the Working Funds Reserve is as follows:

<b>Working Funds Reserve</b>	
<b>Reserve Balance – 30 June 2023</b>	<b>\$1,232,978</b>
Add: June 2023 Budget Review Transfer	\$801,028
<b>Available Balance of Reserve</b>	<b>\$2,034,006</b>
<b>Committed Funds Held in Reserve</b>	
Less: 2022/23 Revoted projects (June 2023)	(\$60,152)
Less: 2022/23 Revoted projects (March 2023)	(\$300,000)
Less: 2023/24 Transfer from Reserve	(\$838,000)
Less: 2023/24 September 2023 Budget Review Transfer	(\$801,000)
<b>Total Committed Funds</b>	<b>(\$1,999,152)</b>
<b>Uncommitted Balance – Working Funds Reserve</b>	<b>\$34,854</b>

**DECEMBER 2023 BUDGET REVIEW**

Further information and explanation of the proposed budget variations for the 2023/24 financial year is detailed below.

Proposed Budget Variations

Proposed variations and Council approved variations, which have been identified as part of the December 2023 Quarterly Budget Review, have led to a projected budget surplus of \$24,500. A list of the variations (greater than \$20,000) is provided in the following table. Brief explanations follow the table.

December Review of the 2023/24 Budget Proposed Variations	Budget Impact Increase/ (Decrease)
<b>Income Adjustments</b>	
<i>Note: Increase in income is an increase to the budget Shortfall in income is a decrease to the budget</i>	
1. Civic Centre - Operational Income	\$150,000
<b>Sub Total - Income Adjustments</b>	<b>\$150,000</b>
<b>Expenditure adjustments</b>	
<i>Note: Increase in expenditure is a decrease to the budget Saving in expenditure is an increase to the budget</i>	
2. Digital Technology - Cyber Security Action Plan Initiatives	(\$80,000)
Minor Budget Variations < \$20,000	(\$32,000)
<b>Sub Total - Expenditure Adjustments</b>	<b>(\$112,000)</b>
<b>Total - Proposed Variations to Budget</b>	<b>\$38,000</b>
<b>Council Approved Variations</b>	
Approved Council Variations – Oct 2023 – Dec 2023	(\$13,500)
<b>Sub Total – Council Approved Variations</b>	<b>(\$13,500)</b>
<b>Proposed Reserve Transfer</b>	
Transfer to Capital Works Reserve	(\$24,500)
<b>Sub Total – Proposed Reserve Transfer</b>	<b>(\$24,500)</b>
<b>Revised Budget Position – 2023/24 Budget</b>	<b>Balanced</b>

Income Adjustments Commentary

**1. Civic Centre - Operational Income – Increase in Income of \$150,000**

The Camden Civic Centre's income estimates for the 2023/24 financial year were based on a projected six month closure for the Civic Centre major refurbishment project. Due to delays in the funding body executing the WestInvest grant agreement, the Civic Centre will remain open with a revised closure date estimated to be May 2024. This adjustment reflects the increase in projected income while the Civic Centre remains open.

Expenditure Adjustments Commentary

**2. Cyber Security Action Plan Initiatives – Increase in Expense of \$80,000**

Council has an adopted Cyber Resilience Strategy which supports its three-year Cyber Security Action Plan. This budget allocation is required to fund the ongoing costs of implementing the action plan and continue to mitigate the strategic and operational risks arising from cyber-security.

**COUNCIL AUTHORISED VARIATIONS**

There were six (6) Council authorised budget variations during the period from 1 October 2023 to 31 December 2023. A list of these approved variations is provided in the following table:

Council Approved Variations	Expenditure (Increase)/ Decrease	Income Increase/ (Decrease)	Budget Impact Increase/ (Decrease)
Grant Funding – NSW Flood Recovery and Resilience Grant Program ORD176/23	(\$185,000)	\$185,000	Nil
South West Sydney Academy of Sports - Annual Contribution ORD179/23	(\$3,500)	-	(\$3,500)
Grant Funding – NSW Severe Weather and Flooding - Essential Public Asset Reconstruction Works ORD198/23	(\$2,392,784)	\$2,392,784	Nil
Grant Funding – Greater Cities and Regional Sports Facility Fund - Kirkham Rugby League Oval ORD199/23	(\$1,000,000)	\$1,000,000	Nil
Community Grants Program 2023/2024 ORD200/23	(\$10,000)	-	(\$10,000)
Grant Funding – Saving Our Species Program - Camden White Gum ORD224/23	(\$15,000)	\$15,000	Nil
<b>TOTAL</b>	<b>(\$3,606,284)</b>	<b>\$3,592,784</b>	<b>(\$13,500)</b>

**CONTRA ADJUSTMENTS**

These adjustments relate to movements of income and expenditure within Council’s adopted budget. The adjustments have no impact on Council’s projected budget result as both movements of income and expenditure are of equal value.

