

**MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD 28 JULY, 2003, CIVIC CENTRE, OXLEY STREET  
CAMDEN - 8.00PM**

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**Present:** Cr Anderson (Mayor/Chairperson), Cr Corrigan, Cr Patterson, Cr Campbell, Cr Winn, Cr Batros, Cr Fekete, Cr McFadden, Cr Senise

**Staff:** General Manager, Director Works & Services, Director Development & Environment, Director Governance & Outcomes, Manager Engineering, Environmental Systems Officer – Outcomes (Jeff Bell), Senior Governance Officer.

**DECLARATION OF PECUNIARY OR CONFLICT OF INTEREST**

There were no Declarations of Pecuniary or Conflicts of Interest.

**GENERAL PUBLIC ADDRESSES**

There were no Public Addresses.

**PUBLIC QUESTION TIME**

There were no Public Questions.

**CONFIRMATION OF MINUTES – 23 JUNE, 2003**

*Moved Cr Winn, seconded Cr Corrigan that confirmation of the Minutes of the Meeting of 23 June, 2003, copies of which have been circulated, be confirmed and adopted subject to the clarification of the Pecuniary Interest declaration in Item 1.*

080/03  
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THE MOTION WAS **CARRIED.**

**MAYORAL MINUTE - Part Reconstruction of Cobbitty Road**

(708/4) (Director Works and Services)

Council has been reconstructing about 650 metres of Cobbitty Road, commencing just past the intersection of Cobbitty Road and Macquarie Grove Road.

Unfortunately the material supplied by a contractor failed to meet Council's standards. The supplier of the material has since been notified and has agreed to meet the cost of rectification.

The rectification work consisting of cement stabilisation of the pavement has been programmed to commence on 30 July 2003 and be completed in approximately one week, weather permitting.

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Recommended: That the report be noted.

*Moved by Cr Anderson, seconded Cr Corrigan that the report be noted.*

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THE MOTION WAS **CARRIED.**

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**1. Local Government Structural Reform**  
(File 3829/2)(Director – Governance & Outcomes)

**Introduction**

The new Minister for Local Government, the Hon. Tony Kelly MLC, has written to all Councils in New South Wales urging them to seriously consider issues of structural reform, including boundary variations and amalgamations, in order to better serve their communities. A copy of the Minister's letter is attached (**Tabled Document "BPA 1"**) and specifies a deadline of 31 August, 2003. The Minister has indicated that any Council not responding by that deadline will be the subject of an enquiry from the Minister as to the reasons they have not elected to participate in the structural reform process.

The purpose of this report is to canvass some of the structural reform issues and to recommend to Council a course of action in responding to the Minister's call.

**Current Levels of Regional Support and Co-operation**

The Minister's objective is the "effective and efficient delivery of local government services and functions" and this has long been a continuing objective of Camden Council. Council continually improves and reforms its own services to the community both through the simple growth of its population and the need to improve efficiency as well as through an active program of service review, best practice and effectiveness improvement. These are internal elements of Council's performance.

In respect of external reform and efficiency, Camden Council is a committed and supportive participant in a great many regional initiatives and resource sharing exercises. Currently, Camden is participating in a wide range of activities with its neighbours in a continuing effort to build better communities regardless of the political boundaries on a map. There are two primary methods of co-operation that currently occur regionally. Firstly there are tangible and formal "resource sharing" projects. Some of these include the joint funding of the Macarthur Economic Development Officer position, the Macarthur Community Forum, and the use of common engineering standards (AUSSPEC).

Secondly, there are those projects where knowledge or information sharing takes place either formally or informally. These include the joint Employment Lands Study commissioned by Camden, Campbelltown and Liverpool Councils, the Bringelly urban investigation (Camden, Liverpool and Campbelltown) and the Edmonson Park SIAG (Camden, Liverpool and Campbelltown).

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The examples quoted above are by no means exhaustive however they do demonstrate the extent to which Camden co-operates with its neighbours on a day to day, tangible basis. In fact, practical interaction between Councils is an almost daily occurrence. Rather than forcing Councils to improve or formalise their levels of co-operation it would be more beneficial for the State Government to actively support greater levels of partnership between itself, its agencies and local councils.

**An Alternate Model for Regional Co-operation**

For decades commentators of many political persuasions have promoted the view that Australia is “over governed” and that the duplication of services and its attendant costs are major inefficiencies in the economy of the country. While it is neither the place nor the intent of this report to canvass the political issues of that argument, it is appropriate to consider ways in which our community might benefit from improving the delivery of services.

The State Governments of Tasmania and South Australia have both developed active partnership programs with their respective tiers of local government. These partnerships identify areas of joint action, independent action, funding and responsibility. At the core of these partnership arrangements is the recognition that the constituencies of both levels of government are the same – the same customers and the same voters.

