

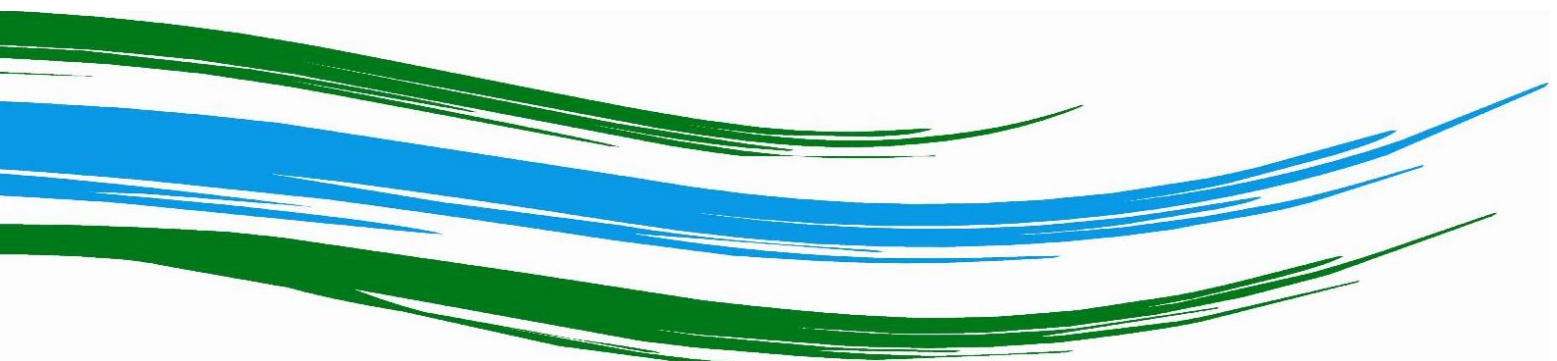


Camden Council

Business Paper

Ordinary Council Meeting 11 August 2020

Please note due to COVID-19 restrictions this meeting is being held as a teleconference. The public can 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>



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DPIE	Department of Planning, Industry & Environment
TfNSW	Transport for NSW
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
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

ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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

ORDINARY COUNCIL

SUBJECT: 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.

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 and note that Council will not be responsible for your actions and comments.

ORDINARY COUNCIL

SUBJECT: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

Councillors should be familiar with the disclosure provisions contained in the Council's Code of Conduct.

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

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

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

The Public Address session will be conducted in accordance with the Public Address Guidelines subject to necessary changes to accommodate remote access to the meeting. Speakers will be able to make their address by accessing Council's meeting remotely via the internet. Speakers must submit an application form, available on Council's website, to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

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

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

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

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

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

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

Only the audio recording of the public address speakers will be heard on Council's video conference and webcast. Visual images of the speaker will not be captured.

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 July 2020.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 July 2020, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

SUBJECT: STAGE 1 CAMDEN LEP REVIEW - POST EXHIBITION
FROM: Director Planning and Environment
TRIM #: 20/215833

PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcome of the public exhibition of the Stage 1 Planning Proposal to amend the Camden Local Environmental Plan (LEP) 2010.

The report recommends that the Planning Proposal be amended to remove the Environmentally Sensitive Land (ESL) clauses and maps. The report also recommends that Council adopt the Planning Proposal (as amended) and forward it to the Department of Planning, Industry and Environment (DPIE) to make the plan.

The Planning Proposal (as amended) is provided as an **attachment** to this report.

EXECUTIVE SUMMARY

The objective of the Stage 1 of the LEP review is to align the Camden LEP with the planning priorities and actions outlined in the Western City District Plan and the Camden Local Strategic Planning Statement (LSPS). Stage 2 of the LEP review will be undertaken following the completion of various strategies including a housing strategy, centres and employment land strategy, blue and green grid analysis, heritage review, and scenic and visual analysis.

The Stage 1 Planning Proposal was recently exhibited and 408 submissions (398 community submissions and 10 public agency submissions) were received. The majority of submissions were received from landowners within the South West Growth Area (SWGA) who object to the inclusion of the ESL clauses and maps.

Whilst a number of issues were raised in the submissions, landowners are particularly concerned about the impact of the inclusion of the proposed ESL clauses and maps on their land and its future development potential under the Growth Centres SEPP.

In response to the objections received, it is recommended that the Planning Proposal be amended to remove the ESL clauses and maps. Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to the DPIE for the plan to be made.

BACKGROUND

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

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

The LEP Review Process

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

The LEP review commenced in June 2018 and will be completed by December 2020. The LEP review program and schedule was developed by the GSC and DPIE and includes six phases:

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

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

Phase 2 of the LEP review program included the drafting and exhibition of a draft LSPS. Council exhibited its draft LSPS from 23 July to 27 August 2019. On 10 December 2019, Council resolved to endorse the draft LSPS and sought Phase 3 assurance from the GSC to make the draft LSPS. The GSC assurance letter was received by Council on 5 March 2020. On 14 April 2020, Council resolved to finalise and adopt the LSPS.

Phase 4 of the LEP Review program included the preparation of a Planning Proposal to amend the Camden LEP. On 8 October 2019, Council resolved to endorse the draft Planning Proposal to be forwarded to DPIE for Gateway Determination and subject to a favourable Gateway Determination proceed to public exhibition. A Gateway Determination was received on 28 February 2020 and a further Gateway Alteration was received on 15 May 2020. A copy of the previous Council report of 8 October 2019 is provided as an **attachment** to this report.

Camden LEP review

The Camden LEP review is being undertaken in two stages:

- Stage 1 – Alignment with the key strategic documents; and
- Stage 2 – Investigations following the completion of technical strategy work.

This Planning Proposal forms Stage 1 of the LEP review and includes amendments to align the Camden LEP with the priorities and actions within the District Plan and Camden LSPS.



Stage 2 will be undertaken following the completion of various strategies being undertaken to inform the review including:

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

The Stage 1 Planning Proposal was placed on public exhibition for 42 days from 10 June to 21 July 2020. At the time of finalising this report, 408 submissions (398 community submissions and 10 public agency submissions) were received.

In accordance with the LEP review program determined by the DPIE, the Stage 1 Planning Proposal is required to be submitted to DPIE by 31 August 2020.

A series of Councillor briefings have been provided on the LEP review and preparation of the LSPS. Councillors were briefed on the outcome of the public exhibition of the Stage 1 Planning Proposal on 28 July 2020.

MAIN REPORT

Stage 1 LEP Review Planning Proposal

The key objective of the Stage 1 Planning Proposal is to align the Camden LEP with the planning priorities and actions within the District Plan and Camden LSPS.

In summary, the amendments included in the Stage 1 Planning Proposal include:

- Introducing environmentally sensitive land (ESL) maps and two new clauses for terrestrial biodiversity and riparian land and watercourses;
- Introducing health-focused objectives into the relevant sections of the LEP;
- Amending the RU1 Primary Production and RU2 Rural Landscape zone objectives to account for non-agricultural uses (including tourism uses) that are compatible with the agricultural, environmental and conservation values of the land;
- Introducing eco-tourist facilities as a permitted use with consent in RU1 Primary Production and RU2 Rural Landscape zones;
- Strengthening the objectives of the IN2 Light Industrial zone to manage land use conflicts;
- Rezoning several sites owned by Sydney Water and used for water infrastructure to SP2 Infrastructure; and
- Updating the heritage listing of St Johns Church Camden to reflect its listing on the State heritage register (in 2018) and correct a spelling error.

Public Exhibition

In accordance with the Gateway Determination, Council was required to publicly exhibit the Planning Proposal for a minimum 28 days. The Planning Proposal was exhibited for 42 days from 10 June to 21 July 2020. Community and public agency consultation included:

Summary of Key Themes

A summary and consideration of the key issues raised in the submissions, including recommended changes to the Planning Proposal, is provided below. A more detailed list and consideration of key issues is provided as an **attachment** to this report.

Community Submissions

The majority of submissions were received from landowners within the SWGA in precincts that have not yet been rezoned or released under the Growth Centres SEPP. The majority of these submissions object to the proposed inclusion of the ESL maps and associated clauses.