During this quarter (1 October 2023 to 31 December 2023), there has been 46 contra adjustments which are proposed amounting to \$57,079,182. Further information on the proposed Contra adjustments can be found in **Attachment 1** of this report.

2023/24 Capital Works Program - Proposed Cash Flow Adjustments

As part of the review and preparation of the 2024/25 Capital Works Program, managers have reviewed the 2023/24 Capital Works Program to ensure proposed works were achievable within expected timeframes (cash-flow timing).

In summary, most adjustments have been proposed due to factors which have been outside of Council’s control. Primarily, delays in the execution of funding agreements in relation to the WestInvest Program. The proposed adjustment also reflects changes to the timing of design and construction of the Leppington Infrastructure Program and revisions required for the Community Support Package (CSP) Stage 3 works program.

The proposed changes to the 2023/24 budget are summarised below.

Local Service	2023/24 Current	2023/24 Proposed	Program Increase / (Reduction)
Roads and Transport Infrastructure	\$126,546,700	\$94,965,200	(\$31,581,500)
Drainage Infrastructure	\$14,694,000	\$14,099,600	(\$594,400)
Parks & Playgrounds	\$77,287,100	\$60,578,300	(\$16,708,800)
Community & Recreational Facilities	\$66,064,000	\$55,192,900	(\$10,871,100)
Buildings Infrastructure	\$1,154,200	\$1,154,200	-
	<b>\$285,746,000</b>	<b>\$225,990,200</b>	<b>(\$59,755,800)</b>
<b>Funded By</b>			
Non-Cash Contributions	\$83,212,000	\$83,212,000	-
Developer Contributions (Cash)	\$99,204,600	\$78,076,900	(\$21,127,700)
External Grants	\$73,463,200	\$45,701,400	(\$27,761,800)
Loan Proceeds – CSP Stage 3	\$12,950,000	\$3,683,700	(\$9,266,300)
Loan Proceeds: Road Renewal	\$3,500,000	\$3,500,000	-
Internal Reserves	\$11,941,000	\$10,341,000	(\$1,600,000)
General Fund	\$1,475,200	\$1,475,200	-
	<b>\$285,746,000</b>	<b>\$225,990,200</b>	<b>(\$59,755,800)</b>

This review was an important exercise to ensure Council’s loan funding requirements adopted as part of the Original Budget for 2023/24 financial year were still relevant and that Council only borrows for works that will be completed by 30 June 2024.

As a result of this review, Council’s loan funding requirements for the 2023/24 financial year has reduced from \$16.450 million to \$7.184 million, a reduction of \$9.266 million.

This relates to the timing of the Community Support Package Stage 3 (CSP3) works program, which is currently under review. The outcome of the CSP3 review will be presented to Councillors as part of the draft 2024/25 Budget in March 2024.

A list of the proposed capital works cash-flow adjustments by project is provided in **Attachment 1** of this report.

Gundungurra Reserve – Biobanking Agreement (Biodiversity Credits)

A Councillor Briefing was held in September 2023 in relation to the Gundungurra Reserve Biobanking Agreement and the proposed sale of Biodiversity Credits generated through the agreement.

Council entered a Biobanking Agreement for 37.5 hectares of land located in Gundungurra Reserve, Elderslie in May 2019. The Biobanking Agreement generates biodiversity credits which can be sold to parties that require credits to offset their development or project. The funds generated from the sale of the credits is classified as either a Part A payment or Part B payment.

On the transfer of credits, payment is made into the Biodiversity Stewardship Payments Fund (known as Part A payment). Annual payments are then made to Council from the fund to undertake management actions, including weed management, fire management, pest management and bushland restoration activities, within the biobanking area. These payments must be used in accordance with the agreed management plan for the site that forms part of the Agreement.

