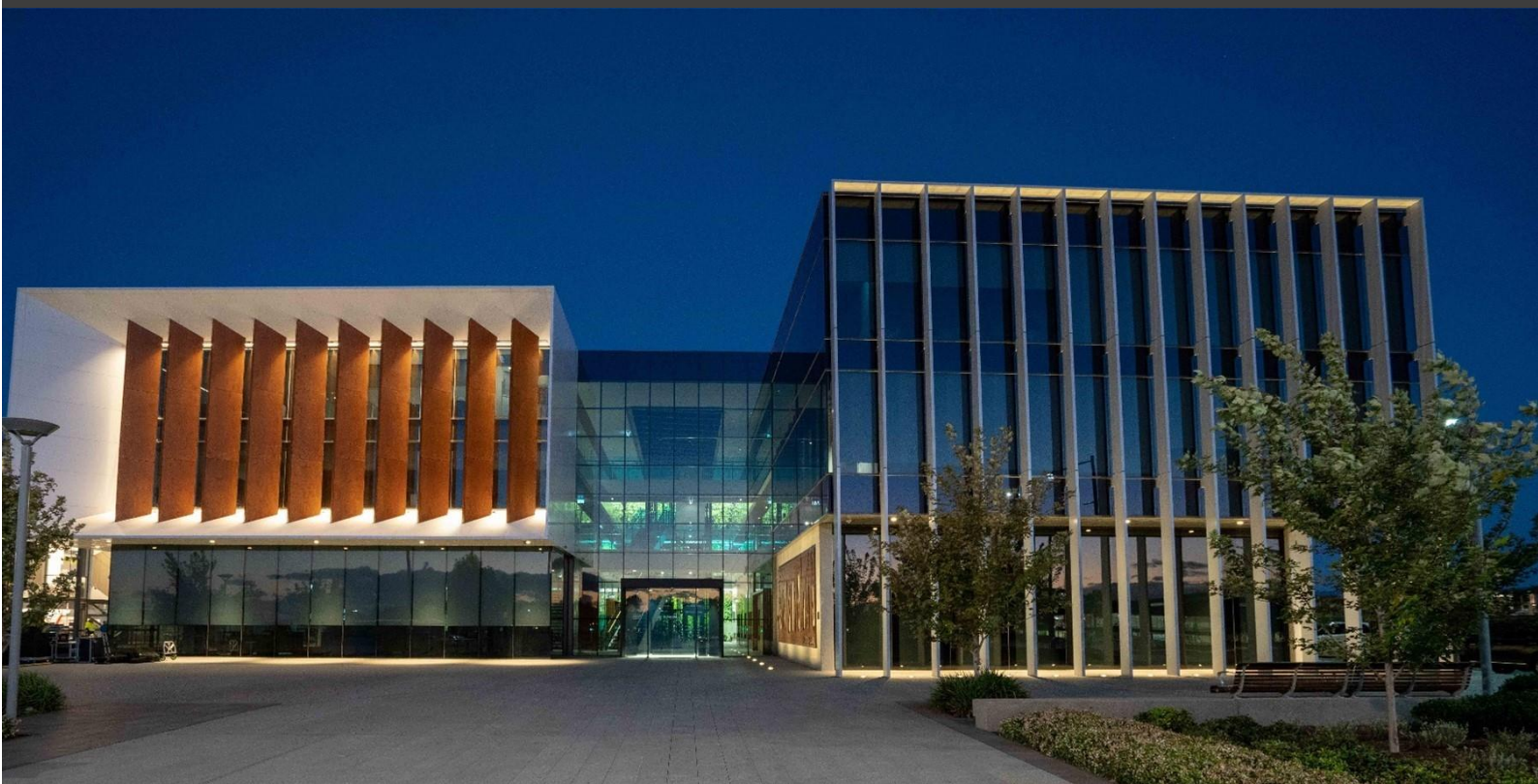


Business Paper

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

14 June 2022

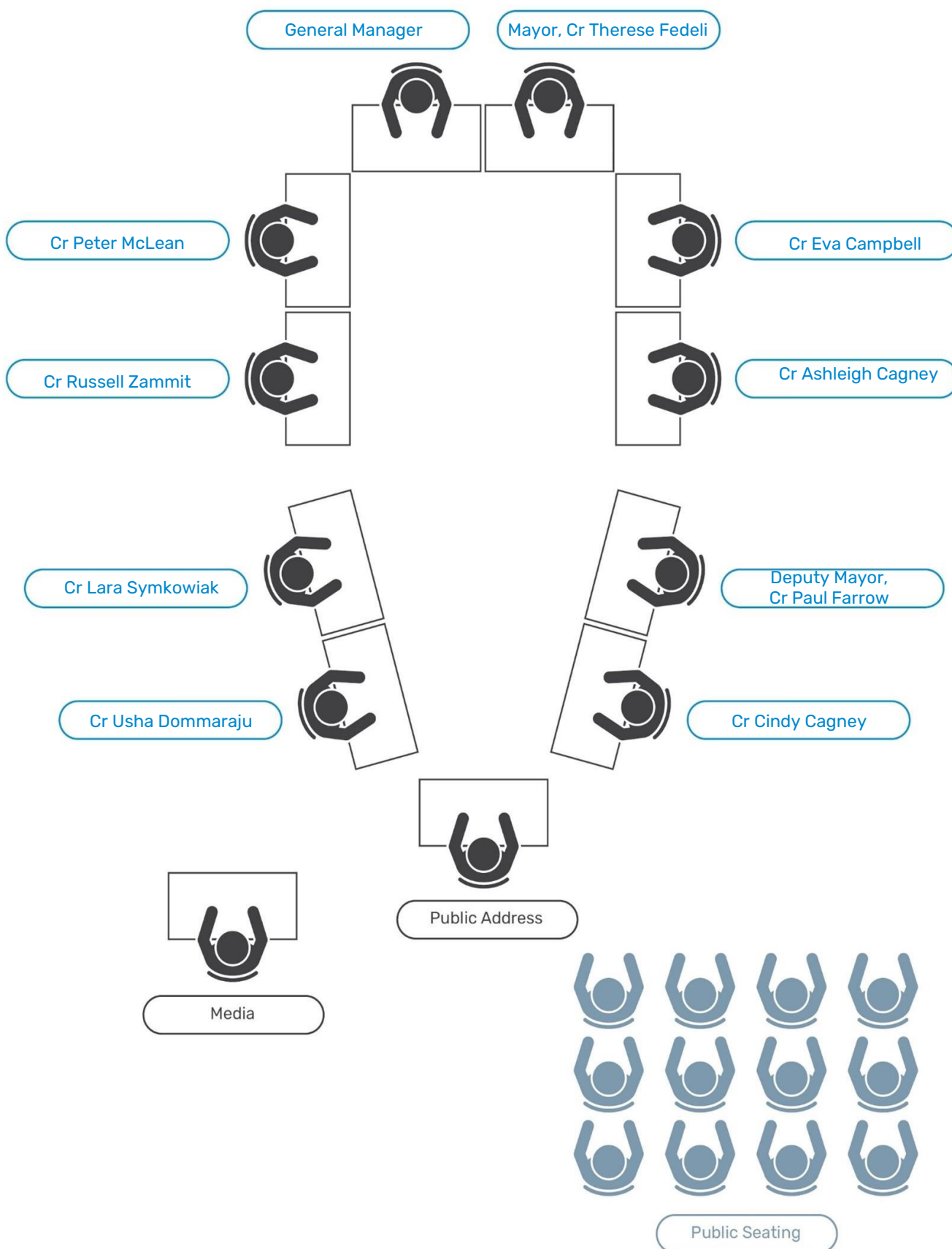


The public can also view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>

camden
council

COMMON ABBREVIATIONS

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



OATH AND AFFIRMATION FOR COUNCILLORS

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

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

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

OATH

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

AFFIRMATION

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

ORDER OF BUSINESS

Prayer	8
Acknowledgement of Country	9
Webcasting of Council Meetings	10
Leaves of Absence	11
Declaration of Interest.....	12
Public Addresses	13
Confirmation of Minutes	14
Mayoral Minute	15
ORD01 Community Strategic Plan, 2022/23-2025/26 Delivery Program and 2022/23 Operational Plan (Incl Budget, Revenue Policy & Fees and Charges), and Resourcing Strategy	16
ORD02 PP/2021/1/1 - Planning Proposal to Increase the Building Height for Residential Development Surrounding Oran Park House - Post Exhibition	34
ORD03 Variations to Development Standards Approved Under Staff Delegation (Quarterly Report)	45
ORD04 On-Site Sewage Management Policy - Post Exhibition	48
ORD05 Acceptance of Funding - South West Growth Area Precinct Planning	53
ORD06 Appointment of Expert Members and Community Representatives to the Camden Local Planning Panel	55
ORD07 Power of Attorney	61
ORD08 Outcome of the Public Exhibition of the Code of Meeting Practice	64
ORD09 Privacy Management Plan	69
ORD10 Statement of Business Ethics	71
ORD11 Notice to the Minister for Lands and Water of Council's Native Title Managers	73
ORD12 Investment Monies - April 2022	75
ORD13 Community Grants Program 2022	76
ORD14 Leppington Oval (Pat Kontista) - Public Exhibition of Draft Masterplan	82
ORD15 Dawson-Damer Park, Oran Park - Establishment of An Alcohol Prohibited Area.....	85
ORD16 Acceptance of Grant Funding - Greener Neighbourhoods Grant Program.....	87
ORD17 Acceptance of Grant Funding - NSW Weeds Action Program 2020 - 2025 - Kidney Leaf Mud Plantain	89
ORD18 Tender T001/2022 - Principal Contractor for the Camden RSL Youth Facility Amenities Upgrade	91
ORD19 Tender T003/2022 - Design and Construct Changeroom Facility, Onslow Park	94

NOTICES OF MOTION

ORD20	Notice of Motion - Proposed Raising of Warragamba Dam Wall	97
ORD21	Notice of Motion - Vandalism At Sports Fields	99

CLOSED COUNCIL

ORD22	Closure of the Meeting to the Public	100
-------	--	-----

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

SUBJECT: WEBCASTING OF COUNCIL MEETINGS

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

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

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

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

SUBJECT: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves of absence be granted.

SUBJECT: DECLARATION OF INTEREST

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 4.28-5.19).

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

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

RECOMMENDED

That the declarations be noted.

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 10 May 2022.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 10 May 2022, copies of which have been circulated, be confirmed and adopted.

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).

ORD01

ORD01

SUBJECT: COMMUNITY STRATEGIC PLAN, 2022/23-2025/26 DELIVERY PROGRAM AND 2022/23 OPERATIONAL PLAN (INCL BUDGET, REVENUE POLICY & FEES AND CHARGES), AND RESOURCING STRATEGY

FROM: Director Customer & Corporate Strategy

EDMS #: 22/166088

PURPOSE OF REPORT

The purpose of this report is for Council to endorse the draft Community Strategic Plan, adopt the draft 2022/23 - 2025/26 Delivery Program, draft 2022/2023 Operational Plan (including Budget, Revenue Policy and Fees and Charges) and draft Long-Term Financial Plan, endorse the draft Workforce Management Strategy and adopt the draft Asset Management Policy, Strategy and Plan.

BACKGROUND

In accordance with the *Local Government Amendment Act 1993*, all councils are required to undertake community planning and reporting activities using the Integrated Planning and Reporting (IPR) framework.

The IPR framework provides for the interrelationship between the Community Strategic Plan, Delivery Program, Operational Plan and Resourcing Strategy. According to the framework, these documents are required to be reviewed and developed by the newly elected council.

The Community Strategic Plan is a minimum 10-year plan and represents the highest level of strategic planning undertaken by a Council. All other plans must support the achievement of the Plans objectives. The purpose of the Plan is to identify the community's main priorities and aspirations for the future and to outline strategies to achieve them.

The Delivery Program is a four-year program and outlines the principal activities Council will deliver, or advocate for, to achieve the objectives outlined in the Community Strategic Plan. All plans, projects, activities, and funding allocations are directly linked to this Delivery Program.

The Operational Plan is an annual plan which supports the Delivery Program and outlines the projects and actions that will be undertaken to achieve the commitments made in the Delivery Program.

The Resourcing Strategy provides detailed information on how Council will resource plans, projects and strategies over the next 4 to 10 years in delivering the Community Strategic Plan.

Councillor briefings on the IPR framework and budget were held on 23 February, 1 March, 2 March, 16 March, 23 March and 7 June 2022.

MAIN REPORT

Community Strategic Plan, 2022/23 – 2025/26 Delivery Program, 2022/23 Operational Plan and Resourcing Strategy

In accordance with the IPR framework, the new Community Strategic Plan has been developed, taking into consideration our current situation, acknowledging our proud history and strategically planning for our future growth.

The draft *Connecting Camden – Our Community Strategic Plan* has been informed by research and community engagement undertaken over the past four years and is supported by a Delivery Program and Operational Plan.

The Community Strategic Plan incorporates our community's vision and aspirations for the area. The Plan aligns its objectives and strategies to realise the vision in making Camden *Welcoming, Liveable, Prosperous, Balanced and Leading*.

The draft 2022/23 – 2025/26 Delivery Program, inclusive of the 2022/23 Operational Plan, outlines the primary activities to be undertaken to achieve the aspirations in the Community Strategic Plan. This document details the range of services Council delivers, the principal activities and actions involved in delivering those services and the manner in which progress will be monitored and success measured.

The document is comprised of four parts:

1. Introduction – details how the documents interact with the IPR framework.
2. About Camden - provides a snapshot of the Camden community, now and into the future, and how Council is structured to deliver on the activities and actions outlined in the Program and Plan.
3. Delivery Program Principal Activities and Operational Plan Actions - details Council-led activities for the next four years, as well as one-year actions that will contribute to these activities; and
4. Financial Management (2022/23 Revenue and Pricing Policy) – outlines how Council will generate its revenue for the 2022/23 financial year and the major sources of revenue which fund Council's operations.

A copy of the draft Community Strategic Plan, draft 2022/23 – 2025/26 Delivery Program and 2022/23 Operational Plan (including Budget, Revenue Policy and Fees & Charges) have been provided to Councillors under separate cover.

Council has provided an overarching document to assist the public in understanding how the Resourcing Strategy supports the Community Strategic Plan, Delivery Program and Operational Plan. Council is required to adopt the Asset Management Policy, Strategy and Plan and the Long-Term Financial Plan. Further, Council is required to endorse the Workforce Management Strategy.

A copy of the draft Resource Strategy summary, Long-Term Financial Plan, Workforce Management Strategy and Asset Management Policy, Strategy and Plan have been provided to Councillors under separate cover.

Public Exhibition

The draft Community Strategic Plan, draft 2022/23-2025/26 Delivery Program, draft 2022/2023 Operational Plan (Budget), draft Fees and Charges schedule and draft Long-Term Financial Plan were publicly exhibited from 22 April 2022 to 19 May 2022 inclusive.

The exhibition was advertised in local media and promoted on social media, which reached 6,641 of Council's followers. Documents were made available via Council's Your Voice website, which saw 466 individuals visiting the site, Oran Park Administration Building Customer Service Hub and Camden and Narellan libraries.

Fifteen submissions were received by Council during the exhibition period. Copies of the submissions are provided as a **supporting document**. The main themes detailed in submissions are outlined below with responses provided by Council officers:

Theme	Response
IPART Rate Limit for 2022/23	<p>A council's total rate income can only increase by the limit set by the Independent Pricing and Regulatory Tribunal (IPART). All councils historically take up the full IPART rate limit on an annual basis. For the 2022/23 financial year, IPART has set this limit at 5% for Camden. A 5% rate limit increase to total rate income will see an increase to the average residential rate of \$1.29 per week.</p> <p>It is consistent with industry practice to include an estimate in the Long-Term Financial Plan (LTFP) for future increases approved by IPART; Camden's LTFP includes an estimate of a 3% annual increase to total rate income, not per assessment. The actual increase in future years will be based on the limit set by IPART, subject to Council consideration and decision annually.</p> <p>The movement in land values is the primary driver for increases or decreases in rates for each property. Land valuations are determined by the Valuer General. Council must use the land valuations determined by the Valuer General to levy rates and has no input or control over the land value process. This is particularly relevant for a rapidly growing local government area such as Camden where a significant amount of land is being rezoned and subdivided.</p> <p>Council recognises that some residents may be experiencing hardship due to the impact of COVID19 and more recently, inflationary pressures. Residents experiencing hardship are encouraged to contact Council to discuss how Council can assist. Council has always taken an empathic approach to residents experiencing hardship.</p>
Financial Sustainability	<p>If Council is to deliver new and upgraded infrastructure to the community in a timely manner, loans are a prudent option to fund capital expenditure for a Council experiencing rapid greenfields growth. Council continues to use low-cost loan initiatives made available through the NSW State Government which reduce interest repayments. Council will save \$1.146 million in interest repayments under these schemes.</p>

	<p>The use of loans allows Council to spread the funding of infrastructure across generations. Without loan borrowings, Council would need to significantly delay much needed infrastructure for the Camden Local Government Area (LGA). The priority of infrastructure delivery is considered by Council as part of endorsing its Capital Works Program, placed on public exhibition as part of the annual budget process.</p> <p>It should be noted that Council's loan program over the next three years is part of Council's adopted COVID Community Support Package (the Package). An independent review indicates that the Package will increase economic output in the Camden LGA by over \$200 million and create 507 FTE jobs within the local area.</p> <p>The way Council manages its finances will continue to evolve and change as we attain greater economies of scale. Council's current financial position and health is structured to support a rapidly growing environment primarily greenfields. The planning for growth and early provision of community infrastructure, essential to new residents and families, is an upfront investment that Council is required to make, and which will be recovered in future years through sustained growth.</p> <p>Council's long-term financial outlook remains strong as outlined in its LTFP, which includes a balanced cash budget position across the ten years of the plan. Council's level of debt remains well within the industry benchmarks for a Growth Council.</p>
Civic Catalyst site	<p>Council agreed to a two stage approach to the Civic Catalyst site to ensure prudent management of Council's financial resources and to allow Council to be informed, when deciding on the scope and components of Stage 2, by the rapidly evolving needs and opportunities of one of the fastest growing LGA's in Australia.</p> <p>Whilst still in the initial scoping phase, Stage 2 of the Civic Catalyst site will consider unique opportunities to blend community, cultural, commercial and Council's future operational facility requirements.</p> <p>Council will consider concepts, scope and options for this project over the next 12 months. The final funding strategy will consider all options for funding including income generation, to be considered by Council as part of the 2025/26 budget.</p>
Infrastructure Maintenance	<p>Council's Asset Management Strategy and Plans address road renewal priorities across the LGA. Planning of works takes into consideration many aspects including future road corridor and transport plans, road hierarchies and road condition assessments, and these factors assist with prioritisation of works in line with available funding. Council's rate income covers a wide range of community services and initiatives including roads and drainage maintenance and repairs.</p>

2022/23 BUDGET

A comprehensive review of the draft 2022/23 Budget has been undertaken. Councillors were briefed on the IPR framework requirements and Budget on 23 February, 1 March, 2 March, 16 March, 23 March and 7 June 2022.

