



Camden Council

Business Paper

Ordinary Council Meeting
8 October 2019

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
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPIE	Department of Planning, Industry & 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
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
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

General Manager
Ron Moore

Mayor
Theresa Fedeli

Director Customer and
Corporate Strategy
Tim Butler

Director Sport
Community and Activation
Tina Chappell

Chief Financial Officer
Paul Rofe

Director Planning and Environment
Nicole Magurren

Director Community Assets
Sandra Kubecka

SEATING DIAGRAM

Camden Ordinary Council Meeting

Deputy Mayor
Rob Mills

Councillor
Peter Sidgreaves

Councillor
Lara Symkowiak

Councillor
Michael Morrison

Councillor
Eva Campbell

Councillor
Ashleigh Cagney

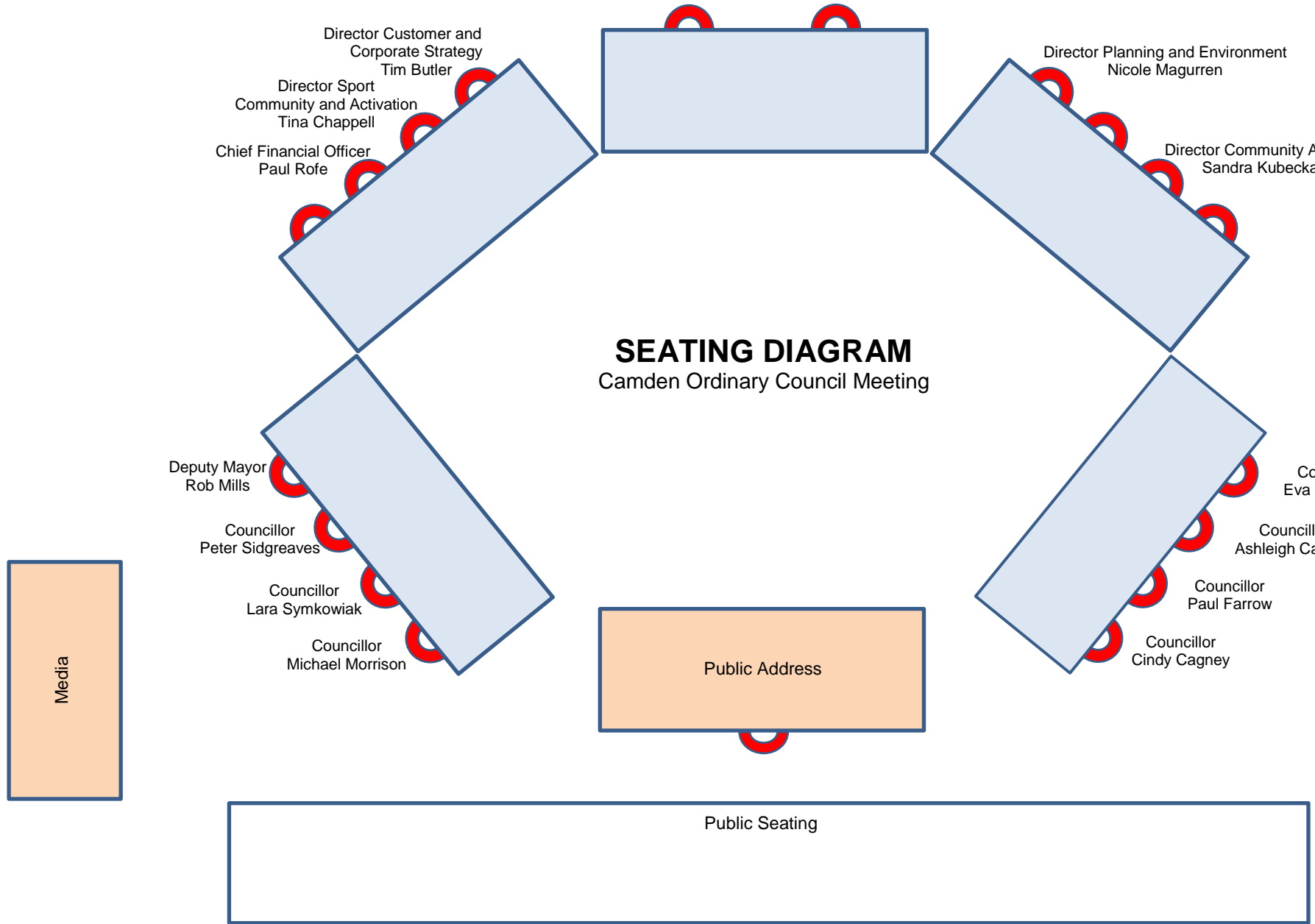
Councillor
Paul Farrow

Councillor
Cindy Cagney

Media

Public Address

Public Seating



ORDINARY COUNCIL

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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: 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: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves 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 4.28-5.19).

Councillors should be familiar with the disclosure provisions contained in 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 speakers can be heard at any meeting. A limitation of one speaker for and one 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 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 question per speaker per meeting.

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

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.

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 Local Traffic Committee Meeting held 3 September 2019 and Minutes of the Ordinary Council Meeting held 24 September 2019.

RECOMMENDED

That Minutes of the Local Traffic Committee Meeting held 3 September 2019 and the Minutes of the Ordinary Council Meeting held 24 September 2019, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

Mayoral Minute

SUBJECT: MAYORAL MINUTE - CAMDEN FESTIVAL 2019
FROM: The Mayor
TRIM #: 19/295760

Camden Festival has once again proven to be an outstanding success, with thousands of residents turning out to enjoy the many events held throughout September.

The 2019 festival kicked off with Picnic in the Park, followed by Cinema Under the Stars and the premier event, TASTE Camden, which attracted a record-breaking crowd.

More than 15,000 residents flocked to this year's TASTE festival on 29 September to sample the vast array of foods on offer from around 100 different food and drink vendors and listen to the sounds of live music from our region's local musicians.

Celebrity Chef, 'Fast Ed' Halmagyi entertained the crowds with his cooking demonstrations and taking time out to meet event attendees, while the kids were treated to fun activities and entertainment.

Backyard Bash held on 21 September at Oran Park's Town Park was a new event, providing residents with a range of food, activities and entertainment. The rain may have brought an early end to the evening, but the feedback from residents was positive, with many saying they were looking forward to next year's event.

On 14 September, hundreds of residents rugged up under the clear night skies at the Australian Botanic Garden in Mount Annan for 'Cinema Under the Stars' to watch *Incredibles 2*. The event also offered movie-goers a range of food and entertainment options, as well as a special appearance from 'Mr Incredible' himself.

Other events held as part of Camden Festival program included Taste of Cultures, Youth Movie Night, a free Skateboarding Clinic, Community Fun Run, Seniors Lunch, Opera in the Barn, Parkrun's 1st Birthday, Unlock Camden and the Camden Park House and Garden open weekend.

I would like to take the opportunity to congratulate Council's Events team and all other teams involved on another fantastic Camden Festival program. These events are highly valued by our community, and I would like to thank the team for their ongoing innovation, commitment and delivery of our community events.

With this year's program setting the bar very high, I am looking forward to seeing an even more fun-filled and action-packed Camden Festival program in 2020.



RECOMMENDED

That Council note the information.

ORDINARY COUNCIL

ORD01

**SUBJECT: ADOPTION OF ANNUAL FINANCIAL STATEMENTS - YEAR ENDING
30 JUNE 2019**

FROM: Director Customer & Corporate Strategy

TRIM #: 19/260817

PURPOSE OF REPORT

The purpose of this report is to recommend that Council adopt the 2018/19 Financial Statements, invite the Audit Office of NSW to address Council on the Financial Statements and Financial Performance for year ending 30 June 2019, and that the Audit Office of NSW for their services.

BACKGROUND

In accordance with section 418 of the *Local Government Act 1993*, a copy of Council's Financial Statements has been made available to the public for inspection since 1 October 2019 at the Oran Park Customer Service Centre, Libraries and on Council's website. As required by section 418, public notice of tonight's meeting appeared in the local paper on 1 October 2019.

Under section 420 of the *Local Government Act 1993*, "Any person may make submissions in writing to the Council with respect to the Council's audited Financial Statements or with respect to the auditor's report". Submissions must be in writing and received by Council before close of business on 15 October 2019 (the *Local Government Act* allows seven days for submissions after Council has considered the Financial Statements and auditor's report).

Any submissions received are not considered by Council; they are forwarded to Council's external auditor for comment. The auditor will advise Council if, as a result of the submission, the audit opinion should change, and/or the Financial Statements should be adjusted. Any change to the Financial Statements requires a new resolution of Council.

A Councillor briefing was held on 24 September 2019 to provide information on this report.

The Draft Annual Financial Statements for the Year Ended 30 June 2019 are provided as an **attachment** to this report.

MAIN REPORT

The audit of Council's Financial Statements was completed by the Audit Office of NSW on 27 September 2019.

The Audit Office of NSW will attend tonight's Council meeting to present the audit report and address Council on its financial performance for the 2018/19 Financial Year.