Once Council has met its Part A payments, the sale of any further Biodiversity Credits are to be treated as consolidated revenue and can form part of Council’s General Fund Operations. These payments are referred to as Part B payments.

Council entered into an agreement for the sale of a significant number of biodiversity credits during the second quarter of the 2023/24 financial year. This agreement resulted in Council meeting its Part A payment obligation of \$3.155 million.

This sale also resulted in the payment of \$2.320 million in Part B payments to Council. These additional funds are available for Council’s General Fund operations.

It is recommended that the Part B Biodiversity Credit payments (\$2.320 million) are transferred to a new internal cash reserve (Biodiversity Credits Reserve) and then allocated to projects/initiatives as part of Council’s budget process.

As part of the Councillor briefing on 19 September 2023, a recommendation was made that the current funding available in Part B be allocated to staffing and projects aligned to Biodiversity outcomes. The appropriate adjustments as detailed in the table below will be made at this budget review and as part of the 2024/25 Budget which will be presented to Councillors in March 2024.

<b>Proposed Biodiversity Credits Reserve</b>	
<b>Reserve Balance – 30 June 2023</b>	<b>\$0</b>
Add: Transfers to Reserve Part B Payments (Credit Sales)	\$2,320,307
<b>Available Balance of Reserve</b>	<b>\$2,320,307</b>
<b>Proposed Commitments</b>	
Less: 2023/24 Workforce, Plant & Engagement	(\$284,600)
Less: 2024/25 to 2026/27 Workforce Estimates	(\$1,422,300)
<b>Total Committed Funds</b>	<b>(\$1,706,900)</b>
<b>Uncommitted Balance – Biodiversity Credit Reserve</b>	<b>\$613,407</b>



**ORD07**

Council still holds a number of Biodiversity Credits which are expected to generate additional income of approximately \$3.4 million (subject to market pricing and demand). Further updates will be provided to Council with respect to the future sale of these credits.

Developer Contribution Plans – Plan Restructure Project

At its meeting of 10 October 2023, Council resolved to adopt a new Developer Contributions Plan portfolio, which came into force on 20 October 2023. This included the creation of a new Section 7.12 Contributions Plan, the retirement of a number of old Contributions Plans and amendments to the Camden Contributions Plan 2011.

The result of these changes has been a revision to the cash balances held in each respective Contributions Plan. The restructuring of Council’s Contributions Plan has been reviewed by an independent auditor.

While the report to the Council meeting of 10 October 2023 adopted the revised suite of Contributions Plans, the detailed balances of each Contributions Plan were not provided. These balances have now been amended to consider indexation and payments received up to the date the new plans came into effect.

The following table shows the closing plan balances as at 30 September 2023, the changes made, and the revised opening plan balances as at 1 October 2023.

Contributions Plan	Balance at 30/9/2023	Transfers	Balance at 1/10/2023
Camden Contributions Plan	\$23,114,651	\$20,513,738	\$43,628,389
Oran Park and Turner Road	\$49,410,293	-	\$49,410,293
Catherine Field (Part) Precinct	\$5,572,076	(\$5,572,076)	-
Camden Growth Area	\$25,158,138	-	\$25,158,138
Other Plans	\$10,031,147	(\$9,655,851)	\$375,296
Non Plans	\$144,422	(\$144,422)	-
Voluntary Planning Agreements	\$84,522,238	(\$21,468,797)	\$63,053,441
Section 7.12	-	\$16,327,408	\$16,327,408
<b>Total Developer Contribution Cash Balances</b>	<b>\$197,952,965</b>	<b>-</b>	<b>\$197,952,965</b>

The total opening balance for October 2023 is \$197,952,965. This total includes all cash collected under Developer Contributions Plans and Voluntary Planning Agreements. The Oran Park & Turner Road Contributions Plan and Camden Growth Areas Contributions Plan have not been affected by the restructure project.

**COUNCILLOR CONSOLIDATED WARD FUNDS**

As part of the Annual Budget process, an allocation of \$30,000 is included within the budget, which is available for Councillor endorsed funding requests, fee waivers and/or support for specific community requests.

The available balance of the Consolidated Ward Funds at the end of the December 2023 reporting period is \$126,844.



