



Camden Council

Business Paper

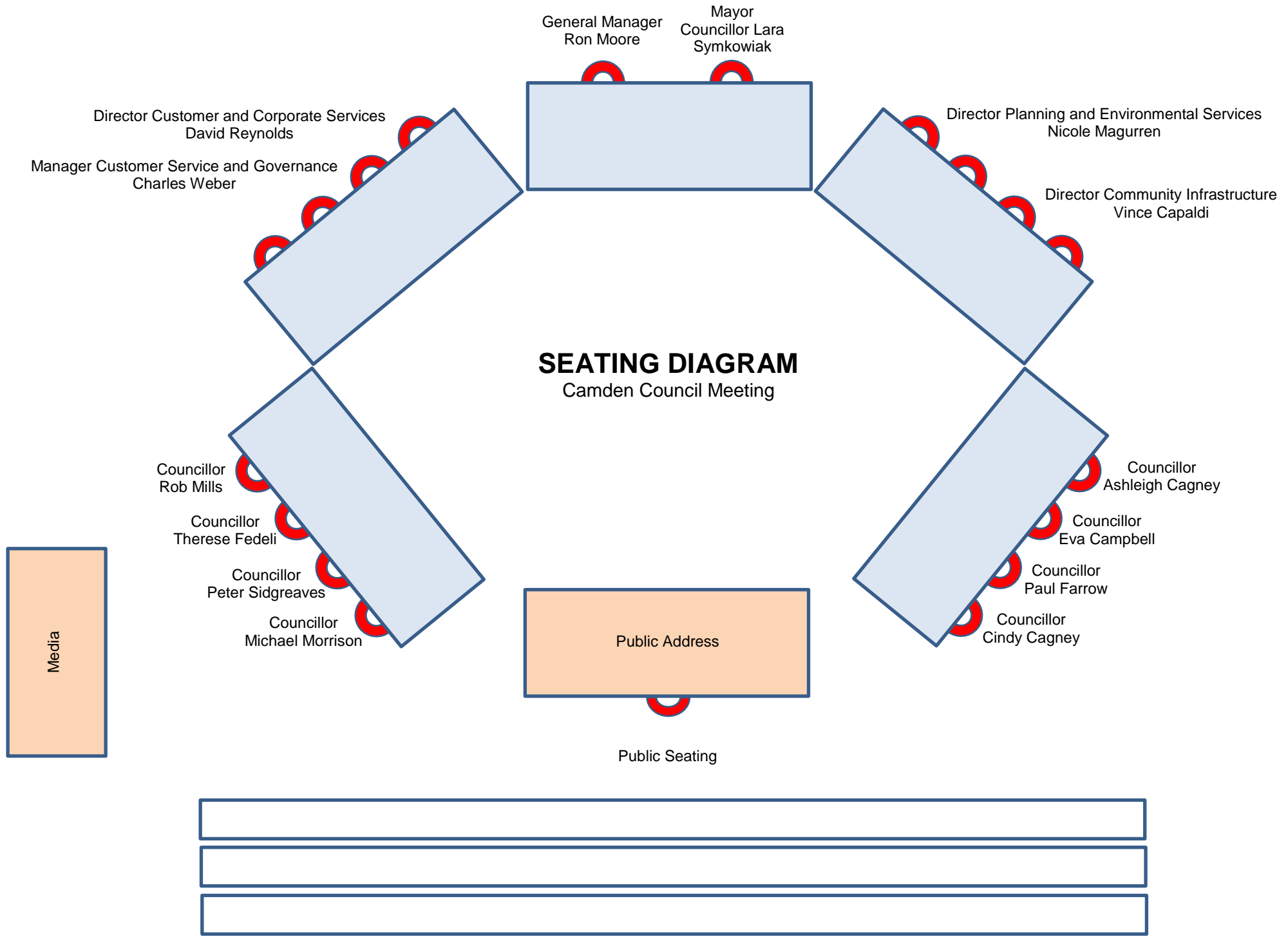
Ordinary Council Meeting
27 September 2016

Camden Council
Administration Centre
70 Central Avenue
Oran Park



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DoPE	Department of Planning & Environment
DoIRE	Department of Industry Resources and Energy
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
NSWH	NSW Housing
OLG	Office of Local Government, Department of Premier & Cabinet
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 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
WSROC	Western Sydney Regional Organisation of Councils



