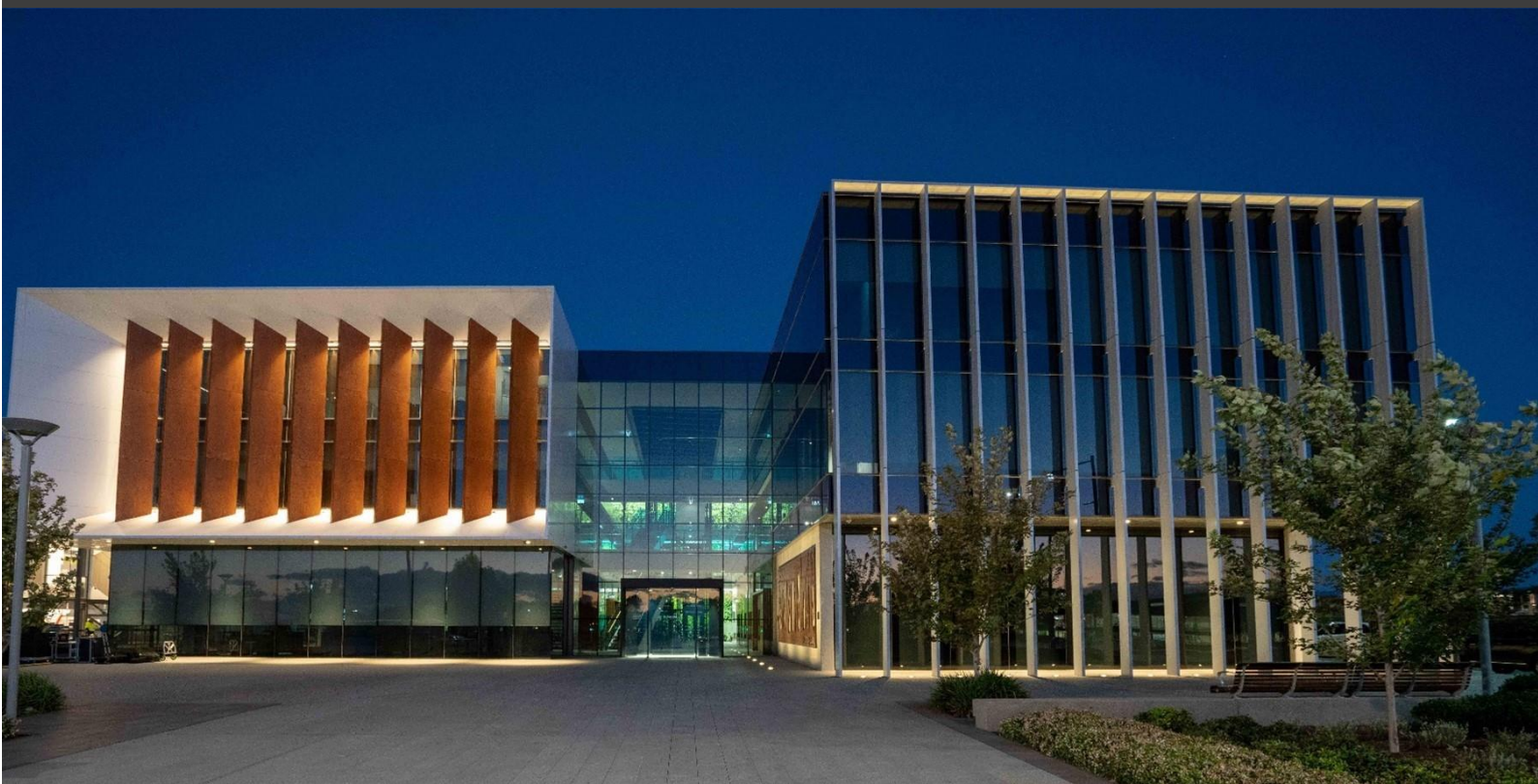


Business Paper

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

14 February 2023

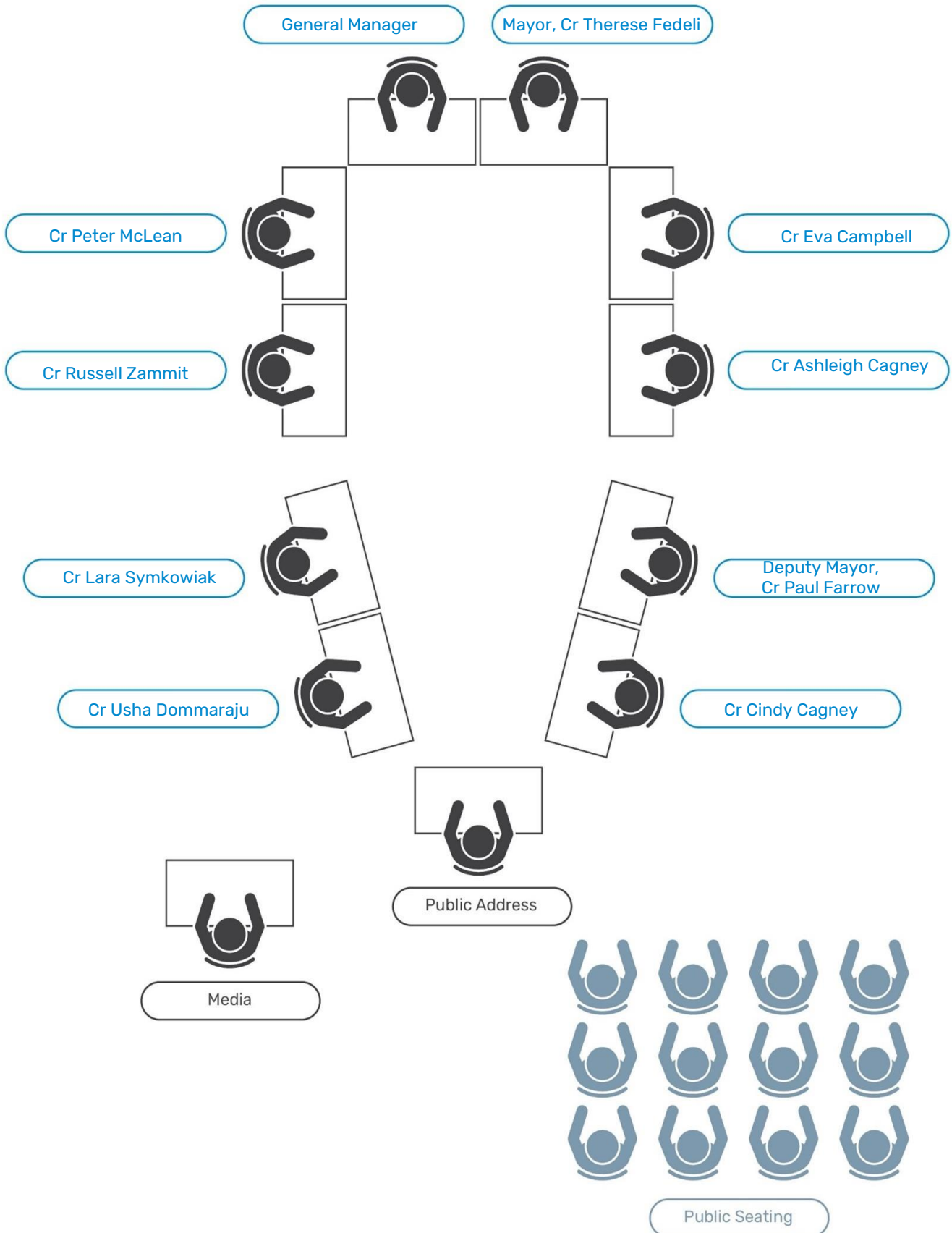


The public can also view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage - <http://webcast.camden.nsw.gov.au/video.php>

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COMMON ABBREVIATIONS

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



OATH AND AFFIRMATION FOR COUNCILLORS

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

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

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

OATH

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

AFFIRMATION

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

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SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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

SUBJECT: WEBCASTING OF COUNCIL MEETINGS

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

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

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

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

SUBJECT: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves of absence be granted.

SUBJECT: APPROVAL TO ATTEND BY AUDIO-VISUAL LINK

Requests by Councillors to attend and participate in Council meetings by audio-visual link.

A decision whether to approve a request must be made by a resolution of Council. A resolution must state:

- The meetings the resolution applies to, and
- The reason why the Councillor is being permitted to attend the meetings by audio-visual link (unless the ground is illness, disability, or caring responsibilities).

RECOMMENDED

That the requests to attend and participate by audio-visual link be granted for the meetings as determined by Council and for the reasons noted.

SUBJECT: DECLARATION OF INTEREST

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

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

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

RECOMMENDED

That the declarations be noted.

SUBJECT: PUBLIC ADDRESSES

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

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

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

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

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

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

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

RECOMMENDED

That the public addresses be noted.

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Local Traffic Committee Meeting held 6 December 2022 and the Ordinary Council Meeting held 13 December 2022.

RECOMMENDED

That the Minutes of the Local Traffic Committee Meeting held 6 December 2022 and the Ordinary Council Meeting held 13 December 2022, copies of which have been circulated, be confirmed and adopted.

Mayoral Minute

SUBJECT: MAYORAL MINUTE - CAMDEN INTERNATIONAL WOMEN'S DAY GALA 2023 CHARITY RECIPIENT

FROM: The Mayor

EDMS #: 23/57249

Each year, on 8 March, International Women's Day is celebrated globally to acknowledge the social, economic, cultural and political achievements of women right around the world.

On Wednesday 8 March 2023, Council will be hosting its annual International Women's Day Gala. The evening will:

- Celebrate women's achievements, especially those of local women;
- Raise awareness of issues around women's equality; and
- Promote the message that we all have a role to play in accelerating the gender parity journey.

The event will take place at Gledswood Homestead and Winery on Wednesday 8 March, 5.30-9.00pm, and will focus on networking and awards.

One of the highlights of the evening will be our guest speaker – renowned businessperson, entrepreneur, podcaster, blogger and Australian 'shark', Naomi Simson.

Another highlight is our charity partner. Council recently undertook a competitive Expression of Interest process, inviting submissions from local charities and not-for-profit organisations to receive funds raised from ticket sales of the event.

The submissions were considered by a committee of Council Officers and a recommendation has been made for Big Yellow Umbrella to be the recipient of the funds raised through this year's International Women's Day Gala.

This organisation does incredible work for our community, including providing services, programs and activities to meet the needs of all sectors of the local community, such as children's services and youth services programs and working closely with women-focused services on empowerment, self-development, opportunity and building skills.

It's fantastic to see the link between the work Big Yellow Umbrella does and what International Women's Day stands for.

The organisation has indicated that the funds received will go towards building the organisation's popular playgroup program, which supports young families in Camden, providing a space for mothers to connect, support each other and build their personal and professional networks. It does this by:

- Providing opportunities to celebrate women beyond parenting by helping mothers who have a small business to promote their services and products;
- Presenting expert speakers to the playgroups to educate mothers on issues and topics of interest to women, with a focus on female empowerment; and

- Inviting other family members along to build the supportive structure of the play-groups.

I believe it's fitting we applaud what women have achieved to date and bring attention to the issues we still face today, while supporting an organisation that does this all year round.

More event details and ticket sale information for the International Women's Day Gala are now available on Council's website.

I ask that you join me in supporting Big Yellow Umbrella as the recipient of the funds raised through this year's International Women's Day Gala.

RECOMMENDED

That Council endorse Big Yellow Umbrella as the recipient of the funds raised through the 2023 International Women's Day Gala.