A summary of the draft 2022/23 Budget is provided in the table below:

Draft 2022/23 Budget	2022/23
Operating Expenditure	\$152,008,000
Capital Works Program Expenditure – Council Delivered	\$87,499,000
Capital Works Program Expenditure – Developer Delivered	\$107,354,000
Other Capital Expenditure	\$6,229,000
Loan Principal Repayments	\$3,121,000
Transfers to Cash Reserves	\$67,379,000
Gross Expenditure Budget	\$423,590,000
Less: Developer Delivered Capital Works	(\$107,354,000)
Less: Depreciation Expense	(\$35,000,000)
Less: Transfers to Cash Reserves	(\$67,379,000)
Net Cash Expenditure Budget	\$213,857,000

Council's proposed gross expenditure budget for the 2022/23 financial year is \$423.6 million. Upon removing non-cash expenditure and transfers to reserve, Council's proposed cash budget for the 2022/23 financial year is \$213.9 million.

Capital Works Program Summary

The Capital Works Program for the 2022/23 financial year is \$194,853,000. A breakdown of this program is shown in the following table:

Local Service	2022/23
Road/Transport Infrastructure	\$84,126,900
Drainage Infrastructure	\$35,393,300
Parks & Playgrounds	\$36,910,100
Community & Recreational Facilities	\$3,322,700
Community Support Package Stage 3 (22/23 works only)	\$35,100,000
Total	\$194,853,000
Funded By:	
Works in Kind Agreements	\$107,354,400
Section 7.11 Funds (Cash Reserves)	\$64,374,700
External Grants	\$8,824,200
Internal Reserves	\$935,600
Loans	\$11,850,000
General Fund	\$1,514,100
Total	\$194,853,000

A copy of the Capital Works Program has been provided to Councillors under separate cover.

2022/23 BUDGET RESULT

The 2022/23 Budget provides the financial resources for Council to continue to deliver the services, programs and activities outlined within the Delivery Program. In reviewing the 2022/23 Budget, Council has prudently considered both the needs of the community and long-term financial sustainability of the organisation.

After taking into consideration the cost of maintaining existing service levels, the draft 2022/23 Budget has identified available funding of \$2,003,100. The proposed allocation of available funds is to maintain contemporary service levels in support of a rapidly growing and diversifying community, including Council's asset base.

The proposed allocation of available funds is shown in the following table:

Budget Position	2022/23
Available Funding	\$2,003,100
Recommended Allocation:	
Environment & Sustainability Performance	\$134,400
Urban Tree and Landscape Assessment	\$118,400
Less: Funding from Community Support Package 3	(\$118,400)
Open Space and Landscape Maintenance	\$238,000
City Presentation – Public Space Maintenance	\$150,000
Depot Operations – Plant Fleet Management	\$124,200
Corporate Support Functions	\$368,000
Cyber Security Action Plan	\$256,500
Digital Innovation Strategy	\$1,056,000
Less: Funding from Technology Improvements Reserve	(\$945,000)
Regulatory Compliance - Illegal Dumping	\$114,000
Family Day Care Service Enhancements	\$95,600
Less: Funding from Family Day Care Reserve	(\$95,600)
Commercial Waste Operations	\$78,600
Less: Funding from Commercial Waste Reserve	(\$78,600)
Food and Organics (FOGO) Project	\$134,400
Domestic Waste Services	\$2,089,100
Less: Funding from Domestic Waste Reserve	(\$2,223,500)
Total - Recommended Allocation	\$1,496,100
Proposed Transfer to Working Funds Reserve	\$507,000
Draft Budget Position	Balanced

Proposed Transfer to Working Funds Reserve

Given the current uncertainty regarding inflation, the impact of global events such as the conflict in Europe on the broader economy and recent natural disasters, it is considered prudent to restrict (transfer) the remaining balance (\$507,000) to the Working Funds Reserve. This would be utilised as a contingency to offset unforeseen impacts on Council's budget in the 2022/23 financial year.

The Working Funds Reserve is primarily used as a holding reserve for unallocated funds or for transferring committed funding from one budget year to the next. Once held in the reserve the contingency can only be accessed through a formal resolution of Council. The balance in the reserve will be reported to Council as part of the quarterly budget review process.

2022/23 BUDGET HIGHLIGHTS

COVID Community Support Package

Council is continuing to deliver a staged Community Support Package with Stages 1 and 2 focused on immediate support to the wider community and businesses to ease the impact of the COVID-19 pandemic. Stage 3 focuses on recovery and generating investment into our community. The total support package is valued at \$130.6 million over four years.

Across the three stages of the Community Support Package, it is estimated that Camden's economic output will increase by up to \$221.7 million. 507 additional FTE jobs within the local area will also be generated by the package.

A summary of the Community Support Package is provided in the table below:

COVID Community Support Package	
Community Support Package – Stages 1 & 2	\$16,750,000
Community Support Package Stage 3 (Consists of):	
Infrastructure Upgrades and Renewals under the Local Road and Community Infrastructure Grants Rnd. 1	\$874,692
Infrastructure Upgrades and Renewals under the Local Road and Community Infrastructure Grants Rnd. 2	\$3,249,586
Community Infrastructure Projects	\$104,995,000
Events	\$320,000
Grants – Community and Cultural	\$359,600
Local Employment	\$675,000
Building Renewal Works	\$150,000
Community and Business Support Programs	\$248,000
City Beautification Program	\$2,980,000
Total Value	\$130,601,878
Funding:	
Section 7.11 Funding	\$72,350,000
Grant Funding	\$10,536,278
Internal Reserves	\$2,809,800
Domestic Waste Reserve	\$4,150,000
Loan Income (over 4 years)	\$37,300,000
General Fund	\$3,455,800
Total Funding	\$130,601,878

Proposed Sportsground Strategy Project Funding

The Community Support Package Stage 3 includes \$16.5 million over the next three years for the following sportsground improvements:

Sportsground Improvements	
Field Improvement Program	\$10,000,000
Floodlighting Upgrades	\$1,000,000
Buildings & Facilities Upgrades	\$4,000,000
Carparking & Seating	\$1,500,000
Total Allocation Available:	\$16,500,000

Councillors were briefed on 16 March 2022 with respect to recommendations for the allocation of this funding to specific sportsground projects. The following table outlines the recommended sportsground improvement projects.

Sportsground Projects	Amount	Expected Delivery
<u>Jack Nash Reserve – Currans Hill</u> Additional seating, shade and storage.	\$120,000	2022/23
<u>Nugget Beames (Elizabeth Reserve) – Narellan Vale</u> Amenities upgrade, seating and playing surface improvement.	\$1,190,000	2024/25
<u>Birriwa Reserve – Mount Annan</u> Amenities upgrade, playing surface improvement, seating and shade.	\$1,190,000	2024/25
<u>Wandarrah Reserve – Mount Annan</u> Playing surface improvements, additional shade structures.	\$290,000	2023/24
<u>Catherine Field Reserve – Catherine Field</u> Masterplan Development.	\$80,000	2022/23
<u>Cuthill Reserve – Cobbitty</u> Additional shade and tree planting.	\$80,000	2022/23
<u>Fairfax Reserve – Harrington Park</u> Amenities upgrade, playing surface improvements, additional seating.	\$1,740,000	2023/24
<u>Belgenny Reserve – Camden South</u> Masterplan development and playing surface improvements.	\$550,000	2024/25
<u>Cowpasture Reserve – Camden</u> New amenities building.	\$2,540,000	2024/25

ORD01

<u>Sportsground Projects (Continued)</u>	Amount	Expected Delivery
<u>Hayter Reserve – Camden South</u> Implementation of irrigation.	\$350,000	2022/23
<u>Onslow Reserve – Camden</u> Playing surface improvement, additional shade and seating.	\$1,150,000	2024/25
<u>Ron Dine Reserve – Camden South</u> Traffic management and parking improvements, irrigation upgrades, and additional seating.	\$1,000,000	2024/25
<u>Synthetic/Hybrid Field/s</u> Stage 1 – develop business case for the pros and cons of both hybrid and synthetic fields. Stage 2 – subject to decision on surface, Council will determine location and number of fields. This allocation covers business case and delivery of the field/s.	\$6,070,000	2024/25
Various Drainage Works	\$150,000	2022/23
Total – Proposed Sportsground Projects	\$16,500,000	

Community Infrastructure Renewal Program (CIRP) – Update

As part of the 2019/20 Budget, Council adopted a four-year Community Infrastructure Renewal Program which is a continuation of Council's ongoing program of works aimed at addressing infrastructure renewal. The 2022/23 financial year will be the final year of the program.

A summary of the Community Infrastructure Renewal Program is provided below:

Community Infrastructure Renewal Program	Cost
Works Completed to Date	\$2,950,000
Works currently underway in the 2021/22 Financial Year	\$1,200,000
Works to be Undertaken in 2022/23 Financial Year	
Cowpasture Oval Amenities Building Refurbishment	\$150,000
Civic Centre Undercroft - Building and Interior Improvements	\$800,000
Total - Community Infrastructure Renewal Program	\$5,100,000

Rate Income

Rating Income for the 2022/23 financial year will increase by 5% as recommended by the NSW Independent Pricing and Regulatory Tribunal (IPART). The impact on the average residential assessment is approximately \$67 per year (\$1.29 per week).

The 2022/23 Rate Income will be invested in delivering key services and community infrastructure and facilities for our current residents, as well as assisting Council in strategically planning and delivering for our future growth.

Rates for the 2022/23 financial year will be based on 2019 land valuations as provided by the NSW Valuer General's Office. Under the *Valuation of Land Act 1916*, Council must use the 2019 valuations for the issuing of 2022/23 rate notices.

Voluntary Pensioner Rebate

In accordance with section 575 of the *Local Government Act 1993*, Council currently provides a rebate to eligible pensioners for annual rates and domestic waste charges of \$250.

Recognising the current inflationary pressures on pensioners within our community, it is recommended that Council provide an additional voluntary pension rebate of \$50, bringing the total pension rebate amount to \$300. The increase is recommended to be recurrent from the 2022/23 financial year onwards.

The provision of an additional voluntary pension rebate is permissible under section 582 of the *Local Government Act 1993*, which states that a council may waive or reduce rates, charges and interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the *Social Security Act 1991*.

The Budget impact of this additional voluntary pension rebate is expected to be \$166,000 and will be addressed at the first quarterly budget review of the 2022/23 Budget.

Stormwater Management Levy

In accordance with section 496A of the *Local Government Act 1993*, Council will continue to levy properties that receive a stormwater service through the Stormwater Management Levy, which is \$25 per year for land categorised as residential. This amount has remained unchanged since 2006.

Ratepayers who currently receive a pension rebate will be exempt from this levy on the basis that they qualify for the pension rebate as at 1 July of any given rating year.

The proposed charges for the Stormwater Management Levy can be found in Council's draft Fees and Charges schedule and the proposed program of works for the 2022/23 financial year can be found in Council's Operational Plan.

Domestic Waste Charges

It is proposed to increase Domestic Waste Management charges by 3% for the 2022/23 financial year. The impact on the average 120 litre service is approximately \$11.00 per year (21c per week). This increase is required to cover the cost of providing the service, future increases in disposal costs and funding Council's waste plant replacement program.

The proposed charges for Domestic Waste Management can be found in Council's draft Fees and Charges schedule for the 2022/23 financial year.

Fees and Charges

It is proposed to increase discretionary fees and charges by the projected CPI increase of 2.9% in the 2022/23 financial year. This excludes fees which are set by legislation.

There are a number of proposed changes to the fees and charges schedule since it was placed on public exhibition. These are identified below:

- *Environmental Planning and Assessment Regulation 2021* updated prescribed fees.

There are a number of recommended changes to the draft 2022/23 Fees and Charges as a result of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation 2021) updated prescribed fees.

The EP&A Regulation 2021 commenced on 1 March 2022 and replaced the EP&A Regulation 2000. The EP&A Regulation 2021 allows greater capacity for consent authorities (including councils) to recover costs for planning services by updating fixed fees to reflect movements in the consumer price index (CPI) that have occurred since the last CPI-related increase to fees in the Regulation in 2011.

This has resulted in changes (increases) to a broad range of fees applied to development applications and other development related fees and charges.

- Changes to lodgement requirement of the NSW Land Registry Service

Due to recent changes to the lodgement requirements of the NSW Land Registry Services, certain title and subdivision related documents now require lodgement via a new electronic platform (known as PEXA – Property Exchange Australia). This change requires a legal representative on each side of the transaction, for which there is an associated cost.

So that Council can recover the cost, it is recommended that these charges are added to the 2022/23 fees and charges.

- Documents requiring lodgement via PEXA – Positive Covenants & Restrictions
Proposed Fee - \$250.00 plus GST
- Documents requiring lodgement via PEXA – Easements / Transfers / Other
Proposed Fee - \$500.00 plus GST

- Changes to Companion Animal Fees

Council was also advised on 2 June 2022 via OLG circular of adjustments (increases) to companion animal fees for the 2022/23 financial year. This relates to companion animal registration and permit fees which are regulated.

Council's Fees and Charges for the 2022/23 financial year were part of the documentation placed on public exhibition for 28 days.

A copy of the draft Fees and Charges has been provided to Councillors under separate cover.

The Fees and Charges will be updated upon adoption by Council.

Investment Income

Council has an adopted Investment Policy which outlines the way Council may invest funds, risk profile considerations and the types of institutions and products which it may invest in.

Interest projections for the 2022/23 financial year have been prepared based on generating a return on investment of 1.00% (this includes a performance factor of up to 0.8%).

In light of the recent decision by the Reserve Bank of Australia to lift the official cash rate, Council will review its interest projections for the 2022/23 financial year and will include any proposed changes as part of the first quarterly review of the 2022/23 Budget.

Loan Borrowings - External

The proposed loan borrowings for the 4-year Delivery Program are shown below. Loan borrowings in future years are indicative only and are revisited at each annual review of the Budget.

Upon adoption of the 2022/23 proposed loan borrowings, officers will still assess Council's budget position during 2022/23 before proceeding with the borrowings as approved in the budget. Any reduction to loan borrowings as approved in the budget requires a resolution of the Council.

Where possible, Council will also take advantage of low-cost interest schemes offered by the NSW State Government that assist councils with the cost of growth. As detailed previously in this report, the schemes save Council \$1.146 million in interest repayments.

Council's capacity to borrow is strong and within the industry benchmarks for a growing Council.

ORD01

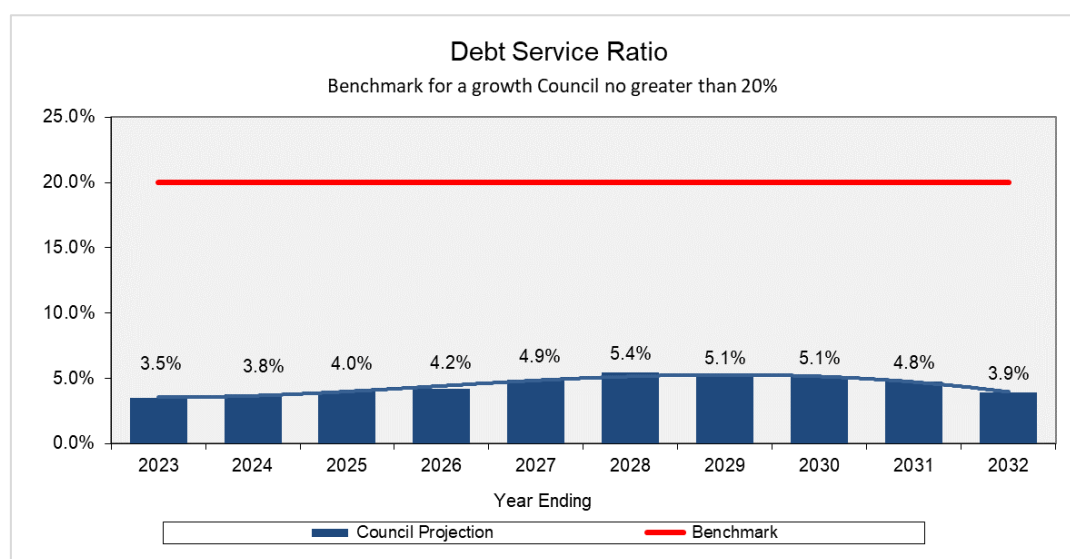
Purpose	2022/23	2023/24	2024/25	2025/26
Renewal Program	\$3.5M	\$3.5M	\$1.5M	-
CSP Stage Three	\$8.35M	\$11.85M	\$13.2M	-
Community/Civic Catalyst Site	-	-	-	\$27.3M
Total Borrowings	\$11.85M	\$15.35M	\$14.7M	\$27.3M

Council's proposed debt is shown in the table below:

	2022/23	2023/24	2024/25	2025/26
Principal Outstanding	\$55,562,000	\$66,904,000	\$75,745,000	\$99,030,000
Debt Servicing Costs (principal & interest)	\$4,479,000	\$5,219,000	\$6,084,000	\$6,889,000

Council has considered the impact of its proposed loan borrowings program on the Long-Term Financial Plan and is satisfied that this level of debt is well within the recommended levels for a growth Council.