This is the first year that the Audit Office of NSW will be Council's external auditor. For the past 2 years, Council's external audit function has been undertaken by PWC in consultation with the Audit Office of NSW. Over time, all Councils in NSW will be required to transfer their external audit function to the Audit Office of NSW.



Audit Risk and Improvement Committee

Council's Audit Risk and Improvement Committee met on Monday, 30 September 2019 to review and provide an independent assessment of the 2018/19 Financial Statements. The meeting included a presentation to the Committee by Council's external auditors (Audit Office of NSW) on the conduct of the 2018/19 audit.

The Committee resolved the following, noting that the Special Schedules are not audited:

That the Audit, Risk and Improvement Committee, subject to the correction of minor items raised by the Committee being made to the Financial Statements and Special Schedules:

- i. note the Final Draft Engagement Closing Report;
- ii. endorse the General Purpose Financial Statements for the year ended 30 June 2019 for submission to Council for adoption;
- iii. endorse the Special Purpose Financial Statements for the year ended 30 June 2019 for submission to Council for adoption;
- iv. endorse Special Schedules for the year ended 30 June 2019 for submission to Council for adoption.

All minor corrections or disclosure improvements recommended by the Audit Risk and Improvement Committee have been made to the draft Financial Statements. The Committee commended Council and the leadership team for their engagement with the external audit process. The Committee acknowledged and thanked the Finance Team and the Audit Office for the work undertaken to complete the annual financial statements and external audit in a timely manner.

CONCLUSION

The audit of the 2018/19 Financial Statements has been completed and Council has received an unqualified audit report.

Council's independent Audit Risk and Improvement Committee has endorsed the Statements, which provides Council with confidence as to their integrity and compliance with the *Local Government Act 1993* and Code of Accounting Practice and Financial Reporting. Subject to Council considering the presentation by the Audit Office of NSW at tonight's meeting, Council's Financial Statements can be considered for adoption.

RECOMMENDED

That Council:

- i. resolve that a representative/s from Council's external auditors, Audit Office of NSW, address Council on the Annual Financial Statements and Financial Performance for the year ending 30 June 2019; and**
- ii. adopt the Annual Financial Statements for the Financial Year ending 30 June 2019.**
- iii. write to the Audit Office of NSW and thank them for their services this year.**

ATTACHMENTS

1. Annual Financial Statements for the year ended 30 June 2019

ORDINARY COUNCIL

ORD02

SUBJECT: RESULT AGAINST BUDGET AND REVOTES FOR YEAR ENDING 30 JUNE 2019

FROM: Director Customer & Corporate Strategy

TRIM #: 19/228032

PURPOSE OF REPORT

The purpose of this report is to inform Council of the budget result for the year ending 30 June 2019 in accordance with Part 9, Division 3, Clause 203 of the *Local Government (General) Regulation 2005*.

BACKGROUND

SUMMARY OF BUDGET POSITION

In adopting the March Review of the 2018/19 Budget, Council approved a balanced budget position.

A review of the budget as at 30 June 2019 has identified a surplus for the 2018/19 financial year of \$8,570. The minor surplus is predominantly a net result of increased commercial waste income, increased pool income, corporate salary savings and street lighting savings that are offset by a reduction in development income. This is discussed in more detail in the variations section of this report.

A Councillor briefing was held on 24 September 2019 to discuss this report.

MAIN REPORT

ALLOCATION OF THE 2018/19 BUDGET RESULT SURPLUS

As part of approving the 2018/19 Year-end Budget Result, it is recommended that Council approve the following transfers:

Budget Surplus Allocation		
Budget Surplus Available for Allocation		\$8,570
Capital Works Reserve - Transfer to Reserve	\$8,570	
Total - Allocation of Budget Surplus		\$8,570
2018/19 Balanced Budget Position		\$0

Upon transferring the above amounts to reserve, Council will have a balanced budget position as at 30 June 2019.



CURRENT RESERVE BALANCES & PROGRAMS

Capital Works Reserve

The Capital Works Reserve is predominantly used to fund emergency or priority capital works or to match grant funding as part of a capital grant funding agreement.

Upon including the proposed transfer of \$8,570 from the year-end result, the projected balance available (uncommitted) in the Capital Works Reserve is \$210,217.

Capital Works Reserve	
Reserve Balance as at 30 June 2019	\$3,471,237
Add: Proposed Year End Budget Surplus Transfer	\$8,570
Proposed Balance of Reserve	\$3,479,807
Committed Funds Held in Reserve	
Less: 2018/19 Revoted projects	(\$1,469,590)
Less: Adopted 2019/20 Capital Works Program Funding	(\$1,250,000)
Less: Adopted 2020/21 Capital Works Program Funding	(\$500,000)
Less: Proposed Active Transport Program 2019/20 (Council contribution)	(\$50,000)
Total Allocated in 2018/19	(\$3,269,590)
Uncommitted Balance – Capital Works Reserve	\$210,217

Council has the discretion to allocate these funds to future capital projects including those projects unable to be funded as part of the 2018/19 Operational Plan (budget) process.

Asset Renewal Reserve

Council approved the creation of the Asset Renewal Reserve as part of adopting the Revised 2013/14–2016/17 Delivery Program. The projected balance available (uncommitted) in the Asset Renewal Reserve is \$204,427.

Asset Renewal Reserve	
Reserve Balance as at 30 June 2019	\$250,600
Add: LIRS Interest 2019/20	\$43,800
Proposed Reserve Balance	\$294,400
Committed Funds Held in Reserve	
Less: 2018/19 Revoted projects	(\$89,973)
Total Allocated in 2018/19	(\$89,973)
Uncommitted Balance – Asset Renewal Reserve	\$204,427

Funds from this Reserve are primarily used for the replacement and/or maintenance of existing assets.

Stormwater Management Reserve and Works Program

The purpose of the Stormwater Management Program is to educate and promote awareness of stormwater pollution in the community, ensure a better flow of stormwater through the LGA and to improve the quality of water flowing into our streams and rivers.

The total allocation towards stormwater management expenditure for 2018/19 was \$856,000. As at 30 June 2019, \$846,539 (99%) had been spent, leaving a remaining balance of \$9,461. The balance of \$9,461 has been identified as revotes.

Community Infrastructure Renewal Program (LIRS Round 2) (Six Year Program)

The six-year \$6.5 million Community Infrastructure Renewal Program is funded by a combination of internal reserves (\$1.5 million), a special rate variation of 1.10% including interest (\$3 million) and loan borrowings via the Local Infrastructure Renewal Scheme (\$2 million). The 2018/19 financial year was the sixth and final year of this Program.

The total programmed expenditure for the six years of the Community Infrastructure Renewal Program was \$6.5 million. As at 30 June 2019, \$6.5 million (100%) of the identified works program has been completed.

It should be noted that Council will realise loan interest savings of over \$700,000 through rounds two and three of the LIRS scheme. The savings are already factored into the Long-Term Financial Plan and future years budgets.

RESULTS AGAINST BUDGET - 30 JUNE 2019

Further information and explanation of the surplus for 2018/19 is detailed below:

Major Variations To Budget

Variations between the adoption of the March Review for 2018/19 and the final budget result for 2018/19 led to a surplus of \$8,570. A list of the variations (greater than \$15,000) is provided in the following table. Brief explanations follow the table.

RESULT AGAINST BUDGET - YEAR ENDING 30 June 2019 SIGNIFICANT VARIATIONS	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: ↑ Increase to the Budget = Increase in income or increase in transfer from Reserves ↓ Decrease to the Budget = Shortfall in income	
1. Development Fees & Charges Income Decrease	(\$2,054,379)
2. Transfer from ELE Reserve	\$459,000
3. Reimbursement to General Fund from Stormwater Levy	\$180,165
4. Pools Income Increase	\$166,890
5. Commercial Waste Income Increase	\$134,349
6. Rates Income Increase	\$76,494



RESULT AGAINST BUDGET - YEAR ENDING 30 June 2019 SIGNIFICANT VARIATIONS	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS (cont.)	
7. Civic Centre – Income Increase	\$72,785
8. Reimbursement to General Fund from Section 7.11	\$63,411
9. Section 603 Certificates Income Decrease	(\$39,391)
10. Interest on Investments Income Decrease	(\$31,730)
Variations under \$15,000 - various increases (net)	(\$2,647)
Sub Total - Income Adjustments	(\$975,053)
EXPENDITURE ADJUSTMENTS	
Note: ↑ Increase to the Budget = Savings in expenditure ↓ Decrease to the Budget = Increase in expenditure or increase in transfer to Reserve	
11. Corporate Salary Savings	\$532,605
12. Transfer to Working Funds Reserve Expense Increase	(\$500,000)
13. Street Lighting Expense Savings	\$395,114
14. Planning and Environment Expense Savings	\$198,444
15. Road Construction Expense Savings	\$105,801
16. Library Capital Expenditure Savings	\$81,495
17. Fleet Management Expense Savings	\$76,838
18. Community Assets Program Expense Savings	\$51,405
19. Communications and Events Expense Increase	(\$41,994)
20. Community Services Expenses Savings Increase	\$41,125
21. Risk Management - Insurance Premiums Savings	\$29,543
Variations under \$15,000 - Various Expense Increase (net)	\$25,247
Sub Total - Expenditure Adjustments	\$995,623
Additional funding for the installation of new alcohol-free zone signage (Council meeting 28/5/19)	(\$12,000)
TOTAL - PROPOSED VARIATIONS TO BUDGET	\$8,570

Income Adjustments Commentary:

1. Development Fees & Charges – Decrease in Income of \$2,054,379

Development income has not met budget expectations for the second half of 2018/19. A reduction in the number of Development Applications of high value reduced significantly as a result of development activity. The level of income received from development activity is primarily dependent on the receipt of applications from developers, the decrease is representative of the current market.