The common themes raised in community submissions are summarised below:

- The proposed environmentally sensitive lands clauses and maps result in properties being devalued and limits future development potential;
- The validity and extensiveness of the terrestrial biodiversity and riparian lands and watercourse mapping is questioned, including identified watercourses not existing on submitters' land;
- Proposed mapping does not correspond with DA approvals and established subdivision layouts;
- It is unclear how environmentally sensitive land mapping will impact on future rezoning within the South West Growth Area;
- Previous development has not been required to account for environmentally sensitive land, and unclear why these provisions are being introduced now;
- Lack of community consultation and concern about restrictions due to COVID-19 pandemic; and
- Support for the intent of the ESL mapping and provisions to protect Camden's significant environment and waterways but identifying the need for accurate mapping to be used.

Officer Comment:

It is recommended that the Stage 1 Planning Proposal be amended to delete the proposed environmentally sensitive lands clauses and maps for terrestrial biodiversity and riparian land and watercourses.

Significant objection was received from landowners within the SWGA to the inclusion of the proposed ESL clauses and maps. There was however general support for the introduction of appropriate non-agricultural uses, such as eco-tourist facilities within the RU1 and RU2 zones. **Figure 2** shows the extent of the SWGA (identified hatched in red) within the Camden LGA.

The ESL clauses and maps do not rezone land or change the type of development that is currently permissible on land. The clauses provide criteria for Council to consider when assessing DAs and require development to try and avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.

Currently, when assessing DAs, the environmental impacts of the development are considered through the provisions of various legislation and policies, including the Integrated Development provisions of the *Environmental Planning & Assessment Act 1979* (EP&A Act), the provisions of the *Biodiversity Conservation Act 2016*, the controls within the Camden DCP 2019 and Council's Biodiversity Strategy.

When land within the SWGA is rezoned in the future under the Growth Centres SEPP, the provisions within the Camden LEP will no longer apply. For land within the SWGA that has not undergone precinct planning, detailed studies will be prepared to inform the zoning and indicative layout plans (ILPs) that will be incorporated into a future amendment to the Growth Centres SEPP. It can be expected that this will include controls for riparian and native vegetation, similar to those already provided where precinct planning has been undertaken.

The Stage 1 Planning Proposal will not affect the timing of the precinct planning within the SWGA. Notwithstanding this, the objections received from landowners within the SWGA in relation to the potential impacts on the future development potential of their land are acknowledged.

In relation to the ESL maps, the data used in preparing these maps was derived from existing publicly available data from various government sources and strategies. It is acknowledged that in some areas (including recently developed areas), the maps do not accurately reflect all current developments and approvals.

If Council adopts the recommended amendment to the Stage 1 Planning Proposal to delete the ESL clauses and maps, Council officers will continue to consider environmental impacts when assessing DAs through existing criteria including the Integrated Development provisions in the EP&A Act, the provisions of the *Biodiversity Conservation Act 2016*, the Camden DCP 2019 and Council's Biodiversity Strategy.

In relation to the public exhibition process, the planned community engagement strategy was altered due to COVID-19 restrictions. However, the exhibition was undertaken in accordance with the *Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020* and the Gateway Determination issued by DPIE.

The Gateway Determination required Council to publicly exhibit the Planning Proposal for a minimum 28 days. The Planning Proposal was on public exhibition for 42 days. During that time, Council officers were available over the phone, via email and also in person at Council offices. In accordance with the DPIE schedule, the Stage 1 Planning Proposal is required to be submitted to the DPIE by 31 August 2020.

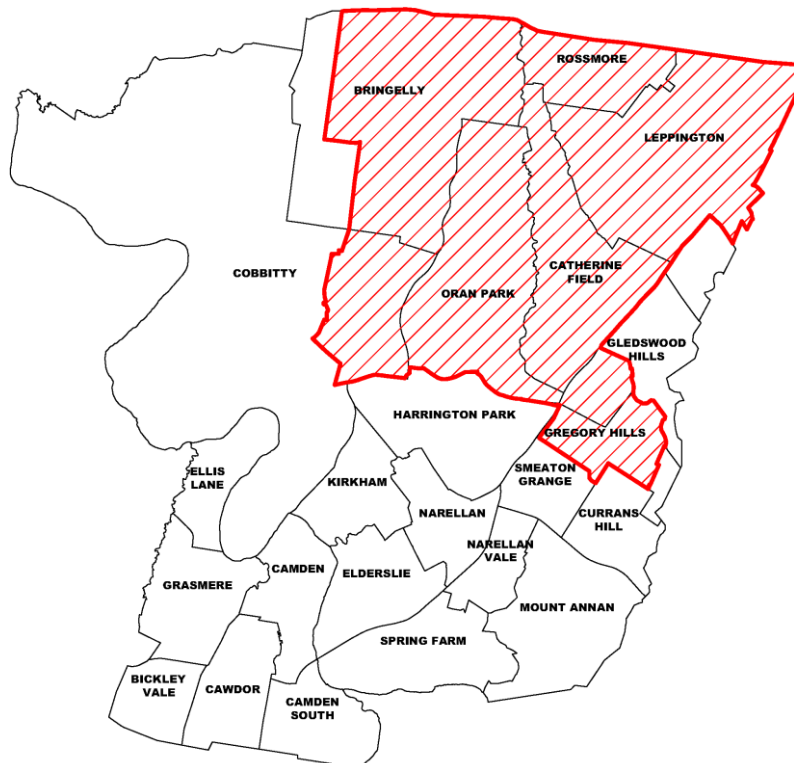


Figure 2 – SWGA area

Recommended Post Exhibition Amendment:

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.

The ESL maps will be reviewed, validated and updated with further ground truthing to reflect current developments and approvals, along with any changes that may arise following the finalisation of the Blue and Green Grid Analysis and a review of Council's Biodiversity Strategy.

For land outside the SWGA, the need to include ESL provisions into a future Planning Proposal will be considered at the completion of this work. For land within the SWGA that has not yet undergone precinct planning, detailed studies will be prepared to inform the zoning and indicative layout plans (ILPs) that will be incorporated into a future amendment to the Growth Centres SEPP.

Further Councillor briefings will be provided as this work progresses.

Public Agency Submissions

- *Concern over the proposed changes to the RU1 zone objectives weakening the intent of the current objectives which requires agricultural land uses to support primary production – Department of Primary Industries (DPI) – Agriculture.*

Officer Comment:

The LSPS identifies that Council will investigate opportunities to build on Camden's natural and cultural assets to promote local agricultural production and increase tourism and the local visitor economy.

Amending the RU1 Primary Production and RU2 Rural Landscape zone objectives to include non-agricultural uses (including tourism uses) that are compatible with the agricultural, environmental and conservation values of the land is consistent with the LSPS.

The intent of this amendment is to consider appropriate non-agricultural uses that are compatible with the existing agricultural value of the land within RU1 Primary Production and RU2 Rural Landscape zones.

This proposed amendment is not considered to weaken the current objectives but rather allow for agricultural production to remain viable and sustainable with the inclusion of eco-tourism facilities and uses with minimal impacts.

Recommended Post Exhibition Amendment:

No change to the Planning Proposal is recommended as a result of this submission.

- *Objection to the inclusion of 'eco-tourism facilities' as a permitted use in the RU1 zone, however no objection is raised to the inclusion of the use in the RU2 zone. Considers that the proposal is inconsistent with the Camden LSPS and the Camden Rural Lands Strategy (RLS) – DPI – Agriculture.*

Officer Comment:

As noted above, the Camden LSPS identifies that Council will investigate opportunities to increase tourism and the local visitor economy. The introduction of 'eco-tourism facilities' in the RU1 Primary Production zone is consistent with this action. Furthermore, whilst the Rural Lands Strategy recognises the importance of Camden's rural land and its role in producing fresh food, it also acknowledges other benefits such as tourism.

Recommended Post Exhibition Amendment:

No change to the Planning Proposal is recommended as a result of this submission.

- *The DPI Fisheries Policy and Guidelines for Fish Habitat Conservation and Management identifies that riverbank/watercourse buffer varies related to type and class of waterway, ranging from 10m to 100m. Therefore, the proposed LEP clause of a standard 40m may not necessarily meet the DPI Fisheries requirements – DPI – Fisheries.*

Officer Comment:

The submission from DPI-Fisheries is noted. It is recommended that the ESL clauses and maps be deleted from the Stage 1 Planning Proposal. The DPI Fisheries Policy and Guidelines will be further consulted to inform appropriate riparian land buffers.

