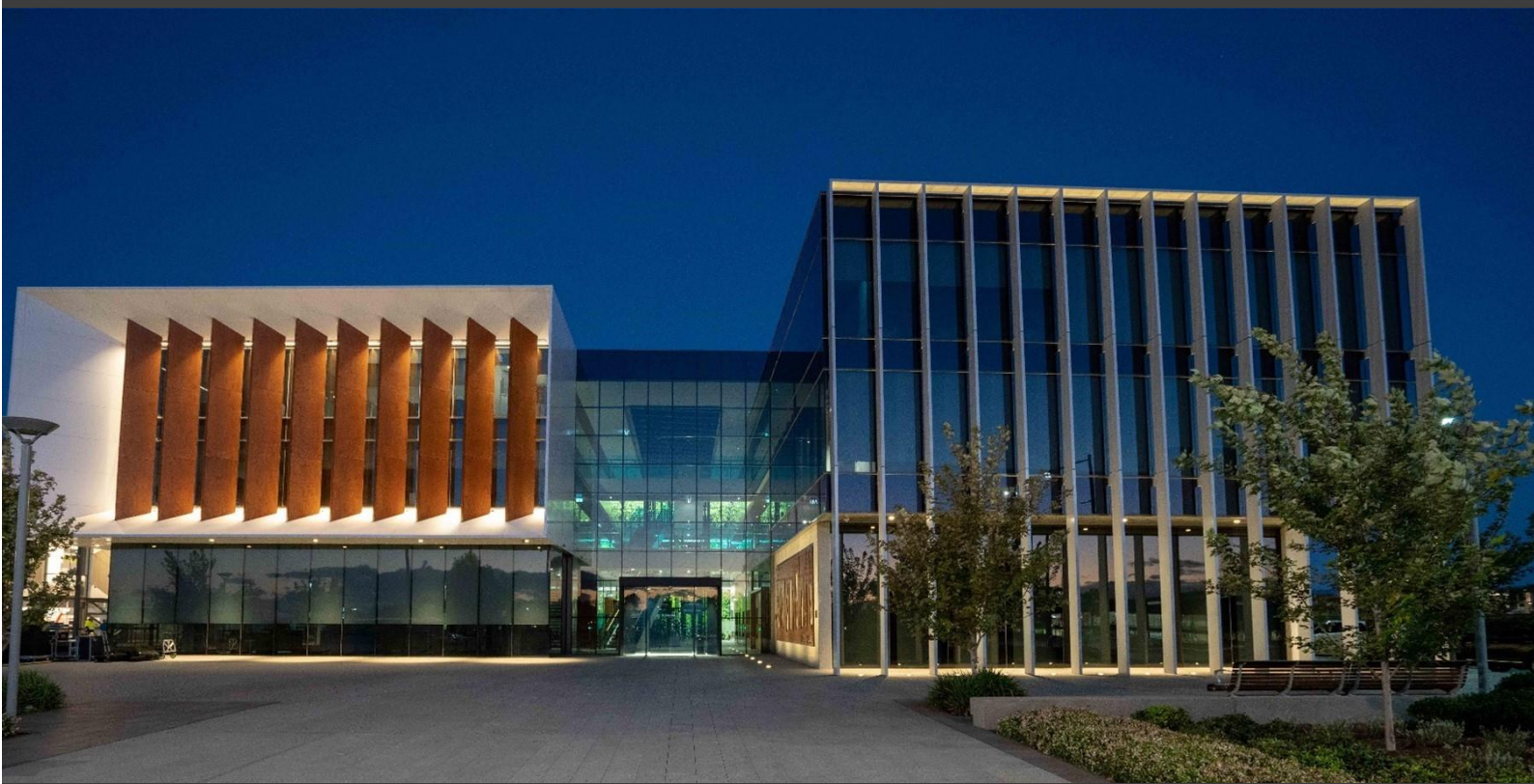


Business Paper

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

8 November 2022

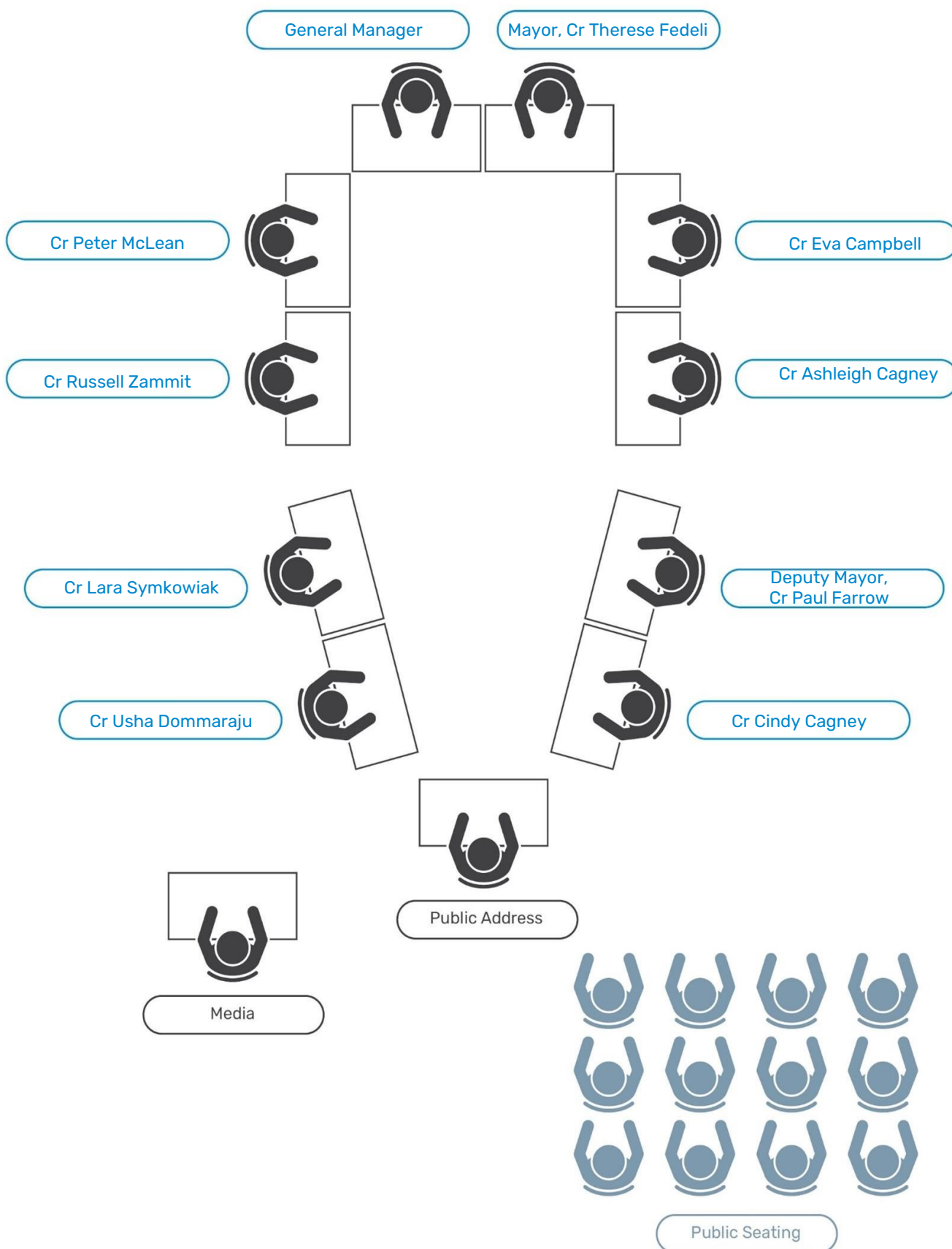


The public can also view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>

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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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ORD03

ORD03

SUBJECT: PLANNING PROPOSAL FOR COUNCIL OWNED LAND AT 55 TOPHAM ROAD, SMEATON GRANGE
FROM: Acting Director Planning & Environment
EDMS #: 22/466284

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for Council owned land at 55 Topham Road, Smeaton Grange.

The draft Planning Proposal seeks to amend Camden Local Environmental Plan (LEP) 2010 to introduce an Additional Permitted Use of '*animal boarding and training establishment*' at 55 Topham Road, Smeaton Grange.

BACKGROUND

At its meeting held on 13 July 2021, Council endorsed the preferred site for Council's future animal care facility at 55 Topham Road, Smeaton Grange.

The site is zoned IN1 General Industrial under the Camden LEP 2010 and '*animal boarding and training establishments*' are currently prohibited within this zone.

In February 2022, Council officers engaged Planning Ingenuity to prepare a draft Planning Proposal that seeks to introduce an Additional Permitted Use (APU) for '*animal training and boarding establishment*' at the subject site. The draft Planning Proposal is provided as an **attachment** to this report.

Given the draft Planning Proposal seeks to facilitate the establishment of an animal care facility on Council owned land, Council officers engaged GYDE Consulting to undertake an independent assessment of the draft Planning Proposal and to prepare an assessment report for Council's consideration. The independent assessment report is provided as an **attachment** to this report.

On 18 October 2022, the draft Planning Proposal was considered by the Camden Local Planning Panel. The Panel concluded that the draft Planning Proposal demonstrated strategic and site specific merit and recommended that Council proceed to a Gateway Determination. A copy of the minutes from the Camden Local Planning Panel meeting is provided as an **attachment** to this report.