<b>Consolidated Ward Funds</b>	
<b>2023/24 Budget Allocation</b>	\$30,000
<b>2022/23 Ward Funds Revote</b>	\$136,844
<b>Total Funds Available</b>	<b>\$166,844</b>
<b>Funding Allocated:</b>	
<b>Camden Community Gardens (ORD 157/23)</b>	(\$40,000)
<b>Total Funding Allocated in 2022/23</b>	<b>(\$40,000)</b>
<b>Balance of Consolidated Ward Funds</b>	<b>\$126,844</b>

**SUMMARY OF DECEMBER 2023 REVIEW ADJUSTMENTS**

The following table is a summary of budget adjustments up to 31 December 2023.

<b>Budget Adjustment Summary</b>	<b>Expenditure (Increase) / Decrease</b>	<b>Income Increase / (Decrease)</b>	<b>Budget Impact Increase / (Decrease)</b>
<b>2022/23 Carry-Forward Working Funds</b>			\$1,000,000
<b>2023/24 Adopted Budget Position</b>			Balanced
<b>Less: Minimum Level of Working Funds</b>			(\$1,000,000)
<b>Available Working Funds 1 July 2023</b>			<b>\$0</b>
<b>September Review 2023</b>	(\$14,847,002)	(14,847,002)	\$0
<b>December Review 2023</b>			
<b>Note 1: Proposed Variations</b>	(\$112,000)	\$150,000	\$38,000
<b>Note 2: Authorised Variations</b>	(\$3,606,284)	\$3,592,784	(\$13,500)
<b>Note 3: Contra Adjustments</b>	\$57,079,182	(\$57,079,182)	\$0
<b>Sub Total – Review Adjustments</b>	<b>\$53,360,898</b>	<b>\$53,336,398</b>	<b>\$24,500</b>
<b>Proposed Transfer to Capital Works Reserve</b>	(\$24,500)	-	(\$24,500)
<b>Available Working Funds (Uncommitted cash)</b>			<b>Balanced</b>

**ON-TIME PAYMENT POLICY REPORTING**

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

For the reporting period 1 October 2023 to 31 December 2023, Council processed 52 invoices from registered small businesses. No invoices became overdue during the reporting period.

**STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER**

The following statement is made in accordance with section 203(2) of the *Local Government (General) Regulation 2021*:

## ORD07

'It is my opinion that the Quarterly Budget Review Result for Camden Council for the period ending 31 December 2023 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.'

A copy of the Quarterly Budget Review Statement for the period ending 31 December 2023 is provided as **Attachment 2** of this report.

### FINANCIAL IMPLICATIONS

The financial implications are contained within the body of the report.

### CONCLUSION

The December Quarterly Review of the 2023/24 Budget has been completed and is recommended for adoption by Council.

### RECOMMENDED

#### **That Council:**

- i. **adopt the budget variations contained within this report and confirm the allocation of the December 2023 Quarterly Budget Review surplus of \$24,500 be transferred to the Capital Works Reserve;**
- ii. **approve the cash flow adjustments to the 2023/24 Capital Works program including the associated funding adjustments which will result in a reduction in loan funding requirements from \$16,450,000 to \$7,183,700, for the 2023/24 financial year, noting that future loan funding requirements will be reviewed as part of the draft 2024/25 Budget;**
- iii. **approve the creation of a new Internal Reserve (Bio-diversity Credits Reserve) for the receipt and allocation of Part B Biodiversity credits, and approve the transfers to/from the reserve as detailed in the report; and**
- iv. **adopt the revised opening balances for Council's Developer Contributions Plans as per the Council report.**

### ATTACHMENTS

1. December 2023 Review Appendix
2. December 2023 Review QBRS

**ORD08****ORD08**

**SUBJECT: TENDER T001/2023 - DEVELOPMENT CONTRIBUTIONS MANAGEMENT SYSTEM**  
**FROM:** Director Growth and Finance  
**EDMS #:** 24/31711  
**PREVIOUS ITEMS:** ORD06 - Tender T001/2023 - Development Contributions Management System - Ordinary Council - 12 Dec 2023

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the outcome of the direct negotiations with the preferred supplier of T001/2023 Development Contributions Management System, and to recommend that Council formally resolve to note the outcome of the direct negotiations and approve the increase in funding required.

### BACKGROUND

Council's Digital Innovation Strategy has identified the need for a contributions planning solution which would improve the management, monitoring and reporting of funds collected under Contributions Plans.

The system is also aimed at reducing manual processing and improve forward planning in relation to the negotiation and delivery of infrastructure agreements such as Works-In-Kind Agreements and Voluntary Planning Agreements.