Recommended Post Exhibition Amendment:

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.



-
- Council's proposed clauses for ESL Terrestrial Biodiversity as well as Riparian lands and Watercourses and associated mapping should be amended to not apply to the land subject to the Growth Centres SEPP. The proposal is inconsistent with the Growth Centres SEPP, Part 6 and the Biocertification Order 2007 Relevant Biodiversity Measures (RBMs), which affords greater protection to Existing Native Vegetation and Part 5 of the Growth Centres SEPP 2006 which currently applies to flood prone and major creeks lands - DPIE - Environment, Energy and Science Group.

Officer Comment:

The submission from DPI-Environment, Energy and Science Group, the existing provisions of the Growth Centres SEPP and the Biocertification Order 2007 to protect existing native vegetation and flood prone and major creeks are noted. Whilst these provisions do not apply to all land within the SWGA, it is recommended that the ESL clauses and maps be deleted from the Stage 1 Planning Proposal.

Recommended Post Exhibition Amendment:

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

- General support for the environmentally sensitive land provisions however clarification and ground truthing should be provided regarding the environmentally sensitive land, to ensure the proposed clauses will not undermine existing and future operations of infrastructure – Department of Education, WaterNSW, Transport for NSW.

Officer Comment:

These agencies have requested that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL clauses and maps be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect current developments and approvals, along with any recent and future infrastructure projects.

Recommended Post Exhibition Amendment:

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

- Support for the amendment to the land use tables in the LEP to embed health considerations around walking and cycling into the zone objectives for B1 neighbourhood centres – South Western Sydney Local Health District.

Officer Comment:

The support of SWSLHD is noted and Council will continue to consult and collaborate with SWSLHD to improve the health and wellbeing of residents.

Recommended Post Exhibition Amendment:

No change to the Planning Proposal is recommended as a result of this submission.

- *General support for the intention of the draft Planning Proposal to give effect to the actions within the District Plan and local priorities in the Camden LSPS, including the proposed ESL provisions to protect environmentally significant land - DPI Fisheries, Department of Education, Sydney Water, WaterNSW and Transport for NSW.*

Officer Comment:

It is noted that several agencies have provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands. Whilst the importance of considering and protecting environmentally sensitive land is acknowledged, further work to review and validate the ESL maps is required to reflect current development and approvals.

Recommended Post Exhibition Amendment:

No change to the Planning Proposal is recommended as a result of these submissions. It is however recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

Summary of Post Exhibition Amendments

Following consideration of submissions received to the public exhibition, the Planning Proposal has been amended to remove the ESL clauses and maps. The proposed amendments do not change the intent of the exhibited version therefore re-exhibition is not required.

Next Steps

Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to DPIE for the plan to be made. The DPIE is the State Government agency responsible to determine and finalise the Planning Proposal.

It is recommended that Council write to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP requesting his support for the amended Planning Proposal.

Council will also write to all landowners notified of the Stage 1 Planning Proposal to inform them of Council's decision along with all submitters and public agencies.

FINANCIAL IMPLICATIONS

The LEP Review is funded by the \$2.5 million Accelerated LEP Review Program Funding Agreement from the DPIE.

CONCLUSION

The Stage 1 Planning Proposal seeks to align the Camden LEP with the planning priorities and actions outlined in the Western City District Plan and the Camden LSPS.

The Planning Proposal was publicly exhibited for 42 days from 10 June to 21 July 2020 and 408 submissions (398 general community submissions and ten public agency submissions) were received.



In response to objection from the community and issues raised by public agencies, it is recommended that the Planning Proposal be amended to remove the ESL clauses and maps. Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to the DPIE for the plan to be made.

The ESL maps will be reviewed, validated and updated to reflect current developments and approvals, along with any changes that may arise following the finalisation of the Blue and Green Grid Analysis and a review of Council's Biodiversity Strategy. Further Councillor briefings will be provided as this work progresses.

RECOMMENDED

That Council:

- i. endorse the Planning Proposal (as amended to remove the Environmentally Sensitive Land maps and local clauses) and forward to the Department of Planning, Industry and Environment for the plan to be made;**
- ii. write to the Hon. Rob Stokes, Minister for Planning and Public Spaces, requesting his support to the Planning Proposal (as amended);**
- iii. write to Mr Peter Sidgreaves MP, Member for Camden, requesting his support to the Planning Proposal (as amended); and**
- iv. write to all landowners who were notified of the Planning Proposal, along with all submitters and public agencies to inform them of Council's decision.**

ATTACHMENTS

1. Draft Planning Proposal - Stage 1 Camden LEP 2010 LEP Review - Post Exhibition
2. Stage 1 LEP Review - Council Report 8 October 2019
3. Agency Submission Response Table
4. LEP Review Stage 1 General Submission Issues Table
5. LEP Review Stage 1 - Public Agency Submissions
6. Submissions LEP Review Stage 1 - under separate cover - *Supporting Document*

ORDINARY COUNCIL

ORD02

SUBJECT: COMPANION ANIMAL POLICY - NEW - POST EXHIBITION
FROM: Director Planning and Environment
TRIM #: 20/206675

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcome of the public exhibition of the draft Companion Animal Policy (Policy). It is recommended that Council adopt the draft Policy.

BACKGROUND

The draft Companion Animals Policy formalises Council's approach as a 'no kill' facility and supports Council's Companion Animal Program. The Policy also provides information and guidance to our community surrounding the *Companion Animals Act 1998* (the Act).

The Policy seeks to promote compliance through education and an understanding of the roles and responsibilities of the community in relation to companion animals.

At the Ordinary Council meeting of 10 March 2020, Council considered a report on the Policy and resolved as follows:

That:

- i. Council endorse the Companion Animal Policy for public exhibition for a period of 28 days;*
- ii. If no unresolved submissions are received during the public exhibition period, Council adopt the Companion Animal Policy affective from the day after the close of the exhibition period; and*
- iii. If any unresolved submissions are received during the public exhibition period, Council consider a further report on the matter.*

A Councillor briefing was held on this matter on 17 July 2020.

MAIN REPORT

Public Exhibition

The Policy was placed on public exhibition from 23 April to 4 June 2020 and one submission was received. The submission has been considered by Council officers and the Camden Companion Animal Advisory Committee (CCAAC).



The submission requested the Policy include provisions to enforce owners to pick up their cat faeces and to encourage owners to keep their cats inside day and night. The submission also raised consideration of supplying cat traps to residents to allow the trapping of roaming cats.

A copy of the submission is provided as a **supporting document**.

Keeping Cats Indoors

The Policy currently encourages cat owners to keep their pets indoors after dark and does not refer to daytime. Whilst cats are permitted to roam outside, officers have considered the request as outlined in the submission.

To further encourage the responsible ownership of cats, it is recommended that changes are made to Clause 10 of the Policy (Cat Management) to encourage cat owners to keep their pets inside or in an outdoor enclosure to minimise the opportunity for injury to the animal, protect wildlife and to reduce instances of nuisance.

Cat Faeces

No changes to the draft Policy are proposed in response to this matter. Requiring owners to pick up their cat's faeces is not a legislative requirement under the Act. As such, Council officers are unable to take enforcement action against owners.

Council will continue to provide education and communication to residents about responsible cat ownership.

Cat Traps

No changes to the draft Policy are proposed in response to this matter. Under the Act, cats are permitted to roam. Cats can only be seized and taken to Council's animal holding facility if:

- The action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death; and
- An authorised officer is satisfied that the owner of the cat cannot be identified.

Council has cat traps for use by Council officers when the requirements under the Act can be met.

Council needs to consider the welfare of the cat being trapped and the use of cat traps being used by untrained people. Council also needs to consider that there may be an increase in the number of cats seized unlawfully and not in accordance with the Act.

Minor Amendments

It is proposed to make minor amendments to the Policy (post-exhibition), including:

- Addition to Clause 9 regarding requirements between Council and rescue organisations;
- Clause 11.2, regarding effective control of dogs in off leash areas, moved under Clause 12 as it is more relevant to this section; and

-
- Additional information at Clause 18 regarding the review of representations received following an intent to declare a dog dangerous or menacing.

All recommended changes are supported by the CCAAC and are shown as tracked changes in the draft Policy provided as an **attachment** to this report.

