
ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

RESOLUTION

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

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

ORD93/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.

RESOLUTION

There were no declarations to be noted.

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

ORD94/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

RESOLUTION

There were no public addresses to be noted.

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

ORD95/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 11 May 2010 , and the Minutes of the Local Traffic Committee Meeting, held 10 May 2010.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 11 May 2010, and the Minutes of the Local Traffic Committee Meeting held 10 May 2010, copies of which have been circulated, be confirmed and adopted.

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Dewbery that the Minutes of the Ordinary Council Meeting held 11 May 2010, and the Minutes of the Local Traffic Committee Meeting held 10 May 2010, copies of which have been circulated, be confirmed and adopted.

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

ORD96/10

ACTIONS

MAYORAL MINUTE
ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE - RURAL FIRE SERVICE BRAVERY AWARD &
RESIGNATION OF ADAM WILKINSON
FROM: Director Works and Services
FILE NO:

RURAL FIRE SERVICE BRAVERY AWARD

On 4 May 2010, the Emergency Services Minister Steve Whan presented Commendations of Bravery and Service to members of the NSW Rural Fire Service (RFS).

On a RFS St Florian's Day Commemoration Ceremony, the Rural Fire Service takes the opportunity to thank and acknowledge its members for their ongoing hard work and dedication to protecting the community.

Volunteers being awarded commendations and service awards are dedicated RFS members who are always the first in line to protect the community and to help others. The actions of these brave individuals have helped to save others. The spirit and courage with which they put their own well-being aside to save another is to be praised and acknowledged.

One such brave volunteer is Captain Andrew Macdonald from the Catherine Field Brigade. Captain Macdonald received the Commissioner's Commendation For Bravery for risking his life in the rescue of a fire tanker with its crew from being washed down the creek at Anthony Road in February 2008.

I would like to invite Councillors to join with me in congratulating and praising Mr Andrew Macdonald for his bravery in his attempt to save others, and also in praising and acknowledging all personnel in the Macarthur Fire Control Centre who were involved with the activation of the brigades to assist in the severe flooding at Broughton Anglican College in February 2007.

Macarthur Zone RFS received the Commissioner's Certificate of Commendation for their actions.

RESIGNATION OF ADAM WILKINSON

This is the last Camden Council meeting for Mr Adam Wilkinson, Council's Manager – Environmentally Sustainable Design before he moves to Penrith City Council to accept a promotional opportunity.

Adam has been a committed and loyal member of Council's staff for 12 years and has been a member of the Senior Management Team for 4 years since he was promoted

into his current position.

We all wish Adam every success in his new position and thank him for his work on behalf of the Camden community over the past 12 years.

RECOMMENDED

That:

- i. the information be noted; and**
- ii. Council writes to Captain Macdonald acknowledging his award.**

RESOLUTION

Moved Councillor Patterson that:

- i. the information be noted; and
- ii. Council writes to Captain Macdonald acknowledging his award.

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

ORD97/10

ACTIONS

[Link to CRMS document](#)

[CRMS: 11494484 26/05/2010, 03:11:34 PM](#)

ORDINARY COUNCIL

ORD01

SUBJECT: CAMDEN GENERAL CEMETERY – ISLAMIC SECTION
FROM: Director Works and Services
FILE NO:

PURPOSE OF REPORT

To provide Council with an update on the recently dedicated Islamic Section within the Camden General Cemetery, and to seek to establish revised procedures to manage the sale of plots in all sections of the cemetery to enable a more sustainable and controlled release of burial plots.

BACKGROUND

At its meeting of 9 December 2008, Council resolved to approve the allocation of 70 Islamic burial plots in the form of a Lawn Cemetery within the existing Camden General Cemetery, on the corner of Cawdor and Burragorang Roads.

The necessary approvals were secured through the Department of Health and Council's processes were amended to accommodate Islamic burials. In addition, civil works were completed in the Cemetery to formally establish the Islamic Section in preparation for burials to take place.

In October 2009, Council began to sell burial plot allocations within the Islamic Section. To date, there have been no burials within this section.

MAIN REPORT

Since October 2009, Council has sold (as reservations) 51 of the original 70 plots allocated within the Islamic Section; hence only 19 plots remain available.

Of the 51 reservations made to date, only six have been from local residents; five from Camden and one from Elderslie. The remaining 45 have been reserved by people from outside of the Camden LGA, of which only three (3) have been reserved by residents from other areas in the Macarthur region.

Eighteen (18) of the 45 reservations were purchased in the week ending 30 April, 2010.

The original report to Council (28 October, 2008) outlined the basis for the establishment of the Islamic Section within the Camden General Cemetery, reflecting both the demographics of the Camden LGA and the wider Sydney region. The report further identified;

“Shortage of Burial Sites

Overall there is a shortage of burial sites in the Greater Sydney region. More recently the Department of Lands has released a Sustainable Burials Discussion Paper. The discussion paper advises that the Muslim Trust areas of Rookwood and Liverpool cemeteries have no more burial plots for sale, although pre-sold lots will continue to be used, and that of all religious groups, burial spaces for Muslims are under the greatest pressure.

Due to the shortage of Islamic burial spaces in Greater Sydney there is a risk that the allocation of Islamic spaces within Camden would fill very quickly as it is highly likely that such an allocation would attract burials from outside of the Camden LGA. Accordingly, Council may receive further requests to increase the size of the grave allocation if it is found to be insufficient elsewhere. At this stage, this has not happened with Wollongong's Kembla Grange cemetery, although the distance to Sydney may influence this, the cost of a burial space is \$1385. Kembla Grange's large cemetery overall has another 100 years' capacity and currently there is no concern about any overflow from Sydney.

Demand on Camden Council's grave sites is managed via a pricing structure which gives preference to Camden LGA residents. This is done by charging non Camden LGA residents twice that of residents to limit overflow from Sydney, whilst providing an inexpensive service for residents. The current charges are \$1733 for a non resident and \$866 for a resident. Additional demand can be catered for by other cemeteries in and around the LGA. Should a greater demand be placed on Camden by non-residents then it is likely that Council will need to review its pricing structure.

An alternative or supplementary approach is to place a cap on the proportion of burial sites for non-residents. This would need to apply for each section within the cemetery and may bring a number of administrative issues to be resolved. Additional information of the operation of such restrictions will need to be determined.”

The October 2008 report to Council further noted;

“The take up rate for burial spaces will need to be monitored to ensure that, as with other sections, the proposed Islamic Section is primarily used by residents of the Camden LGA and is not being overly used as overflow from the Greater Sydney region.”