This is demonstrated through the forecasted debt service ratio which is shown in the chart below:



Council continues to use debt wisely, balancing the level of debt, capacity to borrow and the opportunity cost of borrowing to ensure inter-generational equity in a rapidly growing environment. As Council grows there will be greater pressure to borrow to construct the infrastructure required to support our community. Council has deliberately maintained a strong borrowing capacity for this purpose. Council's borrowing capacity remains well within the benchmark of no greater than 20%.

Reserve Transfers

In addition to the reserve transfers already approved as part of the 2017/18 - 2021/22 Delivery Program, the following reserve transfers are also to be made as part of the 2022/23 Budget and Delivery Program.

Proposed Reserve Transfers (Net)	2022/23	2023/24	2024/25	2025/26
Transfer to Working Funds Reserve	\$507,000	\$0	\$0	\$0
Transfer from Family Day Care Reserve	(\$95,600)	\$0	\$0	\$0
Transfer from Technology Improvements Reserve	(\$945,000)	\$0	\$0	\$0
Transfer from Capital Works Reserve	\$0	(\$330,000)	\$0	\$0

Transfer to Working Funds Reserve – \$507,000

Given the current uncertainty regarding inflation, the impact of global events such as the conflict in Europe on the broader economy and recent natural disasters, it is considered prudent to restrict the remaining balance of the 2022/23 Budget - available funds to the Working Funds Reserve. This would be utilised as a contingency to offset unforeseen impacts on Council's budget in the 2022/23 financial year.

Transfer from Family Day Care Reserve – \$95,600

Funding is required to implement a range of improvement actions within the Family Day Care service.

Transfer from Technology Improvements Reserve – \$945,000

Funding is required to continue the implementation of Council's Digital Innovation Strategy. The strategy is aimed at delivering modern technologies which will result in efficiencies and continued improvements to the customer service experience.

Transfer from Capital Works Reserve – \$330,000

It is proposed to utilise \$330,000 from the Capital Works Reserve to part fund additional works to be undertaken at the Camden Memorial Pool over the 2022/23 and 2023/24 financial years. This matter was reported to Council on 25 February 2020.

Other minor or recurrent reserve transfers are contained within the 2022/23 Budget. This report will recommend that Council approve all internal reserve transfers.

RATES & CHARGES FOR 2022/23 AND AUTHORISATION OF EXPENDITURE

Rates and charges must be made by a formal resolution of Council. In moving the adoption of the appropriate resolution, it is necessary to note that under the *Local Government Act 1993*:

- All councils are required to levy a separate Domestic Waste Management Charge. This charge must reflect the reasonable cost of providing the service as general rate revenue cannot be used to finance domestic waste management services.
- Revenue derived from domestic waste management services must be accounted for as a distinct activity from any trade waste or other waste service activity.
- A rebate is to be provided to eligible pensioners for annual rates and domestic waste charges, which in accordance with section 575 of the *Local Government Act 1993* must not exceed \$250.00.
- Ratepayers who become eligible for pensioner concessions during the course of the year will become entitled to claim a proportionate rebate of their rates.
- Pension ratepayers who sell their land or lose eligibility for this concession will lose entitlement to a proportion of any previously granted rebate.
- Quarterly rate billing of each instalment must be given unless a ratepayer has paid their rates in full.
- Rate instalments become payable on prescribed dates.
- Ratepayers who fail, for any reason, to pay an instalment on time will not be required to pay the balance of annual rates assessed immediately and will not be prevented from paying by quarterly instalments.
- The rate of interest on overdue rates and charges is fixed by the Minister for Local Government pursuant to section 566 of the *Local Government Act 1993*. The Minister for Local Government has determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2022 to 30 June 2023 is 6.00%.

Voluntary Pensioner Rebate

As outlined earlier in this report, it is recommended that Council utilise section 582 of the *Local Government Act 1993* to provide an additional voluntary pension rebate of \$50 to eligible pensioners, bringing the total pension rebate amount to \$300 for the 2022/23 financial year.

Authorisation of Expenditure

In relation to the authorisation of expenditure, section 211 of the *Local Government (General) Regulation 2021* provides:

- A Council, or a person purporting to act on behalf of a Council, must not incur a liability for the expenditure of money unless the Council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
 - a) has approved the expenditure; and
 - b) has voted the money necessary to meet the expenditure.
- A Council must each year hold a meeting for the purpose of approving expenditure and voting money.

2022/23 RATING POLICY

Rating Income

Council has agreed to maintain its current rating structure and as such:

1. Council has the following categories/sub-categories for rateable land in the Camden Local Government Area:

Residential
Business
Farmland Ordinary
Farmland Intensive

2. Up to 50% of total rates will be raised by a base amount on all rateable assessments and such charge be the same for each category/sub-category.
3. The ad-valorem rate for each category/sub-category is based on the following rating mix:

Residential	1.0	
Business	3.3	(i.e. 3.3 times the residential ad-valorem rate)
Farmland Ordinary	0.5	(i.e. half the residential ad-valorem rate)
Farmland Intensive	0.9	(i.e. 0.90 times the residential ad-valorem rate)

4. Based on the above rating categories, the ad-valorem rates and base charges would be charged as follows:

Rate Category	Base Charge	Ad-Valorem Rate
Residential	\$685.00	0.141665
Business	\$685.00	0.467495
Farmland Ordinary	\$685.00	0.070833
Farmland Intensive	\$685.00	0.127499

The above base charge and ad-valorem rates include the allowable increase in rate income approved by IPART of 5.00%. It should be noted that the ad-valorem and base charge may have changed since the exhibition of the draft Revenue Policy due to new subdivisions and valuations provided by the Valuer General.

5. Based on the above rating categories, the percentage of base amount to total yield for the 2022/23 financial year for each class of rate is:

Rate Category	% Base Amount
Residential	49.07%
Business	12.12%
Farmland Ordinary	15.58%
Farmland Intensive	16.42%

(This table is not meant to add up to 100%)

CONCLUSION

The draft Community Strategic Plan, 2022/23-2025/26 draft Delivery Program inclusive of the 2022/2023 draft Operational Plan (Budget), 2022/23 draft Fees and Charges and draft Long-Term Financial Plan were placed on public exhibition from 22 April 2022 to 19 May 2022 inclusive. Fifteen submissions were received for Council to consider before adopting the documents; the key themes raised have been addressed in this report.

This is a responsible package that addresses infrastructure upgrades and delivery, maintains Council services and service standards, continues to support its community through the recovery stage of COVID while maintaining a strong budget position and sustainable future.

Connecting Camden – Our Community Strategic Plan provides a roadmap for Council to work in partnership with the community, Australian and NSW Government agencies and business in continuing to advance the Camden area. It positions Council to seize the opportunities being one of the fastest growing areas in Australia presents. It recognises Camden's strategic role as the heart of the Western Parkland City, with key objectives and strategies within the Community Strategic Plan alongside developing projects from all levels of government, including the Western Sydney International Airport, rail links and Western Sydney City Deal, working together to shape the future of Camden.

Connecting Camden – Our Community Strategic Plan in action will see the community's vision for Camden realised and make Camden a *Welcoming, Liveable, Prosperous, Balanced and Leading* place for years to come.

RECOMMENDED

That Council:

- i. **endorse the draft Community Strategic Plan, *Connecting Camden – Our Community Strategic Plan*;**
- ii. **adopt the 2022/23 – 2025/26 draft Delivery Program, 2022/23 draft Operational Plan, draft Long-Term Financial Plan and draft Asset Management Policy, Strategy & Plan;**
- iii. **endorse the draft Workforce Management Strategy;**
- iv. **adopt the 2022/23 Budget as set out below:**
 - **expenditure totalling \$423,590,000 as summarised in the 2022/23 Operational Plan (Budget) and that the funds to cover such expenditure be voted;**
 - **the 2022/23 Fees and Charges (includes Domestic Waste Management Fees, Stormwater Management Levy and the fee changes outlined within this report), and the 2022/23 Revenue Policy;**

- the Minister's Allowable limit of a 5.00% rate increase be applied to the 2022/23 rating year;
- adopt the following ad-valorem rates to be levied on the land value of all rateable assessments for 2022/23 financial year:

Rate Category	Ad-Valorem Rates
Residential	0.141665
Business	0.467495
Farmland Ordinary	0.070833
Farmland Intensive	0.127499

- in accordance with section 537(b) of the *Local Government Act 1993*, note the percentage of base amount to total yield for the 2022/23 financial year for each class of rate is:

Rate Category	
Residential	49.07%
Business	12.12%
Farmland Ordinary	15.58%
Farmland Intensive	16.42%

- adopt a voluntary pensioner rebate for eligible pensioners of \$50.00 as permitted under section 582 of the *Local Government Act 1993*, increasing the total pensioner rebate for eligible pensioners to \$300.00, to be recurrent from the 2022/23 financial year onwards;
- adopt a base amount of \$685.00 to be levied for each rateable assessment for the 2022/23 financial year;
- adopt the rate permitted by the Minister for Local Government for the allowable interest rate on overdue rates of 6% for the period 1 July 2022 to 30 June 2023; and
- approve the reserve transfers and loan borrowings for 2022/23 as detailed in the report.

v. notify submitters of Council's decision.

ATTACHMENTS

1. Draft Connecting Camden Community Strategic Plan - under separate cover
2. Draft 2022/23 - 2025/26 Camden Council Delivery Program and 2022/2023 Operational Plan - under separate cover
3. Draft Camden Council Resource Strategy Summary - under separate cover
4. Draft Long Term Financial Plan - under separate cover
5. Asset Management Strategy - under separate cover
6. Draft Asset Management Policy - under separate cover
7. Asset Management Plan - under separate cover
8. Draft Camden Council Workforce Management Strategy 2022-2026 - under separate cover
9. 2022/23 Draft Capital Works Schedule - under separate cover
10. Draft Fees and Charges Schedule - under separate cover
11. IPR Submissions May 2022 - *Supporting Document*

ORD02

ORD02

SUBJECT: PP/2021/1/1 - PLANNING PROPOSAL TO INCREASE THE BUILDING HEIGHT FOR RESIDENTIAL DEVELOPMENT SURROUNDING ORAN PARK HOUSE - POST EXHIBITION

FROM: Director Planning & Environment

EDMS #: 22/204682

PREVIOUS ITEMS: ORD02 - Planning Proposal - Additional local provision to increase building heights for residential development surrounding Oran Park House - Ordinary Council - 12 Oct 2021 6.30pm

PROPERTY ADDRESS Land at O'Keefe Drive, McEvoy Street, Gleeson Rise, Tribe Avenue, Banfield Drive, Connor Way, and Mary Fairfax Drive, Oran Park (Lots 6001-6045; 6055-6061; and 6064-6070 in DP 1235007)

PROPONENT Hixson Pty Ltd

OWNER Hixson Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcome of the public exhibition of a draft Planning Proposal and draft DCP amendment for land at O'Keefe Drive, McEvoy Street, Gleeson Rise, Tribe Avenue, Banfield Drive, Connor Way, and Mary Fairfax Drive, Oran Park.

The report recommends Council endorse the draft Planning Proposal and DCP amendment (including post-exhibition amendments) and request the Department of Planning and Environment (DPE) make the Plan.

The Planning Proposal and DCP amendment are provided as **attachments** to this report.

BACKGROUND

In February 2021, a draft Planning Proposal was lodged by Hixson Pty Ltd to amend *State Environmental Planning Policy (Precincts – Western Parkland City) 2021 – Appendix 5 Camden Growth Centres Precincts* (Precincts SEPP). The proposal seeks to increase the maximum height from 5 to 7 metres subject to specific controls for residential development surrounding Oran Park (Catherine Park) House.

The draft Planning Proposal is accompanied by amendments to the Camden Growth Centres DCP - Schedule 4 - Catherine Field (Part) Precinct (draft DCP). The amendments involve changes to the controls for building heights.

On 21 September 2021, the Camden Local Planning Panel (the Panel) provided advice on the draft Planning Proposal and DCP amendment. The Panel noted the draft Planning Proposal and DCP amendment had strategic and site-specific merit to proceed to Gateway Determination.

On 12 October 2021, Council considered a report on the draft Planning Proposal and DCP amendment and endorsed the proposal to be forwarded to DPE for Gateway Determination, which was issued on 12 December 2021 enabling the proposal to proceed to public exhibition.

The Planning Proposal and DCP amendment were placed on public exhibition between 9 February and 9 March 2022 (28 days). A total of 11 submissions were received, including 10 from community members and organisations and 1 public agency response from Heritage NSW.

Heritage NSW has provided its support for the Planning Proposal.

Post-exhibition amendments to the draft Planning Proposal and DCP amendment are recommended in response to submissions.

Councillors were briefed on the Planning Proposal on 17 May 2022. A Councillor site inspection was held on 26 May 2022.

MAIN REPORT

The site forms part of the Catherine Park Estate, which is located within the Catherine Field (Part) Precinct. The site contains a state heritage-listed item, Oran Park House, located on a single allotment approximately 4.5 hectares in area.

Oran Park House is located on an elevated knoll and sits above the surrounding residential development. As shown in **Figure 1**, the heritage curtilage includes ancillary outbuildings, surrounding gardens, coach house, silo and residential lots. There is existing and future residential development to the south-east, south, west and north-west of the site.

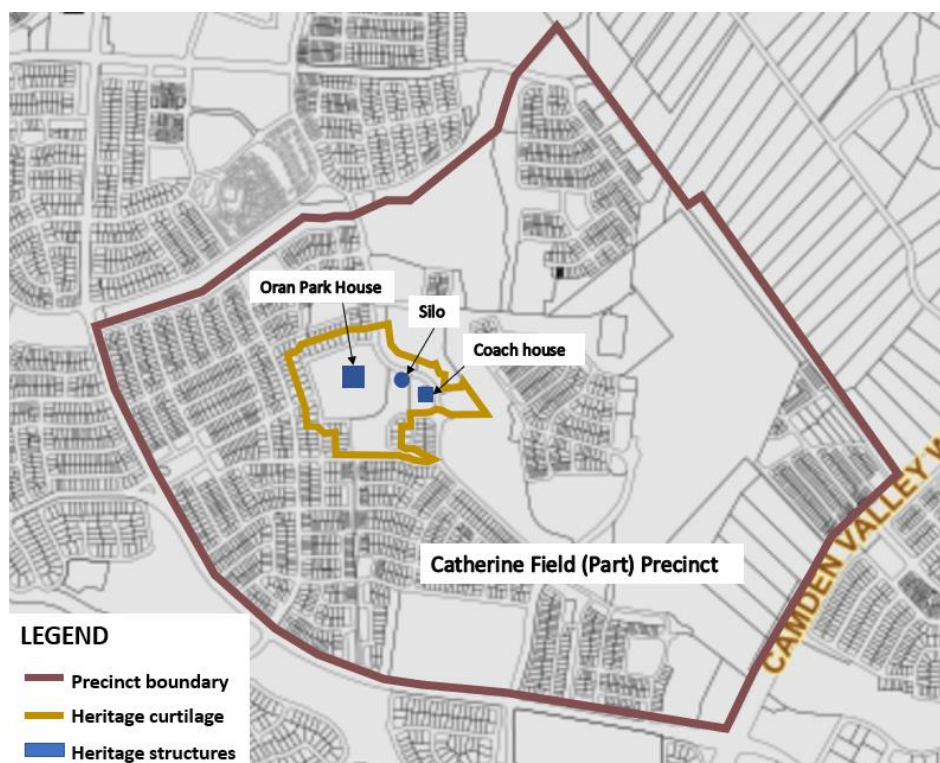


Figure 1: Location of the Catherine Field (Part) Precinct and Heritage Items

There are 66 lots within the site that currently have a maximum building height of 5 metres. Of these, 59 lots are affected by this draft Planning Proposal and 36 lots are located within the heritage curtilage of Oran Park House.

A number of single storey dwellings have been approved within the subject site, consistent with the intent of the draft Planning Proposal. The majority of approved dwellings have a building height between 5 and 6.5 metres, with the average being 5.82 metres.