The proposed changes are minor and provide additional information/clarification. As such, they do not warrant re-exhibition of the Policy.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Companion Animal Policy was placed on public exhibition and one submission was received. The submission has been considered by Council officers and the CCAAC. It is recommended that the Policy be adopted with the minor amendments as discussed in this report.

If adopted, a copy of the Policy will be made available on Council's website.

RECOMMENDED

That Council:

- adopt the Companion Animal Policy included as Attachment 2 to this report.**
- notify the submitter of Council's decision.**

ATTACHMENTS

1. Submission 1 - Draft Companion Animal Policy - *Supporting Document*
2. Draft Companion Animal Policy



ORDINARY COUNCIL

ORD03

SUBJECT: ON-SITE SEWAGE MANAGEMENT POLICY - REVISED - POST EXHIBITION

FROM: Director Planning and Environment

TRIM #: 20/207017

PURPOSE OF REPORT

The purpose of this report is for Council to consider the outcome of the public exhibition of the draft On-Site Sewage Management (OSSM) Policy. It is recommended that Council adopt the draft OSSM Policy.

BACKGROUND

If adopted, the draft OSSM Policy (Policy) will replace the existing OSSM Strategy adopted by Council in 2006. The Policy outlines the requirements for OSSM systems in the unsewered areas of the Camden LGA.

At the Ordinary Council meeting of 10 March 2020, Council considered a report on the draft OSSM Policy and resolved as follows:

That:

- i. Council endorse the revised On-Site Sewage Management Policy for public exhibition for a period of 28 days;*
- ii. if no unresolved submissions are received during the public exhibition period, Council adopt the On-Site Sewage Management Policy effective from the day after the close of the exhibition period; and*
- iii. if any unresolved submissions are received during the public exhibition period, Council consider a further report on the matter.*

A Councillor briefing was held on this matter on 14 July 2020.

MAIN REPORT

Public Exhibition

The Policy was placed on public exhibition from 23 April 2020 to 4 June 2020. A copy of the Policy is provided as an **attachment** to this report.

During the exhibition period, approximately 3,000 letters were sent to residents located in the unsewered areas of the LGA advising of the Policy and exhibition period.

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

Submission One

The matters raised in this submission relate to:

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

Officer Comments:

Buffer distance requirements

No changes to the draft Policy are proposed in response to this matter.

Buffer distances are the setback requirements between an OSSM system and other features on a site or surrounding area (e.g. a dwelling or boundary). They are designed to ensure that an OSSM system is operating with minimal impact to public health and the environment.

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

Connection to sewer

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

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

In practice, Council does require a property to connect to sewer if the existing OSSM system is operating satisfactorily.

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



Sewer Contribution Cost

In response to a request from residents to connect to the sewer network, Sydney Water recently wrote to the residential properties in Ettlesdale Road and Springs Road, Spring Farm.

Sydney Water has advised that it is required to charge property owners for the construction of new sewer mains. The customer contribution amount is determined by the Independent Pricing and Regulatory Tribunal (IPART).

To estimate the cost to connect, Sydney Water needs to understand how many property owners are interested. The contribution does not include the cost of a private plumber connecting the sewer to individual properties, which remains the responsibility of the property owner.

The initial costs for residents in Ettlesdale Road and Springs Road have been estimated by Sydney Water at \$65,000 - \$80,000 (each). Sydney Water requires 50% of residents to agree to connect before proceeding with the infrastructure.

Council officers have met with representatives from Sydney Water regarding the contribution costs and have expressed concern about the cost impacts for residents. Sydney Water has advised that currently residents have not responded favourably to the estimation. Council officers have also sent further correspondence to Sydney Water about this matter, including reference to any environmental factors which may be able to be considered in revising the cost estimate.

Council has previously recognised the needs of residents of Ettlesdale Road, Spring Farm, regarding cost-effective sewer connections. Following the Council meeting of 10 September 2019, Council resolved to write to Sydney Water as well as specified agencies and Ministers regarding this matter.

Sydney Water's response recognised that the residents of this area are in a 'unique and undesirable situation' and committed to waive any upfront payment of fees and investigate the most cost-effective option for provision of the connection. This commitment was made prior to Sydney Water's cost estimate recently provided to residents.

Submission Two

The matters raised in this submission relate to:

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

Officer Comments:

Connection to sewer

Refer to previous comments regarding flexibility for properties with existing OSSM systems.

Use of treated wastewater

No changes to the draft Policy are proposed in response to this matter.

The revised Policy seeks to relax the requirements for the use of treated wastewater via spray irrigation. Whilst the submission proposed further innovative ideas for flexible use of treated wastewater, they do not comply with Australian Standards and Guidelines.

Buffer distance requirements

No changes to the draft Policy are proposed in response to this matter.

Buffer distance requirements are set within the Environment and Health Protection Guidelines for On-site Sewage Management for Single Households (Office of Water, NSW). The Policy applies the buffer distances set by the guidelines.

Flexibility with greywater reuse

No changes to the draft Policy are proposed in response to this matter.

Greywater is not covered in detail by this policy. Council is governed by the guidelines set out in the *Local Government (General) Amendment (Domestic Greywater Diversion) Regulation 2006* and the NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises. These Guidelines have taken into consideration the health and environmental risks associated with greywater reuse.

Submission Three

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

Officer Comments:

No changes to the draft Policy are proposed in response to this matter.

This submission is not directly related to the draft Policy and is a matter for Sydney Water. Council officers are providing assistance to the resident and have raised the matter directly with Sydney Water.

A copy of the draft Policy (including tracked changes) is provided as an **attachment** to this report. The proposed changes are minor and/or provide additional information. As such, they do not warrant re-exhibition of the Policy.



FINANCIAL IMPLICATIONS

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

CONCLUSION

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

Council officers have considered the matters raised in the submissions and, in response, proposed amendments to the Policy to provide clarity for premises connecting to mains sewer.

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

RECOMMENDED

That Council:

- i. adopt the On-Site Sewage Management Policy included as Attachment 4 to this report;**
- ii. notify the submitters of Council's decision; and**
- iii. rescind the 2006 On-Site Sewage Management Strategy.**

ATTACHMENTS

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

ORDINARY COUNCIL

ORD04

SUBJECT: CAMDEN AIRPORT 2020 PRELIMINARY DRAFT MASTER PLAN - SUBMISSION

FROM: Director Planning and Environment

TRIM #: 20/220048

PURPOSE OF REPORT

The purpose of this report is to advise Council of the public exhibition of the Camden Airport 2020 Preliminary Draft Master Plan (2020 PDMP). It is recommended that Council make a submission to Camden Airport Limited (CAL) on the 2020 PDMP as detailed in the report.

BACKGROUND

The Camden Airport 2020 Preliminary Draft Master Plan (2020 PDMP) provides the strategic direction for Camden Airport over the next 20 years and outlines its development plan over the next eight years. Under the *Airports Act 1996* (amended in 2018) Camden Airport Limited (CAL) is required to review the Master Plan every eight years. The current Camden Airport Master Plan was approved in 2015 (2015 MP).

In accordance with the requirements of the *Airports Act 1996*, CAL has publicly exhibited the draft 2020 PDMP. Following Camden Airport's review of submissions, the draft Master Plan will be submitted to the Commonwealth Minister for Infrastructure and Regional Development for final approval.

A Councillor briefing was provided on 14 July 2020.

MAIN REPORT

Camden Airport (shown in **Figure 1**) is accessed from Macquarie Grove Road, Kirkham. The 196 ha airport site is surrounded by the Nepean River to the south and west, Kirkham to the east and Cobbitty to the north. Nearby land is zoned a combination of RU1 Primary Production and R5 Large Lot Residential, and includes the suburbs of Ellis Lane, Grasmere, and Camden.

Camden Airport Limited (CAL) leases the airport from the Commonwealth Government. CAL and Bankstown Airport Limited (BAL) are both owned by Sydney Metro Airports. First State Superannuation acquired Sydney Metro Airports in 2015.

Camden Airport is a general aviation airport and aviation activities include flight training, emergency services, gliding, ballooning and recreational flying. The 2020 PDMP forecasts a 3% per annum growth in aircraft movements over the next eight years, and 0.3% per annum over the remainder of the 20-year period.