SEATING DIAGRAM
Camden Council Meeting

General Manager
Ron Moore

Mayor
Councillor Lara
Symkowiak

Director Customer and Corporate Services
David Reynolds

Manager Customer Service and Governance
Charles Weber

Director Planning and Environmental Services
Nicole Magurren

Director Community Infrastructure
Vince Capaldi

Councillor
Rob Mills

Councillor
Therese Fedeli

Councillor
Peter Sidgreaves

Councillor
Michael Morrison

Councillor
Ashleigh Cagney

Councillor
Eva Campbell

Councillor
Paul Farrow

Councillor
Cindy Cagney

Public Address

Public Seating

Media



ORDINARY COUNCIL

ORDER OF BUSINESS - ORDINARY COUNCIL

Prayer	6
Acknowledgement of Country	7
Oath and Affirmation	8
Recording of Council Meetings	9
Apologies.....	10
Declaration of Interest.....	11
Public Addresses	12
Confirmation of Minutes	13
Mayoral Minute	14
ORD01 Election of Mayor - 2016/2018	15
ORD02 Election of Deputy Mayor 2016/2018	17
ORD03 Councillor Representatives on Committees	19
ORD04 Local Government NSW Annual Conference	20



ORDINARY COUNCIL

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)



ORDINARY COUNCIL

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.



ORDINARY COUNCIL

SUBJECT: 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 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 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”.



ORDINARY COUNCIL

SUBJECT: RECORDING 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 audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the *Local Government Act 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

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. Speakers must submit an application form to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

Speakers are limited to one topic per Public Address session. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address 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 (1) question per speaker per meeting.

Speakers should ensure that their statements, comments and questions comply with the Guidelines.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

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

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.

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 23 August, 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 23 August, 2016, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: ELECTION OF MAYOR - 2016/2018
FROM: Director Customer & Corporate Services
TRIM #: 16/232579

The position of Mayor is required under section 225 of the *Local Government Act 1993* (the Act). The procedures to be followed in respect of the election of the Mayor are set out in section 290 of the Act (timing), clause 394 of the *Local Government (General) Regulation 2005* (Regulation) (method) and Schedule 7 of the Regulation (process).

It should be noted that, in accordance with recent amendments to the Act, the mayoral term has been extended from one to two years and therefore the elected Mayor will hold office until September 2018.

Nominations

To be nominated for election to the position of Mayor, a nomination form must be completed. The nomination form must be signed by two Councillors, one of whom may be the nominee, and must indicate the consent of the nominee.

The form must be delivered to the General Manager before 4pm on Tuesday 27 September 2016. To assist, a number of nomination forms have been issued under separate cover to each Councillor for this purpose.

Election process

If only one nomination is received, no election is required.

If more than one nomination is received, Council will be required to resolve the method of voting. Three methods are available:

- Show of hands (open voting);
- Ordinary ballot;
- Preferential ballot.

Past practice has been to conduct elections by show of hands. This method does not require the use of ballot papers.

If Council decides to use one of the other methods, ballot papers will be handed to each Councillor for completion. It is important that the ballot papers are completed correctly to ensure that they constitute formal votes. Informal votes are described in clause 345 of the Regulation.

Ordinary and preferential ballots must be conducted as secret ballots.

The General Manager will act as the returning officer for the election.

Action required:

- (a) If only one candidate is nominated - The General Manager will declare the candidate elected.



-
- (b) If more than one candidate is nominated - Council is to determine the method of voting as per the Report.

RECOMMENDED

That Council:

- i. if there is only one valid nomination, authorise the General Manager to declare the nominated Councillor to be the duly elected Mayor for the 2016/2018 term;**
- ii. if there is more than one valid nomination:**
 - (a) determine the method of voting;**
 - (b) hold an election for the office of Mayor at the Council Meeting of 27 September 2016 under the supervision of the General Manager as returning officer; and**
 - (c) once the election result is known, authorise the General Manager to declare the candidate with the majority vote the duly elected Mayor for the 2016/2018 term.**



ORDINARY COUNCIL

ORD02

SUBJECT: ELECTION OF DEPUTY MAYOR 2016/2018
FROM: Director Customer & Corporate Services
TRIM #: 16/232583

Unlike the position of Mayor, which is required under section 225 of the *Local Government Act 1993* (the Act), the position of Deputy Mayor is optional and Councillors may elect a Deputy Mayor for the mayoral term or a shorter period under section 231 of the Act. Although optional, past practice has been to retain the position of Deputy Mayor for each mayoral term.

The position of Deputy Mayor does not involve any additional responsibilities or functional authorities beyond the normal role of a Councillor, except when requested by the Mayor or at times when the Mayor is prevented by illness, absence or otherwise from carrying out the duties of office. At such times, the Deputy Mayor assumes the role and authorities of the Mayor as specified under section 226 of the Act.

The procedures required to be followed in respect of the election of Deputy Mayor are the same as for the election of the Mayor and are set out in clause 394 of the *Local Government (General) Regulation 2005* (method) and Schedule 7 of the Regulation (process).

Nominations

To be nominated for election to the position of Deputy Mayor, a nomination form must also be completed. The nomination must be signed by two Councillors, one of whom may be the nominee, and must indicate the consent of the nominee.

The form must be delivered to the General Manager by 4pm on Tuesday, 27 September, 2016. To assist, a number of nomination forms have been issued separately to each Councillor for this purpose.