At its meeting of 12 December 2023, Council resolved to decline all tenders submitted for T001/2023 Tender for Developer Contributions Management System, in accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2021*, and to enter into negotiations with the preferred supplier.

Negotiations with the preferred supplier, Novoplan Pty Ltd, have been undertaken and both Council and the supplier have agreed on the contract terms and conditions.

### 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 & Value

The initial term of the contract will be for three years with an option to extend at Camden Council's sole discretion for a further two years. This will be subject to satisfactory Contract performance.

The total value of the contract for the first three years of the contract is \$981,934.56 (incl. GST).

### Financial implications

Additional funding of \$120,568 is required to support the cost of the Developer Contributions Management System. The first two years (\$53,371) of the additional funding is to be funded through the Section 7.11 Developer Contributions Reserve (Administration), with the third year (\$67,197) to be funded through Council's General Fund.

It is further recommended that Council approve the inclusion of funding in the Long Term Financial Plan on a recurrent basis (after the first three years) for annual licensing costs.

A breakdown of the financial implications is provided as a **supporting document**. Please note this information is commercial-in-confidence.

### 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.

## CONCLUSION

### Recommendation of the Tender Evaluation Panel

It is recommended that Council accept the tender from Novoplan Pty Ltd. This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in Developer Contributions Management System, and demonstrated value for money.

## RECOMMENDATION

### **That Council:**

- i. **note the outcome of the Direct Negotiations for T001/2023 Tender for Development Contributions Management System;**
- ii. **accept the tender from Novoplan Pty Ltd with an agreed tender value of \$981,934.56 (incl. GST) for three years plus options to extend for two years; and**
- iii. **approve the additional budget allocation of \$120,568 for the Development Contributions Management System, with funding to be sourced from the Section 7.11 Developer Contributions Reserve (\$53,371) and General Fund (\$67,197) with future years funding for licensing to be included recurrently in Council's Long Term Financial Plan.**

## ATTACHMENTS

1. T001/2023 Tender Supporting Document Template (Direct Negotiation) - *Supporting Document*

**ORD09**

**ORD09**

**SUBJECT: INVESTMENT MONIES - NOVEMBER AND DECEMBER 2023**  
**FROM: Director Growth and Finance**  
**EDMS #: 24/27635**

**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 the end of 30 November 2023 and 31 December 2023 is provided.

**MAIN REPORT**

The weighted average return on all investments for the period November 2023 to December 2023 is shown in the table below.

Month	Weighted Average Return	Ausbond Bank Bill Index (Benchmark)
<b>November 2023</b>	5.06%	4.34%
<b>December 2023</b>	5.16%	4.43%

The official cash rate as determined by the Reserve Bank of Australia has remained at 4.35% since it was last increased on the 8 November 2023.

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.

Investment Reports for the November and December reporting periods are provided as **attachments** 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 November 2023 and December 2023; and**
- iii. note the weighted average interest rate return of 5.06% and 5.16% for the months of November 2023 and December 2023 respectively.**

**ATTACHMENTS**

- 1. Investment Summary Report - November 2023
- 2. Investment Summary Report - December 2023

**SUBJECT: DRAFT LOCAL INFRASTRUCTURE CONTRIBUTIONS PRACTICE NOTES - SUBMISSION TO THE DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE**

**FROM:** Director Growth and Finance

**EDMS #:** 24/33621

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### PURPOSE OF REPORT

The purpose of this report is to seek approval from Council to send a submission in support of the draft local infrastructure contributions practice notes placed on exhibition by the Department of Planning, Housing and Infrastructure.

### BACKGROUND

The Department of Planning, Housing and Infrastructure (DPHI) has undertaken the first comprehensive review of all local infrastructure contributions practice notes since 2005. Although the planning system is legislated by the *Environmental Planning and Assessment Act 1979* (EP&A Act) and associated Regulation, practice notes are not legislative instruments. Rather, they are documents meant to demonstrate best practice and provide advice.

The practice notes have been amended to update the guidance and make them easier to use. The updates include simplifying the language, expanding on best practice, and providing worked examples.

Public exhibition of the draft practice notes began on 4 December 2023, and submissions are due by 23 February 2024.