According to the 2020 PDMP, the airport provides direct employment (full time equivalent) for over 200 people (on and off the airport) and contributes \$100 million annually to the NSW economy.

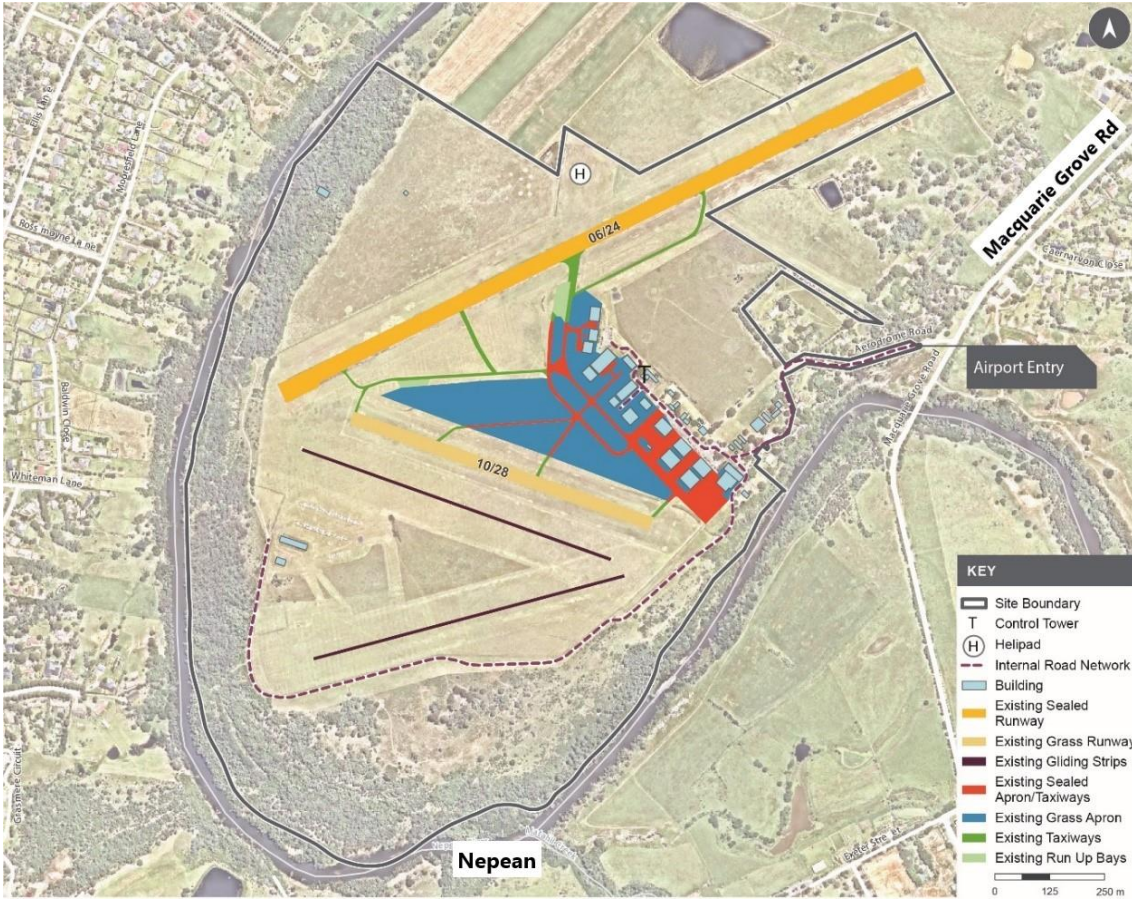


Figure 1: Aerial Map Camden Airport

Key issues in 2020 PDMP

Land Use Zone Changes

Camden Airport is subject to the planning framework set out in the *Airports Act 1996*. State and local government planning legislation does not apply to Commonwealth land. The Camden Airport Master Plan contains a ‘land use plan’ that details the permissible uses in each zone.

Under the 2020 PDMP, the Aviation zone will decrease in size whilst the Airport Business zone and the Airport Support zone will increase. The changes are shown in **Table 1**.

Zone	Existing Area (2015 MP)	Proposed Area (2020 PDMP)	Change in Area
Aviation Zone	100 ha	54 ha	-46 ha
Airport Business Zone	13.5 ha	23.5 ha	+10 ha
Airport Support Zone	28.5 ha	56.5 ha	+28 ha
Airport Riparian Zone	54 ha	53 ha	-1 ha

Table 1: Change area of Land Use Zones

The existing 2015 MP ‘land use plan’ is shown in **Figure 2**. The proposed 2020 PDMP ‘land use plan’ is shown in **Figure 3**.

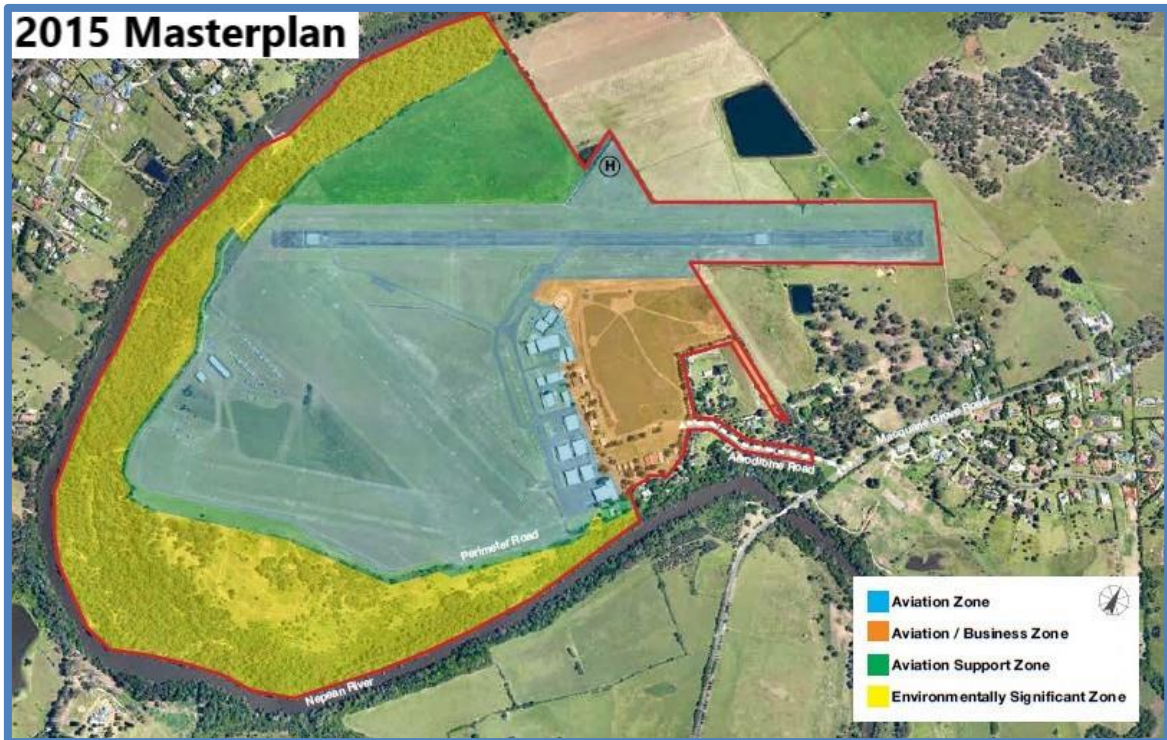


Figure 2: 2015 MP Land Use Zones (Existing)