In Tasmania a Partnership Agreement is a document that sets out actions and timeframes for a range of important social, environmental and economic activities that the State and Local Government agree to work on together. State and Local Government Partnership Agreements are a way for the parties to work together for the benefit of the community. The Partnership Agreements program is administered by the Tasmanian Local Government Division of the Department of Premier and Cabinet and brings together State agencies and Local Government to work for the benefit of communities.

In South Australia, the establishment of the Minister’s Local Government Forum was an election commitment of the State Government with the objective of working cooperatively with Local Government on matters of state-wide significance.

The role of the Forum is to advise the Minister for Local Government, the Premier, Cabinet and the Local Government Association on key priorities where State and Local Government can work effectively together to achieve better outcomes for the community. It aims to add value to the traditional approaches to intergovernmental relations by

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bringing to bear imaginative thinking and innovative solutions to resolve significant issues of shared importance. It will help to harness the resources of both spheres of government and coordinate efforts in key areas. Representatives are drawn from State and Local Government.

Clearly, substantial benefits to communities across New South Wales would accrue from a more holistic approach by the State Government to the issue of service provision and avoiding duplication, cost shifting and poor communication between our respective levels of government.

**Consideration of Boundary Issues**

In addition to the broader structural reform issues, the Minister has also specifically requested Councils to consider matters related to Council boundaries. As Councillors will be aware, the issue of boundaries has been a vexed one for this Council over many years. The following section of the report deals specifically with proposals to vary the existing boundaries to overcome several anomalies.

**Boundary Variation History**

The (former) Municipality of Camden was incorporated in 1889 and has a proud history of delivering high levels of service to its community. The fact that the town and district of Camden still maintains a certain cachet among the communities of the broader Sydney region, is testimony to the work of the Council, in concert with its community, in protecting and promoting the lifestyle and values of its residents.

The last time a major revision of Camden's boundaries was undertaken was in 1954 when the former Nepean Shire was disbanded and the areas now contained in Camden's North Ward were added to the (then) Municipality.

Over a number of years Camden Council has sought to expand its boundaries to incorporate certain areas that gravitate naturally to the Camden township as the centre of social and commercial activity within the district. These areas are particularly on the Council's southern boundary between the existing boundary at Wire Lane and the Razorback Range. On the last occasion, in 1995, when Council sought to incorporate additional areas of Wollondilly Shire into its own boundaries the matter proceeded to an investigation by the New South Wales Boundaries Commission. On that occasion, Council's application was rejected. It was rejected primarily on the grounds that "Wollondilly Council is generally opposed to urban sprawl and will only allow development that is in keeping with its rural residential character" and "Both Councils agree that the land should not be developed." The land

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referred to in these excerpts of the Boundary Commissions report is the land that Wollondilly Shire has now allowed to be developed in a fully urban manner, contiguous with Camden's urban area, exactly adjacent to the existing boundary and known as the Bridgewater estate. Clearly, the circumstances in place in 1995 have dramatically changed.

**Issues Relating to Camden's Southern & Western Boundaries**

The new Bridgewater development forms an uninterrupted extension of the Camden township and is some 20 kilometres distant from the nearest centre of population (Picton) in Wollondilly Shire, through a completely rural landscape. The total capacity of the development is approximately 700 urban house lots. It is, to all intents and purposes, an extension of the Camden urban area and completely isolated from the Wollondilly urban community.

The residents of the new development will draw the vast majority of their services from the Camden township and the Camden local government area. They will not place any significant commercial, recreational or social demands on the Wollondilly Shire. Generally speaking, they will use Camden's sporting and recreational facilities, Camden's libraries and cultural facilities and will shop in Camden.

In order to seek to incorporate this area into the Camden boundary, however, we should look to the natural catchment within which this social catchment rests. The Razorback Range, some 3 kilometres south of the current boundary forms a natural division between the Camden valley and the balance of the Wollondilly Shire. The lands from the spine of Razorback to the current boundary all drain into tributaries of the Nepean system adjacent to the Camden township. The ability of Camden Council to have some regulatory influence over lands within this catchment would be a highly desirable outcome of any boundary variation application.

Much of the land contained within the catchment has also been the subject of development speculation by Wollondilly Shire in recent years. Areas in Mayfarm Road had been slated for rural residential rezoning by Wollondilly until PlanningNSW stepped in to over rule the proposal based on the land's future urban potential. It is clear that the land in question has longer term urban potential and would be best managed by Camden Council in conjunction with its experience in major urban releases and its positioning as an "urban fringe" council. Wollondilly Shire Council has generally attempted to distance itself from the urban development debate and has aligned itself with the more rural region of the Hume corridor. These particular lands are those with urban fringe development

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potential and the existing rural areas of Wollondilly Shire are not the subject of this proposal.