Election process

If only one nomination is received, no election is required.

If more than one nomination is received, Council will be required to resolve the method of voting. Three methods are available:

- Show of hands (open voting);
- Ordinary ballot;
- Preferential ballot.

Past practice has been to conduct elections by show of hands. This method does not require the use of ballot papers.

If Council decides to use one of the other methods, ballot papers will be handed to each Councillor for completion. It is important that the ballot papers are completed correctly to ensure that they constitute formal votes. Informal votes are described in clause 345 of the Regulation.



Ordinary and preferential ballots must be conducted as secret ballots.

The General Manager will act as the returning officer for the election.

Action required:

- (a) If only one candidate is nominated - The General Manager will declare the candidate elected.
- (b) If more than one candidate is nominated - Council is to determine the method of voting as per the Report.

RECOMMENDED

That Council:

- i. determine to appoint a Deputy Mayor for the mayoral term;**
- ii. if there is only one valid nomination, authorise the General Manager to declare the nominated Councillor to be the duly elected Deputy Mayor for the 2016/2018 term;**
- iii. if there is more than one valid nomination:**
 - (a) determine the method of voting; and**
 - (b) hold an election for the office of Deputy Mayor at the Council Meeting of 27 September 2016 under the supervision of the General Manager as returning officer; and**
 - (c) once the election result is known, authorise the General Manager to declare the candidate with the majority vote the duly elected Deputy Mayor for the 2016/2018 term.**



ORDINARY COUNCIL

ORD03

SUBJECT: COUNCILLOR REPRESENTATIVES ON COMMITTEES
FROM: Director Customer & Corporate Services
TRIM #: 16/232586

PURPOSE OF REPORT

The purpose of this report is to review and determine Councillors' membership to various Committees.

MAIN REPORT

Following the election of the Mayor and Deputy Mayor, it is normal practice to select or reconfirm Councillor representatives on various Committees. These selections are generally reviewed and reconfirmed annually.

A list of the relevant Committees and Councillor representatives is **attached to this report**.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

It is recommended that Councillors are selected to represent Council as Committee members for the Committees as attached.

RECOMMENDED

That Council select Councillors to represent Council as Committee members required as per the attached list of Committees.

ATTACHMENTS

1. Councillor Representatives on Committees



ORDINARY COUNCIL

ORD04

SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE
FROM: Director Customer & Corporate Services
TRIM #: 16/232617

PURPOSE OF REPORT

The purpose of this report is to:

1. Advise Councillors of the upcoming 2016 Local Government NSW (LGNSW) Annual Conference; and
2. Seek nominations for Council's voting delegates (if any).

BACKGROUND

The LGNSW Annual Conference (Conference) will take place from Sunday 16 - Tuesday 18 October, 2016 at WIN Entertainment Centre, Wollongong.

Online registration is now open on the LGNSW website and all attendees must register. Full details of the Conference including the program are available on the LGNSW website.

The Conference will provide the opportunity for delegates to vote on policy motions. There will be no Board elections held at the Conference.

MAIN REPORT

Voting on Motions

Ordinary LGNSW members (including Council) and associate members who are financial can vote, through their delegates, on policy motions that require consideration by the Conference.

Voting Delegates

In order to vote on motions at the Conference, Council must nominate its voting delegates. This is separate from registering to attend the Conference. Council is entitled to nominate five voting delegates to vote at the Conference and must register the delegates by 30 September, 2016.

Nature of Motions

The Board has resolved that motions will be included in the business paper for the Conference where they:

1. Are consistent with the objects of the Association;
2. Relate to Local Government in NSW and/or across Australia;
3. Concern or are likely to concern Local Government as a sector;



4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. Are clearly worded and unambiguous in nature; and
7. Do not express preference for one or several members over one or several other members.

The text of motions will be included as part of the Conference business papers in due course.

Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy

In accordance with clauses 7.5 and 8.4 of Council's Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy (Policy), any expenses incurred by Councillors attending Conferences, including travel, registration costs and incidental Conference costs, are not reimbursable. Instead, Councillors are to personally fund (or utilise their Councillor annual allowance to fund) any expense incurred for Conference attendance.

FINANCIAL IMPLICATIONS

The registration cost for each attendee is \$999 (including GST). In accordance with Council's Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy, all costs incurred are payable by Councillors.

CONCLUSION

Councillors are able to register to attend the Conference and Council is entitled to vote on policy motions at the Conference. Council can nominate up to five voting delegates up to Friday 30 September, 2016 to attend the Conference.

RECOMMENDED

That Council:

- i. **note the information in this report;**
- ii. **request Councillors to advise Council's General Manager if they wish to attend the LGNSW Annual Conference so that bookings can be made accordingly; and**
- iii. **determine the voting delegates to attend the 2016 Local Government NSW Annual Conference and advise Local Government NSW by 30 September, 2016.**

ATTACHMENTS

1. LGNSW Annual Conference Draft Program