Mayoral Minute

SUBJECT: MAYORAL MINUTE - CAMDEN AUSTRALIA DAY AWARD WINNERS
FROM: The Mayor
EDMS #: 23/94121

I'd like to take a moment to reflect on Australia Day, and all that came with it. Most notable was announcing the 2023 Australia Day Award winners and welcoming 60 of our newest Australian Citizens.

Kylee Bentham, co-founder of the Shining Stars Foundation, was crowned this year's Camden Citizen of the Year on Australia Day.

Ms Bentham started volunteering from the age of seven by helping distribute Meals on Wheels with her grandfather, manning Red Cross stalls with her grandmother until she was 16 years old, and volunteering at community stalls across Macarthur and Liverpool with her mother. In the recent floods, Kylee helped provide water, food and medical supplies.

The stand-out citizen is in good company, with dedicated air force cadet, Ebony-Rose Mangion, named Young Citizen of the Year. Ebony-Rose has represented the 303 Camden Squadron including being specially selected to be part of the Queen's Guard and Catafalque party for the Anzac Day Dawn service in Camden.

Council extends its congratulations again to Kylee and Ebony-Rose, as well as the other 2023 Australia Day Award winners:

- Melissa Musgrave, who won the Arts and Culture Award for her work in establishing the Camden Musical Society Inc and her role in producing and promoting local musical theatre;
- Group 6 Rugby League Referees, who won the Sports Achievement Award for their role in advocating and ensuring the safety of local referees and rugby league players; and
- Camden Community Garden and Macarthur Storm Chasers, who were joint winners of the Community Group Award.

I'd like to reiterate something I said on the day to all the fantastic residents who won awards and all those who were nominated – you should be so proud of your dedication and commitment to making the lives of others so much better. We are very fortunate to have such incredible people in our community.

We also had the privilege of witnessing more than 60 residents pledge their commitment to our great nation. Our Citizenship Ceremonies hold such a special place in my heart, and I was honoured to welcome our newest Australian Citizens to our beautiful and multicultural community.

I would also like to acknowledge Jason Sotiris as our Australia Day Ambassador this year. Jason is the founder of Supertee, an incredible organisation that produces a superhero t-shirt for sick kids in hospital. It not only encourages children into the world of imaginative play, it's also incredibly helpful for nurses, doctors and parents alike. Jason is someone I believe truly embodies what it means to be an Australian, and I was honoured to have met him, spent time with him and hear about his inspiring story.

It was also so great to see the return of Camden's Australia Day Street Parade, with thousands of people battling the heat to line Argyle Street and cheer on the many parade participants.

I would like to take this opportunity to thank Macarthur Lions Club for their role in coordinating the parade, our fantastic Events Team who oversaw the logistics and management of the overall event and the many community groups, organisations, businesses and residents who got involved and made the event the success that it was.

Australia is a beautiful nation with many things to admire, and I am very proud Camden shines through as a prime example of diversity, inclusion and community pride.

RECOMMENDED

That Council note the information.

ORD01

ORD01

SUBJECT: DRAFT AMENDMENT TO THE CAMDEN DEVELOPMENT CONTROL PLAN 2019 - NSW EMPLOYMENT ZONES REFORM AND ADMINISTRATIVE AMENDMENTS

FROM: Director Planning & Environment

EDMS #: 22/562606

PREVIOUS ITEMS: ORD02 - NSW Employment Zones Reform - Ordinary Council - 09 Aug 2022 6.30pm
ORD02 - Draft Submission to NSW Employment Zone Reforms - Ordinary Council - 13 Jul 2021 6.30pm

PURPOSE OF REPORT

The purpose of this report is to advise Council of proposed amendments to the Camden Development Control Plan 2019 (draft DCP), prepared in response to the NSW Employment Zones Reform. Amendments are also proposed in response to the renaming of environmental zones and consolidation of State Environmental Planning Policies (SEPPs). It is recommended that Council endorse the draft DCP for public exhibition.

A copy of the draft DCP, including a summary of the proposed amendments, is provided **under separate cover** due to the size of the document.

BACKGROUND

NSW Employment Zones Reform

In May 2021, the Department of Planning and Environment (DPE) released an Employment Zones Reform Framework proposing significant changes to Business and Industrial zones under the Standard Instrument (SI) Local Environmental Plan (LEP).

The DPE Employment Zones Reform replaces existing Business and Industrial zones with new employment zones by amending all Local Environmental Plans in the State, including the Camden Local Environmental Plan 2010 (Camden LEP).

The Employment Zones Reform was finalised on 30 November 2022 and amendments to the Camden LEP were gazetted on 16 December 2022. These amendments commence on 26 April 2023 and involve the repeal of six existing Business and Industrial zones under the Camden LEP, and the introduction of four new employment zones, as summarised in Figure 1.

Councillors were briefed on the Employment Zones reform package and draft DCP on 31 January 2023.

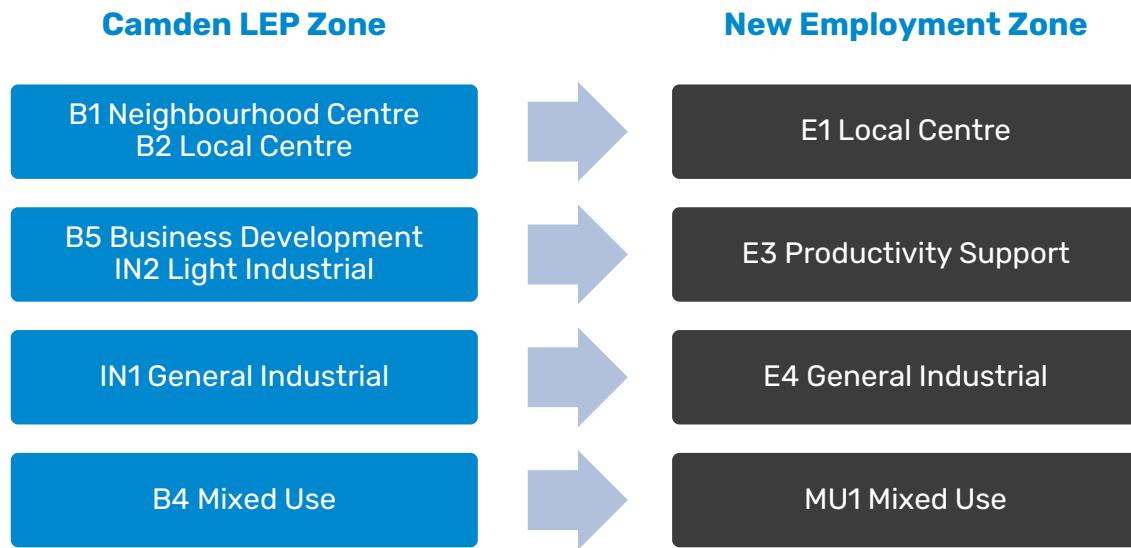


Figure 1 – Translation of New Employment Zones

Changes to employment zones in response to Council’s submission

At its meeting on 9 August 2022, Council endorsed a submission to the DPE regarding the Employment Zones Reform. In response to Council’s submission, the translation of the Little Street industrial precinct has been amended by the DPE from General Industrial (E4) to Productivity Support (E3). This aligns with the approach taken for other land currently zoned IN2 Light Industrial within Camden.

Council officers will continue to review the zoning of Little Street in accordance with the Camden Centres and Employment Land Strategy. This work will form part of the Stage 2 LEP Review Planning Proposal.

Application to the South West Growth Area

The Employment Zones reform excludes land in the South West Growth Area (SWGA) and zoned under the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Precincts SEPP). However, in late 2022, the DPE advised that it will consider reviewing land zoned under the Precincts SEPP to align with the new Employment Zone framework. Council officers will continue to work with the DPE to undertake this review and updates will be provided to Council as this work progresses.

Camden Development Control Plan 2019

The Camden Development Control Plan 2019 (Camden DCP 2019) was adopted by Council on 13 August 2019 and provides detailed planning and design guidelines to give effect to the aims, zone objectives and development standards in the Camden LEP.

The DCP applies to land zoned under the Camden LEP (areas shaded blue in Figure 2). The DCP does not apply to rezoned land within the SWGA.

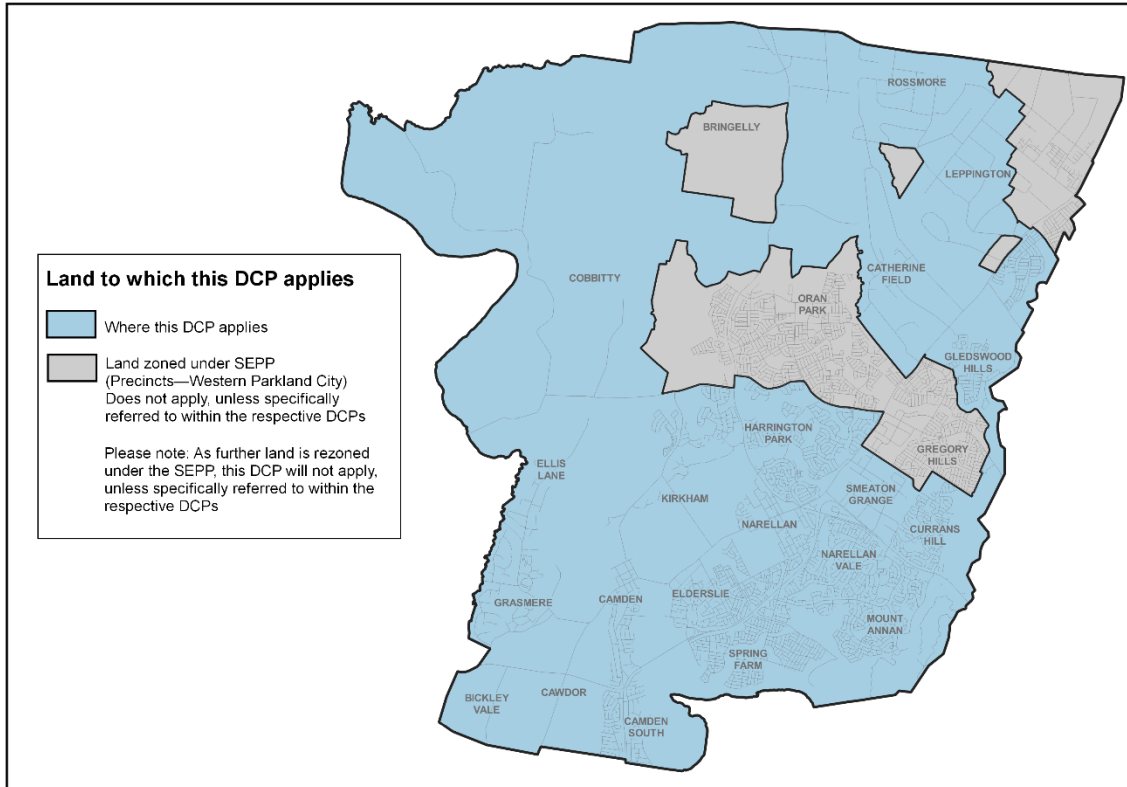


Figure 2 – Land to which the DCP applies

MAIN REPORT

The proposed amendments to the Camden DCP 2019 aim to:

- Update zone references to reflect the changes made by the Employment Zones Reform (as summarised in Figure 1);
- Update zone references to amend references to previous Environmental zones to refer to new Conservation zones (as summarised in Table 1);
- Remove references to the repealed SEPPs and replace with the new consolidated SEPPs;
- Restructure Chapters 5 and 6 to incorporate Industrial and Commercial development controls within one ‘Employment Zones’ chapter; and
- Introduce objectives and controls to support the centres hierarchy established by the Centres and Employment Land Strategy (as summarised in Table 1).