The land in question would include the eastern side of the Mt Hunter Rivulet all the way to the Nepean River and would include the Mt Hunter village. These lands are contained within a very distinct environmental and social catchment based on the Nepean River and the Camden township. (Refer to **Tabled Document "BPA 2"**)

**Issues Relating to Camden's North Eastern Boundary**

The current boundary between Camden and Liverpool Councils in the north eastern corner of the Camden LGA follows Cowpasture Road from Camden Valley Way to a point approximately 500 metres from Bringelly Road before striking out over a paddock to meet Bringelly Road 200 metres from the Cowpasture/Bringelly roads intersection. Evidently this is a residue of some long changed subdivision. A preliminary investigation at staff level over recent years attempted to rationalise the boundary to the roads, however Liverpool Council withdrew from the process and it did not proceed.

A review of the mapping in the vicinity identifies that the triangular area bounded by Camden Valley Way, Cowpasture Road and Bringelly Road is currently within the boundaries of Liverpool City Council. As the major boundary roads for the balance of the border between our two Councils are Bringelly Road and Camden Valley Way, it would seem sensible that the boundary be varied to continue to the junction of those two major arteries. (refer to **Tabled Document "BPA 2"**).

**Issues Relating to Camden's North Western Boundary**

Council has received correspondence from several landowners with properties fronting onto Orient Road at Greendale. Their properties, the bulk of which are in the Liverpool Council area, extend across Bringelly Creek, which is the current boundary, and have small portions in Camden.

The properties involved are Lots 4, 5, 6 and 10 in Deposited Plan 776502 and Lot 2 in Deposited Plan 582023 encompassing an area of 16.29 hectares. It is appropriate to incorporate the whole of these properties within the Liverpool Council area.

Several approaches have been made to Liverpool Council since 2001 to initiate a resolution to the issue, however no indication has been received to date.

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By including this boundary adjustment in Council's proposal, the residents of Orient Road will be greatly benefited in that services will be provided by one Council only.

**A Proposal for the Review of Camden's Boundaries**

In view of the Minister's call for expressions of interest from Councils it is timely to devote serious consideration to the issue of boundaries. Therefore it is proposed that Camden Council undertake the following actions:

- (1) Make contact with Wollondilly Shire Council and Liverpool City Council advising them of Camden Council's interest in submitting a boundary variation application in respect of elements of their current areas and inviting a broad regional discussion on the issue. Such discussions also to include Campbelltown City Council if that Council wishes to be involved.
- (2) Concurrently submit an expression of interest to the Minister for Local Government indicating that there are several boundary issues that Camden Council would wish to see determined and that the Council will be making a formal application for boundary variation between itself, Wollondilly Shire and Liverpool City Councils and advising him of Council's steps to consult regionally.
- (3) Prepare a formal application for the boundary variations identified within this report for submission to the Minister for Local Government and the Boundaries Commission should formal discussions between the Councils involved fail to agree a common position before 31 August, 2003.

Pursuing this course of action will allow the commencement of discussions in a co-operative manner between the Councils involved while still complying with the Minister's deadline of 31 August, 2003. The criteria used to assess any application for boundary variation are contained in **Tabled Document "BPA 3"**.

Recommended: That Camden Council

- (i) Advise the Minister for Local Government of the significant range of operational, regional and "cross boundary" matters which Camden Council initiates and in which it actively participates in order to deliver efficient and effective local government services.
- (ii) Indicate to the Minister that Council would support a broader ranging review of the relationships between the State Government and local councils and the development

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of a partnerships program of a type similar in nature to the Tasmanian model.

- (iii) Make contact with Wollondilly Shire Council and Liverpool City Council advising them of Camden Council's interest in submitting a boundary variation application in respect of elements of their current areas and inviting a broad regional discussion on the issue. Such discussions also to include Campbelltown City Council if that Council wishes to be involved.
- (iv) Concurrently submit an expression of interest to the Minister for Local Government indicating that there are several boundary issues that Camden Council would wish to see determined and that the Council will be making a formal application for boundary variation between itself, Wollondilly Shire and Liverpool City Councils and advising him of Council's steps to consult regionally.
- (v) Prepare a formal application for the boundary variations identified within this report for submission to the Minister for Local Government and the Boundaries Commission should formal discussions between the Councils involved fail to agree a common position before 31 August, 2003.

*Resolved on the Motion of Cr Campbell, seconded Cr Winn that Camden Council*

- (i) *Advise the Minister for Local Government of the significant range of operational, regional and "cross boundary" matters which Camden Council initiates and in which it actively participates in order to deliver efficient and effective local government services.*
- (ii) *Indicate to the Minister that Council would support a broader ranging review of the relationships between the State Government and local councils and the development of a partnerships program of a type similar in nature to the Tasmanian model.*
- (iii) *Make contact with Wollondilly Shire Council and Liverpool City Council advising them of Camden Council's interest in submitting a boundary variation application in respect of elements of their current areas and inviting a broad regional discussion on the issue. Such discussions also to include Campbelltown City Council if that Council wishes to be involved.*
- (iv) *Concurrently submit an expression of interest to the Minister for Local Government indicating that there are several boundary issues that Camden Council would wish to see determined and that the Council will be making a*

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*formal application for boundary variation between itself, Wollondilly Shire and Liverpool City Councils and advising him of Council's steps to consult regionally.*

- (v) *Prepare a formal application for the boundary variations identified within this report for submission to the Minister for Local Government and the Boundaries Commission should formal discussions between the Councils involved fail to agree a common position before 31 August, 2003.*

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THE MOTION WAS **CARRIED.**

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**2. Stewardship Grant Program**

(File 4599) (Director Governance & Outcomes)

**Purpose**

The purpose of this report is to inform Council of the progress of biodiversity conservation projects on private land and recommend the establishment of an annual stewardship payment scheme to further encourage the private management of conservation areas.