It is apparent from the reservations made to date that the Islamic Section of the Camden General Cemetery is attracting attention and interest from people from across the greater Sydney region. Given the current trends and purchase of reservations, the Islamic Section will be totally reserved in the near future.

Given the rapid nature of the sale of burial plots in the Islamic Section, Council staff placed a moratorium on the sale of burial reservations on 4 May 2010 to ensure that the Islamic Section was not sold out prior to the consideration of this report by Council. The moratorium did not include the sale of plots for immediate burial.

The table below compares sales of plots in all sections since October 2009 and provides an estimate for the average yearly allocations based on this period's uptake.

| Section | No. of | Camden LGA | Outside of | Approx. yearly |
|---------|--------|------------|------------|----------------|
|---------|--------|------------|------------|----------------|

| | Reservations (Oct 2009 to now) | Residents (Oct 2009 to now) | Camden LGA (Oct 2009 to now) | allocations |
|---------------|---|--|---|--------------------|
| Islamic | 51 | 6 (12%) | 45 (88%) | 87 |
| Uniting | 13 | 7 (54%) | 6 (46%) | 22 |
| Anglican | 15 | 5 (33%) | 10 (67%) | 26 |
| Catholic | 21 | 8 (38%) | 13 (62%) | 36 |
| Presbyterian | 4 | 2 (50%) | 2 (50%) | 10 |
| Non-Sectarian | 2 | 1 (50%) | 1 (50%) | 10 |
| Independent | 2 | 2 (100%) | 0 (-) | 10 |

Although the uptake of allocations within the Islamic Section has precipitated this review, it is appropriate to review all allocations across the cemetery with the view of securing the long term viability of the cemetery. Ensuring long term viability may be able to be achieved through pricing or restricting allocations. Importantly, any decision needs to be applied consistently across the whole cemetery.

The Camden General Cemetery has limited space and there will be a point in time where all of the burial plots (in each of the various sections) in the Cemetery have been reserved. Predicting the expected operational life of the cemetery is difficult and cannot be determined with a high level of accuracy due to the expected rapid population increase in the Camden LGA. The following table contains an analysis of the approximate years remaining before each section of the cemetery is full. The main sections of the cemetery are estimated at this point in time to have an operational life of approximately 20 years with more significant capacity remaining in the Non-Sectarian and Independent sections.

| Section | Existing Internments | Reserved | Unallocated Spaces | Total Spaces | Approx years left. |
|----------------|-----------------------------|-----------------|---------------------------|---------------------|---------------------------|
| Islamic | 0 | 51 | 19 | 70 | 0 |
| Uniting | 96 | 24 | 621 | 741 | 28 |
| Anglican | 1224 | 232 | 566 | 2022 | 22 |
| Catholic | 343 | 201 | 616 | 1160 | 17 |
| Presbyterian | 199 | 32 | 302 | 553 | 30 |
| Non-Sectarian | 93 | 32 | 1129 | 1254 | 113 |
| Independent | 177 | 61 | 370 | 608 | 37 |

In order to provide sustainable management of the asset that is Camden General Cemetery, and to ensure that there is sufficient burial plots for future generations, it is suggested that the release of burial plots for each section be limited each year to ensure that the cemetery has an operating life of another 20 years. The cap will apply to all sections and will become increasingly important as all sections reach capacity in the future. The cap on the number of reservations for each section is proposed as follows.

| Section | Unallocated Spaces | Yearly Cap to provide 20 year (approx) Operational Life |
|----------------|---------------------------|--|
| Islamic | 19 | 1 |
| Uniting | 621 | 31 |
| Anglican | 566 | 28 |

| | | |
|---------------|------|-----|
| Catholic | 616 | 31 |
| Presbyterian | 302 | 15 |
| Non-Sectarian | 1129 | 20* |
| Independent | 370 | 19 |

* the non-sectarian section cap has been kept low to provide possible expansion opportunities for other sections.

Immediate burials for residents of Camden LGA would be permitted for any section above the general cap without adjustments to the cap for subsequent years.

The number of burial plots provided for the Islamic Section in Camden General Cemetery was determined after considering several factors, including the proportion of Muslims in the Camden LGA obtained from Census data, the requirement of the Islamic faith for burial and not cremation and providing for a factor of growth in the proportion of Muslims in the Camden LGA. The 70 burial plots provided is considered to be adequate for the current representation of Muslims in the community. However Census data can be monitored in the future to determine if the Islamic Section needs to be enlarged. The Islamic Section was provided by portioning off an unused section of the Non-Sectarian Section.

CONCLUSION

The recently established Islamic Section within the Camden General Cemetery is attracting significant attention from the greater Sydney region. 51 of the original 70 plots have been sold (reserved) since October 2009, with the majority being purchased from non-residents of Camden.

This interest has precipitated a review of the way in which we allocate (sell) burial sites across all sections of the Camden General Cemetery.

In order to provide a sustainable management of the asset that is Camden General Cemetery and to ensure that there is sufficient burial plots for future generations, it is suggested that the release of burial plots for each section be limited each year to ensure that the cemetery has an operation life of another 20 years.

RECOMMENDED

That Council;

- i. adopt a cap (effective immediately) in accordance with the table contained within this report, on the number burial plots allocated each financial year for each section in Camden General Cemetery and to provide an expected operating life of 20 years for each section;**
- ii. approve the sale of burial plots over and above the cap in any given financial year for the immediate burial of Camden LGA residents only;**
- iii. amend Council's Rules and Conditions for Burial in Camden General Cemetery accordingly; and**
- iv. write to all stakeholders advising them of the changes.**

RESOLUTION

MOTION

Moved Councillor Dewbery, Seconded Councillor Campbell that Council:

- i. adopt a cap (effective immediately) in accordance with the table contained within this report, on the number burial plots allocated each financial year for each section in Camden General Cemetery and to provide an expected operating life of 20 years for each section;
- ii. approve the sale of burial plots over and above the cap in any given financial year for the immediate burial of Camden LGA residents only;
- iii. amend Council's Rules and Conditions for Burial in Camden General Cemetery accordingly;
- iv. write to all stakeholders advising them of the changes; and
- v. write to the State Government, Department of Planning to review the provision of future cemeteries located in Camden's release areas including Oran Park and Turner Road and any future release areas.