2. Transfer from ELE Reserve – \$459,000

Each quarter Council reviews how much money should be held in reserve for the payment of leave entitlements to staff upon termination or leave. This amount fluctuates from year to year depending on the average age, number of staff and

leave entitlements held by staff. When the reserve has more money in it than what is required the difference can be transferred to general fund and where the leave reserve needs additional funds it is topped up at the next available budget review. Following a review of the reserve as at 30 June 2019, \$459,000 can transferred from the reserve.

3. Reimbursement to General Fund from Stormwater Levy – Increase in transfer from reserve of \$180,165

This is the reimbursement of council's costs (general fund) for stormwater drainage works relating to the Camden Town Centre project.

4. Pools Income – Increase in Income of \$166,890

Additional income has been realised within the Mount Annan Leisure Centre primarily as a result of an increase in the utilisation of the expanded facility.

5. Commercial Waste Income – Increase in Income of \$134,349

Actual income for Council's commercial three bin service and commercial garbage service (1100 litre bin) for 2018/19 has been in higher demand than anticipated predominantly relating to growth in the sector.

6. Rates Income – Increase in Income of \$76,494

Supplementary rate income is received upon the re-zoning or subdivision of land. It is additional rate income to the amount levied at the beginning of the financial year. The increase in rate income realised during the fourth quarter of 2018/19 is primarily due to new lots created through subdivisions in the Spring Farm, Oran Park, Gregory Hills and Leppington land release areas.

7. Civic Centre – Increase in Income of \$72,785

Higher income has been realised within the Civic Centre operations in 2018/19 than anticipated. This is primarily a result of an increase in the utilisation of the facility.

8. Reimbursement to General Fund from Section 7.11 – Increase in transfer from reserve of \$63,411

This is the reimbursement of Council's costs (general fund) for project managing capital works that are fully funded from the Section 7.11 reserve.

9. Section 603 Certificates – Decrease in Income of \$39,391

Income for Section 603 Certificates is below budget expectations due to a reduction in development activity in the second half of the year.

10. Interest on Investments Income – Decrease in Income of \$31,730

The performance of Council's investment portfolio is below budget expectations. The primary reason for this is Council's investment portfolio being lower than originally budgeted and reducing interest rates.

Expenditure Adjustments Commentary:

11. Corporate Salary Savings of \$532,605

Savings have been identified as a result of vacancies within Council's existing staff structure for permanent and temporary positions. Recruitment has been delayed on the replacement of some of these positions due to a reduction in development activity in the second half of the financial year. Also, it is expected that upon the resignation of an employee that there will be lag time between resignation and the appointment of the new employee. This is a minor variation of 0.5% to budget.



12. Transfer to Working Funds Reserve – Increase in Expense of \$500,000

As part of the adoption of the 2018/19 – 2020/21 Delivery Program, Council resolved to use future funding from quarterly budget reviews as a funding source for the major projects to be delivered in the 2018/19 – 2020/21 Delivery Program. It was estimated that \$5.7 million could be funded from quarterly budget reviews from September 2017 to March 2021. The total amount transferred to reserve including this payment is \$4.0 million. Council remains on track to fully fund this program before March 2021, with \$1.7 million remaining to be funded.

13. Street Lighting Expense – Expense Savings of \$395,114

The street lighting charges allocation relates to the maintenance and electricity cost of public lighting throughout the LGA. Savings against budget were realised as a result of the timing of installation of new lights in growth areas, decisions of the Australian Energy Regulator to cap maintenance costs increases, the increasing use of energy efficient lighting, and improved outcomes through competitive sourcing of electricity supply.

14. Planning and Environment - Expense Savings of \$198,444

Savings have been realised within Strategic Planning area during 2018/19. These savings are primarily a result of a reduction in expected expenditure spent on external consultants and studies. The majority of studies required have been funded by the Department of Planning, Industry and Environment during 2018/19.

15. Road Construction Expense – Expense Savings of \$105,801

Council completed several road reconstructions during 2018/19. Savings were able to be achieved at these locations due to the use of recycled pavement materials resulting in a reduction in material disposal fees.

16. Library Capital Expenditure – Expense Savings of \$81,495

A saving in Council's capital expenditure budget for the Library Services function was realised during the 2018/19 financial year, this amount is a general saving that is immaterial when compared to Council's total Library budget.

17. Fleet Management Expense – Expense Savings of \$76,838

The operating costs for Council's fleet were below budget expectations for 2018/19. This is primarily a result of staff vacancies during the year for positions with leaseback vehicles.

18. Community Assets Operational Expenses – Expense Savings of \$51,405

This budget is to assist the asset management section with resourcing, to ensure Council meets its statutory reporting responsibilities for year-end. Council was able to complete some of this work in-house which realised savings.

19. Communications and Events Expenses - Increase in Expense of \$41,994

Additional expenditure was required as the size of some of Council's major and live events grew significantly requiring an increase in logistics and staffing costs, which is representative of a growing community and attendance at Council events.

20. Community Services – Expense Savings of \$41,125

Council's budget allocations for subsidies and donations to the community during the year includes hall subsidies for concerts, gifted persons assistance, community small grants, performing arts the community bus. The claims for assistance under this program were less than expected for the year.

21. Risk Management - Insurance Premiums – Expense Savings of \$29,543

Savings in the public liability and property insurance premiums for the year were realised through enhanced claims management throughout the year.

Mount Annan Leisure Centre & Camden Memorial Pool

Mount Annan Leisure Centre

The budget position of the Mount Annan Leisure Centre for 2018/19 was a projected surplus of \$337,520. The final actual ‘operating’ surplus for the centre was \$667,090, an increase in the projected surplus of \$329,570.

In accordance with the risk/reward sharing provisions within the operating contract for the Leisure Centre, Council is required to share 50% of any financial improvement against the agreed budget position. Council is required to pay the contractor \$164,785. Under the agreement, the YMCA is required to invest their share back into the community through either incentive programs or capital purchases at the centre.

Camden Memorial Pool

The agreed budget position between Council and the YMCA for the Camden Memorial Pool for 2018/19 was a projected deficit of \$267,600. The final actual ‘operating’ deficit for the centre was \$263,390 a decrease in the projected deficit of \$4,210.

In accordance with the risk/reward sharing provisions within the operating contract for the Camden Memorial Pool, Council is required to share 50% of any financial gains/loss against the agreed budget position. Council is required to pay the contractor \$2,105. Under the agreement, the YMCA is required to invest its share back into the community through either incentive programs or capital purchases at the centre.

POOL STATISTICS – 2018/19	MALC	Camden Pool
Total Income	\$5,650,230	\$303,773
Total Expenses	\$4,983,140	\$567,163
Actual Surplus / (Deficit)	\$667,090	(\$263,390)
Adopted Budget Surplus / (Deficit)	\$337,520	(\$267,600)
Budget Variation	\$329,570	\$4,210
Profit Share - Surplus /(Deficit)	\$164,785	\$2,105

Contra Adjustments

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

During this quarter (1 April 2018 to 30 June 2019), six contra adjustments have taken place amounting to a total of \$6,072,980. A detailed list of the adjustments is included as **attachment 1** to this report.

EXPENDITURE REVOTES

Each year Council adopts its Operational Plan (budget). The Operational Plan is for the period July to June (Financial Year). At the end of the financial year Council’s approval of expenditure for any projects that have not yet commenced lapses. As a result, Council is required under the *Local Government Act 1993* to pass a resolution to



include those projects in the new year's budget. The projects (expenditure) included in the new year's budget are referred to as re-votes.

Projects that are not yet completed but have commenced (works in progress) are not required to be re-voted by the Council, they are automatically included in the new year's Operational Plan (budget). Below is a summary table of the revotes and works in progress, a more detailed summary of the revotes is provided as **attachment 2** to this report.

EXPENDITURE REVOTES & WORKS IN PROGRESS (SOURCE OF FUNDS)	Works Not Commenced (Revotes)	Works in Progress (Carry Forward)	Total
Section 7.11 Contributions	\$0	\$12,802,443	\$12,802,443
External Grant Funding	\$0	\$9,422,157	\$9,422,157
Internal Reserves	\$566,613	\$4,642,709	\$5,209,322
Waste Management	\$0	\$1,584,823	\$1,584,823
General Revenue (i.e. Council Funds)	\$150,000	\$2,906,760	\$3,056,760
Other Sources	\$0	\$519,660	\$519,660
TOTAL	\$716,613	\$31,878,552	\$32,595,165

It should be noted that the general fund component of the revotes and works in progress (\$3,056,760) is transferred to Council's revotes reserve to ensure funds are available for those projects in the new year, all other funding sources are already held in a Council reserve.