**Background**

The achievement of the 2025 vision is predicated on the maintenance of Camden's landscape. Council, through the adoption of the Natural Assets Policy has established a 'zero net loss target' which equates to 25% of the landscape under conserved, managed bushland.

Conserving all of this bushland in public reserves with public management is neither feasible nor desirable. Working in partnership with the relevant state agencies to encourage conservation on private land is the most cost-effective strategy in meeting our objectives.

**Recent Achievements**

In 2001 Council was successful in attracting NHT funding from the federal government to support the Nepean Riparian Vegetation Management Incentives Project. The project objective was to secure 40 hectares of riparian bushland under conservation agreements that ensure ongoing management. The project has exceeded expectations with 56 hectares of riparian bushland at Camden Airport recently placed under a Property Agreement and another 9 hectares at Mater Dei secured by a Management Contract. Both instruments are under the legislative framework provided by the Native Vegetation Conservation Act.

Camden is maintaining the 'off reserve conservation' momentum through a Local Government Advisory Group (LGAG) Grant based on the successful NHT project. Similar to the NHT sponsored project, the LGAG project seeks to secure another 40 hectares of remnant vegetation. Discussions are well advanced with the University of Sydney Farms to secure ongoing management of 10 hectares of riparian bushland at Cobbitty.

**Barriers to implementation**

Anecdotal evidence gathered through the implementation process suggests that there is a general willingness for

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landholders to enter into conservation agreements where they can be assured of both recognition, and some level of ongoing financial assistance to offset the costs of meeting the management obligations established in the agreements.

Up-front financial incentives may be offered to encourage landholders to enter into conservation agreements. These incentives however must be expended within a year on fencing bushland remnants and restoring the land to a high standard.

Landholders considering entering into these arrangements generally enquire about the level of ongoing financial support that they can expect to assist in meeting the management obligations within the agreement. These agreements have a time frame of between 20 years and 'in perpetuity'.

At present there is no program to provide ongoing assistance, and this lack of support is a considerable disincentive to landholder adoption of conservation programs.

The lack of a program to formally recognise landholders for entering into conservation agreements also acts as a disincentive to adoption. In entering into these agreements landholders provide a considerable 'public good' and recognition of this fact is warranted.

**Stewardship Grant Program**

As indicted above, existing state agency 'off reserve' conservation programs provide an adequate legislative framework for meeting Council's biodiversity conservation objectives. Council can assist the adoption of these programs by local landholders by implementing a complementary Stewardship Grant Program which addresses the primary barriers to landholder adoption, namely ongoing financial support and formal recognition.

Although conserved and restored to good condition, bushland remnants in either an urban or agricultural context require ongoing management if they are not to be degraded by the re-emergence of weeds and impact of feral animals. Fences erected to control threats require maintenance and in some cases fire hazard reduction works need to be undertaken.

Reimbursement of the costs of consumables expended in meeting the management obligations of the agreement should be considered as "just compensation for the provision of a public good". Research undertaken suggests that a figure of \$75 per hectare per annum should adequately cover such costs.

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The provision of a suitable farm gate sign that indicates that the landholder is conserving and managing bushland for the public benefit is a simple and cost effective manner in which to provide the deserved recognition

**Funding Mechanism**

The Local Government Act 1993 section 356 provides that “ a council may in accordance with a resolution of council contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.” The conservation of biodiversity is quite clearly a function of council, particularly so since the introduction of the Local Government Amendment (Ecologically Sustainable Development (ESD)) Act 1997 which enshrines the application of ESD principles in the charter of local government. Biodiversity conservation is one of the four principles of ESD.

Council should include the program’s details in Council’s draft management plan for the year in which the financial assistance is proposed to be given, It is recommended that the stewardship program commence in the 2004-05 financial year and that the program forecast to support the stewardship of 100 hectares and the production of 10 farm gate signs.

So as to ease the administrative burden of program implementation it is suggested that through the program Council agree to reimburse eligible landholders on the production of receipts of relevant purchases to a maximum of \$75/hectare/annum. Eligibility will be determined by the confirmation of the existence of a suitable conservation agreement which must be placed on the property file.