### MAIN REPORT

In its exhibition of the updated practice notes, DPHI has provided a feedback form for submissions. This form asks:

- Whether the new format is clear;
- If there are any gaps / points of clarification for each module;
- If there are any additional resources, templates or materials that would help with each module; and
- The barriers councils face in administering the local infrastructure contributions framework.

The feedback form will be attached to the cover letter (**Attachment 1**) as part of the submission. Comments in the feedback form (**Attachment 2**) focus on improvements to the proposed format and additional resources and templates that could benefit councils.

In the feedback form, Camden's submission also identifies key issues local councils face with regards to the provision of local infrastructure, including:

- Council's reiteration that the provision of community facilities should be classed as essential infrastructure;

- The Essential Works List and benchmark costs used by the Independent Pricing and Regulatory Tribunal (IPART) should consider the delivery of sustainable and resilient infrastructure in response to climate change;
- Higher quality embellishment, where land for public recreation is limited, should be considered; and
- Making Section 7.12 contribution rates consistent with those proposed by DPE (now DPHI) and the Productivity Commission in the 2020 local infrastructure contribution reforms.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### CONCLUSION

The submission to DPHI has been drafted in support of the updates to the practice notes. These updates improve the legibility and usability of these practice notes and support councils in administering their local contributions framework.

### RECOMMENDED

**That Council send a submission, provided at Attachments 1 and 2 to this report, to the Department of Planning, Housing and Infrastructure in support of the draft local infrastructure contributions practice notes.**

### ATTACHMENTS

1. Camden Council Submission Cover Letter
2. Feedback Form - Draft Infrastructure Contributions Practice Notes 2023



**SUBJECT: APPOINTMENT OF A CHAIR, ALTERNATE CHAIRS AND A COMMUNITY REPRESENTATIVE TO THE CAMDEN LOCAL PLANNING PANEL**

**FROM:** Director Planning and Environment

**EDMS #:** 24/38997

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to appoint a chair, alternate chairs and a community representative to the Camden Local Planning Panel (Panel) for a period extending up to 30 June 2024.

### BACKGROUND

On 1 March 2018, Local Planning Panels (LPPs) became mandatory for all councils in Sydney and Wollongong. LPPs, at the Direction of the Minister for Planning and Public Spaces (Minister), are responsible for determining development applications that involve a conflict of interest, receive 10 or more submissions, are contentious or sensitive in nature or involve development standard contraventions (greater than 10%). LPPs also consider and provide advice on planning proposals.

LPP meetings comprise four members from a pool of members, including a chair, two expert members and a community representative. The chairs and expert members appointed to a LPP must be approved by the Minister. Community representatives are recruited, selected and appointed by councils; however, under the criteria established by the State Government, mayors, councillors, property developers and real estate agents are not eligible for appointment.

On 13 February 2018, Council considered a report that sought Council's endorsement for the selection of chairs, expert members and community representatives for the Panel. The appointments were made for a term of three years, being the maximum single term permitted under the *Environmental Planning and Assessment Act 1979*.

Since its initial inception on 1 March 2018 Council has considered multiple reports dealing with the appointment and reappointment of chairs, expert members and community representatives to the Panel.

The Department of Planning, Housing and Infrastructure (DPHI) is currently recruiting a new pool of expert members and chairs for the next three-year term. The Minister will appoint this new pool of expert members and chairs by 30 June 2024. The Minister recently issued a Local Planning Panels Direction (Direction) to councils that have LPPs which provides instruction on the interim appointment of panel members up to 30 June 2024.

Councillors were briefed on this matter on 30 January 2024.

### MAIN REPORT

The Camden Local Planning Panel currently consists of the following pools of chairs, expert members and community representatives:

Chairs

Mr Stuart McDonald (chair)  
Mr Michael Mantei (alternate chair)  
Ms Pamela Soon (alternate chair)

Expert Members

Ms Mary-Lynne Taylor  
Mr Grant Christmas  
Ms Sue Francis  
Mr Michael File  
Ms Glennys James  
Mr Mark Carlon  
Mr Vince Hardy  
Ms Helena Miller  
Ms Julie Walsh  
Ms Heather Warton  
Ms Marjorie Ferguson  
Ms Fiona Gainsford  
Mr Jason Perica  
Mr Brian Kirk

Community Representatives

Mr Christopher Shinn  
Mr Domenic Pezzano  
Mr Sean Jeppesen  
Mr Steve Lyons  
Mr James Davis  
Ms Debby Dewbery

**Term of Appointment**

Under the relevant State legislation, a member of a LPP may not hold office as a member of that panel for more six years.