Summary of Planning Proposal (SEPP Amendment)

The Planning Proposal seeks to enable a maximum building height of 7 metres for residential development surrounding Oran Park House. This will be achieved by an amendment to the Precincts SEPP to permit residential development to exceed the 5 metre maximum building height, provided the dwelling:

- Is single-storey and a detached dwelling;
- Does not exceed 7 metres (maximum building height); and
- Is consistent with roof pitches of between 22.5 and 35 degrees, setbacks and building envelopes as identified in the DCP.

The Planning Proposal applies to 59 residential lots as shown in **Figure 2** below.



Summary of DCP Amendment

The Planning Proposal is accompanied by a DCP amendment which seeks to:

- Apply the 20 metre minimum lots frontage to 'very low density residential' lots;
- Introduce building height controls, street facade and elevation controls, including diagrams to illustrate the design solution;
- Clarify residential built form, deleting the requirement for the development to be built by one builder; and
- Make minor administrative amendments.

Public Exhibition

The draft Planning Proposal and draft DCP were exhibited for 28 days from 9 February until 9 March 2022. Landowners within and adjacent to the site were notified of the proposal, as well as Heritage NSW and Camden Historical Society. On 8 April 2021, the Heritage Advisory Committee was briefed on the proposal.

A total of 11 submissions were received including: 8 objecting to the proposal; 2 providing support; and 1 offering further advice for consideration.

A table outlining Council officers' response to submissions is provided as an **attachment** to this report. The submissions are provided as a **supporting document**.

Post-exhibition amendments to the DCP

In response to submissions, further changes are recommended to the DCP. A consolidated list of all post-exhibitions amendments is provided as an **attachment** to this report. The key changes are detailed below:

- Confirm that lofts, attics and dormer windows can only be considered on corner lots, consistent with Heritage NSW advice, and that the 7 metre height and roof pitch controls cannot be varied to accommodate these design elements;
- Clarify that the roof fixture controls include skylights and these fixtures are not to be visible from public view;
- Amend building height controls to show the standard and higher building height envelopes as shown in **Figure 3**;
- Confirm the minimum setbacks for the 'very low density residential' area;
- Add a note under the provisions table for the minimum setbacks for the 'very low density residential' area that states setbacks must be compliant with the definition for setback in the Standard Instrument LEP; and
- Minor administration changes, including correcting public agency and SEPP names, reinstating missing symbols in tables, reordering sections, updating Section and Figure numbers, and removing duplicated controls.

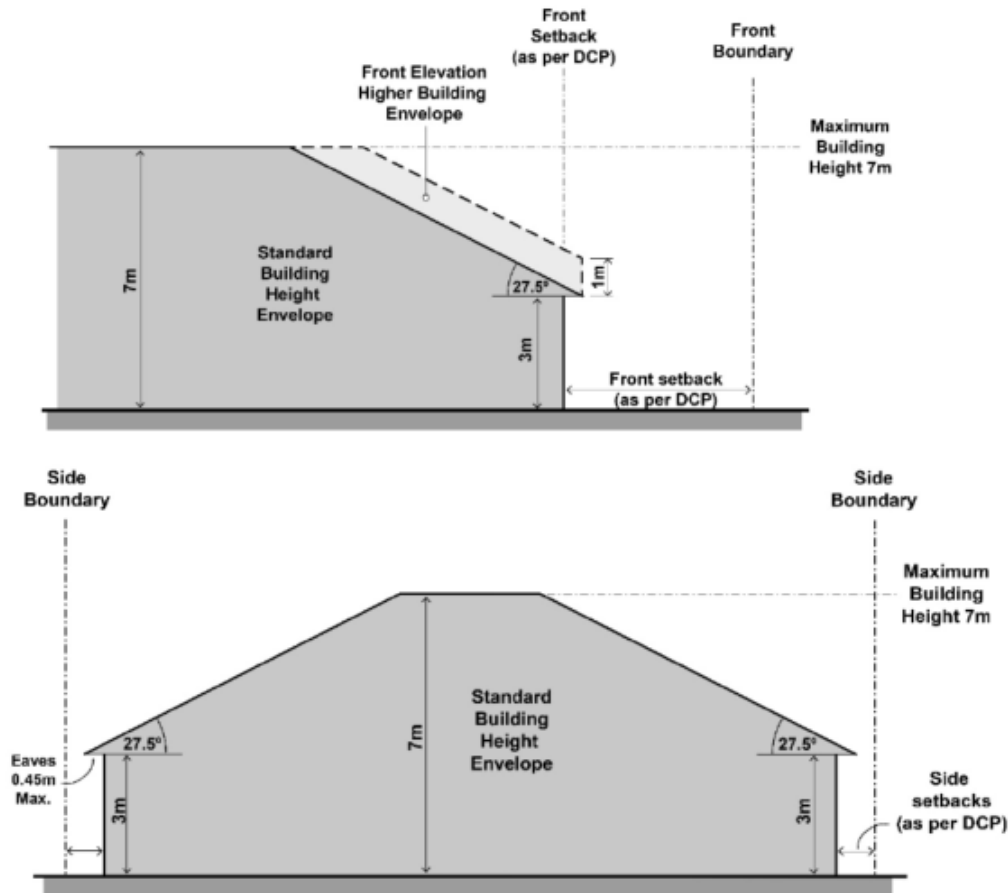


Figure 3: Draft DCP proposed building height envelope

Heritage NSW has been consulted on the post-exhibition changes and raised no objection.

State Agency Submission – SEPP Amendment

Heritage NSW

Heritage NSW has advised the Planning Proposal broadly aligns with the Oran Park House Heritage Exemption Guidelines (Exemption Guidelines), Conservation Management Plan (CMP) and previous advice issued for a Concept DA for the site.

Heritage NSW raised no objection to the intent of the amendment to the Precincts SEPP.

Officer Comment

Heritage NSW support for the Planning Proposal is noted. The proposal seeks to enable residential building heights up to 7 metres providing they are contained within the building height envelope supported by Heritage NSW.

Community Submissions – Planning Proposal

Proposed maximum building height up to 7 metres

Several submissions noted objections to the proposed increase of the maximum building height to 7 metres, stating the current 5 metres maximum building height should be retained.

The key themes raised include:

- The 5 metre maximum building height was established during the precinct planning stage to ensure a single-storey residential development outcome.
- A 5 metre building height can be achieved by modifying dwelling designs to comply.
- The proponent's justification that a 5 metre building height and roof pitch between 22.5 and 35 degrees (as required by the DCP) cannot be achieved is based on one dwelling design.
- Increasing height up to 7 metres will result in larger houses on larger lots (and possibly double-storey dwellings).
- Concerns exist about potential over-shadowing of neighbouring properties.

Two submissions provided support for the 7 metres maximum building height stating it will deliver single-storey, modern, attractive and high-quality homes surrounding Oran Park House.

One submission raised concerns that landowners along Banfield Drive (located outside of the subject site) were required to design their homes to comply with the 5 metre height and DCP roof pitch.

Officer comment

The Planning Proposal notes that residential dwellings are required to be single storey. Increasing the maximum building is consistent with advice received from Heritage NSW.

Approval to construct dwellings up to 7 metres is subject to a merit-based assessment that includes specific considerations, including overshadowing of neighbouring properties.

A map showing approved and proposed building heights and roof pitches for residential development above 5 metres is provided as an **attachment** to this report. The majority of approved building heights are consistent with the intent of the Planning Proposal and are between 5 metres and 6.5 metres, with the average being 5.82 metres.

Two submissions supporting the 7 metres maximum building height are noted.

Summary of Heritage and Visual impact concerns

Several submissions raised heritage and visual impact concerns including:

- Oran Park House is a significant heritage item and planning controls should not be further diluted;
- The Heritage Assessment and Evaluation Report (technical study) did not consider this Planning Proposal;

- The original planning controls were introduced to ensure residential development is subservient to the heritage item, to protect views and vistas, and offer a visual transition between Oran Park House and the surrounding development;
- Comparison to negative planning outcomes relating to the visual prominence of heritage items at Blair Athol (a suburb within Campbelltown LGA);
- Concern raised that views to Oran Park House will be obstructed by increasing the maximum building height up to 7 metres; and
- Concerns raised that visual access to Oran Park House will be limited to a small number of landowners within the heritage curtilage and opportunities for the general community to see and connect with Oran Park House will be minimised.

Officer response

Heritage NSW was consulted during on the Planning Proposal (and accompanying DCP amendment) and raised no objection.

The heritage impacts were considered in the Heritage Assessment and Evaluation Report (prepared by Tropman and Tropman) for a Concept DA on this site. The Study concluded the proposed increase to residential building heights would have “*minimal adverse impact upon the heritage significant views and vistas associated with the [Oran Park House] heritage items*” (p.31). The findings from this Study are relevant to this Planning Proposal.

Existing planning controls and figures within the DCP relating to the preservation of views and significant vistas to, and from, Oran Park House are not proposed to be changed as part of this DCP amendment.

The proposed post-exhibition DCP amendments recommend an increase to the minimum side boundary setback (individual) from 900mm to 1,350mm to allow eaves to be included within the setback. This will provide separation between dwellings within the heritage curtilage and assist with preserving views to Oran Park House.

Proposed intent of the Planning Proposal

Three submissions provided feedback in relation to the proposed intent of the Planning clause within the Planning Proposal. Key themes include:

- Concern the draft clause was not publicly exhibited with the Planning Proposal;
- Request for clarification on the benefit of inserting a new clause to facilitate an increase to the maximum building height;
- Support for there being no ability to vary the maximum building height above 7 metres (i.e. using a Section 4.6 Variation);
- Note that the proposed 7 metre height is not intended to be consistently applied to all lots with a 5 metre maximum building height on the legislated Height of Building maps; and
- Concern that the Camden Local Planning Panel advice and the design solution supported by Heritage NSW had not been addressed.

Officer comment

The specific requirements for dwellings that seek to exceed the 5 metre building height intent was detailed in the exhibited Planning Proposal. In response to submissions, this has been further strengthened, including that dwellings must comply with the setback, roof pitches and building height envelopes, consistent with the Camden Local Planning Panel advice and the design solution supported by Heritage NSW.

Submissions – DCP Amendment

Minimum 20m lot frontage control

Heritage NSW does not support removal of the 20 metre minimum lot frontage control from applying to all land within the heritage curtilage. Heritage NSW has advised the landscape setting for Oran Park House would be compromised should this control be changed as exhibited.

Two community submissions stated support for the original 20 metre minimum lot frontage applying to allotments within the heritage curtilage being retained.

Officer comment

It is proposed that the existing control that requires a 20 metre minimum frontage for residential lots within the heritage curtilage be retained.

Minimum side boundary setback controls for the 'very low density residential' area

Heritage NSW recommends the minimum side boundary setback for dwellings with the 'very low density residential' area be increased from 900mm to 1,350mm.

Two community submissions also raised concern about setback controls for the 'very low density residential' area. Key themes included:

- Achieving the 4 metre minimum setback (combined) on individual allotments will result in smaller separation distances between neighbouring properties; and
- Concern raised by one submitter that this amendment would force them to make changes to their dwelling design to comply.

Officer comment

The proposed amendments to the minimum side boundary setback controls apply to lots identified as 'Very Low Density Residential' (coloured orange in **Figure 4**).

Council officers support Heritage NSW advice to increase the minimum side boundary setback from 900mm to 1,350mm.

Clarifying the 4 metre minimum combined side boundary setback applies to individual lots is considered more equitable, as landowners will not need to redesign their homes based on approved development on neighbouring properties.

The individual submission that raised concern about needing to alter their dwelling design to comply with the proposed amendment to the 4 metre minimum combined side boundary setback is not directly impacted by this change. This submission has since been resolved with the submitter.

ORD02



Figure 4: 'Very Low Density Residential' area surrounding Oran Park House

As a result of the submissions received, a number of post-exhibition DCP changes are proposed. These include:

- Reinstate and update the figure illustrating minimum setback controls;
- Update provisions to require 4 metre (combined) and 1350mm (individual) minimum side boundary setback; and
- Amend, delete and add new Notes under the minimum setback provision table for the 'Very Low Density Residential' area to clarify how the minimum setbacks should be calculated and applied.

Specific controls for rear-accessed attached dwellings fronting Open Space (Robbins Lane)

Two submissions objected to the amendment to the section heading for Part 4.6 of the DCP. The submissions recommend the original heading that stated "Specific controls for rear-accessed dwellings directly fronting open space" be reinstated.

Officer comment

The proposed change to the heading seeks to clarify the objectives and controls apply to rear-accessed attached dwellings that directly front the public open space along Robbins Lane as shown on *Figure 4-5 Public Open Space and Pathways*.

Council officers recommend progressing this amendment, as exhibited and making minor amendments to the controls to clarify the intended planning outcome.

Next steps

Subject to Council endorsement, the Planning Proposal will be forwarded to DPE for finalisation. Upon finalisation, the DCP will be publicly notified.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The Planning Proposal seeks to increase the height of dwellings for land at O'Keefe Drive, McEvoy Street, Gleeson Rise, Tribe Avenue, Banfield Drive, Connor Way, and Mary Fairfax Drive, Oran Park. The Planning Proposal is accompanied by draft DCP amendments.

The draft Planning Proposal and draft DCP were exhibited between 9 February and 9 March 2022 and 11 submissions were received from Heritage NSW, local community groups and individuals.

The submissions received have been considered and, in response, post-exhibition amendments to the draft Planning Proposal and draft DCP are proposed. The changes are consistent with the intent of the exhibited proposal and DCP amendment and do not require re-exhibiting.

It is recommended that Council endorse the Planning Proposal to forward to DPE for finalisation. It is also recommended that Council adopt the DCP.

RECOMMENDED

That Council:

- i. **endorse the Planning Proposal (as amended) and forward to the Department of Planning and Environment for the plan to be made;**
- ii. **adopt the proposed post-exhibition changes to the Camden Growth Centre Precincts Development Control Plan (DCP) in accordance with the Instrument of Delegation (as amended) issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment;**
- iii. **subject to the finalisation of the Planning Proposal, publicly notify the adoption of the DCP in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environment Planning and Assessment Regulation 2000*;**
- iv. **notify submitters and public agencies of Council's decision; and**
- v. **write to Heritage NSW to request the Oran Park House Heritage Exemption Guidelines be updated to align to the adopted Camden Growth Centre Precincts Development Control Plan.**

ORD02

ATTACHMENTS

1. Post-Exhibition Planning Proposal
2. Proposed Amendments - Post-Exhibition Schedule 4 DCP
3. Post-Exhibition - Submissions Response Table
4. Post-Exhibition - Amendments Summary Table
5. Proposed & Approved Building Height & Roof Pitch Map
6. Height of Building Map HOB 004
7. Height of Building Map HOB 009
8. Conservation Management Plan - under separate cover
9. Copy of Submissions - *Supporting Document*

ORD03**ORD03**

SUBJECT: VARIATIONS TO DEVELOPMENT STANDARDS APPROVED UNDER STAFF DELEGATION (QUARTERLY REPORT)

FROM: Director Planning & Environment

EDMS #: 22/160781

PURPOSE OF REPORT

The purpose of this report is to advise Council of any development applications (DAs) that involved a development standard variation approved under staff delegation in the last quarter (January-March 2022).

BACKGROUND

In February 2018, the Department of Planning and Environment (DPE) published *Planning Circular PS 18-003 Varying Development Standards*. This planning circular advised consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed and clarified requirements around reporting and record keeping where that concurrence has been assumed.

In accordance with the planning circular, councils are required to fulfil the following procedural and reporting requirements when development standards are being varied:

- Maintain a publicly available online register of all variations to development standards approved by the consent authority or its delegates;
- Report all variations approved by Council to the DPE within four weeks of the end of each quarter; and
- Report all applications approved under staff delegation to a meeting of Council at least once each quarter.

Council maintains an online register of all variations to development standards and reports all variations approved by Council to the DPE within four weeks of the end of each quarter.

The purpose of this report is to advise Council of any applications approved under staff delegation during the last quarter as per the procedural requirements outlined above.

Councillors were briefed on the details of the applications referred to in this report on 17 May 2022.

MAIN REPORT

During the last quarter (January-March 2022), Council staff approved two DAs that varied a development standard. The details of these applications are outlined below:

DA/2021/1844/1 – Single storey dwelling house at 33 Gleeson Rise, Oran Park

- The development involves the erection of a single storey dwelling house.
- The approved dwelling house had a maximum height of 5.468m and thereby varied from the maximum building height (5 metres) as prescribed under clause 4.3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (468mm or 9.36% variation).
- The variation was considered reasonable given the additional height allowed for an appropriate / compliant roof form; the development satisfied the key amenity related development controls pertaining to floor space ratio, site coverage, solar access, landscaping and private open space; there were no amenity impacts caused by the contravention; and the proposal was consistent with the objectives of the zone and the standard.

DA/2021/1930/1 – Single storey dwelling house at 15 Gleeson Rise, Oran Park

- The development involves the erection of a single storey dwelling house.
- The approved dwelling house had a maximum height of 5.153m and thereby varied from the maximum building height (5 metres) as prescribed under clause 4.3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (153mm or 3.06% variation).
- The variation was considered reasonable given the additional height allowed for an appropriate / compliant roof form; the development satisfied the key amenity related development controls pertaining to floor space ratio, site coverage, solar access, landscaping and private open space; there were no amenity impacts caused by the contravention; and the proposal was consistent with the objectives of the zone and the standard.