An annual inspection of the conserved area by a suitably qualified council officer will provide an opportunity to monitor the effectiveness of the program, to provide advice to the landholder on the stewardship of bushland remnants and to make an assessment as to whether to maintain the landholders eligibility for continued assistance.

Council should seek on an annual basis to leverage the program’s budgetary allocation by seeking matching funding from any of the number of biodiversity grant opportunities. These funds can be used to either magnify the program or to carry out complementary activities.

**Conclusion**

It is clear that the management of bushland in private ownership is critical to Council achieving broader natural and cultural objectives. Encouraging landowners to enter into conservation agreements will be expedited by Council

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demonstrating its commitment through offsetting the cost of ongoing management. To this end it is recommended that a limited stewardship program be implemented by Council. Further, Council should continue to seek financial support through grant opportunities to continue the privately managed lands conservation program.

Recommended: That:

- (i) Council consider the inclusion of a stewardship grant program within the 2004-2005 Management Plan.
- (ii) Council consider the allocation of \$8,000 to the program in the 2004-05 budget to support the stewardship of 100 hectares of conserved private bushland (\$7,500) and the production of 10 farm gate signs (\$500).

Resolved on the Motion of Cr Batros, seconded Cr Campbell that:

- (i) Council consider the inclusion of a stewardship grant program within the 2004-2005 Management Plan.
- (ii) Council consider the allocation of \$8,000 to the program in the 2004-05 budget to support the stewardship of 100 hectares of conserved private bushland (\$7,500) and the production of 10 farm gate signs (\$500).

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THE MOTION WAS **CARRIED.**

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**3. Cities for Climate Protection Program**  
(File 4720) (Director Governance & Outcomes)

**Purpose**

To inform the council of the Cities for Climate Protection Program and to recommend that Council join the program

**Strategic Background - Camden 2025**

The Camden 2025 Strategic Plan establishes a clear direction in respect of air quality and establishes two primary strategies:

- (a) Develop and implement a local air quality management plan which is consistent with the Regional Action for Air Strategy.
- (b) Reduce greenhouse gas emissions through increasing energy efficiency.

Although not totally consistent, there is a considerable correlation between the two strategies with the primary contributors to air quality degradation, vehicular exhaust and wood-fired home heating also major contributors of greenhouse gas emissions

Fortuitously an opportunity has arisen for a limited number of Councils (10) to be added to the previously fully subscribed Cities for Climate Protection Program (CCP). This successful program provides a framework and support network to assist Council meet its strategic objectives.

**Cities for Climate Protection™ Program**

The Cities for Climate Protection™ Australia Program is a collaborative arrangement between International Council for Local Environmental Initiatives (ICLEI) and the Australian Greenhouse Office (AGO) to deliver the Cities for Climate Protection™ (CCP™) Campaign Milestone Framework in Australia. (refer **Tabled Document “BPA 4”**).

**Local Government Response Generally**

Local governments around the world are responding to the threat of climate change by reducing the greenhouse gas emissions they produce from their own activities. Their planning powers, spending policies and community and business links can influence households and businesses and have an effect on energy use, transport, waste and land use.

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**Council Response**

Council, by joining the Cities for Climate Protection™ program, has the opportunity to show leadership to the community and to be part of a growing number of local governments nationally and internationally which are finding that greenhouse action makes good financial, environmental and social sense.

In joining the program Council will be joining 48 councils in NSW which includes Blacktown, Liverpool and Penrith in Western Sydney.

The program would entail Council involvement in achieving the following five (5) milestones:

Milestone 1: Establish an Inventory and Forecast for key sources of greenhouse emissions for Council operations - buildings, vehicle fleet, street lighting, and waste and the Community - residential, commercial, industrial, transport.

Milestone 2: Set an emissions Reduction Goal.

Milestone 3: Develop and adopt a local greenhouse action plan to achieve those reductions.

Milestone 4: Implement the local greenhouse action plan.

Milestone 5: Monitor and report on greenhouse gas emissions and the implementation of actions and measures.

The resourcing involved is detailed in **Tabled Document "BPA 4"** and would include a Council contribution of \$1,650 and staff commitment.

**Conclusion**

The Cities for Climate Protection Program provides a structured approach to addressing Council's air quality and energy efficiency goals as enunciated in the strategic plan. The cost of participation is relatively minor although joining the program will require ongoing commitment across the organisation if the benefits of the program are to be realised. It is accordingly recommended that Council join the CCP program and pursue attainment of the five milestones.

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Recommended: That:

- (i) Council join the Cities for Climate Protection™ program and undertake work to achieve the five milestones.
- (ii) Publicise Council's decision and request support of the program by residents and businesses
- (iii) The 'one off' participation fee of \$1650 be sourced from the Local Agenda 21 budget.