The amendments involve changes to the following parts of the Camden DCP 2019:

- Part 1 – Introduction;
- Part 2 – General Land Use Controls;
- Part 4 – Residential Dwelling Controls;
- Part 5 – Centres Development Controls;
- Part 6 – Specific Land Use Controls;
- Schedule 1 – Elderslie;
- Schedule 2 – Spring Farm;
- Schedule 3 – Manooka Valley;
- Schedule 4 – Harrington Grove;
- Schedule 13 – 190 Raby Road, Gledswood Hills.

A schedule of amendments is provided as an **attachment** to this report, and a copy of the draft DCP amendment showing tracked changes is provided **under separate cover** due to the size of the document. A summary of the key amendments is provided in Table 1 below.

Table 1 – Summary of proposed changes to the Camden DCP 2019

Amendment	Explanation
<p>Employment Zones Reform</p>	<p>The Employment Zones Reform (led by the DPE) comprises the repeal of six existing Business and Industrial zones, and the introduction of four new Employment zones, as shown in Figure 1.</p> <p>This DCP amendment updates all zone references to Business and Industrial zones within the Camden DCP in line with the gazetted Employment Zones Reform zone translation.</p> <p>The DCP amendment also consolidates the contents of existing ‘Part 5 Centres Development Controls’ and ‘Part 6 Specific Land Use Controls’ to one chapter for Employment Zones.</p>
<p>Centres Hierarchy</p>	<p>The Employment Zones Reform merges the existing B1 Neighbourhood Centre and B2 Local Centre zones into one E1 Local Centre zone.</p> <p>New objectives and controls are proposed in the draft DCP to support the centres hierarchy established by the Camden Centres and Employment Land Strategy.</p> <p>The new provisions provide guidance on character and desired development outcomes and require development to complement the existing centres network and not adversely impact the centres hierarchy with regard to role, function, identity, character, and scale.</p> <p>The draft provisions are provided as an attachment to this report.</p>
<p>Conservation Zones</p>	<p>On 1 December 2021, the DPE implemented reforms to rename ‘environment zones’ to ‘conservation zones’ under clause 2.1 Land Use zones of the Standard Instrument – Principal Local Environmental Plan. The amendment did not result in any changes to land use tables or objectives for any previous environment zones. The new zones include:</p> <ul style="list-style-type: none"> • Zone C1 – National Parks and Nature Reserves • Zone C2 – Environmental Conservation • Zone C3 – Environmental Management • Zone C4 – Environmental Living. <p>All zone references to previous environment zones are proposed to be amended in the draft DCP to reflect the new conservation zones.</p>

ORD01

Amendment	Explanation
Consolidation of State Environmental Planning Policies (SEPPs)	<p>On 1 March 2022, the DPE consolidated 45 SEPPs and deemed SEPPs into 11 new thematic SEPPs.</p> <p>It is proposed to amend the DCP to update the references to the SEPPs to reflect the new titles.</p>
Other Minor Amendments	Other minor amendments include updates to formatting and numbering throughout Part 5 to improve readability and consistency.

Next Steps

Subject to Council endorsement, the proposed amendments to the Camden DCP 2019 will be publicly exhibited on Council’s ‘Your Voice’ Camden webpage in accordance with the Camden Community Participation Plan 2021.

Council officers will continue to work with the DPE to review the zoning of Business and Industrial areas within the Precincts SEPP to appropriately translate these areas to the new Employment zones.

Council officers will also review the controls for industrial and urban services land across the Camden Local Government Area to provide consistent planning objectives and controls for employment and industrial development under the Camden LEP and the Precincts SEPP. Further updates will be provided to Council as this work progresses.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The DPE’s Employment Zones Reform will replace existing Business and Industrial zones with new Employment zones by amending all Local Environmental Plans in the State, including the Camden LEP. The reform, including zoning changes for the Camden LEP, will commence on 26 April 2023.

In response, an amendment to the Camden DCP 2019 has been prepared. It is recommended that Council endorse the draft DCP for the purpose of public exhibition. A further report will be provided to Council to consider any unresolved submissions.

RECOMMENDED

That Council:

- i. endorse the draft amendments to the Camden Development Control Plan 2019;
- ii. exhibit the draft amendments to the Camden Development Control Plan 2019 in accordance with the *Environmental Planning and Assessment Act 1979* and the *Regulations*;
- iii. at the conclusion of the public exhibition period:
 - a. if there are no unresolved submissions, grant delegation to the General Manager to adopt the Development Control Plan amendments; and
 - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Regulations*; or
 - c. if unresolved submissions are received, consider a further report to Council that outlines the results of the public exhibition for Council's consideration.

ORD01

ATTACHMENTS

1. Employment Zones Reform - Administrative DCP Amendment - Summary of Amendments
2. Draft DCP Provisions - Centres Hierarchy
3. Draft Amendment to the Camden DCP 2019 – Employment Zone Reform - Under Separate Cover

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

FROM: Director Planning & Environment

EDMS #: 23/15972

PURPOSE OF REPORT

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

BACKGROUND

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

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

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

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

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

Councillors were briefed on the details of the application referred to in this report on 31 January 2023.

MAIN REPORT

During the last quarter (October-December 2022), Council staff approved one DA that varied a development standard. The details of this application are outlined below:

DA/2022/843/1 – Torrens title subdivision into two lots and construction of two x two storey dwelling houses and a secondary dwelling at 3 Clissold Street, Elderslie

- The development involves the Torrens title subdivision into two lots and construction of two x two storey dwelling houses and a secondary dwelling.
- The lot on which the secondary dwelling was approved has a site area of 415.66m² and thereby varied from the minimum lot size for a secondary dwelling (namely 450m²) by 34.34m² or 7.6% variation.
- Under the relevant clause, the minimum lot size (i.e. 450m²) does not apply where the secondary dwelling is located above a garage that is accessed from a rear lane (in which case there is no minimum lot size prescribed).
- The approved secondary dwelling is located above the garage of the principal dwelling which is accessed from a side lane (as opposed to a rear lane). While the garage is accessed from a side lane and not a rear lane, it was assessed that the proposal satisfied the underlying objective of the standard.
- The variation was considered reasonable given the development is consistent with the objectives of the zone; the development meets the underlying objective of the standard; and there were no amenity impacts resulting from the contravention.

FINANCIAL IMPLICATIONS

This report has no financial implications for Council.

CONCLUSION

During the last quarter (October-December 2022) Council staff approved one DA that varied a development standard. The variation is reported to Council in accordance with the procedural requirements outlined in *Planning Circular PS 18-003 Varying Development Standards*.

RECOMMENDED

That Council note the information in this report.

SUBJECT: DECEMBER REVIEW OF THE 2022/23 BUDGET
FROM: Director Customer & Corporate Strategy
EDMS #: 23/3186

PURPOSE OF REPORT

This report presents the December Quarterly Budget Review for the 2022/23 financial year in accordance with Part 9, Division 3, Section 203 of the *Local Government (General) Regulation 2021*.

Its purpose is to inform Council of the necessary changes to the 2022/23 Budget for the reporting period ending 31 December 2022, and to consider other changes put forward for determination.

BACKGROUND

In adopting the 2022/23 Budget, Council approved a balanced budget position. Budget adjustments identified at the December Quarterly Review represent a balanced position for the 2022/23 financial year.

A Councillor briefing was held to discuss this report on the 31 January 2023.

MAIN REPORT

CURRENT RESERVE BALANCES

Capital Works Reserve

The Capital Works Reserve is predominantly used to fund capital works or to match grant funding as part of a capital grant funding agreement. The balance of the Capital Works Reserve is as follows:

Capital Works Reserve	
Reserve Balance – 30 June 2022	\$1,663,810
Add: June 2022 Budget Review Transfer	\$608,489
Add: September 2022 Budget Review Transfer	\$434,246
Reserve Balance	\$2,706,545
Committed Funds Held in Reserve	
Less: 2021/22 Revoted projects	(\$381,911)
Less: 2022/23 Community Support Package Round 3 Funding	(\$205,000)
Less: 2022/23 Narellan Catchment Creek Flood Study	(\$133,333)
Less: Proposed 2022/23 Nepean River Corridor Study	(\$25,000)
Less: Proposed 2023/24 Nepean River Corridor Study	(\$175,000)
Less: 2023/24 Camden Memorial Pool Funding	(\$330,000)
Total Committed Funds	(\$1,250,244)
Uncommitted Balance – Capital Works Reserve	\$1,456,301

Nepean River Corridor Study – Metropolitan Greenspace Grant

Council has been successful in its grant application under the 2022/23 Metropolitan Greenspace Program for \$200,000 towards the Nepean River Corridor Study. Council is required to co-contribute \$200,000 towards the project and it is proposed to source this amount from the Capital Works Reserve.

The proposed total funding available for this study is \$400,000 (pending Council approval at tonight’s Council meeting). It is recommended that \$50,000 be allocated to the 2022/23 budget and the remaining balance of \$350,000 to the 2023/24 budget which aligns with the project timeframe for delivery.

Asset Renewal Reserve

The Asset Renewal Reserve is primarily used for the replacement and/or maintenance of existing assets. It assists in maintaining Council’s asset base in a good condition. The balance of the Asset Renewal Reserve is as follows:

Asset Renewal Reserve	
Reserve Balance – 30 June 2022	\$754,854
Add: 2022/23 Loan Interest Savings (Reserve Transfer)	\$90,100
Reserve Balance	\$844,954
Committed Funds Held in Reserve	
Less: 2021/22 Revoted projects	(\$89,973)
Less: 2022/23 Community Support Package Round 3 Funding	(\$291,800)
Total Committed Funds	(\$381,773)
Uncommitted Balance – Asset Renewal Reserve	\$463,181

Working Funds Reserve

The Working Funds Reserve is primarily used as a holding reserve for unallocated funds or for transferring committed funding from one budget year to the next. The balance of the Working Funds Reserve is as follows:

Working Funds Reserve	
Reserve Balance – 30 June 2022	\$559,224
Add: 2022/23 Adopted Budget - Transfer to Reserve	\$507,000
Add: June 2022 Budget – Transfer to Reserve	\$500,000
Reserve Balance	\$1,566,224
Committed Funds Held in Reserve	
Less: 2021/22 Revoted projects	(\$559,224)
Total Committed Funds	(\$559,224)
Uncommitted Balance – Working Funds Reserve	\$1,007,000

In adopting the 2022/23 Budget, Council resolved to transfer \$507,000 to the Working Funds Reserve as a budget contingency to reduce the impact of budget movements resulting from the current uncertainty in the economy, including rising costs (inflation), the impact of global events such as the conflict in Europe on the broader economy, recent natural disasters and supply chain issues.

A further \$500,000 was transferred to the Working Funds Reserve as detailed in the *Results against Budget and Revotes for Year Ending 30 June 2022* report adopted by Council at its meeting on 8 November 2022.

Once held in the reserve the contingency can only be accessed through a formal resolution of Council. There have been no circumstances identified as part of the December 2022 Quarterly Review where this allocation should be used.

DECEMBER QUARTERLY REVIEW OF THE 2022/23 BUDGET

Further information and explanation of the budget variations for the 2022/23 financial year is detailed below.

Proposed Variations to Budget

Proposed variations which have been identified as part of the December Quarterly Review has led to a balanced budget position. A list of the variations (greater than \$20,000) is provided in the following table. Brief explanations follow the table.