The above DAs relate to properties located in the vicinity of Oran Park House and it is noted that Council has considered a draft Planning Proposal that seeks to allow building heights above 5 metres provided:

- the dwelling is single storey;
- the dwelling is a detached dwelling;
- the dwelling is contained within a Standard Building Height Envelope (as recommended by Heritage NSW);
- the dwelling does not exceed 7m; and
- no more than 30% of the front building line is above 4m.

The draft Planning Proposal was endorsed by Council at its meeting on 12 October 2021 and has been placed on public exhibition. The above DAs fully complied with the requirements of the draft Planning Proposal.

FINANCIAL IMPLICATIONS

This report has no financial implications for Council.

CONCLUSION

During the last quarter (January-March 2022), Council staff approved two DAs that varied a development standard. The variations are reported to Council in accordance with the procedural requirements outlined in *Planning Circular PS 18-003 Varying Development Standards*.

RECOMMENDED

That Council note the information in this report.

ORD03

SUBJECT: ON-SITE SEWAGE MANAGEMENT POLICY - POST EXHIBITION
FROM: Director Planning & Environment
EDMS #: 22/223510
PREVIOUS ITEMS: ORD03 - On-site Sewage Management Policy - Revised -
 Post Exhibition - Ordinary Council - 11 Aug 2020 6.30pm

PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcome of the public exhibition of the On-Site Sewage Management Policy (Policy) and to recommend Council adopt the Policy with minor amendments.

BACKGROUND

There are approximately 3,000 properties in the Camden Local Government Area (LGA) located in unsewered areas that use an on-site sewage management (OSSM) system to manage their sewage.

The unsewered areas of Camden LGA include Cobbitty, Catherine Field, Bringelly, Cawdor, Rossmore, Leppington, Bickley Vale, Ellis Lane, Grasmere, Kirkham, sections of Elderslie and Spring Farm as well as other isolated properties where Sydney Water reticulated sewerage is unavailable.

Existing OSSM systems vary in age, type and method of operation and must be managed to appropriate standards to ensure they are operating effectively and meet public health and environmental standards and legislation.

In 2006, Council adopted the Sewage Management Strategy. This Strategy has been reviewed and a new OSSM Policy (Policy) has been prepared.

The Policy outlines the requirements for OSSM systems in the unsewered areas of the Camden LGA. A copy of the Policy is provided as an **attachment** to this report.

The Policy seeks to:

- Adopt a partnership approach with property owners, installers and service agents to support continual improvement and sustainable on-site sewage management;
- Define Council's role in the effective regulation of OSSM systems to protect public health and the environment;
- Set out the criteria and objectives for the assessment of OSSM systems;
- Set out the processes for the approval and installation of new OSSM systems and the on-going operation of OSSM systems; and
- Assist Council to prioritise resources for the efficient regulation and monitoring of OSSM systems within the LGA.

If adopted, the Policy will replace the existing Sewage Management Strategy adopted by Council in 2006.

The Policy was publicly exhibited in 2020 and considered at the Council meeting on 11 August 2020 where Council resolved to defer the adoption of the Policy.

Since 2020, Council officers have been liaising with Sydney Water regarding the provision of sewage infrastructure in Ettlesdale Road, Spring Farm. In addition, Council has written to Ministers of Parliament and Members of Parliament regarding this matter.

The installation of the sewage infrastructure in Spring Farm is beyond Council's power (and contrary to law). The provision of sewer is a State government responsibility. Council will continue to advocate for residents regarding sewer connection in Spring Farm. This is an on-going operational matter which can be considered separate to the Policy.

A number of Councillor briefings and a site inspection have been provided regarding the Policy and Sydney Water's position regarding the provision of sewer in Spring Farm. The most recent Councillor Briefing was provided on 31 May 2022.

There have been no significant changes to the Policy since it was reported to Council in 2020.

MAIN REPORT

The Policy specifies the requirements for the installation and ongoing operation of OSSM systems in the LGA. The Policy details the approach for the approval to install and operate an OSSM system, as required under the *Local Government Act 1993*.

Public Exhibition

The Policy was placed on public exhibition from 23 April 2020 to 4 June 2020. During the exhibition, approximately 3,000 letters were sent to residents located in the unsewered areas of the LGA advising of the Policy and exhibition period.

Three written submissions were received. A copy of the submissions is provided in the **supporting documents**.

Submission One

The matters raised in this submission relate to:

- Clarification regarding the impact of the buffer distance requirements on existing properties on Ettlesdale Road, Spring Farm;
- Clarification that the Policy will not force residents to connect to sewer and that they would be allowed to keep, repair or replace their existing OSSM systems; and
- Concern regarding the excessive contribution costs required by Sydney Water to connect to sewer.

Officer Comments:

Buffer distance requirements

No change to the Policy is proposed in response to this matter. Buffer distances refer to the distance required between an OSSM system and other features on a site or surrounding area (e.g. a dwelling or boundary). They are designed to ensure that an OSSM system is operating with minimal impact to public health and the environment.

Buffer distance requirements to boundaries are not proposed to change from Council's previous Sewage Management Strategy adopted in 2006. Buffer distance requirements are set by the State Government and are provided in the Guidelines for On-site Sewage Management for Single Households (Office of Water, NSW).

Connection to sewer

In accordance with the *Local Government Act 1993*, properties situated within 75 metres of a sewer main may be directed to connect to the mains within 12 months of a connection becoming available.

This reference was not detailed in the 2006 Sewage Management Strategy, however it remained an option for Council to consider in newly sewerred areas. The new Policy provides more guidance around this requirement.

In practice, Council does not require a property to connect to sewer if the existing OSSM system is operating satisfactorily.

It is proposed to include further clarification in the Policy (clause 10.1.3). Where properties are situated within 75 metres of a sewer main, Council will consider allowing an existing OSSM system to remain where it can be demonstrated that the existing system is operating in accordance with the approval to operate, Australian Standards and Guidelines, and that no changes are proposed to the site which would impact the operation of the existing system. Any environmental and health risks will also be considered, and each application will be assessed on its merits.

Sewer Contribution Cost

The provision of sewage infrastructure is a State government responsibility. Council will continue to advocate for residents regarding the costs associated to install and connect to sewerage infrastructure.

Submission Two

The matters raised in this submission relate to:

- Flexibility for the wording of section 10 (connecting to mains sewer) as concern was raised about the practicality of the sewerage main locations if requiring a connection;
- Flexibility for the use of treated wastewater and the implementation of a flexible system for using wastewater based on climatic conditions, which would be implemented at a local level and supported by a signage system (similar to a bushfire danger sign);
- Flexibility with buffer restrictions to reduce setbacks during dryer months; and

- Flexibility with greywater reuse.

Officer Comments:**Connection to sewer**

As discussed above, Council does not require a property to connect to sewer if the existing OSSM system is operating satisfactorily. It is proposed to include further clarification on this matter in the Policy (clause 10.1.3).

Use of treated wastewater

No change to the Policy is proposed in response to this matter. The Policy seeks to relax the requirements for the use of treated wastewater via spray irrigation. Whilst the submission proposed further innovative ideas for flexible use of treated wastewater, they do not comply with Australian Standards and Guidelines.

Buffer distance requirements

No change to the Policy is proposed in response to this matter. Buffer distance requirements are set within the Guidelines for On-site Sewage Management for Single Households (Office of Water, NSW). The Policy applies the buffer distances set by the guidelines.

Flexibility with greywater reuse

No change to the Policy is proposed in response to this matter. Greywater is not covered in detail by this Policy. Council is governed by the guidelines set out in the *Local Government (General) Regulation 2021* and the NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises. These Guidelines take into consideration the health and environmental risks associated with greywater reuse.

Submission Three

This submission relates to the lack of sewerage mains infrastructure and potable water connection for their property.

Officer Comments:

This submission is not directly related to the Policy and is a matter for Sydney Water. Council officers have provided assistance to the resident by raising the matter directly with Sydney Water.

FINANCIAL IMPLICATIONS

There are no financial implications for Council arising from this report.

CONCLUSION

Following the exhibition of the On-Site Sewage Management Policy, three submissions were received.

Council officers have considered the submissions and in response, recommend minor amendments to the Policy to provide further clarity for premises connecting to sewer. In addition, the Policy has been updated to reflect current legislation and standards. No further changes have been made to the Policy since the public exhibition.

It is recommended that the OSSM Policy be adopted with the amendments as discussed in this report.

RECOMMENDED

That Council:

- i. **adopt the On-Site Sewage Management Policy provided as an attachment to this report;**
- ii. **notify the submitters of Council's decision; and**
- iii. **rescind the 2006 Sewage Management Strategy.**

ATTACHMENTS

1. Draft On-Site Sewage Management Policy - Submission 1 - Confidential - *Supporting Document*
2. Draft On-Site Sewage Management Policy - Submission 2 - Confidential - *Supporting Document*
3. Draft On-Site Sewage Management Policy - Submission 3 - Confidential - *Supporting Document*
4. Draft On-Site Sewage Management Policy

ORD05**ORD05**

**SUBJECT: ACCEPTANCE OF FUNDING - SOUTH WEST GROWTH AREA
PRECINCT PLANNING**

FROM: Director Planning & Environment

EDMS #: 22/221773

PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of funding from the Department of Planning and Environment (the Department) to assist with precinct planning within the South West Growth Area.

BACKGROUND

In November 2019, the Minister for Planning and Public Spaces announced a new approach to precinct planning. Under this approach, Council is now required to consider Planning Proposals to rezone land within the South West Growth Area (both proponent and Council-led).

The Department has offered Council \$120,000 (excl. GST) to assist with precinct planning. It is proposed to utilise this funding to contribute towards actions identified in Council's Local Housing Strategy to support precinct planning in the South West Growth Area.

MAIN REPORT

The Department has recently offered Council \$120,000 (excl. GST) to assist Council with precinct planning for land within the South West Growth Area.

Council's Local Housing Strategy notes the South West Growth Area will provide for the majority of housing demand and growth. The Strategy identifies actions to inform appropriate housing choice and diversity within the South West Growth Area. The funding offer from the Department will assist in delivering these Strategy actions to inform housing outcomes in the South West Growth Area.

FINANCIAL IMPLICATIONS

The funding will assist Council to assist with precinct planning for the South West Growth Area. On completion, Council must return any unspent funds to the Department.

CONCLUSION

Council has been successful in securing funding from the Department to assist with precinct planning for the South West Growth Area. It is recommended that Council accept the funding.

ORD05

RECOMMENDED**That Council:**

- i. accept the funding of \$120,000 (excl. GST) from the Department of Planning and Environment, for inclusion in the 2022/23 budget, to assist with precinct planning for the South West Growth Area; and**
- ii. write to The Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes, thanking him for the funding.**

ORD06

ORD06

SUBJECT: APPOINTMENT OF EXPERT MEMBERS AND COMMUNITY REPRESENTATIVES TO THE CAMDEN LOCAL PLANNING PANEL**FROM:** Director Planning & Environment**EDMS #:** 22/163414**PURPOSE OF REPORT**

The purpose of this report is to seek Council's endorsement to appoint/reappoint Expert Members and Community Representatives to the Camden Local Planning Panel ('the Panel').

BACKGROUND

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

LPP meetings comprise four members from a pool of members, including a Chair, two Expert Members and a Community Representative. The Chairs and Expert Members appointed to a LPP must be approved by the Minister for Planning. Community Representatives are recruited, selected and appointed by Councils however, under the criteria established by the State Government, mayors, councillors, property developers and real estate agents are not eligible for appointment.

On 13 February 2018, Council considered a report that sought Council's endorsement for the selection of Chairs, Expert Members and Community Representatives for the Camden Local Planning Panel (CLPP). The appointments were made for a term of three years, being the maximum term permitted under the *Environmental Planning and Assessment Act 1979*.

On 9 February 2021, Council considered a report on the reappointment of Chairs, Expert Members and Community Representatives on the CLPP. At that meeting, Council resolved to reappoint the current Chairs and Expert Members and Community Representatives on the Panel for a period of up to 12 months. The reappointments were recommended for a period of up to 12 months to allow future membership on the Panel (Expert Member and Community Representatives) to be determined by the new Council following the local government elections.

On 14 September 2021, Council considered a further report that sought to extend the appointments of the current Expert Members and Community Members on the CLPP to 30 June 2022. The extension was required to account for the postponement of the local government elections and to ensure there was sufficient time for the new Council to consider any appointments/reappointments to the Panel.

It is noted that at the Ordinary Council Meeting on 8 June 2021, Council resolved to appoint the Chair and Alternate Chairs on the Camden Local Planning Panel for a period extending to 29 February 2024.

Councillors were briefed on the matter on 24 May 2022.

MAIN REPORT

Expert Members

On 13 February 2018, Council resolved to appoint the following Expert Members to the Panel:

- Ms Mary-Lynne Taylor;
- Mr Grant Christmas;
- Ms Sue Francis;
- Mr Michael File; and
- Ms Rachel Harrison.

In September 2021, Ms Rachel Harrison resigned from her position as an Expert Member on the Panel.

It is recommended that Council reappoint the existing Expert Members on the Panel. To ensure there is an adequate pool of Expert Members, it is further recommended that Council appoint a new independent expert (from the pool of experts approved by the Minister for Planning) to replace Ms Rachel Harrison. Following discussions of potential expert members with the Chair of the Panel, it is recommended that Council appoint Ms Glennys James as the new independent expert. Ms James is the former Director Planning and Development/Assistant CEO at Blacktown City Council.

The CVs of the recommended Expert Members are provided as a **supporting document**.

Community Representatives

On 13 February 2018, Council resolved to appoint the following Community Representatives to the Panel:

- Mr Bill Rooney;
- Mr Keith Hart;
- Mr Dean Boone;
- Mr Steve Lyons;
- Ms Debby Dewbery; and
- Ms Mary-Anne Strickling.

Since that time a number of Community Representatives have resigned from the Panel for various reasons. There are currently two Community Representatives on the Panel, namely Mr Bill Rooney and Mr Steve Lyons.

To replenish the pool of Community Representatives on the Panel Council carried out an Expression of Interest (EOI) seeking Community Representative nominations. The EOI was advertised on Council's 'Your Voice Camden' community engagement website from 10 March to 29 April 2022. The EOI was also advertised in local newspapers and on Council's social media.

The selection criteria for community representation on the CLPP was advertised as follows:

- Be a current resident within the LGA;
- Have an understanding of the LGA and issues of concern to the local community;
- Have the capacity to form independent views and to contribute constructively to the determination of applications;
- Be able to demonstrate a basic level of understanding of the planning system, i.e. knowledge of the council's local environmental plan, development control plan, local strategic planning statement or community strategic plan;
- Be committed to:
 - Following the *Code of Conduct for Local Planning Panel Members* and the Local Planning Panels Operational Procedures;
 - Attending local planning panel meetings and completing panel business in required timeframes.

In addition to the selection criteria, the legislation mandates that a person is not eligible to be a member on the panel if that person is:

- a) *A Councillor of that or any other council;*
- b) *A property developer within the meaning of section 96GB of the Election Funding, Expenditure and Disclosure Act 1981; or*
- c) *a real estate agent within the meaning of the Property, Stock and Business Agents Act 2002.*

Following receipt of applications, an interview panel was established that considered the nominations and conducted short telephone interviews with the applicants. Applicants were asked to outline what they could offer as a Community Representative on the Panel; outline their understanding of the NSW planning system and any specific legislation affecting the Camden LGA; and outline their understanding of the key issues facing the Camden LGA with regards to development matters.

The EOI applications are attached as a **supporting document**.

Recommended Community Members

It is recommended that the following persons be appointed / reappointed as Community Representatives on the Panel:

Central Ward

- **Bill Rooney** – Bill has been a Community Representative on the CLPP since 1 March 2018. As an existing Community Representative, Bill has a good understanding of the NSW planning system/legislation and the key development related issues facing Camden.
- **Christopher Shinn** – Christopher is a qualified planner with a thorough understanding of the NSW planning system/legislation and a good appreciation of local and regional development related issues facing Camden.

North Ward

- **Domenic Pezzano** – Domenic is a member of the Leppington Progress Association (current President) who has a good understanding of the LPP process, the NSW planning framework and the development-related issues facing Camden.
- **Sean Jeppesen** – Sean is a qualified legal practitioner who has a good understanding of the NSW planning legislation and the key development-related issues facing the Camden LGA.

South Ward

- **Steve Lyons** – Steve has been a Community Representative on the CLPP since 1 March 2018. As an existing Community Representative, Steve has a good understanding of the NSW planning system/legislation and the development-related issues facing Camden.
- **James Davis** – James is a qualified engineer and current director (and former chair) of the Regional Aviation Association of Australia. James has a clear understanding of the NSW planning system/framework and the local and regional development related issues facing Camden.
- **Debby Dewbery** – Debby has over three years of experience as a Community Representative on the CLPP. Debby has extensive experience representing the community of Camden and a good understanding of the NSW planning system.

While the Community Representatives are appointed from the various wards of Council, they are not restricted to only voting on items from their respective wards, but rather form a pool of members that are periodically rotated. The Chair is responsible for determining the composition of members to be used at a local planning panel meeting.

Term of Appointment

Under the *Environmental Planning and Assessment Act 1979*, a member of a local planning panel may not hold office for more than three years in a single term and more than six years in total.

As the current Expert Members and Community Representatives were originally appointed on 1 March 2018, it is recommended that the reappointments be for a period extending to 1 March 2024 (i.e. six years in total).

All new appointments are recommended for a period of up to three years.