Resolved on the Motion of Cr Campbell, seconded Cr Winn that:

- (i) Council join the Cities for Climate Protection™ program and undertake work to achieve the five milestones.*
- (ii) Publicise Council's decision and request support of the program by residents and businesses*
- (iii) The 'one off' participation fee of \$1650 be sourced from the Local Agenda 21 budget.*

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THE MOTION WAS **CARRIED.**

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**4. Fees and Charges – Parks Light Controller Deposit**

(File 866) [Director, Works and Services]

This report seeks to set the fees to be charged for the deposit of light controllers for all Council reserves.

It has come to Council's notice that no fee has been adopted by Council as security for the supply of light controllers for Council's reserves. These controllers are provided to sporting bodies to operate (start up and extinguish) training lights on a number of sports fields throughout the LGA. A basic light controller is valued at \$110.00 plus programming fees.

This report seeks approval to include a deposit fee of \$55.00 (including GST) per light controller to each club or body authorised, through Council's Parks reservation program, to use the reserve.

It is normal practice to reimburse any deposit within 7-10 days of the return of an item (such as Parks keys).

Should the controller be damaged or lost the deposit will naturally not be returned to the client. The fee would then be used to replace the light controller.

Recommended: That the draft fees and charges for the deposit of light controllers for all Council reserves be placed on exhibition for public comment for a period of 28 days.

**MOTION**

*Moved Cr Corrigan, seconded Cr Senise that the draft fees and charges for the deposit of light controllers for all Council reserves be placed on exhibition and all affected sporting groups be directly contacted by mail for public comment for a period of 28 days.*

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**5. Harrington Park Water Quality and Flood Management System**

File 3638) [Director Works and Services]

**Purpose of Report**

An item was presented to Council on 14 July 2003 were it was resolved:

*“That a further report be provided to Council outlining the concerns of the Department of Infrastructure, Planning and Sustainable and Natural Resources (DIPNR) compared to the original mediated decision and this report also include copies of any correspondence received from DIPSNR on the issues.”*

The report of 28 January 2003 presents the background documentation exchanged with officers of DIPNR to assist in consideration of this matter (refer **Tabled Document “BPA 5”**).

**Background**

The report to the 14 July 2003 Council meeting highlights the broad history of discussions with both the Environmental Protection Authority (EPA) and DIPNR (previously DLWC) in a effort to resolve the issue of modifying water body 3A, and the addition of water body 4 to provide satisfactory water quality to the Narellan Creek.

In essence the situation has evolved as follows:

28 January 2003	Council - determined “in principle” position supporting water body 3A and 4.
4 February 2003	Council – letters sent to EPA and DLWC (now DIPNR) advising of the problem and need for joint discussion regarding Council’s proposal (refer <b>Tabled Document “BPA 6”</b> )
14 February 2003	Discussion with officers of EPA
28 March 2003	Discussions with officers of DIPNR
23 April 2003	Consent received from EPA (refer <b>Tabled Document “BPA 7”</b> )

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March to June 2003      Numerous exchanges of documents between Council, Council's consultants (John Bavor & SMEC) and DIPNR (**Tabled Documents "BPA 6"**)

**EPA Approval**

Verbal approval was provided at a meeting with the officers of the EPA held on 14 February 2003 and subsequent written consent has been received to the proposed works from the Authority (**Tabled Document "BPA 7"**).

The EPA have concurred with Council's proposal for works in water body 3 and the construction of water body 4 after confirmation from Council's consultants that the outcome would provide an equivalent water quality outcome for Narellan Creek and discharge to the Nepean River as that proposed through the mediation process.

**DIPNR Negotiations**

Following a meeting between officers of both DIPNR and Council held on 28 March approaches were made to Council's consultants (SMEC and John Bavor, professor at U.W.S.) to provide a series of data to satisfy DIPNR requirements. The nature of our consultant's advice has understandably been a theoretical rather than physical analysis of the proposition that minimal change to water body 3A and the introduction of water body 4 will provide water quality equal to or above that generated through the mediated result.

From discussions and written requests the DIPNR position has been one of requiring the full water quality targets of water body 3A being achieved at the outlet of the water body, prior to any further treatment. This request cannot be achieved through Council's "in principle" position which is at odds with the mediated solution, in fact by its nature may lead to a reduction of the water quality achieved within water body 3A. Steps taken to affect the water quality in 3A, through macrophyte planting of the edges and bubbler generation (not proposed in the mediated solution) within this water body will maximise the water quality levels prior to outlet to the creek at The Northern Road. Water body 4 will enhance the water quality of Narellan Creek and cater for the industrial flows from the Grahams Hill Road Industrial Area. In summary DIPNR's position which attempts to compare the water quality of the outlet of Lake 3A with the resulting water quality emerging from Lake 4, is unreasonable.

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DIPNR have a number of concerns being in relation to salinity;

- water licensing restrictions;
- water quality in the existing water body;
- lack of available data to technically assess the remedial measures to prevent the occurrence of algal blooms in the existing water body; and
- systematic loss of riparian and wetland vegetation.

These are again highlighted in their letter (**Tabled Document “BPA 6”**).