As LPPs (including the Camden Local Planning Panel) became mandatory for all councils in Sydney and Wollongong on 1 March 2018, the maximum term for many chairs, alternate chairs and expert members is due to expire on or before 1 March 2024.

The following members of the Camden Local Planning Panel will reach their maximum six-year term on 1 March 2024:

Chair

Mr Stuart McDonald  
Mr Michael Mantei

Expert Members

Ms Mary-Lynne Taylor  
Mr Grant Christmas  
Ms Sue Francis  
Mr Michael File

Community Representatives

Mr Steve Lyons

## ORD11

As noted above, the chairs and expert members appointed to a LPP must be approved by the Minister. The DPHI is currently recruiting a new pool of expert members and chairs for the next three-year term, with an expression of interest issued on 25 January 2024. The Minister will appoint this new pool of expert members and chairs by 30 June 2024, so that councils with a LPP can appoint their chairs and expert members for the new term's commencement on 1 July 2024.

In recognising that many chairs, alternate chairs and expert members will reach their maximum six-year term on or before 1 March 2024, the Minister recently issued a Direction to councils that have LPPs that provides instruction on the interim appointment of panel members up to 30 June 2024. The Direction requires that *"a Council to whom this direction applies is to appoint a new or reappoint the current chair/alternate chair to a local planning panel for the period covering 28 February 2024 to 30 June 2024"*. Where the chairs or alternate chairs have already reached the maximum six-year term, the Direction requires the relevant Council to select a new chair / alternate chair(s) from the current pool of experts and chairs approved by the Minister.

#### Chairs

As noted above, two of the three current chairs (i.e. Mr Stuart McDonald and Mr Michael Mantei) will reach the maximum six-year term on 1 March 2024 and accordingly there is a need to appoint a new chair / alternate chair(s) for the interim period.

Accordingly, it is recommended that the remaining alternate chair (Ms Pamela Soon) be appointed as chair for the interim period. It is further recommended that Ms Heather Warton and Mr Jason Perica be appointed as alternate chairs for the interim period, as they are existing expert members on the Panel who are also included in the current pool of chairs approved by the Minister.

#### Expert Members

There is no requirement for Council to appoint any additional expert members at this time. While the NSW Government introduced new rules in April 2023 that required councils to have a minimum pool of 15 expert members, the Direction suspends this requirement for the interim period. New expert members will need to be appointed when the Minister approves the new pool of expert members and chairs for the next three-year term that will commence on 1 July 2024.

#### Community Representatives

There is currently a pool of six community representatives and as noted above, Mr Steve Lyons will reach the maximum six-year term on 1 March 2024. It is further noted that Ms Debby Dewbery's current appointment ends on 1 March 2024, by which time she would have held office as a member of the Panel for just over five years.

Under the relevant State legislation, councils are required to maintain a pool of at least four community representatives. To ensure that Council has a sufficient pool of community representative, it is recommended that Ms Debby Dewbery be reappointed for a further/final 11-month term.

Council staff intend on carrying out an expression of interest for new community representatives towards the end of 2024 to allow the new Council to make the relevant appointments following the local government elections.

## FINANCIAL IMPLICATIONS

There are no financial implications for Council arising from this report as the operation of the Panel is budgeted for in Council's operational budget.

## CONCLUSION

The Minister recently issued a Direction to councils that have LPPs that provides instruction on the interim appointment of panel members for the period up to 30 June 2024. These interim appointments are required as the DPHI is currently recruiting a new pool of expert members and chairs for the next three-year term that will commence on 1 July 2024. It is recommended that Council appoint a new chair, alternate chairs and a community representative to facilitate the ongoing operation of the Panel.


## RECOMMENDED

**That Council:**

- i. appoint the following chair and alternate chairs to the Camden Local Planning Panel for a period up to 30 June 2024:**
  - a. Ms Pamela Soon (chair);**
  - b. Ms Heather Warton (alternate chair); and**
  - c. Mr Jason Perica (alternate chair);**
- ii. reappoint Ms Debby Dewbery as a community representative for a period up to 31 January 2025; and**
- iii. write to the chair, alternate chairs, expert members and community representative that have reached the maximum six-year term on the Camden Local Planning Panel and thank them for their contribution during this period.**

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