SUMMARY OF YEAR END RESULTS AGAINST BUDGET

The following table is a summary of budget adjustments up to 30 June 2019.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure (Increase) / Decrease	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2018/19 Carried Forward Working Funds Balance			\$1,000,000
2018/19 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
Total Available Working Funds 01/07/2018			\$0
2018/19 September Review Adjustments	(\$8,533,408)	\$8,533,408	\$0
2018/19 December Review Adjustments	(\$1,785,786)	\$1,785,786	\$0
2018/19 March Review Adjustments	(\$2,106,655)	\$2,106,655	\$0
Total Available Working Funds as at 31/03/2019			\$0
2018/19 June Review Adjustments			
Major Variations	\$995,623	(\$975,053)	\$20,570
Council Approved Variations	(\$140,800)	\$128,800	(\$12,000)
Contra Variations	(\$6,072,980)	\$6,072,980	\$0
Budget Revotes (works in progress)	\$31,878,552	(\$31,878,552)	\$0

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure (Increase) / Decrease	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
Budget Revotes (works not commenced)	\$716,613	(\$716,613)	\$0
Total - June Review Adjustments	\$27,377,008	(\$27,368,438)	\$8,570
TOTAL AVAILABLE WORKING FUNDS as at 30 June 2019 (Uncommitted Cash)			\$8,570

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER (CHIEF FINANCIAL OFFICER)

The following statement is made by the Responsible Accounting Officer (Chief Financial Officer) in accordance with Clause 203(2) of the *Local Government (General) Regulation 2005*:

‘It is my opinion that the year-end Budget Result for Camden Council for the period ending 30 June 2019 indicates that Council’s projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.’

CONCLUSION

The 2018/19 year-end budget result is a surplus of \$8,570, which is recommended to be transferred to the Capital Works Reserve. Upon transfer Council will have a balanced budget position as at 30 June 2019.

Council is in a sound financial position and now has the opportunity to transfer the balance of savings to the Capital Works Reserve for future consideration by Council.

RECOMMENDED

That Council:

- i. **adopt the budget variations within this report, and the revote of projects totalling \$716,613 as identified within the attachment to this report, and approve the inclusion of these projects in the 2019/20 Budget;**
- ii. **approve the following transfers to reserve, as identified in the table below:**

BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$8,570
Capital Works Reserve - Transfer to Reserve	\$8,570	
Total - Allocation of Budget Surplus		\$8,570
2018/19 Balanced Budget Position		\$0

- iii. **approve the transfer of \$3,056,760 to the revotes reserve, representing the General Fund portion of the revotes and works in progress program.**

ATTACHMENTS

- 1. Year End Budget Review Statement
- 2. Expenditure Revotes Carried forward into 2019/20 Budget



ORDINARY COUNCIL

ORD03

SUBJECT: RATES AND CHARGES AND LEVIES WRITTEN OFF 2018/2019
FROM: Director Customer & Corporate Strategy
BINDER: 19/261149

PURPOSE OF REPORT

The purpose of this report is to advise Council of the 2018/2019 rates and charges to be written off as permitted under the *Local Government Act 1993*.

BACKGROUND

The *Local Government (General) Regulation 2005* (Clause 131) requires the General Manager to advise Council of all rates and charges to be written off in the previous financial year.

A Councillor briefing was held on 24 September 2019 to discuss this report.

MAIN REPORT

The amounts proposed in respect of the 2018/2019 financial year are set out below and discussed.

1. Postponed Rates – (\$12,188.02)

An owner of rural land or land used as a principal dwelling, where the land is not being used for the purpose for which it is zoned, may apply to Council for postponed rates.

The rating of land is on the basis of use, not zoning.

The Valuer General approves and provides Council with a discounted land value to calculate the rates payable on these properties. The amount discounted is referred to as postponed rates.

Under Section 595 of the *Local Government Act 1993*, on the sixth year, the first year's postponed rates and interest are to be written off. Upon sale of the property, the amount postponed (up to five years) is payable.

There are currently six properties that qualify for postponed rates within the Camden LGA. The total amount of postponed rates and charges as at 30 June 2019 is \$37,558.67.

The postponed amounts written off for the 2018/2019 rating year are as follows:

Rates written off from 2014/2015	\$9,005.49
Interest written off from 2014/2015	<u>\$3,182.53</u>
Total	<u>\$12,188.02</u>

2. Pension Rebates – (\$778,605.63)

Section 583 of the *Local Government Act 1993* requires Council to write off amounts of rates, charges and interest reduced or waived under Division 1 of Part 8 of Chapter 15 of the Act (concessions for pensioners). The pensioner rebate is currently \$250 per assessment; it has not changed since 1989.

Rates to be written off for 2018/2019 relating to pension rebates - **\$778,605.63 (100%)**.

Council is entitled to claim 55% (\$428,233.10) of the total rebates from the Office of Local Government. The remaining 45% (\$350,372.53) is a cost to Council which is allowed for as part of the budget each year.

3. Accrued Interest and miscellaneous amounts – (\$3,438.27)

Section 567 of the *Local Government Act 1993* allows Council to write off accrued interest on amounts that would be uneconomical to recover.

- Amounts written off under \$3.00 - **\$2,382.94**
- Pension interest written off in accordance with Pension Policy 5.34 - **\$1,010.56**
- Interest written off following agreement with Ombudsman - **\$44.77**

FINANCIAL IMPLICATIONS

In accordance with the relevant sections of the *Local Government Act 1993*, the total amount to be written off in the 2018/2019 financial year is \$794,231.92. The majority of the amount to be written off pertains to pensioner rebates, 55% of which is recovered from the Office of Local Government.

The amount to be written off each financial year is considered as part of the annual budget process and is reviewed at each quarterly budget review. Adjustments which arise as a result of exemptions or write-offs are included within budget projections to minimise the impact they may have on Council's budget position.

CONCLUSION

The General Manager has a statutory obligation to advise the Council of all rates and charges that are to be written off; the adoption of this report means that Council has complied with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* (Clause 131).

RECOMMENDED

That Council note and write off rates, charges and levies outlined in this report totalling \$794,231.92 for the 2018/2019 financial year.



ORDINARY COUNCIL

ORD04

SUBJECT: PLANNING PROPOSAL FOR STAGE 1 OF THE CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) 2010 REVIEW

FROM: Director Planning & Environment

TRIM #: 19/269649

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for Stage 1 of the Camden Local Environmental Plan (LEP) 2010 Review and to recommend that the draft Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

The draft Planning Proposal is provided as an **attachment** to this report.

BACKGROUND

In March 2018, the Greater Sydney Commission (GSC) released A Metropolis of Three Cities – The Greater Sydney Region Plan (the Region Plan), together with five supporting district plans to establish a clear future vision for Greater Sydney to 2056.

The Camden LGA, along with the Blue Mountains, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly forms the Western City District. The Western City District Plan (the District Plan) identifies four key themes to guide future planning: Infrastructure and Collaboration; Liveability; Productivity and Sustainability.

The LEP Review Process

To align local plans with the strategic directions of the Region and District Plans, all councils are required to review and update their Local Environmental Plans (LEPs) and prepare a Local Strategic Planning Statement (LSPS).

On 26 June 2018, Council resolved to participate in the Accelerated LEP Review Program and accept up to \$2.5 million from the State government to review the Camden LEP 2010. The LEP review commenced in June 2018 and will be completed by June 2020.

The LEP Review program, developed by Greater Sydney Commission (GSC) and Department of Planning, Industry and Environment (the Department), identified six phases for the completion of the LEP review:

- Phase 1 – LEP Review Report.
- Phase 2 – Prepare Draft LSPS.
- Phase 3 – Finalise LSPS.
- Phase 4 – Amendment to Camden LEP 2010 – Seek Gateway Determination.
- Phase 5 – Exhibition of Planning Proposal for LEP Amendment.
- Phase 6 – LEP Amendment Finalised - Plan is made.

The first phase, to prepare a LEP Review Report, was endorsed by Council on 30 October 2018 and submitted to the GSC. The LEP Review Report provided a snapshot of how the Camden LEP 2010 and Council's plans, policies and programs align with the priorities and actions of the District Plan. On 21 December 2018, the GSC provided confirmation that Council's LEP Review Report complied with the Phase 1 Assurance for the LEP review program.

Phase Two of the LEP review program included the drafting and exhibition of a draft LSPS. Council exhibited its draft LSPS from 23 July to 27 August 2019. Council officers are currently reviewing submissions received prior to seeking final endorsement of the draft LSPS from Council and the GSC. The LSPS must be finalised by 1 March 2020.