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

ORD98/10

ACTIONS

[Link to CRMS document](#)

[CRMS: 11494500 26/05/2010, 03:11:50 PM](#)

ORDINARY COUNCIL

ORD02

SUBJECT: DRAFT CAMDEN RECREATIONAL TRAILS NETWORK STRATEGY
FROM: Director Works and Services
FILE NO: Traffic and Transport/Investigation and Design/Cycleway and Footpaths/Camden Recreational Trails Strategy

PURPOSE

To inform Council of the preparation of the Draft Camden Recreational Trails Network Strategy and to endorse the draft strategy for the purposes of public exhibition.

BACKGROUND

Council successfully received a grant from the Department of Planning (DoP) through the Metropolitan Greenspace Program for the preparation of a Camden Recreational Trails Network Strategy. Through a competitive process the consultant firm GHD was selected to undertake the works and a draft strategy has now been completed and is ready for public exhibition and consultation.

Recreation Trails are interconnecting pathways/routes which provide for movement across the LGA, access to facilities and services and linkages within the LGA and outside the LGA in a way which promotes healthy lifestyles and reduced reliance on motor vehicles and public transport. They include routes which lead to specific destinations and those which simply provide a connection.

MAIN REPORT

Recognising the needs of our existing and rapidly growing communities, Council has set out to develop a comprehensive recreational trails strategy.

The strategy will enable the community to identify recreational routes, and also provide the necessary infrastructure to assist the community to participate in an active and healthy lifestyle. Recreational trails have been categorised according to their intended purpose and it will allow users to select and plan routes to suit their needs.

The strategy seeks to establish a wide variety of trail networks which will meet the recreation and commuting needs of the broader community. The strategy is consistent with many regional and local planning initiatives.

Figure 9 (page 31) of the strategy demonstrates that more detailed identification of trails has been possible in areas where development planning is advanced. Where planning is not so advanced (eg, the northern part of the LGA), the strategy identifies "desire lines" representing linkages for future consideration as part of that planning.

The strategy will assist to:

- provide Council with a comprehensive summary of the existing and proposed trails within the existing and developing areas of the Camden LGA;
- identify high priority links and missing connections in existing networks;
- link to regional and local trails planning framework;
- identify opportunities for Council to work in partnership with surrounding Councils and the development industry;
- provide Council with plans identifying ideal track routes and recommendations on construction specifications including track surface materials, key supporting infrastructure, lighting, possible interpretive signage and seating locations;
- suggest themes and stories for the trails, including possible heritage significance;
- provide broad cost estimates for trails that are not currently funded, including estimates for key items including bridges and culverts;
- provide a strategic framework for funding applications;
- identify and create tracks that meet Disability Discrimination Act requirements to maximise opportunities for participation by people with a disability and/or mobility issues;
- to inform strategic planning and development proposals;
- to provide opportunities to encourage alternate modes of transport and link the community to key services and infrastructure.

The public consultation will consist of static displays in both the Camden and Narellan Administration Office foyers and Libraries. The exhibition and consultation period will be from 30 May 2010 through to 1 July 2010. A copy of the Draft Camden Recreational Trails Network Strategy has been **provided as an attachment to this report**.

RECOMMENDED

That Council:

- endorse the Draft Camden Recreational Trails Network Strategy for the purposes of public exhibition and consultation; and**
- exhibit the Draft Camden Recreational Trails Network Strategy in both the Camden and Narellan Administration Office foyers and Libraries from 30 May 2010 through to 1 July 2010.**

ATTACHMENTS



GHD Camden Recreational Network Final Draft Report.pdf

RESOLUTION

MOTION

Moved Councillor Anderson, Seconded Councillor Campbell that Council:

- endorse the Draft Camden Recreational Trails Network Strategy for the purposes of public exhibition and consultation;**

- ii. exhibit the Draft Camden Recreational Trails Network Strategy in both the Camden and Narellan Administration Office foyers and Libraries from 30 May 2010 through to 1 July 2010; and
- iii. send a copy of the Draft Camden Recreational Trails Network Strategy to all stakeholders during the exhibition period.

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

ORD99/10

ACTIONS

[Link to CRMS document](#)

[CRMS: 11494614 26/05/2010, 03:12:01 PM](#)

ORDINARY COUNCIL

ORD03

SUBJECT: RENEWAL OF LICENCE AGREEMENT - CATHERINE FIELD
PRE-SCHOOL KINDERGARTEN INCORPORATED
FROM: Director Works and Services
FILE NO:

PURPOSE OF REPORT

To consider formalisation of a Licence Agreement for Catherine Field Pre-school Kindergarten Incorporated for the use of land being part of Lot 99 DP 27602 situated at 170 Catherine Fields Road, Catherine Field.

BACKGROUND

Council currently leases a portion of 170 Catherine Fields Road, Catherine Field to Catherine Field Pre-school Kindergarten Incorporated (the Preschool).

The Preschool is a community based, not for profit early childhood centre that has provided educational programs to preschool aged children in the Camden LGA for over 30 years. Previously, the tenancy of the Preschool was overseen by a 355 Community Management Committee of Council. This management committee of Council dissolved in September 2006.

Since 2006, the existing Lease Agreement has been operating on a month to month basis. Camden Council has approached the Preschool to enter into a new formalised Licence Agreement which provides the Preschool with certainty and assists it to plan for the future and to meet licensing requirements of the state authorities.

MAIN REPORT

The subject property is Community Land under the Local Government Act, 1993 and the Plan of Management applicable permits the leasing or licencing of the land to community groups. The Preschool has owned the demountable building on this property since its reconstruction in 1998. The Preschool's management committee had fundraised for a new building for approximately 3 years and was also successful in receiving a government grant for its construction.

Council has had informal continuous agreements with the Preschool for many years dating back to the 1970's. The Preschool has successfully operated over this time, establishing a substantial preschool and continuing to work with Council to progressively improve the facility. The Preschool currently caters for up to 140 children per week, with around 30 children attending each day in the 3-5 year old age bracket. It also caters for children with additional needs. It is classified as a 2 unit preschool with 2 classrooms, extensive exterior playground, an area for wet and dry activities, bathrooms, kitchen and a staff amenities room.

Council has carried out the public notification process as required under the Local Government Act. A notice of intention to licence the land was advertised in local media on 23-24 March 2010 and 30-31 March 2010. Letters were also sent to all adjoining owners and those in the vicinity advising of the proposed Licence Agreement. The notice and letters allowed submissions or objections to be made concerning the proposal for a period of up to twenty eight (28) days, which closed on 23 April 2010. At the close of this period, no submissions were received.