Councillors were briefed on the draft Planning Proposal on 31 October 2022.

MAIN REPORT

The independent assessment report (prepared by GYDE Consulting) that is **attached** to this report considers the proposal demonstrates strategic and site specific planning merit and is aligned with Council's strategic vision for the site.

GYDE Consulting concludes that the proposal will facilitate the provision of an important piece of community infrastructure in an appropriate location.

FINANCIAL IMPLICATIONS

This report has no financial implications for Council.

CONCLUSION

The attached independent assessment report concludes that the draft Planning Proposal has strategic and site specific merit and that the matter should proceed to a Gateway Determination.

RECOMMENDED

That Council:

- i. **endorse the draft Planning Proposal that seeks to introduce an Additional Permitted Use of *'animal boarding and training establishment'* to Council owned land at 55 Topham Road, Smeaton Grange (Lot 3513 DP 830128) to be forwarded to the Department of Planning and Environment for Gateway Determination;**
- ii. **subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition for the draft Planning Proposal in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*;**
- iii. **subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for the plan to be made; or**
- iv. **if unresolved submissions are received, consider a further report outlining the results of the public exhibition period.**

ATTACHMENTS

1. Independent Assessment Report
2. Minutes of Camden Local Planning Panel
3. Planning Proposal

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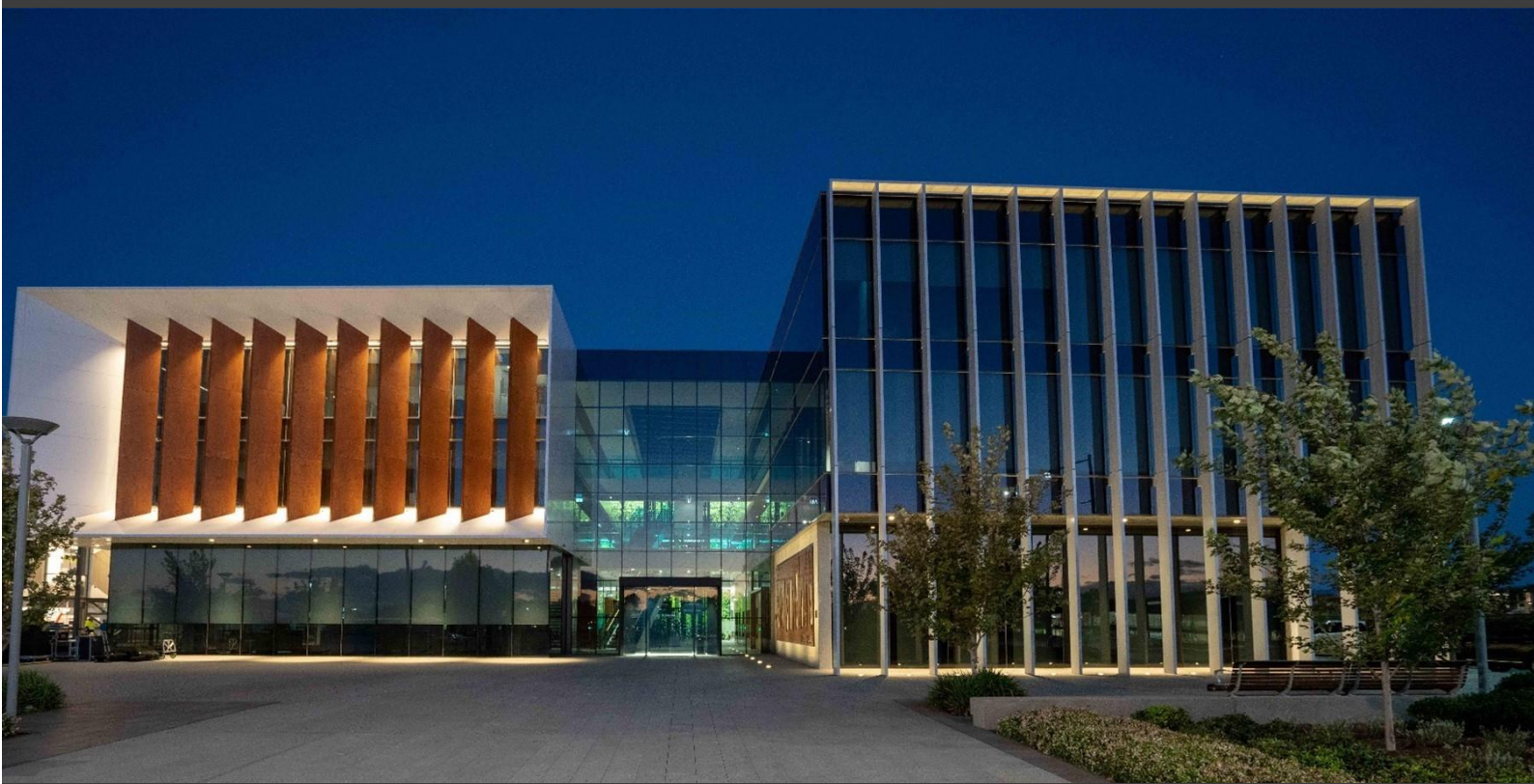
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Minutes