December Review of the 2022/23 Budget Proposed Variations	Budget Impact Increase/ (Decrease)
Income Adjustments	
<i>Note: Increase in income is an increase to the budget Shortfall in income is a decrease to the budget</i>	
1. Corporate Revenue – Investment Income (General Fund)	\$1,030,000
2. Mount Annan Leisure Centre – Part Closure Rectification Works	(\$515,000)
3. Traineeship Program – Apprenticeship Wage Subsidies	\$105,000
4. Camden Pool – Revised Opening Dates	(\$89,000)
Sub Total - Income Adjustments	\$531,000
Expenditure adjustments	
<i>Note: Increase in expenditure is a decrease to the budget Saving in expenditure is an increase to the budget</i>	
5. Building Maintenance Program – Additional Cleaning	(\$219,400)
6. Parks and Facility Operating/Maintenance Costs	(\$195,500)
7. Catherine Field Community Hall Rectification Works	(\$50,000)
8. WestInvest Grant Application Costs	(\$24,200)
Minor Budget Variations < \$20,000	(\$41,900)
Sub Total - Expenditure Adjustments	(\$531,000)
Council Authorised Variations	\$0
TOTAL - Proposed Variations to Budget	\$0

Income Adjustments Commentary

1. Investment Income (General Fund) – Increase in Income of \$1,030,000

Council's Investment return (interest) budget for the 2022/23 financial year was originally set using an interest rate of 1.00%. This was determined using Access Economics business outlook data which was the best available information at that time. Since the budget was set, the Reserve Bank of Australia has made a number of increases to the official cash rate. This resulted in an increase to the budgeted interest rate to 2.5% at the September Quarterly Review.

The level of funds available for investment and the current rate of return both remain higher than budget forecasts, resulting in additional investment income when compared to current budget forecasts. Following a review of the current and anticipated investment returns and investment balances, it is recommended that Council increase its projected investment income forecast by a further \$1.030 million (General Fund) using a revised investment return of 2.96% (weighted average).

The investment budget will continue to be closely monitored with any further changes reported to Council as part of future quarterly budget reviews.

2. Mount Annan Leisure Centre – Part Closure Rectification Works – Net reduction in income of \$515,000

The Mount Annan Leisure Centre will be undergoing significant roof remediation works from March to July 2023 and during this period there will be partial closures to the facility. In March and April, the Leisure and Program Pool will be closed, and in May to July the 25m pool will be closed. The facility contractor (YMCA) anticipates a reduction in income of \$721,000, which is partly offset by a reduction in anticipated costs of \$206,000.

In May 2022, Council secured funding from the third round of Local Roads and Community Infrastructure (LRCI) and agreed to allocate the grant to carry out the roof rectification works at the Mount Annan Leisure Centre.

3. Traineeship Program - Apprenticeship Wage Subsidies – Increase in Income \$105,000

The Federal Government's Boosting Apprenticeship Commencements Wage Subsidy supports businesses and group training organisations to take on new apprentices and trainees, to build a pipeline of skilled workers to support sustained economic recovery and assist with recovery from the impact of COVID-19.

Council employs trainees and apprentices through a registered group training organisation and has received wage subsidies through these employment arrangements. The payments total \$105,000 up to the period ending December 2022.

4. Camden Pool Revised Opening Dates – Net reduction in Income of \$89,000

Due to the significant works required to repair flood damage sustained to the Camden Pool during the flood events in 2022, the pool was closed until January 2023. The pool reopened with an additional hour of operations from Monday to Friday and will remain open until 30 April 2023 (in prior years the pool would close in March).

The financial impact of the changes is a reduction in budgeted income of \$97,000 which has been partly offset by a minor reduction in costs of \$8,000.

Expenditure Adjustments Commentary

5. Building Maintenance Program Additional Cleaning – Increase in Expense of \$219,400

Additional costs have been incurred in response to the COVID-19 pandemic to ensure clean and safe facilities for staff, residents and guests. The funding was used to implement enhanced cleaning and sanitation protocols, purchase PPE and make necessary facility upgrades to promote social distancing and reduce the spread of COVID-19. The enhanced protocols were put in place for all Council facilities within the Local Government Area (LGA) including libraries, depots, the administration building and the Civic Centre.

6. Parks and Facility Operating/Maintenance Costs – Increase in Expense of \$195,500

Interim arrangements have been established to support the maintenance and operational costs for the Bicentennial Equestrian Park (BEP), Camden Town Farm, Onslow Park and Fergusons Park to 30 June 2023, resulting in a budget adjustment of \$195,500.

Council officers are currently considering the appropriate business models for the future operation and maintenance of these facilities, with an interim solution to be considered by Council as part of the 2023/24 budget and final business model/s when Council considers the proposed master plan for the BEP and Town Farm.

7. Catherine Field Community Hall Rectification Works – Increase in Expense of \$50,000

Catherine Field Community Hall was impacted considerably in 2022 by the significant weather events including heavy rainfall and flooding experienced throughout the Camden LGA. The hall has subsequently suffered flooring damage which has rendered it unsafe for public use. The interim rectification works proposed support a low-cost option to re-establish services to the community until a master planning and upgrade scope is completed. These works include improvements to flooring, sub-floor ventilation and drainage and are estimated to cost \$50,000.

8. WestInvest Grant Application Costs – Net Increase in Expense of \$24,200

Expenditure of \$161,820 was incurred in this financial year in the preparation of WestInvest grant applications submitted to the NSW State Government for funding consideration. Council's claim of \$137,620 has been approved for funding through WestInvest with the balance of \$24,200 to be funded by Council.

COUNCIL AUTHORISED VARIATIONS

There were four Council authorised budget variations during the period 1 October 2022 to 31 December 2022.

Council approved Variations	Expenditure (Increase)/ Decrease	Income Increase/ (Decrease)	Budget Impact Increase/ (Decrease)
Grant Funding – NSW Seniors Festival Grants Program ORD189/22	(\$3,500)	\$3,500	-
Grant Funding – Transport for NSW – Get NSW Active Program ORD191/22	(\$1,203,000)	\$1,203,000	-
Grant Funding – Floodplain Management Program ORD193/22	(\$500,000)	\$500,000	-
Grant Funding – Seniors Reducing Social Isolation Program ORD195/22	(\$27,098)	\$27,098	-
Total Council Variations	(\$1,733,598)	\$1,733,598	-

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 October 2022 to 31 December 2022), there has been eleven (11) contra adjustments which have been required amounting to \$698,286.

A detailed list of these adjustments is provided in **Attachment 1** of this report.

ORD03

BICENTENNIAL EQUESTRIAN PARK AND CAMDEN TOWN FARM PROJECTS

Funding is required to deliver a number of capital projects at the Bicentennial Equestrian Park, the Camden Town Farm and master plans for both facilities. The tables below detail works previously endorsed by the committees and the budgets required for the master planning works recommended for both facilities.

Bicentennial Equestrian Park (BEP) Projects	Amount
Fencing Renewal and Installation	\$68,750
Install steel horse yards	\$40,000
Main Pavilion Veranda	\$35,000
Privacy screens - Southern Pavilion Shower - BEP South	\$10,000
Repairs to damaged Sheathers lane entrance and gateway	\$10,000
Master planning	\$100,000
Total	\$263,750

Camden Town Farm (CTF) Projects	Amount
All-Terrain Vehicle Purchase	\$30,000
Camden Show Society (final payment under agreement)	\$15,800
Safety Bollards - Walkway	\$2,000
Master planning	\$50,000
Total	\$97,800

It is recommended that surplus funds formally held by the S355 Management Committees be utilised to fund these works and services, as the works primarily align with projects put forward by the previous committees. The following table shows the remaining restricted balances (cash held by Council) after these works have been funded.

	Bicentennial Equestrian Park	Camden Town Farm
Restricted Balance (January 2023)	\$363,844	\$125,853
Proposed Projects	\$263,750	\$97,800
Restricted Balance Remaining	\$100,094	\$28,053

It should be noted that the restricted balances are subject to change during the transition phase to Council. The receipt of booking fees and maintenance costs associated with buildings are adjusted against the restricted balance held by Council. The use of the remaining balance will form part of the final business model endorsed by Council.

COUNCILLOR CONSOLIDATED WARD FUNDS

As part of the Annual Budget process, an allocation of \$30,000 is included within the budget which is available for Councillor endorsed funding requests, fee waivers and/or support for specific community requests.

The available balance of the Consolidated Ward Funds at the end of the December 2022 reporting period was \$138,754.

Consolidated Ward Funds	
2022/23 Budget Allocation	\$30,000
2021/22 Ward Funds Revote	\$108,754
Total Funds Available	\$138,754
Funding Allocated:	
Nil	
Total Funding Allocated in 2022/23	\$0
Balance of Consolidated Ward Funds	\$138,754

It should be noted that the balance of Consolidated Ward Funds is over and above the projected balanced budget position as advised in this report.

SUMMARY OF DECEMBER REVIEW ADJUSTMENTS

The following table is a summary of budget adjustments up to 31 December 2022.

Budget Adjustment Summary	Expenditure (Increase) / Decrease	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2021/22 Carry-Forward Working Funds			\$1,000,000
2022/23 Adopted Budget Position			\$0
Less: Minimum Level of Working Funds			(\$1,000,000)
September 2022 Adjustments	\$14,528,793	(\$14,528,793)	\$0
Available Working Funds 30 Sept 2022			\$0
December Review 2022			
Note 1: Proposed Variations	(\$454,620)	\$454,620	\$0
Note 2: Authorised Variations	(\$1,733,598)	\$1,733,598	\$0
Note 3: Contra Adjustments	(\$698,286)	\$698,286	\$0
Sub Total - Review Adjustments	(\$2,886,504)	\$2,886,504	\$0
Available Working Funds 31 Dec 2022 (uncommitted cash)			\$0

ON-TIME PAYMENT POLICY REPORTING

At the end of each quarter, Council is required to report on compliance with its adopted On-Time Payment Policy. This Policy requires Council to pay interest where an invoice received from small business (turnover less than \$2 million p.a.) has been held by Council for more than 20 days and the interest payable is more than \$20.

For the reporting period 1 October 2022 to 31 December 2022, Council processed 47 invoices from registered small businesses. No invoices became overdue during the reporting period.

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with section 203(2) of the *Local Government (General) Regulation 2021*:

'It is my opinion that the Quarterly Budget Review Result for Camden Council for the period ending 31 December 2022 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.'

A copy of the Quarterly Budget Review Statement for the period ending 31 December 2022 is provided as **Attachment 2** of this report.

CONCLUSION

The December Quarterly Review of the 2022/23 Budget has been completed and is recommended for adoption by Council.

RECOMMENDED

That Council:

- i. **adopt the budget variations contained within this report and note the balanced budget position for the December 2022 Quarterly Budget Review;**
- ii. **approve the allocation of \$200,000 from the Capital Works Reserve as matched funding for the Nepean River Corridor Study and include the budget for 2022/23 and 2023/24 as detailed in the report; and**
- iii. **approve the works and services at the Bicentennial Equestrian Park (\$263,750) and Camden Town Farm (\$97,800) as detailed in the report, with funding to come from the restricted balances (cash) held by Council following dissolution of the two committees.**

ATTACHMENTS

1. December Review 2022 Appendix
2. December Review 2022 QBRS

ORD04

ORD04

SUBJECT: LOCAL GOVERNMENT ELECTION 2024
FROM: Director Customer & Corporate Strategy
EDMS #: 23/9365

PURPOSE OF REPORT

This report recommends that Council resolve to enter into an arrangement with the NSW Electoral Commission (NSWEC) for the administration of the 2024 local government election.

BACKGROUND

Section 296AA of the *Local Government Act 1993* (the Act) requires councils to plan for the administration of elections, polls and constitutional referenda by resolving to either enter into an arrangement with the NSWEC, by contract or otherwise, or to engage a commercial electoral services provider to administer them.

Under section 296 of the Act, councils are normally required to determine at least 18 months before a local government election whether they will engage the NSWEC to administer their election.

As a result, the resolution on the administration of the 14 September 2024 election must be made by no later than 13 March 2023.

Councillors received a briefing on this matter on 31 January 2023.