Details of the proposed licence, as agreed with the Preschool are as follows:

- Term of the Licence - 5 years with a further 5 year option to extend.
- Rent - \$1.00 (excl. GST) per annum.
- Insurance - The tenant is responsible for public liability insurance of minimum \$10 million, Workers Compensation insurance and any other insurances required in conjunction with the operation of a preschool by any Government agency.
- Condition and Repairs - The tenant is responsible for maintaining the building and surrounds and keeping the premises clean and tidy. The Preschool must also comply with all requirements of Child Care licencing authorities.
- Outgoings - The tenant must pay all accounts for electricity, oil, gas, annual fire safety statements and other services consumed on the property. Council will continue to assist the preschool with water costs as the preschool is on a shared meter with the Catherine Field Community Hall and Catherine Field Scout Hall.
- Permitted Use - The premises must only be used for the purpose of operating a community based preschool kindergarten and associated activities and cannot be sub-licensed or transferred.

A site plan of the Preschool is appended to this report.

CONCLUSION

The Catherine Field Pre-school Kindergarten Incorporated has been successfully operating on this site for in excess of thirty (30) years. The preschool service operates at virtually no cost to Council but provides a vital service to families in Catherine Field and surrounding areas.

Council will greatly assist in further promoting this service by entering into a new Licence Agreement with this group.

RECOMMENDED

That Council enter into a Licence Agreement with Catherine Field Pre-School Kindergarten Incorporated in respect of No. 170 (part Lot 99 DP 27602) Catherine Fields Road, Catherine Field for a period of five years (with five year option), subject to the terms and conditions as outlined in this Report.

ATTACHMENTS



catherine field preschool.pdf

RESOLUTION

MOTION

Moved Councillor Funnell, Seconded Councillor Campbell that:

- i. Council enter into a Licence Agreement with Catherine Field Pre-School Kindergarten Incorporated in respect of No. 170 (part Lot 99 DP 27602) Catherine Fields Road, Catherine Field for a period of five years (with five year option), subject to the terms and conditions as outlined in this Report; and
- ii. the Council Seal be affixed to the relevant Licence Agreement.

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

ORD100/10

ACTIONS

[Link to CRMS document](#)

[CRMS: 11494773 26/05/2010, 03:12:19 PM](#)

ORDINARY COUNCIL

ORD04

SUBJECT: OFFER OF FINANCIAL ASSISTANCE TO DEAL WITH
WORKLOADS WITHIN THE DEVELOPMENT BRANCH
FROM: Director Development and Health
FILE NO: Binder: Development Procedures

PURPOSE OF REPORT

The purpose of this report is to consider whether Council will accept an offer of funding to facilitate additional staff resource allocation within the Development Branch. The offer is made to address the current and future demands placed on the staff due to the continued growth in the number and complexity of development and construction certificate applications being lodged for work within the Council release areas.

BACKGROUND

Council, at the meeting of 24 November, 2009 considered a report in relation to Developer Funding of Staff Resources. The report addressed the pattern of growth that has been experienced in Camden since the early 1990's and the rapid increase in that growth over the previous year. It also identified the anticipated continuation and upturn in the pattern given the amount of land zoned for residential development, the successful marketing of that land and the number of applications for new subdivisions.

Council is clearly efficient in its operations and this is evidenced through the statistics included in the annual publication issued by the Department of Planning - *Local Development Performance Monitoring*. Notwithstanding this, the need to attempt to source additional resources is clear. For example, Council assessment staff are determining almost three times as many applications per staff member as the State average and similarly the average assessment time at Camden Council is only two thirds that of the State average. It is also worth noting that the value of developments approved per year in Camden is approximately sixteen times the State average.

The growth in development application work will impact across all of Council, as applications are regularly referred for specialist input on such things as traffic impact, environmental impact, ongoing maintenance impact and strategic planning impact. However the proposed support will be allocated within the Development Branch in the first instance.

Given the expected growth in development activity in Camden, it will not be possible to maintain this level of service without increasing available resources.

As Camden Council is a small council compared to other councils within the Growth Centre areas, it is severely limited in its ability to finance the staff necessary in the early years of the growth to effectively deal with the significant increase and complexity in applications.

Ways of funding the immediate staff needs have been explored and the report considered the option of a developer funding arrangement. The issue of probity was paramount in this consideration, and accordingly the views of the Department of Planning, Division of Local Government and the ICAC were sought. Subject to implementation of appropriate monitoring and probity processes, all agencies supported the concept.

Whilst there was no offer made to Council at the time of considering the report, Council resolved to *"support the use of developer funded staff resources to assist in the processing of development and construction certificate applications subject to the implementation of appropriate probity and reporting procedures."*

A review of anticipated workload over the coming two years has been conducted based on discussions with the major developers and land owners. The following table provides a snapshot of immediate demands and does not take into consideration the release of additional Growth Centre precincts.

| Location | Total lots | Lots remaining |
|-------------------|-------------------|-----------------------|
| Mount Annan South | 400 | 100 |
| Spring Farm | 4000 | 3500 |
| Elderslie | 2000 | 1500 |
| Manooka Valley | 250 | 250 |
| Harrington Grove | 1100 | 1000 |
| Oran Park | 7500 | 7100 |
| Turner Road | 4000 | 3500 |
| Total | 19250 | 16950 |

Completion of the development of these lots will practically double Council's current population. Council has been advised that it will receive development applications (DAs) for a further 1000 lots in the next six months, a range of construction certificate (CC) applications for land with current development consents. In addition, there is expected to be many more DAs lodged in the near future. Feedback has been received that currently land sales are exceeding lot availability.

This work will be related to development within the release areas of Mount Annan, Spring Farm, Elderslie, Harrington Park and Currans Hill, together with the Turner Road and Oran Park precincts of the South West Growth Centre.

The number of DAs for dwellings in this financial year to date is currently 25% higher than at the same time last year. This is measured prior to the spike experienced in 2009 due to the change in the First Home Owners' Grant.

In addition, Council continues to receive significant numbers of applications for works throughout the LGA which have no relationship to new housing developments and it is important that these are also processed in an efficient manner.

MAIN REPORT

A formal offer of interim support for staff resources has now been received from

Landcom. **A copy of the submission is provided at the end of this report.** The offer is to provide \$70,000 towards the cost of contract staff over a six month period to facilitate the delivery of DAs and CCs. Landcom currently is involved in land release in Mount Annan, parts of Spring Farm and Oran Park, and accordingly any resource paid for would not work within these areas. Systems will be developed to ensure Landcom is not funding staff that will be assessing Landcom development applications or any development Landcom has involvement in. In this regard, Council will need to ensure that the expectations of the community are considered.