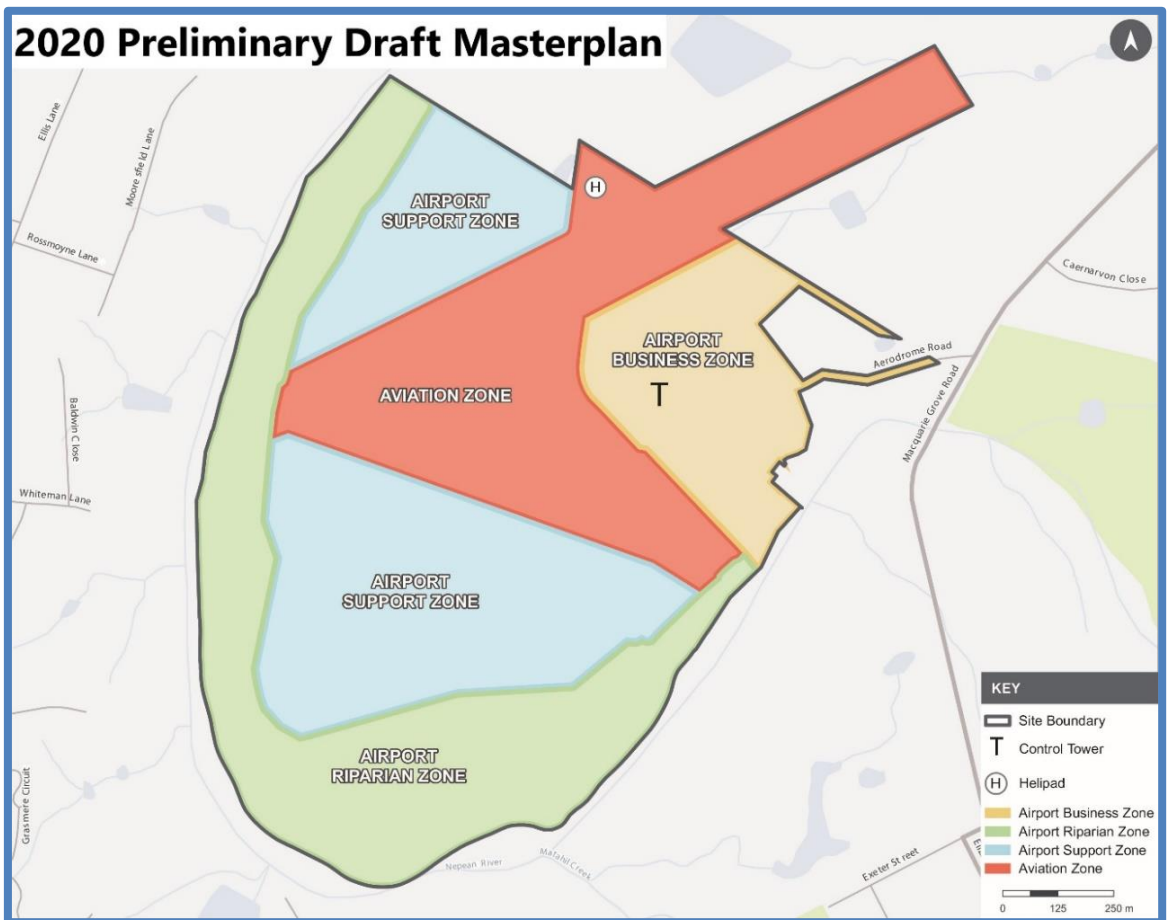


Figure 3: 2020 PDMP Land Use Zones (Proposed)



The 2020 PDMP’s eight-year development program outlines scope for potential hangers, warehouses and ‘commercial uses’ within the Airport Business zone’s ‘potential development area’ (**Figure 4**). Within the northern Airport Support zone, there is potential for agriculture operations and renewable energy facilities. The 2020 PDMP does not envisage any change to current tenancies at Camden Airport.

Aviation and non-aviation development is proposed to contribute to Camden Airport’s growth. By 2027, it is projected Camden Airport will support 390 full time jobs (on and off the airport).



Figure 4: Potential Development Area in Camden Airport

Officer Comment

Expansion of the Airport Business and Airport Support zones reflects the airport’s plans to develop vacant land for aviation and non-aviation uses. The Aviation Business zone permits uses ancillary to aviation such as hotels, offices, retail, and industrial development. However, there is no detail on what specific non-aviation developments are envisioned.

Whilst the benefits of an increase in local investment and employment are recognised, it is difficult to assess the impacts on the surrounding area and infrastructure without further detail. A detailed precinct plan for the ‘potential development area’ with further studies and information on future land uses should be established.

This would allow an assessment of potential impacts including visual impact, economic impact, job creation, traffic impacts and impacts on infrastructure, including surrounding roads. Strategies should be developed to prevent the displacement of current businesses operating at the airport and to ensure development at the airport does not negatively impact the viability of established businesses and other centres, including Camden Town Centre.

Officer Recommendation

A detailed precinct plan for the ‘potential development area’ and related economic strategies to prevent business displacement should be included as actions in the Master Plan.

Western Sydney Airport

The 2020 PDMP recognises the Western Sydney Airport (WSA) will likely impact Camden Airport, however it does not specifically account for the WSA’s potential impacts.

Officer Comment

The Commonwealth Department of Infrastructure has advised that Camden Airport will continue to operate unrestricted when WSA commences operations.

Officer Recommendation

The likely impacts of the WSA should be incorporated into the Master Plan when information becomes available.

Projected aircraft noise (ANEF Contours)

According to the 2020 PDMP, aviation noise from Camden Airport is predicted to decrease over the next 20 years. This is based on the use of quieter aircraft and a slow growth of aircraft movements.

An Australian Noise Exposure Forecast (ANEF) is a contour map showing forecast noise levels. The ANEF considers components of noise such as intensity, duration, aircraft type and flight paths. The ANEF contours in the 2020 PDMP indicate an overall reduction in noise levels as shown in **Table 2**.

ANEF Contours	Lots affected – 2015 MP (ANEF 2035)	Lots affected – 2020 PDMP (ANEF 2040)	Change
20	233	170	-63
25	43	2	-41
30	1	0	-1
35	0	0	0

Table 2: ANEF Contours Comparison

According to the 2020 PDMP, 95 properties should be less impacted by aircraft noise in the future. Neighbourhoods with reduced noise include Camden, Ellis Lane, Cobbitty, Grasmere and Kirkham. A comparison of the ANEF from the Camden Airport 2015 MP and the Camden Airport 2020 PDMP is shown in **Figure 5**.

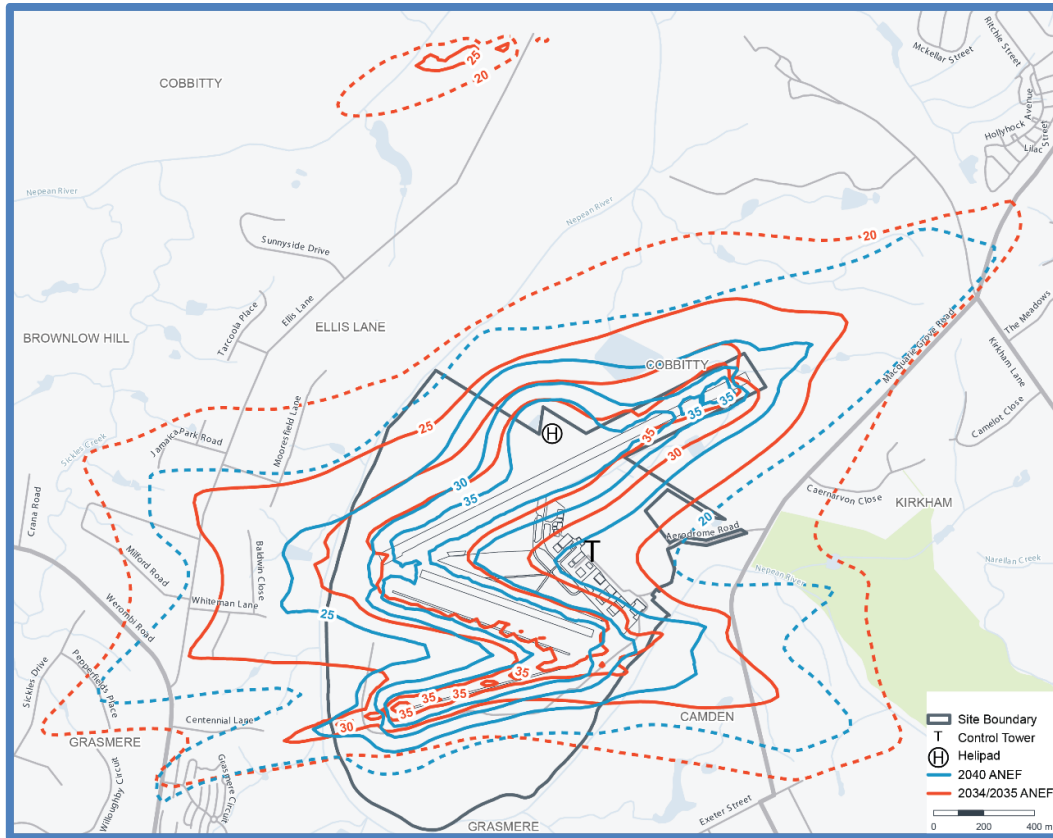


Figure 5: Comparison of ANEF Contours in 2015 MP (red) and 2020 PDMP (blue)

Officer Comment

Council will be required to update planning certificates issued under Clause 10.7 of the *Environmental Planning and Assessment Act 1979* to reflect the revised ANEF contours.