The current phase of the LEP review project requires the submission of a Planning Proposal to amend Camden LEP 2010.

Previous LEP Review Program

On 10 April 2018, Council endorsed a minor amendments package for the Camden LEP 2010 which was gazetted on 28 February 2019. The minor amendments package sought to address matters which were of an administrative or low-impact nature, with the aim to improve the overall operation and accuracy of the LEP, and included:

- Administrative review of heritage listings (Schedule 5);
- Review of LEP mapping;
- Review of LEP clauses;
- Review of the land use table; and
- Review of additional permitted uses.

The 10 April 2018 Council report identified that a broader review of the Camden LEP 2010 was required.

The Planning Proposal

It is proposed to undertake the broader review of Camden LEP 2010 in two stages:

- Stage 1 – Alignment with the key strategic documents; and
- Stage 2 – Significant investigations as a result of technical strategy work.

This Planning Proposal forms Stage 1 and seeks amendments to align Camden LEP 2010 with the priorities identified in the Western City District Plan and draft LSPS.

Stage 2 of will be undertaken following the completion of the technical strategy work required to fully align Camden LEP 2010 with the District Plan and draft LSPS. The following work is currently being undertaken to inform Stage 2 of the Planning Proposal:

- Housing Strategy;
- Employment and Centres Strategy;
- Green and Blue Grid Analysis;
- Heritage Review;
- Scenic and Visual Analysis.



A series of Councillor briefings have been provided on the LEP review and the preparation of the draft LSPS. Specifically, Councillors were briefed on this Planning Proposal on 27 August 2019.

MAIN REPORT

Summary of Proposal

The objective of the draft Planning Proposal is to amend the Camden LEP 2010 to improve its alignment with the State Government's direction and, in particular the planning priorities outlined within the District Plan and draft LSPS. The proposal also includes minor amendments to improve the readability and application of Camden LEP 2010.

The proposed amendments sought through the Stage 1 Planning Proposal include:

- Introducing environmentally sensitive land mapping and relevant provisions;
- Introducing a floodplain risk management clause;
- Introducing health-focused objectives into relevant sections of the LEP;
- Providing for appropriate non-agricultural uses, including tourism uses, within the RU1 Primary Production and RU2 Rural Landscape zones;
- Introducing eco-tourist facilities as permitted uses with consent in the RU1 and RU2 zones;
- Strengthening the objectives of the IN2 Light Industrial zone to manage land use conflicts;
- Rezoning several sites owned by Sydney Water and used for water infrastructure to SP2 Infrastructure; and
- Updating the level of significance of St Johns Church Camden from local to State, reflecting its listing on the State Heritage Register.

Further detail on each of the proposed amendments is outlined below.

Environmentally Sensitive Land

The draft Planning Proposal seeks to introduce Environmentally Sensitive Land mapping for biodiversity, watercourses and riparian land, as well as introducing two new clauses under Part 7 Additional Local Provisions.

These clauses outline heads of consideration that must be considered when assessing development applications on land to which the clause applies and requires development to avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.

The existing provisions within Camden Development Control Plan 2019 relating to environmentally sensitive land and riparian corridors will continue to apply to land affected by the proposed clauses. The new clauses and mapping will strengthen the protection of environmentally sensitive lands, which contribute to the scenic and landscape qualities of Camden.

The inclusion of biodiversity mapping is also consistent with *Planning Priority W12 – Protecting and improving the health and enjoyment of the District's waterways*, and *Planning Priority W14 – Protecting and enhancing bushland and biodiversity* of the District Plan.

The draft LSPS further acknowledges the importance of environmentally sensitive areas through *Local Priority S2 – Protecting and enhancing the health of Camden’s waterways, and strengthening the role and prominence of the Nepean River*, and *Local Priority S4 – Protecting and restoring environmentally sensitive land and protecting biodiversity*. Through the incorporation of the proposed amendment to Camden LEP 2010, Council will achieve the following actions of the draft LSPS:

- *“Council will undertake a review of Camden’s waterways and riparian areas and investigate opportunities to incorporate protections into planning instruments”*; and
- *“Council will investigate amending its Local Environmental Plan to protect biodiversity and environmentally sensitive land”*.

Floodplain Risk Management

The draft Planning Proposal seeks to introduce a new Floodplain Risk Management clause. The objective of this clause is to enable evacuation of flood affected land during flooding events.

On 12 March 2019, Council adopted the Upper South Creek Floodplain Risk Management Study and Plan (FRMS&P). The South Creek catchment covers a significant north eastern portion of the Camden LGA. Council officers are currently preparing a FRMS&P for the Nepean River, which will include the Nepean River and Narellan Creek catchment areas.

The proposed clause will align Camden LEP 2010 with the adopted FRMS&P and any additional flood plan without the need for future LEP amendments.

The addition of the clause is consistent with *Planning Priority W20 – Adapting to the impacts of urban and natural hazards and climate change* of the District Plan, *Local Priority S6 – Improving Camden’s resilience to natural hazards and extreme weather events* of the draft LSPS, and would achieve the following action of the draft LSPS: *“Council will review planning controls related to flood prone land”*

Inclusion of health objectives

In order to facilitate a greater focus on health and wellbeing within the built form of the Camden LGA, it is proposed include health-focused objectives within the aims and objectives of Camden LEP 2010.

It is proposed to include the following additional aim under Clause 1.2 of Camden LEP 2010, which will require development to demonstrate health and wellbeing objectives:

- *To protect and promote the health and well-being of current and future residents of Camden*

Whilst the B2 Local Centre and B4 Mixed Use zones currently contain objectives to maximise public transport patronage and encourage walking and cycling, the B1 Neighbourhood Centre zone does not have an objective relating to walkability. To maintain consistency with Clause 1.2 of the Camden LEP 2010, the following additional B1 objective is proposed:



- *To encourage a safe, attractive, accessible and efficient pedestrian environment*

The built environment is increasingly being viewed as influencing the health of the population. As part of a stronger focus on prevention in relation to chronic disease, NSW Health has been developing its capacity to support urban environments which contribute to ensuring that communities start out and stay, healthy.

Whilst built form outcomes can be most effectively implemented at the design stage of development, there is opportunity to reflect the focus on healthy placemaking within the broader aims of the Camden LEP 2010.

The inclusion of provisions relating to health is consistent with *W4 – Fostering healthy, creative, culturally rich and socially connected communities of the District Plan*; and *Local Priority L3 – Providing services and facilities to foster a healthy a socially connected community* of the draft LSPS.

Supporting the visitor economy in Camden's rural lands

A review of Camden LEP 2010 has identified an opportunity to strengthen the objectives of the RU1 Primary Production and RU2 Rural Landscape zones to support appropriate non-agricultural uses.

Camden LEP 2010 currently contains the following objective in both the RU1 and RU2 zones:

- *To permit non-agricultural uses which support the primary production purposes of the zone.*

The draft Planning Proposal seeks to replace this objective with the following:

- *To permit non-agricultural uses (including tourism-related uses) that are compatible with the agricultural, environmental and conservation values of the land.*

Camden's rural setting, rich heritage and proximity to Sydney present several opportunities to grow the visitor economy. *Local Priority P6 – Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism* - of the draft LSPS identifies that Council will investigate opportunities to build on these assets to grow the local visitor economy, with a focus on the area around Camden Town Centre (and surrounding rural land), Gledswood Homestead, and Mount Annan Botanic Gardens.

The permissibility of tourism-focused uses within Camden's rural areas diversifies the rural economy and promotes the landscape that is highly valued by the community and visitors.

Eco-tourist Facilities

The draft Planning Proposal seeks to permit eco-tourist facilities with consent by removing them as a prohibited land use within the RU1 and RU2 zone.

It is considered that given their low-impact nature, these uses are appropriate in these zones. Bed and breakfast and farm stay accommodation are already permitted in these

zones and allowing eco-tourist facilities would further diversify the visitor accommodation options within Camden.

The inclusion of eco-tourist facilities as permissible land uses would achieve the following action of the draft LSPS:

“Council will investigate the appropriate types of visitor accommodation for Camden and identify the appropriate location for future accommodation”

Industrial land use conflict

The existing IN2 Light Industrial zone in the Camden LEP 2010 currently contains the following objective:

- *To minimise any adverse effect of industry on other land uses.*

It is proposed that, given Council’s commitment to mitigating land use conflict at residential/industrial interfaces, that this objective be strengthened. The draft Planning Proposal seeks to replace this objective with the following:

- *To minimise the impacts of development on surrounding residential or other sensitive land uses.*

It is proposed that the existing objective be removed from the IN2 Light Industrial zone and replaced with this objective to ensure that the impact of industrial development on residential development and sensitive land uses is a clear consideration for future development proposals.

Since 2017, Council has been investigating various options to manage land use conflict issues between industrial land uses and surrounding sensitive uses, including residential uses. Most recently, Council has updated the Camden Development Control Plan (DCP) 2019 to include development controls to help manage these conflicts.