Another part of the offer involves a commitment in terms of lodging applications for Construction Certificates (CCs) with Council rather than with private certifiers. Whilst Council will remain the Principal Certifying Authority (PCA) for all subdivision work, other aspects of the CC can be issued by a private certifier.

Camden Council has actively encouraged use of its services and has been successful to date with the majority of developers happy with the service provided. This fact has led to an increase in the income received by Council and was reported in the March Budget review considered at the 11 May, 2010 Council Meeting.

The business case of maintaining that income was supported by Council in the December Budget review when it allocated funds to allow the appointment of an additional engineer within the Development Branch to deal with the work received.

Subject to Council's continued satisfactory performance, the CC work can be self funding. What is important however is to ensure that Council continues to provide a high level of service as it will lose customers if the service level drops and will find it difficult to regain the support of applicants once this occurs. The same can be said for applications for dwelling CCs, and accordingly it is important that Council maintain its current service levels.

Development applications however are not able to be provided by private certifiers and therefore to ensure the timely release of those applications, assistance in resourcing is required. The offer from Landcom will assist in meeting the anticipated demands within the coming six months, however further assistance will be required from other sources to meet the demand highlighted in discussions with developers. **A table provided within the Business Paper supporting documents** details the likely number and type of applications that will be lodged in various release areas.

Based on this information, record numbers of applications are anticipated. Methods of expediting the assessment of those applications will continue to be explored and the third suggestion made by Landcom in its letter of having all applications checked against DCP standards prior to lodgement could expedite the assessment process.

CONCLUSION

The offer of funding to the amount of \$70,000 over a six month period will provide valuable staff resources to supplement existing staff to cater for the anticipated increase in number of development, construction and subdivision certificate applications.

Internal work processes have been developed which will address the probity concerns

highlighted by state agencies and reports can be prepared which indicate the range of matters dealt with by contract staff. The offer of funding is timely and will assist Camden Council to deliver land, housing and associated infrastructure to support the new and existing communities.

RECOMMENDED

That Council accept the offer of \$70,000 from Landcom to be used to employ temporary contract staff to work within the Development Branch to assess development/construction certificate applications, provided that those applications are not for land or development in which Landcom has an interest or has previously had an interest.

ATTACHMENTS

1. Submission from Landcom
2. DA workload table (sup doc)



Ltr from Landcom re Resources.pdf DA Workload.doc

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Campbell that Council accept the offer of \$70,000 from Landcom to be used to employ temporary contract staff to work within the Development Branch to assess development/construction certificate applications, provided that those applications are not for land or development in which Landcom has an interest or has previously had an interest.

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

ORD101/10

ACTIONS

CRMS number , Finalised 26/05/2010 4:17:07 PM

Action: Finalised,

Completed

Resolution noted and will be acted upon.

[Link to CRMS document](#)

[CRMS: 11494889 26/05/2010, 03:12:31 PM](#)

ORDINARY COUNCIL

ORD05

SUBJECT: REVIEW OF DISCUSSION PAPERS - PLANNING FOR
RENEWABLE ENERGY GENERATION
FROM: Director Development and Health
FILE NO: Binder: Government Relations/NSW State Government

PURPOSE OF REPORT

The purpose of this report is for Council to consider two discussion papers which have been issued by the Department of Planning (DoP) and to determine whether submissions are lodged in relation to the proposals outlined in those papers.

BACKGROUND

The DoP has issued two discussion papers relating to Energy Generation. Both are titled Planning for Renewable Energy Generation, the first dealing with small wind turbines and the second with solar energy. **Copies of the papers are provided in the Supporting Documents** and are also available on the DoP website. The papers consider the planning implications of these facilities and in particular their use to generate power to support a building on land on which they are erected. They also extend to providing up to 20kW of power to the grid. The recommendations contained within the papers suggest amendments to State Environmental Planning Policy (Infrastructure) 2007 to make certain facilities either exempt or complying development, or development permitted with consent.

MAIN REPORT

Renewable energy has enormous environmental and economic benefits and Australia is well placed to embrace the opportunities its geography provides. It is suited to the generation of power utilising both wind and solar technologies. To facilitate the delivery of small scale facilities, the DoP has prepared discussion papers on the types of infrastructure that could be introduced into the planning system as either exempt or complying development. One paper considers the use of small wind turbines and the second the use of solar energy. This report considers both papers individually, however recommends that Council lodge one submission to the DoP in response.

Small Wind Turbines

Wind energy has the potential to generate electricity so as to contribute toward the goal of renewable energy production at both the small and large scale. There has been significant controversy in relation to the siting of major wind farms, however it is generally agreed that subject to proper siting and environmental considerations, the use of wind to generate power is a worthwhile and sustainable initiative. The DoP is proposing to introduce amendments to the Infrastructure SEPP that would facilitate the approval of small scale wind turbines. These changes are detailed in the Discussion

Paper described above.

The paper defines small wind turbines as those which have a rated capacity of less than 10kW. These turbines can be connected to the grid via an inverter, but more commonly are used to generate electricity as 'stand-alone' or 'off grid' power supply systems. Depending on the system the turbine is likely to require support towers or securing structures, batteries, wiring and cables, and grounding system. Photographs of various types of turbines are included in the document.

Chapter 5 of the paper addresses locational requirements and the variation in wind speed that contributes to the effectiveness of the turbine. This is affected by the local topography as well as proximity to obstacles. Turbines need to have clear exposure and be located in an elevated position away from obstacles such as trees or buildings. The ideal position for a wind turbine generator is stated as being on a smooth hill top, with a flat clear 'fetch' at least in the prevailing wind direction. Accordingly it is likely that any proposals within the Camden LGA would be on the important ridge lines that Council has planned to protect to enhance the rural and cultural vistas and character of its area.

The proposed approval regime would introduce complying and exempt development provisions within the Infrastructure SEPP. Full details of the proposal are found in Chapter 6 of the paper, however the following is a summary of the provisions.

Proposed Complying Development for free standing wind turbines mounted on the ground with a peak generating capacity of less than 10kW

It is proposed to allow these forms of turbines up to a height of 25m as complying development in all rural zones (excluding village zones), industrial and infrastructure zones provided the combined generating capacity is less than 60kW including any existing installed wind turbine capacity.