(Note: Morphometry is the measurement of existing physical form and structure. Morphometric parameters may include the following factors:

- length
- mean depth
- volume
- shoreline development
- relative depth )
- mean breadth
- area
- maximum depth
- volume development

DIPNR’s concerns are well documented. They are however able to be addressed as follows:

- In relation to the water quality of water body 3A, Council’s consultants have recommended action to reduce the risk of algal blooms. Design considerations (for example the introduction of a bubbler system to aerate and induce flow through water body 3A) supplemented with community education will assist in reducing the risk of further algal blooms.
- In relation to salinity, improved management practice to be incorporated into the design, construction and operation will endeavour to minimise the impact of salinity. Measures include impermeable liners, extensive vegetation and minimum excavation.
- In relation to water licensing and weir construction, exceptions have been noted in the past where there is greater water quality benefit possible. This however requires approval directly from the Minister.
- Systematic loss of riparian vegetation has been regrettable, but within Council’s approved limits. Considerable vegetation is proposed as part of the overall water quality system. The Authorities required 40m buffer zone will be established around water body 4 for example, to envelope the existing riparian planting on the site. This will go a considerable way into maintaining and re-establishing connectivity along Narellan Creek.

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In summary Council's officers have advised the EPA and DIPNR of the proposed amendments to the mediated solution to improved water quality in Harrington Park water system; developed in consultation with the residents of Harrington Park.

Council participated in several discussions with both parties to further explain the proposal.

The EPA has concurred with Council, after confirmation from Council's consultants, that the outcome would provide an equivalent water quality outcome for Narellan Creek and discharge to the Nepean River.

A range of discussions and correspondence with the Department, Council and Council's consultant have yet to resolve a final response from the Department.

**Affect of Accepting the Mediated Solution**

The local community's expectation and desire has been to look for solutions that will maximise the amount of open water view to maintain their visual amenity. Not proceeding with the recommended option will further polarise the opinions of adjoining residents.

Council's adopted position resulting from consultation with the community provides for an additional water quality facility which will serve the Narellan Industrial Area within the proposal. An implication of not proceeding with the recommended option involves acquisition of land to provide a separate water quality facility to serve this industrial area. As Council is still committed to providing a water quality facility downstream of the Narellan Industrial Area this will require acquisition, design and construction by Council. The cost of land acquisition would be negotiated at current market rates.

The land under the current option, adopted in consultation with the community, is provided at no cost to Council.

**Conclusion**

Following the numerous attempts to obtain a final response on this matter it is considered necessary to approach the Minister for Infrastructure, Planning and Sustainable Natural Resources to provide a decision. The purpose of the meeting is to confirm a course of action and proceed with confidence and justification in providing a water quality and flood management system on Narellan Creek.

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Recommended: That

- (i) A delegation from Council approach the Minister for Infrastructure, Planning and Sustainable Natural Resources seeking support to proceed with the provision of the water quality and flood management system for Narellan Creek at Harrington Park as adopted in consultation with the community.
- (ii) The Local State Member be requested to support this action.

Resolved on the Motion of Cr Corrigan, seconded Cr Winn that

- (i) *A delegation from Council approach the Minister for Infrastructure, Planning and Sustainable Natural Resources seeking support to proceed with the provision of the water quality and flood management system for Narellan Creek at Harrington Park as adopted in consultation with the community.*
- (iii) *The Local State Member be requested to support this action.*

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THE MOTION WAS **CARRIED.**

*(Cr Campbell, Cr Batros and Cr Senise voted against the Motion).*

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**6. Lake Annan Plan of Management**  
(4450) (Director Works and Services Division)

**Purpose of report**

The purpose of this report is to recommend adoption of the Lake Annan Plan of Management.

**Background**

Council was successful in obtaining financial assistance from the Department of Infrastructure, Planning and Natural Resources (DIPNR) through the Metropolitan Greenspace Program to develop a management strategy for public land associated with wetlands and watercourses.

The maintenance of the natural function of riparian areas is integral to the 2025 vision. The freshwater wetland ecosystem processes provide the water quality improvements required to mitigate the impact of urban and agricultural development on the landscape.

Council's strategy for the development of a Plan of Management (PoM) involves the development of an overarching 'natural area' plan of management for all riparian areas, supported by specific plans of management for individual reserves to be developed on a priority basis. The overarching plan of management re-categorises riparian areas in public reserves as 'natural areas'. The principles within the overarching plan of management apply to the entire local government area. This Plan of Management was adopted in December 2002.

The specific area plans of management are designed as a supplement to the overarching plan in a manner that both reduces the cost of plan development and fosters consistency with the principles of the plan.

**Lake Annan Plan of Management**

The Lake Annan Plan of Management is the first specific area plan developed and illustrates the management planning framework.

The plan re-categorises the community land from 'general community use' and 'sportsground' to 'natural area -wetland' and 'park'. The 'natural area-wetland' categorisation applies only to the lake body and the riparian buffer (refer section 8 map 3 of the PoM).