MAIN REPORT

Review of the December 2021 Local Government Election

During the local government elections held in 2021, 122 out of 128 councils within NSW chose to have the NSWEC administer their election. Four councils did not hold elections in December 2021 and two engaged a commercial electoral services provider to administer their elections.

The NSWEC's *Report on the Conduct of the 2021 Local Government Elections* notes that the survey feedback from councils resulted in a high degree of satisfaction with 89% of respondents in agreement that the elections administered by the NSWEC were conducted fairly and impartially.

In the past, Council has engaged the NSWEC for the administration of its elections. It is noted that, in the experience of Council officers, the 2021 Camden Council election was conducted smoothly by the NSWEC.

Administration of the 2024 Local Government Election

If Council does not resolve to engage the NSWEC by the due date, it would need to conduct the election through a commercial electoral services provider. An indicative quotation for the administration of the 2024 election has been sought from a commercial electoral services provider. The quotation received is commercial-in-confidence and is provided as a supporting document at **Attachment 1**.

A cost estimate for the administration of the 2024 election has also been received from the NSWEC. This is provided as a supporting document at **Attachment 2**.

The following points are noted:

- Other than enrolment services provided to councils at cost, no assistance is given by the NSWEC to councils that choose not to use the NSWEC to administer the election.
- If the NSWEC is not used, the commercial electoral services provider is responsible for the administration of the election; however, the ultimate responsibility for the election result rests with Council rather than the NSWEC. There are onerous obligations contained in the Act and the *Local Government (General) Regulation 2021*. A failure to comply with any of the legislative requirements opens the potential for the validity of the election to be called into question.
- If intending to engage a commercial electoral services provider to deliver election services, Council would likely be required to go to tender for any amounts exceeding \$250,000 (incl. GST). However, section 55(3)(p) of the Act exempts Council from the tender requirement when entering into a contract or arrangement with the NSWEC to administer Council's election.
- Based on the indicative quotation from the commercial electoral services provider and the cost estimate from the NSWEC, there is no financial benefit in using a commercial electoral services provider to provide all election services instead of the NSWEC.

If Council resolves to engage an electoral services provider other than the NSWEC, the resolution must state whether the General Manager has identified an electoral services provider to be engaged for the local government election and, if so, the name of that provider.

If Council resolves to engage the NSWEC to conduct the local government election, it should use a model resolution detailed in the attachment to the Office of Local Government's *Circular 22-35 Councils' decisions on the administration of their September 2024 ordinary elections*. This model resolution forms the basis of the recommendation for this report. It includes reference to the conduct of polls and referenda to account for the possibility that Council may subsequently resolve to enter into an arrangement for the administration of a constitutional referendum or poll.

Should Council resolve to enter into an election arrangement with the NSWEC, the contract must be finalised no later than 13 June 2023.

FINANCIAL IMPLICATIONS

Council has sufficient funds to cover the total cost of the 2024 election based on either the NSWEC's cost estimate or the commercial electoral services provider's indicative quotation.

CONCLUSION

It is recommended that Council enter into an arrangement with the NSWEC to conduct the 2024 local government election and associated activities as:

- a) Council has previously been satisfied with the service provided by the NSWEC; that is, NSWEC is a proven provider;
- b) There are significant risks and obligations placed on Council in engaging a commercial electoral services provider that are not applicable if the NSWEC is engaged; and
- c) The indicative quotation provided by the commercial electoral services provider is less favourable than the cost estimate provided by the NSWEC.

RECOMMENDED

That Council:

- i. approve, pursuant to sections 296(2) and (5A) of the *Local Government Act 1993* (the Act), that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council;**
- ii. approve, pursuant to sections 296(2) and (5A) of the Act, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the NSW Electoral Commissioner to administer all council polls of the Council (if required); and**
- iii. approve, pursuant to sections 296(2) and (5A) of the Act, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of the Council (if required).**

ATTACHMENTS

1. Indicative Quotation from Commercial Electoral Services Provider - *Supporting Document*
2. Cost Estimate from NSW Electoral Commission - *Supporting Document*

ORD05

SUBJECT: DELEGATIONS TO THE MAYOR - CHRISTMAS/NEW YEAR RECESS PERIOD
FROM: Director Customer & Corporate Strategy
EDMS #: 23/9508
PREVIOUS ITEMS: ORD03 - Delegations to the Mayor - Christmas/New Year Recess Period - Ordinary Council - 13 Dec 2022

PURPOSE OF REPORT

This report informs Council about the exercise of delegated authority by the Mayor over the Christmas/New Year recess period.

BACKGROUND

Council was in recess from 14 December 2022 until 14 February 2023 (the recess period). In order for urgent decisions to be attended to during the recess period, Council resolved to delegate to the Mayor and Deputy Mayor (in the absence of the Mayor) the authority to make decisions on urgent matters during the recess period, as provided under sections 226 and 377 of the *Local Government Act 1993*.

Council also resolved to receive a report to the Ordinary Meeting of 14 February 2023, if this delegated authority is exercised.

MAIN REPORT

During the recess period, the Mayor exercised the delegated authority on four occasions on 4 January 2023 to accept grant funding, as detailed below. The use of the Mayor's delegated authority was necessary as the due dates for accepting these grants were all within the recess period.

Places to Roam Grant Program

The Mayor used the delegated authority to accept, on behalf of Council, \$368,811 (excl. GST) in grant funding from the Department of Planning and Environment's 2022/23 Places to Roam Grant Program for Regional Trails.

The grant funding will support the John Oxley Recreational Trail project to deliver hard and soft works, entrances to John Oxley Reserve, walking trails, interpretive and directional signage, viewing platforms and trail management works to ensure sustainable use of the Reserve.

The proposed works are a continuation of Council's partnership with Greening Australia and will support the delivery of Camden's Green and Blue Grid Network of waterways and land that are accessible, connected, healthy, maintained and valued.

The funding is to be included in the 2023/24 budget.

Graffiti Management Grant (Western Sydney) Program

The Mayor used the delegated authority to accept, on behalf of Council, \$100,000 (excl. GST) in grant funding from the Department of Communities and Justice's Graffiti Management Grant (Western Sydney) Program.

The grant funding will support graffiti management and prevention works at Nugget Beames Reserve amenities, including installation of public art on the side of the wall of the Nugget Beames Reserve amenities building, anti-graffiti coating on building walls and green screening.

The funding is to be included in the 2023/24 budget.

Metropolitan Greenspace Program

The Mayor used the delegated authority to accept, on behalf of Council, \$200,000 (excl. GST) in grant funding from the Department of Planning and Environment's 2022-23 Metropolitan Greenspace Program.

The grant funding will support the Nepean River Corridor Study, delivering a strategy that guides how the Nepean River is transformed into a Green and Blue Grid Network link with a focus on continuous cycling and pedestrian pathway along the Nepean River for its extent in the Camden Local Government Area (LGA). This will include strategies on how to implement recommended interventions, public access points, ecological improvements and environmental restoration over time.

The total cost of the project is \$400,000, with Council providing matching funding from Council's Capital Works Reserve in accordance with grant requirements.

\$50,000 is to be included in the 2022/23 budget and \$350,000 in the 2023/24 budget which aligns with the project delivery timeframe.

Greening Our City Grant Program

The Mayor used the delegated authority to accept, on behalf of Council, \$950,000 (excl. GST) in grant funding from the Department of Planning and Environment's 2022 Greening Our City Grant Program which is administered by Local Government NSW.

The grant funding will increase the tree canopy across the Camden LGA, focusing on infill planting in response to residential requests and targeting parcels of open space in heat vulnerable suburbs that have local levels of existing canopy and that are already experiencing the impacts of urban heat.

The funding is to be included in the 2023/24 budget.

FINANCIAL IMPLICATIONS

Council has been successful in its application for funding from four grant programs as outlined in this report. In addition, Council will provide matching funding of \$200,000 for the Metropolitan Greenspace Program grant from its Capital Works Reserve pending approval by Council as part of the December Quarterly Budget Review being considered at tonight's Council meeting.

CONCLUSION

The exercise of the delegated authority by the Mayor enabled Council to accept the following four grants during the recess period:

- \$368,811 (excl. GST) in grant funding from the Department of Planning and Environment's 2022/23 Places to Roam Grant Program for Regional Trails.
- \$100,000 (excl. GST) in grant funding from the Department of Communities and Justice's Graffiti Management Grant (Western Sydney) Program.
- \$200,000 (excl. GST) in grant funding from the Department of Planning and Environment's 2022-23 Metropolitan Greenspace Program.
- \$950,000 (excl. GST) in grant funding from the Department of Planning and Environment's 2022 Greening Our City Grant Program.

RECOMMENDED

That Council note the use of delegated authority by the Mayor as outlined in this report.

ORD06**ORD06****SUBJECT: COUNCILLOR AND COMMUNITY REPRESENTATION ON COMMITTEES****FROM:** Director Customer & Corporate Strategy**EDMS #:** 23/33091**PREVIOUS ITEMS:** ORD07 - Councillor Representation on Committees - Ordinary Council - 08 Mar 2022
ORD04 - Community Representation on Advisory Committees and Reference Groups - Ordinary Council - 10 May 2022
ORD03 - Community Representation on Advisory Committees and Reference Groups - Ordinary Council - 09 Aug 2022**PURPOSE OF REPORT**

The purpose of this report is to determine additional Council-appointed representatives on the board of Macaria Gallery Limited and to recommend the appointment of an additional community representative as a member of the Floodplain Risk Management Advisory Committee.

BACKGROUND**Macaria Gallery Limited**

Macaria Gallery Limited (Macaria) was established to act as the corporate trustee of the Alan Baker Art Gallery Trust and to establish, operate and maintain a public art gallery in the Camden Local Government Area. Macaria's constitution allows for Council to appoint as directors any of the Mayor, one or more elected Councillors or the General Manager. Three Councillor representatives are generally appointed as directors on the board of the company. The board also has two additional directors.

At the Ordinary Meeting of Council on 8 March 2022, Council resolved (ORD 26/22) to appoint Councillors Dommaraju, Symkowiak and Zammit as directors on the board of Macaria.

Floodplain Risk Management Advisory Committee

The Floodplain Risk Management Advisory Committee (the Floodplain Committee) assists Council in the review, development and implementation of one or more floodplain risk management plans for the Camden Local Government Area.

At the Ordinary Meeting of Council on 10 May 2022, Council resolved (ORD 56/22) to appoint two community representatives as members of the Floodplain Committee. At the Ordinary Meeting of Council on 9 August 2022, Council resolved (ORD118/22) to appoint a third community representative as a member of the Committee.

A Councillor Briefing on both of these matters was held on 31 January 2023.

MAIN REPORT

Macaria Gallery Limited

Councillor Dommaraju resigned from the board of Macaria effective from 29 November 2022. Councillors Symkowiak and Zammit continue to serve as directors.

Council is required to appoint at least one person as a director on the board of Macaria to replace Councillor Dommaraju, as three Council-appointed directors are required to attend directors' meetings in order to constitute a quorum under Macaria's constitution. However, it is considered prudent for Council to also appoint an additional director, which would allow a quorum to be constituted where one of the other Council-appointed directors is unable to attend. In addition, it is recommended that Council appoint the General Manager as a director. Additional directors are permitted under the constitution.

Floodplain Risk Management Advisory Committee

In accordance with its Terms of Reference, the membership of the Floodplain Committee includes up to six community representatives – two each from the Narellan Creek Catchment, Nepean River (except Narellan Creek) Catchment and Upper South Creek Catchment.

The Floodplain Committee currently has three community representatives appointed; two from the Narellan Creek Catchment and one from the Nepean River (except Narellan Creek) Catchment.