At its meeting of 12 September 2017 and 26 September 2017, Council resolved the following:

“investigate a new LEP clause for industrial development adjacent to residential uses as part of Phase 2 of the comprehensive review of Camden LEP 2010”

As part of the comprehensive review of Camden LEP 2010, Council officers are currently undertaking an Industrial and Employment Lands Study, to inform the preparation of an Employment Strategy for the Camden LGA. This work will investigate longer term options for Camden’s employment lands, including industrial lands, and it is considered that any significant change to planning controls for these lands must be carefully considered through these investigations.

The inclusion of this objective in the IN2 zone reinforces that the purpose of this zone is to provide light industrial uses, which by nature are not intended to cause nuisance or adversely affect the surrounding amenity.

Zoning for water infrastructure

Council has received correspondence from Sydney Water seeking to rezone a number of sites in their ownership to SP2 Infrastructure in order to reflect their ongoing use as



vital and permanent infrastructure associated with the provision of water and sewer services to the community.

The sites are located across the LGA with the current zones ranging between RU4 Primary Production Small Lots, B4 Mixed Use, R2 Low Density Residential, IN1 General Industrial and R5 Rural Village. The specific sites identified for zone changes are identified in the draft Planning Proposal attached to this report.

The existing zoning of these sites cause confusion from nearby owners as to the ongoing use of the site as permanent water or sewer infrastructure. Distinguishing sites as SP2 Infrastructure gives the community better clarity as to the ongoing use for permanent infrastructure.

Minor amendment to Schedule 5 – Environmental Heritage

Schedule 5 Environmental Heritage currently identifies St John’s Anglican Church Precinct as a local heritage item. It is proposed to amend Schedule 5 to correctly list St John’s Church Precinct as a State heritage item.

In addition to the above, there is a minor spelling error in the item description. It is proposed to correct the listing to properly identify the lych gates.

The St John’s Anglican Church Precinct was listed on the State Heritage Register on 24 August 2018. The proposed amendment is therefore considered administrative in nature.

Assessment against Key Strategic Documents

An assessment against the Key Strategic Documents is provided as an **attachment** to this report, however below is a summary and the relevant consistency with the documents.

Greater Sydney Region Plan

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters.

The proposal is consistent with the relevant directions and objectives of the Region Plan:

- Direction 3: A city for people – celebrating diversity and putting people at the heart of planning. Relevant objective 7.
- Direction 5: A city of great places – Designing places for people. Objective 13.
- Direction 7: Jobs and skills in the city – Creating the conditions for a stronger economy. Relevant objectives 23 and 24.
- Direction 8: A city in its landscape – Valuing green spaces and landscape. Relevant objectives 25, 26, 27, 29, 30 and 32.
- Direction 10: A resilient city – Adapting to a changing world. Relevant objective 37.

Western City District Plan

The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

The draft Planning Proposal is consistent with the following priorities of the District Plan:

- Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities.
- Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage.
- Planning Priority W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis.
- Planning Priority W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land
- Planning Priority W12: Protecting and improving the health and enjoyment of the District's waterways
- Planning Priority W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element
- Planning Priority W14: Protecting and enhancing bushland and biodiversity
- Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections
- Planning Priority W17: Better managing rural areas
- Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change

Draft Camden Local Strategic Planning Statement (LSPS)

The Draft Camden Local Strategic Planning Statement (draft LSPS) is a 20-year planning vision, emphasising land use, transport and sustainability objectives to demonstrate how Camden LGA will change to meet the community's needs over the next 20 years.

The draft Planning Proposal has been assessed against the relevant Local Priorities and Actions of the draft LSPS and is consistent with the following Local Priorities:

- Local Priority L2 - Celebrating and respecting Camden's proud heritage.
- Local Priority L3 - Providing services and facilities to foster a healthy and socially connected community.
- Local Priority P4 - Ensuring a suitable supply of industrial and urban service land.
- Local Priority P6 - Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism.
- Local Priority S2 - Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River.
- Local Priority S4 - Protecting and restoring environmentally sensitive land and enhancing biodiversity.
- Local Priority S6 - Improving Camden's resilience to natural hazards and extreme weather events.

Community Strategic Plan



The Community Strategic Plan (CSP) seeks to actively manage Camden LGA's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The Proposal is assessed against the relevant Directions of the CSP below:

Key Direction 1: Actively Managing Camden LGA's Growth

This direction of the CSP outlines that Camden LGA's valued heritage sites are to be retained. The Proposal seeks to correct the level of significance of St Johns Church Camden to accurately reflect its State heritage listing which will ensure that adequate protections are in place for the site.

Key Direction 2: Healthy Urban and Natural Environment

This direction of the CSP outlines the importance of Camden's natural environment and Council's role in caring for the environment. The Proposal introduces environmentally sensitive land mapping which will protect the natural areas of Camden, including vegetation and waterways.

Key Direction 3: A Prosperous Economy

This direction of the CSP contains an objective to support tourism and economic development. The Proposal seeks to support suitable non-agricultural uses, including tourism uses, within the rural areas of Camden to attract visitors and diversify the local economy.

Key Direction 5: An Enriched and Connected Community

This direction of the CSP focuses on providing the elements to encourage healthy lifestyles and community health. The Proposal seeks to reflect this direction and apply it to the built form by including health focused objectives in Camden LEP 2010.

Camden Local Planning Panel

From 1 June 2018, Planning Proposals are required to be referred to the Camden Local Planning Panel (the Panel) for advice pursuant to the Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The draft Planning Proposal was reported to the Panel on 17 September 2019. The Panel voted in favour of supporting the Planning Proposal being forwarded to the Minister for Planning for a Gateway Determination. No further recommendations were made by the Panel.

The Panel's recommendations are provided as an **attachment** to this report.

Assessment of Planning Merit

The draft Planning Proposal has been prepared with consideration to key strategic documents, including the Greater Sydney Region Plan, Western City District Plan, the Draft Camden Local Strategic Planning Statement and the Community Strategic Plan, and has been considered by the Camden Local Planning Panel.

It is considered that the draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- Aligns Camden LEP 2010 with the strategic directions and objectives of the Region and District Plans and the draft LSPS;
- Implements several actions identified within the draft LSPS;
- Protects environmentally sensitive land within Camden LGA;
- Introduces mechanisms to manage development on floodplains;
- Supports the design of healthy neighbourhoods;
- Allows alternative and appropriate uses within the rural zones of Camden to diversify the local economy;
- Manages land use conflict between industrial uses and surrounding land; and
- Continues to protect significant heritage items.

Subject to Council endorsement, the draft Planning Proposal will be submitted to the Department of Planning, Industry and Environment for a Gateway Determination. If a favourable Gateway Determination is received, the draft Planning Proposal will be placed on public exhibition in accordance with the conditions in the Gateway Determination.

A further report will be submitted to Council on completion of the public exhibition to consider submissions.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to amend the Camden LEP 2010 to align the instrument with the priorities and directions of the Region and District Plans and the draft LSPS.

Council officers have assessed the draft Planning Proposal and consider the proposal has sufficient planning merit to proceed to Gateway Determination as outlined in this report.

RECOMMENDED

That Council:

- endorse the draft Planning Proposal for Stage 1 of the Camden Local Environmental Plan (LEP) 2010 Review to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination; and**
- subject to a favourable Gateway Determination from the Department of Planning, Industry and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination.**

ATTACHMENTS

1. Draft Planning Proposal - Stage 1 Camden LEP 2010 LEP Review
2. LEP Review Stage 1 Planning Proposal - Key Strategic Documents
3. CLPP Minutes 17 September 2019



ORDINARY COUNCIL

ORD05

SUBJECT: DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS 2018/2019

FROM: Director Customer & Corporate Strategy

TRIM #: 19/223488

PURPOSE OF REPORT

The purpose of this report is to recommend that Council note the tabling of Disclosures by Councillors and Designated Persons Returns.

BACKGROUND

Under s 4.21 of the Model Code of Conduct, a Councillor or designated person, holding that position at 30 June in any year, must complete and lodge a 'Disclosures by Councillors and Designated Persons Return' with the General Manager within three months after that date.

MAIN REPORT

Under s 4.25 of the Model Code of Conduct, the 'Disclosures by Councillors and Designated Persons Returns' must be tabled at the first meeting of Council held after the last date for lodgment (being 30 September 2019).

FINANCIAL IMPLICATIONS

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

CONCLUSION

The completed Disclosures by Councillors and Designated Persons Returns are tabled and available to be viewed.

RECOMMENDED

That Council note the tabling of the Disclosures by Councillors and Designated Persons Returns.

ORDINARY COUNCIL

ORD06

SUBJECT: ROAD CLOSURE - SECTION OF THE OLD OAKS ROAD, GRASMERE
FROM: Director Customer & Corporate Strategy
TRIM #: 19/258018

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement to formally close a section of The Old Oaks Road, Grasmere.

BACKGROUND

The original intersection of the Old Oaks Road, Werombi Road and Ferguson Lane was on the crest of a hill and bend of Werombi Road. To improve the intersection, the Old Oaks Road was realigned to a new "T" junction with Sheathers Lane.