The plan identifies design and management issues that require attention to maximise the effectiveness of Lake Annan's

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functions. An implementation plan and maintenance manual are included to guide resource allocation.

**Exhibition process**

The Lake Annan Plan of Management was exhibited from 19 March to 18 April 2003 with written submissions received until 2 May 2003. Two written submissions were received. As the plan re-categorises community land, in accordance with the act (s40A), a public hearing was held on the 1 May 2003. Seven local residents attended the public hearing. Comments from the public hearing [refer **Tabled Document "BPA 8"**] have been noted and were generally incorporated into the plan or are matters that Council identifies in its general operations.

**Issues**

While all issues raised are laid out in the minutes of the public hearing there are some major issues which have been assessed and are presented for consideration.

Maintenance – Lack of maintenance in the area was of major concern to one resident. This is a matter to be considered under Council's current Parks maintenance regime and budget operations. An increase in the maintenance regime is a matter to be considered through Council's budgetary prioritisation process.

Traffic Control – There was some concern in the submission about the location of the bollards which would restrict parking and access. The bollards are proposed to be located on the edge of the grass to restrict illegal parking in the reserve, and will be positioned so that the carparking manoeuvres will remain unaffected.

Funding – Council is currently discussing with the developer of the upper catchment of Lake Annan, the proposal to undertake additional works at Lake Annan, downstream of the subject development, in order to improve water quality control measures. Such work may involve macrophyte planting on the edge of the lake and the construction of two underwater berms planted with macrophytes, both of which are substantial costs. It is anticipated, that subject to design, appropriate items will be picked up through this development process. Other major items such as the refitting of the Gross Pollutant Trap (GPT) and dredging will be the subject of appropriate grant applications, considered under Council's capital works program or prioritised through Council's budgetary considerations over time.

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Performance targets recognised in the Lake Annan Plan of Management are subject to Council's annual Budget considerations.

**Conclusion**

The Lake Annan Specific Areas Plan of Management establishes a management framework that reflects the importance of focussing on specific requirements in order that improvements are made both to the park and to the water quality of this fine aquatic asset.

Recommended: That Council adopt the Lake Annan Plan of Management subject to the prioritised action timetable being determined as part of Council's annual Plan of Management and Budget process.

*Resolved on the Motion of Cr Batros, seconded Cr Winn that Council adopt the Lake Annan Plan of Management subject to the prioritised action timetable being determined as part of Council's annual Plan of Management and Budget process with the exclusion of the paragraphs relating to the "Proposed Jetty".*

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THE MOTION WAS **CARRIED.**

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**Delegated Committees**

Development Committee – Held 23 June 2003

Development Committee – Held 14 July 2003

Resources & Services Committee – Held 14 July 2003

*Resolved on the Motion of Cr Corrigan, seconded Cr Batros that the Minutes of the Development Committee of the 23 June, 2003, and 14 July 2003, and the Minutes of the Resources & Services Committee of the 14 July, 2003, copies of which have been circulated, be confirmed and adopted.*

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THE MOTION WAS **CARRIED.**

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**QUESTIONS WITHOUT NOTICE**

**Catherine Field Hall**

Cr Fekete referred to a previous Question Without Notice requesting the removal of an African Olive Tree in front of the Catherine Field Hall and noted the tree has since been removed. Could thanks be conveyed to Council staff.

The Director Works & Services stated this will occur.

**National Tree Planting Day**

Cr Batros wish to congratulate Council staff for the successful National Tree Planting Day and School's Planting Day held on Friday and Sunday. The Community response was excellent.

**Mayoral Minute – Cobbitty Road Reconstruction**

Cr Campbell drew attention to the Mayoral Minute earlier this evening and requested to be advised does the Mayoral Minute cover the section of Cobbitty Road previously completed by Council between Cobbitty Road and the Northern Road.

The Director Works & Services stated the Mayoral Minute does not relate to this section of road however, the testing does. Council is now testing the previously sealed section of road and will ensure if the same problem has occurred, it will be rectified.

Cr Campbell requested to be assured the section of road will be checked. Advice has been received recently that the camber of the road is wrong and the road is disintegrating already into potholes.

The Director Works & Services stated if the camber was incorrect it would not be the reason for the road to fail. The section of the road will be checked.

**Road Connectivity – Elderslie Infill**

Cr Campbell referred to the road connectivity between the Elderslie infill and the existing Elderslie community and sought clarification if the Regional Transport/Accessibility Levy proposed by the State Government is dependent of the connectivity being included in the planning for the area.

The General Manager stated a memo has been issued to Councillors on this issue. And discussions with the Department, the issue of connectivity has been set out in the SEPP and is a key issue which will require to be considered. However, the Department has not responded in writing and

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until a response has been received a complete answer cannot be provided.

The Meeting closed at 8.50pm