An Expression of Interest to join the Floodplain Committee was received from a community member from the Nepean River (except Narellan Creek) Catchment and is provided as a **supporting document**. It is recommended that this applicant be appointed as a community representative on the Committee.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

CONCLUSION

It is recommended that Council appoint an additional two Councillors and the General Manager as directors on the board of Macaria and that the nominated community member be appointed as a community representative on the Floodplain Committee.

RECOMMENDED

That Council:

- i. **appoint two additional Councillor representatives as directors on the board of Macaria Gallery Limited as determined by Council;**
- ii. **appoint the General Manager as a director on the board of Macaria Gallery Limited; and**
- ii. **appoint the nominated community member as a community representative from the Nepean River (except Narellan Creek) Catchment on the Floodplain Risk Management Advisory Committee.**

ATTACHMENTS

1. EOI Form - Steve Cooper - Floodplain Risk Management Advisory Committee - *Supporting Document*

ORD06

SUBJECT: DISCLOSURES OF INTERESTS RETURNS
FROM: Director Customer & Corporate Strategy
EDMS #: 22/586540

PURPOSE OF REPORT

The purpose of this report is to recommend that Council note the tabling of Disclosures of Pecuniary Interests and Other Matters Returns lodged by members of the Camden Local Planning Panel (CLPP) as well as the tabling of the Disclosures by Councillors and Designated Persons Return completed by Council's General Manager.

BACKGROUND

Camden Local Planning Panel

Under section 4.17 of the Local Planning Panels Code of Conduct (LPP Code of Conduct), members of the CLPP are required to periodically lodge with the Panel Chair a Disclosures of Pecuniary Interests and Other Matters Return. The Panel Chair must provide returns to the General Manager who must in turn keep a register of the returns.

Councillors and Designated Persons

Under section 4.21 of Council's Code of Conduct, a Councillor and designated person must complete and lodge with the General Manager a Disclosures by Councillors and Designated Persons Return within three months of becoming a Councillor or designated person.

MAIN REPORT

Camden Local Planning Panel

Under Schedule 2 to the LPP Code of Conduct, the General Manager is required to table at a Council meeting all returns of CLPP members lodged with the Panel Chair. The returns were tabled at the CLPP meeting of 15 December 2022.

Councillors and Designated Persons

Under clause 4.8(a) of Council's Code of Conduct, the General Manager is identified as a designated person. Per section 4.25 of the Code of Conduct, returns of Councillors and designated persons required to be lodged with the General Manager must be tabled at a Council meeting.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

The completed Disclosures of Pecuniary Interests and Other Matters Returns lodged by CLPP members and the completed Disclosures by Councillors and Designated Persons Return lodged by Council's General Manager are tabled.

RECOMMENDED

That Council:

- i. note the tabling of the Disclosures of Pecuniary Interests and Other Matters Returns lodged by members of the Camden Local Planning Panel; and**
- ii. note the tabling of the Disclosures by Councillors and Designated Persons Return lodged by Council's General Manager.**

ORD07

ORD08

SUBJECT: INVESTMENT MONIES - NOVEMBER AND DECEMBER 2022
FROM: Director Customer & Corporate Strategy
EDMS #: 22/596907

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2021*, a list of investments held by Council as at the end of 30 November 2022 and 31 December 2022 is provided.

MAIN REPORT

The weighted average return on all investments for the period November 2022 to December 2022 is shown in the table below.

Month	Weighted Average Return	Ausbond Bank Bill Index (Benchmark)
November 2022	2.71%	3.07%
December 2022	2.96%	2.98%

It should be noted that Council's investment performance will return to above benchmark once investments held at lower interest rates mature and are re-invested at current market interest rates. This is representative of a market being driven by extraordinary increases in the official cash rate over a short period of time by the Reserve Bank of Australia.

The current official cash rate as determined by the Reserve Bank of Australia on the 7 December 2022 is 3.10%.

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

Council's Investment Reports are provided as **attachments** to this report.

RECOMMENDED

That Council:

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for November 2022 and December 2022; and**
- iii. note the weighted average interest rate return of 2.71% and 2.96% p.a. for the months of November 2022 and December 2022 respectively.**

ATTACHMENTS

1. Monthly Investment Report - November 2022
2. Monthly Investment Report - December 2022

ORD08

SUBJECT: ACCEPTANCE OF GRANT FUNDING - CREATIVE CAPITAL MINOR WORKS 2022

FROM: Acting Director Sport, Community and Activation

EDMS #: 22/538948

PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application of \$59,663 (excl. GST) through the NSW Government's Creative Capital Funding Program for Minor Works and Equipment Round Two, and to seek Council's endorsement to accept the funding.

BACKGROUND

The Creative Capital Minor Works and Equipment Program is part of the NSW Government's \$60 million investment in strategic funding for new and improved cultural infrastructure across New South Wales.

The funding provided under this program will enable Council to purchase a new Grand Piano for the Civic Centre to enhance cultural programs and activities, improve audience experience and attract touring artists.

MAIN REPORT

The NSW Government has advised Council that it was successful in its application for a grant of \$59,663 (excl. GST) to fund the replacement of the Grand Piano at the Camden Civic Centre.

The replacement will breathe life into the classical music arena for Camden and will see the retirement of the existing grand piano following 40 years of service to the community.

The new grand piano will assist to:

- Improve the quality of musical recitals within the Civic Centre;
- Extend classical programming opportunities;
- Act as an attractor for local and touring artists;
- Improve audience and customer experience; and
- Enable quality performances that attract larger audiences.

Following the recent \$400,000 upgrade to the auditorium audio-visual equipment at the Civic Centre, the grand piano will further improve the programming capacity and provide artists with the opportunity to showcase their work using a world class instrument.

FINANCIAL IMPLICATIONS

Council has been successful in its application for a \$59,663 (excl. GST) grant.

The funding provides a significant contribution to the replacement of the Civic Centre Grand Piano with Council contributing a further \$29,387 (excl. GST) through existing budgets.

CONCLUSION

Council has been successful in its application for \$59,663 (excl. GST) for the replacement of the Civic Centre Grand Piano through the NSW Government's Creative Capital Funding Program for Minor Works and Equipment Round Two.

RECOMMENDED

That Council:

- i. accept the grant funding of \$59,663 (excl. GST) from the NSW Government's Creative Capital Funding Program for Minor Works and Equipment Round Two for inclusion in the 2022/23 budget for the replacement of the Grand Piano;**
- ii. write to the Hon. Ben Franklin MLC, Minister for Aboriginal Affairs, Minister for the Arts, Minister for Regional Youth, and Minister for Tourism, thanking him for the grant; and**
- iii. write to Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

ORD10

SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW GOVERNMENT YOUTH WEEK GRANTS PROGRAM 2023

FROM: Acting Director Sport, Community and Activation

EDMS #: 23/48552

PURPOSE OF REPORT

The purpose of this report is to advise Council of the receipt of a subsidy for the amount of \$4,781 (excl. GST) through the NSW Government's Youth Week Grants Program, and to seek Council's endorsement to accept the funding.

BACKGROUND

National Youth Week will be held between 20-30 April 2023. Youth Week is an annual opportunity for young people, aged 12-24, to express their ideas and views, act on issues that affect their lives and create and enjoy activities and events.

Each year Council receives NSW Government funding to deliver a program of local activities for Camden Youth Week in partnership with local youth-based service providers. This program has won multiple awards in previous years.

MAIN REPORT

The NSW Government has advised Council that it was allocated a subsidy of \$4,781 (excl. GST) to fund the 2023 Camden Youth Week Program. Council annually receives this subsidy, and it must be matched in full by Council.

The Youth Week Program is aligned to the Camden Youth Strategy and will consist of a diverse range of programs and activities that are aimed at encouraging young people to cultivate a sense of belonging, while connecting with their community and each other.

The Camden Youth Week Program will be delivered in partnership with local young people, community groups, youth services and local businesses. A variety of activities will be delivered by the Camden Youth Reference Group, including:

- Camden Shorts;
- Camden Careers Expo;
- Spotlight; and
- The Camden Youth Multicultural Festival.

In addition to these Council-led initiatives, community groups, youth services and local businesses have partnered with Council to deliver additional Youth Week activities in Camden.

FINANCIAL IMPLICATIONS

Council will receive the Youth Week Grant Program subsidy of \$4,781 (excl. GST) and will provide matching funding from the existing budget allocations for youth programs.

CONCLUSION

Council has been allocated a subsidy of \$4,781 (excl. GST) to deliver the 2023 Camden Youth Week Program through the NSW Government's Youth Week Grants Program.

RECOMMENDED

That Council:

- i. accept the grant subsidy of \$4,781 (excl. GST) from the NSW Government's Youth Week Grants Program for inclusion in the 2022/23 budget to deliver the 2023 Camden Youth Week program;**
- ii. write to the Hon. Natasha Maclaren-Jones MP, Minister for Families and Communities, and Minister for Disability Services, thanking her for the grant; and**
- iii. write to Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

ORD10

ORD11

SUBJECT: ACCEPTANCE OF GRANT FUNDING - DEPARTMENT OF REGIONAL NSW - CHILDREN AND YOUNG PEOPLE WELLBEING RECOVERY SMALL GRANTS PROGRAM - CAMDEN SWIRLS PROGRAM

FROM: Acting Director Sport, Community and Activation

EDMS #: 23/47414

PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application of \$4,000 (excl. GST) through the NSW Government's Children and Young People Wellbeing Recovery Small Grants Program, and to seek Council's endorsement to accept the funding.

BACKGROUND

The Children and Young People Wellbeing Recovery Small Grants Program is an initiative of the Department of Regional NSW to promote social inclusion and community connections for children living in regional NSW (including the Camden Local Government Area).

The funds provided under this small grants program will enable Council to deliver Camden Swirls, a tween creative program that supports young people in Camden to engage in creative activities, learn new skills and make peer and community connections.

MAIN REPORT

The NSW Government has advised Council that it was successful in its application for a grant of \$4,000 (excl. GST) to fund Camden Swirls.

Camden Swirls is a free group program for 30 local young people, aged between 10-14 years, to come together once a month and engage in creative outlets.

The program is coordinated by Council, with the support of external creative contractors to facilitate the workshops. The workshops focus on:

- Teaching participants new creative skills;
- Facilitating social and emotional development of young people;
- Supporting and facilitating peer connections; and
- Improving the wellbeing of local young people.

Camden Swirls will run from the Julia Reserve Youth and Community Centre between March to August 2023.

FINANCIAL IMPLICATIONS

Council has been successful in its application for a \$4,000 (excl. GST) grant. In addition, Council has allocated \$1,800 to the project through existing budgets.

The grant will support the hire of creative contractors and the purchase of materials and resources required to facilitate the program.

CONCLUSION

Council has been successful in its application for \$4,000 (excl. GST) to deliver Camden Swirls through the Children and Young People Wellbeing Recovery Small Grants Program administered by the Department of Regional NSW.

RECOMMENDED

That Council:

- i. accept grant funding of \$4,000 (excl. GST) from the NSW Government's Children and Young People Wellbeing Recovery Small Grants Program to deliver the Camden Swirls program, with the funding to be included in the 2022/23 budget;**
- ii. write to the Hon. Ben Franklin, MLC, Minister for Tourism, Minister for Aboriginal Affairs, Minister for the Arts, and Minister for Regional Youth, thanking him for the grant; and**
- iii. write to Peter Sidgreaves MP, Member for Camden, thanking him for his support.**

ORD12

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - WESTERN SYDNEY
INFRASTRUCTURE PLAN - LOCAL ROADS PACKAGE ROUND 4**

FROM: Director Community Assets

EDMS #: 23/2078

PURPOSE OF REPORT

The purpose of this report is to recommend Council accept grant funding of \$6,409,049 (excl. GST), under the Federal Government's Western Sydney Infrastructure Plan – Local Roads Package (Round 4).