Panel Member Remuneration

The Minister for Planning has determined the remuneration to be paid by Council to Expert Members and Community Representatives. They are:

- Expert Members - \$1,500 (plus GST) per meeting and \$214 (plus GST) per hour for business that is undertaken outside of meetings; and
- Community Representatives – a minimum of \$500 (plus GST) per meeting and \$71 (plus GST) per hour for business that is undertaken outside of meetings.

The minimum per meeting rate is inclusive of all work a panel member does for a meeting, including preparation, site visits, the meeting itself and any deliberation and voting by the panel on matters considered at the meeting once the meeting is closed.

At the Ordinary Council Meeting on 13 February 2018, Council resolved to pay Community Representatives \$1,000 (plus GST) per meeting and \$71 (plus GST) per hour for business that is undertaken outside of meetings and it is recommended that Council maintain this level of remuneration.

Probity Checks

All panel members are required to undertake probity checks. The Department of Planning and Environment conducts a range of background checks for Chairs and Expert Members, including criminal, financial and academic checks.

Council is required to arrange probity checks for Community Representatives that must include (as a minimum):

- Public register of real estate agents check;
- Bankruptcy record check; and
- National Police check.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The current term for Expert Members and Community Representatives on the Panel expires on 30 June 2022.

It is recommended that Council reappoint the current Expert Members and Community Representatives on the Panel for a period extending up to 1 March 2024. It is further recommended that Council appoint the new Expert Member and Community Representatives on the Panel for a period of up to three years.

RECOMMENDED

That Council:

- i. appoint the following Expert Members to the Camden Local Planning Panel for a period extending to 1 March 2024:
 - a. Mary-Lynne Taylor;
 - b. Grant Christmas;
 - c. Sue Francis;
 - d. Michael File;
- ii. appoint the following Expert Member to the Camden Local Planning Panel for a period of up to three years:
 - a. Glennys James;
- iii. appoint the following Community Representatives to the Camden Local Planning Panel for a period extending to 1 March 2024:
 - a. Bill Rooney;
 - b. Steve Lyons;
 - c. Debby Dewbery;
- iv. appoint the following Community Representatives to the Camden Local Planning Panel for a period of up to three years:
 - a. James Davis;
 - b. Christopher Shinn;
 - c. Sean Jeppesen;
 - d. Domenic Pezzano;
- v. pay Community Representatives on the Panel \$1,000 (plus GST) per meeting and \$71 (plus GST) per hour for business that is undertaken outside of meetings;
- vi. carry out probity checks for all Community Representatives; and
- vii. write to each person who submitted an Expression of Interest thanking them for their application and informing them of the outcome.

ATTACHMENTS

1. Expert Member CV's - *Supporting Document*
2. Community Representative EOI Applications - *Supporting Document*

ORD07

ORD07

SUBJECT: POWER OF ATTORNEY
FROM: Director Customer & Corporate Strategy
EDMS #: 22/166159

PURPOSE OF REPORT

The purpose of this report is to recommend that Council endorse attorney appointments, revoke the existing power of attorney and authorise a revised power of attorney.

BACKGROUND

It is proposed to update Council's power of attorney to reflect the current organisational structure and to make an adequate number of attorneys available.

A Councillor Update was provided to Councillors on this matter on 13 May 2022.

MAIN REPORT

Legal considerations

The *Powers of Attorney Act 2003* allows a person to give powers to act on their behalf to their attorney.

Council is able to do so as it is a 'person' under section 21(1) of the *Interpretation Act 1987*, which includes 'an individual, a corporation and a body corporate or politic'. Under section 220(1) of the *Local Government Act 1993* (LG Act), a Council is a body politic of the State.

Section 377(1) of the LG Act states that a Council may, by resolution, delegate to the General Manager, or any other person or body, any functions of the Council other than the functions listed in that section.

Where a matter relates to a function that cannot be delegated under section 377(1), such as the sale and purchase of land or the borrowing of money, Council is able to enter into a contract or agreement by affixing its seal, which requires a specific process to be followed. As an alternative, Council can appoint attorneys to sign such documents on behalf of Council.

Council may also decide that documents concerning delegated functions can be signed by its attorneys.

A power of attorney is considered a more convenient and efficient means of executing documents than the affixing of the seal. The power of attorney itself will require execution under seal. A power of attorney must be registered at Land Registry Services to enable execution of property related documents for registration.

This power of attorney can be terminated, revoked or suspended by Council at any time.

Amendments to attorney appointments

From time to time, amendments are recommended to be made to Council's attorney appointments so they remain current with Council's structure. For example, events that would result in a change of circumstances that may require Council's attorneys to be reviewed are:

- Election resulting in a change of Mayor
- Appointment of new Directors
- A review of Council's Adaptive Organisational Framework.

To reflect the current organisational structure, it is proposed that Council revoke the existing Power of Attorney and enter into a revised Power of Attorney.

Appointment of attorneys

As Council's attorneys, it is proposed that the following individuals are reappointed:

- Therese Fedeli (Mayor);
- Ron Moore (General Manager);
- Nicole Magurren (Director Planning and Environment);
- Sandra Kubecka (Director Community Assets);
- Tina Chappell (Director Sport, Community and Activation);
- Paul Rofe (Chief Financial Officer); and
- Charles Weber (Manager Legal and Governance);

and that the following individual is appointed:

- Samantha Sharkey (Director Customer and Corporate Strategy).

The appointments are to be formalised in the proposed Power of Attorney instrument, which is provided as an **attachment** to this report.

The proposed instrument is otherwise the same as the current instrument and subject to the same restrictions and conditions, including that its powers may only be exercised to give effect to a resolution of Council or in the course of performing delegated functions.

FINANCIAL IMPLICATIONS

This report has no financial implications for Council apart from registration fees at Land Registry Services.

CONCLUSION

To reflect Council's current organisational structure, it is proposed to update attorney appointments as outlined in the report and register the power of attorney with Land Registry Services.

RECOMMENDED

That Council:

- i. appoint Therese Antonia Fedeli, Ronald James Moore, Nicole Maree Magurren, Sandra Anne Kubecka, Tina Leeanne Chappell, Samantha Eva Jane Sharkey, Paul Andrew Rofe and Charles William John Weber as attorneys of Council in accordance with the proposed Power of Attorney attached to the report;**
- ii. authorise the execution of the proposed Power of Attorney under the Seal of Council;**
- iii. revoke the existing Power of Attorney as from the date of execution of the proposed Power of Attorney; and**
- iv. register the proposed Power of Attorney with Land Registry Services.**

ATTACHMENTS

1. Draft General Power of Attorney Instrument - 2022

SUBJECT: OUTCOME OF THE PUBLIC EXHIBITION OF THE CODE OF MEETING PRACTICE

FROM: Director Customer & Corporate Strategy

EDMS #: 22/191019

PURPOSE OF REPORT

The purpose of this report is to inform Council of submissions received during public exhibition of the draft Code of Meeting Practice (Meeting Code) and to recommend Council adopt the revised Meeting Code with minor amendments.

BACKGROUND

At its Ordinary meeting of 8 March 2022, Council resolved to authorise the public exhibition of the draft Meeting Code for a period of 42 days with submissions to be made to Council within that period. Council also resolved, if submissions are received, to receive a further report following the exhibition period to consider submissions made and to adopt a final Code of Meeting Practice.

The draft Meeting Code was placed on public exhibition with submissions closing on 29 April 2022. Council received three submissions within the public exhibition period.

Councillors were briefed on the matter on 23 February and 24 May 2022.

MAIN REPORT

The draft Meeting Code as exhibited proposes a number of amendments.

Below is a summary of the substantive changes.

Provisions relating to meeting by audio-visual link

The revised Model Meeting Code contains new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link, and to either cancel a meeting or hold a meeting by audio-visual link in the event of a natural disaster or public health emergency. Related provisions concern staff attending by audio-visual link with the approval of the General Manager; how disorder by Councillors attending via audio-visual link may be dealt with; the process for declaring and managing conflicts of interest; and the recording of attendance in the minutes.

There are also associated amendments which are proposed for supplementary provisions, comprising:

- Clause 3.35 – This provides that Councillor briefings may also be held by audio-visual link; and
- Appendix D (Public Address Session Guidelines) – This provides that public address speakers may choose to participate in-person or by audio-visual link.

Provisions relating to webcasting and disorder at meetings

The revised Model Meeting Code includes amendments to the provisions governing the webcasting of meetings and disorder at meetings to reflect amendments made to the Regulation since the previous iteration of the Model Meeting Code was prescribed.

The amendments pertaining to webcasting concern the requirements for recording a meeting by means of an audio or audio-visual device, and making the recording publicly available.

The amendments pertaining to disorder at meetings concern what constitutes an act of disorder and what the Chairperson may require a Councillor to do following an act of disorder.

Provision relating to the oath or affirmation of office and conflict of interest disclosures

The revised Model Meeting Code includes an amendment which implements recommendation 6 in the ICAC's report 'Operation Dasha'. ICAC recommended that the Model Meeting Code be amended to require that council business papers include a reminder to councillors of their oath or affirmation of office, and their conflict of interest disclosure obligations.

Additional proposed enhancements

There are further amendments, which are proposed to reflect current practice at Council, comprising:

- Clause 3.35 – This has been updated to reflect that Councillor briefings are generally held on the third and fourth Tuesday of each month; and
- Clause 8.1 – This has been updated to reflect that Councillors have the option of making an affirmation instead of saying a prayer.

Submissions

Under Section 362 of the *Local Government Act 1993* (the Act), Council may, after considering all submissions received by it concerning the draft Meeting Code, amend the provisions of the draft Meeting Code that are 'non-mandatory' provisions or adopt the draft Meeting Code without amendment. If the Council decides to amend the draft Meeting Code and is of the opinion that the amendments are not substantial it may adopt the amended draft Meeting Code without public exhibition.

One submission received by Council requests a revision of Clause 5.17 of the draft Meeting Code, which relates to meetings held by audio-visual link. This would amend the non-mandatory provision as follows:

A meeting of the Council or a Committee of the Council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may ~~put the health and safety of Councillors and staff at risk~~ put Councillors and/or staff at risk...

The potential health and safety risks apply to Councillors and staff equally. Accordingly, it is not recommended that this provision be changed.

This submission also requests revisions of Clause 5.37 and 5.39 which both relate to live streaming. This would amend the supplementary provisions respectively as follows:

At the start of each meeting, the Chairperson is to make a statement that, in accordance with Camden Council's Code of Meeting Practice and as permitted under the Local Government Act 1993, the meeting is being live streamed (if applicable) and recorded by Council staff ...

Although mandatory clause 5.35 does not require live streaming, Council has committed in its supplementary provision to live stream meetings for additional transparency and accessibility. Accordingly, it is not recommended that this provision be changed.

For the purposes of clause 5.38, Council will broadcast an audio-visual live stream (where practicable) of each Council meeting and upload an audio-visual recording of that meeting...

The meeting would not need to be cancelled if (for example) there was a technical issue with the live stream as mandatory clause 21.1(e) provides that proceedings at a meeting of a Council are not invalidated because of a failure to comply with the Code. This reflects section 374 of the Act. Accordingly, it is not recommended that this provision be changed.

The second submission received relates to the receipt of petitions and requested the inclusion of a template designed for petitions for residents and the community to use as a base.

Supplementary Clause 20.2 of the draft Meeting Code outlines the following requirements for a petition (not being an e-petition) to be valid:

- *Contains a written statement requesting Council to do something or to refrain from doing something.*
- *Contains a covering letter addressed to the General Manager or Mayor containing a clear and concise statement identifying the subject matter of the petition along with the full name, address, phone number and signature of the principal petitioner.*
- *Each person who signed the petition has included their full name, address, signature and ~~date of signature~~.*

It is recommended that this provision be changed to remove the requisite for each petitioner to provide the date of their signature. It is further recommended that an Appendix E be added to the Draft Meeting Code that provides a petition template for residents and the community to use.

The final submission received relates to Councillor briefings and requests to reconsider the inclusion of supplementary clause 3.35 from the Model Meeting Code which reads:

Council may hold regular briefings generally on the fourth Tuesday of each month or otherwise as determined by the General Manager from time to time. Councillor briefings are informal gatherings or briefing sessions and may involve Councillors, Council staff and invited participants. Such briefings shall be chaired by the General Manager or another senior Council officer and should not be used for detailed or advanced discussions where agreement is reached. In conducting such briefings, Council is cognisant of its obligations and responsibilities in terms of open decision making and transparency of process.

As an alternative a further request was made to amend the current clause to:

- Require Councillors to disclose and manage conflicts of interest at briefings.
- Detail procedural matters including minute taking, how briefings are conducted, and any confidentiality obligations.
- Require the appointment of an independent community member to observe briefings and ensure the absence of impropriety.

The continued inclusion of Council's current supplementary provision on briefings (clause 3.35) is considered appropriate, and provides that briefings are not a decision-making forum. Therefore, it is unnecessary to detail applicable procedural matters. Also, the Model Meeting Code includes several non-mandatory provisions in relation to 'pre-meeting briefing sessions', including one specifying that they are to be held in the absence of the public.

It is always open to a Councillor to disclose an interest in a briefing or to decide not to attend a briefing on a particular matter. However, this is not a requirement for briefings. Practices in briefings, including the management of interests, are a matter for the General Manager to determine from time to time.

The participation of an 'independent community member' is also not supported as it undermines the confidential purpose of briefings.

It is not recommended that this provision be changed.

Further Amendment

A further amendment to the Draft Meeting Code is proposed to Clause 5.30 to include an allowance for potential technical issues. This would amend the non-mandatory provision as follows:

*A Councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times during the meeting except **where precluded by technical issues** or as may be otherwise provided for under this Code.*

A copy of Council's draft Meeting Code is provided as an **attachment**. The **mandatory** provisions are marked up in **purple font**, and the **non-mandatory** or **supplementary** provisions are marked up in **blue font**. Deleted text is marked with strikethrough.

Copies of the submissions are provided as a **supporting document**.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

A draft Code of Meeting Practice was placed on public exhibition. It is recommended that, as detailed within this report, Council adopt the revised Code of Meeting Practice with minor amendments.

RECOMMENDED

That Council:

- i. **adopt the revised Code of Meeting Practice; and**
- ii. **notify the submitters of Council's decision.**

ATTACHMENTS

1. Submissions - *Supporting Document*
2. Draft Code of Meeting Practice

ORD09

ORD09

SUBJECT: PRIVACY MANAGEMENT PLAN
FROM: Director Customer & Corporate Strategy
EDMS #: 22/166247

PURPOSE OF REPORT

The purpose of this report is to recommend that Council adopt the revised Privacy Management Plan (PMP).

BACKGROUND

Under section 33 of the *Privacy and Personal Information Protection Act 1998* (PPIPA), all councils are required to have a PMP and provide a copy to the NSW Privacy Commissioner.

The PMP was last reviewed on 27 March 2018 and is now due for review.

A Councillor briefing on this matter was held on 17 May 2022.

MAIN REPORT

The PMP is a strategic planning document in which a council describes the measures it proposes to take to ensure that it complies with the PPIPA and the *Health Records and Information Privacy Act 2002* (HRIPA).

Since the last review of the PMP, the Information and Privacy Commissioner has released new details on what councils should include in their plans and how councils' policies, procedures and practices should comply with the PPIPA and the HRIPA. There have also been amendments to relevant legislation and statutory instruments.

The object of the PMP is to inform:

- The community about how their personal information will be stored, accessed, used and disclosed after it is collected by the Council;
- Council staff of their obligations in relation to handling personal information and when they can and cannot collect, use or disclose it.

The Information Protection Principles (IPPs) in the PPIPA and Health Privacy Principles (HPPs) in the HRIPA apply to NSW councils and regulate the collection, storage, use and disclosure of personal and health information. The principles also give members of the public a right to request access to their personal or health information or to ask for amendments to that information to ensure it is accurate.

Council's PMP includes strategies to comply with the IPPs and the HPPs. Those strategies refer to the main types of personal and health information that Council deals with to carry out its functions and activities.

The PMP contains information so that Council staff can understand how to deal with personal and health information appropriately and where to go to find out more information about this (for instance, referring to other relevant policies or speaking to the Privacy Contact Officer about specific privacy concerns).

The PMP also contains information so that members of the public can understand:

- Council's functions and activities;
- The main kinds of personal and health information that Council deals with to carry out its functions and activities;
- The strategies that Council has adopted to comply with the NSW privacy legislation;
- How a person can request access to, or amendment of, their personal or health information; and
- How a person can request a privacy internal review or make a complaint about a breach of privacy.

A copy of the revised Privacy Management Plan, including tracked changes, is provided as **Attachment 1** to this report.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

It is proposed that Council adopt the revised Privacy Management Plan and note that a copy will then be forwarded to the NSW Privacy Commissioner.

RECOMMENDED

That Council adopt the revised Privacy Management Plan and note that a copy will be forwarded to the NSW Privacy Commissioner.

ATTACHMENTS

1. Privacy Management Plan

ORD10

ORD10

SUBJECT: STATEMENT OF BUSINESS ETHICS
FROM: Director Customer & Corporate Strategy
EDMS #: 22/183903

PURPOSE OF REPORT

The purpose of this report is for Council to consider a revised Statement of Business Ethics (the Statement).

BACKGROUND

The Statement was initially adopted by Council on 14 February 2017. It was further reviewed without change in February 2019 and is now due for review again.

Councillors were briefed on the matter on 17 May 2022.

MAIN REPORT

The Statement is intended to help ensure that Council's business is conducted in an ethical manner. The standards in the revised Statement continue to be governed by the following four key principles:

- (i) Objectivity
- (ii) Fairness
- (iii) Openness
- (iv) Value for Money.