The original alignment of The Old Oaks Road remains a dedicated road (identified in the **attachment** to this report) but is gated at the western end and physically blocked with a mound at the eastern end (former intersection with Sheathers Lane). The road has been closed to the public since 2008.

A Councillor briefing was held on 24 September 2019 to discuss this report.

MAIN REPORT

Following internal review, it was identified that this portion of the road could be formally closed as a road. It is also recommended that following formal closure that the land be classified as operational which will provide Council with the option of selling the land later, if desired.

Process for road closure

In accordance with section 38A of the *Roads Act 1993* (the Act), Council may propose the closure of a council public road for which it is the roads authority if:

- (a) the road is not reasonably required as road for public use (whether for present or future needs), and
- (b) the road is not required to provide continuity for an existing road network, and
- (c) if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

As part of the road closure process all adjoining owners (identified on the site plan provided as an **attachment** to this report) will be notified of the proposed road closure. All adjoining owners will have the opportunity to make a submission to Council.

Process for disposal

Following formal closure of the road, a further report will be presented to Council to consider any future disposal of the land.



FINANCIAL IMPLICATIONS

There are no direct financial implications relating this report following closure of the road. If Council decides to sell the land in the future, this will generate income that must be used for a purpose relating to roads.

CONCLUSION

The subject section of The Old Oaks Road, Grasmere is not required and it is recommended that Council formally close the road. A further report will be required for Council to consider any future disposal of the land.

RECOMMENDED

That Council:

- i. approve the closure of a section of The Old Oaks Road, Grasmere as shown on the attached plan;**
- ii. resolve that the land be classified as Operational on completion of the road closure;**
- iii. endorse all documents associated with the closure of a section of The Old Oaks Road Grasmere be executed under delegated authority; and**
- iv. note that a further report will be presented to Council following the road closure to determine any future disposal of the land.**

ATTACHMENTS

- 1. Site Plan - Road Closure - Section of The Old Oaks Road, Grasmere**

ORDINARY COUNCIL

ORD07

SUBJECT: ROAD CLOSURE - SECTION OF MACARTHUR ROAD, SPRING FARM
FROM: Director Customer & Corporate Strategy
TRIM #: 19/270510

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement to formally close an unused section of Macarthur Road, Spring Farm.

BACKGROUND

On 22 September 2015, Council granted development consent DA/2015/147/1 for a staged subdivision of 108 residential lots and associated works at 235, 237 and 240 Macarthur Road and 12 Attwood Road, Spring Farm.

Part of this development included the construction of new roads within the subdivision, such as the extension of Macarthur Road to Burrell Road, Spring Farm. This resulted in a section of Macarthur Road no longer being required (refer **attachment 1** to this report - outlined in red).

The subject road is owned by Council and currently unused and incomplete. To facilitate the approved subdivision, the Developer is required to finalise the construction of the new alignment of Macarthur Road (refer **attachment 1** to this report - outlined in green). The proposed subdivision has also been overlaid in **attachment 2** to this report to indicate how the land could be utilised by a developer.

A Councillor briefing was held on 24 September 2019 to discuss this report.

MAIN REPORT

Council has received a request from a developer who is also the adjoining owner to formally close a section of Macarthur Road Spring Farm.

Following internal review, it was identified that this portion of the road could be formally closed as a road. It is also recommended, following formal closure, the land be classified as operational, which will provide Council with the option of selling the land later, if desired.

Process for road closure

In accordance with section 38A of the *Roads Act 1993* (the Act), Council may propose the closure of a council public road for which it is the roads authority if:

- (a) the road is not reasonably required as road for public use (whether for present or future needs), and

- (b) the road is not required to provide continuity for an existing road network, and



-
- (c) if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

Process for disposal

Following formal closure of the road, a further report will be presented to Council to consider any future disposal of the land.

FINANCIAL IMPLICATIONS

There are no direct financial implications relating this report following closure of the road. If Council decides to sell the land in the future, this will generate income that must be used for a purpose relating to roads.

CONCLUSION

The subject section of Macarthur Road, Spring Farm is not required and it is recommended that Council formally close the road. A further report will be required for Council to consider any future disposal of the land.

RECOMMENDED

That Council:

- i. approve the closure of a section of Macarthur Road, Spring Farm as shown on the attached plan;**
- ii. resolve that the land be classified as Operational on completion of the road closure;**
- iii. endorse all documents associated with the closure of a section of Macarthur Road, Spring Farm be executed under delegated authority; and**
- iv. note that a further report will be presented to Council following the road closure to consider any future disposal of the land.**

ATTACHMENTS

1. Site Plan - Road Closure - Section of Macarthur Road, Spring Farm
2. Subdivision Plan - Road Closure - Section of Macarthur Road, Spring Farm

ORDINARY COUNCIL

ORD08

SUBJECT: LAND ACQUISITION AND DISPOSAL POLICY

FROM: Director Customer & Corporate Strategy

TRIM #: 19/270470

PURPOSE OF REPORT

The purpose of this report is for Council to consider a new draft Land Acquisition and Disposal Policy (the Policy). It is recommended that Council adopt the draft Policy.

BACKGROUND

In accordance with the *Local Government Act 1993* and the *Roads Act 1993* Council has the power to acquire land for the purpose of exercising any of its functions, such as developing or upgrading public infrastructure.

The process for acquiring land needs to comply with the *Land Acquisition (Just Terms Compensation) Act 1991* (the Act).

The draft Land Acquisition and Disposal Policy, provided as **attachment 1** to this report, is a new policy for Council and has been developed to provide a consistent framework for acquiring land.

A Councillor briefing was held on 24 September 2019 to discuss this proposed new policy.

MAIN REPORT

The Policy will ensure that Council adheres to processes that provide equitable, effective and efficient management that fulfils the accountability and transparency requirements of the Act when acquiring land.

The Policy outlines the following:

- Statutory requirements and processes for Council Officers to follow when acquiring land;
- The methods by which Council can acquire land:
 - Acquisition by Agreement
 - Compulsory Acquisition
 - Owner-Initiated Acquisition (Hardship Claim)
- Council's position on Strategic Purchases and Disposal of Land.

A Land Acquisition Information Guide, provided as **attachment 2** to this report, has also been developed which will be provided to a landowner whose land may be acquired. This outlines key information for the landowner including:

- Who acquires privately owned land and how private owned land is acquired;



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- How the formal acquisition process starts;
 - How property is valued, including details on the types of compensation;
 - The process if agreement is reached;
 - The process if agreement cannot be reached; and
 - Reference to the Policy for further information.

The Policy and Information Guide is a practical and helpful guide to assist landowners in understanding the process of a land acquisition.

The Policy has been developed to support property acquisitions that will result from future Camden Growth Areas and primarily concentrates on Council's procedures for acquiring land under the compulsory acquisition provisions in preparation for acquisitions that will be required in the future to enable development and growth.

The Policy and Information Guide will be available on Council's website for ease of access.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council's formal adoption of the Land Acquisition and Disposal Policy will ensure the process for acquiring land is transparent and impartial. It will also ensure that Council has a current Policy in place that complies with the recent released acquisition standards. Therefore, it is recommended that Council adopt the Land Acquisition and Disposal Policy.

RECOMMENDED

That Council adopt the Land Acquisition and Disposal Policy as attached to this report.

ATTACHMENTS

1. Land Acquisition and Disposal Policy
2. Land Acquisition Information Guide

ORDINARY COUNCIL

ORD09

SUBJECT: PURCHASING AND PROCUREMENT POLICY
FROM: Director Customer & Corporate Strategy
TRIM #: 19/278764

PURPOSE OF REPORT

The purpose of this report is for Council to consider changes to the Purchasing and Procurement Policy (Policy) following changes to the tendering provisions of the *Local Government Act 1993* that became effective on 23 July 2019. It is recommended that Council adopt the revised Policy.

BACKGROUND

Council's Purchasing and Procurement Policy mirrors best practice principles drawn from the Office of Local Government best practice guides, legislation, internal/external Audit findings and information available from the Independent Commission Against Corruption (ICAC).

The revised Policy, provided as an **attachment** to this report, does not include the Purchasing and Procurement Guidelines, as they are an operational document and do not require endorsement by Council.

A Councillor briefing was held on 24 September 2019 to discuss this revised Policy.

MAIN REPORT

The Purchasing and Procurement Policy provides a framework to support the purchasing and procurement function. The Policy acts as a basis for our ongoing operational efforts to introduce new efficiencies including new systems and cost saving measures in the way we procure goods and services.

Recent changes to the tendering provisions of the *Local Government Act 1993* require updating the Purchasing and Procurement Policy to include the following changes:

Threshold amendment:

The tendering threshold has increased from \$150,000 incl. GST to \$250,000 incl. GST. The exception to this is where Council is currently providing a service inhouse – in these cases the threshold is \$150,000 Incl. GST.

Extension of service providers:

A new amendment to the Act is encouraging councils to support businesses known as Australian Disability Enterprises (ADE's) that employ people with a disability. NSW Government agencies may buy goods and services from approved ADEs via a single written quote. This includes goods or services on whole-of-government contracts.