BACKGROUND

The Western Sydney Infrastructure Plan – Local Roads Package is funded by the Federal Government and is open to councils in the region of the Western Sydney International (Nancy-Bird Walton) Airport ('the Western Sydney Airport'). The Local Roads Package is intended to fund a range of works in local government areas which will improve local transport connections in Western Sydney.

The Federal and NSW Governments previously announced a jointly funded 10-year road investment plan of more than \$3.5 billion for Western Sydney, to support the Federal Government's investment in the Western Sydney Airport.

MAIN REPORT

Key features of the road investment plan include:

- Upgrade of Bringelly Road between The Northern Road and Camden Valley Way;
- Upgrade of The Northern Road between Narellan and the M4 Motorway;
- Construction of a new east-west M12 motorway to the airport between the M7 Motorway and The Northern Road – construction in progress; and
- A \$200 million package for local road upgrades.

In assessing the funding criteria for the Local Roads Package, the strategic corridor between Camden and Narellan has been recognised as key transport connections to The Northern Road, ultimately facilitating access to the Western Sydney Airport and the Western Sydney Employment Area.

The Camden to Narellan Corridor Upgrade is made up of a number of separate projects designed to improve road network operation, journey times, safety and travel reliability for residents, employees and visitors in the area.

The following project was successful in securing multi-year funding in the Local Roads Package (Round 4):

Camden Valley Way / Hilder Street Upgrade (Attachment 1)

The project involves demolition and reconstruction of the existing intersection as a two-lane roundabout with modifications to the approach roads.

FINANCIAL IMPLICATIONS

The grant funding of \$6,409,049 (excl. GST) is summarised in the table below:

Project	2022/23	2023/24	Total
Camden Valley Way / Hilder Street Upgrade (Delivery)	\$318,227	\$6,090,822	\$6,409,049

The above funding will contribute to the accelerated delivery of key infrastructure.

CONCLUSION

Council has recently been advised that a grant funding application, to a value of \$6,409,049 (excl. GST) under the Western Sydney Infrastructure Plan – Local Roads Package (Round 4), has been successful. The works include upgrade of the intersection of Camden Valley Way and Hilder Street. This project forms part of an overall strategy to upgrade the Camden to Narellan corridor, contributing to the accelerated delivery of key infrastructure to benefit the local community. It is recommended that Council accept grant funding for delivery of this project.

RECOMMENDED

That Council:

- i. accept Federal Government funding of \$6,409,049 (excl. GST) for delivery of the Camden Valley Way / Hilder Street upgrade, with \$318,227 allocated to the 2022/23 financial year and \$6,090,822 to the 2023/24 financial year;**
- ii. write to the Hon. Catherine King MP, Federal Minister for Infrastructure, Transport, Regional Development and Local Government, thanking her for the grant; and**
- iii. write to the Hon. Angus Taylor MP, Federal Member for Hume, thanking him for his support.**

ATTACHMENTS

- 1. Camden Valley Way / Hilder Street Upgrade

SUBJECT: PROPOSED WARRAGAMBA DAM WALL RAISING
FROM: Director Community Assets
EDMS #: 23/2379

PURPOSE OF REPORT

The purpose of the report is to provide Council with an update on the proposal to raise Warragamba Dam Wall.

BACKGROUND

Council, at the Ordinary Meeting of 14 June 2022, considered a Notice of Motion on the proposal to raise Warragamba Dam Wall and resolved to:

'...defer consideration of this Item to allow for a Councillor Briefing or Workshop to be conducted on the matter, with the item to be brought back to Council for consideration again as soon as possible.'

A Councillor Briefing was provided on 15 November 2022.

MAIN REPORT

In May 2017, the NSW Government released the Hawkesbury Valley Flood Risk Management Strategy, 'Resilient Valley, Resilient Communities' ('the Strategy'). The Valley covers 425 square kilometres of floodplain mainly within the four Local Government Areas (LGAs) of Penrith City, Hawkesbury, The Hills and Blacktown City.

The Strategy recommends the raising of Warragamba Dam Wall to create a flood mitigation zone of around 14 metres. The Strategy identifies this as the best option to provide temporary inflow storage at Lake Burragorang during heavy rain to reduce risks to life, property and community assets posed by floodwaters from the Warragamba catchment.

The project comprises the following main activities and elements:

- Demolition and removal of parts of the existing Warragamba Dam, including the existing drum and radial gates;
- Thickening and raising of the dam abutments;
- Thickening and raising of the central spillway;
- New gates to control the discharge of water from the flood mitigation zone;
- Modifications to the auxiliary spillway;
- Operation of the dam for flood mitigation; and
- Installation of environmental flows infrastructure.

WaterNSW, as the owner and operator of Warragamba Dam, prepared an Environmental Impact Statement which was publicly exhibited from 29 September 2021 to 19 December 2021. This resulted in 2,586 submissions being received, with 2,475 objecting to the project, 60 supporting the project and 51 providing comment. The key issues raised through the public exhibition process include impacts to biodiversity, the UNESCO World Heritage area, Aboriginal cultural heritage and social (bush walking and tourism) considerations. Flooding impacts and risk and project alternatives were also raised.

In early October 2022, the NSW Premier announced that the proposal to raise the wall of Warragamba Dam would be fast tracked by declaring it critical State infrastructure. The declaration means the NSW Planning Minister will have final approval of the project.

Following the public exhibition of the Environmental Impact Statement, the Department of Planning and Environment required WaterNSW to prepare a Preferred Infrastructure Report (PIR). The purpose of the PIR is to describe changes to the project since public exhibition and in response to submissions. The PIR and Response to Submissions documents were placed on public exhibition from 21 November 2022 to 12 December 2022.

As a submission was not able to be prepared and considered by Council during the exhibition period, Council Officers provided a comment noting that Council was aware of community concerns regarding the proposed raising of Warragamba Dam Wall. It was also noted that the project would not reduce the impact of flooding events in the Camden LGA and should the State and Federal Governments invest the estimated \$1.4 billion, this would limit government funding available to support managing flood impacts in the Camden LGA. Finally, it was noted that any further comments would be provided once the matter could be considered by Council at its meeting in February 2023.

FINANCIAL IMPLICATIONS

The cost to raise Warragamba Dam Wall is estimated at \$1.4 billion.

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

CONCLUSION

The Strategy recommends the raising of Warragamba Dam Wall to create a flood mitigation zone of around 14 metres.

An Environmental Impact Statement for the project was publicly exhibited in late 2021, resulting in 2,586 submissions with 2,475 objecting to the project, 60 supporting the project and 51 providing comment. Key issues raised through the public exhibition process include impacts to biodiversity, the UNESCO World Heritage area, Aboriginal cultural heritage and social (bush walking and tourism) considerations. Flooding impacts and risk and project alternatives were also raised.

In early October 2022, the NSW Premier announced that the proposal to raise the wall of Warragamba Dam would be fast tracked by declaring it critical State infrastructure. In November 2022, a Preferred Infrastructure Report and Response to Submissions were publicly exhibited.

RECOMMENDED

That Council note the information contained in the report.

SUBJECT: DRAFT BIODIVERSITY STRATEGY 2022 - POST EXHIBITION
FROM: Director Community Assets
EDMS #: 23/8379

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcome of the public exhibition and post exhibition changes to the draft Biodiversity Strategy 2022.

It is recommended that Council adopt the draft Biodiversity Strategy as amended, which is provided as **Attachment 1** to this report.

BACKGROUND

The draft Biodiversity Strategy 2022 (the draft Strategy) sets a vision of Camden that encompasses significant natural values, and where the environment is appreciated and protected by the Council and the community.

The draft Strategy covers four key themes:

1. Caring for biodiversity – covers the technical studies and on-ground actions required to identify, protect and manage natural areas and values;
2. Planning to protect biodiversity – providing for the protection of biodiversity through land use planning;
3. Community and stewardship – recognising the essential role our community and Council has in caring and advocating for biodiversity; and
4. Improving knowledge – recognising that improving our understanding of natural values and the pressures on these will better enable us to protect biodiversity.

Each theme includes a range of actions. The actions are broad and have been identified for delivery as short term (0-2 years), medium term (3-5 years) or long term (greater than 5 years) with identified outcomes and success measures.

The draft Strategy was placed on public exhibition from 16 May to 24 June 2022 which resulted in 19 responses to a quick poll, five contributions to the ideas wall and two feedback comments on the Your Voice Camden project page, as well as one submission from the community and feedback from two stakeholders. A copy of the submission and feedback from stakeholders is provided as a **supporting document** to this report. A summary of the issues identified in the submissions and Council Officer response is provided as **Attachment 2** of this report.

Council, at its Ordinary meeting on 8 November 2022, considered a report on the outcome of the public exhibition and post exhibition changes to the draft Biodiversity Strategy 2022 and additional information provided by a speaker against the recommendation. Council resolved to:

- receive a Councillor briefing on the following matters in relation to the draft Biodiversity Strategy 2022:*
 - changing the timeframe for action item 10 from long term to short-medium term;*

- b. *including Cobbitty Valley catchment maps in the Strategy;*
- c. *investigating the opportunity to review the urban/rural interface with the growth areas development to ensure that the current boundary meets best practice land use and sustainable planning policy; and*
- d. *organising a community workshop with the relevant landowner group about the current works that are happening around the Cobbitty Valley.*

A Councillor Briefing on this item was held on 22 November 2022.

MAIN REPORT

The draft Strategy provides an updated framework for biodiversity conservation and management in Camden. It sets out a program of actions across four key themes to protect the significant natural assets in the Camden Local Government Area (LGA) and to foster an enhanced appreciation and protection of the local environment by Council and the community.

In response to the submission and stakeholder feedback received, the draft Strategy was amended. The proposed amendments do not change the intent of the draft Strategy, rather they provide additional clarity and reflect changes to the policy and legislative framework.

Additional issues raised at the Council meeting on 8 November have been considered and a response to these issues is provided below.

Issue 1 – Catchment maps for each of the valleys in the LGA be included in the strategy

In response to the submission made during the public exhibition period, the draft Strategy was updated to reflect the three major catchments within the Camden LGA including the Nepean River, Narellan Creek and South Creek in Figure 5 (page 34). These catchments are consistent with flood management plans for the Camden LGA.

Council acknowledges that these major catchments are made up of a number of smaller sub-catchments however these have not been included in the document to keep the Strategy at a high level for LGA wide planning.

The sub-catchments will be the subject of more detailed planning as part of the actions within the Strategy including Action 3 (page 68) under Planning to Protect Biodiversity which will result in the development of catchment-based plans to identify suitable actions to help improve water quality and biodiversity on a catchment scale.

Issue 2 – Requests Action 10 (page 69) under Planning to Protect Biodiversity be changed from a long-term goal to a short-term goal

Council acknowledges the importance of this action and in response to the submission made during the public exhibition period had changed the delivery timeframe from Long Term to Medium Term. This has now been amended to Short to Medium Term with further acceleration of this action to be sought through funding opportunities, i.e. grant funding.

Issue 3 – Requests a short-term action to review the urban-rural interface to ensure the current boundary meets best practice land use and sustainability planning policy

The alignment of the urban-rural interface is outside the scope of the Biodiversity Strategy. This request would also require realignment of the border of the South West Growth Area, which is outside of Council's area of control.

However, Council can forward the request to the Department of Planning and Environment on the residents' behalf.

Issue 4 – Community workshop with the relevant landowner group about the current works happening in the Cobbitty Valley

Council regularly undertakes community workshops as part of its consultation on issues or new initiatives being implemented. A future meeting or workshop with the landholders will be considered as part of the consultation process for the development of catchment-based plans.