In any other zone except residential the maximum height is 18m with the same capacity and in a residential zone it is up to 15m in height with a combined capacity of 10kW. In all zones the wind turbine must be setback from the nearest non-associated dwelling by at least 25m if the turbine has a sound power level (SPL) of 0-70dB(A), 40m where the SPL is 70-80 dB(A), 126m where the SPL is 80-90dB(A) or 200m where the SPL is more than 90dB(A).

In addition, the turbine must be clear of power lines, not located on land that contains a building that is heritage listed or in a conservation area, does not require the removal/pruning of a tree unless approval has been obtained as part of the application and is installed to the manufacturer's specifications.

Proposed Complying Development for wind turbines mounted on a building or structure with a peak generating capacity of less than 10kW

These turbines would be complying development in any zone except residential where the combined installed generating capacity is less than 60kW and in any residential zone where the capacity is less than 10kW. Similar setback requirements are incorporated as for the freestanding turbines detailed above. In addition, each wind turbine cannot protrude more than 3m above the highest point of the existing roof line,

not affect the structural integrity of the building and must meet the criteria for free standing wind turbines detailed above in relation to trees, power lines, heritage items and manufacturer's specifications.

Proposed Exempt Development for small wind turbines

The draft suggests that wind energy electricity generating works should be exempt development in rural zones where the generating capacity is less than 10kW. This is provided:

- the structure is setback by at least 200m from the nearest non-associated dwelling,
- is free standing and not relying on other structures for support,
- is less than 25m in height,
- is limited to one turbine per lot and no other existing wind turbines are to be or have been installed on the lot,
- is clear from power lines,
- does not involve the removal or pruning of trees or vegetation, and
- is installed in accordance with the manufacturer's specifications.

Small scale wind turbines permitted with consent

Wind energy generating works with a generating capacity of less than 60kW would be development permitted with consent in all zones if the draft amendments were adopted.

Considerations

The primary matters for consideration in relation to small scale facilities relates to views, vistas and noise. Camden Council has had a practice of maintaining important ridge lines within the LGA as natural features and not zoned for development which could detract from these hills.

The Central Hills area has been zoned for Environmental Protection. As the majority of these ridge lines are in either rural or environmental zones, the erection of wind turbines up to 25m high would be permitted, depending on height/generation capacity, as either exempt or complying development.

It is considered that this is not appropriate, particularly within conservation/environmental protection zones. Accordingly a submission should be made which requests the SEPP amendment add to the list of exclusions, land within Environmental Protection zones. This is more relevant to free standing turbines, however depending on building size, roof mounted systems could have considerable negative visual impacts.

The criterias refer to the need for turbines to be "clear from power lines in accordance with the requirements of the relevant electricity authority". As this requirement is common to both exempt and complying development, it is considered more appropriate that the clause require the granting of a compliance certificate from the electricity authority advising the siting of the proposed facility, meets its requirements. This will ensure that turbines are not erected contrary to requirements and will also assist councils in issuing a Complying Development Certificate in the prescribed 10 day period.

The paper also talks of a need to limit obstacles which may affect wind patterns. It is considered that adjoining properties should not be constrained by the location of turbines, and accordingly all structures should be sited in such a manner that there are no restrictions on adjoining land. Where these limitations are required on the subject land, they should be identified through a restriction to user on the title of the land.

The proposed "approval regime" for wind turbines prescribes a variety of minimum setback distances for the locating of wind turbines from the nearest non-associated dwelling. These setbacks have been calculated based on the sound power levels of the wind turbine and its ability to cause noise impact on sensitive receivers.

Unfortunately many of the nominated setback distances may not actually reduce noise levels from the turbines to acceptable levels where low ambient background noise levels exist. Camden Council is known to have quite low ambient background noise levels (less than 30 decibels) and hence the adoption of the proposed setbacks may prove to be detrimental to many sensitive receivers.

Solar Energy

Solar energy is Australia's most abundant energy resource with the country receiving the highest solar radiation of any continent. Despite this fact, only 2% of all energy used is sourced from solar power. Accordingly, significant opportunities exist to harness the sun's rays to produce electricity. Major investment is occurring for commercial infrastructure and the paper produced by the DoP addresses the opportunities available for smaller scale technology in the form of photovoltaic (PV) systems or concentrating solar power systems (photovoltaic or solar thermal) (CSP). The paper differentiates between the two systems as follows.

PV cells use semiconductor technology to convert solar radiation directly into an electric current which can be used immediately or stored for future use. CSP systems use lenses or mirrors combined with tracking systems to focus sunlight more efficiently to generate heat and/or electricity. The concentrated light is then used as a heat source for a conventional power plant or is concentrated onto photovoltaic surfaces. The paper provides a good explanation of the different types of systems.

It also identifies the range of factors that could be relevant to assessment of the planning suitability of those systems and lists the visual/landscape issues, glare/reflectivity, ecological, heritage and aviation issues. A brief discussion of each is given and is used to determine the scale and performance criteria that is considered relevant to permit the development as either exempt or complying development under the proposed SEPP amendment.

Proposed Complying Development provisions for Solar Energy

Pages 12 to 14 of the paper details proposed amendments to the Infrastructure SEPP provisions. Development for the purpose of a PV system or solar hot water system that is associated with a building for which the system generates electricity or hot water would be complying development on any land subject to meeting certain criteria. These are summarised as not requiring removal/lopping of a tree unless approval has been obtained, not involving mirrors or lenses to reflect or concentrate sunlight, being

integrated into the roof or not protruding more than 1m from the roof surface, not creating any glare or reflection onto any adjacent building, park, road or waterway, be installed to manufacturer's specifications and not be located on land on which a heritage item is located or within a heritage conservation area.

Solar energy electricity generating works or solar hot water systems that are mounted on the ground are also proposed as complying development in rural zones (excluding transition and village), industrial zones other than working waterfront industrial and the special purpose and infrastructure zones. Again, criteria specify a minimum boundary setback of 10m, maximum height of 10m and area of less than 10,000m². Where the system has a generating capacity of more than 20kW, a separation distance of 100m from any non-associated dwelling would be required. Identical criteria to that of the photovoltaic systems addressing trees, glare/reflection, installation and heritage is incorporated, however unlike the PV systems, generating works are not required to be associated with a building.

Proposed Exempt Development provisions for solar energy

The draft provisions would allow solar photovoltaic systems or solar hot water systems that are associated with a building and have a generating capacity of less than 20kW to be exempt development in all zones. The draft incorporates identical criteria to that of complying development that also must be met. Similarly, solar energy electricity generating works or solar hot water systems mounted on the ground with a generating capacity of less than 20kW would be exempt in the same zones as complying development above.