Officer Recommendation

It is recommended that CAL write to all affected property owners, providing information on the changes and what it means for their land.

Nepean River

Camden Airport’s Riparian zone is adjacent to the Nepean River and includes native vegetation. An objective of the zone is to accommodate open space, recreational and compatible uses which enhance its ecological values. However, no permanent public access is proposed to the airport’s land neighbouring the Nepean River.

Officer Comment

Improving the accessibility and connectivity of Camden’s Green and Blue Grid and strengthening the role and prominence of the Nepean River are priorities of Camden’s Local Strategic Planning Statement (LSPS). The investigation of opportunities to activate and enhance the Nepean River is a short-term action of the LSPS.

The 2020 PDMP provides an opportunity to deliver public access along the Nepean River (and bushland) for passive recreation opportunities. This could potentially involve the development of a pedestrian and cycle path along the Nepean River. In the long-term, a Camden Airport Nepean River link could connect the Camden Town Centre to the broader Nepean River. Passive recreation opportunities at Camden Airport would also contribute to the growth of tourism as identified in the LSPS. In establishing public access, Council officers acknowledge the need to investigate appropriate safety measures.

Officer Recommendation

The Master Plan should provide for public access along the Nepean River.

Aviation Museum

The 2015 Master Plan proposed the relocation of the Australian Aviation Museum from Bankstown to Camden Airport. The museum had a wide range of aircraft and aviation artefacts on display. The museum had been due to open at Camden Airport in 2018.

This has not been pursued. The museum decided not to proceed with relocation in 2017 and subsequently disbanded in 2018. The 2020 PDMP does not propose a museum for Camden Airport.

Officer Comment

The relocation of the museum to Camden Airport was supported by Council in 2015. It would have provided economic development and tourism opportunities to the wider Camden community.

Traffic

Traffic modelling to inform the 2020 PDMP found the Aerodrome Road / Macquarie Grove Road intersection will continue to operate satisfactorily in 2028 and 2040. Internal road improvements are proposed to service the planned 'potential development area'.

Officer Recommendation

All future development proposals should include an assessment of traffic impacts and the need for infrastructure upgrades to support increased development and activity on the airport. Without further detail on the likely future uses of the site, it is difficult to assess the expected traffic movements and impacts on local infrastructure.

Environmental Management

CAL has prepared an Airport Environmental Strategy (AES) that establishes objectives for environmental management and compliance with statutory requirements. The Airport's Riparian zone contains environmentally sensitive land, which includes Camden White Gums and River-Flat Eucalypt Forest.

Officer Recommendation

The AES should be amended to include revegetation targets and results, and the locations and results of on-site water sampling.



Heritage

Camden Airport contains several heritage items (located in the Airport Business zone) related to its history as an RAAF base in the Second World War. A small number of aboriginal stone artefacts have also been found near the Nepean River. CAL has prepared a Heritage Management Plan (HMP) to guide heritage conservation.

Officer Recommendation

The HMP should be revised to address the heritage item's specific constraints and opportunities, including what elements need to be preserved and how much change can occur to the items in the context of future development. Furthermore, the HMP should include consideration for curtilages around items and identification of further items for retention, alteration or possible demolition.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The Camden Airport 2020 PDMP provides the 20-year strategic direction and guides development of the site for the next eight years. The 2020 PDMP envisages minimal growth in flight movements over this period and potential development of aviation and non-aviation uses on the site. It is recommended that Council make a submission to CAL on the 2020 PDMP including a number of recommendations as discussed in this report.

RECOMMENDED

That Council:

- i. **endorse this report as Council's submission on the Camden Airport 2020 Preliminary Draft Master Plan; and**
- ii. **forward a copy of the report to Camden Airport Limited for consideration.**

ORDINARY COUNCIL

ORD05

SUBJECT: PLACE AND ROAD NAMING POLICY
FROM: Director Customer & Corporate Strategy
TRIM #: 20/227524

PURPOSE OF REPORT

The purpose of this report is for Council to consider a new Place and Road Naming Policy. It is recommended that Council adopt the new policy and rescind the existing Road Naming Policy.

BACKGROUND

Council currently has a Road Naming Policy that guides Council in the naming of its roads only.

A Place and Road Naming Policy (the Policy) has been developed to ensure the selection of both place (parks, reserves, creeks, etc.) and road names within the Camden LGA comply with the Geographical Names Board (GNB) naming principles and reflect a sense of history, identity and connection between people and places.

Councillors were briefed on the Policy on 21 July 2020.

MAIN REPORT

The proposed new Policy will provide guidance in the naming places (which includes parks, reserves, creeks) within the Camden LGA as well as guidance for the naming of roads.

The key aspects of the new Policy include:

- Incorporates the GNB naming principles for the naming of places and roads;
- Identifies the importance of community consultation in the place and road naming process.
- Establishes a principle that, place and road names should reflect a sense of history, identity and a connection between people and places.

Subject to Council adopting the new Policy, it will replace the current Road Naming Policy, which Council will be required to formally rescind.

A copy of the new Place and Road Naming Policy is provided as **Attachment 1** to this report.



FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

It is proposed that Council adopt the new Place and Road Naming Policy (P3.0255.1) and rescind the existing Road Naming Policy (P3.0125.1)

RECOMMENDED

That Council:

- i. adopt the Place and Road Naming Policy (P3.0255.1) included as Attachment 1 to this report; and**
- ii. rescind the existing Road Naming Policy (P3.0125.1).**

ATTACHMENTS

1. Place and Road Naming Policy

ORDINARY COUNCIL

ORD06

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

FROM: Director Customer & Corporate Strategy

TRIM #: 20/186101

PURPOSE OF REPORT

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

BACKGROUND

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

MAIN REPORT

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

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications relating to this responsibility.

CONCLUSION

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



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

RECOMMENDED

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

ORDINARY COUNCIL

ORD07

SUBJECT: ACCEPTANCE OF GRANT FUNDING - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

FROM: Director Community Assets

TRIM #: 20/229460

PURPOSE OF REPORT

The purpose of this report is to seek Council's acceptance of grant funding from the Department of Infrastructure, Transport and Regional Development, under the Local Roads and Community Infrastructure (LRCI) Program.

BACKGROUND

The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms and procurement. It is expected that councils, where possible, will use local businesses and workforces to deliver projects under the LRCI Program to ensure stimulus funding flows into local communities.

The intended outcomes of the LRCI Program are to:

- Provide stimulus to protect and create local short-term employment opportunities through funded projects following the impacts of COVID-19; and
- Deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

The grant funding offer to Council is \$874,692 (excl. GST).

MAIN REPORT

The grant funding is able to be allocated against a number of projects that meet the following eligibility criteria:

Roads Projects:

- Road projects generally, but preferably to support improved road safety outcomes;
- Traffic signs, street lighting, bridges/tunnels, heavy freight support (rest areas/weigh stations);
- Off-road facilities that support visitors;
- Road and sidewalk maintenance.

Community Infrastructure - construction / maintenance / improvements:

- CCTV projects;
- Bicycle and walking paths;
- Painting and improvements to community facilities;
- Repairing and replacing fencing;
- Improved accessibility of community facilities and areas;



-
- Landscaping improvements;
 - Picnic shelters / barbeque facilities;
 - Playgrounds and skate parks;
 - Noise and vibration mitigation;
 - Off-road carparks - sporting grounds/parks.

Identified projects must be delivered by 30 June 2021.

It is expected that councils, where possible, will use local businesses and workforces to deliver projects under the LRCI Program to ensure stimulus funding flows into local communities. Council has previously implemented a local preference component in our procurement policy to support this aspect of the grant criteria.

Projects within the Camden LGA, eligible for this grant funding, will be considered as part of the Stage 3 COVID-19 recovery package, which will be briefed to Council over the coming two months.

FINANCIAL IMPLICATIONS

Funds required for project administration and design are available from within the existing Council budget.