It is considered that the amendments that were made to the draft Strategy in response to the public exhibition period provide further clarity and reflect changes to the policy and legislation framework. The draft Strategy has also been updated to Biodiversity Strategy 2023 to reference the year in which it is to be adopted by Council. The changes are consistent with the intent of the exhibited draft Strategy and do not warrant re-exhibition.

FINANCIAL IMPLICATIONS

The funding for the implementation of the short-term actions within the draft Strategy (over the next five years) will be sourced from current and future budgets as well as from suitable grant funding and partnerships. The implementation of medium and long-term actions will require consideration for funding in future budgets.

CONCLUSION

The draft Strategy provides an updated framework for biodiversity conservation and management in Camden. In response to the submission and stakeholder feedback received, the draft Strategy has been amended. The proposed amendments do not change the intent of the draft Strategy, rather they provide additional clarity and reflect changes to the policy and legislative framework.

It is recommended that Council adopt the amended draft Strategy, as attached.

RECOMMENDED

That Council:

- i. adopt the draft Biodiversity Strategy 2023 included as an attachment to this report; and**
- ii. write to the submitters thanking them for their submission and to advise the outcome of this report.**

ATTACHMENTS

1. Camden Council Biodiversity Strategy 2023
2. Summary of Submissions
3. Combined Biodiversity Strategy Submissions - *Supporting Document*

ORD14

SUBJECT: ADOPTION OF UPDATED FLOOD DOCUMENTS - UPPER SOUTH CREEK FLOOD STUDY, NEPEAN RIVER INCLUDING NARELLAN CREEK FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN AND FLOOD RISK MANAGEMENT POLICY

FROM: Director Community Assets

EDMS #: 22/468574

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcomes of the public exhibition of the following draft Floodplain Management documents (Flood documents):

The Flood documents include:

- Upper South Creek Flood Study;
- Nepean River including Narellan Creek Floodplain Risk Management Study and Plan (FRMSP); and
- Flood Risk Management Policy.

BACKGROUND

The Flood documents have been developed as part of Council's responsibility to manage floodplain risks for the community. They provide updated flood information and policy to:

- Update and improve flood behaviour information held by Council;
- Keep the community informed about flooding;
- Support emergency management planning;
- Provide guidance for managing flood risks;
- Provide guidance for allowable development in the floodplain; and
- Provide guidance for further investigation and delivery of flood mitigation options.

Funding for the studies have been supported by the Floodplain Management Grant Program from the Department of Planning and Environment (DPE), and Council's funding contributions.

At its meeting on 12 July 2022, Council endorsed the Flood Documents for public exhibition. The Flood documents were placed on exhibition for a period of 28 days from 21 July 2022 until 22 August 2022. This period was extended to 26 August 2022 following community requests.

Copies of the Flood documents were on display at Council's Oran Park Administration Building and the Camden, Narellan and Oran Park Libraries.

In addition, a Flood specific webpage on the 'Your Voice Camden' community consultation platform was created, and the exhibition period was promoted via Council's communication channels including social media.

Councillors were briefed on the outcome of the public exhibition on 15 November 2022.

MAIN REPORT

The Flood documents exhibited related to all areas of the Local Government Area. Over the course of the exhibition period, a total of **43 submissions** were received, with the Flood Risk Management Policy attracting the highest number of responses.

Responses were developed in consultation with Council's Flood Engineering consultants Cardno and WMA Water as well as with the DPE and Council's Statutory and Strategic Planning branches.

The submissions for each document have been attached to this report, along with a summary of the submissions, Council's responses, and a log of any resultant changes following their review.

As briefed to Council, the following minor amendments to the draft documents were completed.

- **Upper South Creek Flood Study** – Enhanced information available included in the flood modelling to refine extents of overland flow flooding at Catherine Fields Road (USC Flood Study Appendix C);
- **Nepean FRMSP** – Updated to include improved clarification on how Climate Change considerations were considered in the flood modelling (Nepean FRMSP Chapter 5.8); and
- **Flood Risk Management Policy** – The removal of the Camden Heritage Conservation Area (HCA) Concessional Development Clause (Flood Policy 7.3.7).

Should Council adopt the Flood documents the following will occur:

- Council officers will write to the submitters thanking them for their submission and advising them on the outcome of this report;
- Adopted Floodplain documents will be made publicly accessible on Council's website;
- Flood information will be updated on Council systems; and
- Updated flood information will be provided to Emergency Services.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council as a result of this report. Costs associated with the development of flood mitigation options listed in the Floodplain Risk Management Plans will be subject to separate investigation and will be considered through future budget processes or through grant funding opportunities.

CONCLUSION

The updated Flood documents have been developed in line with the NSW Floodplain Development Manual and publicly exhibited, reviewed and updated.

These documents are expected to enable the provision of high-quality flood information and management of floodplain risks for Camden's growing community. The adoption of these documents will also enable Council to continue to meet its obligations under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and NSW Flood Prone Land Policy.

It is recommended that Council adopt the draft Flood documents as attached.

RECOMMENDED

That Council:

- i. adopt the Upper South Creek Flood Study;**
- ii. adopt the Nepean River including Narellan Creek Floodplain Risk Management Study and Plan;**
- iii. adopt the Flood Risk Management Policy; and**
- iv. write to submitters thanking them for their submission and advise them of the outcome of this report.**

ATTACHMENTS

1. Upper South Creek Public Exhibition Submissions Original Format - CONFIDENTIAL - *Supporting Document*
2. Exhibition Submissions and Responses Summary - Upper South Creek FS
3. Upper South Creek Flood Study - Final Report - Under separate cover
4. Upper South Creek Flood Study Final - Appendix C - Flood Maps
5. Upper South Creek Flood Study Final - Appendix G - Submissions
6. Nepean River FRMSP Submissions Original Format - CONFIDENTIAL - *Supporting Document*
7. Exhibition Submissions and Responses Summary - Nepean River including Narellan Creek FRMSP
8. Nepean River FRMSP - Final Report
9. Nepean River FRMSP Final - Appendix K - Submissions and Climate Change Discussion Paper
10. Flood Risk Management Policy - Public Exhibition Submissions Original Format - CONFIDENTIAL - *Supporting Document*
11. Exhibition Submissions and Responses Summary - Flood Risk Management Policy
12. Flood Risk Management Policy - Final

ORD16

ORD16

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - 2024 CAMDEN LOCAL GOVERNMENT ELECTION
FROM: Cr McLean
EDMS #: 23/68140

"I, Councillor Peter McLean, hereby give notice of my intention to move the following at the Council Meeting of 14 February 2023:

BACKGROUND

Under section 296AA of the *Local Government Act 1993*, councils are required to make a decision regarding how their ordinary elections in September 2024 are to be administered by 13 March 2023. If a council does not resolve to engage the NSW Electoral Commission (NSWEC) to administer its elections by 13 March 2023, it must engage another electoral services provider to do so.

The cost for NSW local government elections is expected to significantly rise without any COVID discount (which councils received in the 2021 election) in 2024. The NSWEC has stated 'significant price increases in the leasing of election venues for the 2023 State general election – far exceeding CPI or inflation.'

It is noted that in past years and in the 2021 election, a number of examples exist where polling booths are very close by (for example 500m and less) and that although pre-poll is popular, the first week is very quiet and for the added expenses is unnecessary when voters can also use postal voting services. Reducing polling locations and the pre-poll period will significantly reduce the cost to ratepayers ensuring funds can be better spent on community services and projects.

MOTION

That Council ask the General Manager to urgently write to the NSWEC asking that in order to keep the cost to ratepayers as low as possible, the NSWEC:

- i) reduce the number of voting booths in the 2024 Camden Local Government Election
- ii) ensure that as far as possible, voting booths are distributed across the LGA and that voting booths are at least 750 metres apart for the 2024 Camden Local Government Election
- iii) reduce the pre-poll period from two weeks to one week for the 2024 Camden Local Government Election
- iv) reduce the pre-poll locations for the 2024 Camden Local Government Election to reduce costs and confusion
- v) encourage the use of postal voting for the 2024 Camden Local Government Election.

That in the letter, the General Manager request a quote from the NSWEC which seeks to reduce the cost to ratepayers."

RECOMMENDED

That Council:

- i. subject to resolving to engage the NSW Electoral Commission (NSWEC) to conduct the 2024 local government election, urgently write to the NSWEC asking that in order to keep the cost to ratepayers as low as possible, the NSWEC:
 - a. reduce the number of voting booths in the 2024 Camden Local Government Election;
 - b. ensure that as far as possible, voting booths are distributed across the LGA and that voting booths are at least 750 metres apart for the 2024 Camden Local Government Election;
 - c. reduce the pre-poll period from two weeks to one week for the 2024 Camden Local Government Election;
 - d. reduce the pre-poll locations for the 2024 Camden Local Government Election to reduce costs and confusion;
 - e. encourage the use of postal voting for the 2024 Camden Local Government Election; and
- ii. request, in the above letter, a quote from the NSWEC which seeks to reduce the cost to ratepayers.

ORD17

ORD17

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - STREET VENDORS DURING CHRISTMAS SEASON
FROM: Cr McLean
EDMS #: 23/68369

"I, Councillor Peter McLean, hereby give notice of my intention to move the following at the Council Meeting of 14 February 2023:

BACKGROUND

For many years a number of streets in suburbs across Camden Council have passionately and enthusiastically decorated their homes with Christmas decorations and light displays. These displays bring smiles and joy to the community but indirectly they raise community spirit, connections, collegiality and pride.

A number of examples exist in suburbs where Christmas light displays involve entire streets which receive recognition from Council, these awards are proudly displayed on street signs. These streets in particular attract thousands of people each night in the lead up to Christmas, and as a result, for some years Council has provided services such as traffic mitigation measures and bins.

Due to the high crowds, many street vendors attend and sell everything from ice creams, coffee, fast food, drinks, fairy floss and children's toys (lights, illuminated decorations etc). Ice cream trucks generally have approval to operate in a street environment while most other vendors generally can't setup without approval.

In some instances, these vendors have been organised by residents to operate and assist to raise funds for charities while a number of single houses collect donations towards their selected charity. Some of these vendors have been directed not to operate on council land, however this has in some cases resulted in vendors operating in resident's driveways and private land which may cause further challenges if this trend continues.

This is all done for a positive cause with a tremendous amount of goodwill, however there are challenges and risks associated with these operations especially if they continue to grow and are left unmanaged or without policy.

MOTION

That Council investigate all options to potentially enable street vendors to sell food and other items around major Christmas Street displays. These options might include:

- Current status quo;
- A self-managed policy process;
- A partial temporary event status;
- An event management status coordinated by Council; or
- A combination of the above points.

All options need to include risk, resources, budget (including potential grants) and any other considerations which Council officers deem important.

That after investigating and discussing at a Councillor briefing to report back to Council on each option for consideration and action to potentially trial during Christmas 2023. This needs to occur well in advance of the Christmas season to allow effective communication and organisation.”

RECOMMENDED

That Council:

- i. investigate all options to potentially enable street vendors to sell food and other items around major Christmas street displays, which may include:**
 - a. current status quo;**
 - b. a self-managed policy process;**
 - c. a partial temporary event status;**
 - d. an event management status coordinated by Council; or**
 - e. a combination of the above points;**
- ii. as part of the above investigation, consider risk, resources, budget (including potential grants) and any other considerations which Council officers deem important; and**
- iii. after investigating and discussing at a Councillor briefing, report back to Council on each option for consideration and action to potentially trial during Christmas 2023, noting that the report to Council will need to occur well in advance of the Christmas season to allow effective communication and organisation.**

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