The key proposed amendments to the Statement include:

- A statement affirming that Council has a zero-tolerance approach to fraud and corruption or modern slavery in business dealings (in line with the Audit Office Fraud Control Improvement Kit and the NSW *Modern Slavery Act 2018*);
- A statement that lobbying should be avoided where there is a formal assessment procedure in place for a proposal (in line with recommendation 3(d) of the Independent Commission Against Corruption's (ICAC) Operation Eclipse report);
- Inclusion of references to consultants and the application of the *Public Interest Disclosures Act 1994* and *Independent Commission Against Corruption Act 1988* (in line with recommendation 21 of the ICAC Operation Dasha report);
- Reference to key Council Work Health and Safety policies; and
- Minor grammatical changes and updating of job and policy titles.

The proposed amendments to the Statement are provided as tracked changes in **Attachment 1** to this report.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

It is proposed that Council adopt the revised Statement of Business Ethics.

RECOMMENDED

That Council adopt the revised Statement of Business Ethics.

ATTACHMENTS

1. Statement of Business Ethics

ORD11**ORD11**

**SUBJECT: NOTICE TO THE MINISTER FOR LANDS AND WATER OF COUNCIL'S
NATIVE TITLE MANAGERS**

FROM: Director Customer & Corporate Strategy

EDMS #: 22/166284

PURPOSE OF REPORT

The purpose of this report is to obtain a resolution of Council to give notice to the Minister for Lands and Water of the name and contact details of Council's Native Title Managers.

BACKGROUND

In accordance with Section 8.8 of the *Crown Land Management Act 2016*, Council is required to give notice to the Minister for Lands and Water the name and contact details of Council's Native Title Managers by 31 October each year. Notification to the Minister must be a Council resolution; it cannot be delegated to the General Manager under the *Local Government Act*.

A Councillor Update was provided to Councillors on this matter on 3 June 2022.

MAIN REPORT

A Native Title Manager is a person who has undertaken the approved training, facilitated jointly by the Crown Solicitor's Office and the Department of Planning, Industry and Environment – Crown Lands, and holds the necessary qualification issued by the Department of Planning, Industry and Environment – Crown Lands.

The role of a Native Title Manager is to ensure that Native Title legislation is applied correctly when dealing with Crown Land management issues, predominantly the issuing of leases, licences and permits and the approval of plans of management.

Council officers Chantel Fenech, Property Services Coordinator, and Monique Spek, Property Officer, have attained the Native Title Manager qualification.

The Property Services Coordinator and Property Officer were appointed as Council's Native Title Managers in July 2019.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this responsibility.

CONCLUSION

Council must employ or engage at least one Native Title Manager to ensure dealings with Crown Land comply with any applicable provisions of the Act.

It is recommended that Council re-confirm that Property Services Coordinator, Chantel Fenech, and Property Officer, Monique Spek, are still Council's Native Title Managers, as required under Section 8.8 of the *Crown Land Management Act 2016* and advise the Minister accordingly.

ORD11

RECOMMENDED

That Council give notice to The Hon. Kevin Anderson MP, Minister for Lands and Water, of the contact details of Council's Property Services Coordinator, Chantel Fenech, and Property Officer, Monique Spek, as its Native Title Managers, as required under Section 8.8 of the *Crown Land Management Act 2016*.

ORD12

ORD12

SUBJECT: INVESTMENT MONIES - APRIL 2022
FROM: Director Customer & Corporate Strategy
EDMS #: 22/194131

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2021*, a list of investments held by Council as at 30 April 2022 is provided.

MAIN REPORT

The weighted average return on all investments was 0.77% p.a. for the month of April 2022. The industry benchmark for this period was -0.19% (Ausbond Bank Bill Index) and the official cash rate as determined by the Reserve Bank of Australia (RBA) as at 30 April 2022 was 0.10%.

On the 7 June 2022, the Board of the Reserve Bank of Australia subsequently increased the official cash rate to 0.85%.

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

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

RECOMMENDED

That Council:

- i. **note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. **note the list of investments for April 2022; and**
- iii. **note the weighted average interest rate return of 0.77% p.a. for the month of April 2022.**

ATTACHMENTS

1. Investment Report - April 2022

SUBJECT: COMMUNITY GRANTS PROGRAM 2022
FROM: Director Sport, Community & Activation
EDMS #: 22/177599

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the recommended allocations for the Community Grants Program.

BACKGROUND

On 9 March 2021, Council endorsed the Community Support Package - Stage 3, to provide ongoing support to both businesses and residents.

The package included financial grants available to incorporated associations, not-for-profit groups, sporting groups, businesses and individuals located in or servicing the Camden Local Government Area (LGA).

Categories for the 2022 round included Community Small Grants, Community Sponsorship, Sport and Recreation Grants and Cultural Activation Seed Grants.

Applications were assessed using set guidelines and criteria to ensure equity, probity and consistency in evaluating requests.

Councillors were briefed on the matter on 10 May 2022.

MAIN REPORT

Council's Community Grants Program has been developed to provide assistance to community groups to deliver projects and events that address gaps in service delivery, create innovation and activation, and demonstrate wider community benefit.

The grants program was promoted widely through direct mail, social media, Council's website and community service providers. Eligibility criteria was published on Council's website and grants platform, and information sessions were also held via Zoom.

A table outlining all applications received and officer recommendations is provided as an **attachment** to this report.

Community Small Grants 2022

The Community Small Grants Program consisted of three categories: Health and Wellbeing, Culture and Inclusion and Minor Works. Incorporated associations, charities and not-for-profit organisations could apply for a total of up to \$2,500 (excl. GST). A total of 14 applications were received to a total value of \$35,742 (excl GST).

Each application was assessed against the program guidelines and criteria with consideration given to:

- Community benefit;
- The timeline of project delivery;
- The contribution of the organisation towards the project or program; and
- Consideration of community needs and service gaps.

The assessment panel has recommended 10 applications for funding under the Community Small Grants Program as outlined below:

No.	Name of applicant	Project Name	Amount recommended
1.	The Benevolent Society	Trauma Informed Yoga	\$1,850
2.	Mother Hubbard's Cupboard in Camden Inc.	Disaster Relief Essentials	\$2,500
3.	Big Yellow Umbrella	Educational Aboriginal Incursion for Supported Playgroups	\$2,300
4.	Men's Shed Narellan Inc.	Air Purification System	\$2,418
5.	Macarthur Australasian Native Orchid Society	Equipment Support	\$975
6.	Mother Hubbard's Cupboard in Camden Inc.	Keeping people safe	\$2,500
7.	Rapid Relief Team RRT	Camden RRT Personal Care Kits	\$2,500
8.	Autism Spectrum Australia (Aspect)	Interactive technology for students on the autism spectrum at Aspect Macarthur School	\$2,500
9.	Turning Point	Roadside Rescue Relief	\$2,500
10.	Local Community Ventures	Elevate - Creative Youth Space	\$2,500
Total value of projects recommended for funding (excl. GST)			\$22,543

Sport and Recreation Grants 2022

The Sport and Recreation Program received a total of 15 applications requesting monetary support to a total value of \$74,367 (excl. GST). Local sporting groups, clubs and organisations could apply for a total of up to \$6,500 (excl. GST).

Each application was assessed against the program guidelines and criteria with consideration given to:

- Benefit to the local community;
- Consideration of sustainable programs including coach development or administration development;
- Projects for target groups including female participation, inclusion & diversity; and
- Projects that enhanced pathway development for athletes and participation opportunities.

The assessment panel has recommended 10 applications for funding under the Sport and Recreation Program:

No.	Name of applicant	Project Name	Amount recommended
1.	Softball Macarthur	Refrigerator Replacement	\$6,500
2.	Group 6 Rugby League Referees Association	Coaching Grant for Junior Referees Development	\$6,500
3.	South West Rugby League Football Club Inc.	South West Goannas Replacement of Equipment Lost in Floods	\$6,500
4.	Rainbow Club Australia	Gregory Hills Rainbow Club - Mental Health and Social Cohesion	\$6,332
5.	The Scouts Association of Australia NSW Branch	Getting Scouts Back to the Bush	\$5,946
6.	BaptistCare NSW & ACT	Sports & Expression Program – Camden	\$5,500
7.	Oran Park Cricket Club	Multicultural Engagement Cricket Programs	\$3,575
8.	Camden Junior AFL	AFL club for children aged 8 - 17. The group also operate Auskick for children aged 4-7	\$3,202
9.	South West Rugby League Football Club Incorporated	South West Goannas Women and Girls Get Active Day	\$1,768

No.	Name of applicant	Project Name	Amount recommended
10.	Camden United Physie and Dance	Teach the Teachers - Ballet and Stretch	\$523
Total value of projects recommended for funding (excl. GST)			\$46,346

Community Sponsorship 2022

The Community Sponsorship Program received a total of eight applications requesting monetary support to a total value of \$55,285 (excl. GST).

Each application was assessed against the program guidelines and criteria with consideration given to:

- Not-for-profit groups, organisations or individuals seeking to organise an event/activity/service within the Camden LGA that has benefit to the wider community;
- Festivals, special events and activities that will enhance and promote community wellbeing, the lifestyle of residents and provide a service to the resident or business community of the Camden LGA;
- Organisations that encourage economic and/or tourism opportunities within the Camden LGA.

The assessment panel has recommended six applications for funding under the Community Sponsorship Program:

No.	Name of applicant	Event Name	Amount recommended
1.	Narellan Chamber of Commerce and Industry	Christmas in Narellan	\$10,000 <i>cash</i> \$500 <i>in-kind</i>
2.	Camden Musical Society	September 2022 Musical Production	\$5,000 <i>in-kind</i>
3.	Mrs Charmaine Newmark	Camden Wellness Expo	\$2,000 <i>in-kind</i>
4.	St Paul's Catholic Primary School	St Paul's Primary School Fete	\$1,500 <i>in-kind</i>
5.	C3 New Hope Mount Annan	Christmas Eve Carols & Fireworks	\$1,000 <i>monetary</i> \$500 <i>in-kind</i>
6.	Grace Anglican Church, Harrington Park	Harrington Park Community Carols	\$1,000 <i>monetary</i> \$500 <i>in-kind</i>
Total value of projects recommended for funding (excl. GST)			\$22,000

Cultural Activation Seed Grant

The Cultural Activation Seed Grant made funding available to an individual artist or creative, a small to medium arts organisation or creative business in any art form or art media located within the Camden LGA.

Creative programming or new artwork could request up to \$3,000 (excl. GST), while post-Covid support for securing new space for cultural groups could request up to \$2,000 (excl. GST).

Council received six Cultural Activation Grant applications in total, requesting \$16,500 (excl. GST) in monetary support. Each application was assessed against the program guidelines and criteria, with consideration given to:

- Clear artistic/creative rationale and objectives for the project;
- Proposed key activities within the project timeframe;
- Clear outcomes relating to engaging identified community target groups;
- Evidence of a well-structured implementation plan;
- Evaluation of the project/plan; and
- Relevant supporting material.

The assessment panel has recommended all six applications for funding under the Cultural Activation Seed Grant.

No.	Name of applicant	Project Name	Amount recommended
1.	Ms Aruna Gandhi	Dancing down the Yellow Brick Road	\$1,500
2.	Mrs Deonie Bird Raboso	Wild Flowers	\$1,300
3.	Mrs Soraya Nematollahi	Ceramic Sculpture Installation	\$1,500
4.	HandyBelles Care Pty Ltd	The HandyBelles Connects Art Exhibition	\$1,500
5.	LusciousGear2u-Cobbitty Gallery	Cobbitty Open Door Project	\$1,500
6.	Ms Ho Yee Wong	Brushstroke Therapy	\$2,581
Total value of projects recommended for funding (excl. GST)			\$9,881

FINANCIAL IMPLICATIONS

There is sufficient budget allocated to fund the total of \$100,770 (excl. GST) as outlined in this report.

CONCLUSION

A total of 43 applications have been received across the four grant categories. The recommendations as outlined in this report see a total of 32 applications supported to a total value of \$100,770 (excl. GST).

The applications include a variety of programs and projects that will benefit the wider Camden community, and provide assistance to a range of community organisations, sporting and cultural groups.

RECOMMENDED

That Council:

- i. approve the recommended allocation of funding for the Community Small Grants of \$22,543 (excl. GST);**
- ii. approve the recommended allocation of funding for the Sport and Recreation Grants of \$46,346 (excl. GST);**
- iii. approve the recommended allocation of funding for the Community Sponsorship Grants of \$22,000 (excl. GST);**
- iv. approve the recommended allocation of funding for the Cultural Activation Seed Grants of \$9,881 (excl. GST); and**
- v. write to each applicant advising them of the outcome of this report and thanking them for their participation in the program.**

ATTACHMENTS

1. Summary - Community Grants Program 2022

ORD14

SUBJECT: LEPPINGTON OVAL (PAT KONTISTA) - PUBLIC EXHIBITION OF DRAFT MASTERPLAN

FROM: Director Sport, Community & Activation

EDMS #: 22/223125

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to place the draft Leppington Oval (Pat Kontista) Masterplan on public exhibition for a period of 28 days.

BACKGROUND

A draft Masterplan has been developed for the 17.34ha site known in part as Leppington Oval (Pat Kontista), Leppington outlined in RED in **Figure 1** below.

The Leppington Oval (Pat Kontista) Masterplan precinct is a combination of three land areas shown in the Masterplan as area 1A, area 1B and area 1C.



Figure 1 – Subject Site (Leppington Oval (Pat Kontista) Precinct / 1A, 1B, 1C)

Located in the South-West Growth Area, Leppington Oval (Pat Kontista) is identified to facilitate recreation and open space for the wider Leppington Precinct through the expansion of land and facilities identified within the draft masterplan.

Leppington Oval (Pat Kontista) currently has the following sport and recreation facilities:

- A sports ground with a football field and a synthetic cricket pitch;
- Concrete spectator seating and a shelter;
- A tennis court;
- Two playgrounds; and
- Two unsealed car parks.

Councillors were briefed on this matter on 24 May 2022.

MAIN REPORT

Masterplan Development

The draft masterplan has been developed with a focus on meeting the needs of key user groups as well as providing a high-quality precinct of public open space for the community.

The masterplan has been developed using the Camden Council Public Domain Design Principles.

- Place Based;
- Natural and Sustainable;
- Holistic and Integrated;
- Creativity and Innovation;
- Relevant and Inclusive; and
- Healthy and Active.

Draft Masterplan Proposed Outcomes

The draft masterplan is broken down into three parts and is provided as **Attachment 1** to this report. The draft masterplan seeks to achieve a range of outcomes and upgrades, and includes the following:

Masterplan 1A

- 3 full sized playing fields;
- 3 tennis courts;
- Multipurpose sports court;
- Fitness stations;
- Nature play and play spaces;
- Shared paths; and
- Community centre.

Masterplan 1B

- Fitness stations;
- Share path network along Scalabrini Creek; and
- Boardwalk.

Masterplan 1C

- Playspace;
- Boardwalks;
- Fitness stations;
- Open lawn areas; and
- Extensive path network.

Community Engagement

As part of the community engagement process, it is proposed to place the draft masterplan on public exhibition for a period of 28 days.

During the exhibition period, staff will conduct pop-up engagements, promote feedback via social media channels and on Council's website through 'Your Voice Camden'. Surrounding residents will also receive direct mail notification about the exhibition.

Where to from Here?

At the conclusion of the exhibition period, submissions received will be reported back to Council with the draft masterplan for consideration.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council has prepared a draft masterplan for Leppington Oval (Pat Kontista), Leppington. The draft masterplan seeks to improve the user experience and to guide the future development of the Precinct.

It is proposed to place the draft masterplan on public exhibition for a period of 28 days and provide a further report to Council at the conclusion of the public exhibition period.

RECOMMENDED

That Council:

- endorse proceeding to public exhibition of the draft Leppington Oval (Pat Kontista) Precinct Masterplan for a period of 28 days; and**
- consider a further report at the conclusion of the public exhibition period.**

ATTACHMENTS

1. Leppington Oval Draft Masterplan

ORD15**ORD15**

SUBJECT: DAWSON-DAMER PARK, ORAN PARK - ESTABLISHMENT OF AN ALCOHOL PROHIBITED AREA

FROM: Director Community Assets

EDMS #: 22/174985

PURPOSE OF REPORT

The purpose of this report is to approve the establishment of an Alcohol Prohibited Area in Dawson-Damer Park, Oran Park.

BACKGROUND

Council opened a splash park in Dawson-Damer Park, Oran Park, in 2020. In consultation with Police the park has been assessed and it has been deemed appropriate to formally establish the park as an Alcohol Prohibited Area. This is due to the intended usage and patronage of this space being predominantly families, children and teenagers, where alcohol consumption, associated possible anti-social behaviour, and the risk of broken alcohol containers, would not be considered appropriate.

Councillors were briefed on this matter on 17 May 2022.

MAIN REPORT

Alcohol Prohibited Areas (APAs) prohibit the consumption of alcohol in parks and reserves and are established under the *Local Government Act 1993* with procedures for establishment identified in the Office of Local Government *Circular 10-33 – Alcohol Prohibited Areas – Amendments to the Local Government Act 1993*. APAs are considered one of many tools for the management of anti-social behaviour.

In 2009, Council resolved, on the recommendation of Police, that all new APAs be time-limited to be active between 9pm and 8am. While the establishment of night-time only APAs continues to be appropriate for the majority of parks and reserves, it has been acknowledged that 24-hour restrictions are appropriate at some specific locations such as splash parks and youth-focussed public spaces. This view is also supported by Police.