FINANCIAL IMPLICATIONS

There are no direct financial implications of this Policy.

CONCLUSION

Council has updated its existing Purchasing and Procurement Policy to reflect best practice and incorporate legislative requirements. Therefore, it is recommended that Council adopt the revised Purchasing and Procurement Policy.

RECOMMENDED

That Council adopt the revised Purchasing and Procurement Policy as attached to this report.

ATTACHMENTS

1. Purchasing and Procurement Policy - P3.0161.4

ORDINARY COUNCIL

ORD10

SUBJECT: CAMDEN GROWTH AREAS CONTRIBUTION PLAN AMENDMENT 1 - POST EXHIBITION REPORT

FROM: Director Sport, Community & Activation

TRIM #: 19/282312

PURPOSE OF REPORT

The purpose of this report is to inform Council of the public exhibition outcomes and seek Council adoption of Amendment 1 of the Camden Growth Areas Contribution Plan (CGACP).

BACKGROUND

The CGACP was formally adopted by Council in February of 2017. The Plan applies to the areas referred to as Leppington and Leppington North of the South West Growth Area as shown outlined in blue within Figure 1 below.

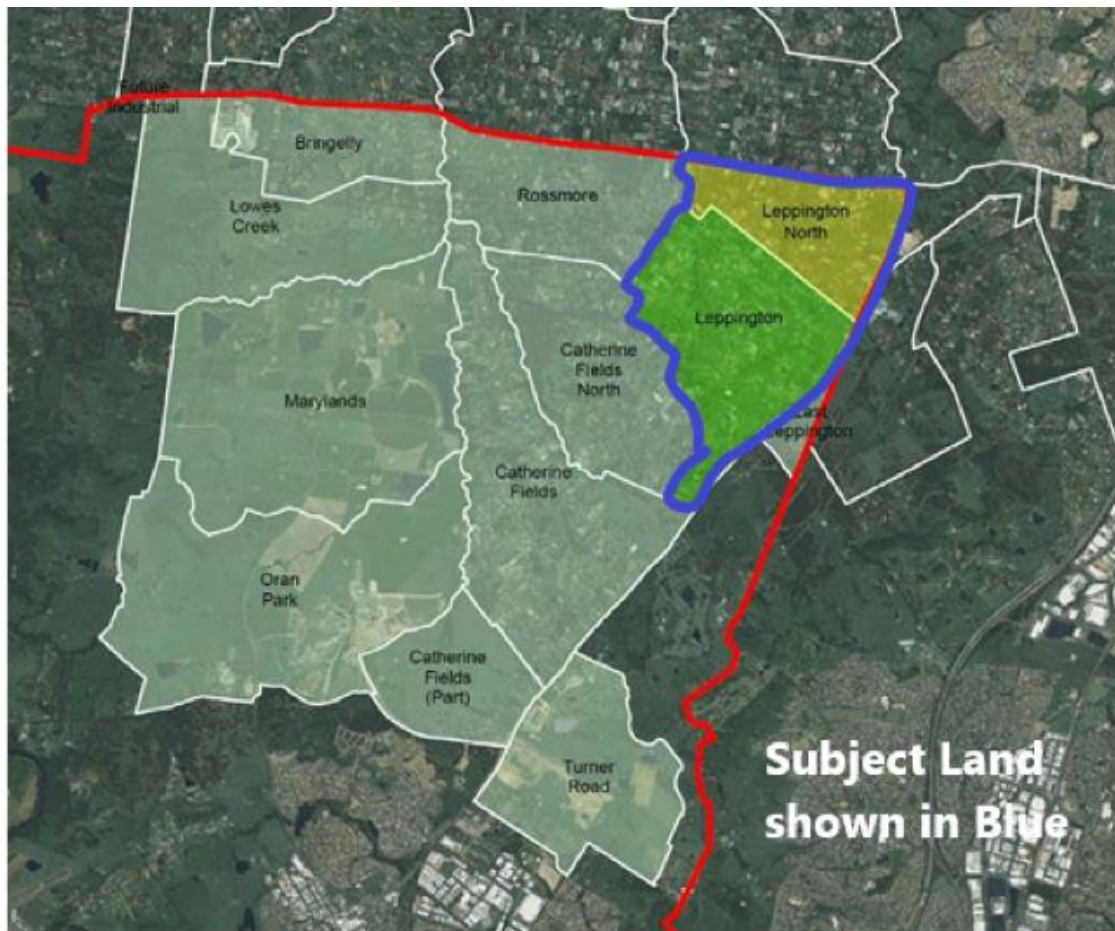


Figure 1 – Land to Which the Plan Applies

Following adoption of the CGACP, it was formally provided to IPART and the Department of Planning Industry and Environment (DPIE) for review and approval.



DPIE issued advice to Council in January 2019 endorsing 34 recommendations from IPART, which were recommended to be undertaken in two separate phases, with Phase 1 consisting of the 19 priority recommendations, which needed to be implemented to ensure the plan was eligible for the Local Infrastructure Growth Scheme (LIGS) funding.

The *Camden Growth Areas Contribution Plan Amendment 1 (CGACP 1)*, reflects the 19 priority recommendations. The CGACP 1 was exhibited from 20 May 2019 to 17 June 2019. A copy of CGACP 1 is provided as an **attachment** to this report. The remaining IPART recommendations will be subject to a future amendment of the CGACP.

The matter was briefed to Councillors on 10 September 2019.

MAIN REPORT

Summary of Phase 1 Changes

The Phase 1 changes are relatively minor in nature and generally relate to calculation variations or adjusting calculation methodologies for certain items. The recommended changes do not have a material impact on the CGACP, a summary of the changes identified is below:

- Correcting numerous calculation variations;
- Amending calculation methods to determine costs of certain assets;
- Amend the scope of certain assets; and
- Removal of maintenance cost component for natural areas.

Summary of the Exhibition

Council received two submissions during the exhibition period. One submission from Sydney Water acknowledging that the plan was on exhibition. The second submission was from the Trustees of the Roman Catholic Church Diocese of Wollongong (DOW), both submissions are provided as **supporting documents** to this report.

1. Submission – Sydney Water

Acknowledged the exhibition, confirmed that Sydney Water have no comments at this time.

2. Submission – Trustees of the Roman Catholic Church Diocese of Wollongong(DOW)

The DOW submission requested that CGACP 1 be amended to exclude Non-Government Schools from being levied for contributions under the plan, and to remove the existing properties owned by the Trustees, from the CGACP developable area calculations.

Officer Recommendation

Under the Ministerial Direction (Direction D6), government schools can only be levied for drainage costs under a 7.11 contributions plan however this direction does not apply to non-government schools. Under the CGACP, non-government schools can be levied for transport, drainage and plan administration.

Previous development applications for non-government schools in the LGA have been required to pay s 7.11 payments for transport, water cycle infrastructure and plan administration.

On the occasions where this hasn't been required, the development has undertaken additional roadworks, or provided on-site detention systems for water management, and it has been demonstrated that the development has not created a demand on the local infrastructure contained within the appropriate contributions plan.

It is recommended at this time that the CGACP is not amended to exclude non-government schools from paying contributions under the CGACP. Application of the CGACP should continue to be considered on a site-by-site basis and the development levied in accordance with the demand it creates on local infrastructure.

Providing a full exemption for non-government schools and removing them from the net developable area in the plan could create a significant funding shortfall, which would impact on Council's ability to provide essential infrastructure in the Leppington and Leppington North precincts.

Minor Post Exhibition Changes

Following the exhibition of the CGACP, officers have also identified a minor discrepancy in the land values attributed to land identified within the CGACP. It is proposed to amend these values to reflect the correct land valuation. This change is considered minor in nature and does not require re-exhibition of the CGACP.

FINANCIAL IMPLICATIONS

The CGACP Amendment 1 meets the requirements of IPART and the DPIE to be eligible to receive Local Infrastructure Growth Scheme funding from State Government.

CONCLUSION

The CGACP 1 was publicly exhibited from 20 May to 17 June 2019, during this period two submissions were received on the proposed amendment. Submissions were received from Sydney Water and the Trustees of the Roman Catholic Church Diocese of Wollongong (DOW).

Officers have considered the submissions and do not recommend changes to CGACP 1 as a result. A minor post-exhibition change is recommended to correct land values in the plan as identified above.

RECOMMENDED

That Council:

- i. adopt the Camden Growth Areas Contributions Plan Amendment 1 as amended;**
- ii. notify the public of Council's decision to adopt the Camden Growth Areas Contributions Plan in a local newspaper within 28 days in accordance with Clause 31(2) of the *Environmental Planning and Assessment Regulation 2000*;**
- iii. notify the Department of Planning, Industry and Environment and IPART of the adoption of the plan; and**
- iv. notify the submitters of the outcome of this report.**

ATTACHMENTS

1. Camden Growth Area Contribution Plan Amendment 1 - Main Document
2. Submissions - Camden Growth Areas Contribution Plan Amendment 1 - *Supporting Document*