CONCLUSION

Council has been offered grant funding from the Federal Government, as part of the Federal Government's COVID-19 response, to support local businesses and stimulate local economies. It is therefore recommended that Council accept the grant funding in the sum of \$874,692 (excl. GST).

It is also recommended that Council write to the Hon. Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, and the Hon. Mark Coulton, Minister for Regional Health, Regional Communications and Local Government, thanking them for the grant and write to the Hon. Angus Taylor MP, Member for Hume, thanking him for his support.

RECOMMENDED

That Council:

- accept the grant funding of \$874,692 (excl. GST) from the Department of Infrastructure, Transport and Regional Development;**
- write to the Hon. Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, and the Hon. Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government, thanking them for the grant; and**
- write to the Hon. Angus Taylor MP, Member for Hume, thanking him for his support.**

ORDINARY COUNCIL

ORD08

SUBJECT: CAMDEN REGION ECONOMIC TASKFORCE LTD - APPOINTMENT OF DIRECTORS

FROM: Director Customer & Corporate Strategy

TRIM #: 20/166385

PURPOSE OF REPORT

The purpose of this report is to request Council to:

- i) appoint a Councillor director to Camden Region Economic Taskforce Ltd (CRET);
- ii) nominate independent directors to CRET;
- iii) endorse a request for a Special Meeting of CRET to be called to consider the appointment of independent directors and a chairperson;
- iv) appoint a proxy, and an alternate proxy, to vote on behalf of Council (the Member) at a Special Meeting in relation to the appointment of independent directors; and
- v) to review the structure for delivering economic development, including CRET, to ensure the provision of the most effective and efficient model to support local businesses, and advocate and promote the economy of Camden post COVID-19.

BACKGROUND

Council established Camden Region Economic Taskforce Ltd (CRET), which was incorporated on 13 September 2017.

Of the current directors, the term of Councillor director, Cr Lara Symkowiak, and independent director, Ms Adriana Guider, expire on 13 September 2020. The term of the remaining independent directors Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell expire on 26 September 2020.

The term of Councillor director, Cr Theresa Fedeli, expires on 23 April 2022.

Directors are appointed for a term of three years and may serve for no more than three terms in total.

Council is therefore required to consider the actions necessary to address those directors whose terms expire in September 2020.

It is noted that Ms Guider has indicated that, at the end of her term on 13 September 2020, she will be standing down and will not be seeking re-appointment as a director to the CRET Board.

Councillor briefings were provided on this matter on 14 and 28 July 2020.



MAIN REPORT

Calling a Special Meeting or Annual General Meeting

The appointment of independent directors and chairperson is required to be undertaken at either a Special Meeting or Annual General Meeting of CRET.

It is noted that under the CRET constitution the Member (Council) can call for a Special Meeting but only the Board can call and set the date for an Annual General Meeting.

Accordingly, for clarity, it is recommended that Council (the Member) call for a Special Meeting on 10 September 2020 for the purposes of appointing independent directors and electing a new chairperson.

The CRET Board has indicated that it would consider holding CRET's Annual General Meeting on the same night as the Special Meeting ie 10 September 2020.

The Special Meeting would comprise two separate components:

- An agenda item for the appointment of independent directors and to note the Members appointment of a Councillor Director; and
- An agenda item for the election of a chairperson.

Upon receiving the request from the Member calling for a Special Meeting, CRET is required to provide at least 21 days' notice of the proposed meeting to the Member and the directors.

Councillor Director

Under the CRET constitution, Council can appoint up to two Councillors as directors of CRET.

The current Councillor appointments to CRET are Cr Fedeli, whose term remains current until 23 April 2022 (or until she ceases to be a Councillor if prior to that date) and Cr Symkowiak, whose current term expires on 13 September 2020.

It is recommended that Council appoint a Councillor director, to take effect from 13 September 2020.

Independent Directors

Under the CRET constitution, only Council (the Member) can appoint or reappoint independent directors in its capacity as sole Member of the company. The appointment of independent directors will take place at the recommended Special Meeting.

Currently, there are five independent directors. Whilst independent director Ms Adriana Guider's term expires on 13 September 2020, the terms of the remaining four independent directors will expire on 26 September 2020.

Noting that Ms Guider is standing down from her director role on CRET, the remaining four directors, Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell, have each indicated that they will be seeking reappointment at the end of their current terms on 26 September 2020.

It is also noted that Ms McLean has indicated she would only be seeking to extend her role as a director for a further 12 months at this stage.

Council (as the Member) is required to endorse individuals for appointment as independent directors of the company.

Chairperson

Under the CRET constitution, the directors (Board) appoint the chairperson of the company (apart from the inaugural chairperson, which was Council's role) at a Special Meeting or Annual General Meeting. The chairperson must be an independent director of the company.

The election of a chairperson will take place at the recommended Special Meeting.

It will be recommended that Council write to Ms Guider to thank her for her contribution as both a director and chairperson of the Board since CRET's inception.

Proxy

The constitution allows the Member (Council) to appoint an individual as a proxy to vote on Council's behalf in the Members Meeting portion of the Special Meeting (or Annual General Meeting). There are no restrictions on who the Member can appoint as its proxy.

It is recommended that Council appoint the CRET Company Secretary, Mr Paul Rofe, who is also Council's Chief Financial Officer, as its proxy and Mr Tim Butler, Council's Director Customer and Corporate Strategy, as its alternate proxy and direct the proxy and alternate proxy to exercise their vote in favour of appointing or reappointing the individuals endorsed by Council.

A draft Special Meeting request, notice and proxy form are provided as **attachments** to this report.

Economic Development Review

The current economic and policy environment, as a result of COVID19, has created a changing landscape for businesses and investment.

It is therefore considered timely for Council to review the structure for delivering economic development, including CRET, to ensure that Council has the most effective and efficient model to support local businesses, and advocate and promote the economy of Camden post COVID-19.

Accordingly, it is recommended that a review be undertaken as outlined above and referred to Council for consideration within two months.

Director Appointments

In light of the proposed economic development review, it is recommended that the current independent directors Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell be appointed for a further term, to take effect from 26 September 2020, and that Council appoint a Councillor director for a further term, to take effect from 13 September 2020.



FINANCIAL IMPLICATIONS

The costs of conducting a Special Meeting (or an Annual General Meeting) of CRET can be funded within the existing budget.

CONCLUSION

Cr Symkowiak's and Ms Guider's terms as directors of CRET expire on 13 September 2020. The remaining independent directors' terms expire on 26 September 2020. Accordingly, Council is required to make the necessary appointments to fill the vacancies that will be created.

As outlined in the report, it is considered timely for Council to review the structure for delivering economic development, including CRET, to ensure that Council has the most effective and efficient model to support local businesses, and advocate and promote the economy of Camden post COVID-19.

To address the matters raised in this report it is recommended that Council endorse the following actions:

- i) appoint a Councillor director of CRET, effective from 13 September 2020;
- ii) inform CRET of the appointment of the Councillor director outlined in point i) above;
- iii) endorse the re-appointment of Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell as independent directors, effective from 26 September 2020 at a Special Meeting of CRET;
- iv) request CRET to convene a Special Meeting on 10 September 2020 to consider the appointment of:
 - a) specified individuals as independent directors with effect from 26 September 2020;
 - b) a chairperson with effect from 13 September 2020;
- v) appoint Paul Rofe, CRET Company Secretary and Council's Chief Financial Officer, as its proxy and Mr Tim Butler, Council's Director Customer and Corporate Strategy, as its alternate proxy for the Special Meeting and direct the proxy and the alternate proxy to vote to appoint the independent directors as outlined in point iii) above;
- vi) delegate to the General Manager or his nominee the authority to complete and execute a proxy form in accordance with point v) above;
- vii) review the structure for delivering economic development, including CRET, to ensure that Council has the most effective and efficient model to support local businesses, and advocate and promote the economy of Camden post COVID-19 and refer the review back to Council for consideration within 2 months; and
- viii) write to Ms Adriana Guider to thank her for her contribution to CRET as both a director and chairperson.

RECOMMENDED

That Council endorse the recommended actions outlined in the Conclusion of this report.

ATTACHMENTS

1. CRET - Request for Special Meeting

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2. CRET - Notice of Special Meeting
 3. Proxy Form