Council officers have observed and removed empty and broken alcohol containers at this location on a number of occasions, which may cause a risk to children and park users. Due to this fact, and the predominant user groups of this space being children, youths and families, Police support the establishment of a 24-hour, 7-days a week APA at Dawson-Damer Park.

Existing signage at Dawson-Damer, installed by the developer, currently indicates the prohibition of alcohol within the splash park area. However, this is unable to be enforced by Police as the official establishment of the APA has not been undertaken.

In addition, an amendment to the previous Council resolution ORD170/09 limiting APAs to only be active between the hours of 9pm to 8am is required for the establishment of a 24-hour, 7-days a week APA. It is noted the establishment of any future APAs will be briefed to Council prior to implementation.

FINANCIAL IMPLICATIONS

There are no financial implications to this report.

CONCLUSION

APAs prohibit the consumption of alcohol in parks and reserves and are considered one of many tools for the management of anti-social behaviour. Following consultation with the Police, it is proposed to establish a 24-hour, 7-days a week APA at Dawson-Damer Park, Oran Park. To support this, an amendment to the previous resolution ORD170/09 which limited APAs to only be active between the hours of 9pm to 8am is required.

RECOMMENDED

That Council:

- i. **amend resolution ORD170/09 to allow 24-hour, 7-days per week restrictions to apply at specific locations, as considered appropriate; and**
- ii. **approve the establishment of a 24-hour, 7-days per week Alcohol Prohibited Area at Dawson-Damer Park, Oran Park.**

ATTACHMENTS

1. Dawson-Damer Park APA

ORD16**ORD16**

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - GREENER
NEIGHBOURHOODS GRANT PROGRAM**
FROM: Director Community Assets
EDMS #: 22/175023

PURPOSE OF REPORT

The purpose of this report is to advise Council of the receipt of grant funding of \$50,000 (excl. GST), through the NSW Government's Greener Neighbourhoods Grant Program administered by the Department of Planning and Environment, to develop the Camden Urban Forest Strategy 2023-2033, and to seek Council's endorsement to accept the funds.

BACKGROUND

In February 2022, the Department of Planning and Environment invited local councils across Greater Sydney to apply for grants to support strategic urban forest planning under a \$1.65 million Greener Neighbourhoods Grant Program. The funding is being made available to support councils to protect and enhance tree canopy in Greater Sydney.

MAIN REPORT

The NSW Government has advised Council that it was successful in its application for \$50,000 (excl. GST) under the Greener Neighbourhoods Program to develop the Camden Urban Forest Strategy 2023-2033 (Strategy).

The development of the Strategy will support Council and its community in achieving its key direction of a healthy urban and natural environment and will complement existing Council strategies.

The Strategy will provide guidance for urban forest implementation and contemporary management to achieve locally relevant canopy targets. The Strategy will also identify community engagement initiatives to engage and educate the community on the value of trees and urban greening.

FINANCIAL IMPLICATIONS

Council will receive funding of \$50,000 (excl. GST) from the Department of Planning and Environment.

CONCLUSION

Council has been successful in its application for \$50,000 (excl. GST) to develop the Camden Urban Forest Strategy 2023-2033 under the NSW Government's Greener Neighbourhoods Program. The Strategy will support Council, and its community, in achieving its key direction of a healthy urban and natural environment.

RECOMMENDED

That Council:

- i. accept grant funding of \$50,000 (excl. GST) from the NSW Government's Greener Neighbourhoods Program for inclusion in the 2022/2023 budget to develop the Camden Urban Forest Strategy 2023-2033;**
- ii. write to The Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes, thanking him for the grant; and**
- iii. write to Mr Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

ORD17

ORD17

SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW WEEDS ACTION PROGRAM 2020-2025 - KIDNEY LEAF MUD PLANTAIN

FROM: Director Community Assets

EDMS #: 22/231294

PURPOSE OF REPORT

The purpose of this report is to advise Council of grant funding in the sum of \$10,000 (excl. GST) from Greater Sydney Local Land Services under the NSW Weeds Action Program 2020-2025 to control Kidney-Leaf Mud Plantain at a property in Ellis Lane, and to seek Council's endorsement to accept the funds.

BACKGROUND

The NSW Weeds Action Program 2020-2025 is a NSW Government initiative to reduce the impact of weeds guided by the NSW Invasive Species Plan and NSW Biosecurity Strategy. The NSW Department of Industry has provided funding to Greater Sydney Local Land Services to implement the Greater Sydney Regional Strategic Weed Management Plan, where grant funded activities contribute to achieving the weed management goals of the NSW Invasive Species Plan.

Under the *Biosecurity Act 2015*, Council as the Local Control Authority for weeds in the Camden Local Government Area, has a legal obligation to prevent, eliminate, minimise and manage the biosecurity risk posed or likely to be posed by reducing the impacts of Priority Weeds on the community, agriculture and the environment.

MAIN REPORT

Kidney-Leaf Mud Plantain was first introduced to Australia as an ornamental pond plant but is now recognised as a water weed that forms dense mats in shallow freshwater and on damp soil at the water's edge. This weed grows in freshwater less than 15 centimetres deep and in damp soil at the edge of water bodies such as rivers, drains, irrigation channels and wetlands. Kidney-Leaf Mud Plantain is capable of spreading from plant fragments and strict hygiene procedures are required for the control of this plant.

Under the Greater Sydney Regional Strategic Weed Management Plan, Kidney-Leaf Mud Plantain is identified as a regional priority weed for eradication requiring all identified plants to be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment.

Council conducts regular inspections of private property in accordance with the *Biosecurity Act 2015* to assist in educating the community and reducing Priority Weed populations. Recently, Kidney-Leaf Mud Plantain was identified on a property in Ellis Lane.

FINANCIAL IMPLICATIONS

Council will receive funding of \$10,000 (excl. GST) from the Greater Sydney Local Land Services under the NSW Weeds Action Program 2020-2025 to fund the control of Kidney-Leaf Mud Plantain at a property in Ellis Lane.

CONCLUSION

Kidney-Leaf Mud Plantain is identified as a regional priority weed for eradication under the Greater Sydney Regional Strategy Weed Management Plan. Recently, Kidney-Leaf Mud Plantain was identified on a property in Ellis Lane. Council has been successful in obtaining \$10,000 (excl. GST) from Greater Sydney Local Land Services under the NSW Weeds Action Program 2020-2025 to control Kidney-Leaf Mud Plantain.

RECOMMENDED

That Council:

- i. **accept grant funding of \$10,000 (excl. GST) from Greater Sydney Local Land Services for inclusion in the budget to control Kidney-Leaf Mud Plantain at a property in Ellis Lane;**
- ii. **write to The Hon. Dugald Saunders MP, Minister for Agriculture, thanking him for the grant; and**
- iii. **write to Mr Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

ORD18**ORD18**

**SUBJECT: TENDER T001/2022 - PRINCIPAL CONTRACTOR FOR THE CAMDEN
RSL YOUTH FACILITY AMENITIES UPGRADE**
FROM: Director Community Assets
EDMS #: 22/204904

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T001/2022 – Principal Contractor for the Camden RSL Youth Facility Amenities Upgrade and recommend that Council accept the tender submitted by Rogers Constructions Group Pty Ltd.

BACKGROUND

At its meeting of 21 March 2021, Council accepted funding for the upgrade of the Camden RSL's youth facilities.

Following consultation with the users of the Camden RSL Youth Facility, the proposed works include:

- Upgrade of the existing amenities;
- Entrance improvements;
- Bin storage compound;
- Carparking improvements; and
- General repair to the eastern façade to ensure a watertight structure.

MAIN REPORT**Legislation**

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

Contract Term

The contract term is for the duration of the construction works which, based on the tender program submitted, COVID implications, assessment of likely permissible extensions of time such as inclement weather and site conditions, is anticipated to be approximately 14 weeks.

Works are scheduled to commence on site in July 2022 and be completed in December 2022.

Work, Health & Safety Requirements

The selected tender meets all WHS requirements for this contract.

Certificates of Currency

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

Advertising of Tenders

An open tender for T001/2022 – Principal Contractor for Camden RSL's Youth Facility Amenities Upgrade was called on 22 February 2022 and publicly advertised on Council's website.

The tender was open for a period of 28 days until the closing date of 23 March 2022 and was available through the e-tendering website: www.tenders.nsw.gov.au.

Tenders Received

Council received tender responses from the following organisations:

Tender	Suburb
Axis Constructions Pty Ltd	Arndell Park
CC Consulting Group Pty Ltd	Condell Park
Pride Plumbing Pty Ltd	Heathcote
Rogers Construction Group Pty Ltd	Norwest
Secure Building Solutions Pty Ltd	Oakhurst

Tender Evaluation Process

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

- Price;
- Schedule of rates;
- Program;
- Project methodology and approach;
- Previous experience and team;
- Local supplier within LGA; and
- Work, Health and Safety.

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

Tender Compliance Panel

Tender submissions and evaluations were reviewed and endorsed by the Tender Compliance Panel.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation from existing budgets to proceed with the proposed works in accordance with the terms and conditions of this tender. A financial review of the information available demonstrates the company's ability to service the requirements of the tender.

CONCLUSION

It is recommended that Council accept the tender from Rogers Construction Group Pty Ltd. This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in similar sized projects and demonstrated best value for money.

RECOMMENDED

That Council accept the tender provided by Rogers Construction Group Pty Ltd as per the terms and conditions of Tender T001/2022 - Principal Contractor for Camden RSL's Youth Facility Amenities Upgrade, for the lump sum of \$477,843.67 (excl. GST) in accordance with Council's adopted budget.

ATTACHMENTS

1. T001-2022 Tender Evaluation Report - *Supporting Document*

ORD19

SUBJECT: TENDER T003/2022 - DESIGN AND CONSTRUCT CHANGEROOM FACILITY, ONSLOW PARK
FROM: Director Community Assets
EDMS #:22/209066

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T003/2022– Design and Construct Changeroom Facility, Onslow Park and recommend that Council accept the tender submitted by Sullivans Constructions Pty Ltd.

BACKGROUND

At its meeting of 8 June 2021, Council accepted funding from the NSW Department of Planning, Industry and Environment – Showground Stimulus Funding Program to improve the user experience at the Camden Showgrounds and remove the need for temporary infrastructure.

Following consultation with the Camden Show Society and local facility users, Council developed a scope of works which included improvements to the sports field lighting, communications equipment and a new change facility. The sports field lighting works are underway and the communication equipment upgrades are completed. Concept plans for the new change facility have been prepared and are provided as **Attachment 1** to this report.

Following consultation with the Camden Show Society and other users of Onslow Park the proposed facility design includes:

- Two change rooms including showers and toilets; and
- A covered walkway between the existing grandstand and new change facility.

The new building will be designed to minimise potential damage from flooding.

MAIN REPORT

Legislation

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

Contract Term

The contract term is for the duration of the construction works which, based on the tender program submitted, COVID implications, assessment of likely permissible extensions of time such as inclement weather and site conditions, is anticipated to be approximately eight months.

Works are scheduled to commence on site in August 2022 and be completed in March 2023.

Work, Health & Safety Requirements

The selected tender meets all WHS requirements for this contract.

Certificates of Currency

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

Advertising of Tenders

A tender for T003/2022 – Principal Contractor for Design and Construct New Change Room Facility, Onslow Park was called on 15 March 2022 and publicly advertised on Council's website.

The tender was open for a period of 21 days until the closing date of 6 April 2022 and was available through the e-tendering website: www.tenders.nsw.gov.au.

Tenders Received

Council received seven tender responses from the following organisations:

Tender	Suburb
Axis Constructions Pty Ltd	Arndell Park
Sydbuilt Projects Pty Ltd	Milperra
Vbuilt Constructions Pty Ltd	Botany
BuildCo Projects Pty Ltd	Wetherill Park
Greenwich Build Pty Ltd	North Sydney
Sullivans Constructions Pty Ltd	Miranda
Willis Brant Projects Pty Ltd	Blackheath

Tender Evaluation Process

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

- Price;
- Experience in design and construct contracts for similar projects;
- Qualifications and experience of personal;
- Local supplier within LGA; and
- Work, Health and Safety.

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

Tender Compliance Panel

Tender submissions and evaluations were reviewed and endorsed by the Tender Compliance Panel.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation from the Showground Stimulus Funding Program to proceed with the proposed works in accordance with the terms and conditions of this tender.

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

CONCLUSION

It is recommended that Council accept the tender from Sullivans Constructions Pty Ltd. This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in similar sized projects, and demonstrated best value for money.

RECOMMENDED

That Council accept the tender provided by Sullivans Constructions Pty Ltd as per the terms and conditions of Tender T003/2022 - Principal Contractor for Design and Construct New Change Room Facility, Onslow Park, for the lump sum of \$495,121.26 (excl. GST) in accordance with Council's adopted budget.

ATTACHMENTS

1. 2020-20.0 A01-C Onslow Park-New Change Rooms
2. 2020-20.0 A02-B Onslow Park-New Change Rooms
3. T003/2022 Tender Evaluation Report - *Supporting Document*

ORD20

ORD20

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - PROPOSED RAISING OF WARRAGAMBA DAM WALL
FROM: Cr Campbell
EDMS #: 22/229827

"I, Councillor Eva Campbell, hereby give notice of my intention to move the following at the Council Meeting of 14 June 2022:

That Camden Council strongly oppose the proposed raising of the Warragamba Dam wall on environmental, economic, cultural, social and historic grounds and:

- Notify our opposition to WaterNSW;
- Notify the Member for Camden, Mr Peter Sidgreaves, of our opposition;
- Indicate our full support for the indigenous heritage of the traditional owners of the land, the Gundungurra people;
- Express our respect for indigenous culture, kinship with land and sacred sites;
- Express our opposition to the inundation of any known, and unknown, sacred sites potentially impacted by this proposal;
- Support the UNESCO World Heritage Committee's declaration that the proposal to raise the Warragamba Dam wall is "incompatible with the World Heritage status of the Greater Blue Mountains World Heritage Area";
- Oppose the loss of flora which will result if this proposal proceeds, particularly the magnificent emergent Camden White Gums which are synonymous with critically endangered Cumberland Plain Woodland;
- Oppose the loss of habitat for endangered and critically endangered fauna such as the Regent Honeyeater, koalas and platypuses, recognising the latter as Camden Council's symbol of sustainability;
- Declare our opposition to the gross inadequacies of the Environmental Impact Statement (EIS);
- Challenge the flood mitigation claims of the EIS, particularly in relation to historic and topographically inaccurate assessments;
- Communicate our opposition to, and liaise with, Blue Mountains City, Wollondilly and any other Councils who are opposed to the proposal to raise the Warragamba Dam wall."

RECOMMENDED

That Council strongly oppose the proposed raising of the Warragamba Dam wall on environmental, economic, cultural, social and historic grounds and:

- i. **notify our opposition to WaterNSW;**
- ii. **notify the Member for Camden, Mr Peter Sidgreaves, of our opposition;**
- iii. **indicate our full support for the indigenous heritage of the traditional owners of the land, the Gundungurra people;**

ORD20

- iv. **express our respect for indigenous culture, kinship with land and sacred sites;**
- v. **express our opposition to the inundation of any known, and unknown, sacred sites potentially impacted by this proposal;**
- vi. **support the UNESCO World Heritage Committee's declaration that the proposal to raise the Warragamba Dam wall is "incompatible with the World Heritage status of the Greater Blue Mountains World Heritage Area";**
- vii. **oppose the loss of flora which will result if this proposal proceeds, particularly the magnificent emergent Camden White Gums which are synonymous with critically endangered Cumberland Plain Woodland;**
- viii. **oppose the loss of habitat for endangered and critically endangered fauna such as the Regent Honeyeater, koalas and platypuses, recognising the latter as Camden Council's symbol of sustainability;**
- ix. **declare our opposition to the gross inadequacies of the Environmental Impact Statement (EIS);**
- x. **challenge the flood mitigation claims of the EIS, particularly in relation to historic and topographically inaccurate assessments;**
- xi. **communicate our opposition to, and liaise with, Blue Mountains City, Wollondilly and any other Councils who are opposed to the proposal to raise the Warragamba Dam wall.**

ORD21

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - VANDALISM AT SPORTS FIELDS
FROM: Cr C Cagney
EDMS #: 22/234423

"I, Councillor Cindy Cagney, hereby give notice of my intention to move the following at the Council Meeting of 14 June 2022:

That Council staff prepare a report for Councillors on the recent vandalism caused by vehicles at Birriwa Reserve, Mount Annan and Mick Doohan Oval playing fields and Jack Brabham Reserve, Oran Park, outlining investigations, findings and possible solutions to minimise risk in the future."

RECOMMENDED

That Council staff prepare a report for Councillors on the recent vandalism caused by vehicles at Birriwa Reserve, Mount Annan and Mick Doohan Oval playing fields and Jack Brabham Reserve, Oran Park, outlining investigations, findings and possible solutions to minimise risk in the future.

SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC
FROM: General Manager
EDMS #: 22/180670

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

- Acquisition of Land - Leppington

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

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

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

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


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


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

RECOMMENDED

That Council:

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

 70 Central Ave,
Oran Park NSW 2570

 mail@camden.nsw.gov.au

 PO Box 183, Camden 2570

 camden.nsw.gov.au

 4654 7777

 ABN: 31 117 341 764

 www.facebook.com/camdencouncil



camden
council