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MEETING COMMENCED AT 6.31PM**PRESENT****In person:**

Cr Farrow (Deputy Mayor/Chairperson)
Cr A Cagney
Cr C Cagney
Cr E Campbell
Cr U Dommaraju
Cr P McLean

Remote:

Nil

STAFF

Acting General Manager
Director Customer & Corporate Strategy
Acting Director Planning & Environment
Director Community Assets
Acting Director Sport, Community & Activation
Chief Financial Officer
Manager Open Space & Sustainability
Manager Public Affairs
Manager Legal & Governance
Acting Manager Strategic Planning
Acting Manager Major Projects
Acting Manager Community Outcomes
Coordinator Contributions Planning
Senior Governance Officer
Governance Officer – Panels & Committees
Assistant Governance Officer
Media Advisor

LEAVES OF ABSENCE

Motion: Moved Councillor Campbell, Seconded Councillor A Cagney that Councillor Fedeli, Councillor Symkowiak and Councillor Zammit be granted leave of absence.

ORD160/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Campbell, C Cagney, A Cagney, Farrow, Dommaraju and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

APPROVAL TO ATTEND BY AUDIO-VISUAL LINK

There were no requests to attend by audio-visual link.

DECLARATIONS OF INTEREST

Councillor A Cagney declared a non-pecuniary, less than significant interest in relation to ORD12 - Community Grants Program 2022/2023, advising that that she is on the Executive of the St Clare's Catholic School Parents and Friends Association, however as its application was not recommended for funding she would remain in the Chamber during discussion and voting on the matter.

Councillor McLean declared a non-pecuniary, less than significant interest in relation to ORD12 - Community Grants Program 2022/2023, advising that he is a volunteer at and a parent of a student who attends St Clare's Catholic School, and that he is a life member of Camden Cycle Club, however he is not a current financial or insured member and had no involvement in the grant process or any significant relationships to anyone at the Club, and that he would remain in the Chamber during discussion and voting on the matter.

Councillor Campbell declared a non-pecuniary, less than significant interest in relation to ORD12 - Community Grants Program 2022/2023, advising that she is a volunteer and life member of several of the groups recommended to receive funding, however as she does not hold any positions with them and her involvement is only that of an ordinary community member, she would remain in the Chamber during discussion and voting on the matter.

Councillor Dommaraju declared a pecuniary interest in relation to ORD02 - Leppington Town Centre Planning Proposal, advising that she and her husband own property in the vicinity of the land which is the subject of the Planning Proposal and that she would vacate the Chamber and not take part in discussion and voting on the matter.

Motion: Moved Councillor A Cagney, Seconded Councillor McLean that the declarations be noted.

ORD161/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Campbell, C Cagney, A Cagney, Farrow, Dommaraju and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

PUBLIC ADDRESSES

Sister Catherine McCahill on behalf of the Trustees of the Good Samaritan Sisters addressed Council in relation to ORD01 - Mater Dei / Wivenhoe Planning Proposal.

Mr Edward O'Grady addressed Council in relation to ORD13 – Draft Biodiversity Strategy 2022 - Post Exhibition.

Motion: Moved Councillor Campbell, Seconded Councillor A Cagney that the public addresses be noted.

ORD162/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Campbell, C Cagney, A Cagney, Farrow, Dommaraju and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

ORD03 Planning Proposal for Council Owned Land at 55 Topham Road, Smeaton Grange

Motion: Moved Councillor Campbell, Seconded Councillor A Cagney that Council:

- i. endorse the draft Planning Proposal that seeks to introduce an Additional Permitted Use of '*animal boarding and training establishment*' to Council owned land at 55 Topham Road, Smeaton Grange (Lot 3513 DP 830128) to be forwarded to the Department of Planning and Environment for Gateway Determination;
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition for the draft Planning Proposal in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*;
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition period.

ORD166/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Campbell, C Cagney, A Cagney, Farrow, Dommaraju and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

ORD04 Variations to Development Standards Approved Under Staff Delegation (Quarterly Report)

Motion: Moved Councillor C Cagney, Seconded Councillor Campbell that Council note the information in this report.

ORD167/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Campbell, C Cagney, A Cagney, Farrow, Dommaraju and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

DRAFT

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