Solar energy electricity generating works permitted with and without consent

Where these works have a generating capacity of less than 100kW, the draft proposed that the work may be carried out by any person with consent on any land except where the development is classified as exempt or complying development under the SEPP. Such works would be permitted without consent on an existing infrastructure facility or site where the proponent is a public authority. Such authorities (government agencies and councils) must undertake an assessment under Part 5 of the EP&A Act for those classes of facilities. Infrastructure facilities are considered to include educational establishments, health service facilities, ports, rail and road infrastructure.

Considerations

It is considered that the proposed provisions allow for the development of appropriate solar energy infrastructure in appropriate circumstances, and protects the amenity of residents, respects heritage items and encourages sustainable development. Whilst the paper talks of the importance of considering reflectivity and aviation issues, it is considered that the proposed SEPP amendment fails to implement appropriate safeguards. Accordingly it is considered that Council should request that those clauses which deal with glare and reflection be amended to include in addition to "buildings, parks, roads and waterways", the words "airport runways". This will ensure that the sight lines of pilots, particularly those using airports without radar facilities, are not obstructed by glare or reflection from the installations.

CONCLUSION

Overall it is considered that the proposed amendments to the Infrastructure SEPP have merit, however there are some concerns in relation to the lack of controls regarding the small wind turbines and the need to consider the impact of solar installations on airport use.

Accordingly it is appropriate to lodge a submission to the DoP suggesting changes to the proposed SEPP amendments so that these concerns are addressed. Particular reference should be made to the exclusion of small wind turbines from all Environmental Protection zones, the need to ensure all obstacle limitations are contained within the site on which the turbine is to be erected and those areas where buildings should not be erected to be identified by way of a restriction to user.

Noise impact from wind turbines and their setback from noise sensitive receivers require further consideration when ambient background noise levels are considered to be low.

In relation to the solar systems, it is appropriate to add the need to consider impacts of these facilities on airport runways.

RECOMMENDED

That Council endorse a submission to the Department of Planning based on the contents of this report.

ATTACHMENTS

1. Draft policy - solar energy (sup doc)
2. Draft policy - small wind turbines (sup doc)



draft policy - solar energy.pdf draft policy - small wind turbines.pdf

RESOLUTION

Moved Councillor Dewbery, Seconded Councillor Anderson that Council endorse a submission to the Department of Planning based on the contents of this report.

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

ORD102/10

ACTIONS

CRMS number , Finalised 26/05/2010 4:24:37 PM

Action: Finalised,

Completed

Resolution noted and will be acted upon.

[Link to CRMS document](#)

[CRMS: 11494943 26/05/2010, 03:12:42 PM](#)

ORDINARY COUNCIL

ORD06

SUBJECT: NSW HOUSING CODE IN RURAL AREAS
FROM: Director Development and Health
FILE NO: Binder: Government Relations/NSW State Government

PURPOSE OF REPORT

The purpose of this report is to advise Councillors of two separate reviews of the NSW Government's State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 which are currently underway. The purpose of these two reviews is to expand the categories of both exempt and complying development across NSW. A further purpose is to have Council endorse a submission which is due at the Department of Planning (DoP) by 28 May, 2010

BACKGROUND

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) was gazetted on 12 December, 2008 and commenced on 27 February, 2009. The Codes SEPP introduced a series of state-wide exempt and complying codes for certain types of development. The Housing Code was the first of a series of codes introduced by the NSW Government in an attempt to increase the amount of exempt and complying development across NSW. The Codes are currently being reviewed.

Officers have considered the two reviews and have identified some key issues in each. Comment has been made in respect of each review and these comments are now able to be provided to Council, seeking its endorsement for submission to the DoP.

MAIN REPORT

The Codes SEPP has one code for exempt development and three separate codes for complying development:

- Exempt Development - 49 development types
- General Housing - new dwelling houses, alterations and additions to existing dwelling houses and ancillary development on lots 450m² and greater
- Housing Internal Alterations - internal alterations to existing dwelling houses
- Commercial and Industrial - change of use and internal fit-out to commercial and industrial development

Exempt Development is any development specified in a SEPP or LEP that has minimal environmental impact and as such does not require development consent. Common examples are small garden sheds and rainwater tanks.

Complying Development is development which requires development consent, but

which is identified within a SEPP or LEP as being assessed against specified predetermined development standards. Applications must be determined by Council or Private Certifiers within 10 days. New dwellings in release areas are common examples of Complying Development in Camden.

The NSW Government has been undertaking a progressive review of existing exempt development provisions, as well as developing options to allow new dwellings to be erected in rural areas as complying development. As part of this review the DoP is currently inviting comment for:

- new dwellings as complying development in rural, village and large lot residential areas; and
- NSW Exempt and Complying Development - 12 Month review paper

New Dwellings as Complying Development in Rural, Village and Large Lot Residential Areas

Alterations and additions to existing dwellings in rural and large lot residential areas is currently permissible as complying development under the Codes SEPP. New dwellings are excluded.

New dwellings in these areas are currently regulated by Council's complying development controls (in Camden Development Control Plan 2006), where a range of site constraints and design criteria can be met. Planning provisions will continue to exclude complying development from environmental sensitive land, bushfire prone land or where flooding and heritage considerations are required.

Councils and private certifiers are required to issue a Complying Development Certificate within 10 days of lodgement of an application. As is currently the case, if a development does not satisfy the development standards contained within the code, a development application will need to be lodged and determined by Council.

It is proposed that new dwellings be considered as complying development. These apply to the Camden LGA Zones RU1 Primary Production, RU2 Rural Landscape, RU4 Rural Small Holdings, RU5 Villages, and R5 Large Lot Residential (and equivalent land use zones).

It should be noted that the areas of Cobbitty and Catherine Fields are not considered to be villages within the meaning of these equivalent land use zones, and viewed under that provision, proposed to apply to the R5 Large Lot Residential zone.

The Codes SEPP also identifies the following key requirements for a new dwelling to be considered as complying development and includes:

- the dwelling being permissible on the land,
- meets the relevant provisions of the Building Code of Australia,
- have a prior approval for an on-site effluent disposal system in unsewered areas,
- an on-site stormwater drainage system, and
- prior Public Roads Activity approval.

Officer Comment

In its submission to the then Draft State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, dated 27 January, 2009 Council raised a number of concerns relating particularly to rural and unsewered properties.

Council supports the proposed provisions which address some of Council's original concerns, requiring arrangements for stormwater disposal, public road activities and application to install and operate an on-site disposal system under S68 of the Local Government Act, all to be lodged and approved by Council, prior to the Complying Development Certificate application being lodged.

Although an additional workload will be imposed on Council in terms of additional property enquiries for potential complying development, Council supports the proposed provisions requiring a dwelling to be permissible on the land.

It should be noted that the prevailing Camden Local Environmental Plans do not provide for a dwelling-entitlement upon every property within a rural zone, and as such, additional investigation may be required to ascertain if a new dwelling would be permissible.

NSW Exempt and Complying Development - 12 Month Review Paper

The key challenge of the Codes SEPP is to increase the uptake of complying development under the Policy. The current key initiatives to achieve this are:

- Develop a small lots code for lots less than 450m²;
- Develop a rural lots code for new dwelling houses in rural zones (already outlined in the separate review discussed above);
- Allow complying development in bushfire prone land where appropriate;
- Develop a commercial and industrial stage 2 code covering new industrial buildings and external works to commercial buildings;
- Review the general land based exemption to reduce the 30% of lots currently excluded from complying development under the Codes SEPP. Expanding the range of exempt development under the Codes SEPP is also an important measure that should reduce the amount of development that needs any form of planning or construction approval. This is also a priority initiative.

Officer Comment

While Council continues to support the DoP initiatives to simplify the approvals process for certain classes and forms of low impact development, it remains concerned that potential issues of solar access, principal private open space and impact of neighbouring properties are not being addressed by The Code SEPP, especially as the review proposes to include lots under 450m².

Concerns are also raised over the intention to allow complying development to occur in bushfire prone areas without the approval of the Rural Fire Service.

In this review the DoP has also foreshadowed an intention to reduce exemptions that currently excludes 30% on land in NSW from the provisions of The Code SEPP. Council would not support any move to exclude heritage items or heritage conservation

areas from their current status.

It is proposed to submit the officer comments to the DoP by 28 May, 2010 as Council's submission on the reviews.

CONCLUSION

Council has been advised that two separate reviews of the NSW Governments State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are currently underway.

Whilst the NSW Government attempts to increase the amount of exempt and complying development across NSW, environmental sensitive land, bushfire prone land and flooding and heritage considerations have meant that take-up of complying development in Camden has been limited.

The two reviews currently underway have been considered by Council officers and key issues identified. Comment has been provided for each of these reviews and it is proposed to submit these to the DoP by the due date.

Impacts of the proposed amendments to the codes will be monitored over time to inform any further review by the DoP.

RECOMMENDED

That Council:

- i. note the two current reviews of the SEPP (Exempt and Complying Development) 2008 (The Codes SEPP);**
- ii. submit the key issues identified and the comments of officers to the Department of Planning by 28 May, 2010.**
- iii. monitor the impact of amendments to the Code in relation to its uptake, implementation, impact on workload and form of development constructed.**

RESOLUTION

Moved Councillor Anderson, Seconded Councillor Campbell that Council:

- i. note the two current reviews of the SEPP (Exempt and Complying Development) 2008 (The Codes SEPP);
- ii. submit the key issues identified and the comments of officers to the Department of Planning by 28 May, 2010.
- iii. monitor the impact of amendments to the Code in relation to its uptake, implementation, impact on workload and form of development constructed.

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

ORD103/10

ACTIONS

CRMS number , Finalised 26/05/2010 4:17:47 PM

Action: Finalised,

Resolution noted and will be acted upon.

Link to CRMS document [CRMS: 11495062 26/05/2010, 03:13:06 PM](#)

ORDINARY COUNCIL

ORD07

SUBJECT: GST COMPLIANCE CERTIFICATE - 2009/10
FROM: Director Governance
FILE NO: Binder - GST 09/10

PURPOSE OF REPORT

To inform Council that the 2009/10 GST Certificate is to be forwarded to the Division of Local Government (DLG) by 31 May 2010.

BACKGROUND

Since the introduction of the Goods and Services Tax (GST) in July 2000, Council has been required to have an independent GST review undertaken by an external auditor and lodged with the DLG each year.

However, the requirement for an external auditor to undertake this review was removed by the DLG in 2006/07.

MAIN REPORT

The new approach requires Council to supply a GST Certificate to the DLG annually. **Provided at the end of this report is a certificate that meets the requirements of the DLG.**

The certificate states that Council has complied with the requirements of Section 114 of the Commonwealth Constitution and covers the period 1 May 2009 to 30 April 2010.

The certificate is due for lodgement by 31 May 2010.

The certificate is to be signed by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer (if the Responsible Accounting Officer is not the General Manager).

CONCLUSION

Council employs a full-time taxation accountant whose role is to ensure Council is compliant with all taxation matters including GST. Council has policies, procedures and systems in place to ensure GST is properly accounted for. In the six years that Council was required to be audited by an external auditor no major issues were discovered nor has Council been the subject of a GST investigation by the Australian Taxation Office.

RECOMMENDED

That Council submit a 'Goods and Service Tax Certificate' to the Division of Local Government for the period 1 May 2009 to 30 April 2010.

ATTACHMENTS



GST Compliance Certificate 2009-2010.pdf

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Dewbery that Council submit a 'Goods and Service Tax Certificate' to the Division of Local Government for the period 1 May 2009 to 30 April 2010.

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

ORD104/10

ACTIONS

CRMS number , Finalised 26/05/2010 4:35:07 PM

Action: Finalised,

[Link to CRMS document](#)

[CRMS: 11495136 26/05/2010, 03:13:15 PM](#)

ORDINARY COUNCIL

ORD08

SUBJECT: INVESTMENT MONIES
FROM: Director Governance
FILE NO: Investment Business Paper

Purpose of Report

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 30 April 2010 is provided.

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

The weighted average return on all investments was 5.48% p.a. for the month of April 2010.

RECOMMENDED

That:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy.**
- ii. the list of investments for April 2010 be noted.**
- iii. the weighted average interest rate return of 5.48% p.a. for the month of April 2010 be noted.**

ATTACHMENTS



Investment Report April 2010.xls

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Dewbery that:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act,**

Regulations, and Council's Investment Policy.

- ii. the list of investments for April 2010 be noted.
- iii. the weighted average interest rate return of 5.48% p.a. for the month of April 2010 be noted.

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

ORD105/10

ACTIONS

CRMS number , Finalised 26/05/2010 4:34:43 PM

Action: Finalised,

[Link to CRMS document](#)

[CRMS: 11495202 26/05/2010, 03:13:27 PM](#)